

CHAPTER 51: SEWERS

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GENERAL PROVISIONS

§ 51.001 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BOD (denoting **BIOCHEMICAL OXYGEN DEMAND**) . The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days 20°C. expressed in milligrams per liter.

BUILDER. Any person, persons or corporation who undertake to construct, either under contract or for resale, any habitable building.

BUILDING DRAIN. That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet (one and one-half meters) outside the inner face of the building wall.

BUILDING SEWER. The extension from the building to the public sewer or other place of disposal.

COMBINED SEWER. A sewer receiving both surface runoff and sewage.

DEVELOPER. Any person, persons or corporation who undertake to construct simultaneously more than one housing unit on a given tract or land subdivision.

EASEMENT. An acquired legal right for the specific use of land owned by others.

GARBAGE. Solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

HEALTH OFFICER. Agent or representative of the Cattaraugus County Health Department.

INDUSTRIAL WASTES. The liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.

NATURAL OUTLET. Any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.

NYSDEC. The New York State Department of Environmental Conservation.

PERSON. Any individual, firm, company, association, society corporation or group.

pH. The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

PROPERLY SHREDDED GARBAGE. The wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch (1.27 centimeters) in any dimension.

PUBLIC SEWER. A sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

SANITARY SEWER. A sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

SEWAGE. A combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with the ground, surface and storm waters may be present.

SEWAGE TREATMENT PLANT. Any arrangement of devices and structures used for treating sewage.

SEWAGE WORKS. All facilities for collecting, pumping, treating and disposing of sewage.

SEWER. A pipe or conduit for carrying sewage.

SHALL is mandatory; **MAY** is permissive.

SIGNIFICANT USER. Any person who:

- (1) Discharges more than 1.0% of the design flow or design loadings (Examples: BOD and total suspended solids) for the sewage treatment plant;
- (2) Discharges industrial waste; or
- (3) Discharges water or waste which, in the opinion of the Superintendent, can either alone or in combination with other

waste have a detrimental impact on the sewage works; cause an increase in the cost of managing effluent, sludge or air emissions; cause an increase in the cost of operation, maintenance or replacement of the sewage works.

SLUG. Any discharge of water, sewage or industrial waste which in concentration of any give constituent or in quantity of flow exceeds for any period of duration longer than 15 minutes more than five times the average 24-hour concentration or flows during normal operation.

STORM DRAIN (sometimes termed **STORM SEWER**). A pipe or conduit which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

SUPERINTENDENT. The Superintendent of Sewage Works and/or of Water Pollution Control of the village, or his or her authorized deputy, agent or representative.

SUSPENDED SOLIDS. Solids that either float on the surface of, or are in suspension in water, sewage or other liquids, and which are removable by laboratory filtering.

VILLAGE BOARD. The duly elected Board of Trustees of the Village of Franklinville or its authorized deputy or representative.

WATERCOURSE. A channel in which a flow of water occurs, either, continuously or intermittently.

WPCF. The Water Pollution Control Federation.

(Prior Code, § 3-1-1)

PUBLIC SEWER USE

§ 51.015 PROPER DISPOSAL OF MATERIALS REQUIRED.

It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the village, or in any area under the jurisdiction of the village, any human or animal excrement, garbage or other objectionable waste.

(Prior Code, § 3-2-1) Penalty, see § 51.999

§ 51.016 DISCHARGE WITHOUT TREATMENT PROHIBITED.

It shall be unlawful to discharge to any natural outlet within the village, or in any area under the jurisdiction of the village, any sewage, industrial waste or other polluted waters except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.

(Prior Code, § 3-2-2) Penalty, see § 51.999

§ 51.017 SEWER CONSTRUCTION REGULATION.

(A) Use of separate storm sewers and sanitary sewers is mandatory for all future construction in the village. Construction of combined sewers will not be allowed in the future.

(B) Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.

(Prior Code, §§ 3-2-3, 3-2-4) Penalty, see § 51.999

§ 51.018 REQUIREMENT OF PROPERTY OWNER TO CONNECT WITH SEWER LINE AT OWNER'S EXPENSE.

The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the village and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the village, is hereby required at his or her expense to install suitable toilet facilities therein, and to connect the facilities directly with the proper public sewer in accordance with the provisions of this chapter, within 90 days after date of official notice to do so, provided that the public sewer is within 400 feet of the property line.

(Prior Code, § 3-2-5) (Ord. 2-2007, passed 2-12-2007) Penalty, see § 51.999

§ 51.019 SEPTIC SYSTEM REPLACEMENT.

(A) Any private septic system in existence and being used at the time of the adoption of this chapter which remains continuously in good condition and repair may continue to be used until such time as the septic would need to be revitalized, expanded or improved in any manner other than regular maintenance or pumping.

(B) At that time, the private septic user shall be required to connect to the municipal sewer system.

(Prior Code, § 3-2-6) (Ord. 2-2007, passed 2-12-2007)

PRIVATE SEWAGE DISPOSAL

§ 51.030 WHEN PRIVATE SEWAGE DISPOSAL SYSTEM CONNECTION REQUIRED.

Where a public sanitary sewer is not available under the provisions of §51.018 above, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this subchapter.

(Ord. 2-2007, passed 2-12-2007)

§ 51.031 PRIVATE SEWAGE DISPOSAL SYSTEM CONSTRUCTION APPLICATION; PERMIT; FEE.

Before commencement of construction of a private sewage disposal system the owner shall first prepare a written permit application furnished by the village and obtain a written approval of the Superintendent and the CCDOH. A permit and inspection fee in an amount to be determined from time to time by the Village Board shall be paid therefore.

