

SANITARY SEWAGE DISPOSAL ORDINANCE



Town of Bolton
Warren County, New York

NOV. '79

REDUCTION OF TIME WITH
USE OF 3 1/2 gal 20%
WATER
SAVING 1 1/2 gal 30%
TOILETS 1 gal 32%

SANITARY SEWAGE DISPOSAL ORDINANCE

FOR THE TOWN OF BOLTON

CONTENTS

	Page
ARTICLE I Introduction.....	1
ARTICLE II General Provisions.....	2
ARTICLE III Standards.....	6
ARTICLE IV Pre-existing Systems.....	11
ARTICLE V Administrative Provisions.....	12
ARTICLE VI Enforcement.....	18
ARTICLE VII Miscellaneous Provisions.....	19
APPENDICES Installation Diagrams.....	20
High Groundwater Determination and Percolation Test.....	23
Maintenance Guidelines.....	25

ARTICLE I

INTRODUCTORY PROVISIONS

SECTION 1.010 SHORT TITLE

This Ordinance shall be known as the Town of Bolton On-Site Sewage Disposal Ordinance. The Town of Bolton is hereinafter referred to as the "Town."

SECTION 1.020 APPLICABILITY

This Ordinance shall govern the disposal of sewage and the design of all sewage disposal systems within the Town except that this order shall not govern the design or installation of, or disposal of sewage by means of a community or public sewer.

SECTION 1.030 AUTHORITY

Enactment of this Ordinance is pursuant to Article 16 of the Town Law, Article 3 of the Public Health Law, and Article 27 of the Executive Law of the State of New York.

SECTION 1.040 PURPOSES AND OBJECTIVES OF THE ORDER /

The purpose of this Ordinance is to promote the health, safety and general welfare of the community by insuring through the location, construction and use of properly designed facilities that sewage and other wastes are disposed of in a manner that will not create a health hazard, adversely affect the environment, or impair the enjoyment or use of property.

ARTICLE II

GENERAL PROVISIONS

SECTION 2.010 PROHIBITED ACTS

Except as hereinafter provided:

- A. It shall be unlawful for any person to construct, alter, repair or extend any facility or part of such facility intended or used for the discharge of sewage.
- B. It shall be unlawful for any person to cause to be discharged, within the Town, any sewage except by systems designed, installed, and approved in accordance with the requirements of this Ordinance except that holding tank sewage wastes shall be disposed of in a designated area of the Landfill for the Town.
- C. It shall be unlawful for any person to use or maintain any individual sewage disposal system that is unsafe, is a source of pollution to any of the surface waters in the Town, permits the seepage of sewage to ground surface, or interferes with the enjoyment or use of property.
- D. It shall be unlawful for any person to vacate, other than on a seasonal basis, the property upon which a septic tank or seepage pit is located, unless at the time of such vacating the septic tank is filled with clean, granular soil or inert, free-flowing, dense material.

SECTION 2.020 DEFINITIONS

"Application Rate" - the rate at which septic tank effluent is applied to a subsurface absorption trench or pit, for design purposes, expressed in gpd/ft. squared.

"Baffle" - a flow deflecting device used in septic tanks to check or inhibit the velocity of a stream of flow or the discharge of floating and suspended solids. See Sanitary Tee.

"Building" - means a structure wholly or partially enclosed with exterior or party walls, and a roof, affording shelter to persons, animals or property.

- "Building Drain" - means that part of the lowest piping of a drainage system which receives the discharge of soil, wastes, and other drainage pipes inside the walls of the building and conveys such discharges to the building sewer. The building drain extends to three (3) feet outside the building wall.
- "Building Sewer" - that part of the drainage system which extends from the end of the building drain and conveys its discharges to an individual sewage disposal system, public sewer, private sewer, or other approved point of disposal.
- "Cleanout" - an opening providing access to sewage disposal devices (house sewer, septic tank, distribution box) which allows for the cleaning or purging of materials and obstructions.
- "Combined Sewer" - means a sewer receiving both surface runoff and sewage.
- "Community Water Supply System" - means a public water system which serves at least five (5) service connections used by year-round residences or regularly serves at least twenty-five (25) year-round residences.
- "Disposal Field" - means that area to which sewage is distributed for infiltration to the soil.
- "Disposal System Building Permit" - means the permit required before construction of an on-site sewage disposal system.
- "Disposal System Use Certificate" - means the certificate required before any portions of an on-site sewage disposal system are back-filled or covered.
- "Distribution Box or Device" - a device used to uniformly distribute sewage to the distribution lines.
- "Emergency Repairs" - are repairs designed to prevent or abate an imminent threat to the public health, safety or welfare caused or about to be caused by an individual sewage disposal system.
- "Enforcement Officer" - means the person appointed by the Lake George Park Commission whose duty and authority is to administer and enforce the provisions of this order, with assistance from the Zoning Administrator.
- "Existing Grade" - means the natural topography of land prior to construction activity.

- "Fill System" - means any sewage disposal system involving more than a two (2) foot depth of constructed earth fill above natural existing ground level, and designed according to the provisions of Article III.
- "Final Grade" - the elevation that ground will have at the conclusion of cutting, filling or other site work.
- "Garbage" - means organic solid wastes from domestic and commercial preparation, cooking, or dispensing of food, or from the handling, storage and sale of produce.
- "Grade" - the slope of a line of pipe, trench bottom, or ground surface in reference to a horizontal surface.
- "Gravel" - means a mixture of mineral soil particles whose individual diameters range from 1/4" to 3 inches.
- "Groundwater" - Soil moisture occupying a zone of saturated soil which has a thickness of at least six inches (6") for at least a two (2) week period during the average water year.
- "Impervious Material" - means material with a percolation rate of slower than sixty (60) minutes per inch.
- "Individual Sewage Disposal System" - means a complete system of piping, tanks or other facilities for the on-site collection, treatment and disposal of sewage, and not connected to a community or public sewer system.
- "Industrial Wastes" - means any liquid, gaseous, solid, or waste substance or a combination thereof resulting from any process or industry, manufacturing, trade or business or from development or recovery of any natural resource.
- "In Existence" - means with respect to individual sewage disposal systems that such structure has been substantially commenced or completed.
- "Invert" - means the bottom-most point of an open conduit or the bottom-most point on the inside of a closed conduit.
- "Leaching Facility" - means any structure that is designed to distribute sewage into the soil. See seepage pit or tile field.
- "Local Board of Health" - means the Town Board acting pursuant to its authority found in Article 3 of the Public Health Law.
- "Major Alteration" - see Major Repair.

