

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 Monroe

Local Law No. 5 of the year 2024

A local law REPEALING AND REPLACING CHAPTER 41 (SEWERAGE SYSTEMS)
(Insert Title)

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

County City Town Village
(Select one:)

of Monroe as follows:

(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. 5 of 2024 of the ~~(County)(City)(Town)(Village)~~ of Monroe was duly passed by the Town Board on July 15, 2024, in accordance with the applicable provisions of law.
(Name of Legislative Body)

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 (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20 , in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

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 (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ 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.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

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.

Valerie Bites
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: *July 16, 2024*

(Seal)

RESOLUTION

A Meeting of the Town Board of the Town of Monroe, New York was convened on **July 15, 2024 at 7:00 p.m.**

The following Resolution was duly
offered by Councilwoman Bingham and seconded to wit by Councilwoman Richardson:

**RESOLUTION ADOPTING LOCAL LAW NO. 5 OF 2024
A LOCAL LAW REPEALING AND REPLACING CHAPTER 41 (SEWERAGE
SYSTEMS) OF THE TOWN CODE**

WHEREAS, the Town Board of the Town of Monroe, New York (“Town Board”) from time to time reviews its laws, rules and regulations to be certain the same are consistent with all current lawful practices as well as best practices to protect the health, safety and welfare of Town residents; and

WHEREAS, the Town Board desires to adopt a local law entitled “A LOCAL LAW REPEALING AND REPLACING CHAPTER 41 (SEWER SYSTEMS) OF THE TOWN CODE” (“Local Law”) to repeal and replace Chapter 41 (Sewerage Systems); and

WHEREAS, the proposed Local Law was introduced on September 18, 2023 and a public hearing was opened on October 2, 2023 and such public hearing was continued on November 8, 2023, December 4, 2023, January 17, 2024, March 4, 2024, April 15, 2024, May 20, 2024, June 3, 2024, June 17, 2024 and July 15, 2024 at which time the public hearing was closed; and

WHEREAS, all persons interested and desiring to be heard were afforded the opportunity to do so during such public hearings and continuations of such public hearings; and

WHEREAS, the Town Board now desires to adopt the Local Law.

NOW, THEREFORE, BE IT RESOLVED by the Town Board as follows:

Section 1. All “WHEREAS” paragraphs are incorporated herein by reference as though set forth in full.

Section 2. The Town Board hereby adopts Local Law No. 5 of 2024 entitled, “**A LOCAL LAW REPEALING AND REPLACING CHAPTER 41 (SEWER SYSTEMS) OF THE TOWN CODE**” in the final form presented to the Town Board.

Section 3. The Town Clerk is hereby directed to enter said Local Law into the minutes of this meeting and in the Local Law book of the Town of Monroe, and to give due notice of the adoption of said Local Law by filing the Local Law in the Office of the Secretary of State in the State of New York.

Section 4. The Town Supervisor and any other officer or employee as directed by the Town Supervisor is hereby authorized to take any and all necessary actions to carry out the provisions of this Resolution.

Section 5. This Resolution shall be effective immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Anthony Cardone, Supervisor	[X]	[]	[]	[]
Dorey Houle, Councilperson	[X]	[]	[]	[]
Mary Bingham, Councilperson	[X]	[]	[]	[]
Sal Scancarello, Councilperson	[X]	[]	[]	[]
Maureen Richardson, Councilperson	[X]	[]	[]	[]

The Resolution was thereupon duly adopted.

TOWN OF MONROE

LOCAL LAW NO. 5 OF 2024

A LOCAL LAW REPEALING AND REPLACING CHAPTER 41 (SEWERAGE SYSTEMS)

BE IT ENACTED by the Town Board of the Town of Monroe, Orange County, New York (“Town Board”) as follows:

Section 1. Legislative Intent.

It is the intent of this Local Law to repeal and replace Chapter 41 (Sewerage Systems) of the Town Code of the Town of Monroe.

Section 2. Authority.

This Local Law is enacted pursuant to the provisions Municipal Home Rule Law § 10.

Section 3. Amendments. Chapter 41 of the Town Code is hereby repealed and replaced with the following:

CHAPTER 41. SEWER SYSTEMS

Article I. Definitions

§ 41-1. Definitions.

For the purpose of this chapter, the terms used herein are defined as follows:

ADMINISTRATOR

The Town Supervisor or the duly appointed Superintendent of Sewers, or their duly authorized deputy, agent or representative for Town owned sewer systems. In the event of privately owned sewer systems, the owner of the private sewer system shall be the administrator.

AMERICAN SOCIETY FOR TESTING AND MATERIALS

Herein referred to as ASTM or federal specifications referred to in this chapter shall mean the latest published amendments or revisions applicable at any time.

BOD (denoting biochemical oxygen demand)

The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20° C. (68° F.) expressed in parts per million (ppm) or milligrams per liter (mg/l).

BUILDING DRAIN

That part of the lowest horizontal piping of a building sanitary sewer drainage system which receives the discharge from soil, waste and other sanitary drainage pipes inside the walls of any building and conveys such discharge to the building sewers, which begin four feet outside the outer face of the building wall.

BUILDING SEWER

That part of the horizontal piping of a sanitary drainage system which extends from the end of the building drain and which receives the discharge of the building drain and conveys it to a public sewer, private sewer, individual septic disposal system or other point of disposal, such as public septic tank.

COMBINED SEWER

A sewer designed to receive and transport both surface runoff and sewer.

COMMUNAL SEWER SYSTEM

A system serving more than one lot, constructed and installed after the effective date of this local law, utilized for the collection and disposal of sewer or other wastes of a liquid nature, including the various devices for the treatment of such wastes and the discharges thereto

COOLING WATER

The water discharge from any system of condensation, air conditioning, cooling, refrigeration or other sources.

DEPARTMENT OF HEALTH

The Orange County and/or New York State Department of Health.

GARBAGE

Solid wastes from the domestic or commercial preparation, cooking and dispensing of food, or from handling, storage and sale of produce.

INDIVIDUAL SEPTIC SYSTEM

A single system of pipes, tanks, leaching fields or other facilities serving only a one or two-family dwelling unit and disposing of septic or other liquid wastes into the soil.

INDUSTRIAL WASTES

The fluid wastes from an industrial manufacturing process, trade or business as distinct from sewer.

OTHER WASTES

Garbage (shredded or unshredded), including but not limited to refuse including disposable wipes, woods, coffee grounds, sawdust, shavings, eggshells, bark, sand, lime, cinders, ashes and all other discarded matter not normally present in sewer or industrial wastes.

PERMITTEE

Any person who obtains a permit for sewer connection.

PERSON

Any person, firm, corporation, association, company, or partnership acting individually or jointly.

pH

The intensity of the acid or alkaline reaction of a solution in terms of hydrogen concentration

(but is not a measure of the total concentration of acid or alkali present). The pH is expressed as the common logarithm of the reciprocal of the hydrogen concentration in moles per liter:

POLLUTANT

Any dredged spoil, solid or liquid waste, incinerator residue, sewer, garbage, sewer sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharged into water.

PRIVATE SEPTIC DISPOSAL SYSTEM

Any privy, septic tank, cesspool, individual sewer system, communal sewer system, or other septic disposal facility owned and operated by a person, other than a municipal sewer system.

PROPERLY SHREDDED GARBAGE

The wastes from the preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle having a dimension greater than 1/2 inch in any dimension.

PUBLIC SEPTIC TANK

Any septic tank controlled by public authority within a sewer district which uses said tank as a solids collector in the treatment process.

PUBLIC SEWER

A sanitary sewage collection/ conveyance system controlled by public authority.

RECEIVING WATERS

A natural watercourse, or any other body of surface or ground water, into which treated or untreated sewage is discharged.

SANITARY SEWER

A sewer which carries sewage, and to which storm, surface and ground waters are not intentionally admitted.

SCAVENGER WASTES

The conditioned human waste matter collected from privies, septic tanks, cesspools and chemical toilets.

SEWAGE

A combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface and storm water as may be inadvertently present. The admixture of sanitary sewage, as above defined, with industrial wastes or other wastes also shall be considered "sewage" within the meaning of this definition.

SEWAGE CHARGE

The demand payment for the use of the public sewer and/or sewer treatment plant for handling

any sewage, industrial wastes or other wastes accepted for admission thereto in which the quantity or characteristics thereof exceed the maximum values as defined herein.

SEWER SYSTEM

All facilities, other than a private septic disposal system, within any sewer district for collecting, regulating, pumping and transporting sewage to any water pollution control facilities within the town or to Orange County Sewer District No. 1 Water Pollution Control Facilities, whichever is applicable.

SEWER TREATMENT PLANT (water pollution control plant)

Any arrangement of devices and structures used for treating sewage at any Town of Monroe water pollution control facility or at Orange County Sewer District No. 1 Water Pollution Control Facilities, whichever is applicable.

SEWER

A pipe or conduit for carrying sewage.

SLOPE

The grade or pitch of a line of pipe in reference to a horizontal plane. In drainage it is usually expressed as the fall in a fraction of an inch per foot length of pipe.

SIGNIFICANT INDUSTRIAL USER

Any industrial user of any of the town's wastewater disposal systems, including Orange County Sewer District No. 1 Water Pollution Control Facilities, where applicable, who has a discharge flow of 25,000 gallons or more per average workday; has a flow greater than 5% of the flow in any of the town's wastewater treatment systems, including Orange County Sewer District No. 1 Water Pollution Control Facilities, where applicable; has in its wastes toxic pollutants as defined pursuant to Section 307 of the Act or state statutes and rules; or is found by the town, the New York State Department of Environmental Conservation (NYSDEC) or the United States Environmental Protection Agency (EPA) to have significant impact, either singly or in combination with other contributing industries, on any of the wastewater treatment systems, the quality of sludge, the system's effluent quality or air emissions generated by the system.

SLUG

Any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than 15 minutes more than five times the average twenty-four-hour concentration or flow during normal operation.

STORM SEWER (storm drain)

A sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes other than cooling waters and other unpolluted waters.

SUBDIVISION

A tract of land which is hereafter divided into two or more lots or parcels along an existing or proposed street, highway, easement or right-of-way for sale or for rent as residential lots or

residential building plots, regardless of whether the lots or plots to be sold or offered for sale or leased for any period of time are described by metes and bounds or by reference to a map or survey of the property or by any other method of description.

SUSPENDED SOLIDS

Solids that either float on the surface of, or are in suspension in, water, sewage or other liquids, and which are removable by laboratory filtering.

THE ACT

The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251 et seq.

TOWN SEWER SYSTEMS

The interceptor sewers, trunk sewers, lateral sewers, force mains, pumping stations, sewage regulators and other appurtenant structures owned and operated by any Town of Monroe sewer district.

WATERCOURSE

A channel in which a flow of water occurs, either continuously or intermittently.

Article II. Communal Sewer Systems

§ 41-2. Communal sewer system required; exceptions.

