

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one:)

of Lenox

Local Law No. 3 of the year 2024

A Local Law Amending Chapter 102 (“Sewers”) of the Code of the Town of Lenox

Be it enacted by the Town Board of the
(Name of Legislative Body)

County City Town Village
(Select one:)

of Lenox as follows:

Be it enacted by the Town Board of the Town of Lenox as follows:

SECTION 1. AUTHORITY.

This local law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law §10.

SECTION 2. PURPOSE & INTENT.

The Town of Lenox recognizes the importance of the safe discharge and treatment of wastewater that could otherwise be a harm to the environment and public health if not properly addressed. These Regulations amending Chapter 102 (“Sewers”) of the Code of the Town of Lenox are intended to address this concern.

SECTION 3. AMENDMENT OF §102-1 (“DEFINITIONS; WORD USAGE”) OF CHAPTER 102 (“SEWERS”) OF THE CODE OF THE TOWN OF LENOX

Section 102-1 (“Definitions; word usage”) of Chapter 102 (“Sewers”) of the Code of the Town of Lenox is hereby amended at Subsection A to include a new definition, which shall read as follows:

“BELOW GRADE PLUMBING FIXTURE

When grade at the highest point around a structure is higher than the plumbing fixture.”

SECTION 4. AMENDMENT OF §102-59 (“PERCOLATION TESTING; DESIGN; CONSTRUCTION; INSTALLATION; MAINTENANCE AND OPERATION”) OF CHAPTER 102 (“SEWERS”) OF THE CODE OF THE TOWN OF LENOX

Section 102-59 (“Percolation testing; design; construction; installation; maintenance and operation”) of Chapter 102 (“Sewers”) of the Code of the Town of Lenox is hereby amended to include a new Subsection E which shall read as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

“§102-59 Percolation testing; design; construction; installation; maintenance and operation.

- E. Below grade plumbing. All below grade plumbing fixtures with a waste water/grey water collection system shall be connected to an upflush type system. The upflush type system shall be inspected and approved by the Town of Lenox Code Enforcement Office and shall be in accordance with the NYS Uniform Code relating to such collections and any other applicable laws. Plumbing fixtures shall be considered below grade when the highest point of grade at the structure is higher than the plumbing fixture.

Exception: Washing machines which are designed with a pump to pump water up to a drain/waste line, shall not be required to be connected to an upflush type system.”

SECTION 5. ADDITION OF A NEW §102-73.1 (“BELOW GRADE PLUMBING”) OF CHAPTER 102 (“SEWERS”) OF THE CODE OF THE TOWN OF LENOX

Chapter 102 (“Sewers”) of the Code of the Town of Lenox is hereby amended to include a new Section 102-73.1, titled “Below grade plumbing,” which shall read as follows:

“§102-73.1 Below grade plumbing.

All below grade plumbing fixtures with a waste water/grey water collection system shall be connected to an upflush type system. The upflush type system shall be inspected and approved by the Town of Lenox Code Enforcement Office and shall be in accordance with the NYS Uniform Code relating to such collections and any other applicable laws. Plumbing fixtures shall be considered below grade when the highest point of grade at the structure is higher than the plumbing fixture.

Exception: Washing machines which are designed with a pump to pump water up to a drain/waste line, shall not be required to be connected to an upflush type system.”

SECTION 6. SEVERABILITY.

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this Local Law shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this Local Law.

SECTION 7. EFFECTIVE DATE.

This Local Law shall take effect upon enactment by the Town of Lenox Town Board.

(Complete the certification in the paragraph that applies to
the filing of this local law and strike out that which is not applicable.)

1. **(Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as **Local Law No. 3 of 2024** of the **Town of Lenox** was duly passed by the **Town Board** on **March 11, 2024**, in accordance with the applicable provisions of law.

2. ~~**(Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. ___ of 20__ of the **Town of Lenox** was duly passed by the **Town Board** on _____, **20__**, and was (approved/not approved/ repassed after disapproval) by the **Town Board** and was deemed duly adopted on _____, **20__**, in accordance with the applicable provisions of law.~~

3. **(Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. ___ of 20__ of the **Town of Lenox** was duly passed by the **Town Board** on _____, **20__**, and was (approved/not approved/ repassed after disapproval) by the **Town Board** on _____, **20__**.

Such local law was submitted to the people by reason of a (mandatory/permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general/special/annual) election held on _____, **20__**, in accordance with the applicable provisions of law.

4. ~~**(Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. ___ of 20__ of the **Town of Lenox** was duly passed by the **Town Board** on _____, **20__**, and was (approved/not approved/ repassed after disapproval) by the **Town Board** on _____, **20__**. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____, **20__**, in accordance with the applicable provisions of law.~~

5. **(City local law concerning Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law No. ___ of 20__ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36/37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____, **20__**, became operative.

6. ~~**(County local law concerning adoption of Charter.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. ___ of 20__ of the County of _____, State of New York, having been submitted to the electors at the General Election of November ___, 20__, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.~~

**(If any other authorized form of final adoption has been followed,
please provide an appropriate certification.)**

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

Charlene Barres, Town Clerk
Town of Lenox

(Seal)

Date: **March 11, 2024**