- "Major Repair" - means any replacement or reconstruction affecting the septic tank or at least 1/2 of the leaching facility of an individual sewage disposal system.
- "Mean High Water Mark" - means the average annual high water level.
- "Minor Alteration" - see Minor Repair.
- "Minor Repair" - is any remedial measure not defined as a major repair, major alteration, or extension.
- "Percolation" - the movement of water downward through the pores of a soil or other porous medium following infiltration through the soil surface.
- "Percolation Test" - a standard procedure for testing soil permeability to determine the sewage application rate. See Appendix VII for proper procedure for such a test.
- "Privy" - a building fixed to a vault or pit, equipped with seating to allow for excretion of body waste.
- "Pre-existing Individual Sewage Disposal System" - means any individual disposal system that was lawfully in existence prior to July 1979.
- "Sanitary Tee" - pipe fitting used in septic tanks to reduce flow velocities so as to increase solids settling in the tank and prevent carry-over of solids. See Baffle.
- "Seepage Pit" - a covered, underground pit with a permeable lining that permits the infiltration of treated sewage to the surrounding soil.
- "Sewage" - the combination of human and household waste with water which is discharged to the home plumbing system; the waste from a flush toilet, bath, sink, lavatory, dishwashing or laundry machine, or the water-carried waste from any other fixture or equipment or machine.
- "Subsurface Absorption System" - means seepage pits or tile fields.
- "Surface Water Body" - any lake, pond, river, stream, intermittent stream or wetland.
- "Toilet Wastes" - means human excretion and toilet flushing fluid.
- "Usable Soil" - means all soil with a percolation rate faster than one (1) inch in sixty minutes.

ARTICLE III

STANDARDS

INDIVIDUAL SEWAGE DISPOSAL SYSTEMS

SECTION 3.010 COMPLIANCE

- A. Individual Sewage Disposal Systems shall comply with the standards of this Article, and with the most recent editions of the Waste Treatment Handbook - Individual Household Systems, New York State Department of Health, and Institutional and Commercial Sewage Facilities, New York State Department of Environmental Conservation. In the case of conflicts among these standards, the most restrictive shall apply.
- B. Alternative systems (as defined in the Waste Treatment Handbook - Individual Household Systems, excepting Fill Systems which are permissible under 3.040 of this Ordinance, may be permitted by application to the New York State Department of Health or, if applicable, the New York State Department of Conservation.

SECTION 3.020 GENERAL STANDARDS

- A. Only sewage may be discharged into the individual sewage disposal system. Surface and subsurface water including roof, cellar foundation and storm drainage shall be excluded from such systems and shall be disposed of so they will in no way affect the system.
- B. No component of a leaching facility shall be located under drive-ways, roads, parking areas or areas subject to heavy loading.
- C. No individual sewage disposal system except a sanitary privy or system employing a holding tank as sole receptacle for sewage may be placed on a lot not served by a community water supply, if such lot is less than 20,000 square feet in size.
- D. With reference to the 100 foot minimum setback distance required between water bodies and a leaching facility, in no case shall any disposal field, seepage pit or other leaching facility be located closer than 100 feet from the mean high water mark of any lake, pond, river, permanent or intermittent stream.

SECTION 3.030 SPECIAL STANDARDS

- A. The natural ground intended for the leaching facility must have a minimum depth of five (5) feet of usable soil above bedrock, impervious material, or maximum high seasonal groundwater. When fractured bedrock is encountered, the usable soil depth must be at least six (6) feet. See Appendix for high groundwater determination and percolation test procedures.
- B. No sewage disposal fill system may be located within two hundred (200) feet of the shorelines of Trout Lake or Lake George.
- C. No leaching facility will be permitted within two hundred (200) feet of the mean high water mark of a lake, pond, river, permanent or intermittent stream, if the percolation rate is 0 to 3 minutes per inch.
- D. TABLE I - Horizontal Separation Distances from Wastewater Sources
See Page 9
- E. TABLE II - Vertical Distances from Base of Sewage Treatment facilities to elements listed.
See Page 10

SECTION 3.040 FILL SYSTEMS

- A. In those cases where tests for high groundwater determination and soil percolation as provided for in the Appendix indicate that the quality and depth of natural soil is inadequate for an installation, a fill system may be utilized, provided the following specifications are met. Final approval of fill systems shall not be granted until the fill is in place and the system evaluated according to the administrative provisions of this Ordinance.
- B. The design and installation of a fill system shall comply with the following specifications:
 - 1) There must be at least two (2) feet of naturally occurring soil (three (3) feet within 1000 ft of Lake George) over an impervious layer.
 - 2) The maximum allowable existing natural ground surface slope for built-up systems shall be ten (10) percent.