A. Communal sewer systems shall be required:

- (1) In any multi- family development regardless of its location within the town.
- (2) When a proposed subdivision which it will serve is located within the bounds of Orange County Sewer District No. 1 and Moodna Joint Sewer Basin regardless of the number of dwelling units in the subdivision. However, when the proposed subdivision is to be located within the secondary zone (Moodna Sewer District) of the Orange County Sewer District No. 1, before such zone is actually serviced by a sewer collection and treatment system, individual sewer systems may be permitted, if otherwise consistent with this section and local law Section 41-20.
- (3) When the soil percolation rate for any lot, whether or not located in a proposed subdivision, is 60 minutes per inch or greater.
- (4) When a proposed subdivision consists of 50 lots or more regardless of the subdivision location within the town.
- (5) When a proposed subdivision is designed to initially accommodate 75 or more dwelling units in the aggregate regardless of the actual number of lots in the subdivision or its location in the town.
- (6) When a minimum separation of two feet cannot be maintained on any lot, whether or not in a subdivision, between the lowest part of a leaching system and the highest elevation of the top of the zone of water saturation, ledge rock, hardpan or other impermeable material at all times of the year

- B. An individual sewer system may be permitted, if otherwise consistent with this local law, in all situations where a communal sewer system is not required. No individual septic system shall serve more than one lot nor shall such a system serve a dwelling unit within a multi-family development.

§ 41-3. Approval of plans, maps and specifications.

- A. No person, firm, corporation or association shall make, install, construct, extend, modify or operate, or allow to be made, installed, constructed, extended, modified or operated a communal sewer treatment system until maps, plans and specifications for such systems, prepared by an engineer duly licensed by the State of New York, shall have been first submitted to the Town Engineer in duplicate. The Town Engineer shall review and accept the proposed improvements by letter to the Town (with the exception of the improvements within the Orange County Sewer District #1 and Moodna Basin).

§ 41-4. Construction and installation standards.

All plans submitted for approval shall at least conform with the applicable provisions of the New York State Department of Environmental Conservation standard for waste treatment works, as amended from time to time. The Town Engineer shall use such standards for approval or disapproval of such plans. In addition, the proposed sewer improvements shall be constructed in accordance with the attached figures. However, in the event that the Planning Board or the Town Board of the Town of Monroe shall require greater or stricter standards as a condition of subdivision or multi-family approval, such standards shall govern. All sewer systems shall be installed and constructed in accordance with the plans, maps and specifications as accepted by the Town Engineer. Nothing contained in this section shall be construed to be a waiver of whatever other approval is necessary for such systems from any department, bureau or agency of the United States of America, New York State or Orange County. The Figures attached to this Chapter shall be utilized, at a minimum, for installation.

§ 41-5. Right of entry.

The Town Engineer or anyone under his supervision or anyone designated by the Town Board, upon the showing of the proper credentials and in discharge of his duties, may enter upon the site upon which any sewer system or extensions thereof is being installed, constructed, extended or modified at any reasonable hour of the day for the purpose of making inspections thereof.

§ 41-6. Inspections authorized.

The Town Engineer or anyone under his supervision or anyone designated by the Town Board is hereby authorized to conduct such inspections of the site or sites upon which any sewer system or extension thereof is located or is being installed or constructed, from time to time as he may deem necessary, for the purpose of seeing that the installation or construction of such a system or extension is in conformity with the maps, plans and specifications submitted and approved pursuant to this local law, or that such system is being maintained and operated and is functioning as required by this local law.

§ 41-7. Stop orders.

Whenever the Town Engineer has reasonable grounds to believe that the installation, construction or extension of any sewer system is not in conformity with the maps, plans and specifications accepted by him, he may recommend to the Building Inspector to order all such installation and construction of such system stopped, and any such person shall forthwith stop all such installation, construction or extension until such stop order has been rescinded. Such notice and order shall be in writing, may state the conditions, if any, upon which the work may be resumed and may be served upon a person to whom it is directed either by delivering it personally to him, or by posting the same upon a conspicuous portion of the site upon which such sewer is located, or sending a copy thereof by ordinary mail to his last known address.

§ 41-8. Revocation of approval.

The Town Engineer may rescind their acceptance of any maps, plans and specifications previously granted pursuant to § 41-3 of this local law where he finds there has been any false statement or misrepresentation as to a material fact in the maps, plans and specifications or any other data submitted therewith, or where the person or persons to whom a stop order has been issued fails or refuses to comply with such order, or where he finds that the approval was granted in error and should not have been so granted.

§ 41-9. Offer of dedication of system to Town.

- A. At a time prior to acceptance by the Town Engineer of the maps, plans and specifications for a communal sewer system that is located outside the bounds of Orange County Sewer District No. 1 or any extension thereto, title to the realty upon which said system is located, together with title to the mains, pumps and treatment works, and all other items necessary to its operation shall be irrevocably offered to the Town without cost to the Town. Such an offer shall be made by filing with the Town Clerk a written offer of dedication acceptable in form to the Town Board and the Town Attorney.
- B. In regard to any communal sewer system that is located within the bounds of Orange County Sewer District No. 1 and which is proposed to be completed and in operation prior to the active administration and operation of such district by the county, title to the pipes, pumps, mains and other items that comprise the collection facilities of such system shall be irrevocably offered to Orange County without cost to the county.

§ 41-10. Sewer districts.

- A. The owner or owners of real property within a subdivision or multi-family development to be served by a communal sewer system or extension thereof located outside of Orange County Sewer District No. 1 shall, at a time prior to approval of the plans, maps and specifications thereof, present a petition to the Town Board pursuant to the applicable provisions of the Town Law for the formation of a sewer district to include the subdivision or multi-family development or extension thereof, and for acquisition by the town of the completed communal sewer system. However, no such petition for a sewer district shall be approved by the Town if sewer capacity is not available to the proposed sewer district area or portion thereof.
- B. No such district shall be created when the communal system is located within the bounds of the

Orange County Sewer District No. 1 except as may be consented to by the County of Orange. If such a district is formed wholly or partially within the bounds of the Orange County Sewer District No. 1, it shall be deemed dissolved upon actual operation of the collection and treatment facilities serviced by said Orange County Sewer District No. 1.

§ 41-11. Acceptance of system by Town.

At a time when the Town Board shall determine that it is in the public interest to do so or upon a default in the performance or maintenance standards required by this law, the Town Board may by resolution accept the offer of dedication of any communal sewer system and set a date at which time the Town will actually take possession and control of such system or extension thereof or both.

§ 41-12. Title required on delivery.

Upon such a taking, the owner of any sewer system or extension thereof shall deliver to the town good and marketable title thereto subject only to those covenants, restrictions and reservations which are of record. The owner of the sewer system shall furnish at his expense such searches of title or title policy and surveys as may reasonably be required by the Town Attorney.

§ 41-13. Maintenance and operation standards.

After a communal sewer system or extension thereof has been installed and is in operation, and prior to the acceptance by the Town of an offer of dedication required by this local law, such system and any extensions thereof shall be maintained and operated in good working order by a properly qualified operator, and shall function in such a manner so as not to jeopardize the health and safety of anyone who is serviced by such system or the community in general. If, in the judgment of the Town Engineer or any agency, bureau or department of the County of Orange, State of New York, or United States of America, which has similarly reviewed and approved the plans and specifications for such communal system, such a system or extension thereof is not operated and maintained as required hereby, the Town Engineer shall forthwith notify the owner of such system or his agents or the operator thereof of that fact and shall order such owner, agent or operator to remedy any defect and/or maintain and operate the system as required hereby. Such notice and order shall be in writing and served upon such owner, agent or operator personally or by mailing the same by ordinary mail to his last known address or by posting the same at the site of the communal sewer system treatment works. If such order is not complied with within 10 days from the date of its service, the Town Engineer shall so report to the Town Board. Thereupon, the Town Board shall act as authorized by this local law.

§ 41-14. Performance and maintenance bonds.

A. Any person, firm, corporation or association who shall construct or extend or cause to be constructed or extended a communal sewer system shall, prior to approval of the plans, maps and specifications therefor, post a performance bond with the Town Board to secure the proper installment and construction of such system covering the cost of such system as estimated by the Town Engineer. The maximum term of such bond shall be three years, but may be extended upon petition to the Town Board. Such performance bond may form a part of the performance bonds required by the Town of Monroe Planning Board or Town Board posted as a condition of

subdivision, planned unit subdivision, multi-family development approval, site plan or special use permit.

- B. Such bond or other bonds shall also secure the proper maintenance and operation of the system for a period of three years from the completion of such system. A system shall be deemed complete when it services seventy-five percent (75%) of those units intended to be served as indicated in the approved plans or a period of three years has elapsed from the time the system first gave service to a structure, unit or dwelling, whichever event shall occur second. The amount of such maintenance bond shall be equal to 10% of the performance bond.
- C. Upon the completion of any sewer system or extension thereof, the Town Engineer shall make a final inspection of such system or extension, and he shall report to the Town Board whether or not in his judgment the system is installed and constructed in conformity with the maps, plans and specifications as approved by him. If the system is in conformity with such maps, plans and specifications, the Town Board, by resolution, shall release the performance bond.
- D. In the event that the Town Building Inspector shall find that the system has not been installed and constructed in accordance with the maps, plans and specifications approved by him or does not perform properly, the Town Building Inspector shall notify the owner or his agent or the operator of the system, or, in regard to an individual system, the person who installed or constructed the system or caused the same to be installed or constructed, in what respect the installation and construction of the system does not so conform. If, after the giving of notice, the defects are not corrected within a reasonable time, the Town Board may act as authorized by this local law. If the system does so conform, the Town Board shall, by resolution, release the performance bond.

§ 41-15. Procedure for default in performance of operation.

In the event that a sewer system shall not be operated or maintained properly as required by this local law after the Town Building Inspector has given notice of such failure, or in the event that a sewer system has not been installed or constructed in conformity with the maps, plans and specifications as approved by the Town Engineer in regard to a sewer system, or it does not perform properly under the use for which it was designed, and such defects are not corrected as required by this local law, the Town Board shall adopt any one or all of the following procedures:

- A. By resolution, declare to be in default any bond posted as required by this local law and may collect the sum remaining payable thereunder and shall use such sum to complete the communal sewer system, correct any defects therein or to operate the same.
- B. By resolution, accept the offer of dedication required for communal sewer systems and go into actual possession and control of the same.
- C. By resolution, authorize the correction of any defect in an individual septic system by the town, the cost and expense of which shall be chargeable to the owner, operator or the person who installed or caused the system to be installed.

Article III. Waivers and Issuance of Permits

§ 41-16. Waiver or modification of provisions.

The provisions of this law may be waived or modified upon a written application by any interested party to the Town Board of the Town of Monroe. Before a waiver or modification shall be allowed, there shall be a sufficient showing to the Town Board that such is justified, and that the public health, safety and welfare of the community will not be jeopardized by such a waiver or modification.

§ 41-17. Reserved.

§ 41-18. Issuance of Permits.

It shall be unlawful for any person to discharge directly or indirectly into public sewers of the sewer districts except after the issuance of a permit therefor, properly issued by the Administrator, and upon terms and conditions as may be established by the Administrator, or by this chapter, for the issuance of such a permit, with the exception of Orange County Sewer District #1 and Moodna Basin. In the Orange County Sewer District #1 and Moodna Basin, the respective jurisdiction shall issue the permit to begin discharge into the public sewer.

