

Chapter 232

SEWER USE

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[HISTORY: Adopted by the Board of Trustees of the Village of Dexter at time of adoption of Code (see Ch. 1, General Provisions, Art. II). Amendments noted where applicable.]

GENERAL REFERENCES

Uniform construction codes — See Ch. 60.

Water — See Ch. 310.

**ARTICLE I
Short Title and Statement of Purpose****§ 232-1. Short title.**

This chapter shall be known as "Village of Dexter Sewer Use Law" and governs sewer use in the Village of Dexter and the Town of Brownville or Town of Hounsfield districts.

§ 232-2. Purpose.

The purposes of the rules, regulations and requirements of this chapter are specifically stated, as follows:

- A. To prohibit excessive volumes into any of the sewer systems, and all public and private sewers and lines tributary thereto;
- B. To prohibit the contribution of sewage, industrial wastes or other wastes of flammable nature, or which create in any way poisonous or hazardous environment for sewage maintenance and operation personnel;
- C. To prohibit the contribution of sewage, industrial wastes or other wastes which may cause maintenance difficulties in the lateral sewers, interceptor sewers, trunk sewers,

force mains, pumping stations, sewage regulators, and other structures and appurtenances of the sewer system, and public and private sewers tributary thereto;

- D. To prohibit the contribution of sewage, industrial wastes or other wastes in violation of any agreement between the Village of Dexter and the towns of Brownville and Hounsfield;
- E. To require the treatment, before introduction into the sewer system, and public and private sewers tributary thereto, of such wastes as may impair the strength and/or durability of the structure appurtenant to the system, by direct or indirect chemical action or interfere with the chemical treatment process;
- F. To regulate all connections, and discharges to and uses of, a district sewage system for the purpose of providing maximum efficiency in the maintenance and operation of the system, and adhere to all applicable federal, state and local requirements;
- G. To require the connection to, and the use of, applicable sanitary sewer system(s); and
- H. To protect the public health and prevent nuisances.

§ 232-3. Repeal of enactments not included herein.

All sewer use ordinances and resolutions of a general and permanent nature of the Village of Dexter in force on the effective date of this chapter and not contained herein or recognized and continued in force by reference herein are hereby repealed as of the effective date of this chapter.

**ARTICLE II
Terminology**

§ 232-4. Word usage; definitions.

- A. Word usage. "Shall" is mandatory; "may" is permissive.
- B. Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

ADMINISTRATOR — The Mayor or his/her duly authorized agent or representative.

BOD (denoting "biochemical oxygen demand") — The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20° C. (68° F.) expressed in parts per million (ppm) or milligrams per liter (mg/l).

BUILDING DRAIN — That part of the lowest horizontal piping of a building sanitary drainage system which receives the discharge pipes from soil, waste, and other sanitary drainage pipes inside the walls of any building, and conveys such discharge to the building sewers, beginning four feet outside the outer face of the building wall.

BUILDING SEWER — That part of the horizontal piping of a sanitary drainage system which extends from the end of the building drain and which receives the discharge of the building drain and conveys it to a public sewer or other point of disposal.

CHLORINE DEMAND — The difference between the amount of chlorine added to water, sewage, or industrial wastes, and the amount of residual chlorine remaining at the end of a twenty-minute contact period at 68° F. temperature.

COMBINED SEWER — A sewer designed to receive and transport both surface runoff and sewage.

COOLING WATER — The water discharge from any system of condensation, air conditioning, cooling, refrigeration, or other sources.

DEPARTMENT OF HEALTH — The New York State Department of Health.

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

HOLDING TANK — A tank which collects and holds the discharge from one or more building sewers pending its introduction into the vacuum collection sewer through the vacuum valve.

INDUSTRIAL USER — Any individual firm, company, association, society, corporation, or group which develops industrial wastes as defined herein.

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

INFILTRATION — Any water, other than wastewater, that enters a sewer system from the ground through such means as defective pipes, pipe joints, connections, manholes and also sump pumps or fountain drains. Infiltration does not include, and is distinguished from, inflow. Infiltration is inadvertent, that is, not purposely designed or built into the sewer or drain.

INFLOW — Water, other than wastewater, that enters a sewer system (including sewer service connections) from sources such as, but not limited to, roof leaders, cellar drains, area drains, drains from springs and swampy areas, manhole covers, cross connections between storm sewer and sanitary sewers, catch basins, cooling towers, stormwaters, surface runoff, street wash waters, or drainage. Inflow does not include, and is distinguished from, infiltration. Inflow is purposely designed and/or built into the sewer or drain.