- 3) When placing fill on top of existing grade, organic debris, including leaves, roots, and other plant forms, shall be removed prior to the placement of the fill and the natural soil plowed or scarified.
- 4) The soil used for fill shall be well graded loamy sand, or well graded loamy sandy gravels, and should contain a minimum of twelve (12) percent silts or clays containing no organic debris or no solid object larger than three (3) inches in diameter and the fill shall be allowed to stabilize naturally for at least six (6) months.
- 5) Sufficient fill must be installed to ensure a minimum of three (3) feet between any trench bottom and maximum high seasonal groundwater. This separation must be five (5) feet within 1000 feet of Lake George.
- 6) Only absorption fields shall be used as the leaching facility in fill systems.
- 7) A channel or diversion system shall be placed about the fill system in the up-slope direction and of sufficient length to divert surface and sheet water runoff around the fill system.
- 8) The top of fill over the leaching facility shall be crowned or sloped to allow natural surface runoff, and seeded.
- 9) Side slopes of fill shall be graded to a slope not steeper than one (1) vertical on three (3) horizontal.

SECTION 3.030

TABLE I - HORIZONTAL SEPARATION DISTANCES FROM WASTEWATER SOURCES

WASTEWATER SOURCES	WELL OR SUCTION LINE(a)	TO STREAM, LAKE OR WATER COURSE (c)	DWELLING	PROPERTY LINE	LAKE GEORGE TROUT LAKE
House Sewer (Watertight joints)	25' if cast iron pipe 50' otherwise	25'	-	10'	50'
Septic Tank	50'	50'	10'	10'	50'
Effluent Line to Distribution Box	50'	50'	10'	10'	50'
Distribution Box	100'	100'	20'	10'	100'
Absorption Field	100'(b)	100'(d)	20'	10'	100'(b)(d)
Seepage Pit	150'(B) (more in coarse gravel)	100'(d)	20'	10'	150'(b)(d)
Dry Well (Top of Footing)	50'	25'	20'	10'	50'
Fill or Built-up System	100'	100'	20'	10'	200'
Evapotranspiration-Absorption System	100'	50'	20'	10'	100'
Sanitary Privy Pit	100'	50'	20'	10'	100'
Privy, Water-tight Vault	50'	50'	20'	10'	100'

(a) Water service and sewer lines may be in the same trench if cast iron sewer with lead-caulked joints is laid at all points 12" below water service pipe; or sewer may be on dropped shelf at one side at least 12" below water service pipe, provided that sewer pipe is laid below frost with tight and root-proof joints and is not subject to settling, superimposed loads or vibration. Water service lines under pressure shall not pass closer than 10 feet of a septic tank, absorption tile field, leaching pit, privy or any other part of a sewage disposal system.

(b) Sewage disposal systems located of necessity upgrade in the general path of drainage to a well should be spaced 200 feet or more away.

(c) Mean high water mark

(d) If percolation rate is 0 to 3 minutes per inch, this distance becomes 200 linear feet.

SECTION 3.030

E. TABLE II - VERTICAL DISTANCES FROM BASE OF SEWAGE TREATMENT FACILITIES

TO ELEMENTS LISTED BELOW

	SEASONAL HIGH GROUNDWATER & BEDROCK			FRACTURED BEDROCK		
	TOWN	WITHIN 1000' OF LA. GEO.	WITHIN 200' OF LA. GEO. & TROUT LA.	TOWN	WITHIN 1000' OF LA. GEO.	WITHIN 200' OF LA. GEO. & TROUT LA.
Absorption Field <i>shallow trench</i>	2'	4'	3' 4'	4'	4'	4'
Seepage Pit	2'	4'	4'	4'	4'	4'
Fill or Built-up System	3'	5'	3' NA.	5'	5'	Not Allowed
Evapotranspiration-Absorption System	3'	5'	5'	5'	5'	Not Allowed
Sanitary Privy Pit	2'	4'	4'	4'	4'	4'
Privy, Watertight Pit	2'	2'	2'	2'	2'	2'

ARTICLE IV

PRE-EXISTING SYSTEMS

SECTION 4.010 CONTINUATION OF PRE-EXISTING SYSTEMS

Subject to the provisions of this Ordinance, the use or maintenance of a properly functioning pre-existing individual sewage disposal system may be continued but it shall be unlawful to alter, enlarge, repair, or extend such systems except in conformity with the provisions herein. This Article shall not be construed to permit any unsafe use or structure, or permit such structures or their use when such structure or use constitutes a threat to public health, safety, welfare or environmental quality; permits the seepage of sewage waters to ground surface; or interferes with the enjoyment or use of property.

SECTION 4.020 REPAIR, ALTERATION, ENLARGEMENT OR EXTENSION OF A SYSTEM

- A. It shall be unlawful to repair, alter, enlarge or extend a pre-existing individual sewage disposal system except that:
- 1) Minor repairs and minor alterations may be undertaken without a permit. (ie: pumping out a septic tank.)
 - 2) Major* repairs, extensions or major alterations may be undertaken pursuant to a disposal system building permit.
- B. It shall be unlawful to use any system that has been extended or undergone major repairs or major alterations unless a disposal system use permit is issued pursuant to Article V of this order.

*Major Repair - means any replacement or reconstruction affecting the septic tank or at least 1/2 of the leaching facility, of an individual sewage disposal system.

ARTICLE V

ADMINISTRATIVE PROVISIONS

SECTION 5.010 ENFORCEMENT OFFICER

- A. Duties - It shall be the duty of the Enforcement Officer(s) to administer and enforce the provisions of this Ordinance.
- B. Appointment - The Town Board of the Town of Bolton shall appoint the Enforcement Officer(s).
- C. Duty of Zoning Administrator - It shall be the duty of the Zoning Administrator to inspect all facilities falling under the jurisdiction of this Ordinance, and, he is hereby authorized to enter any parcel of property within the Town of Bolton pursuant to this authority. The Zoning Administrator shall report his findings to the Enforcement Officer(s).

SECTION 5.020 REQUIRED RECORDS

The original or a certified copy of all decisions, approvals, rulings and findings of any Board under this order, and of all permits and certificates issued pursuant to this order shall be retained in the files of the Enforcement Officer as a permanent public record. A copy shall be retained in the files of the Zoning Administrator for the Town of Bolton. (It is recommended that owners also retain a copy of the plan of the disposal system.)