Article IV. Use of Public Sewers Required

§ 41-19. Discharge of sewer prohibited.

It shall be unlawful to discharge into any receiving waters within the sewer districts, either directly or indirectly, any sewer, industrial wastes or other polluted waters, except where said discharge is permitted by a current SPDES permit issued by NYSDEC.

§ 41-20. Connection to sewer required.

If the property is within a Sewer District, the person owning any property used for human occupancy, employment, recreation, commerce, industry or other public or private purpose, situated within the sewer districts, which abuts on any street or right-of-way in which or adjacent to which there is located a public sewer is hereby required at his own cost and expense to connect the sewer discharge from his property directly with the public sewer, provided that said public sewer is within 150 feet of the property line in accordance with this chapter. The owner may install a private septic disposal system should capacity not be available in the Sewer District. When sewer is available in the District, the connection must be made to the Sewer District pursuant to Section 41-21.

§ 41-21. Connection time limit.

Connections from existing structures to the public sewer shall be made within 90 days from the date of notice given by publication in the official newspaper of the town of the completion of the sewer system within any sewer district. The town reserves the right to extend said period an additional period of time. New buildings constructed within any sewer district after the completion of the sewer system shall be connected with the sewer system before the use or occupancy thereof.

§ 41-22. Unauthorized use.

It shall be illegal for any property owner to connect his building to the collection system without the prior approval of the Administrator. If there is any unauthorized taking of sewer service without the

approval of the Administrator, then such individual shall be subject to the penalties and fine as hereinafter provided.

Article V. Private Septic Disposal and Septic Systems

§ 41-23. Public sewers not available.

Whenever a public sewer is not available within any sewer district as described under the provisions of Article IV, § 41-20, the building sewer shall be connected to a private sewage disposal system complying with the requirements of the Department of Health and the provisions of this Article.

§ 41-24. Inspection and certification.

The Town Engineer shall be allowed to inspect the work at any stage of construction, and in any event, the applicant shall notify the Town Engineer when the work, or separate portions of it, is ready for final inspection and before any underground portions are covered. The inspection shall be made within 48 hours of receipt of notice by the Town Engineer. Prior to final approval, the applicant shall provide the Town Engineer with two complete sets of as-built drawings of the system and, in the case of a sewer infiltration test, results, certified by a professional engineer licensed in the State of New York. The maximum allowable rate of infiltration into any section of a sewer system shall not exceed 200 gallons per inch of pipe diameter per mile of sewer per day.

§ 41-25. Maintenance by owner.

The owner of a private septic disposal or septic system shall operate and maintain such facilities in a satisfactory manner at all times, at no expense to any sewer district.

§ 41-26. Abandonment of private septic disposal facilities required, when connecting to public sewer.

At such time as a public sewer becomes available to a property served by a private septic disposal and/or septic system, as provided for in Article IV, § 41-20, a direct connection shall be made to the public sewer in compliance with this chapter. Any person obtaining a permit to connect to the public sewer shall be required to abandon the existing private septic tank or cesspool or other private septic disposal facilities as hereinafter prescribed in Article VI, and said facilities shall be cleaned of sludge and removed or filled with suitable material, or as directed by the Administrator.

Article VI. Building Sewers and Connection

§ 41-27. Permit classes; application; fee.

A. There shall be two classes of building sewer permits:

- (1) For residential and commercial service.
- (2) For service to establishments producing industrial wastes.

- B. In either case, the owner or his agent shall make application on a special form furnished by the Building Department of the Town of Monroe. The permit application shall be accompanied by plans, profiles, specifications or other information considered pertinent by the Building Inspector/ Town Engineer. Each permit shall be reviewed by the Building Inspector in consultation with the Town Engineer. All permit applications for service to establishments producing industrial wastes shall be subject to Town Board approval after a public hearing.
- C. An application fee for a residential or commercial building sewer permit or for an industrial building sewer permit in the amount prescribed in a fee schedule adopted by the Town Board shall be paid to the Town.
- D. In addition to the application fee above, the applicant shall be required to submit an escrow deposit for the cost of inspection by the Town Engineer, which amount shall be determined by the Town Engineer after review of the application.

§ 41-28. Connection of public sewer system to a sewer district.

- A. The owner of any public sewer system located within any sewer district, must receive the written approval of the Administrator of the sewer district before a connection of all or any part of the public sewer system can be made to the District's sewer system. Where the public sewer system is operating, a condition of approval shall require the owner to provide the Administrator of the sewer district with as-built drawings of the sewer system to be connected, as well as any additional data he may require to determine the quantity and character of sewer flow to be discharged to the sewer system. Where the public sewer system is not operating and initial service will be provided by that Sewer District, as-built drawings of the sewer system for which connection approval is requested shall be furnished to the Administrator of that Sewer District, as well as the results of infiltration and exfiltration tests made under the supervision of and certified by a professional engineer, licensed in the State of New York, prior to the connection of any system thereto. Infiltration of such sewer shall not exceed 200 gallons per inch of diameter per mile of sewer per day. The owner of the public sewer system shall, before the system is accepted by the Sewer District, make repairs as necessary when excessive infiltration is located. Such repairs shall be subject to the approval of the Administrator of the Sewer District.
- B. The Administrator reserves the right to require studies, measurements and tests to ensure compliance with the requirements of this Article.

§ 41-29. Connection costs.

All costs and expenses in installing and connecting a public sewer system or building sewer to the town sewer system or sewer district shall be borne by the permittee. The permittee shall indemnify the Town or that sewer district in which the property is located for any loss or damage that might be occasioned by the installation and connection of such public sewer system or building sewer.

§ 41-30. Separate building sewers required; exception.

A separate and independent building sewer shall be provided for every building, except that where one building stands at the rear of another on a separate interior lot and no sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building

sewer from the front building may be extended to the rear building, and the whole considered as one building sewer; but each shall be considered a separate unit for the purpose of sewer service charges.

§ 41-31. Use of existing building sewers.

Existing building sewers may be used in conjunction with new buildings only when they are found, upon inspection and testing by the Administrator and/ or Town Engineer, to meet all requirements of this chapter and any other specifications adopted by the Administrator and/ or Town Engineer.

§ 41-32. Construction requirements.

- A. No building sewer shall be laid parallel to or within three feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipe and fittings.
- B. The size and slope of the building sewer from the building drain to the main public sewer shall be subject to the approval of the Administrator. In no case shall the diameter of the building sewer be less than four inches between the building drain and the main public sewer or public sewer tank. The slope of the pipe shall be not less than $\frac{1}{4}$ inch per foot. Proper reducer or increaser fittings shall be used between all changes of pipe sizes and materials so as to make a water- and gastight joint.
- C. Old building sewers. The lines outside buildings leading to the curb connections or public sewer may be used by property owners only if they are watertight, gastight and meet all other specifications and, if not meeting said specifications in their entirety, may be used with special approval of the Administrator.
- D. All excavations required for the installation of a building sewer shall be open trench work, unless otherwise approved by the Administrator. Pipe-laying and backfilling shall be performed in accordance with the pipe manufacturer's recommendation, but in any event shall conform to the following minimum standards:
 - (1) Ditch shall be straight and true and to uniform grade, insofar as possible.
 - (2) Bottom of trench shall be shaped by hand to receive pipe, or a minimum of three inches of compacted sand shall be placed in the trench bottom to receive the pipe.
 - (3) Where rock is encountered in the excavation of the trench, the rock shall be excavated at least four inches below the grade of the pipe and covered with compacted sand to provide a sand bed for the pipe.
 - (4) After placing pipe and making joints as per requirements, earth backfill shall be placed to the height of the top of the pipe and tamped.
 - (5) One foot of earth fill, free from rocks, will then be placed and tamped.
 - (6) Remainder of trench shall then be backfilled, but all such trenches in town roads shall be filled in one-foot layers and tamped before additional dirt is added.
 - (7) Where trench enters paved town roads, a street opening permit shall be secured from the

Superintendent of Highways, and all work will conform to the requirements of the highway specifications.

- E. Where it is necessary to connect the building sewer directly to the public sewer, such connections shall be made by a qualified plumber or sewer contractor under the direction of and in the method specified by the Administrator. The connection shall be made by carefully making a hole in the upper half of the public sewer, inserting a special branch connection or saddle-like adapter and properly securing this branch connection to the public sewer so that this branch connection is firm and watertight. All such building sewers shall meet the same leakage test as specified for sanitary sewers, and such test shall be performed at expense of owner and witnessed by an inspector before backfill is permitted. No backfill shall be placed until the work has been inspected by the Administrator or his representative. Building sewers and water service branches or connections will not be laid in the same trench.
- F. All joints shall be watertight and gastight.
- G. New materials and methods of construction. Alternate materials and methods may be used only if they have been specifically approved by the Administrator. He may approve any alternate, provided that the proposed design is satisfactory and complies with the intent of this chapter and that the material or method of work offered is for the purpose intended, at least the equivalent of that here prescribed in quality, strength, effectiveness, durability and safety.
- H. Repairs to sewer connections shall be made with such material as is provided for by this Article for new work insofar as is practical.
- I. The size, slope, alignment, materials or construction of a building sewer and appurtenances and the methods to be used in excavating, placing of the building sewer pipe, jointing, testing and backfilling the trench shall conform to the requirements of the specification for the installation of building sewers as adopted by the Town Board and all applicable provisions of any other rules and regulations of the Town of Monroe or of the County of Orange and the State of New York, whichever requirement is more strict. In the absence of any requirements, or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society for Testing and Materials (ASTM), and Water Pollution Control Federation (WPCF), Ten States Standards Manual of Practice No. 9, shall apply. All connections of building sewers to a public sewer system shall be gastight and watertight. Any deviations from the prescribed materials and construction procedures must be approved by the Administrator prior to installation.
- J. The building sewer shall be constructed of poly-vinyl chloride (PVC sewer pipe) or cast-iron pipe. A strength classification will be selected on the basis of depth of burial in accordance with the standards of the manufacturer or product association.
- K. Clean-outs shall be placed no greater than every 75 feet and generally at the right-of-way line.

§ 41-33. Inspection and approval.

- A. The applicant for the connection of any building sewer to a public sewer system owned or maintained by any sewer district shall notify the Administrator when the building sewer is ready for inspection and connection to the public sewer. In no case shall any underground portions of the building sewer be covered or connection to the public sewer made without the approval

and/or supervision of the Administrator or his representative. Permission to activate the building sewer will be given only after satisfactory final inspection has been made and approval given by the Administrator.

- B. Trench water will not be allowed to enter the public sewer unless specifically authorized by the Administrator. The building sewer trench shall be completely de-watered before the tap is made into the public sewer system.

§ 41-34. Safety precautions; restoration of excavations.

All excavations for building sewer excavations shall comply with all federal, state and local safety regulations and shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of work shall be restored in a manner satisfactory to the Administrator and appropriate municipal authorities.

§ 41-35. Maintenance and repair.

Building sewers shall be maintained, serviced and repaired by the owner of the property served from the building drain to a point within one foot of the Y in the street or septic tank (whichever applies), if connected to a public sewer in a public right-of-way and to within two feet of the public sewer located in an easement across private property. In the event that a property is unable to discharge septic into the public sewer, it will be presumed that the fault is in the private building sewer unless contrary facts are in evidence. Evidence of willful damage to a building sewer being served by a public sewer shall be considered a violation of this chapter.

