

ERVISORS

at the reports of the sev-
of this Board of Supervi-
claims under their juris-
ere allowed either in full
allowed by said committee
f the Board of Supervisors
pted, spread on the min-
ng and printed in the pro-
s Board; and that the
l in said reports to the
s therein named be, and
are, ordered paid.

upervisor McNamara and
on roll call, all members
ng aye.

upervisor Iwanski.

.Y., June 8, 1971

JOSEPH DYLONG
erk, Board of Supervisors
NA
Y
surer

OTION No. 151

ing Local Law, Introduc-
Print No. 1, of the Year
County of Montgomery.

Supervisor Koval:

May 25, 1971, a proposed
e County of Montgomery.
law regulating the use of
to sewers and drains, pri-
vosal, installation and con-
ng laterals, and the dis-
and wastes into the pub-
; and providing penalties
roof; in the Montgomery
District No. 1, County of
ate of New York", was
Board of Supervisors for
d

May 25, 1971, a resolution
thorizing and directing
be held by this Board of
he 8th day of June, 1971,
ae County Office Building,
he Supervisors Chambers,

nce of such hearing on
al law was duly published
aw and the said hearing
r held on the 8th day of
e time and place appoint-
rd of Supervisors having
of said hearing.

FORE, be it and it here-

at said local law, known
Introductory No. 1, Print
r 1971, entitled "A local
e use of public and pri-
l drains, private sewage
ation and connection of
and the discharge of wa-
into the public sewer sys-
ng penalties for violation
Montgomery County Sani-
1, County of Montgom-
v York", be, and it here-
and approved, and it is

at the Clerk of the Board
f Montgomery County be,
s, authorized, empowered
file one certified copy
County Clerk of the Coun-
ery, one certified copy
office of the State Comp-
e certified copies thereof

in the office of the Secretary of the State
of New York.

Seconded by Supervisor McNamara and
duty adopted upon roll call, all members
present (17) voting aye.

Dated: Fonda, N.Y., June 8, 1971

Absent 1 — Supervisor Iwanski.

Dated: Fonda, N.Y., June 8, 1971

JOSEPH DYLONG
Clerk, Board of Supervisors
GENE L. CATENA
County Attorney
cc: County Treasurer
County Clerk
State Comptroller
Secretary of State (3)

**County of Montgomery Local Law Print
No. 1, Intro No. 1 of the Year 1971.**

A local law regulating the use of public
and private sewers and drains, private
sewage disposal, installation and connec-
tion of building laterals, and the discharge
of waters and wastes into the public sewer
system; and providing penalties for viola-
tion thereof; in the Montgomery County
Sanitary District No. 1, County of Mont-
gomery, State of New York.

BE IT ENACTED by the Board of Super-
visors of the County of Montgomery as
follows:

**ARTICLE I
Definitions**

Unless the context specifically indicates
otherwise, the meaning of terms used in
this ordinance shall be as follows:

Section 101 "District" shall mean the
Montgomery County Sanitary District No.
1.

Section 102. "Sewage Works" shall mean
all facilities for collecting, pumping, treat-
ing, and disposing of sewage.

Section 103 "Superintendent" shall mean
the Superintendent of Public Works of the
Montgomery County Sanitary District No.
1, or his authorized deputy, agent, or rep-
resentative.

Section 104 "Engineer" shall mean the
professional engineer retained for the
Montgomery County Sanitary District No.
1.

Section 105 "Administrative Body" shall
mean the duly appointed administrative
body of the Montgomery County Sanitary
District No. 1 or its authorized deputy or
representative.

Section 106 "Sewage" shall mean a com-
bination of the water-carried wastes from
residences, busines buildings, institutions
and industrial establishments, together
with such ground, surface, and storm wa-
ter as may be present.

Section 107 "Sewer" shall mean a pipe
or conduit for carrying sewage.

Section 108 "Public Sewer" shall mean a
sewer in which all owners of abutting prop-
erties have equal rights, and is controlled
by public authority.

Section 109 "Sanitary Sewer" shall mean
a sewer which carries sewage and to which
storm, surface and ground waters are not
intentionally admitted.

Section 110 "Storm Sewer" or "Storm
Drain" shall mean a pipe or conduit which
carries storm and surface waters and
drainage, but excludes sewage and indus-
trial wastes.

Section 111 "Combined Sewer" shall
mean a sewer receiving both surface run-
off and sewage.

Section 112 "Sewage Treatment Plant"
shall mean any arrangement of devices
and structures used for treating sewage.

Section 113 "Industrial Wastes" shall
mean the liquid wastes from industrial pro-
cesses as distinct from sewage.