SECTION 5.030 APPLICATION FOR, AND ISSUANCE OF DISPOSAL SYSTEM BUILDING PERMITS AND DISPOSAL SYSTEM USE CERTIFICATES

DISPOSAL SYSTEM BUILDING PERMITS:

- A. It shall be unlawful for any person to construct, alter, repair or extend an individual sewage disposal system within the Town unless a disposal system building permit has been issued, except that minor repairs, and alterations or emergency repairs may be made without a permit.
- B. Applications for disposal system building permits may be made only by the owner or lessee of the lot for which the system is proposed or his duly authorized agent or assigns and shall be in writing, signed by the applicant in such form as determined by the Enforcement Officer. A fee of \$10.00 shall accompany the application for a sewage disposal system building permit. Applications shall be submitted to the Enforcement Officer or the Zoning Administrator and include such information as the New York State Board of Health and Enforcement Officer shall require including the following:

- 1) The name and address of the applicant.
- 2) Specific location of the property on which the construction, alteration, repair or extension is proposed.
- 3) A plan of the proposed disposal system with substantiating data attesting to compliance with the minimum standards set forth in this order.
- 4) A sketch of the property showing the location of the proposed construction, alteration, repair or extension and including delineation of the property lines and sources of water supply for the property and adjoining properties.
- 5) Evidence to demonstrate to the satisfaction of the Enforcement Officer that there is no public sewer available into which the sewage can be discharged from plumbing facilities on the proposed building site, or that it is (impracticable) to discharge sewage from on-site plumbing facilities into a sanitary sewer system.
- 6) A percolation test is required for the site of a proposed facility. The percolation rate shall be determined by the methods described in the Waste Treatment Handbook - Individual Household Systems, New York State Department of Health.
 - a) The Enforcement Officer may verify the results of such percolation tests and require all such information from the applicant necessary for such review; alternatively, the Enforcement Officer shall indicate the individual designated by the Board of Health to conduct this test.
 - b) See Appendix for suggested percolation testing techniques and a sample application.
- 7) Site data which might affect, or be affected by, the proposed system including but not limited to specifications regarding soil type, topography, depth to seasonal high groundwater, depth to impervious material, depth to bedrock, distance to surface bodies of water. The determination of depth to seasonal high groundwater shall be made in the months of March, April, May or June within six weeks of the time that the frost leaves the ground. If such determination is made at other than such times, the seasonal high groundwater shall be evaluated and certified by the Warren County Soil Conservation District. All determinations shall be accompanied by a detailed statement of the testing methods used as well as the basis for the determination. The Enforcement Officer shall determine whether or not an application is complete. (See Appendix for technique for determination of seasonal high groundwater.)

- C. The Enforcement Officer shall have the authority to require certification or retesting to verify information submitted as part of the application.
- D. The Enforcement Officer may conduct such investigations, examinations, tests and site evaluations as he deems necessary to verify information contained in an application for a sewage disposal building permit and the applicant or owner of land on which the system is proposed shall grant the administrator or his agents permission to enter on his land for these purposes.
- E. The Enforcement Officer shall not issue a disposal building permit unless all pertinent site data has been submitted, verified and certified as required by this order; all permit fees have been paid, and the Enforcement Officer has determined that the alteration, repair or construction as proposed in the application complies with all the specifications contained in this Ordinance.
- F. The Enforcement Officer may disapprove an application for a disposal system building permit if he determines:
 - 1) That the individual sewage disposal system, as proposed, will not conform to the requirements, or specifications, of this Ordinance.
 - 2) That the applicant has failed to supply all data necessary to make a determination as to whether or not such individual sewage disposal system conforms to the requirements or specifications of this Ordinance and has failed to supply such information for sixty (60) days after a written request for such additional information has been mailed.
 - 3) The applicant has failed to pay all necessary fees and has failed to make such payment for sixty (60) days after notice of such non-payment has been mailed.
- G. The Enforcement Officer may, by written notice, order all further work stopped on any individual sewage disposal system which is being constructed or installed in violation of this Ordinance.

DISPOSAL SYSTEM USE CERTIFICATES:

- A. It shall be unlawful for any unauthorized person to cover or utilize any individual sewage disposal system unless a disposal system use certificate has been issued therefor.

- B. It shall be the duty of the holder of the disposal system building permit to notify the Enforcement Officer when the installation is ready for inspection. The inspection shall be made as soon thereafter as practical by the Enforcement Officer. The Enforcement Officer may also make inspections during construction to insure that the system is being installed in accordance with the application and this Ordinance. Any part of any installation which has been covered prior to final approval shall be uncovered upon order of the Enforcement Officer.
- C. A disposal system use certificate shall not be granted until the Enforcement Officer has determined that the individual sewage disposal system has been installed in compliance with the application and this Ordinance. The Enforcement Officer may make such a determination only after he has made an on-site investigation of the system or received a certification from the individual designing and installing the system, that the system conforms to the specifications as set forth in the application and this Ordinance. The Enforcement Officer may withhold a determination until after an on-site investigation has been completed notwithstanding that the system has been certified as properly installed and designed.

SECTION 5.040 APPEAL FROM ACTION OF THE ENFORCEMENT OFFICER

An action, omission, decision or ruling of the Enforcement Officer pursuant to this Ordinance may be reviewed at the instance of any aggrieved person in accordance with Article 78 of the Civil Practice Law and Rules, but application for such review must be made not later than sixty (60) days from the effective date of the decision or ruling or the date when the action or omission occurred.

SECTION 5.050 FORM OF PETITIONS, APPLICATIONS AND APPEALS

Unless otherwise stated, all petitions, applications and appeals provided for in this Ordinance shall be made on forms prescribed by the Enforcement Officer. Completed forms shall be accompanied by whatever further information, plans or specifications as may be required by such forms.