§ 41-36. Maintenance and monitoring of public septic tanks.

In any sewer district where public septic tanks are used as a part of the treatment and disposal process, such septic tanks shall be pumped out a minimum of every three years in a staggered program such that at least a third are pumped out every year. Inspection of septic tanks, both for their sludge content and their physical condition and condition of appurtenances, shall be performed annually. Annual inspection will be used to determine the need, if any, for more frequent pumping of certain tanks. The landowner shall be notified by written communication of the town's intent to enter upon the property for the purpose of monitoring and/or pumping of septic tank and/or appurtenances. Such notice shall give the landowner no less than two weeks' notice of such intent and shall indicate, to the extent practicable, the specific date or dates of such entrance upon the property.

§ 41-37. Disconnection.

Before any building whose building sewer is connected to a public sewer is demolished, the owner thereof shall conform with the requirements established by the Administrator. The cutoff or plugging of the building sewer shall be done with the permission, and under the supervision of, the Administrator.

Article VII. Discharge and Use Regulations

§ 41-38. Drainage discharges prohibited.

- A. No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial process waters to the town sewer system.
- B. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet. Industrial cooling water or unpolluted process waters may be discharged, upon approval of the Town Engineer, to a storm sewer or natural outlet.

§ 41-39. Prohibited discharges.

No person shall discharge or cause to be discharged any of the following described waters or wastes to the town sewer system:

- A. Gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
- B. Waters or wastes, containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, which injures or interferes with any sewer process, constitutes a hazard to humans or animals, creates a public nuisance or creates any hazard in the receiving waters of the sewer treatment plant, including, but not limited to, cyanides. Without limiting the generality of the foregoing, no person shall discharge or cause to be discharged waters or wastes, to any public sewer which contain substances having concentration limits in excess of those set forth below:

Effluent Concentration Limits for Toxic Substances

Parameters	Discharge Concentration Limits (milligrams per liter)
Cadmium	0.2
Hexavalent chromium	0.1
Total chromium	2.0
Copper	0.4
Lead	0.1
Mercury	0.1
Nickel	2.0
Zinc	0.6
Arsenic	0.1
Available chlorine	50.0
Cyanide-free	0.2
Cyanide-complex	0.8
Selenium	0.1
Sulphide	3.0
Barium	2.0
Manganese	2.0
Gold	0.1

Silver	0.1
Fluorides	
To fresh water*	2.0
To saline water*	18.0
Phenol	2.0

*If water is fluoridated, multiply by 1.5.

Note: Effluent limitations promulgated by the Federal Water Pollution Control Act (the Act) shall apply in any instance where they are more stringent than those in this chapter. Under Section 307(b) of the Act, federal pretreatment standards are designed to achieve two purposes:

- (1) To protect the operation of publicly owned treatment works.
- (2) To prevent the discharge of pollutants which pass through such works inadequately treated.

Users in industrial categories subject to effluent guidelines issued under Section 307(b) of the Act, which are discharging incompatible pollutants to publicly owned treatment works, are required to adopt best practicable control technology currently available, as defined by the administrative head pursuant to Section 304(b) of the Act.

- C. Waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of sewer works.
- D. Solid or viscous substances in quantity or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewer works, such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, whole blood, paunch manure, hair, fleshings, entrails, paper dishes, cups and milk containers, either whole or ground by garbage grinders.

§ 41-40. Controlled discharges.

No person shall discharge or cause to be discharged the following described substances, material, waters or wastes to the town's sewer system without the prior approval of the Town Board:

- A. Liquid or vapor having a temperature higher than 150° F. (65° C.); or in such quantities that the temperature at influent to the treatment works exceeds 40° C. or 104° F.
- B. Water or wastes containing fats, wax, grease or oils, whether emulsified or not, in excess of 100 milligrams per liter or containing substances which may solidify or become viscous at temperatures between 32° and 150° F. (0° and 65° C.).
- C. Garbage that has not been properly shredded.
- D. Waters or wastes containing strong acids, iron pickling wastes or concentrated plating solutions, whether neutralized or not.
- E. Waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such

material received in the composite sewage at the sewer treatment works exceeds the limits established by the Town Board for such materials.

- F. Waters or wastes containing phenols or other waste- or odor-producing substances in such concentration exceeding limits which may be established by the Town Board after treatment of the composite sewage to meet the requirements of the state, federal or public agencies having jurisdiction for the discharge to the receiving waters.
- G. Any radioactive wastes or isotopes.
- H. Any waters or wastes having a pH in excess of 9.5.
- I. Materials which exert or cause:
 - (1) Unusual concentration of inert suspended solids (such as, but not limited to, fuller's earth and lime residues) or dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
 - (2) Excessive coloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
 - (3) Substances.
 - (a) A BOD in excess of 240 milligrams per liter.
 - (b) A chlorine demand in excess of 25 milligrams per liter.
 - (c) A chemical oxygen demand in excess of 600 milligrams per liter.
 - (d) Suspended solids in excess of 300 milligrams per liter.
 - (e) Having an average daily flow greater than 2% of the average daily sewer flow of any sewer district.
 - (4) Unusual volume of flow or concentration of wastes constituting slugs, as defined herein.
- J. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewer treatment process employed by the Orange County Sewer District No. 1 or any town water pollution control facilities or are amenable to treatment only to such degree that the sewer treatment plant's effluent cannot meet the requirements of agencies having jurisdiction over discharge to the receiving waters.
- K. Waters or wastes generated by a significant industrial user, as defined in this chapter.

§ 41-41. Requirements for accepting controlled discharges.

- A. If any waters or wastes are discharged or are proposed to be discharged to the town sewer system, which waters contain the substances or possess the characteristics enumerated in § 41- 40 of this Article, and which, in the judgment of the Town Board, may have a deleterious effect upon the sewer works, processes, equipment or other receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Town Board may:

- (1) Reject the waters or waste;
 - (2) Require pretreatment to an acceptable condition for discharge to the town sewer system;
 - (3) Require control over the quantities and rates of discharge; and/or
 - (4) Require that periodic reports be filed with it at intervals not exceeding six months each, containing the following material:
 - (a) The specific action, if any taken, to achieve compliance with Section 307 of the United States Public Law No. 92-500, and any pretreatment requirements mandated by any statute, rule or regulation of New York State or any of its departments, agencies or bureaus;
 - (b) Results of a comprehensive sampling and laboratory testing program indicating the characteristics of the wastewater so discharged in terms of parameters that will adequately identify the waste. The types of testing and frequency of testing for each such person so discharging such wastewater shall be specified by the Administrator. All sampling and laboratory testing required by the Administrator shall be performed by each such person, and all costs and expenses incident to the testing, sampling, monitoring and reporting with respect to providing data to the Administrator, the New York Department of Environmental Conservation, the United States Environmental Protection Agency or any other agency having jurisdiction shall be borne by such person.
 - (5) Require payment in excess of the existing taxes or sewer charges or rents to cover the added cost of handling and treating the wastes pursuant to the provisions of § 41-47 of this Article and any applicable law.
- B. If the Town Board permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Town Board and subject to the requirements of all applicable codes, ordinances and laws.

§ 41-42. Interceptors.

- A. Grease, oil and sand interceptors shall be provided when, in the opinion of the Town Board or the Administrator, such interceptors are necessary for the proper handling of liquid wastes containing grease in excess amounts, or any flammable wastes, sand or other harmful ingredients. All interceptors shall be of a type and capacity approved by the Administrator and shall be located as to be readily and easily accessible for cleaning and inspection.
- B. Grease and oil interceptors shall be constructed of impervious materials. They shall be of substantial construction, watertight and equipped with easily removable covers which, when bolted.
in place, shall be gastight and watertight.
- C. Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

§ 41-43. Specific entities requiring interceptors.

- A. Garages and automobile washing establishments. No person operating or owning a commercial garage or automobile wash rack shall permit any sewage or effluent therefrom to flow into any public sewer or house connection sewer unless such wash rack is roofed over and is equipped with a standard sand and grease trap approved by the Town Engineer.
- B. Restaurant sinks and dishwashers. Every dishwashing sink, dishwashing machine or other device intended or used for washing dishes and cooking utensils in any establishment serving 100 or more meals per day shall be connected to the house connection sewer through a grease interceptor as hereinafter provided.
- C. Industrial sand and grease interceptors required. Every fowl or animal slaughterhouse and every meat packing or meat curing establishment and all equipment in any soap factory, tallow-rendering, wool-pulling, hide-tanning or hide-curing establishment or other industry from which any considerable amounts of grease or sand are to be discharged shall be connected with the public sewer through a grease trap or sand and grease trap as hereinafter provided.
- D. Minimum performance of traps. No grease trap shall be connected with the public sewer which has a rate of flow of less than 16 gallons per minute and a grease retention capacity of less than 18 pounds.

§ 41-44. Maintenance of pretreatment facilities.

Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

§ 41-45. Control and inspection manhole.

When required by the Town Board, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole, together with such necessary meters and other appurtenances, in the building sewer to facilitate observation, sampling and measurement of the wastes. Such a manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Administrator. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

§ 41-46. Measurements and tests.

All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this chapter shall be determined in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association, and shall be determined at the control manhole provided or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the town sewer system to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. The particular analyses involved will determine whether a twenty-four-hour composite of all outfalls of a premises is appropriate, or whether a

grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from twenty-four- hour composites of all outfalls, whereas pH's are determined from periodic grab samples.

§ 41-47 Review of determinations; special agreements.

- A. Any persons aggrieved by any decision or determination made by the Town Board or Administrator of any sewer district pursuant to § 41-41 hereof may bring a proceeding to review such determination in the manner provided by Article 78 of the Civil Practice Law and Rules.
- B. No statement contained in this Article shall be construed as preventing any special agreement or arrangement between any sewer district and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by that sewer district for treatment, subject to payment therefor, by the industrial concern, in accordance with applicable provisions of law.

§ 41-48. County right of analyses.

The Orange County Sewer District No. 1 has reserved the right to perform such analyses of wastes as discharged from any sewer district of the town to sewers of the Orange County Sewer District No. 1, to insure compliance with the Orange County Sewer Law (Local Law No. 17 of 1974 and all amendments thereto). Where such analyses indicate violation, the Town Board will take appropriate action as required by the administrative head of Orange County Sewer District No. 1.

Article VIII. Scavenger Wastes

§ 41-49. Discharge of scavenger wastes prohibited.

The discharge of private scavenger wastes into the town sewer system and public sewers tributary thereto shall not be permitted.

Article IX. Protection from Damage

§ 41-50. Damage prohibited.

Any person who willfully or negligently breaks, damages, destroys, uncovers, defaces or tampers with any structure, appurtenance or equipment which is a part of any sewer district, sewer system or public sewer tributary thereto, will be in violation of this chapter and subject to the penalties provided herein.

§ 41-51. Accidental discharge of prohibited wastes.