INTERFERENCE — A discharge which, alone or in conjunction with discharges by other sources, inhibits or disrupts the publicly owned treatment works (POTW), its treatment processes or operations, or its sludge processes, use of disposal and which is a cause of a violation of any requirement of the POTW's SPDES permit (including an increase in the magnitude of duration of violation) or of the prevention of sewage sludge use or disposal by the POTW in accordance with the following statutory provisions and regulations or permits issued thereunder (or more stringent state or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) [including

Title II, more commonly referred to as the "Resource Conservation and Recovery Act" (RCRA)], and including state regulations contained in any state sludge management plan prepared pursuant to Subtitle D or the SWDA, the Clean Air Act, the Toxic Substance Control Act, and the Marine Protection Research and Sanctuaries Act

NYSDEC — The New York State Department of Environmental Conservation or duly authorized official of said Department.

OTHER WASTES — Garbage (shredded or unshredded) refuse, woods, coffee grounds, sawdust, shavings, eggshells, bark, sand lime, cinder, ashes, and all other discarded matter not normally present in sewage or industrial wastes.

PERMITTEE — Any person who obtains a permit for sewer connection

PERSON — Any individual, firm, company, partnership and limited liability company, association, society, corporation or group.

pH — The intensity of the acid or alkaline reaction of a solution in terms of hydrogen concentration (but is not a measure of the total concentration of acid or alkali present). The pH is expressed as the common logarithm of the reciprocal of the hydrogen concentration in moles per liter.

$$\text{pH} = \log \frac{1}{(\text{h}^+)}$$

POLLUTANT — Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, hair, wrecked or discharged equipment, rack, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water.

PRIVATE SEWAGE DISPOSAL SYSTEM — Any privy, septic tank, cesspool, or other sewage disposal facility owned and operated by a person other than a municipal sewage system.

PROPERLY SHREDDED GARBAGE — The wastes from the preparation, cooking, and dispensing of food that has 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 having a dimension greater than 1/2 inch in any dimension.

PUBLIC SEWER — A sewer controlled by public authority. It shall also refer to a district sewer system.

RECEIVING WATERS — A natural watercourse or any other body of surface or groundwater into which treated or untreated sewage is discharged.

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

SCAVENGER WASTES — The conditioned human waste matter collected from privies, septic tanks, cesspools, and chemical toilets.

SEPTIC TANK — A private domestic sewage treatment system consisting of an underground tank (with suitable baffling) constructed in accordance with any and/or all local and state requirements.

SEWAGE — A combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and stormwater as may be inadvertently present. The admixture also shall be considered "sewage" within the meaning of this definition.

SEWAGE CHARGE — The demand payment for the use of public sewer and/or sewage treatment plant for handling any sewage, industrial wastes or other wastes accepted for admission thereto, in which the quantity or characteristics thereof exceed the maximum values as defined herein. It may also be referred to as "user charge."

SEWAGE SYSTEM — All facilities for collecting, regulating, pumping, and transporting sewage from inside the Village and from any outside district to the sewage system.

SEWER — A pipe or conduit for carrying sewage.

SEWER SYSTEM — The interceptor sewers, trunk sewers, force mains, pumping stations, sewage regulators, and other appurtenant structures owned in part, or total, by the Village of Dexter. It may also be referred to as "public sewers" or "sewer system."

SIGNIFICANT INDUSTRIAL USER — An industry meeting one or more of the following criteria:

- (1) A user subject to categorical pretreatment standards; or
- (2) A user which is designated as such by the Administrator on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.

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

SPDES — State Pollutant Discharge Elimination System.

STATE — State of New York.

STORM SEWER (STORM DRAINAGE) — A sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes other than cooling waters and other unpolluted waters.

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.

THE ACT — The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. § 1251 et seq.

TOXIC POLLUTANT OR SUBSTANCE — Those pollutants, or combination of pollutants, including disease-carrying agents that after discharge and upon exposure, ingestion, inhalation or assimilation into any organism, either directly from the environment or indirectly through food chains, will, on the basis of information, cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions, including malfunctions in reproduction, or physical deformations, in such organisms or their offspring. Toxic pollutants include those listed under Section 307(a) and 405(d) of the Clean Water Act, or other Act(s). Toxic pollutants shall be listed in the permit application form applicable to the source of discharge. Changes to the list of toxic pollutants in permit application forms shall be made only after appropriate notice to the regulated community and interested parties, to be determined by the Administrator.

USEPA — United States Environmental Protection Agency or duly authorized official of said Agency.

VACUUM COLLECTION SEWER — A public sewer which transports sewage by means of an internal vacuum applied to the line from a central vacuum collection/pumping station.

VACUUM VALVE — A special valve installed at the interface between a vacuum collection sewer and the holding tank which collects gravity discharge from one or more building sewers. The vacuum valve's function is to automatically introduce the discharge from the building sewer(s) into the vacuum collector sewer.