SECTION 5.060 APPLICATION FEES

Fees shall be paid upon the submission of applications provided for by the terms of this Ordinance.

SECTION 5.070 FOR COMMUNITIES WITH A LOCAL LAND USE PROGRAM
APPROVED BY THE ADIRONDACK PARK AGENCY

- A. The Enforcement Officer shall notify the Adirondack Park Agency by mail of appeal actions. Any application approved, or approved with conditions, shall not be effective until thirty (30) days after such notice to the Agency. If, within such thirty day period, the Agency determines that such action involves the provisions of the Land Use and Development Plan as approved in the local Land Use Program, including any shoreline restriction, and was not based upon the appropriate statutory basis, the Agency may reverse the Enforcement Officer's action.
- B. As part of any decision, the Board shall direct the Enforcement Officer to issue any appropriate permit in conformity with its ruling and shall state a time by which the permit shall be issued, in conformity with this Ordinance.

SECTION 5.080 SITE INSPECTIONS

- A. The filing of an application for a disposal system building permit represents permission by the applicant for the Enforcement Officer and/or other designated person, to conduct such examinations, tests, and other inspections of the disposal system site. However, entrance upon the applicant's property, where practicable, shall be made only after reasonable prior notice to the applicant.
- B. The Enforcement Officer or his designee may inspect any individual sewage disposal system built after this Ordinance takes effect to insure that it is being maintained in proper working order. It shall be unlawful for the owner or occupant of the property to deny such official or his designee access to the property at reasonable times for the purpose of making such inspections. Where practical, inspections shall be made only after reasonable notice to the owner or occupant. Where the Enforcement Officer determines that a system is not being maintained in compliance with this Ordinance, he may order that use of the system cease, and/or that the defects be corrected, and/or misuse abated within a reasonable time. If the prescribed action is not taken within the time fixed by the Enforcement Officer, he may revoke the use permit for the system.

SECTION 5.090 RECORDING OR EXPIRATION OF PERMITS

Any permit issued pursuant to this Ordinance shall expire within sixty (60) days from the date of issuance thereof unless within such sixty day period such permit and plans shall have been filed and duly recorded by the applicant in the Town Clerk's Office.

SECTION 5.100 EXPIRATION OF PERMITS GENERALLY

Unless otherwise provided for in the permit, all permits shall expire within two (2) years of issuance. Once a permit expires, and the disposal system is not completed, a new permit application is required.

ARTICLE VI

ENFORCEMENT

SECTION 6.010 PENALTY

Any person owning, controlling or managing any building, structure, land or premises therein or whereon there shall be placed on or there exists a structure or system in violation of this Ordinance; and any person who shall commit or assist in the commission of any violation of this Ordinance, or who shall build, erect, construct, or attempt the same, any structure contrary to the plans or specifications submitted to the authorized official and by him certified as complying with this Ordinance; and any person who shall omit, neglect, or refuse to do any act required by this order, shall be subject to a civil penalty of not more than \$250.00 to be recovered by the Town Board in any court of competent jurisdiction. Every such person shall be deemed guilty of a separate offense for each day that such violation, disobedience, omission, neglect or refusal shall continue. Where the person committing such violation is a partnership, association or corporation, the principal executive officer, partner, agent or manager may be considered to be the person for the purposes of this Article.

SECTION 6.020 ALTERNATIVE REMEDY

In case of any violation or threatened violation of any of the provisions of this Ordinance, in addition to other remedies herein provided, the Town Board may institute any appropriate action or proceeding to prevent unlawful construction, structural alteration, repair, reconstruction, moving and/or use, to restrain, correct or abate such violation to prevent the use of the individual sewage disposal system or to prevent any illegal act, conduct, business or use regarding such disposal system.

SECTION 6.030 MISREPRESENTATION

Any permit or approval granted under this Ordinance which is based upon or is granted in reliance upon any material representation, or failure to make a material fact or circumstance known, by or on behalf of an applicant, shall be void. This Section shall not be construed to affect the remedies available to the Town Board under Sections 6.010 and 6.020 of this Ordinance.

ARTICLE VII

MISCELLANEOUS PROVISIONS

SECTION 7.010 INTERPRETATION

Where the conditions imposed by any provision of this Ordinance are less restrictive than comparable conditions imposed by any other provisions of this Ordinance, or of any other Statute, Ordinance, Local Law, Order, Rule, Regulation, the provisions which are more restrictive shall govern.