Section 114 "Garbage" shall mean solid
wastes from the preparation, cooking, and
dispensing of food, and from the handling,
storage and sale of produce.

Section 115 "Properly Shredded Garbage"
shall mean the wastes from the prepara-
tion, cooking, and dispensing of food that
has been shredded to such degree that all
particles will be carried freely under the
flow conditions normally prevailing in pub-
lic sewers, with no particle greater than
1/8 inch in any dimension.

Section 116 "Building Drain" shall mean
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 5 feet outside the inner
face of the building wall.

Section 117 "Building Sewer" shall mean
the extension from the building drain to
the public sewer or other place of disposal.

Section 118 "B. O. D." (denoting Bio-
chemical Oxygen Demand) shall mean the
quantity of oxygen utilized in the biochemi-
cal oxidation of organic matter under
standard laboratory procedure in 5 days at
20°C., expressed in parts per million by
weight.

Section 119 "pH" shall mean the logar-
ithm of the reciprocal of the concentration
of hydrogen ions in grams-ionic weights
per liter of solution.

Section 120 "Suspended Solids" shall
mean solids that either float on the sur-
face of, or are in suspension in water, sew-
age, or other liquids; and which are re-
movable by laboratory filtering.

Section 121 "Natural Outlet" shall mean
any outlet into a water course, pond, ditch,
lake or other body of surface or ground
water.

Section 122 "Watercourse" shall mean a
channel in which a flow of water occurs,
either continuously or intermittently.

Section 123 "Person" shall mean any in-
dividual, firm, company, association, soci-
ety, corporation, or group.

Section 124 "Owner" shall mean any in-
dividual, firm, company, association, soci-
ety, person, or group having title to real
property.

Section 125 "Developer" shall mean any
person, persons, or corporation who under-
take to construct simultaneously more than
one housing unit on a given tract or land
subdivision.

Section 126 "Builder" shall mean any
person, persons, or corporation who under-
takes to construct, either under contract
or for resale, any habitable building.

Section 127 "Shall" is mandatory; "May"
is permissive.

Section 128 "Contractor" shall mean any
person, firm or corporation approved by
the Village Board to do work in the Vil-
lage.

Section 129 "Property Line" shall mean
curb line if the building sewer is to con-
nect with the public sewer in a public
street. "Property Line" shall mean the
edge of a sewer right-of-way in those in-
stances where the building sewer connects
to the public sewer in a right-of-way.

Section 130 "A. S. T. M." shall mean
American Society for Testing and Materi-
als.

Section 131 "N. Y. S. D. P. W." shall mean New York State Department of Public Works.

Section 132 "Local Board" shall mean Village or Town Board.

ARTICLE II

Use of Public Sewers Required

Section 201 It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner upon public or private property within the District, or in any area under the jurisdiction of said District, any human or animal excrement, garbage or other objectionable waste. Exceptions may be granted by the Administrative Body to an owner or lessee acting in the normal course of farm or garden operations but only after specific application by such owner or lessee and upon such conditions as the Administrative Body may impose.

Section 202 It shall be unlawful to discharge to any watercourse either directly or through any storm sewer, within the District, or in any area under the jurisdiction of the District, any sewage, industrial wastes, or other polluted waters. Use of separate storm sewers and sanitary sewers is mandatory for all future construction in the District. No combined sewers will be allowed to be constructed in the future.

Section 203 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.

Section 204 The Owner of any house, building, or property, used for human occupancy, employment, recreation, or other purpose, situated within the District 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 sewer, is hereby required, at his expense, to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this local law, within ninety (90) days after the date official notice to do so, provided that said public sewer is located within one hundred (100) feet of the property line.

ARTICLE III

Private Sewage Disposal

Section 301 Where a public sanitary sewer is not available under the provisions of Section 204, the building sewer shall be connected to a private sewage disposal system complying with the requirements of the New York State Department of Health, dealing with septic tank installations.

Section 302 At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 204, a direct connection shall be made to the public sewer in compliance with this local law, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material.

Section 303 No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the authorized representative of the New York State Department of Health.

ARTICLE VI

Building Sewers, Connections, and Fees

Section 401 No person shall uncover,

make any connections with or opening into, use, alter, or disturb any public sewer or appurtenances thereof without first obtaining a written permit from the appropriate local governing body or the District.