Any user who accidentally discharges wastes in violation of this chapter shall immediately notify the Administrator of the sewer districts. Notification shall be followed within 15 days by a detailed, written statement describing the causes of the accidental discharge and the measures taken to prevent future occurrences. Such notification will not serve to relieve the user of liability for any expense, loss or damage to that sewer district's system or for any fines imposed by the Town of Monroe under applicable state and federal regulations.

§ 41-52. Submission of plans to prevent accidental discharges.

Any user who discharges industrial wastes, as distinct from sewage, shall be required to submit to the Town Board detailed plans to show facilities, and operating procedures to provide protection from accidental direct or indirect discharge of deleterious materials or wastes to the town's sewer system.

Article X. Enforcement

§ 41-53. Notice of violation.

- A. The Administrator of the sewer districts shall have the responsibility of enforcing the provisions of this chapter. Where a violation of said provisions is found, the Administrator shall notify the alleged offender by certified mail of the nature of the violation and prescribe a period of time, not to exceed 30 days, within which the specified violation must be corrected. Such period of time may be extended by the Town Board.
- B. If the violation is not corrected within the period specified in said notice, the Administrator may take such action as provided in Article X, 41-54, of this chapter.

§ 41-54. Penalties for offenses.

It shall be unlawful for any person to make, construct, install, operate or allow to be made, constructed, installed or operated any communal sewer system or individual septic system in violation of any provisions of this Article.

Any person who shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, apparatus or equipment which is part of the town sewer system shall be deemed to have committed an offense against the provisions of this chapter in addition to any other applicable laws. Any person who commits an offense or permits any offense to be committed against any of the provisions of this chapter, other than Article I, shall be deemed to have committed a violation pursuant to the Penal Law of the State of New York, punishable by a fine of not more than \$250. A separate violation shall be deemed committed on each day during or on which an offense occurs or continues. A separate penalty may be imposed for each separate violation. Nothing in this section of this local law shall be construed to prevent the town from instituting a civil action as set forth below, to compel compliance with or restrain or enjoin any violation of this local law.

§ 41-55. Civil penalty; additional proceedings.

- A. Any person committing an offense against this chapter shall be subject to a civil penalty enforceable and collectible by the town in the amount of \$50 for each offense.
- B. In addition to the above penalties, the Town Board may also maintain an action or proceeding in the name of the town in a court of competent jurisdiction to compel compliance or to restrain by injunction an offense against this chapter.
- C. Where any violation of this chapter causes additional expense to any sewer district, that sewer district shall have a cause of action against the violator to recover such additional cost. The cause

of action may be asserted at the discretion of the Administrator and shall be in addition to the fine, imprisonment, penalty and injunction hereinabove provided and shall be brought by the Town Attorney in the name of that sewer district in a court of competent jurisdiction.

§ 41-56. Disposal on public or private property.

It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the Town of Monroe or in any area under the jurisdiction of said town any human or animal excrement, garbage or other objectionable waste.

§ 41-57. Discharge to natural outlet.

It shall be unlawful to discharge to any natural outlet within the Town of Monroe or in any area under the jurisdiction of said town any sewage or other polluted waters except where suitable treatment has been provided in accordance with the provisions of this Chapter.

§ 41-58. Operation.

The owner shall operate and maintain the private septic disposal facilities in a sanitary manner at all times, at no expense to the town.

Section 4. Code Preparation.

The Town's Code preparation contractor is authorized, without further action of the Town Board, to correct typographical errors, numbering and other related technical changes that do not affect or alter the substantive provisions of this local law.

Section 5. SEQRA.

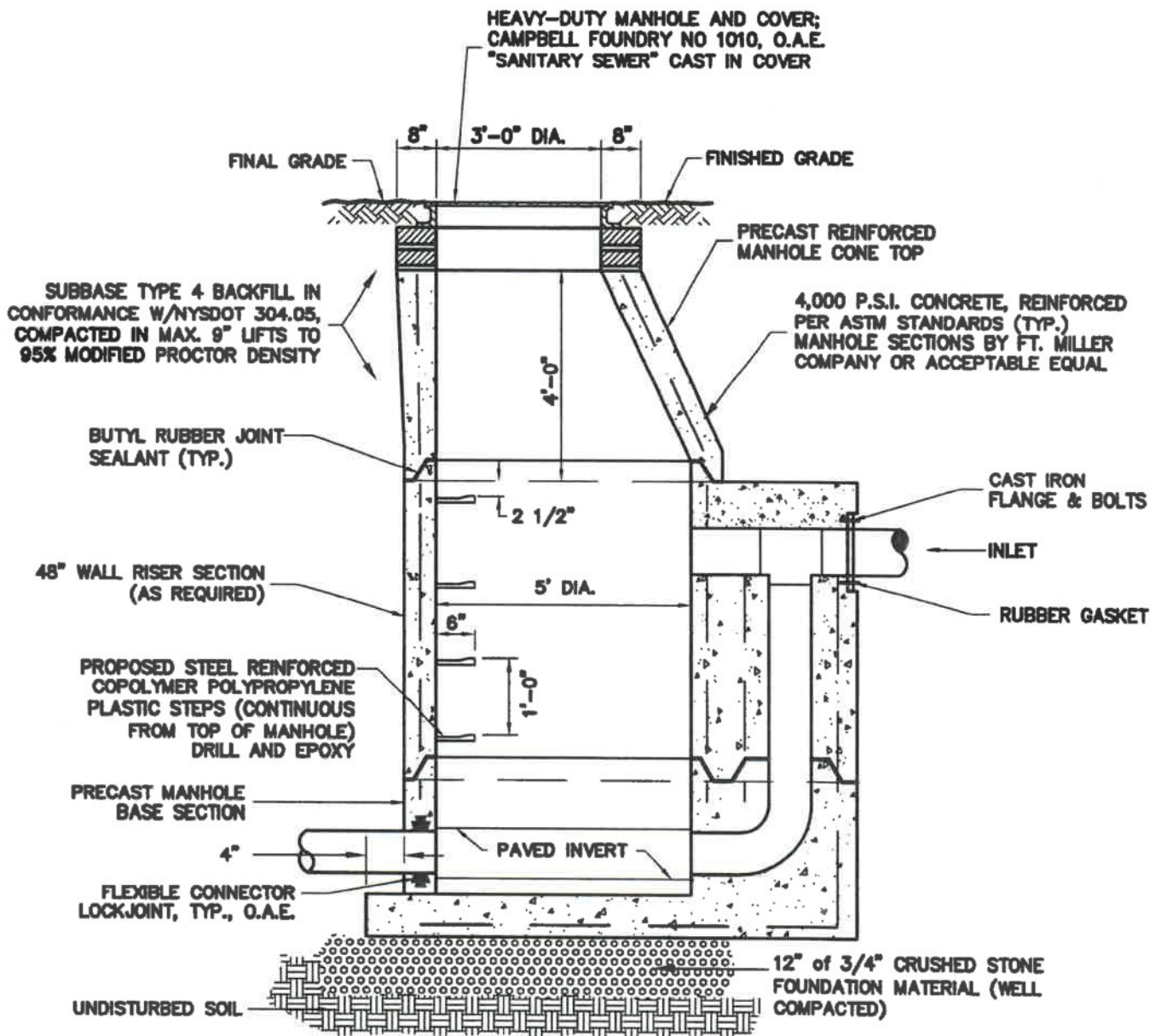
Pursuant to 6 NYCRR 617.5 (26) and (33), this Local Law is classified as a Type II action which requires no further review under the State Environmental Quality Review.

Section 6. Severability.

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

Section 7. Effective date.

This local law shall take effect immediately upon filing with the Secretary of State.



Town of MONROE

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ENGINEERING

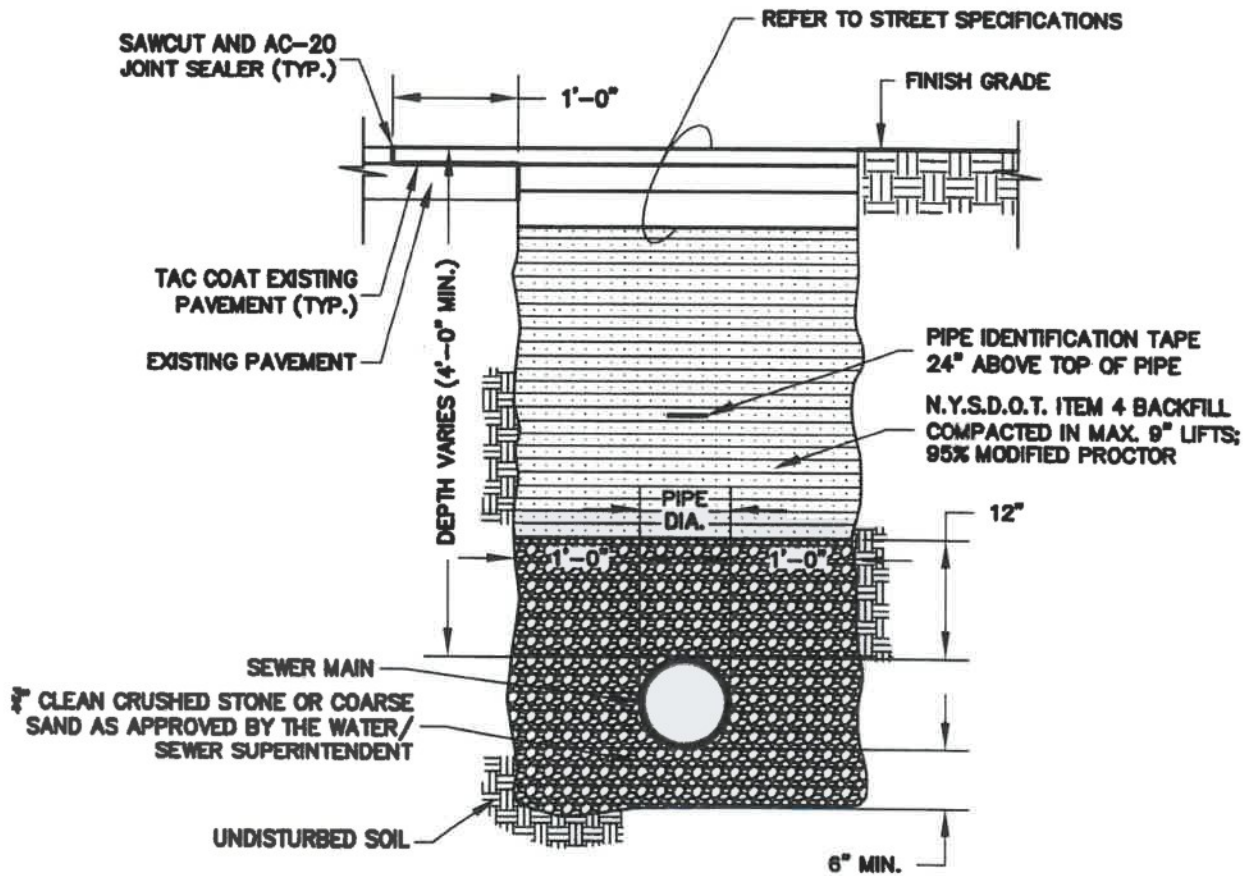
33 Airport Center Drive
Suite 202
New Windsor, NY 12553
(845) 567-3100