(Ord. 2-2007, passed 2-12-2007)

§ 51.032 INSPECTION AND CONSTRUCTION APPROVAL REQUIRED PRIOR TO USE.

(A) The Superintendent shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Superintendent when the work is ready for final inspection, and before any underground portions are covered.

(B) The inspection shall be made within 48 hours of the receipt of notice by the Superintendent. Use of the system shall not be allowed until construction is completed to the satisfaction of the Superintendent.

(Prior Code, § 3-3-3)

§ 51.033 COMPLIANCE WITH STATE HEALTH REGULATIONS REQUIRED.

The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the Department of Public Health of the state.

(Prior Code, § 3-3-4) Penalty, see § 51.999

§ 51.034 CONNECTION TO PUBLIC SEWER REQUIRED IF SUBSEQUENTLY BECOMES AVAILABLE.

At such time as a public sewer disposal system, as provided in §51.017(B) above, a direct connection shall be made to the public sewer in compliance with § 51.019 above.

(Ord. 2-2007, passed 2-12-2007)

§ 51.035 SANITARY OPERATION OF PRIVATE SEWAGE DISPOSAL SYSTEM REQUIRED.

The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times at no expense to the village.

(Prior Code, § 3-3-6) Penalty, see § 51.999

§ 51.036 ADDITIONAL REQUIREMENTS NOT WAIVED OR PREEMPTED.

No statement contained in this subchapter shall be construed to interfere with any additional requirements that may be imposed by the Health Officer or the State Department of Environmental Conservation.

(Prior Code, § 3-3-7)

BUILDING SEWERS AND CONNECTIONS

§ 51.050 WRITTEN PERMIT REQUIRED.

No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Superintendent.

(Prior Code, § 3-4-1) Penalty, see § 51.999

§ 51.051 TYPES OF PERMITS; APPLICATION; INSPECTION FEE.

(A) There shall be two classes of building sewer permits:

(1) For residential and commercial service; and

(2) For service to significant users or establishments producing industrial wastes.

(B) In either case, the owner or his or her agent shall make application on a special form furnished by the village. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Superintendent.

(C) A permit and inspection fee in an amount determined from time to time by the Village Board shall be paid therefore in accordance with §§ 93.095 through 93.098.

(Prior Code, § 3-4-2) (Ord. 2-2007, passed 2-12-2007)

§ 51.052 COSTS AND EXPENSES BORNE BY OWNER.

All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner except that the village will provide for connection to village systems within the street right-of-way. The property owner or contractor shall adequately schedule work to allow village utility work to be completed prior to the owner's contractor making connections.

(Prior Code, § 3-4-3) (Ord. 2-2007, passed 2-12-2007)

§ 51.053 SEWER TO BUILDING RATIO.

A separate and independent building sewer shall be provided for every building. Where building sewers are to serve multiple dwelling structures, there shall be provided at least one separate building sewer for each group of four living units.

(Prior Code, § 3-4-4) (Ord. 2-2007, passed 2-12-2007)

§ 51.054 USE OF OLD BUILDING SEWERS.

Old building sewer may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of this chapter.

(Prior Code, § 3-4-5)

§ 51.055 MATERIALS AND CONSTRUCTION METHODS REQUIRED.

(A) Building sewers shall have a diameter of four inches minimum with a minimum slope of one-quarter inch per foot. Sewer pipe approvable for building sewer construction include plastic pipe SDR-35 conforming to ASTM Designation D-3034 with flexible rubber gasket joints no greater than ten-foot lengths or ductile iron pipe if the owner submits a method of joining satisfactory to the Superintendent. Sewer pipe bedding shall be placed so that the entire length of pipe will have full bearing.

(B) Adequate bedding shall consist of four inches of select granular backfill beneath the pipe and six inches over the pipe. Select granular backfill material shall be approved by the Superintendent and consist of sound, hard, durable, well-graded stone, run-of-bank gravel or other acceptable granular material with maximum size of one and one-half. This material shall be free of frozen lumps, foreign materials or other objectionable material.

(C) The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the village.

(D) In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply.

(Prior Code, § 3-4-6)

§ 51.056 ELEVATION REQUIREMENT.

(A) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor.

(B) In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage or industrial waste carried by the building drain shall be lifted by a village approved means and discharged to the building sewer.

(Prior Code, § 3-4-7) (Ord. 2-2007, passed 2-12-2007)

§ 51.057 SURFACE RUNOFF AND GROUNDWATER CONNECTIONS PROHIBITED.

No person shall make connection of roof down spouts, exterior foundation drains, areaway drains or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

(Prior Code, § 3-4-8) Penalty, see § 51.999

§ 51.058 CONNECTIONS TO CONFORM TO APPLICABLE REGULATIONS.

(A) The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the village, or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice No. 9.

(B) All the connections shall be made gastight and watertight.

(Prior Code, § 3-4-9) (Ord. 2-2007, passed 2-12-2007)

§ 51.059 SUPERVISION OF CONNECTION.

(A) The applicant for the building sewer permit shall notify the Superintendent prior to placing backfill when the building sewer is ready for inspection and connection to the public sewer.

(B) The connection shall be made under the supervision of the Superintendent or his or her representative.

(Prior Code, § 3-4-10)

§ 51.060 PROTECTION OF PUBLIC FROM EXCAVATION HAZARD REQUIRED.

(A) All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard.

(B) Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored to its original state or in a manner satisfactory to the village.

(Prior Code, § 3-4-11) (Ord. 2-2007, passed 2-12-2007)

§ 51.061 MANHOLE CONNECTION REQUIREMENTS.