Section 402 There shall be two (2) classes of building sewer permits: (1) for residential and commercial service, and (2) for service to establishments producing industrial wastes. In the case of residential and commercial services, the Owner or his agent shall make application on a special form furnished by the appropriate local governing body. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the local governing body. Permit, tap-in, and inspection fees for residential and commercial services shall be established by local ordinances, and shall be collected by the individual Town or Village Clerk at the time the application is filed. In the case of establishments which produce industrial wastes, the Owner or his agent shall make application on a special form furnished by the District. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Engineer. The Administrative Body shall approve or disapprove the application prior to action by the local governing body. If the application is approved, the local governing body shall establish a permit, tap-in, and inspection fee for each commercial, industrial, or other non-residential building, after recommendation of the Engineer, based on the size and nature of the operation proposed in the commercial, industrial, or other non-residential building as compared to the demands of a single residential structure.

Section 403 A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear 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. Where building sewers are to serve multiple dwelling structures, there shall be provided at least one (1) separate building sewer for each group of four (4) living units.

Section 404 Existing building sewers 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 local law.

Section 405 The building sewer shall be tar-coated, extra heavy cast iron soil pipe, conforming to ASTM Specification A74, and American Standards Association (ASA) Specification A-40.1; or asbestos-cement house connection pipe conforming to ASTM Specification C-428, Type II, minimum class 2400. Joints shall be tight and water-proof. Any part of the building sewer that is located within 10 feet of a water service pipe shall be constructed of cast iron soil pipe with leaded joints. Cast iron pipe with leaded joints may be required where the building sewer is exposed to damage by tree roots. If installed in filled or unstable ground, the building sewer shall be of cast iron soil pipe, except that non-metallic material may be accepted if laid on a suitable concrete bed or cradle as approved

by the local pipe shall be feet between

Section building sewer approval of the no event of four (4) in pipe be less foot.

Section 4 ing sewer at an eleva No building and within wall, which The depth section iron less than 10 er shall be straight a Changes in with proper The ends o connected structure against inf pug, or ot

Section 4 building dr flow to the rial waste lifted by a discharged

Section 4 the installa be open tr proved by ay and accordance ASTM Spe backfill sha been insu width mea pipe shall es.

Section 4 shall be ment joint approval of

Cast iron packed with mortar inch deep. ing and ca or other co jointing m been teste joint betw material sh ers and joi cal govern

Pre-mold plain end approved t shall be a ket which in the asse a pre-mold joining the soil pipe a shall be se ket betw spigot and The joint s manufactu ceptable h ling tools

PLA. IN JESU

with or opening into, any public sewer or without first obtaining from the appropriate or the District.

There shall be two (2) classes of permits: (1) for residential service, and (2) for industrial producing industrial waste of residential and commercial. The Owner or his agent shall make application on a special permit application by any plans, specifications, information considered of the local government, and inspection of commercial served by local ordinance by the Engineering Clerk at the time of application. In the case of residential, the Engineering Clerk shall make application on a special permit application by any plans, specifications, information considered of the local government, and inspection of commercial served by local ordinance by the Engineering Clerk at the time of application. In the case of residential, the Engineering Clerk shall make application on a special permit application by any plans, specifications, information considered of the local government, and inspection of commercial served by local ordinance by the Engineering Clerk at the time of application.

Building sewers may be installed with new buildings and, on examination of the local law, to meet the local law.

Building sewers may be installed with new buildings and, on examination of the local law, to meet the local law.

Building sewers may be installed with new buildings and, on examination of the local law, to meet the local law.

by the local governing body. Building sewer pipe shall have a maximum length of 5 feet between joints.

Section 406 The size and slope of the building sewer shall be subject to the approval of the local governing body, but in no event shall the diameter be less than four (4) inches, nor shall the slope of the pipe be less than one-eighth (1/8) inch per foot.

Section 407 Whenever possible the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to and within three (3) feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost, but in no event shall be less than three (3) feet. The building sewer 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. The ends of building sewers which are not connected to the building drain of the structure for any reason, shall be sealed against infiltration by a suitable stopper, plug, or other approved means.

Section 408 In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sewage, or industrial wastes carried by such drain shall be lifted by approved mechanical means and discharged to the building sewer.

Section 409 All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the local governing body. Pipe laying and backfill shall be performed in accordance with Sections 3 through 6 of ASTM Specifications C12 except that no backfill shall be placed until the work has been inspected and except that trench width measured at the top of the installed pipe shall not exceed twenty-four (24) inches.

Section 410 All joints and connections shall be made gastight and watertight. Cement joints may be permitted subject to approval of the Engineer.

Cast iron pipe joints shall be firmly packed with oakum or hemp and filled with molten lead not less than one (1) inch deep. Lead shall be run in one pouring and caulked tight. No paint, varnish, or other coatings shall be permitted on the jointing material until after the joint has been tested and approved. The transition joint between cast iron pipe and other pipe material shall be made with special adapters and joint materials approved by the local governing body.