SECTION 7.020 SEVERABILITY

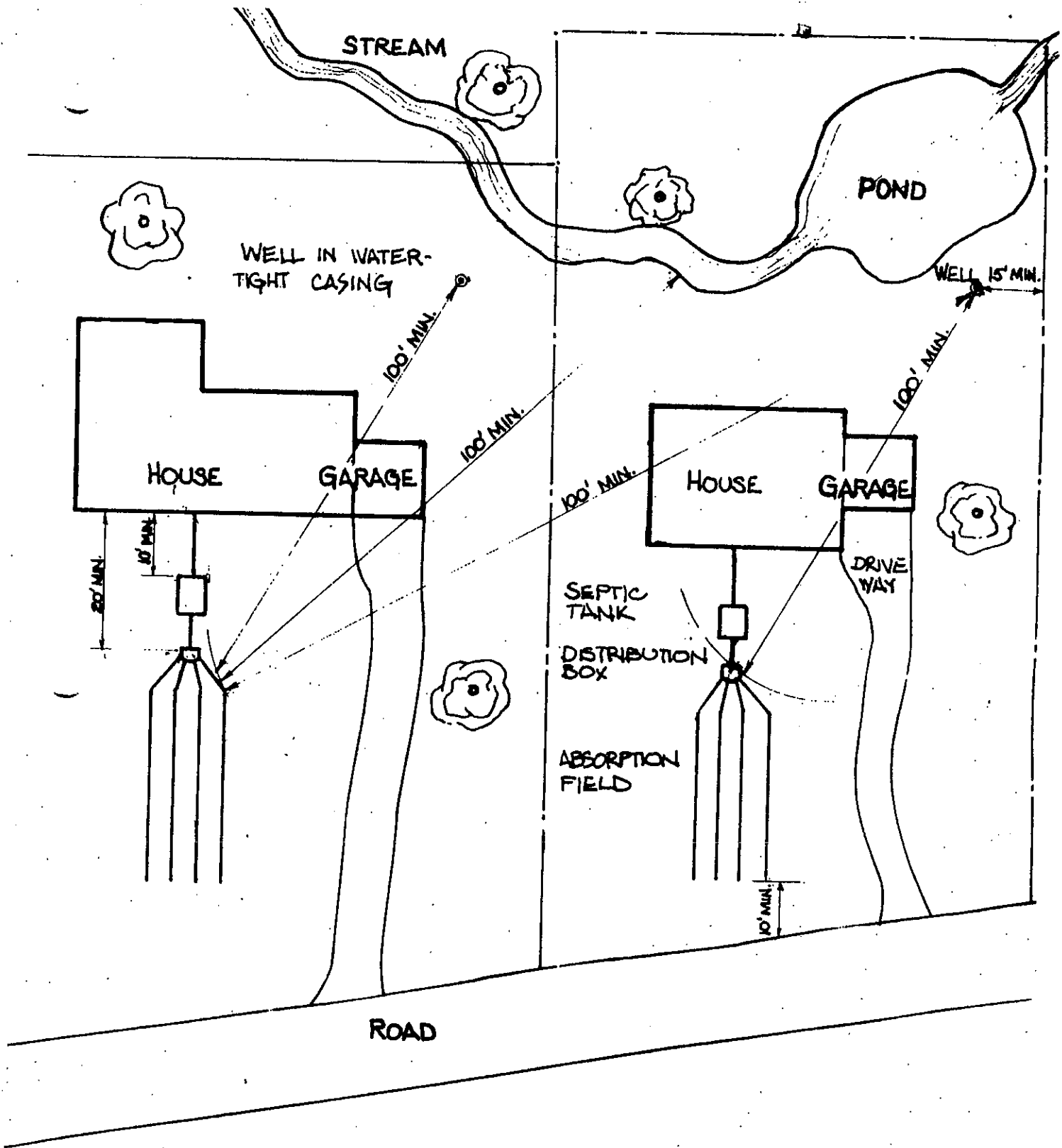
The provisions of this Ordinance are severable. If any Article, Section, Subsection or provision shall be invalid, such invalidity shall apply only to the Article, Section, Subsection or provisions adjudged invalid, and the rest of this order shall remain valid and effective.

SECTION 7.030 SAVINGS CLAUSE

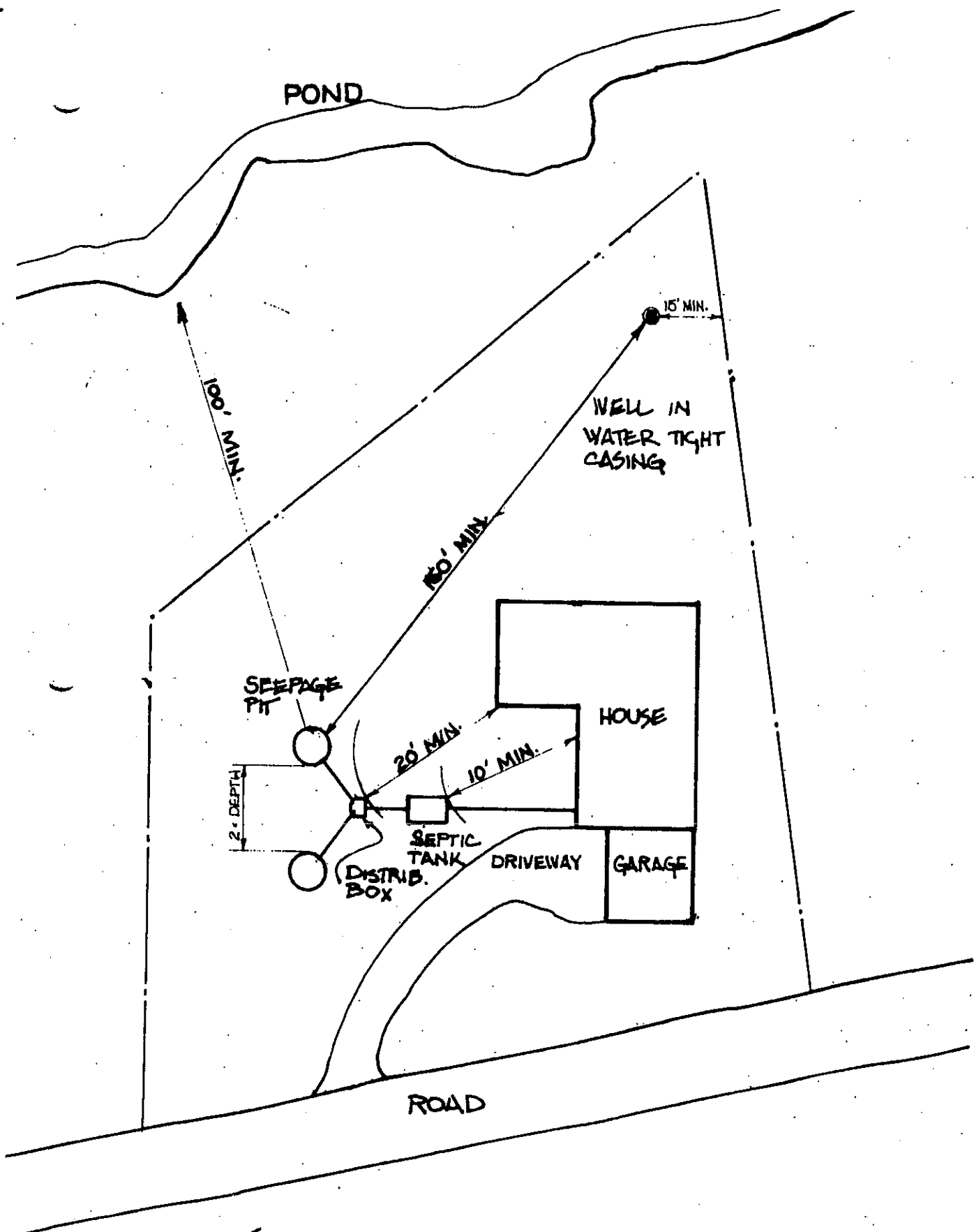
The adoption of this Ordinance shall not affect or impair any act done, offense committed or right accrued or acquired or liability, penalty, forfeiture or punishment incurred prior to the time this Ordinance takes effect.

