

SEWER SYSTEM ORDINANCE

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NOTICE IS HEREBY GIVEN, that after a Public Hearing was duly held on the following proposed ordinance on June 16, 1980.

AND WHEREAS no objections were raised the following ordinance becomes law of the Village of Tannersville;

SECTION 6.3.11 of the law of 1954 is hereby amended and reads as follows:

Any person failing to comply with any provisions of this regulation or of interfering with, entering or using the sewage system without authorization as provided in Section 3, shall be guilty of a misdemeanor and punishable by a fine of not less than \$200.00 and not more than \$500.00 for each violation thereof.

Effective Date:

This ordinance shall take effect immediately as required by the Village Law.

By Order Of The Village Board
Of Trustees


Adeline Merwin, Clerk

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dated:

July 16, 1980

PROPOSED SANITARY CODE FOR THE VILLAGE OF TANNERSVILLE

The Village Board sitting as the Village Board of Health of the Village of Tannersville does hereby enact the following sanitary code for the purpose of protecting the health, safety and general welfare of the Village.

This code is based on New York State Public Health Law, Section 201 (1) (m), consummated in Part "75" of the State Sanitary Code: Standards for Individual Water Supply And Individual Sewage Disposal Systems contained in Bulletins entitled "New York State Waste Treatment Handbook - Individual Household Systems" and "Rural Water Supply", or such successive publications as may be issued.

Section 1. GENERAL. No septic tank, tile field, seepage pit, chemical toilet or other means for the disposal or discharge of sewage or sink wastes shall be installed anywhere in the Village of Tannersville except as herein provided.

Section 2. APPLICATION. No installation of a septic tank, tile field, seepage pit, chemical toilet, privy, pipe or other means for the disposal or discharge of sewage or sink wastes shall be begun, nor shall the construction, location or alteration of any structure intended for human occupancy be commenced, until an application duly filled out on forms supplied by the Village Clerk's office and approved in the manner hereinafter prescribed.

In the case of subdivision, temporary residences, mobile home parks or other premises requiring New York State Health Department, Department of Environmental Conservation and/or The Water Resources Department of the City of New York (where applicable) approval, such approval must be on file with the Village Clerk before an application can be accepted.

Section 3. CODE ENFORCEMENT OFFICER. The Village Board shall appoint a competent code enforcement officer who shall be responsible to the Village Board for the performance of the duties hereinafter mentioned, and whose appointment shall be held at the pleasure of the Village Board. It shall be the duty of the code enforcement officer:

- A. to receive applications filed with the Village Clerk.
- B. to promptly investigate before installation any proposed disposal devices indicated in said application. When the proposed installation meets the requirements of this ordinance, approve for issuance a permit to proceed with such installation.

- C. to see that the provisions of this ordinance are observed, and to inspect the installation after it is completed but before the system is covered.
- D. to approve for issuance a certificate of compliance permitting the use of such installations that conform to the provisions of this ordinance.

One copy of the application shall be returned to the Village Clerk after approval or disapproval of the completed project by the code enforcement officer. When the project is approved a Certificate of Compliance shall be issued by the Village Clerk. Should a project be disapproved, the reason(s) for declining a Certificate of Compliance shall be noted on two copies of the application, one of which shall be given to the applicant.

Section 4. APPEALS. If the code enforcement officer declines to approve any proposed installation the applicant may appeal to the Village Board.

Section 5. STANDARDS FOR INDIVIDUAL WASTE TREATMENT SYSTEMS. Individual waste treatment systems shall be designed, constructed and maintained in accordance with the standards of the State Commissioner of Health as set forth in the State Department of Health Bulletin entitled "Waste Treatment Handbook -- Individual Household Systems."

Section 6. CONSTRUCTION. Nothing contained in this ordinance shall be construed to permit the installation or maintenance of disposal facilities which are or may become a nuisance. The code enforcement officer may at any time by personal inspection determine that existing sewage disposal facilities on a property are inadequate or do not function properly, or that there is not available an adequate supply of water for use in connection therewith. In such cases he shall notify the owner of the said premises in writing of such fact, and a copy of such notice shall be filed with the Village Clerk. Upon receipt of such notice, it shall be the duty of the owner, within ten days, to make application to the Village Clerk for a permit to reconstruct or alter such disposal system, and to complete such reconstruction or alteration as is required within thirty days. It shall be the duty of the code enforcement officer to determine whether said premises may continue to be occupied during such reconstruction or alteration.

Section 7. STANDARDS FOR INDIVIDUAL WATER SUPPLY SYSTEMS.

Individual water supply systems shall be designed, constructed and maintained in accordance with the standards of the State Commissioner of Health as set forth in the State Department of Health bulletin entitled "Rural Water Supply".

Section 8. NUISANCES WHICH MAY AFFECT LIFE AND HEALTH.

Subject to conformance with Part 8 of the State Sanitary Code (Chapter 1), Section 8.1 through 8.6, and the Section "Nuisances" (Public Health Law), Article 13, Sections 1300 through 1308.

Section 9. FEES. The initial fee shall be Thirty Dollars

(\$30.00) which shall cover the first two inspections made by the Village Code Enforcement Officer and which shall be paid by the property owner to the Village Clerk. All subsequent calls shall be at the rate of Fifteen Dollars (\$15.00) each. The failure to pay any such fee or fees shall be deemed a violation within this ordinance and shall be within purview of Section 10.

Section 10. VIOLATIONS. Any violations of this ordinance

either by the occupancy of a structure without a duly authorized Certificate of Compliance or by the installation or use of a septic tank, tile field, seepage pit, chemical toilet, privy or discharge pipe without compliance with the terms and provisions aforesaid, or any violation of any of the terms or provisions of this ordinance is hereby declared to be an infraction and shall render the owner of the land whereon the same was installed or any other person guilty of a violation thereof to a fine not to exceed the sum of Fifty Dollars (\$50.00) per week.

Section 11. SAVING CLAUSE. If any clause, sentence,

paragraph, section or part of this ordinance shall be adjudged by any court or competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 12. EFFECTIVE DATE. This ordinance shall take

effect ten (10) days after publication and posting.

Adeline Merwin
Clerk