Pre-molded gasket joints for hub and plain end cast iron pipe may be used if approved by the local governing body, and shall be a neoprene compression-type gasket which provides a positive double seal in the assembled joint. The gasket shall be a pre-molded, one-piece unit, designed for joining the cast iron hub and plain end soil pipe and fittings. The assembled joint shall be sealed by compression of the gasket between the exterior surface of the spigot and the interior surface of the hub. The joint shall be assembled following the manufacturer's recommendations using acceptable lubricant and special pipe coupling tools designed for that purpose. The

plain spigot end shall be forced into the hub end of the pipe for the full depth of the hub itself. Lubricant shall be a bland, flax-base, non-toxic material and shall not chemically attack the gasket material.

Asbestos-cement pipe joints shall follow the manufacturer's recommendations, using properly designed couplings and rubber gaskets pursuant to the published information relating thereto.

Section 411 The connection of the building sewer into an existing public sewer shall be made at the proper line. Except as provided under Sections 502 and 503, if the portion of the building sewer located in the street or right-of-way has not previously been provided, such will be constructed from the existing public sewer to the property line by the local governing body upon submittal of a proper request by the property owner and upon deposit of the estimated cost thereof. All costs and expenses incident to the installation and connection of the entire length of building sewer shall be borne by the Owner. The Owner shall indemnify the local governing body from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer. The method of connection of the building sewer to the public sewer (at the property line) will be dependent upon the type of material used and in all cases shall be approved by the local governing body.

Section 412 The applicant for the building sewer permit shall notify the local governing body when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the only authorized representative of the local governing body.

When trenches are opened for the laying of building sewer pipes, such trenches shall be inspected before the trenches are filled; and the person performing such work shall notify the local governing body when the installation of the building sewer is completed. The filling of a trench before inspection is made will subject the person to whom a permit is issued to a penalty to be established by each Village or Town Board.

Section 413 All excavations for building sewer installation 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 the work shall be restored in a manner satisfactory to the Village.

Section 414 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 Administrative Body, will receive sewage or industrial wastes of such volume or character that frequent maintenance of said building sewer is anticipated, then such building sewer shall be connected to the public sewer through a manhole. The Administrative Body shall determine if and where this type of connection to the public sewer is required. Connections to existing manholes shall be made as directed by the Superintendent. If required, a new manhole shall be installed in the public sewer pursuant to Section 504, and the building sewer connection made thereto as directed by the Superintendent.

ARTICLE V

Sewer Extensions

Section 501 All extensions to the sanitary sewer system owned and maintained by the District or a local governing body shall be properly designed in accordance with and in strict conformance with all requirements of the New York State Department of Health. Plans and specifications for sewer extensions shall be submitted to, and approval obtained from the local governing body and the New York State Department of Health before construction may proceed. The design of sewers must anticipate and allow for flows from all possible future extensions or developments within the immediate drainage area.

Section 502 Sewer extensions, including individual building sewers from the public sewer to the property line, may be constructed by the local governing body under public contract if, in the opinion of the local town or village board, the number of properties to be served by such extension warrants its cost. Under this arrangement the property owner shall pay for and install the building sewer from the property line to his residence or place of business in accordance with the requirements of Article IV. Property owners may propose sewer extensions within incorporated Villages or towns drafting a written petition, signed by a majority of the benefiting property owners, and filing it with the appropriate Board. The cost of such extensions may be assessed to the benefited property owners in any manner determined by the local Board.

Section 503 If the local governing body does not elect to construct a sewer extension under public contract, the property owner, builder, or developer may construct the necessary sewer extension, if such extension is approved by the local board in accordance with the requirements of Section 501. He or they must pay for the entire installation, including all expenses incidental thereto. Each building sewer must be installed and inspected as previously required and the inspection fees shall be paid. Design of sewers shall be as specified in Section 504. The installation of the sewer extension must be subject to periodic inspection by the local governing body and the expenses for this inspection shall be paid for by the owner, builder or developer. The local boards decisions shall be final in matters of quality and methods of construction. The sewer, as constructed, must pass the exfiltration test required in Section 505 before it is to be used. The cost of sewer extension thus made shall be absorbed by the developers or the property owners, including all building sewers.

