

JOHN T. BISCONE
LOUIS R. NERI
SARAH M. BISCONE

BISCONE AND NERI
ATTORNEYS AND COUNSELORS AT LAW
186 MAIN STREET
RAVENA, N.Y. 12143
TEL: (518) 756-7333
FAX: (518) 756-3293

ALBANY OFFICE
311 STATE STREET
ALBANY, N.Y. 12210
(518) 465-2239
FAX: (518) 426-7139

October 19, 2001

Diane Deschenes, Town Clerk
Town of New Scotland
Town Hall
2029 New Scotland Road
Slingerlands, New York 12159

Re: Local Law No.'s 6, 7, 8 and 9 of the Year 2001

Dear Diane:

Enclosed is the Department of State acknowledgments of the filing of Local Law No.'s 6, 7, 8 and 9 of the Year 2001 for filing in your office. I have kept a copy of the acknowledgement letters in my files.

Very truly yours,


JOHN T. BISCONE

JTB:dar
Enclosure

RECEIVED
OCT 22 2001
TOWN CLERK

Res 01-163
Adopted 8/8/01

TOWN OF NEW SCOTLAND

Albany County

New York

SANITARY AND STORM SEWER REGULATIONS

Local Law #6

July 11, 2001

ARTICLE I
Legislative Intent

§ 188-1. Adoption of General Rules and Specifications.

For the proper use and services of all sewer districts owned, operated and maintained by the Town of New Scotland, and all sewers constructed in the Town of New Scotland, the following general rules and specifications are hereby adopted.

ARTICLE II
General Provisions

§ 188-2. Purpose and Scope.

- A. The following specifications apply to all storm and sanitary mains and laterals installed on public or private property connected directly or indirectly to the Town of New Scotland sewer system, any system served by agreement within the Town of New Scotland and any storm drainage system within the town of New Scotland. All plans and specifications for such sewer mains shall be reviewed and approved by the Superintendent of Highways, the Sewer Inspector, town designated engineer or other duly authorized officials of the Town of New Scotland.
- B. Standard Details of the Town of New Scotland supplement these specifications and shall be considered an integral part hereof.
- C. Whenever standards are referenced in these specifications, the latest version of the standard referenced shall be applicable.
- D. Recommended standards for Wastewater Facilities, Great Lakes Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers supplement these specifications and shall be considered an integral part hereof.

ARTICLE III
Definitions

§ 188-3. Terms Defined.

- A. Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

CONTRACTOR - The party who is employed by the owner to actually construct the sewerage system and/or service lateral.

DISTRICT - Any regularly established "sewer district" or "sewer improvement" and extensions thereof in the Town of New Scotland.

DISTRICT BOUNDARIES - The physical boundaries of Districts or Improvements as presently established or as may be extended or created from time to time as duly enacted by law.

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

ENGINEER - A person registered as a professional engineer by the State of New York.

OWNER - an individual, firm, company, association, society, corporation or group such as a developer, who initiates and pays for the installation of the sewer collection system. In the case of sewer laterals, the owner shall mean the applicant who applies for sewer service.

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

PREFERRED METHOD - Shall generally mean the standard method of installation that shall be used. Methods other than the preferred method may only be used with the approval of the Superintendent of Highways, the Sewer Inspector or other duly authorized official of the Town.

PROPERTY LINE - The edge of a sewer right-of-way in those instances where the sewer service lateral connects to the public sewer main not located on a street right-of-way and the owner's property line in those instances where the sewer service lateral connects to a public water main located in the street right-of-way.

PUBLIC SEWERAGE - A common sewerage collection main controlled by a governmental agency or public utility.

SEWER DISTRICT - Any sewer district owned, maintained and operated by the Town of New Scotland.

SEWER INSPECTOR - The duly authorized representative for the Superintendent of Highways.

SEWER LATERALS - A pipe six (6) inches in diameter or smaller conveying sewage from a building.

SEWER MAIN - Any pipe bigger than six (6) inches in diameter collecting and conveying sewerage as part of a system.

STANDARD DETAILS - Supplements to these specifications and an integral part thereof, located in the Detail Section of this document, or as provided by the Town of New Scotland.