(A) When any building sewer is to serve a school, hospital or similar institution or public building; or is to serve a complex of industrial or commercial buildings; or which, in the opinion of the Superintendent, will receive sewage or industrial wastes of the volume or character that frequent maintenance of the building sewer is anticipated, then the building sewer shall be connected to the public sewer through a manhole.

(B) The Superintendent shall determine if and where this type of connection to the public sewer is required and recommend procedures for its installation. The new manhole shall then be installed in the public sewer at the owner's expense and the building sewer connection made thereto under the supervision of the Superintendent or his or her representative.

(Prior Code, § 3-4-12)

§ 51.062 SERVICE AND REPAIR OF BUILDING SEWER.

Building sewers shall be serviced and repaired by the owner of the property being served.

(Prior Code, § 3-4-13)

§ 51.063 SEWER CLEANOUT REQUIRED TO BE ACCESSIBLE.

There shall be an accessible cleanout on the building drain near its junction with the building sewer outside the building.

(Prior Code, § 3-4-14) (Ord. 2-2007, passed 2-12-2007)

PUBLIC SEWER DISCHARGE

§ 51.075 DISCHARGE INTO SANITARY SEWER PROHIBITED.

No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial process waters to any sanitary sewer.

(Prior Code, § 3-5-1) Penalty, see § 51.999

§ 51.076 STORM SEWER OR NATURAL OUTLET.

Storm waters and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Superintendent. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Superintendent, to a storm sewer or natural outlet.

(Prior Code, § 3-5-2)

§ 51.077 SPECIFIC PROHIBITED DISCHARGE SUBSTANCES.

No person shall discharge or cause to be discharged any of the following prohibited waters or wastes to any public sewers:

- (A) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid solid or gas;
- (B) Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, which could injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant;
- (C) Any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works;
- (D) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers and the like, either whole or ground by garbage grinders;
- (E) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths horsepower (0.76 hp metric) or greater shall be subject to the review and approval of this Superintendent;
- (F) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable state or federal regulations;
- (G) Excessive odor as determined by the Superintendent; or
- (H) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such a degree that the sewage treatment plant cannot meet the requirements of other agencies having jurisdiction, for items such as: treatment plant effluent discharging to the receiving stream, sludge, residue or scum disposal criteria on land, or air emissions.

(Prior Code, § 3-5-3) Penalty, see § 51.999

§ 51.078 DISCHARGE OF CERTAIN PROHIBITED SUBSTANCES WITH PRIOR WRITTEN APPROVAL.

(A) No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely in the opinion of the Superintendent that the wastes can harm either the sewers, sewage treatment process or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property or constitute a nuisance.

(B) In forming this opinion as to the acceptability of these wastes, the Superintendent will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors.

(C) The substances restricted, unless specifically approved in writing by village permit are:

- (1) Any liquid, vapor or waste having a temperature higher than 150°F (65°C) or containing heat in such quantities so as to cause the temperature of the treatment plant influent to exceed 104°F (40°C);
- (2) Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of 25 mg/l or containing substances which may solidify or become viscous at temperatures between 32°F and 150°F (0°C and 65°C);
- (3) Any waters or wastes containing substances in excess of the following levels:

<i>Parameter</i>	<i>Monthly Average Level (mg/l)</i>
<i>Parameter</i>	<i>Monthly Average Level (mg/l)</i>
Arsenic	0.05
Cadmium	0.07
Total Chromium	0.05
Copper	1.80
Cyanide	0.3
Lead	0.3
Mercury	0.2
Nickel	1.0
Silver	0.24

Zinc	1.48
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(4) Any waters or wastes containing phenols in excess of 0.5 mg/l or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Superintendent as necessary, after treatment of the composite sewage, to meet the requirements of the state, federal or other public agencies of jurisdiction of the discharge to the receiving waters;

(5) Any waters or wastes have pH in excess of 9.5; and

(6) Materials which exert or cause:

(a) Unusual concentration of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate);

(b) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions);

(c) Unusual BOD, solids concentration or chemical oxygen demand, in such quantities as to constitute a significant load on the sewage treatment works. For purposes of this chapter, any concentrations exceeding the following limits shall be considered unusual. All other determinations of unusual concentrations, if not specified in this local law shall be at the Superintendent's discretion:

Total solids	900 mg/l
Total dissolved solid	600 mg/l
Total suspended solids	300 mg/l
Settleable solids	200 mg/l
BOD	250 mg/l
Chemical oxygen demand	700 mg/l

(d) Unusual volume of flow or concentration of waste constituting slugs, as defined herein.

(Prior Code, § 3-5-4)

§ 51.079 SUPERINTENDENT REMEDIAL AUTHORITY OVER DISCHARGE.

(A) If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in § 51.078 above, and which in the judgment of the Superintendent, may have a deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Superintendent, with the approval of the Village Board, may:

(1) Reject the waste;

(2) Require pretreatment to an acceptable condition for discharge to the public sewers;

(3) Require, control over the quantities and rates of discharge;

(4) Require payment to cover the added cost of handling and treating the waste not covered by existing taxes or sewer charges under the provisions of § 51.084 below; and/or

(5) Require surveillance and/or monitoring necessary to determine the extent of non-compliance with appropriate documentation.

(B) Any person notified by the Superintendent that the village is rejecting the waste shall immediately stop or eliminate the contribution. In the event of a failure of the person to comply voluntarily with the rejection order, the village shall take such steps as deemed necessary including immediate severance of the sewer connection, to prevent or minimize damage to the sewer works or endangerment to any individuals. The village shall reinstate service upon proof of the elimination of the non-complying discharge and after assurance that the person responsible for the discharge will submit a detailed written statement describing the causes of the harmful contribution and the measures taken to prevent any future occurrence. This statement shall be submitted to the Superintendent within 15 days of the date of occurrence.