Section 504 Sewer design shall be in accordance with the following provisions. Pipe materials shall be either asbestos-cement conforming to ASTM Specification C-428, Type II; extra-strength vitrified clay conforming to ASTM Specification C-200; or reinforced concrete conforming to ASTM Specification C-76. No standard strength clay pipe or non-reinforced concrete pipe shall be used. Minimum internal pipe diameter shall be eight (8) inches. Joints for each kind of pipe shall be designed and manufactured such that "O" ring gaskets of the "snap-on" type are employed. Gaskets shall be continuous, solid, natural or synthetic rubber and shall provide a

positive compression seal in the assembled joint such that the requirements of Section 505 are met. Joint preparation and assembly shall be in accordance with the manufacturer's recommendations. Wye branch fittings shall be installed for connection to building sewers in accordance with Section 403. Trench widths as measured just above the crown of the pipe shall not exceed the following:

Pipe Diameter	Trench Width
8"	3'-3"
10"	3'-6"
12"	3'-9"
14"	4'-0"

If the trench widths are found, during field inspection, to exceed the limits in the above table, the sewer pipe shall be encased with a minimum of 6 inches of concrete. Pipe shall be firmly and evenly bedded on a minimum of 3 inches of No. 1A or No. 1 crushed stone (NYS DPW Specification). Pipe thickness and field strength shall be calculated on the following criteria:

Safety Factor 1.5
Load Factor 1.5
Weight of Soil 120 lbs./cu. ft.
Wheel Loading 16,000 lbs.

Utilizing the above information, design shall then be made as outlined in Chapter IX of the Water Pollution Control Federation Manual of Practice No. 9, "Design and Construction of Sanitary and Storm Sewers".

Manholes shall be constructed at all changes in slope or alignment or at intervals not exceeding 400 linear feet. The manholes shall be constructed with a poured 3,000 psi concrete base 12 inches thick, steel troweled concrete or mortar bench walls and inverts, and precast 4-foot diameter concrete manhole barrel sections with concentric tapered top section, as specified by ASTM C-478. The manhole frame and cover shall be the standard design of the local governing body and shall be set with no less than two courses of brick underneath to allow for later adjustment in elevation. All joints shall be sealed against infiltration. No manholes shall be constructed with steps or ladder rungs.

Section 505 All sewers shall satisfy requirements of a final exfiltration test before they will be approved and sewage flow accepted from them by the local governing body. This test consists of filling the pipe with water to provide a head of at least five (5) feet above the top of the pipe or five (5) feet above groundwater, whichever is higher, at the highest point of the pipe line under test, and then measuring the loss of water from the line by the amount which must be added to maintain the original level. In this test, the line must remain filled with water for at least twenty-four (24) hours prior to the taking of measurements. Exfiltration shall be measured by the drop of water level in a standpipe with closed bottom end, or in one of the sewer manholes available for convenient measuring.

When a standpipe and plus arrangement is used in the upper manhole of a line under test, there must be some positive method of releasing entrapped air in the sewer prior to taking measurements. The

test length test shall in no event length of at any on maximum the pipe at line. The t ments are two (2) ho

The tota shall not e mie of pit inal pipe c mining the manholes of 48-inch long. The shall be 4 hours, for leakage ex necessary shall be r leakage to the tests s age requir

Section structed at or develop and accep become th after be m body. Said by the l guaranteed workmans The guaran ed for by sole discre pletion bo demanded

Section f be issued dwelling c facilities a method of new devel an approv

U Section (cause to l surface w subsurface polluted l sanitary s

Section unpolluted to such se nated as course ap al cooling ters may the local g er, or nat

Section vided, no to be disc rided wa er:

(a) Any perature r heit (65 de

(b) Any grease or solidify or temperatu

the assembled
nts of Section
n and assem-
ith the manu-
Wye branch
connection to
ce with Sec-
measured just
shall not ex-

rench Width
3'-3"
3'-6"
3'-9"
4'-0"

found, during
e limits in the
shall be en-
ches of con-
id evenly bed-
s of No. 1A or
PW Specifica-
field strength
following cri-

./cu. ft.
os.

nation, design-
ed in Chapter
ontrol Federa-
o. 9, "Design
y and Storm

ructed at all
at or at inter-
ear feet. The
cted with a
ase 12 inches
te or mortar
nd precast 4-
ole barrel sec-
top section.
The manhole
e standard de-
body and shall
wo courses of
r later adjust-
ints shall be
No manholes
eps or ladder

all satisfy re-
ation test be-
l and sewage
the local gov-
s of filling the
a head of at
he top of the
groundwater,
ighest point of
then measur-
he line by the
d to maintain
test, the line
er for at least
to the taking
ion shall be
ter level in a
m end, or in
available for

s arrangement
e of a line un-
some positive
ed air in the
urements. The

test length intervals for either type of test shall be as ordered or approved but in no event shall they exceed 1,000 feet. In case of sewers laid on steep grades, the length of line to be tested by exfiltration at any one time may be limited by the maximum allowable internal pressure on the pipe and joints at the lower end of the line. The test period, wherein the measurements are taken, shall not be less than two (2) hours in either type of test.