VACUUM VALVE PIT — An underground enclosure complete with cover which houses a vacuum valve along with the related controls and appurtenances.

VILLAGE — The Village of Dexter.

§ 232-5. Undefined terms.

Terms not defined in this article, or terms found to be ambiguous or improperly defined in this article, shall be defined by the Act, or Regulations, pursuant thereto, or by the Administrator.

ARTICLE III Administration

§ 232-6. Duties.

It shall be the duty of the Administrator of the Village of Dexter to enforce the provisions of this chapter and to formulate and issue such rules, regulations and specifications as may be necessary for the administration, development, or construction of sewers within the Village or any district as required to implement this chapter.

§ 232-7. Powers.

- A. Subject to the provisions of the State and Federal Constitutions and other applicable laws, the Administrator, or his/her authorized representatives, or after reasonable notice to the Administrator, authorized employees of the New York State Department of Environmental Conservation, New York State Department of Health and the United States Environmental Protection Agency (USEPA), bearing proper credentials and identifications, shall be permitted at all reasonable times to enter all residential properties for the purposes of designing, installing, constructing, rehabilitating, replacing, operating, maintaining, inspecting, observing, measuring, sampling and testing building drains, building sewers, public sewers, on-site sewage and grinder pump sewage disposal systems or appurtenance thereto.
- B. If the Administrator determines that an emergency exists, or is likely to occur, he/she or other duly authorized personnel of the Village bearing proper credentials and identifications shall be permitted to enter upon private properties for the purpose of inspection, observation, measurement, sampling and testing and to abate the emergency without previous notice.
- C. The Administrator, or his/her representative, shall have no authority to inquire into any processes used in any industrial operation beyond that point having a direct bearing on the kind, source, and quantity of discharge to a public sewer receiving water, or the on-site facilities for water treatment.
- D. Refusal to permit the entry upon private lands required to perform the necessary work referred to in this section shall be punishable by such penalties as may be prescribed under Article XII of this chapter.

§ 232-8. Permits.

- A. It shall be unlawful for any person to discharge directly or indirectly into public sewers after completion of the sewer system except after the issuance of a permit therefor.
- B. Before the commencement of construction of any building drain, building sewer or grinder pump sewage disposal system, within any district, an owner shall first obtain a written permit approved by the Administrator. The application for such permit shall be made on a form furnished by the Village and shall be supplemented by plans, specifications and such additional information as is deemed necessary by the Administrator to clearly describe the work. A permit and inspection fee to be determined by Village Board resolution shall be paid to the relevant district at the time the application is filed.
- C. All applications for permit for sewage disposal systems shall further include an easement form, furnished by the Village and approved by the Village Attorney, which shall be completed and signed by the owner. Said easement shall grant to the Village of Dexter the right for its personnel to gain access (at all reasonable times) to the proposed sewage disposal system for such purposes as are enumerated in § 232-7.

- D. Any revisions or construction variations to the approved application and supplements thereto without the prior written approval of the Administrator is prohibited and is subject to such penalties and fines as is provided in Article XII.
- E. A permit issued in accordance with this section shall be kept on the premises, available for exhibition at all times during the construction of the work and the failure to keep such permit so available shall be presumptive evidence that the work is being conducted without a permit in violation of this chapter.

ARTICLE IV Use of Public Sewer Required

§ 232-9. Sewage discharge.

It shall be unlawful for owners of improved property within the Village or outside sewer district to discharge into any receiving waters either directly, or indirectly, any sewage, industrial wastes, or other polluted waters.

§ 232-10. Use required.

Any improved property within the Village or outside sewer district used for human occupancy, employment, recreation, commerce, industry, or other public or private purpose which abuts on any street or right-of-way in which, or adjacent to which, there is located a public sewer, is hereby required to connect the sanitary sewage discharge system from his/her property directly to, or with, the public sewer.

§ 232-11. Limitation of time.

New buildings constructed within the Village or outside sewer district after the completion of the sewage system having use(s) specified in § 232-10 shall be connected with the sewage system before the use or occupancy thereof.

§ 232-12. Unauthorized use.

It shall be illegal for any property owner to connect his building to the public sewer without the prior approval of the Administrator. If there is any unauthorized taking of sewer service without the approval of the Administrator, then such individual shall be subject to the penalties and fines as hereinafter provided.

ARTICLE V Building Sewers and Connection

§ 232-13. Connection permit required.

No person shall uncover, make any connections with, or opening into, use, alter, disturb, or discharge into any public sewer or appurtenance thereof after completion of the sewage

system without first obtaining a written permit from the Administrator as addressed in § 232-8.

§ 232-14. Permit classes.