(C) If the Superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Superintendent and the licensed sewer plant operator, and subject to the requirements of all applicable codes, ordinances and laws. In addition, 30 days after the pretreatment or equalization is operational, the owner must provide a certification to the Superintendent, backed by whatever testing the Superintendent and plant operator may require, indicating when the applicable pretreatment requirements are being achieved on a consistent basis and if not, describe the steps to be taken, along with a proposed schedule, to achieve compliance.

(Prior Code, § 3-5-5) (Ord. 2-2007, passed 2-12-2007)

§ 51.080 GREASE, OIL AND SAND INTERCEPTORS.

Grease, oil and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients; except that the interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent, and shall be located as to be readily and easily accessible for cleaning and open to inspection by the Superintendent or designee at any time.

(Prior Code, § 3-5-6) (Ord. 2-2007, passed 2-12-2007)

§ 51.081 CONTINUOUS OPERATION OF PRELIMINARY TREATMENT OR FLOW-EQUALIZING FACILITIES.

Where preliminary treatment or flow-equalizing facilities are provided for any wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his or her expense.

(Prior Code, § 3-5-7)

§ 51.082 INDUSTRIAL WASTE SEWER MANHOLE AND METERS.

When required by the Superintendent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with the necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. The manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Superintendent. The manhole shall be installed by the owner at his or her expense, and shall be maintained by him or her so as to be safe and accessible at all times.

(Prior Code, § 3-5-8)

§ 51.083 MEASUREMENT, TEST AND ANALYSIS.

(A) All measurements, tests and analysis of the characteristics of waters and wastes to which reference is made in this chapter shall be determined in accordance with the latest edition of *Standard Methods for the Examination of Water and Wastewater*, published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at the control manhole. In the event that no special manhole has been required, the control manhole should be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

(B) Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. The particular analyses involved, to be performed by a laboratory certified in the state, will determine whether a 24-hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken.

(C) Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls whereas pHs are determined from periodic grab samples.

(Prior Code, § 3-5-9)

§ 51.084 ARRANGEMENTS FOR DISPOSAL OF UNUSUAL WASTE NOT EXCLUDED.

No statement in this subchapter shall be construed as preventing any special agreement or arrangement between the village and an industrial concern for treatment of unusual waste provided that the agreement or arrangement in no way violates this subchapter, the Federal Categorical Pretreatment Standards or National Pretreatment Standards as listed in C.F.R. § 403.5(a) and (b).

(Prior Code, § 3-5-10)

§ 51.085 INDUSTRY REQUIRED TO COMPLY WITH SPECIAL STANDARDS.

(A) When pretreatment regulations are adopted by USEPA or NYSDEC for any industry, then that industry must immediately conform to the USEPA or NYSDEC timetable for adherence to federal or state pretreatment requirements and any other applicable requirements promulgated by USEPA and NYSDEC in accordance with the Clean Water Act of 1977 § 307 (Pub. L. No. 95-127, being U.S.C. § 1317).

(B) Additionally, the industries shall comply with any more stringent standards necessitated by local conditions as determined by the village.

(Prior Code, § 3-5-11)

SEWER DAMAGE

§ 51.100 PERSON DAMAGING SEWER WORKS SUBJECT TO ARREST.

(A) No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the sewage works.

(B) Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

(Prior Code, § 3-6-1) Penalty, see § 51.999

§ 51.101 NOTIFICATION OF ACCIDENTAL VIOLATION OF DISCHARGE RESTRICTIONS.

(A) Any person discharging industrial waste shall notify the Superintendent immediately upon accidentally discharging wastes in violation of this chapter.

(B) This notification shall be followed, within 15 days of the date of occurrence, by a detailed written statement describing the causes of the accidental discharge and the measures being taken to prevent future occurrences.

(C) The notification will not relieve liability for any expenses, loss or damage to the sewage works, or any fines imposed on the village under applicable state and federal regulations as to discharges of industrial waste.

(Prior Code, § 3-6-3)

§ 51.102 POSTING OF NOTICE TO CALL VILLAGE IN CASE OF ACCIDENTAL DISCHARGE.

Persons discharging industrial waste are to post a notice advising their employees to call the village office in case of an accidental discharge in violation of this chapter for their information.

(Prior Code, § 3-6-4)

SIGNIFICANT USERS

§ 51.115 PURPOSE AND NOTICE.

(A) The requirements outlined in this subchapter are in no way intended to replace other requirements of this chapter, but are to supplement all other requirements.

(B) Within ten days after the effective date of this chapter, the village will submit a notice in writing to each person discharging to the public sewer whom they suspect qualifies under the definition of "significant user".

(C) However, failure of the village to submit a notice to a person who qualifies as a significant user does not relieve that person from adhering to the requirements associated with the significant user classification.

(Prior Code, § 3-7-1)

§ 51.116 APPLICATION FOR SIGNIFICANT USER PERMIT; FEE.

(A) Any significant user existing at the time of the enactment of this local law shall make written application for a village significant user permit on forms on file at the village office within 45 days after the effective date of this chapter. In the case of proposed significant users, a written application must be submitted not less than 90 days prior to the proposed connection date to the public sewer.

(Prior Code, § 3-7-2)

(B) A fee of \$50, payable to the village, shall accompany the application for a significant user permit.