SUPERINTENDENT OF HIGHWAYS - The legally elected superintendent of Highways for the Town of New Scotland. Whenever the words "ordered", "directed", "required", "approved", or "accepted" or variations thereof are used, they shall refer to action by the Superintendent of the Town of New Scotland Highway Department, or his designated representative(s), unless otherwise specified.

TOWN ENGINEER AND/OR DESIGNATED ENGINEER - The legally appointed or engaged Engineer by the Town of New Scotland to oversee the design and/or construction of the sewer system, or other sewer work, and who is responsible to certify the same.

UNIT - as described below:

Description	Unit Value
Single Family Dwelling	1 Unit
Multiple Family Dwelling	1 Unit Per Family
Apartments	1 Unit Per apartment
<u>Business Establishments:</u>	
Water Use Less Than 100,000 Gals. Per Year	1 Unit
Water Use Greater Than 100,000 Gals. Per Year	1 Unit Per 100,000 Gals or Part Thereof
<u>Schools and Institutions:</u>	
Water Use Less than 100,000 Gals. Per Year	1 Unit
Water Use Greater Than 100,000	1 Unit Per 100,000 Gals. or Part thereof
Vacant Lot	0.4 Units

B. Word Usages. "Shall" is mandatory; "may" is permissive.

ARTICLE IV

Power and Authority of Town Inspectors

§ 188-4. Right of Entry for Purposes of Inspection and Testing.

The Superintendent of Highways, the Sewer Inspector, and other duly authorized officials of the Town bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation and testing. Where a user has security measures in force, the user shall make necessary arrangements with their security guards so that upon presentation of suitable identification, personnel from the Town will be permitted to enter without delay.

§ 188-5. Observance of Safety Rules.

While performing the necessary work on private properties referred to in §189-12(B), the Superintendent of Highways, the Sewer Inspector or other duly authorized officials of the Town shall observe all safety rules applicable to the premises.

§ 188-6. Entry on Private property to Observe Compliance of Facilities.

The Superintendent of Highways, the Sewer Inspector or other duly authorized officials of the Town bearing proper credentials and identification shall be permitted to enter all private properties through which the Town holds a duly negotiated easement for the purpose of but not limited to inspections, observation, measurement, sampling, repair, and maintenance of any portion of the sewer service facilities lying within an easement. All entry and subsequent work if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

§ 188-7. Enforcement Officials.

This chapter shall be enforced by the Superintendent of Highways, the Sewer Inspector or other duly authorized officials of the Town. The Town may terminate or cause to be terminated sewer service to any premises if a violation of any provision of this chapter has occurred.

**ARTICLE V
General Information**

§ 188-8. Cost to be Borne by Owner; Indemnification of Town.

All costs and expenses incidental to the installation and connection of the sewer lateral shall be borne by the property owner(s). These costs shall include attorneys' fee, legal fees, filing fees, engineering fees and etc. The owner(s) shall indemnify the sewer district and the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the sewer lateral. Also see §189-13.

§ 188-9. Where No Sewer Service Lateral Has Been Supplied.

- A. In the case where a sewer lateral has not been provided at the property line (or permanent easement boundary), the property owner(s) will be required, if and when a sewer lateral connection becomes necessary, to construct at his own expense such a sewer lateral from the public sewer main to his property.
- B. In all cases, it will be the property owner's responsibility to extend and construct at his own expense the sewer lateral across his property to a proper point of connection with the public sewer main.
- C. Any separate and independent sewer lateral must be provided for every building. Any exceptions must first be approved by the Superintendent of Highways, the Sewer Inspector or other duly authorized officials of the town.

§ 188-10. Connection to Existing Public Sewer Main.

Except in rare occasions, in newly formed sewer districts the sewer main will be tapped and a sewer lateral will be extended to the property line. However, in existing sewer districts it may sometimes be necessary for the property owner(s) to connect to the existing public sewer main and construct the entire sewer lateral from the sewer main to the building.

§ 188-11. Inspection and Testing.