The total leakage of any section tested shall not exceed the rate of 100 gallons per mile of pipe per 24 hours per inch of nominal pipe diameter. For purposes of determining the maximum allowable leakage, manholes shall be considered as sections of 48-inch diameter pipe, five (5) feet long. The equivalent leakage allowance shall be 4.5 gallons per manhole per 24 hours, for 48-inch diameter manholes. If leakage exceeds the specified amount, the necessary repairs or replacements required shall be made to permanently reduce the leakage to within the specified limit, and the tests shall be repeated until the leakage requirement is met.

Section 506 All sewer extensions constructed at the property owner's, builder's or developer's expense, after final approval and acceptance by the local Board, shall become the property of and shall thereafter be maintained by the local governing body. Said sewers, after their acceptance by the local governing body, shall be guaranteed against defects in materials or workmanship for eighteen (18) months. The guarantee shall be in a form provided for by the local governing body. At the sole discretion of the local Board, a completion bond or certificate check may be demanded as part of the guarantee.

Section 507 No builder or developer shall be issued a building permit for a new dwelling or structure requiring sanitary facilities unless a suitable and approved method of waste disposal is proposed. All new developments shall be provided with an approved system of sanitary sewers.

ARTICLE VI

Use of the Public Sewers

Section 601 No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water or unpolluted industrial process waters to any sanitary sewer.

Section 602 Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a water-course approved by the District. Industrial cooling water or unpolluted process waters may be discharged, upon approval of the local governing body, to a storm sewer, or natural outlet.

Section 603 Except as hereinafter provided, no person shall discharge or cause to be discharged, any of the following described waters or wastes to any public sewer:

(a) Any liquid or vapor having a temperature higher than 150 degrees Fahrenheit (65 degrees Centigrade).

(b) Any waters or wastes which contain grease or oil or other substance that will solidify or become discernible viscous at temperatures between 32 and 150 degrees

Fahrenheit.

(c) Any waters or wastes containing fats, wax, grease, or oils, whether emulsified or not, exceeding an average of 50 parts per million (417 pounds per million gallons) ether soluble matter.

(d) Any gasoline, benzine, naphtha, fuel oil, or mineral oil, or other flammable or explosive liquid, solid, or gas.

(e) Any noxious or malodorous gas such as hydrogen sulfide, sulfur dioxide, or nitrous oxide or other substance, which either singly or by interaction with other wastes, is capable of creating a public nuisance or hazard to life or of preventing entry into sewers for their maintenance and repair.

(f) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of 3/4 horsepower or greater shall be subject to the review and approval of the local governing body.

(g) Any ashes, cinder, sand, mud, straw, shavings, metal, glass, rags, leathers, tar, plastic, cardboard, wood, paunch manure, hair and fleshings, entrails, lime slurry, lime residues, beer or distillery slops, whey, chemical residus, paint residus, cannry waste, bulk solids, or any other solid or viscous substance capable of causing obstruction to the flow of the sewers, or other interference with the proper operation of the sewage works.

(h) Any waters or wastes, acid and alkaline in reaction, having corrosive properties capable of causing damage or hazard to structures, equipment and personnel of the sewage works. Free acids and alkalies must be neutralized, at all times, within a permissible pH range of 6.0 to 9.5.

(i) Any cyanides, in excess of 2 parts per million by weight as CN.

(j) Any long half-life (over 100 days) of toxic radioactive isotopes, without a special permit.

(k) Any waters or wastes that for a duration of 15 minutes has a concentration greater than 5 times that of "Normal" sewage as measured by suspended solids and B.O.D. and/or which is discharged continuously at a rate exceeding 1,300 gallons per minute except by special permit. Normal sewage shall be construed to fall within the following ranges:

Constituents	Permissible Range
Suspended solids	180 to 350 ppm
B.O.D.	140 to 30 ppm
Chlorine Requirements	5 to 15 ppm

(l) Any storm water, roof drains, spring water, cistern or tank overflow, footing drain, discharge from any vehicle wash rack or water motor, or the contents of any privy vault, septic tank or cesspool, or the discharge or effluent from any air conditioning machine or refrigeration unit.

(m) No person shall discharge or cause to be discharged any waters or wastes containing a toxic or poisonous substance, a high chlorine demand or suspended solids in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals or create any hazard in the receiving waters or the effluent of the District swage treatment plant. Such toxic sub-

stances shall be limited to the average concentrations listed hereinafter in the sewage as it arrives at the treatment plant exceed 3 times the average concentration. If concentrations listed are exceeded, individual establishments will be subject to control by the Engineer in volume and concentration of wastes discharged.