(Prior Code, § 3-7-3) (Ord. 2-2007, passed 2-12-2007)

§ 51.117 APPLICATION DATA REQUIREMENTS.

(A) The applicant shall provide data requested on the application form.

(B) However, the village reserves the right to require additional information deemed to have a direct bearing on the kind and source of discharge to the sewers or waterways on facilities for waste treatment.

(C) The additional information required may include:

(1) A flow diagram delineating any and all wastewater streams;

(2) Analysis of any and all wastewaters generated on the premises or potentially capable of entering the public sewer; and/or

(3) The quantity and frequency of wastewater flows.

(Prior Code, § 3-7-4)

§ 51.118 ISSUANCE OF PERMIT; EXPIRATION AND REISSUE.

(A) The village will officially respond to a completed application for a significant user permit within 30 days. An existing significant user must have a valid permit approved by the village within 90 days after the effective date of this chapter or be considered in violation. Any proposed significant user must make application for permit at least 30 days prior to discharge to the public sewer.

(B) All significant user permits issued under this chapter shall be issued by the village. The village, in its sole discretion, shall determine the duration of the permit, and shall specify the time of expiration. Under no circumstances shall a permit be issued for any period of time in excess of five years from the date of issuance. The permit may be reissued, providing that the application be made at least 90 days prior to expiration of existing permit. The terms and conditions of the permit may be subject to modification by the village during the term of the permit as limitations or requirements are modified or other just cause exists. The significant user shall be informed of any proposed changes in his or her permit in writing at least 30 days prior to the effective date of change. Any changes or new conditions in the significant user's permit shall include a reasonable time schedule for compliance.

(Prior Code, §§ 3-7-5, 3-7-6)

§ 51.119 NON-TRANSFERABILITY OF PERMIT.

Significant user permits are issued to a specific person/owner/user for a specific operation. A permit shall not be reassigned or transferred, or sold to a new owner, new user, different premises or a new or changed operation. Any succeeding person, owner or user shall reapply for significant user permit.

(Prior Code, § 3-7-7) (Ord. 2-2007, passed 2-12-2007)

§ 51.120 MODIFICATION OF PERMIT TERMS.

Any significant user who anticipates a significant change in volume or character of the discharge to the public sewer must not only obtain approval from the Superintendent and licensed sewer plant operator, but may also be required to seek modification to the significant user permit.

(Prior Code, § 3-7-8) (Ord. 2-2007, passed 2-12-2007)

§ 51.121 PERMIT RESTRICTIONS BY VILLAGE.

The following terms may be imposed by the village in the issuance of a significant user permit:

(A) Limitation upon the characteristics, volume of wastewaters or the rate of flow permitted from the premises;

(B) The installation and maintenance (including calibration) by the permittee at his or her own expense for facilities or equipment, including but not limited to devices for intermittent or continuous measurement of wastewaters discharged; facilities or equipment for reducing the maximum rates of discharge; pretreatment and flow control facilities; suitable controls or sampling manholes; grease, oil and sand interceptors, separators or traps;

(C) Maintenance of appropriate records of all measurements of wastewaters made by the permittee;

(D) The submission to the village of periodic reports (as frequent as weekly but no greater than quarterly) signed by the authorized representative, setting forth adequate data upon which the acceptability of the wastewaters may be determined subsequent to the commencement of operation of any pretreatment or flow control facilities;

(E) Reimbursement of village costs including staff time and lab fees, to independently sample and analyze the quantity and quality of the significant user's waste stream as frequently as weekly; and

(F) Other terms and conditions as may be necessary to protect the village sewage works and to carry out the intent and provisions of this chapter.

(Prior Code, § 3-7-9)

INSPECTIONS

§ 51.135 SUPERINTENDENT RIGHT TO INSPECT.

(A) The Superintendent and other duly authorized employees of the village bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this chapter.

(B) This authority shall also allow the Superintendent or his or her representatives to inspect and copy all industrial wastewater discharge records which the industry is required to keep to be in conformance with federal, state or local regulations.

(C) The Superintendent or his or her representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

(D) If the results of the aforementioned monitoring efforts indicate that a person has committed a violation, the village shall reserve the right to hire an independent laboratory, certified and/or approved by the New York State Department of Environmental Conservation and/or the U.S. Environmental Protection Agency, to secure and analyze samples of wastewater.

(E) The samples shall be secured and analyzed for the purpose of confirming or negating the violation. If the results of the analyses substantiate a violation, the costs shall be borne by the violator; if, however, the results indicate that a violation has not occurred, the costs shall be borne by the village.

(Prior Code, § 3-8-1)

§ 51.136 OBSERVATION OF SAFETY RULES DURING INSPECTION.

While performing the necessary work on private properties referred to in §51.135 above, the Superintendent or duly authorized employees of the village shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the village employees and the village shall indemnify the company against loss or damage to its property by village employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in § 51.139 below.

(Prior Code, § 3-8-2)

§ 51.137 EASEMENT RIGHT-OF-WAY FOR INSPECTION.

The Superintendent and other duly authorized employees of the village bearing proper credentials and identification shall be permitted to enter all private properties through which the village holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within the easement. All entry and subsequent work, if any, on the easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

(Prior Code, § 3-8-3)

§ 51.138 FEDERAL AND STATE INSPECTION RIGHTS.

Authorized employees of the NYSDEC and the United States Environmental Protection Agency (USEPA) shall have the same powers and authority provided to the Superintendent under this subchapter.

(Prior Code, § 3-8-4)

§ 51.139 INSPECTION INFORMATION AND DATA AVAILABLE TO PUBLIC.