- A. When the sewer lateral is installed and completed, but prior to refilling the trench, the contractor performing the work shall notify the Superintendent of Highways, the Sewer Inspector or other duly authorized officials of the Town so that the installation can be inspected and approval given to refill the trench. Trenches refilled prior to inspection will have to be reopened by the contractor at his own expense. The contractor may also be subject to a penalty. These refilling regulations also apply to property owners installing their own sewer lateral connection.
- B. In the discharge of duties, and for the purpose of sewer inspection, properly identified representatives of the Sewer District are legally authorized to enter any premises or property in the Town of New Scotland.

§ 188-12. Installation of Sewer Laterals.

A. Who Can Make Installations and Requirements.

- 1. No person shall make any attachment with the sewer mains of the Town of New Scotland Sewer Districts nor may make any repairs, additions to or alterations with the sewer/lateral lines unless he be authorized by the Superintendent of Highways, the Sewer Inspector, or other duly authorized officials of the Town and a written permit is issued.

2. A separate sewer lateral shall be required for each dwelling or commercial building as specified under §188-9 (c) of law. In case of multiple occupancy the size and number of separate service lines required shall be approved by the Superintendent of Highways, the Sewer Inspector or other duly authorized officials of the Town.
3. Any existing consumer in violation of these requirements may be notified, on thirty (30) days written notice from the District, to conform to this regulation.

B. Public Safety.

When any street, public or private grounds shall be opened for the purpose of making a connection with the lines or for laying any sewer lines or fixtures, public safety and convenience shall be duly regarded and the street or public place shall be restored to its original condition as soon as possible; and whenever a trench is opened, bridges for the safety and convenience of the public shall be provided, and if left open at night such excavations and bridges shall be guarded with barricades and lights shall be displayed to warn and protect the public. The applicant must obtain from the Town Highway Superintendent, Albany County Highway Department or New York State DOT the required street permit.

C. Ownership.

1. At his own expense, the applicant shall install from the sewer main to the building on the premises, a sewer lateral line and sewer connections, all to be approved by the Superintendent of Highways, the Sewer Inspector or other duly authorized officials of the Town.
2. The sewer lateral line and connections from the sewer main to the building shall at all times remain the sole property of the applicant, in whom title thereto shall vest. All sewer lateral lines installed shall have no bends between the sewer main and the building foundation unless otherwise approved.

D. Maintenance and Replacement.

1. The owner, at his own expense, will maintain and protect from freezing and when necessary replace such service line and service connections, specifications for which are contained in paragraph "E" of this article.
2. Should a leak occur in a sewer lateral line, the owner shall forthwith cause same to be repaired at his own expense. Should the owner fail to effect such repair after two (2) days written notice from the Town, the sewer district will cause the sewer lateral to be repaired and shall levy all costs therefor to the owner.

E. Sewer Lateral - Specifications.

1. All sewer laterals shall have a minimum cover necessary to maintain its integrity and in no case will any sewer line be allowed to be laid in any water trench. Sewer lateral lines shall be installed at a horizontal distance of 10' from all water lines and at a vertical distance of 18" from water lines, preferably below water lines.
2. All sewer lateral lines shall not be less in size than six (6) inch inside diameter PVC SAR 35 pipe or service weight cast iron. The Town reserves the right in all cases to stipulate the size and type of service lines to be used.

F. Sewer Lateral Connection Specifications and Rules.

1. Sewer lateral connections to the sewer main shall be made by installing a we fitting in the sewer main. Tapping saddles of any kind will not be permitted.
2. If a building is razed, abandoned or moved, it will be the responsibility of the owner or authority which requires such razing, moving or abandonment, to notify the Superintendent of Highways, the Sewer Inspector or other duly authorized official of the Town that the sewer lateral is being discontinued. The owner shall discontinue the sewer lateral at the property line, by capping the lateral.

ARTICLE VI

Permit Required Prior to Construction

§ 188-13. Permit Required to Connect an Existing Sewer Main or Sewer Service Lateral.