Limits of Toxic Substances in Sewage	
Iron, as Fe	5.0 ppm
Chromium, as Cr (hexavalent)	3.0 ppm
Copper, as Cu	1.0 ppm
Chlorine Requirements	20.0 ppm
Phenol	10.0 ppm
Cyanide, as CN	2.0 ppm
Cadmium, as Cd	0.3 ppm
Zinc, as ZN	0.3 ppm
Nickel	0.5 ppm

Section 604 Grease, oil and sand interceptors shall be provided when the above set limits for those substances are exceeded or when, in the opinion of the Engineer, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, and other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Engineer, and shall be located as to be readily and easily accessible for cleaning and inspection.

Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperatures. They shall be of substantial construction, watertight, and equipped with easily removable covers which when bolted in place shall be gas-tight and water-tight.

Section 605 Where installed, all grease, oil and sand interceptors shall be maintained by the Owner, at his expense, in continuously efficient operation at all times and shall be readily accessible and open to inspection by the Superintendent of Public Works at any time.

Section 606 The admission into the public sewers of any waters or wastes having (a) a 5-day Biochemical Oxygen Demand greater than 300 parts per million, or (b) containing more than 350 parts per million of suspended solids, or (c) containing more than 20 parts per million of chlorine requirement, or (d) containing any quantity of substances having the characteristics described in Section 603, or (e) having an average daily flow greater than 2% of the average daily sewage flow of the District, shall be subject to the review and approval of the Engineer. Where necessary, in the opinion of the Engineer, the Owner shall provide, at his expense, such preliminary treatment as may be necessary to (1) reduce the Biochemical Oxygen Demand to 300 parts per million and the suspended solids to 350 parts per million by weight, or (2) reduce the chlorine requirements to 20 parts per million, or (3) reduce objectionable characteristics or constituents to within the maximum limits provided for in Section 603, or (4) Control the quantities and rates of discharge of such waters or wastes. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Engineer and of the Health Department of the State of New York, and no construc-

tion of such facilities shall be commenced until said approvals are obtained in writing. Failure to comply with one or more of the remedial procedures as required by the Engineer will constitute a violation of this local law.

Section 607 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.

Section 608 When required by the Engineer, the Owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Engineer. 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.

Section 609 All measurements, tests, and analysis of the characteristics of waters and wastes to which reference is made in Sections 603 and 606, shall be determined in accordance with "Standard Methods for the Examination of Water and Sewage," upon suitable samples taken at control manhole provided for in Section 608. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

Section 610 No statement contained in this article shall be construed as preventing any special agreement or arrangement between the District and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the District for treatment, subject to payment therefor by the industrial concern.

Section 611 All of the preceding standards are to apply at the point where the industrial wastes are discharged into the public sanitary sewerage system and any chemical or mechanical corrective treatment required must be accomplished to practical completion before the wastes reach that point. The laboratory methods used in the examination of all industrial wastes shall be those set forth in the latest edition of "Standard Methods for the Examination of Water and Sewage", published by the American Public Health Association. However, alternate methods for the analysis of the industrial wastes may be used subject to mutual agreement between the District and the producer of such wastes. The frequency and duration of the sampling of any industrial waste shall not be less than once every three months for a 24 hour period. However, more frequent and longer periods may be required at the discretion of the District.

ARTICLE VII

Protection From Damage

Section 701 No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is a part of any sewerage work. Any

person violating shall be subject to immediate removal in accordance with the provisions of the Public Health Law of the State of New York.

Section 702 A certificate of liability insurance shall be issued for construction of any sewer extension or replacement.

Powers and

Section 801 I of the District bearing proper notice shall be for the purpose of the preservation, maintenance, and testing, in accordance with this local law.

Section 901 A failing any provision except Section 701 of the District or local law, notice stating the nature of the violation and providing a copy of the satisfactory order shall be issued in such cases as may be stated in such local law.

Section 902 A corporation, or any person or company with the authority to do so, shall be liable for the payment of the cost of the work ordered hereunder if the same is not completed within the time specified. The continued violation of any section of this article shall constitute a separate offense for every day such violation shall continue.

Section 903 A violation of this local law shall be cause for the District to take such action as may be necessary to prevent the continuation of such violation or to prevent the construction or maintenance of such structure or facility in violation of this local law.

Section 904 A person who violates the provisions of this local law shall be liable to the District for the cost of the work ordered hereunder.