SECTION 7.040 EFFECTIVE DATE

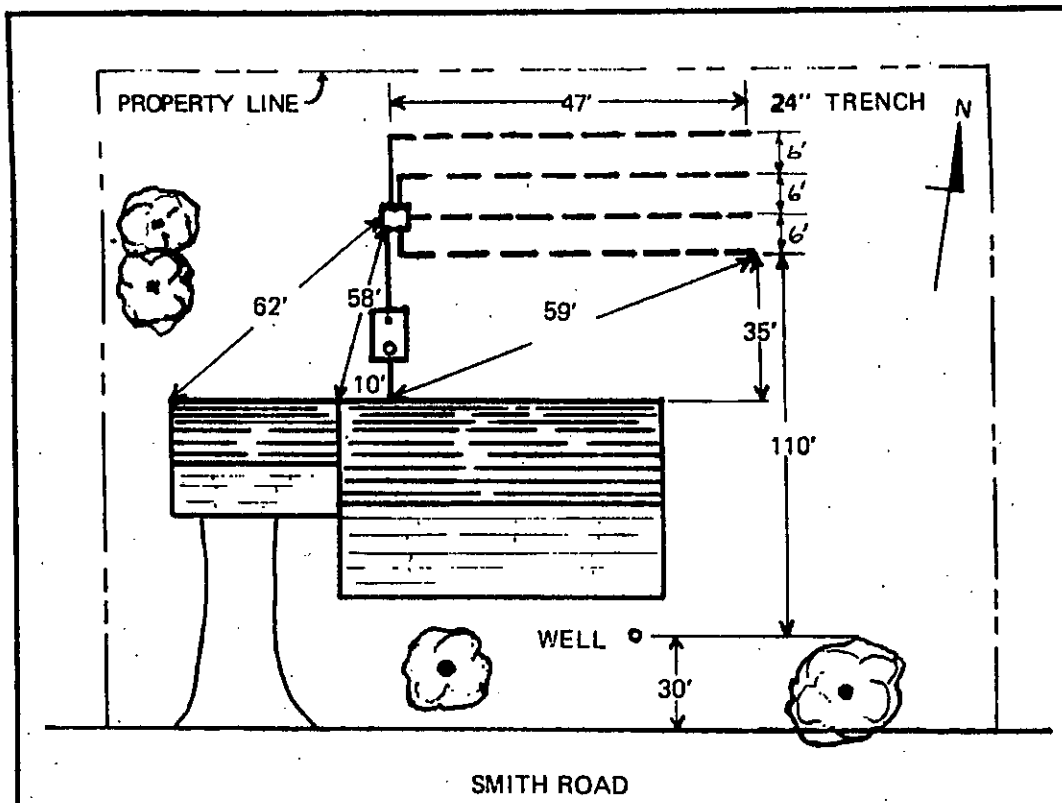
This Ordinance shall take effect and be in force ten (10) days after its passage, publication and filing as prescribed by Section 308 of the Public Health Law.



ABSORPTION FIELD SEPERATION REQUIREMENTS



SEEPAGE PIT
SEPERATION REQUIREMENTS



SMITH ROAD

DESIGN BASIS

1. No. of bedrooms _____
2. Daily flow _____ gpd
3. Septic tank capacity _____ gals.
4. Percolation rate _____ min/in.
5. Length of absorption field _____ ft.

NAME: _____

DATE: _____

The above sketch shows the locations of the units comprising your sewage disposal system for future reference in case of difficulty. It shows measured distances from buildings, trees, garage, fence posts, etc., to septic tank, sewers, distribution box and absorption field or seepage pits.

SAVE-----POST IN BASEMENT-----SAVE

FIGURE 5
SEWAGE DISPOSAL REFERENCE SKETCH

APPENDIX

HIGH GROUNDWATER DETERMINATION

Subsurface conditions may be determined by digging a hole five (5) feet deeper than the anticipated depth of the proposed leaching facility.

The determination of the seasonal high groundwater level shall be made during the months of March, April, May or June, within six (6) weeks of the time that the frost leaves the ground; such determination may be made by monitoring the water level in the open soil test pit as described above, for a period of not less than twenty-four (24) hours and recording the highest level observed. If such determination is made at other than such times, the seasonal high groundwater shall be evaluated and certified by a qualified person approved by the Local Board of Health.

SOIL PERCOLATION TEST

All tests shall be made within the area of the proposed sewage disposal system. At least one soil percolation test shall be made in the area proposed for each sewage disposal system. More tests may be required.

The procedure noted below shall be followed in performing a soil percolation test:

1. Dig a hole approximately twelve (12) inches in diameter with vertical sides. If a tile trench field is being considered, the bottom of the percolation test hole shall be six (6) inches below the anticipated trench bottom. If a seepage pit is under consideration, percolation tests shall be run at one-half (1/2) depth and at the full estimated depth of the seepage pit. In order to facilitate the running of the test, a larger excavation shall be made for the upper portion of the hole with the actual test hole in the bottom.
2. Fill the test hole with water and allow it to completely seep away. For all soils excepting clean sands and gravels this must be done at least four (4) hours but not more than twenty-four (24) hours before the test and again at the time of the test. For clean sands and gravels, pre-soaking must be done at the time of the test. After the water has seeped away, remove any loose soil that has fallen from the sides of the hole. Place a one (1) inch layer of small stones in the bottom of the test hole to reduce scoring and silting action.