There shall be two classes of building sewer permits: for residential and commercial services; and for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the Administrator. The permit application shall be accompanied by plans, profiles, specifications or other information considered pertinent by the Administrator. A permit and inspection fee for a residential or commercial building sewer permit (or for an industrial building sewer permit in the amount prescribed in a fee schedule adopted by the Village Board) shall be paid at the time the application is filed.

§ 232-15. Connection costs.

- A. New connections shall bear all costs and expenses in installing and connecting to the systems, bear all costs and expenses in installing and connecting to the system. The owner shall indemnify the Village for any cost, loss, or damage that might be occasioned by the installation and connection with the public sewer.
- B. The connection fee is determined annually by Village Board resolution for connection to sewer system. All such amounts shall be paid prior to sewer service activation. As of January 1 of each year, the connection rates may be subject to increase due to project costs.

§ 232-16. Separate building sewer required.

A separate and independent building sewer shall be provided for every building except where one building stands at the rear of another on a separate interior lot, and no sewer is available or can be constructed to the rear of the building through an adjoining alley, court, yard, or driveway. The building sewer from the front building may be extended to the rear building, and the whole considered as one building sewer; but each shall be considered a separate unit for the purpose of sewerage service charges.

§ 232-17. Existing building sewers.

Existing building sewers may be used in conjunction with new buildings only when they are found, upon inspection and testing by the Administrator, to meet all requirements of this chapter, and any other specifications adopted by the Village Board. All costs of inspections and testing will be borne by the owner.

§ 232-18. Construction requirements.

The size, slope, alignment, materials or construction of a building sewer, appurtenances, and the methods to be used in excavating, placing of the building sewer pipe, jointing, testing, and

backfilling the trench, shall conform to the requirements of the specifications for the installation of building sewers as may be adopted by the Village Board and all applicable provisions of any other rules and regulations of the Village of Dexter or the State of New York, whichever requirement is more strict. In the absence of any requirements, or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society of Testing and Materials (ASTM, and Water Pollution Control Federation (WPCF), Manual of Practice No. 9, shall apply. All connections of building sewers to a public sewer shall be gastight and watertight. Any deviations from the prescribed materials and construction procedures must be approved by the Administrator in writing prior to installation.

A. Street lateral to public sewer connection.

- (1) At the point of connection of a street lateral to a main sewer, a standard wye fitting and sufficient one-eighth (45°) bend fittings shall be used. The wye fittings shall be installed so that flow in the arm shall transition smoothly into the flow in the public sewer. No lateral connection shall be made to the public sewer which permits the flow into the public sewer from the lateral to enter at right angles.
- (2) The inside diameter of the fittings shall be the same diameter as the street lateral inside diameter.

B. Future connection locations; as-built drawings. The street lateral, including the wye and eighth bend fittings, shall be connected to the main sewer at the time of constructing the main sewer, for each proposed lot for either immediate or future development. Laterals installed for future development shall be fitted with a standard plug approved for use by the Administrator. All sewer connections shall be via a properly installed saddle on the main sewer pipe. No portion of the lateral pipe shall protrude into the main sewer pipe. The location of all lateral connections shall be field-marked with a two-inch-by-six-inch corrosion- and rot-resistant board. The marker board shall extend from the depth of the lateral to a minimum of two feet above grade. The location of all lateral connections shall be indicated on a drawing with a minimum of three tie lines indicated. Four copies of this drawing, showing the as-built location of these connections, shall be furnished to the Administrator. A refundable deposit shall be placed with such district to assure receipt of these as-builts. The deposit shall be placed when application is made; the amount of the deposit shall be \$100 per sheet of plans showing locations of lateral connections. No sanitary sewer shall be accepted by such district until four copies of this record drawing have been so filed with the Administrator and the Administrator has approved the submitted drawings in writing.

C. Laterals at and near buildings.

- (1) Building laterals laid parallel to a bearing wall shall not be installed closer than three feet to such wall. The building lateral shall enter the basement through the basement wall no less than 12 inches above the basement floor. In no event shall any building lateral be placed below the basement floor, except with the expressed written approval of the Superintendent.
- (2) The building lateral shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipe and

fittings. Changes of direction of 90° or greater shall be made with a cleanout which extends to grade, terminating in a terminal box set in concrete. In building laterals, said cleanouts shall be provided such that the maximum distance between cleanouts is 75 feet. The ends of all building or street laterals, which are not connected to the interior plumbing of the building, for any reason, shall be sealed against infiltration by a suitable stopper, plug, or by other approved means.

§ 232-19. Service requirements.

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain shall be lifted, the method shall be approved by the Administrator and discharged to a gravity flow building sewer.

§ 232-20. Prohibited connection.

No person shall make a connection of roof downspouts, 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 to a public sewer.