(A) Information and data obtained from inspections, reports, questionnaires, permit applications, permits and monitoring programs shall be available to the public or other governmental agency without restriction unless the person responsible for the discharge specifically requests and is able to demonstrate to the satisfaction of the Superintendent and Village Board that the release of the information would divulge information, processes or methods of production entitled to protection as trade secrets.

(B) When requested by the person furnishing a report, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available upon written request to governmental agencies for uses related to this chapter, the national pollutant discharge elimination system (NPDES) permit, and state disposal system permit; provided, however, that the portions of a report shall be available for use by the state or any state agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information.

(C) Information accepted by the village as confidential, shall not be transmitted by the village to any governmental agency until and unless a ten-day notification is given to the person providing the information.

(Prior Code, § 3-8-5)

SEWER EXTENSIONS

§ 51.150 DESIGNS AND PLANS FOR SEWER EXTENSIONS.

(A) All extensions to the sanitary sewer system owned and maintained by the village shall be properly designed in accordance with the Standards for Waste Treatment Works, Municipal Sewerage Facilities as published by the NYSDEC. Plans and specifications for sewer extensions shall be submitted to, and approved by, the Superintendent and the NYSDEC before construction may proceed.

(B) The design of sewers must anticipate and allow for flows from all possible future extensions or developments within the immediate drainage area.

(Prior Code, § 3-11-1)

§ 51.151 SEWER EXTENSION BY PUBLIC CONTRACT.

(A) Sewer extensions may be constructed by the village under public contract if, in the opinion of the Village Board, the number of properties to be served by the extension warrants its cost. Under this arrangement the property owner shall pay for and install the building sewer from the public sewer to his or her residence or place of business in accordance with the requirements of §§ 51.050 through 51.063 above.

(B) Property owners may propose sewer extensions within the incorporated village by drafting a written petition, signed by a majority of the benefitting property owners, and filing it with the Village Board. The cost of the extensions may be assessed to the benefitted property owners in any manner determined by the Village Board.

(Prior Code, § 3-11-2)

§ 51.152 DEVELOPER OR OWNER CONSTRUCTED SEWER EXTENSION.

(A) If the village does not elect to construct a sewer extension under public contract, the property owner, builder or developer may construct the necessary extension, if the extension is approved in accordance with the requirements of § 51.150 above.

(B) He or she or they must pay for the entire installation, including all expenses incidental thereto. Each building sewer installed must be installed and inspected as previously required and the inspection fees shall be paid.

(C) The periodic inspection by the Superintendent and the expenses for this inspection shall be paid for by the owner, builder or developer.

(D) The Superintendent's decisions shall be final in all matters of quality and methods of construction.

(E) The cost of sewer extension thus made shall be absorbed by the developers or the property owners, including all building sewers.

(Prior Code, § 3-11-3)

§ 51.153 SEWER EXTENSION AS VILLAGE PROPERTY.

(A) All sewer extensions constructed at the property owner's, builder's or developer's expense, after final approval and acceptance by the Superintendent, shall become the property of the village and shall thereafter be maintained by the village.

(B) The sewers, after their acceptance by the village, shall be guaranteed by the owner, builder or developer against defects in materials or workmanship for 24 months. The guarantee shall be in a form provided for by the village. At the sole discretion of the village, a completion bond or certified check may be demanded as part of the guarantee.

(Prior Code, § 3-11-4) (Ord. 2-2007, passed 2-12-2007)

INTERCEPTORS

§ 51.165 SCOPE AND PURPOSE.

The purpose of this subchapter is to regulate and control discharges of animal and vegetable fats, oils and grease, food waste, soil, sand and lint into the public sewer collection system and wastewater treatment plant that interfere with the operations of the system, cause blockage and plugging of pipelines, interfere with normal operation of pumps and their controls, and contribute waste of a strength or form that either causes treatment difficulties or is beyond the treatment capability of the waste water treatment plant.

(Ord. 2-2007, passed 2-12-2007)

§ 51.166 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

COOKING ESTABLISHMENTS. Those establishments primarily engaged in activities of preparing, serving or otherwise making available for consumption foodstuffs and that use one or more of the following preparation activities: cooking by frying (all methods), baking (all methods), grilling, sauteing, rotisserie cooking, broiling (all methods), boiling, blanching, roasting, toasting or poaching. Also included are infrared heating, searing, barbecuing and any other food preparation activity that produces a hot, non-drinkable food product in or on a receptacle that requires washing.

FATS, OILS and GREASES. Organic polar compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical test procedures established in 40 C.F.R. § 136, as may be amended from time to time. All are sometimes referred to herein as **GREASE** or **GREASES**.

GREASE TRAP or INTERCEPTOR. A device for separating and retaining waterborne greases and grease complexes prior to the wastewater exiting the trap and entering the sanitary sewer collection and treatment system. These devices also serve to collect settleable solids, generated by and from food preparation activities, prior to the water exiting the trap and entering the sanitary sewer collection and treatment system. **GREASE TRAPS** and **INTERCEPTORS** are sometimes referred to herein as **GREASE INTERCEPTORS**.

MINIMUM DESIGN CAPABILITY. The design features of a grease interceptor and its ability or volume required to effectively intercept and retain greases from grease-laden wastewaters discharged to the public sanitary sewer.

NON-COOKING ESTABLISHMENTS. Those establishments primarily engaged in the preparation of precooked foodstuffs that do not include any form of cooking. These include cold dairy and frozen foodstuffs preparation and serving establishments.

