

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. 4 of the year 2024

A Local Law Amending Chapter 102 (“Sewers”) of the Code of the Town of Lenox to Add New Provisions Regulating Grinder Pumps

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

County City Town Village
(Select one:)

of Lenox as follows:

**“TOWN OF LENOX
LOCAL LAW NO. 4 -2024**

**A LOCAL LAW TO AMEND CHAPTER 102 (SEWERS) OF THE CODE OF THE
TOWN OF LENOX TO ADD NEW PROVISIONS REGULATING GRINDER
PUMPS**

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. LEGISLATIVE INTENT.

The purpose of this Local Law is to establish regulations governing the installation and operation of grinder pumps within the Town of Lenox. The Town of Lenox Town Board has determined that enacting such regulations on the installation of grinder pumps connected to municipal sewers is necessary in order to preserve and protect the integrity of the public sewer system, its network and users. This Local Law is enacted following Town of Lenox officials reviewing and comprehensively addressing the issues involved with the installation of grinder pumps to municipal sewers. The Local Law is necessary to establish uniform regulations on grinder pumps.

SECTION 3. AMENDMENT OF CHAPTER 102 (“SEWERS”) TO REPEAL AND REPLACE §102-20. (“Gravity flow; cost of mechanical means.”) OF THE CODE OF THE TOWN OF LENOX.

Chapter 102 (“Sewers”) of the Code of the Town of Lenox is hereby amended to repeal and replace §102-20 so that it reads in its entirety as follows:

“§ 102-20. Grinder pump units, discharge by mechanical means and gravity flow.

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

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

- A. Grinder pump units and pressure sewer systems from time to time are economically feasible where a gravity sewer system is cost-prohibitive or otherwise impractical due to the location of the building drain. 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 Town approved mechanical means such as a grinder pump at the owner's sole cost and expense and discharge to the building sewer. Under these circumstances the regulations set forth herein shall apply.
- B. In established sanitary sewer districts and improvement areas where there is access to a public sewer main, individual properties may connect to the sewer, either by a gravity lateral, or force main pressurized by a grinder pump upon approval by the Town. The cost to install, connect, maintain, and repair any new sewer connection, including the lateral (gravity or force main pressured by a grinder pump) from the sewer main to the structure, plumbing modifications, electrical systems, cleanouts, valves and pump(s) shall be the sole responsibility the individual property owner.
- C. Any new proposed sewer connection and lateral (gravity or force main pressured by a grinder pump) shall be designed by an engineer licensed in the State of New York and shall require a permit and approval from the Town of Lenox, and the Madison County Health Department.
- D. Construction must be inspected and approved by the Town Code Enforcement Officer, Town Engineer or other authorized Town employee, agent or designee, and shall be in accordance with all applicable New York State or national building codes, electrical codes and standards, as amended, as well as the following standards:
- i. Fill used over and around any pipe shall be laid and compacted to the approved standards of the Town of Lenox. Fill must be free of clay, large stones and debris and no construction demolition debris or any recycled materials may be used.
 - ii. Adequate cleanouts shall be installed so that at all times the route of the flow can be rodded or cleaned mechanically between the building and the grinder pump unit.
 - iii. No work shall be inspected or approved by the Town of Lenox unless the trench is open for its entire length and all piping and joints are visible. Any trench backfilled before such inspection is made and the work approved shall be reopened for its entire length by the property owner or his/her contractor. The property owner or his/her contractor shall notify the Town of Lenox Code Enforcement Officer and/or designee at least 48 hours in advance of the time when the connection will be laid and ready for inspection.
 - iv. No shared connections, laterals or pumps are allowed between individual properties. No connection will be permitted for draining stormwater, roof water, surface water from roads, driveways or lawns, groundwater runoff, subsurface drainage, colling water, cellar drains, including sump pumps or other ponded water.

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

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

Stormwater and all other unpolluted water shall be discharged to applicable standards and environmental laws.