- A. No unauthorized person(s) shall uncover, make any connections with or opening into, use, alter, or disturb any public lines thereof without a written permit from the town. Failure to obtain a permit may result in a penalty as specified under §189-16 and §189-17 of this law. Permits expire one year from date of issue.
- B. Before connecting to an existing sewer main or a sewer lateral, the owner shall contact the Superintendent of Highways, the Sewer Inspector or other duly authorized officials of the Town notifying him of the work to be done. He shall obtain a written permit as required. No connections shall be made to the public sewer main except in the presence of the Superintendent of Highways, the Sewer Inspector or other duly authorized officials of the Town.
- C. Whenever it is necessary to work within any public right-of-way a bond will be required. Before a permit may be issued for work in any public right-of-way, the person applying for such permit shall have executed into the Town of New Scotland and deposited with the Town Clerk, a corporate surety in the sum of one

thousand (\$1,000), except where a larger amount is required by the Town, conditioned that he will perform faithfully all work with due care and skill, and in accordance with the laws, rules and regulations established under the authority or ordinances of the Town of New Scotland. This bond shall state that the person will indemnify and save harmless expenses, outlays and claims of every nature and kind arising out of unskillfulness or negligence on his part in connection with the work or excavating for same. Such bond shall remain in force and must be executed for a period of one year after completion of work except that on such expiration it shall remain in force as to all penalties, claims and demands that may have accrued thereunder prior to such expiration.

§ 188-14. Classes of Sewer Permits, Connection Fees.

- A. Three types of sewer permits will be issued. These will be for residential, non-residential, and repair/reconnection/disconnection. The owner or his agent shall make application on a special form furnished by the sewer district. The permit shall be supplemented by any plans, specifications and other information considered pertinent in the judgment of the Superintendent of Highways, the Town Engineer, the Sewer Inspector or other duly authorized officials of the Town.
- B. The permit fees including inspection are as follows:
 - 1. Residential Sewer Lateral Connection: Thirty-five dollars (\$50.00).
 - 2. Non-residential Sewer Lateral Connection: Fifty dollars (\$100.00), minimum.
 - 3. Repair/Reconnection/Disconnection: Thirty-five dollars (\$35).

**ARTICLE VII
General Rules**

§ 188-15. General.

- A. Sewer service may be discontinued by the Superintendent of Highways, the Sewer Inspector or other duly authorized officials of the Town for any one of the following reasons:
 - 1. for use of discharge of waste other than household sewage or waste other than as represented in customer's applications,
 - 2. for non-payment of bills for sewer service or other services rendered by the District in accordance with these rules and regulations,
 - 3. for violation of the rules of the Town of New Scotland or the Sewer District as set forth in its rules and regulations,
 - 4. for failure to repair leaky lateral line after two (2) days' notice.

- B. Under no circumstances shall chemicals or any other materials that may impair the sewerage system or other system equipment, be discharged into the sewerage system.
- C. The district undertakes to use reasonable care and diligence to provide a constant sewer collection system for customers, but reserves the right, at any time, after giving notice, to interrupt service for the purposes of making repairs or extensions, or for other purposes, and it is expressly agreed that the district shall not be liable for a deficiency or failure in maintaining sewerage flows for any cause whatsoever, nor for any damage thereby.
- D. The Superintendent of Highways, the Sewer Inspector or other duly authorized officials of the Town shall have the right in periods of emergency, to restrict the use of sewerage systems to prohibit such use entirely. Notice of such restriction shall be published by the Superintendent of Highways, the Sewer Inspector, or other duly authorized officials of the Town in the official Town newspaper or by other appropriate means.

ARTICLE VIII

Penalties

§ 188-16. Penalties for Offenses.

Any conviction under this chapter shall be deemed a violation, and every conviction of a violation of any provision of this chapter shall be punishable by a fine of not more than two hundred fifty dollars (\$250) or by imprisonment of not more than fifteen (15) days, or both such fine and imprisonment. For the purpose of conferring jurisdiction upon courts and judicial officers generally, charges under this chapter shall be deemed violations.

§ 188-17. Assessment in Addition to Penalty.

In addition, a penalty may be assessed, not exceeding five hundred dollars (\$500) for each violation, to be used for and recovered in a civil action brought in the name and for the benefit of the sewer district within the Town of New Scotland where the violation occurred.

§ 188-18. Judicial Proceedings to Prohibit Violations.