§ 232-21. Inspection and approval.

- A. The applicant for the connection of any building sewer to a public sewer shall notify the Administrator when the building sewer is ready for inspection and connection to the public sewer. In no case, shall any underground portions of the building sewer be covered, or connection to the public sewer made, without the approval and/or supervision of the Administrator, or his representative. Permission to activate the building sewer will be given only after satisfactory final inspection has been made, and approval given by the Administrator.
- B. Upon completion of installation, all vacuum sewers shall be tested as follows: Plug all open connections with rubber stoppers or temporary caps, fitted to the pipe by "no-hub" couplings. Apply a vacuum of 24 inches mercury to the pipes and allow the pressure to stabilize for 15 minutes. There shall be no loss of vacuum in excess of 1% per hour for a two-hour test period.

§ 232-22. Protection and safety.

All excavations for building sewer excavations shall comply with all federal, state and local safety regulations, and shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of work shall be restored by the applicant in a manner satisfactory to the Administrator and appropriate municipal authorities.

§ 232-23. Maintenance and repair.

Building sewers shall be maintained, serviced, and repaired by the owner of the property served from the building drain to the point of intersection of the building sewer and the public sewer. In the event that a property is unable to discharge sewage into the public sewer, it will be presumed that the fault is in the private building sewer unless contrary facts are in evidence. Evidence of willful damage to a building sewer being served by a public sewer shall be considered a violation of this chapter. This shall apply also to any connections to sewer districts.

§ 232-24. Disconnection.

Before any building whose building sewer is connected to a public sewer is demolished, the owner thereof shall conform with the requirements established by the Administrator. The cutoff or plugging of the building sewer shall be done with the permission, and under the supervision of, the Administrator.

ARTICLE VI
Use of Public Sewers

§ 232-25. Drainage discharges.

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

§ 232-26. Prohibited discharges.

No person shall discharge or cause to be discharged any of the following described waters, or wastes:

- A. Gasoline, benzene, naptha, fuel oil, or other flammable or explosive liquid, solid, or gas;
- B. Waters, or wastes, containing toxic or poisonous solids, liquids, or gases, in sufficient quantity, either singly or by interaction with other wastes, which injures or interferes with any sewage process, constitutes a hazard to humans or animals, creates a public nuisance, or creates any hazard in the receiving waters of the sewage treatment plant, including, but not limited to, cyanides. Without limiting the generality of the foregoing, no person shall discharge, or cause to be discharged, waters, or wastes, to any public sewer which contain substances set forth below:

Acenaphthene

Acrolein

Acrylonitrile

Aldrin/Dieldrin¹

Antimony and compounds²

Arsenic and compounds
Asbestos
Benzene
Benzidine¹
Beryllium and compounds
Cadmium and compounds
Carbon tetrachloride
Chlordane (technical mixture and metabolites)
Chlorinated benzenes (other than di-chlorobenzenes)
Chlorinated ethanes (including 1, 2-di-chloroethane, 1, 1, 1-trichloroethane, and hexachloroethane)
Chloroalkyl ethers (chloroethyl and mixed ethers)
Chlorinated naphthalene
Chlorinated phenols (other than those listed elsewhere; includes trichlorophenols and chlorinated cresols)
Chloroform
2-chlorophenol
Chromium and compounds
Copper and compounds
Cyanides
DDT and metabolites¹
Dichlorobenzenes (1, 2-, 1, 3-, and 1, 4-di-chlorobenzenes)
Dichlorobenzidine
Dichloroethylenes (1, 1-, and 1, 2-dichloroethylene)
2, 4-dichlorophenol
Dichloropropane and dichloropropene
2, 4-dimethylphenol
Dinitrotoluene
Diphenylhydrazine
Endosulfan and metabolites
Endrin and metabolites¹
Ethylbenzene
Fluoranthene
Haloethers (other than those listed elsewhere; includes chlorophenylphenyl ethers, bromophenylphenyl ether, bis(dichloroisopropyl) ether, bis-(chloroethoxy) methane and polychlorinated diphenyl ethers)
Halomethanes (other than those listed elsewhere; includes methylene chloride, methylchloride, methylbromide, bromoform, dichlorobromomethane)
Heptachlor and metabolites
Hexachlorobutadiene

Hexachlorocyclohexane
Hexachlorocyclopentadiene
Isophorone
Lead and compounds
Mercury and compounds
Naphthalene
Nickel and Compounds
Nitrobenzene
Nitrophenols (including 2, 4-dinitrophenol, dinitrocresol)
Nitrosamines
Pentachlorophenol
Phenol
Phthalate esters
Polychlorinated biphenyls (PCBs)¹
Polynuclear aromatic hydrocarbons (including benzantracenes, benzopyrenes, benzofluoranthene, chrysenes, dibenz-anthracenes, and indenopyrenes)
Selenium and compounds
Silver and compounds
2, 3, 7, 8-tetrachlorodibenzo-p-dioxin (TCDD)
Tetrachloroethylene
Thallium and compounds
Toluene
Toxaphene¹
Trichloroethylene
Vinyl chloride
Zinc and compounds

NOTES:

¹ Effluent standard promulgated (40 CFR 129).