- v. All electrical work, equipment and apparatus provided and installed shall receive an electrical permit and shall conform to the then current New York State Uniform Fire Prevention and Building Code, the National Electrical Code or such other applicable code in effect. Property owners shall have the option to either install an on-site standby generator to service a grinder pump unit in the event of a power outage, or install a secondary holding tank in-line of the building service connection in accordance with plans approved by the Town of Lenox and/or the Madison County Health Department.”

SECTION 4. AMENDMENT OF CHAPTER 102 (“SEWERS”) TO REPEAL AND REPLACE §102-90. (“Inadequate gravity flow; discharge by mechanical means.”) OF THE CODE OF THE TOWN OF LENOX.

Chapter 102 (“Sewers”) of the Code of the Town of Lenox is hereby amended to repeal and replace §102-90 so that it reads in its entirety as follows:

“§ 102-90. Grinder pump units, discharge by mechanical means and gravity flow.

- A. Grinder pump units and pressure sewer systems from time to time are economically feasible where a gravity sewer system is cost-prohibitive or otherwise impractical due to the location of the building drain. 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 Town approved mechanical means such as a grinder pump at the owner’s sole cost and expense and discharge to the building sewer. Under these circumstances the regulations set forth herein shall apply.
- B. In established sanitary sewer districts and improvement areas where there is access to a public sewer main, individual properties may connect to the sewer, either by a gravity lateral, or force main pressurized by a grinder pump upon approval by the Town. The cost to install, connect, maintain, and repair any new sewer connection, including the lateral (gravity or force main pressured by a grinder pump) from the sewer main to the structure, plumbing modifications, electrical systems, cleanouts, valves and pump(s) shall be the sole responsibility the individual property owner.
- C. Any new proposed sewer connection and lateral (gravity or force main pressured by a grinder pump) shall be designed by an engineer licensed in the State of New York and shall require a permit and approval from the Town of Lenox, and the Madison County Health Department.
- D. Construction must be inspected and approved by the Town Code Enforcement Officer, Town Engineer or other authorized Town employee, agent or designee, and shall be in accordance with all applicable New York State or national building codes, electrical codes and standards, as amended, as well as the following standards:

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

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

- i. Fill used over and around any pipe shall be laid and compacted to the approved standards of the Town of Lenox. Fill must be free of clay, large stones and debris and no construction demolition debris or any recycled materials may be used.
- ii. Adequate cleanouts shall be installed so that at all times the route of the flow can be rodded or cleaned mechanically between the building and the grinder pump unit.
- iii. No work shall be inspected or approved by the Town of Lenox unless the trench is open for its entire length and all piping and joints are visible. Any trench backfilled before such inspection is made and the work approved shall be reopened for its entire length by the property owner or his/her contractor. The property owner or his/her contractor shall notify the Town of Lenox Code Enforcement Officer and/or designee at least 48 hours in advance of the time when the connection will be laid and ready for inspection.
- iv. No shared connections, laterals or pumps are allowed between individual properties. No connection will be permitted for draining stormwater, roof water, surface water from roads, driveways or lawns, groundwater runoff, subsurface drainage, colling water, cellar drains, including sump pumps or other ponded water. Stormwater and all other unpolluted water shall be discharged to applicable standards and environmental laws.
- v. All electrical work, equipment and apparatus provided and installed shall receive an electrical permit and shall conform to the then current New York State Uniform Fire Prevention and Building Code, the National Electrical Code or such other applicable code in effect. Property owners shall have the option to either install an on-site standby generator to service a grinder pump unit in the event of a power outage, or install a secondary holding tank in-line of the building service connection in accordance with plans approved by the Town of Lenox and/or the Madison County Health Department.”

SECTION 5. 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 6. EFFECTIVE DATE.

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

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

(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. 4 of 2024** of the **Town of Lenox** was duly passed by the **Town Board** on **April 8, 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.)**~~

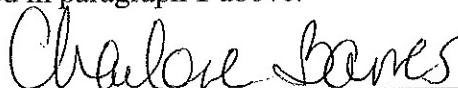
~~I hereby certify that the local law annexed hereto, designated as local law No. ___ of 20__ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36/37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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: April 8, 2024

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