USER. Any person, including those located outside the jurisdictional limits of the village, who contributes, causes or permits the contribution or discharge of wastewater into the sewer treatment plant, including persons who contribute the wastewater from mobile sources, such as those who discharge hauled wastewater.

(Ord. 2-2007, passed 2-12-2007)

§ 51.167 GREASE INTERCEPTOR PERMIT OR PRIOR APPROVAL REQUIRED.

All food service establishment facilities are subject to grease interceptor requirements. All those facilities must obtain approval from the Superintendent of Public Works or his or her designee for grease interceptor sizing as well as submitting plans for a building permit. All grease interceptors shall be readily and easily accessible for cleaning and inspection.

(Ord. 2-2007, passed 2-12-2007)

§ 51.168 INSTALLATION AND USE OF GREASE INTERCEPTORS REQUIRED.

(A) All permitted food service establishments are required to install, operate and maintain an approved type and adequately sized grease interceptor necessary to maintain compliance with the objectives of this chapter. Grease interceptors shall be installed at the user's expense. Grease interceptors may also be required in non-cooking or cold dairy and frozen foodstuffs establishments and other industrial or commercial establishments when they are deemed necessary by the Superintendent/licensed plant operator for the proper handling of liquid wastes containing grease. All grease interceptors must meet the requirements of the Uniform Plumbing Code.

(B) Any such facility in operation without such a grease trap on the date of original enactment of this section shall be required to install and use such a grease trap within 60 days of enactment.

(Ord. 2-2007, passed 2-12-2007)

§ 51.169 SPECIFICATIONS AND REQUIREMENTS FOR GREASE INTERCEPTORS.

(A) General provisions.

(1) No user shall allow wastewater discharge concentration from subject grease interceptor to exceed 325 milligrams per liter, as identified by method EPA Method 1664 or 275 milligrams per liter, as identified by EPA method 413.

(2) All grease interceptors shall be of a type, design and capacity approved by the superintendent or his or her designee and shall be readily and easily accessible for user cleaning and village inspection.

(3) All the grease interceptors shall be serviced and emptied of accumulated waste content as required in order to maintain minimum design capability or effective volume of the grease interceptor.

(4) Users who are required to pass water through a grease interceptor shall:

(a) Provide for a minimum hydraulic retention time of 24 minutes at actual peak flow or 12 minutes at the calculated theoretical peak flow rate as predicted by the Uniform Plumbing Code fixture criteria, between the influent and effluent baffles with 20% of the total volume of the grease interceptor being allowed for sludge to settle and accumulate, identified hereafter as a "sludge pocket;"

(b) Understand and agree that: no person shall introduce, nor allow the introduction of physical, chemical or biological agents into grease traps for the purpose of resuspending dissolving, emulsifying or rendering soluble any fats, oils or grease removed from waste water by the grease traps and reintroducing them into the village sewer system. Enzymes, emulsifiers and any other inhibitors are prohibited;

(c) Understand and agree that: wastewater in excess of 140°F shall not be discharged into a grease trap;

(d) Operate the grease interceptor in a manner so as to maintain the device such that attainment of the grease limit is consistently achieved. **CONSISTENT** shall mean any wastewater sample taken from the grease interceptor shall be subject to terms of numerical limit attainment described previously. If an establishment desires, because of documented space constraints, an alternate to an out-of-building grease interceptor, the request for an alternative location shall contain the following information:

1. Location of village sewer main and easement in relation to available exterior space outside building; and
2. Existing plumbing at or in a site that uses common plumbing for all services at that site.

(e) Understand and agree that: the use of automatic grease removal systems is conditionally permissible, upon prior written approval by the Superintendent, and the Cattaraugus County Department of Health. Any establishment using this equipment shall operate the system in such a manner that attainment of the grease wastewater discharge limit, as measured from the unit's outlet, is consistently achieved;

(f) Understand and agree that: no person shall deposit or discharge into the village sewers any fats, oils and grease which have been removed from a grease trap or sewer system outside the village; and

(g) Understand and agree that: the Superintendent reserves the right to make determinations of grease interceptor adequacy and need, based on review of all relevant information regarding grease interceptor performance, facility site and building plan review and to require repairs to, or modification or replacement of the traps.

(B) (1) The user shall maintain a written record, on forms provided by the village, of trap maintenance for three years. All records shall be kept in a conspicuous location and shall be available for inspection by the village at all times.

(2) The user shall submit maintenance records to the village on a biannual basis (twice per year). Records shall be submitted by March 1 and October 1 of each year. The records shall be submitted to the Superintendent of Public Works. The Superintendent or designee will make quarterly and periodic inspections of facilities.

(C) No non-grease laden sources are allowed to be connected to sewer lines intended for grease interceptor service.

(D) Except as provided herein, for a period of one year following adoption of this subchapter, although installation of grease interceptors will be required to be installed, no enforcement actions will be taken under this subchapter for failure to achieve limits on grease discharges from grease interceptors. If, during this one-year period, an obstruction of a village sewer main(s) occurs that causes a sewer overflow to the extent that an impact on the environment is realized and that the overflow or failure of the sanitary sewer collection system to convey sewage can be attributed in part or in whole to an accumulation of grease in the village's sewer main(s), the village will take appropriate enforcement actions.

(E) Access manholes, with a minimum diameter of 24 inches, shall be provided over each chamber and sanitary tee. The access manholes shall extend at least to finished grade and be designed and maintained to prevent water inflow or infiltration. The manholes shall also have readily removable covers to facilitate inspection, grease removal and wastewater sampling activities.

(Ord. 2-2007, passed 2-12-2007)

§ 51.170 SAND, SOIL AND OIL INTERCEPTORS.