² The term compounds shall include organic and inorganic compounds.

- C. Waters, or wastes, having pH lower than 5.0 or greater than 10.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of sewerage works;
- D. Solid, or viscous, substance quantity, or of such size, capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewerage works, such as, but not limited to, ashes, cinders, sand, mud, straw, metal, glass, rags, feathers, tar, plastics, wood, whole blood, paunch manure, hair, flushings, entrails, paper dishes, cups, and milk containers, either whole or ground by garbage grinders.

§ 232-27. Controlled discharges.

No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes, to the Village of Dexter sewer system without the prior written approval of the Administrator:

- A. Liquid or vapor having a temperature higher than 150° F. (65° C.); or in such quantities that the temperature at influent to the treatment works exceeds 40° C. or 104° F.;
- B. Water or wastes containing fats, wax, grease, or oils, whether emulsified or not, in excess of 100 milligrams per liter, or containing substances which may solidify, or become viscous, at temperatures between 32° F. and 150° F. (0° C. and 65° C.);
- C. Garbage that has not been properly shredded having particles no larger than 1/2 inch in any dimension;
- D. Waters or wastes containing iron pickling wastes, or concentrated plating solutions, whether neutralized or not;
- E. Waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement; to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Administrator for such materials;
- F. Waters or wastes containing phenols or other waste, or odor-producing substances, in such concentration exceeding limits which may be established by the Administrator after treatment of the composite sewage to meet the requirements of the state, federal, or public agencies having jurisdiction for the discharge to the receiving waters;
- G. Any radioactive wastes or isotopes;
- H. Materials which exert or cause:
 - (1) Unusual concentration of inert suspended solids (such as, but not limited to, Fuller's earth lime residues) or dissolved solids (such as, but not limited to, sodium chloride and sodium-sulfate);
 - (2) Excessive coloration (such as, but not limited to, dye wastes and vegetable tanning solutions);
 - (3) A BOD in excess of 300 milligrams per liter;
 - (4) A chlorine demand in excess of 25 milligrams per liter;
 - (5) A chemical oxygen demand in excess of 600 milligrams per liter;
 - (6) Suspended solids in excess of 300 milligrams per liter;
 - (7) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein;
- I. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment process employed by such industry or sewer district are

amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of agencies having jurisdiction over discharge to the receiving waters.

§ 232-28. Requirements for accepting controlled discharges.

- A. If any waters or wastes are discharged, or are proposed to be discharged to the sewer system, which waters contain the substances or possess the characteristics enumerated in § 232-27 of this article, and which in the judgment to the Administrator may have a deleterious effect upon the sewage works, processes, equipment, or other receiving waters, or which otherwise create a hazard to life, or constitutes a public nuisance, the Administrator may:
- (1) Reject the waters or waste;
 - (2) Require pretreatment to an acceptable condition for discharge to the sewer system;
 - (3) Require control over the quantities and rates of discharge; and/or
 - (4) Require that periodic reports be filed with the Administrator at intervals not exceeding six months each, containing the following material:
 - (a) The specific action, if taken, to achieve compliance with Section 307 of the United States Public Law No. 92-500, and its amendments, and any pretreatment requirements mandated by any statute, rule or regulation of New York State, or any of its departments, agencies, or bureaus;
 - (b) Results of a comprehensive sampling and laboratory testing program indicating the characteristics of the wastewater so discharged in terms of parameters that will adequately identify the waste. The types of testing and frequency of testing for each such person so discharging such wastewater shall be specified by the Administrator. All sampling and laboratory testing, required by the Administrator, shall be performed by each such person, and all costs and expenses incident to the testing, sampling, monitoring and reporting with respect to providing data to the Administrator, the New York State Department of Environmental Conservation, the United States Environmental Protection Agency, or any other agency having jurisdiction, shall be borne by such person.
 - (5) Require payment in excess of the existing taxes or sewer charges or rents to cover the added cost of handling and treating the wastes pursuant to the provisions of § 232-30 of this article and any applicable law.
- B. If the Village Board 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 Administrator, and subject to the requirements of all applicable codes, ordinances, and laws.

§ 232-29. Grease interceptors.