111 Wheatfield Drive
Suite 1
Milford, PA 18337
(570) 296-2765

Design: S.E.A.
Drawn: H.P.B., Jr.
Checked: S.E.A.
Scale: NONE
Date: AUG. 2023
Job No: 10-10

TYPICAL EXTERIOR DROP
SEWER MANHOLE

FIGURE
11-S



Town of MONROE

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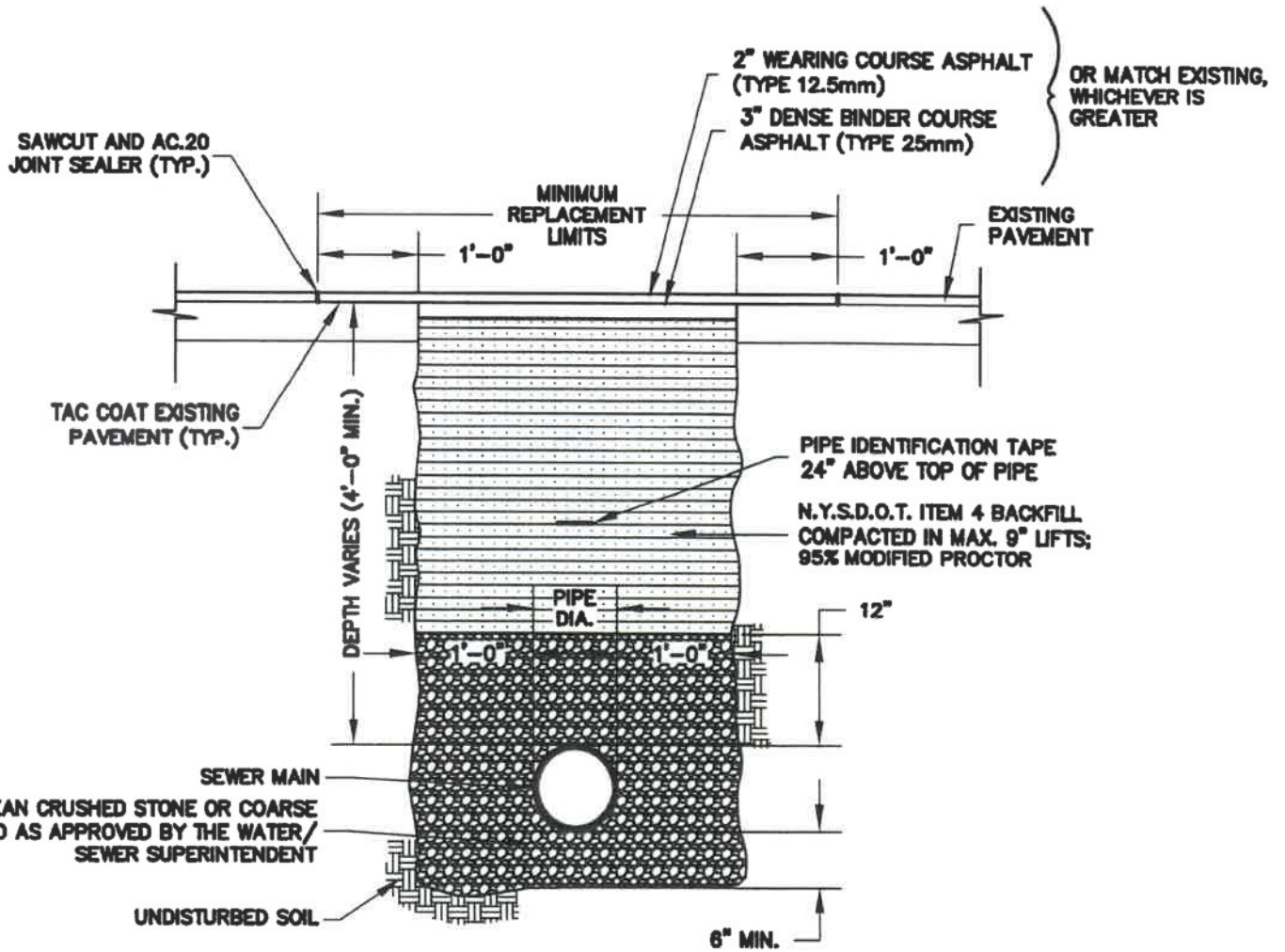
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TYPICAL SEWER MAIN
INSTALLATION/RESTORATION DETAIL
(BELOW PROPOSED PAVEMENT OR
HARD SURFACE)

FIGURE
1-S



Town of MONROE



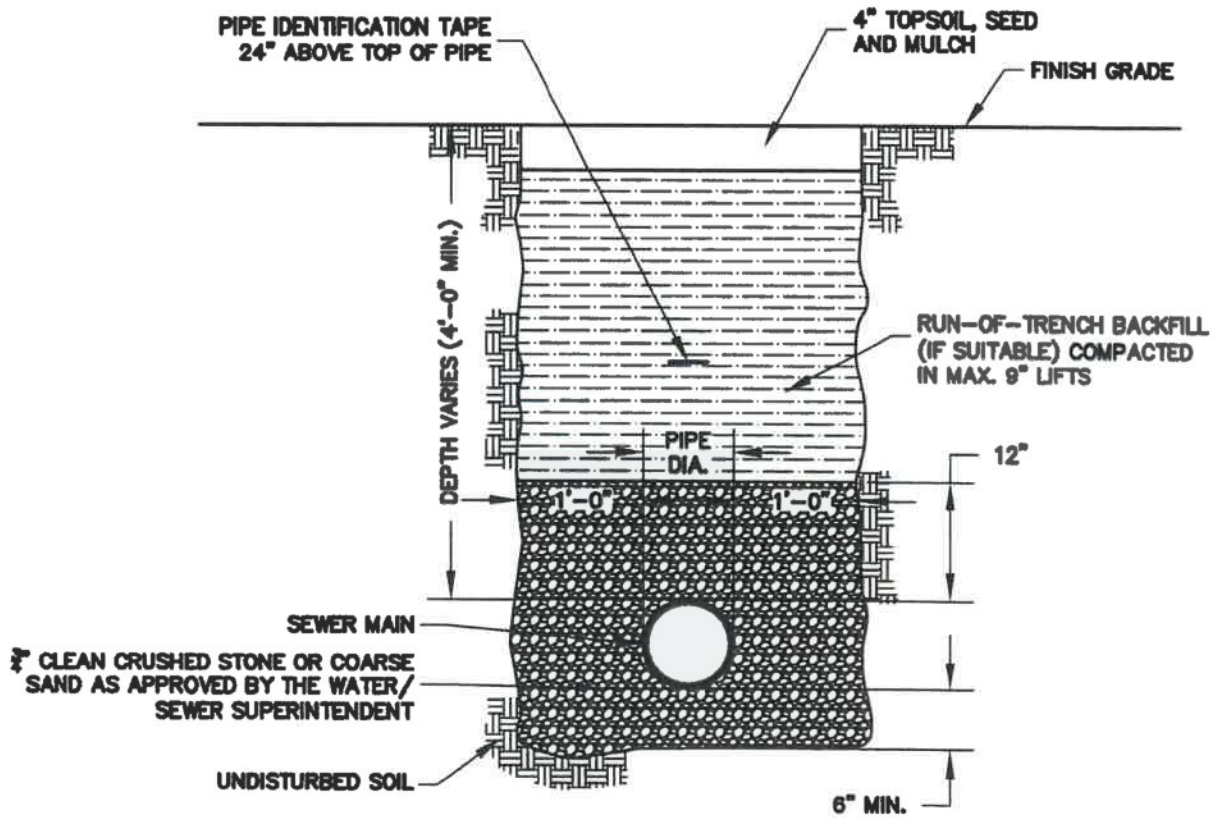
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Job No:	10-10

TYPICAL SEWER MAIN
 INSTALLATION/RESTORATION DETAIL
 (BELOW EXISTING PAVEMENT)

FIGURE
 2-S



Town of MONROE

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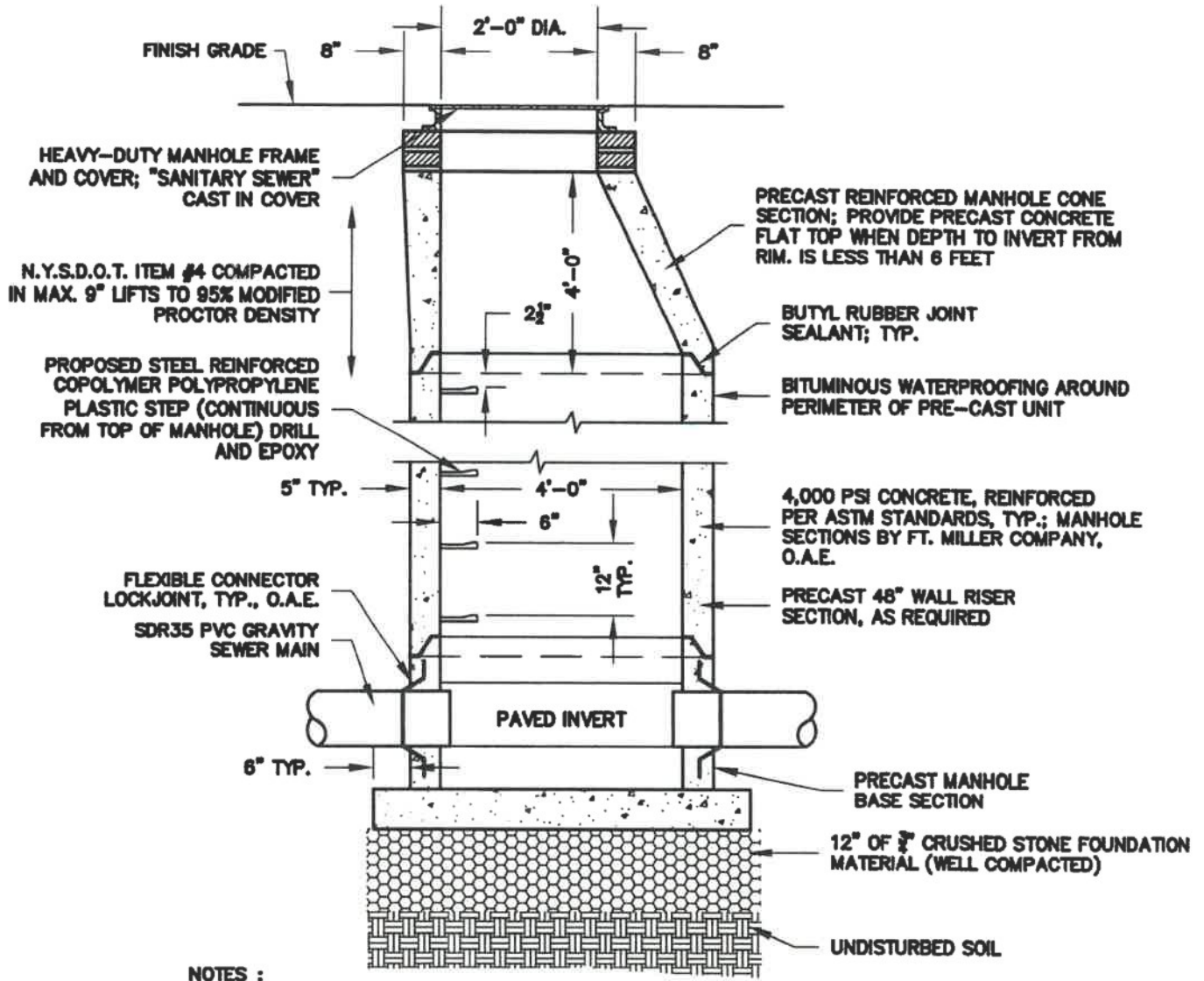
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Design:	S.E.A.
Drawn:	H.P.B.Jr.
Checked:	S.E.A.
Scale:	NONE
Date:	AUG. 2023
Job No:	10-10

TYPICAL SEWER MAIN
INSTALLATION/RESTORATION DETAIL
(OUTSIDE OF PROPOSED OR
EXISTING PAVEMENT OR HARD
SURFACE)

FIGURE
3-S



NOTES :

1. ALL MANHOLE SECTIONS TO CONFORM WITH ASTM SPECIFICATION C-478.
2. ALL MANHOLES ARE TO BE CAPABLE OF H-20 LIVE LOADING.