3. Pour clean water into the hole, with as little splashing as possible, to a depth of six (6) inches above the bottom of the hole.
4. Observe and record the time in minutes required for the water to drop one (1) inch as measured from a fixed reference point.
5. Repeat steps (3) and (4) of the test, a minimum of three (3) times, until the time for the water to drop one (1) inch for two successive tests gives approximately equal results. The last test will then be taken as the stabilized rate of percolation and the time recorded for this test will be the design basis for determining the square footage of leaching or absorptive area required for a subsurface absorption system (see Tables 4 and 5). For example, assume the following rates were obtained in running a test (see 4 above):

<u>Run Number</u>	<u>Time - Minutes</u>
1	14
2	20
3	24
4	27
5	30
6	30

The stabilized rate of percolation would then be taken as thirty (30) minutes per inch.

GUIDELINES FOR OPERATION AND MAINTENANCE

- The contents of the septic tank should be pumped every 2-3 years or when the total depth of sludge and scum exceeds one-third of the liquid depth of the tank (see Figure 1). If the tank is not cleaned periodically, the solids are carried into the disposal field; rapid clogging occurs; premature failure follows and finally, the disposal field must be replaced. Pumping your septic tank is less expensive than replacing your disposal field.
- Detergents, kitchen wastes, laundry wastes, and household chemicals in normal amounts do not affect the proper operation of household sewage disposal systems. However, excessive quantities can be harmful.
- Avoid the disposal of cigarette butts, disposable diapers, sanitary napkins, plastics, trash, etc., into your household sewage system. These items are not readily decomposed.
- Septic tank additives are not recommended. Additives are unnecessary to the proper operation of household systems and may cause the sludge and scum in the septic tank to be discharged into the disposal field, resulting in premature failure.
- Garbage grinders substantially increase the accumulation of solids in the septic tank, as well as the solids entering the disposal fields and pits. Their disadvantages outweigh the convenience they provide and are not recommended for households with their own sewage disposal systems. If used, the septic tank size and disposal field should be increased.
- Connecting laundry wastes to a separate waste system (dry well or seepage pit), while not normally necessary, will reduce the load on the regular system and permit the survival of a marginal system.
- All roof, cellar and footing drainage, and surface water must be excluded from the system. This drainage water can be discharged to the ground surface without treatment; make sure it drains away from your sewage disposal system.
- Roof downspouts should not drain toward the disposal field.
- Roots from trees in the immediate area of the absorption lines may clog the system.
- Keep swimming pools (above or in-ground) away from the disposal field.
- Never permit heavy equipment to pass over the disposal field.
- Conserve water usage; this can prolong the life of your sewage disposal system. Check defective toilet tank valves, repair leaky fixtures, install appliances and fixtures which use less water, and avoid wasteful practices.

- A sewage disposal system is normally designed to accommodate two persons per bedroom. If the household is larger than this, or if additional bedrooms are added, enlarge the system.
- If surface water from higher ground is running onto the disposal field, install a ditch or berm to intercept this surface water.

For more detailed information concerning special conditions in your area, contact the county health department or the NYS District Health Office serving your locality.

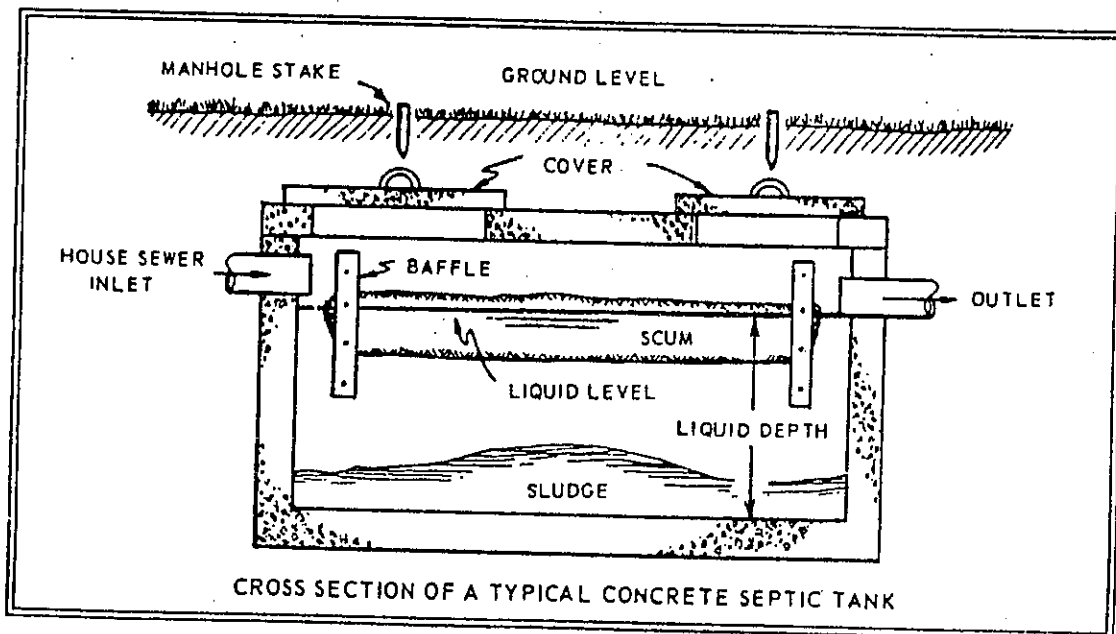


FIGURE 1