Grease, oil and sand interceptors shall be provided when, in the opinion of the Administrator, such interceptors are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients. All interceptors shall be of a type and capacity approved by the Administrator and shall be located as to be readily and easily accessible for cleaning and inspection by the owner at his expense.

§ 232-30. Maintenance of pretreatment facilities.

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

§ 232-31. Control and inspection manhole.

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

§ 232-32. Measurement and tests.

All measurements, tests and analyses 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 said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the District Sewer System to the point at which the building sewer is connected. 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 will determine whether a twenty-four-hour composite of all outfalls of a premises is appropriate, or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from twenty-four-hour composites of all outfalls, whereas pHs are determined from periodic grab samples.

§ 232-33. Review of determination.

- A. Any persons aggrieved by any decision or determination made by the Administrator of the Sewer District may bring a proceeding to review such determination in the manner provided by Article 78 of the Civil Practice Law and Rules.

- B. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the Village of Dexter and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the sewer system for treatment, subject to payment therefor, by the industrial concern, in accordance with applicable provisions of law.

ARTICLE VII Disposition of Scavenger Wastes

§ 232-34. Scavenger discharges prohibited.

The discharge of private scavenger wastes into the sewer system and public sewers tributary thereto shall be authorized only by special permit issued by the Administrator upon such terms and conditions, and in accordance with this chapter.

ARTICLE VIII Significant Industrial Users

§ 232-35. Connection of significant industrial users prohibited.

The connection of any significant industrial users as defined within § 232-4 into the sewer system and sewers tributary thereto shall not be permitted.

ARTICLE IX Outside User

§ 232-36. Authorization of outside users.

The connections of any sanitary sewage discharge system of any improved property located outside the Village to the public sewer within the Village shall only be authorized upon such terms and conditions as are acceptable to the Administrator and is in compliance with this chapter.

ARTICLE X Protection From Damage

§ 232-37. Damage subject to penalties.

Any person who willfully or negligently breaks, damages, destroys, uncovers, defaces, or tampers with any structure appurtenances, or equipment which is a part of the public sewer, sewage system, or public sewer tributary thereto, will be in violation of this chapter, and subject to the penalties provided herein.

§ 232-38. Notification of discharge.

Any user who accidentally discharges wastes in violation of this chapter shall immediately notify the Administrator of the sewer system. Notification shall be followed within 15 days by a detailed, written statement describing the causes of the accidental discharge, and the measures taken to prevent future occurrence. Such notification will not serve to relieve the user of liability for any expense, loss, or damage to the system, or for any fines imposed by the Village of Dexter or under applicable state and federal regulations.

§ 232-39. Submission of plans.

Any user who discharges industrial wastes, as distinct from sanitary sewage, shall be required to submit to the Village of Dexter detailed plans to show facilities, and operating procedures to provide protection from accidental direct or indirect discharge of deleterious materials or wastes to the public sewer.

ARTICLE XI
User Charge System

§ 232-40. Purpose.

The purpose of the user charge system is to distribute the cost of operation and maintenance (including replacement) of each public sewer within the Village and each district to each relevant pollutant source, i.e., user(s), and to promote self-sufficiency with respect to operation and maintenance costs. Each user receiving wastewater collection and treatment services shall be levied a charge sufficient to cover their pro rata share of the cost of maintenance of the collection system and any charges for conveyance and treatment cost. The user charge may vary from inside users, outside users and districts.

§ 232-41. Definitions.

As used in this article, the following terms shall have the meanings indicated:

OUTSIDE USER CHARGE — A charge levied on outside users of the sewer system to offset the costs of operation and maintenance of such works.

OUTSIDE USER(S) — Recipients (property owners) of wastewater collection and treatment services outside the Village contributing domestic sewage to the total wastewater loading of the treatment works.

REPLACEMENT — Expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary to maintain the capacity and performance during the service life of the collection and treatment works.

SEWAGE — As defined in § 232-4.

USER CHARGE — A charge levied on users of the sewer system to offset the costs of operation and maintenance of such works. This will routinely be set by resolution or other lawful means.

USER(S) — Recipients (property owners) of wastewater collection and treatment services within each such district contributing domestic sewage to the total wastewater loading of the treatment works.

§ 232-42. Requirements.

- A. Annual review. Charges shall be reviewed at least every year, the user contribution, the total costs incurred in operation and maintenance of all treatment, and the user charge system. User charges may be established by resolution or other lawful means. User charges shall be revised to accomplish the following:
 - (1) Maintain the proportionate distribution of operation and maintenance costs among users;
 - (2) Generate sufficient revenue to pay the total operation and maintenance costs necessary for the proper operation and maintenance (including replacement) of the collection system; and
 - (3) Apply excess revenues collected from the users to the costs of operation and maintenance attributable to the user for the next year and adjust the rate accordingly or to build a capital reserve fund to finance future repairs, replacements, or maintenance.
- B. Toxic pollutants. No toxic pollutants shall be discharged to the wastewater treatment works by a user as addressed in § 232-26.
- C. Charges for operation and maintenance of extraneous flows. The costs of operation and maintenance for all flows (i.e., infiltration/inflow) shall be distributed among all users of the sewer system and shall be charged to each user on a pro rata basis per each single-family user or equivalent thereof.