Town of MONROE

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 Drawn: H.P.B.Jr.
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 Scale: NONE
 Date: AUG. 2023
 Job No: 10-10

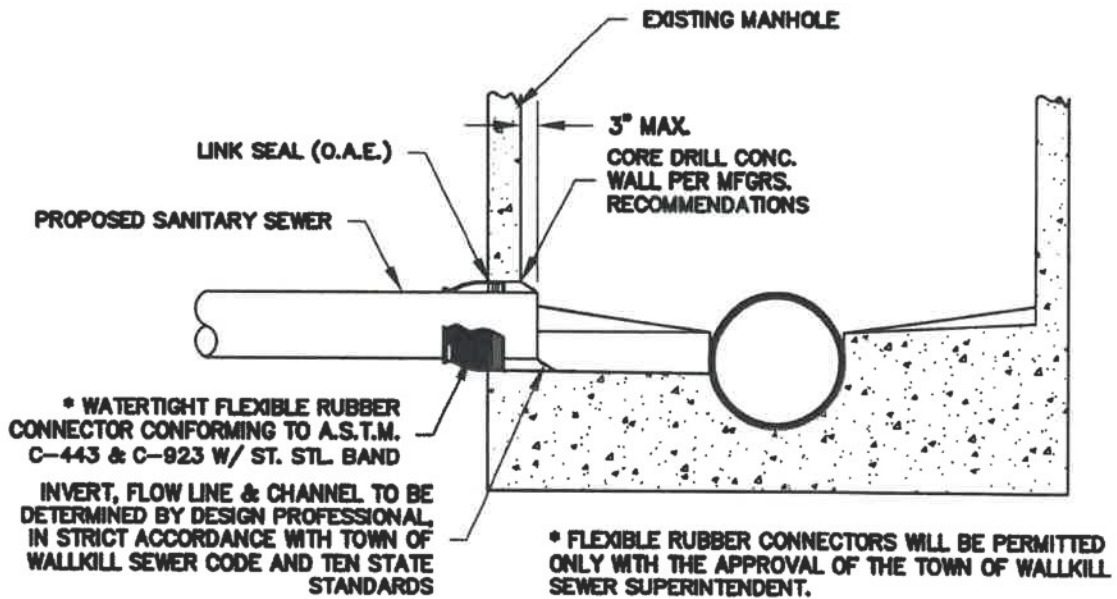
SANITARY SEWER MANHOLE

FIGURE
4-S

MHE
ENGINEERING

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111 Wheatfield Drive
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Town of MONROE

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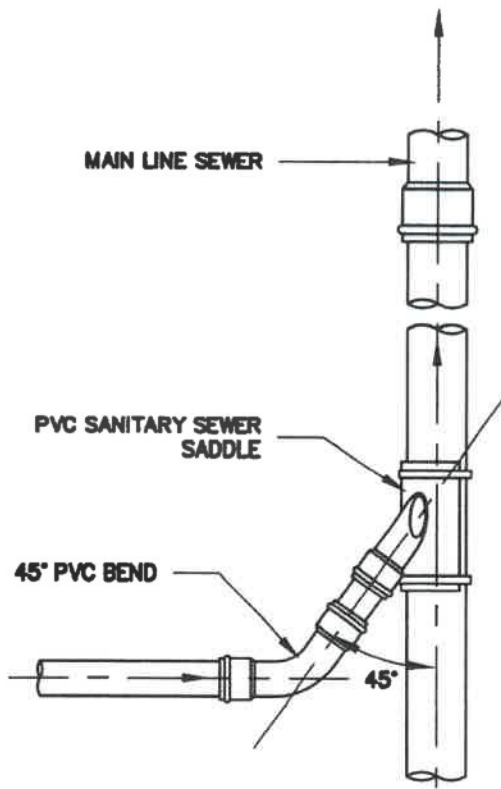
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SEWER MAIN TO MANHOLE
CONNECTION DETAIL

FIGURE
5-S

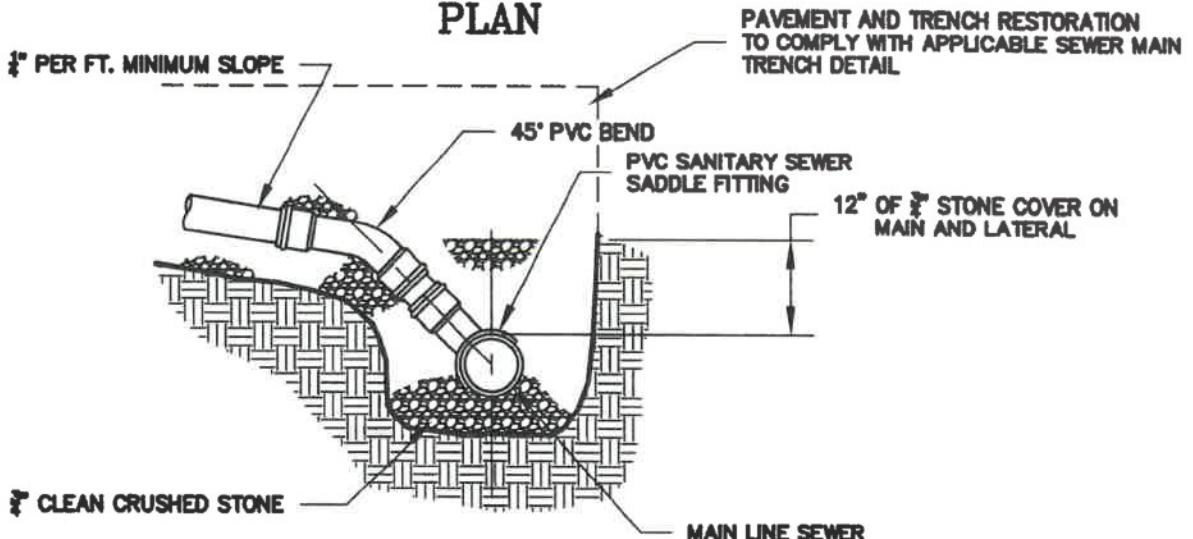


NOTES :

1. FIELD LOCATION AND ALIGNMENT OF NEW SADDLE TO BE APPROVED BY THE TOWN OF WALLKILL WATER/SEWER SUPERINTENDENT PRIOR TO CUTTING EXISTING SANITARY SEWER MAIN.

2. NEW PVC SADDLE ON EXISTING SANITARY SEWER MAIN IN ACCORDANCE WITH SADDLE MANUFACTURER'S REQUIREMENTS, TOWN OF WALLKILL SEWER CODE AND TEN STATE STANDARDS.

PLAN



SECTION



Town of MONROE



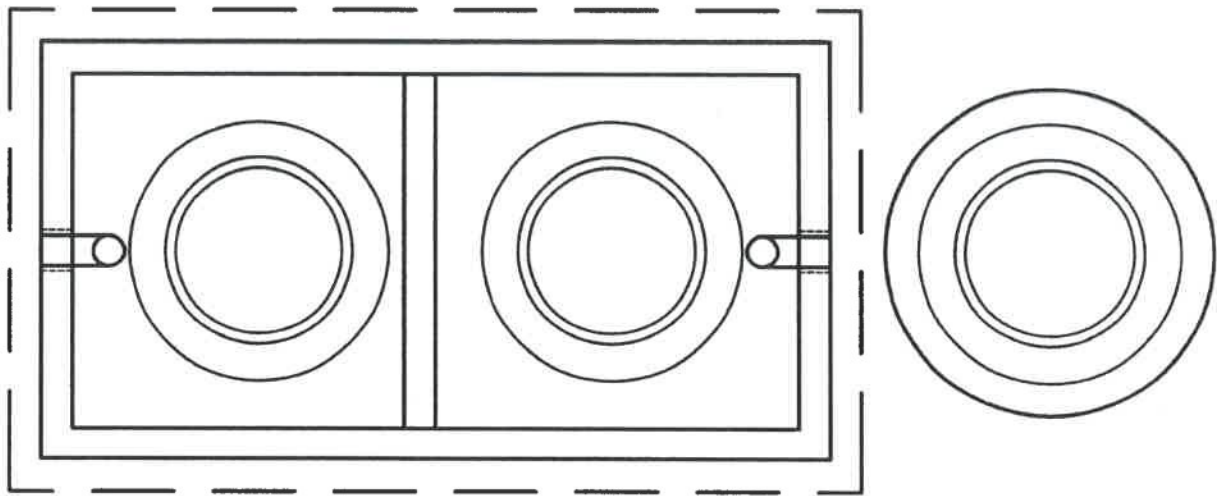
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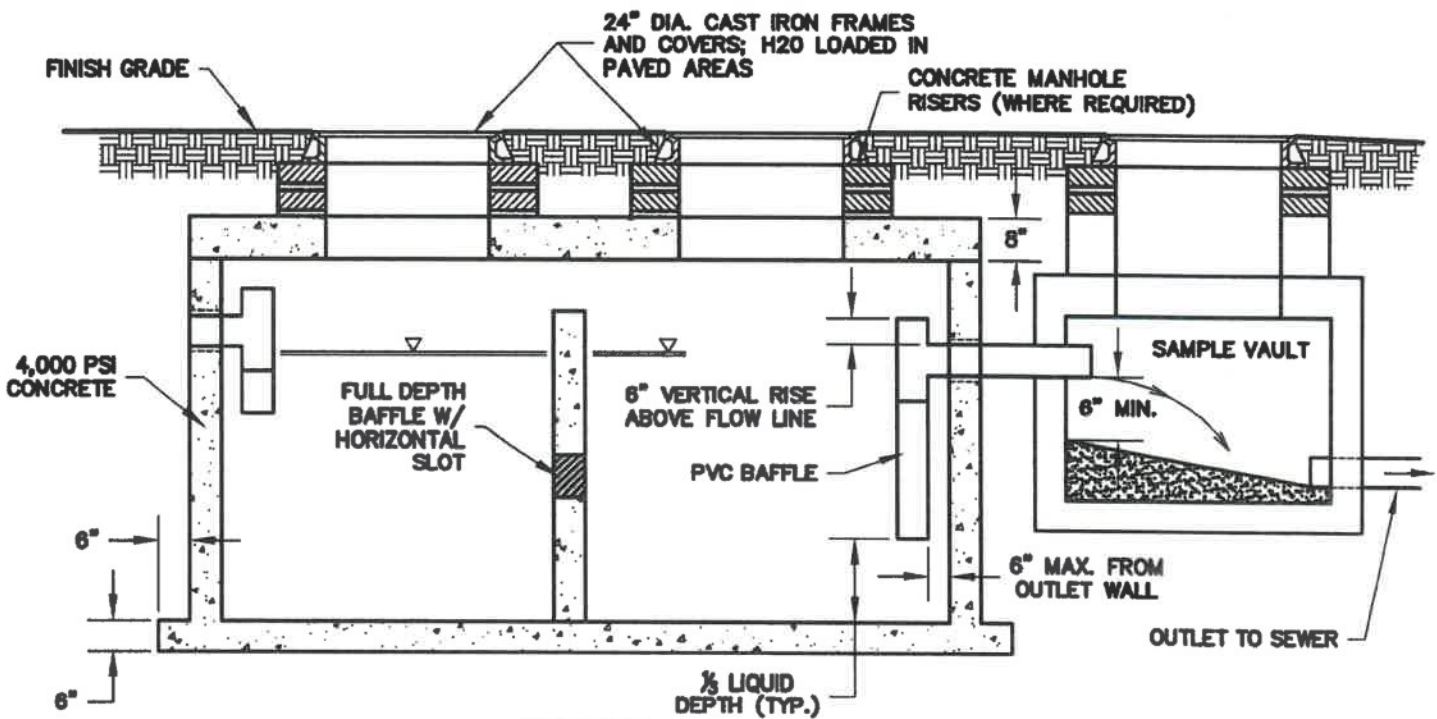
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Job No:	10-10