The Superintendent of Highways, the Sewer Inspector or other duly authorized officials of the Town are authorized to issue appearance tickets and to initiate whatever appropriate judicial proceedings are deemed necessary to prohibit violations of this chapter.

ARTICLE IX
Drainage

§ 188-19. Applicable standards.

The design, material and construction methods shall conform to the applicable sections of the current editions and subsequent revisions of the following documents.

- A. Design and Construction of Sanitary and Storm Sewers. Manual of Practice No. 9, Water Pollution Control Federation.
- B. Technical Release No. 55 (TR-55), Soil Conservation Service (SCS).
- C. New York State Guidelines for Urban Erosion and Sediment Control (NYSGUESC), Soil and Water Conservation Society.

§ 188-20. Submittals.

Complete plans and drainage calculations shall be submitted, including drainage basin maps of predevelopment and postdevelopment stormwater runoff and hydraulic calculations for all detention basins, pipes and other drainage structures as required in the Town of New Scotland Subdivision Law.

§ 188-21. Drainage easements.

- A. Drainage easements or rights-of-way shall be provided for all drainageways and structures within the development and, when required, downstream of the development.
- B. Drainage easements shall be a minimum width of thirty (30) feet and wider where required.

§ 188-22. Design standards.

- A. Methodology.
 - 1. Calculations shall be done for predevelopment and postdevelopment runoff for the ten-, twenty-five-, and one-hundred-year storm events.
 - 2. SCS TR-55 or TR-20 shall be used for all calculations, except that the rational method may be used for sites of less than two (2) acres.
 - 3. Calculations shall consider the total upstream drainage area as potentially developed and all downstream structures and drainage facilities.

B. Peak runoff.

1. The postdevelopment peak runoff from the site may not be increased from the predevelopment amount during a twenty-five year storm event.
2. Detention basins or other storage facilities shall be used as required to store the additional runoff from the development.
3. An emergency spillway shall be provided for the one-hundred-year storm.
4. An outlet structure shall be provided to minimize sedimentation and plugging and achieve the designed outflow.
5. The requirement for storage facilities can be waived in special circumstances if it can be shown that no downstream property or structures will be impacted. The total potential build-out of the watershed must be considered for a waiver to be granted.

C. Drainage pipe and structures.

1. The design storm shall be:
 - a. Twenty-five-year for general site work, local roads and collector roads.
 - b. One-hundred-year for critical structures which may impact downstream property.
2. The minimum pipe slope shall be five-tenths percent (0.5%).
3. Ditch slopes greater than five percent (5%) and where velocity exceeds five (5) feet per second shall be protected with stone lining.
4. The minimum pipe size shall be fifteen (15) inches.
5. The maximum length of surface flow on streets and ditches shall be four hundred (400) feet.
6. Stone apron on filter fabric, minimum size ten by ten (10 x 10) feet, shall be provided at all pipe inlets and outlets and points of discharge. Size and details shall be in accordance with NYSGUESC.
7. Flared pipe end sections shall be provided.
8. Pipes and structures in traffic areas shall accommodate HS-20 loading.
9. Sedimentation control, sumps, trashracks and other measures shall be provided as required to minimize system maintenance and prevent failure.

D. Subsurface drainage.

1. In areas of high groundwater or springs, measures shall be taken to control subsurface water so as not to impact building basements and foundations, on-site wastewater systems or other structures or facilities.
2. Transverse and longitudinal subsurface drains and underdrains shall be provided within the street right-of-way to fully drain the road base.
3. Stormwater facilities/capacity shall be provided to accommodate roof and foundation drains. Drains shall be connected into storm manholes, catch basins or junction boxes. Under no circumstances shall storm water or mains conveying storm water be connected to sanitary sewer systems.

E. Surface drainage.

1. Proper grading and drainage facilities shall be provided to accommodate site drainage, including runoff from upstream areas, in a controlled manner without adverse impact to or flooding of on-site or downstream buildings, roads, wastewater systems or other facilities.
2. Additional temporary drainage measures shall be provided as required to accomplish soil erosion and sedimentation control during construction operations.

§ 188-23. Materials.