§ 232-43. User charge system.

- A. Source of revenues. The source of revenue for retiring debt services, capital expenditures, operation and maintenance of the public sewerage works shall be a sewer service charge assigned to owners of property using the sewer system.
- B. Determination of rates. Sewer service charges shall be as determined by resolution of the Board of Trustees.
- C. Special industrial rates. A special sewer service charge may be assigned to any industrial firm or organization. The Board of Trustees, after appropriate study and advice from the engineer, may enter into a separate agreement with said firm. The applicable portions of the preceding sections as well as the equitable rights of the public shall be the basis for such an agreement.
- D. Rates for properties not using public water supply. The sewer service charge assigned to any property owner who is not connected to the public water supply or has a private water supply shall be established by the board of Trustees on an estimated sewage volume basis.

- E. Discontinuance of service to delinquent customers. Those water customers and or users of the sewerage system who, 30 days after the bills have been rendered for the services described herein and at the rates prescribed herein, have not paid their bills, shall be deemed to be delinquent and the service to their premises shall be discontinued and such service shall not be restored until proper settlement of the delinquent customers account has been made, together with any additional costs which might have been incurred by the Village in the discontinuing or restoring of the delinquent customer's service.
- F. Billings. The sewer use charges shall be billed quarterly.
- G. Utility usage. In some instances, the Village of Dexter may access and use the electrical services serving a property owner's land, for uses in connection with a sewer grinder pumping station and related apparatus to facilitate the transmission of sewage. In such instances, the property owner shall bear the expense for additional utilities used.

ARTICLE XII Enforcement and Penalties

§ 232-44. Enforcement.

- A. The Administrator and/or his/her designee shall have the responsibility of enforcing the provisions of this chapter. Where a violation of said provisions is found, the Administrator shall notify the alleged offender by written notice of the nature of the violation, and prescribe a period of time not to exceed 30 days within which the specified violation must be corrected, where appropriate. Such period of time may be extended by the Village Board.
- B. If the violation is not corrected within the period specified in said notice, the Administrator may take such action as provided in this article.

§ 232-45. Penalties and civil remedies.

- A. A violation of the provision of this chapter is an offense, and upon conviction, each such violation may be punished by a fine to be determined by the Village Board, and not exceeding \$250. Each day constitutes a separate violation. In lieu of, or in addition to, such fine, each such violation shall be subject to a civil penalty, not exceeding \$300 for any one case, to be recovered in an action or proceeding brought by the Village Attorney in the name of the Village of Dexter sewer system and or outside sewer district in a court having competent jurisdiction to compel compliance with, or restrain by injunction, any violation of this chapter, notwithstanding the provision hereof for a penalty or other punishment.
- B. Where any violation of this chapter causes damage or additional expense to the sewer system, the Village shall have a cause of action against the violator to recover such damage or additional cost including all costs of collection and attorney fees. The cause of action may be asserted at the discretion of the Administrator, and shall be in addition to the fine, penalty, and injunction herein above provided, and shall be brought by the

Village Attorney in the name of the Village of Dexter in a court having competent jurisdiction.

- C. Any person who knowingly makes any false statements, representations, records, reports, plans, or other documentation filed with the municipality or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this chapter, shall upon conviction, be punished by a fine of not more than \$300.

§ 232-46. Delinquent payments.

- A. If there shall be any payments which are due to the Village, or any Department thereof, pursuant to any article or section of this chapter which shall remain due and unpaid, in whole or in part, for a period of 30 calendar days from the date of billing by the Village, the same shall constitute a default, and there shall be added to the entire amount due of the original bill, a penalty equal to 10% of the overdue amount. In the event that there are any user charges, taxes, assessments, or other service charges which shall have been delinquent for a period of at least 60 calendar days as of March 31 of any year, the Administrator shall report the names of the defaulting persons to the Village Board, before April 15 of the same year. The Village is hereby directed to add the entire amount which shall be in default, plus penalty and interest, as provided for in this chapter, to the real property taxes due and owing to the Village in the next succeeding year, and the Village is directed to collect the same in the same manner as real property taxes due and owing to the Village are collected.
- B. Where charges are delinquent, the Village Board may also direct the Village Attorney to seek recovery of charges against the user, including all costs of collection, attorney fees and punitive damages, in a court of competent jurisdiction.