All car washes, truck washes, garages, service stations, car and truck maintenance facilities, fabricators, utility equipment shops and other facilities (as determined by the Superintendent/wastewater plant operator) that have sources of sand, soil and oil shall install effective sand, soil and oil traps, interceptors and/or oil/water separators. These systems shall be sized to effectively remove sand, soil and oil at the expected flow rates. These systems shall be at the user's expense, cleaned or pumped on a regular basis to prevent impact upon the wastewater collection and treatment systems. Users whose systems are deemed to be ineffective by the Superintendent/wastewater plant operator shall be asked to change the cleaning frequency or to increase the size of the system. Owners or operators of washing facilities will be required to prevent the inflow of detergents and rainwater into the wastewater collection system. Oil/water separator installations shall be required at facilities that accumulate petroleum oils and greases and at facilities deemed necessary by the Superintendent/wastewater plant operator.

(Ord. 2-2007, passed 2-12-2007)

§ 51.171 COMMERCIAL LAUNDRY.

Commercial laundries shall be equipped with an interceptor with a wire basket or similar device, removable for cleaning, that prevents passage (into the wastewater collection system) of solids one-half inch or larger in size such as rags, strings, buttons or other solids detrimental to the system.

(Ord. 2-2007, passed 2-12-2007)

§ 51.172 DESIGN AND MAINTENANCE OF EQUIPMENT.

(A) The equipment or facilities installed to control fats, oils, grease, food waste, sand, soil, oil and lint must be designed in accordance with the NYS Department of Conservation guidelines, most current engineering standards, or other applicable guidelines approved by the Superintendent/wastewater plant operator.

(B) Underground equipment shall be tightly sealed to prevent inflow of rainwater and shall be easily accessible to allow regular maintenance and inspection.

(C) Control equipment shall be maintained by the owner and/or operator of the facility as to prevent a stoppage of the wastewater collection system, and the accumulation of fats, oils, grease, food waste, sand, soil and lint in the collection

lines, pump stations and wastewater treatment plant.

(D) If the village is required to clean out the wastewater collection lines, as a result of a stoppage resulting from poorly maintained control equipment (or lack thereof) the owner or operator shall be required to refund the labor, equipment, materials and any overhead costs to the village including any fines incurred due to any sanitary sewer overflow due directly to the stoppage.

(E) The village retains the right to inspect and approve any and all installations of control equipment.

(Ord. 2-2007, passed 2-12-2007)

§ 51.173 REQUEST FOR MODIFICATION OF EQUIPMENT BY VILLAGE.

The village, through the Superintendent/wastewater plant operator, reserves the right to request additional control measures if existing control equipment is shown to be insufficient to protect the wastewater collection system and wastewater treatment plant from interference due to the discharge of fats, oils, grease, sand soil, lint or any other undesirable materials.

(Ord. 2-2007, passed 2-12-2007)

FEES

§ 51.185 ESTABLISHMENT OF FEES.

The following connection and other service fees will be established in an amount to be determined from time to time by the Village Board:

- (A) Permit and inspection fee connection fee;
- (B) Turn-on service fee;
- (C) Turn-off service fee;
- (D) Repair termination fee; and
- (E) Non-payment termination fee.

(Ord. 2-2007, passed 2-12-2007)

§ 51.186 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CONNECTION FEE. The fee charged to compensate for the village's cost to make the physical connection of the customer's private service line to the public waste water main; this fee shall include the permit and connection fee.

CUSTOMER. The owner(s) of the real property being provided with waste water service; does not include a tenant or other occupant of the real property using the waste water system unless that occupant is the legal owner of the real property.

NON-PAYMENT TERMINATION FEE. The fee charged to compensate for the cost of terminating service at a service location for non-payment of service charges or rates.

PERMIT AND INSPECTION FEE. The fee charged for the cost of the permit and the village's inspection of the physical connection of a service location to the village waste water system.

REPAIR TERMINATION FEE. The fee charged to compensate for the cost of terminating service at a service location necessitated by the customer's faulty connection or wastewater service line or at the request of the customer so that repairs can be made to the customer's connection to the village waste water system.

SERVICE LOCATION. The customer's building or other structure or place on the real property receiving wastewater service from the village.

TURN-OFF SERVICE FEE. The fee charged for terminating service at a service location at the request of the customer for reasons unrelated to connection repair or service line repair or nonpayment of waste water rates.

TURN-ON SERVICE FEE. The fee charged for the cost of resuming service to the same customer at the same service location.

(Ord. 2-2007, passed 2-12-2007)

VIOLATION

§ 51.200 NOTICE OF VIOLATION; TIME FOR CORRECTION.

(A) Any person found to be violating any provision of this chapter, federal or state pretreatment requirements, except §§ 51.100 through 51.102, shall be served by the village, with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof.

(B) The offender shall, within the period of time state in the notice, permanently cease all violations.

(Prior Code, § 3-9-1)

§ 51.201 OFFENDER RESPONSIBLE FOR DAMAGES, COSTS AND EXPENSES.

Any person violating any of the provisions of this chapter shall become liable to the village for any expense, loss or damage occasioned the village by reason of the violation.

(Prior Code, § 3-9-3)

§ 51.999 PENALTY.

(A) A violation of any of the provisions of this chapter for which a penalty is not set out shall be subject to \$10.99.

(B) Any person who shall continue any violation beyond the time limit provided for in §51.200 above, shall be guilty of a violation and on conviction thereof shall be fined in the amount not exceeding \$250 for each offense. Each day in which any such violation shall continue shall be deemed a separate offense.

(Prior Code, § 3-9-2)