A. Drainage pipe shall be as follows:

1. Smooth-lined corrugated polyethylene pipe: AASHTO M294-ADS® N-12 or equivalent.
2. PVC SDR 35, ASTM 3034.
3. Ductile Iron with bituminous seal coating, AWWA C151, C111 and C104.

B. Subsurface drains shall be as follows:

1. Fabric: Trevira Spunbound Type 1114 or equal.
2. Stone: NYSDOT Filter Stone 703-02 No. 1 and No. 2 stone.
3. Corrugated polyethylene pipe: ADS® 401 or 601 or equal.

C. Underdrains shall be as follows:

1. Perforated PVC SDR 35: ASTM D3034.
 2. Perforated corrugated metal pipe with bituminous coating: NYSDOT Section 707-07.
- D. Catch basins and manholes shall be as follows:
1. Precast concrete manhole: ASTM 478.
 2. Mortar: ASTM C270
- E. Frame and grates shall be NYSDOT Section 715.
- F. Stone protection shall be NYSDOT Section 620-02, dry riprap, medium-weight stone greater than one hundred (100) pounds.

ARTICLE X

§188-24. Construction methods

- A. Drainage structures and facilities shall be staked out prior to construction.
- B. Pipe and ditches shall be installed to the designed line and grade.
- C. Pipe, catch basins and manholes shall be installed in accordance with NYSDOT Section 604-3.
- D. Underdrains with filter stone and geotextile fabric shall be installed in accordance with NYSDOT Section 6.05 and the recommendations of the geotextile manufacturer.

ARTICLE XI

Sewer Systems

§188-25. Applicable Standards

The design, material and construction methods shall conform to the applicable sections of the current editions and subsequent revisions of the following documents.

- A. Recommended Standards for Sewage Works, Great Lakes - Upper Mississippi River Board State Sanitary Engineers.
- B. Part 75-A, New York State Department of Health.
- C. Standards for Waste Treatment Works, Institutional and Commercial Sewerage Facilities, New York State Department of Environmental Conservation.

- D. Design and Construction of Sanitary and Storm Sewers, Manual of Practice No. 8, Water Pollution Control Federation.

§188-26. Design Standards.

A. Public sewer systems.

1. Sites within or adjacent to an existing or proposed future sewer district as shown on the Official Map or within one thousand (1,000) feet of public sewers shall be served by public sewers. Any individual system abandoned as a result thereof shall be properly abandoned by pumping out, and crushing/filling of septic tanks. Connections to new public sewers shall be made within 60 days of the availability of the public sewer.
2. The applicant shall pay for the cost of extending the sewer district and facilities to connect to the existing system.
3. The extension of facilities can be waived in specific instances where economic hardship and suitable alternative methods of sewage disposal can be demonstrated.

B. Community sewer system.

1. Community wastewater treatment and collection systems shall be provided for all sites with a design wastewater flow of greater than fifteen thousand (15,000) gallons per day within any major aquifer and for all sites serving fifty(50) or more housing units.
2. Subsurface discharge is preferred over surface discharge.
3. Surface discharge may be allowed only when no alternatives are available and the assimilative capacity of the stream is considered under low flow (MA7Q10) conditions.
4. Wastewater treatment systems shall be acceptable to the Town Engineer and shall comply with the Recommended Standards for Wastewater Facilities and all applicable New York State Department of Environmental Conservation and Environmental Protection Agency regulation.
5. Upstream and downstream monitoring wells shall be provided on a case by case basis for subsurface discharge systems, with testing being done quarterly and reported to the Town.

6. All copies of laboratory test results shall be provided to the Town for non-municipal facilities.

C. On-site wastewater treatment systems.

1. Where public sewers or community systems are not feasible, on-site wastewater systems will be considered, provided that suitable site conditions exist.
2. System designs shall be approved by the Albany County Department of Health.
3. The adequacy of existing systems shall be verified prior to any expansion of site facilities, changes in use, or issuance of a building permit.
4. Dry sewers shall be required on all major subdivisions, unless waived by the Planning Board.
5. Appeal.
 - a. Any person or entity aggrieved by a determination of the Planning Board regarding the waiver of the dry sewer requirement under this chapter may appeal the Planning Board's decision to the Town Board for further consideration by filing of a notice of appeal with the Town Clerk within thirty(30) days of the filing of the decision of the Planning Board denying such a waiver. The Town Board shall consider whether the applicant has suffered an undue hardship as a result of the denial of a waiver and may exercise its discretion using all relevant factors.
 - b. An appeal to the Town Board must be made within the thirty-day period following the filing of Planning Board decisions denying a waiver, except that any application for a waiver which has been decided in the twelve(12) months prior to the date of this subsection may be taken by filing a notice of appeal with the Town Clerk within the thirty-day period following the effective date of this subsection.