Section 10.01 A contractor or firm or corporation or individual owner himself shall be liable to the District for the cost of the work ordered hereunder if the contractor or firm or corporation or individual owner himself does not obtain a license issued by the District clerk before he begins any work insofar as it relates to the construction, maintenance, or testing of any sewerage work.

be commenced
obtained in writ-
th one or more
es as required
stitute a viola-

inary treatment
s are provided
, they shall be
satisfactory and
Owner at his

d by the Engin-
perty served by
industrial wastes
trol manhole in
itate observa-
ement of the
when required,
ely located, and
ccordance with
iner. The man-
e Owner at his
ntained by him
ccessible at all

ents, tests, and
stics of waters
nce is made in
be determined
rd Methods for
' and Sewage."
ken at control
ction 608. In the
ole has been re-
e shall be con-
wnstream man-
to the point at
connected.

contained in this
as preventing
r arrangement
any industrial
strial waste of
ter may be ac-
reatment, sub-
y the industrial

receding stand-
point where the
arged into the
ystem and any
orrective treat-
accomplished to
re the wastes
ratory methods
if all industrial
orth in the lat-
ethods for the
Sewage", pub-
blic Health As-
te methods for
ial wastes may
agreement be-
he producer of
y and duration
industrial waste
ce every three
riod. However,
periods may re-
of the District.

I
Damage
ial maliciously,
reak, damage,
r tamper with
e, or equipment
rage work. Any

person violating this provision shall be subject to immediate arrest and dealt with in accordance with the applicable provisions of the Penal Law of the State of New York.

Section 702 A contractor must present a certificate of insurance showing suitable liability insurance before a permit will be issued for construction of building sewers, sewer extensions, or private sewage disposal.

ARTICLE VIII

Powers and Authority of Inspectors

Section 801 Duly authorized employees of the District or local governing body bearing proper credentials and identifications shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing, in accordance with the provisions of this local law.

ARTICLE IX

Penalties

Section 901 Any person found to be violating any provisions of this local law except Section 701 shall be served by the District or local governing body written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Section 902 Any person, individual, firm, corporation, or partnership who fails to comply with the provisions of this local law other than those provisions pertaining to the payment of charges for services established herein, shall be guilty of disorderly conduct and shall be subject to fine not exceeding \$250.00 for each offense. The continued violation of any provision of any section of this local law other than those pertaining to the payment of charges for services established herein, shall constitute a separate offense for each and every day such violation of any provision hereof shall continue.

Section 903 As an alternative, upon violation of this local law, the proper authorities of the District or local governing body, in addition to other remedies, may institute any appropriate action or proceedings including an injunction to prevent such unlawful use, construction or maintenance of cesspools, septic tanks, sewage disposal systems, pipes or drains to restrain, correct or abate such violation to prevent the occupancy of any building structure or land where said violations of this local law are found.

Section 904 Any person violating any of the provisions of this local law shall become liable to the District or local governing body for any expense, loss, or damage occasioned the District or local governing body by reason of such violation.

ARTICLE X

License

Section 10.01 Each and every plumber, contractor or excavator or other person, firm or corporation other than the property owner himself, will be required to have a license issued by the local town or village clerk before he will be permitted to do any work insofar as this local law is con-

cerned.

Section 10.02 As part of the application for license to do work in the District the applicant will present a license bond written by an indemnity or bonding company lawfully doing business in the State of New York on a form provided by the local Board.

Section 10.03 If in the opinion of the local Board, the work performed by the contractor violates the provisions of this local law or any other local law of the governing body, or if the contractor's work is, in the opinion of the local Board, substandard, then in that event, the local Board may revoke the license for the contractor to do work.

ARTICLE XI

Section 11.01 All local laws or parts of local laws in conflict herewith are hereby repealed.

Section 11.02 The validity of any section, clause, sentence, or provision of this local law shall not affect the validity of any other part of this local law which can be given effect without such invalid part or parts.

ARTICLE XII

Local Laws in Force

Section 12.01 This local law shall take effect upon filing as provided in Section twenty-seven of the municipal home rule law.

I, I hereby certify that the local law annexed hereto, designated as local law Print No. 1, Intro No. 2 of 1971 of the County of Montgomery was duly passed by the Board of Supervisors on June 8, 1971 in accordance with the applicable provisions of law.

I further certify that I have compared the preceding local law with the original on file in this office and that the same is correct transcript therefrom and of the whole of such original local laws, and was finally adopted in the manner indicated in paragraph 1 above.

JOSEPH DYLONG

Clerk, Board of Supervisors

Date: June 8, 1971

STATE OF NEW YORK)

COUNTY OF MONTGOMERY)

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

GENE L. CATENA

County Attorney

County of Montgomery

Dated: June 8, 1971

RESOLUTION No. 152

Resolution Authorizing Chairman of the Board of Supervisors to Appoint Overall Economic Development Committee.

Resolution by Supervisor Nellis:

WHEREAS, the U.S. Government has enacted a law known and designated as Public Works and Economic Development Act of 1965 (Public Law 89-136) whereby federal assistance may be rendered to re-development areas to aid in their industrial and economic development, and

WHEREAS, in order to qualify for such