D. Discharges other than domestic wastewater. Industrial and non-domestic wastewater discharges may be allowed only after careful review on a case-by-case basis. Pretreatment may be required prior to connection to any private or public sewer systems. 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.

1. Any liquid or vapor having a temperature higher than 150 degrees Fahrenheit (65 degrees Centigrade).
2. Any waters or wastes which contain grease or oil or other substance that will solidify or become discernibly viscous at temperatures between 32 and 150 degrees Fahrenheit.

3. 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) other soluble matter.
4. Any gasoline, benzene, naphtha, fuel oil, or mineral oil or other flammable or explosive liquid, solid, or gas.
5. Any noxious or malodorous gas as hydrogen sulfide, sulfur dioxide, or nitrous oxide or other substance, which either singularly 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.
6. Any garbage that has not been property 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 Highway Superintendent.
7. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, cardboard, wood, paunch manure, hair and fleshing, entrails, lime slurry, lime residue, cannery waste, bulk solids, or any other viscous substance capable of causing obstruction to the flow of the sewers, or other interference with the proper operation of the sewage system.
8. 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 sewerage system. Free acids and alkalies must be neutralized at all times, within a permissible pH range of 6.5 to 9.5.
9. Any cyanides, in excess of 2 parts per million by weight as CN.
10. Any radioactive waste or isotopes of such half-life or concentration as may exceed limits established by the Highway Superintendent in compliance with applicable State or Federal requirements.
11. 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 rate exceeding 1,000 gallons per minute except by special permit.

Normal Sanitary Sewage shall be construed to fall within the following ranges at the effluent of the industrial plant in question.

<i>Constituents</i>	<i>Permissible Range</i>
Suspended Solids	180 to 350 ppm
B.O.D.	140 to 300 ppm
Chlorine Requirements	5 to 15 ppm

12. Any storm water, roof drains, spring water, cistern or tank overflow, footing drain, or the contents of any privy vault, septic tank or cesspool, or the discharge of effluent from any air conditioning machine or refrigeration unit.
13. Any waters or wastes containing a toxic or poisonous substance high B.O.D. or 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. Such toxic substances shall be limited to the average concentration listed hereinafter in the sewage as it arrives at the plant and at no time shall the hourly concentration at the plant exceed three times the average concentration. If concentrations listed are exceeded, individual establishments will be subject to control in volume and concentration of sewage by the Highway Superintendent and Town Engineer.

Limits of Toxic Substances In Sewage

Iron, as Fe	0.5 ppm
Chromium, as Cr (Hexavalent)	1.5 ppm
Copper, as Cu	0.3 ppm
Chlorine Requirements	15.0 ppm
Phenol	1.0 ppm
Cyanide, as CN	0.17 ppm
Cadmium, as Cd	0.5 ppm
Zinc, as Zn	0.5 ppm
Nickel	1.0 ppm

- E. Gravity collection systems. Gravity sewer systems shall be provided unless not feasible.
- F. Pump stations and force mains.
 1. Central pump stations and force mains shall be provided where gravity systems are not feasible.
 2. Pump stations shall be designed by a licensed professional engineer in accordance with the Recommended Standards for Sewage Works, and New York State Department of Environmental Conservation Standards, including provisions for emergency power.
 3. A remote alarm system shall be provided to alert maintenance people of system failure.
- G. Ownership, operation and maintenance.
 1. All community sewer systems shall be owned and operated by the Town. The applicant must make provisions to own and operate the system during the one-year waiting period for acceptance as discussed in § 188-30, Acceptance

of improvements.

2. For all community wastewater systems and pump stations three (3) complete operation and maintenance manuals shall be submitted, including;
 - a. As-built drawings.
 - b. Equipment lists.
 - c. Instruction manuals.
 - d. Spare parts list.

§188-27. Materials.

- A. Sewer Pipe shall be as follows:
 1. PVC SDR 35: ASTM D3034.
 2. Ductile iron pipe, double cement lined with bituminous seal coating: AWWA C151, C111 and C104.
- B. Manholes shall be as follows:
 1. Precast concrete manhole: ASTM C478.
 2. Mortar, Type M: ASTM C270.
 3. Frames and covers: NYSDOT Section 715.
- C. Pump stations. Pump stations shall be wet-well-mounted pump stations as manufactured by Smith and Loveless or an approved equivalent.
- D. Force mains shall be as follows:
 1. PVC SDR 21: ASTM D2241 for heads up to ninety(90) feet.
 2. PVC SDR 26: ASTM D2241.
 3. PVC Schedule 40: ASTM D1785.
 4. Ductile iron pipe, double cement lined with bituminous seal coating: AWWA C151, C111 and C104.

§188-28. Construction methods.

- A. Stakeout. Sewer systems shall be staked out prior to construction.
- B. Pipe installation.
 - 1. Sewer pipe shall be installed to line and grade.
 - 2. Metallic warning tape shall be installed twelve(12) inches above all pipe.
- C. Testing.
 - 1. Pipe shall be tested as follows:
 - a. Deflection testing.
 - b. Low-pressure air testing.
 - c. Corroborative infiltration/exfiltration tests on the three(3) sections with greatest air loss.
 - 2. These tests are to be performed and witnessed prior to connection between the house services and the system. Testing shall follow recommendations of UNI-BELL.
 - 3. Infiltration testing. Infiltration testing is considered an acceptable method of leakage test if the ground water level is above the top of the pipe for the entire length being tested. A weir shall be installed in locations as directed by the Town Engineer and will be used to measure the infiltration. The allowable infiltration shall not exceed fifty(50) gallons per inch of internal pipe diameter per mile per twenty four hour day. The minimum length of testing shall be one(1) hour.
 - 4. Exfiltration testing. Exfiltration testing will be acceptable only when the groundwater level is suitably low or in dry area. Plugs, caps and branch connections must be secured against blowoff during leakage tests. The maximum allowable exfiltration for any section of pipe between manholes shall be measured and shall not exceed fifty(50) gallons per inch of internal pipe diameter per mile per twenty four hour day. The contractor shall provide water and measuring devices. During testing, the maximum internal pipe pressure at the lowest end shall not exceed twenty five(25) feet, and the internal head shall be two(2) feet higher than the top of the pipe.
 - 5. Low-pressure air testing. All plugs, fittings, gauges and pumping systems required shall be provided by the owner. The pressure drop shall not exceed five-tenths(0.5) pound per square inch from three and five-tenths(3.5) pounds per square inch to three and zero-tenths(3.0) pounds per square inch in excess of the groundwater pressure above the top of the pipe.

6. The duration of the testing shall be taken from Table I - II in accordance with UNI-BELL standard UNI-B-6-90.
7. Deflection testing. Sewer lines shall be tested for straightness with a maximum allowable deflection of seven and one-half percent (7 1/2%). Sections found to be questionable shall be tested by pulling an appropriately sized mandrel through the pipe.
8. The contractor shall furnish the correct mandrels for the pipe size being tested, as determined from Table 5-4.03.2. The contractor shall be responsible for furnishing all necessary rope, labor, fittings, etc., in order to conduct the testing.

Table 5-4.03.2
Specified Mandrel Size for Pipe Diameter Indicated

Pipe Diameter (inches)	Mandrel O.D. (inches)
6	5.31
8	7.09
10	8.85
12	10.51
15	12.86
18	15.70
21	18.50
24	20.80
27	23.43

9. Acceptance. Any section of the sewer system that does not comply with the requirements of the testing outlined above shall be repaired or replaced at the owner's expense, to meet the requirements of the town.
10. All mechanical systems shall be tested to ensure proper operation within the design parameters prior to placing in service.