**SANITARY SEWER LATERAL
CUT-IN DETAIL**

**FIGURE
6-S**



PLAN



SECTION

NOTES :

1. SIZING OF ALL GREASE TRAPS AND APPURTENANCES TO BE BY A LICENSED N.Y.S. PROFESSIONAL ENGINEER. MINIMUM GREASE TRAP SIZE TO BE 1,000 GALLONS.
2. GREASE TRAPS TO BE DESIGNED IN ACCORDANCE WITH NEW YORK STATE D.E.C. DESIGN STANDARDS FOR WASTEWATER TREATMENT. (2014 OR DATE OF LATEST REVISION), INCLUDING REQUIREMENT FOR SAMPLE VAULT AND HYDRAULIC JUMP.
3. ALL GREASE TRAPS AND MANHOLE FRAMES/COVERS TO BE LOCATED IN A TRAFFIC AREA ARE TO MEET H2O LOADING.



Town of **MONROE**



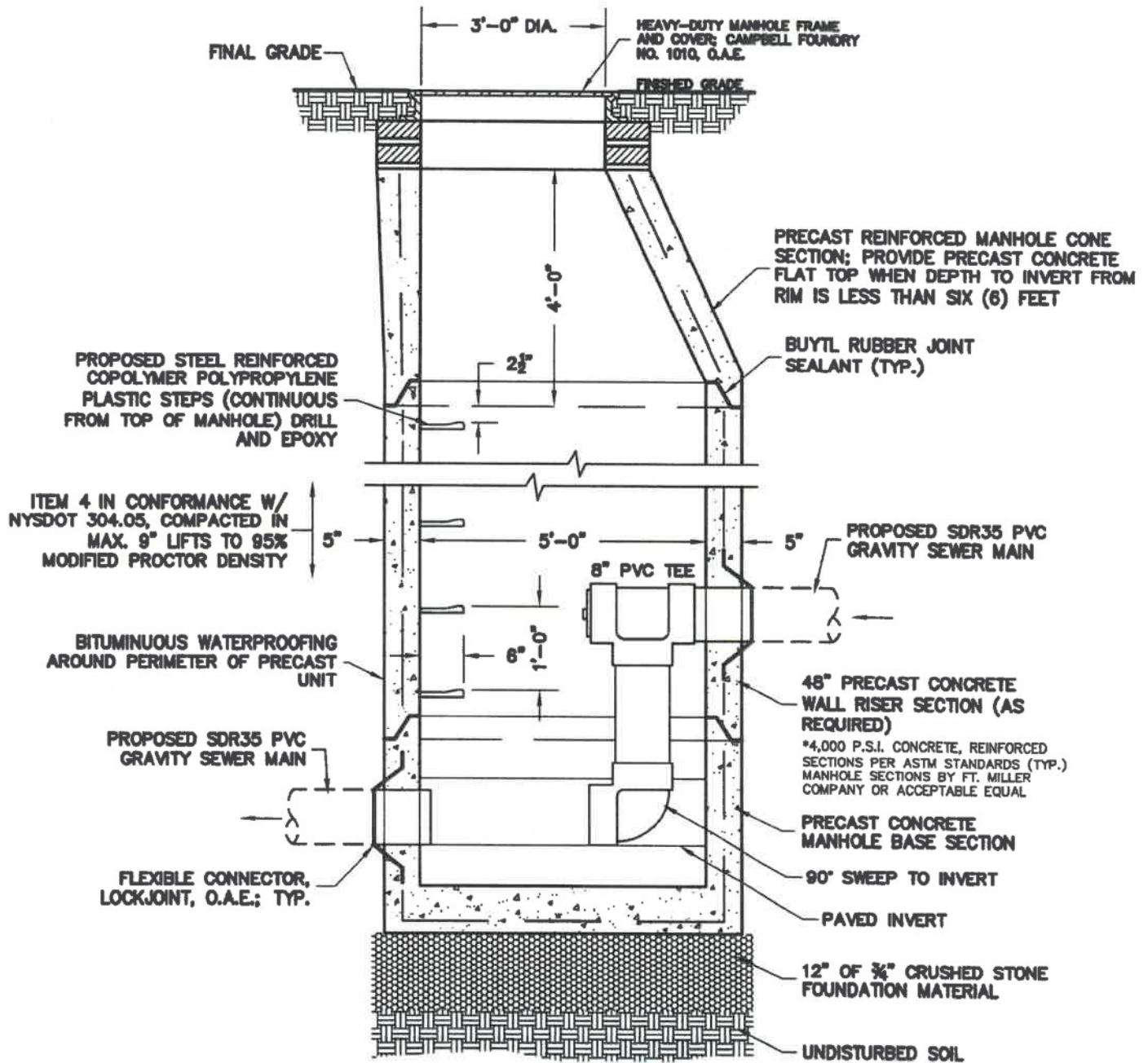
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Date:	AUG. 2023
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COMMERCIAL
GREASE INTERCEPTOR

FIGURE
9-S



Town of MONROE

MHE
ENGINEERING

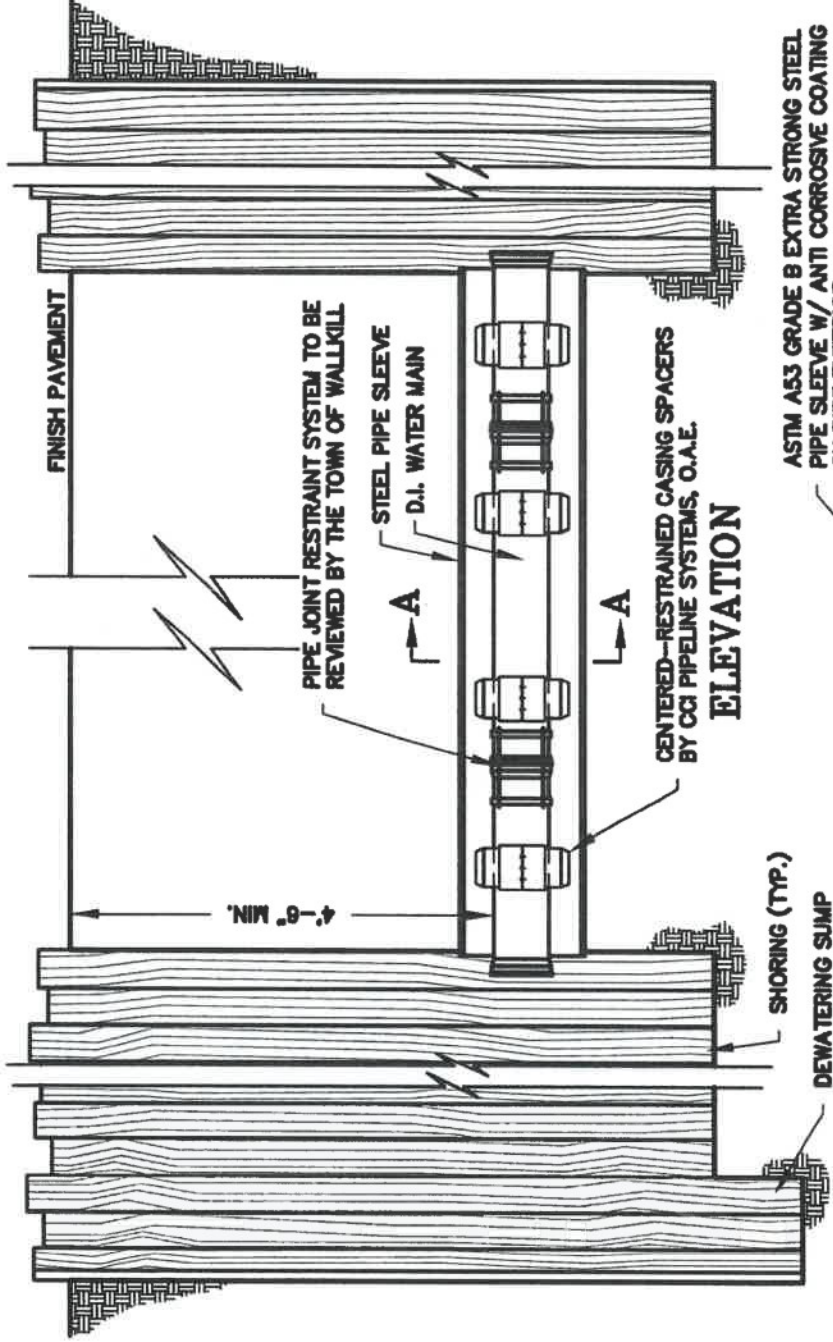
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TYPICAL INTERIOR DROP
SEWER MANHOLE

FIGURE
10-S



ELEVATION

NOTES:

1. THE PIPE SLEEVE SHALL BE JACKED WITH JACKS OF SUFFICIENT CAPACITY TO SHOVE THE PIPE THROUGH THE EMBANKMENT INTO POSITION TRUE TO REQUIRED LINE AND GRADE.
2. AFTER PIPE HAS BEEN ALIGNED TO PROPER GRADE, THE ANNULAR SPACE BETWEEN THE STEEL PIPE SLEEVE AND THE DUCTILE IRON WATER MAIN IS TO BE FILLED WITH SAND AND ENDS OF STEEL PIPE TO BE CAPPED.
3. SHORING DESIGN TO BE PERFORMED BY A LICENSED N.Y.S. PROFESSIONAL ENGINEER AND SUBMITTED TO THE TOWN OF WALLKILL FOR REVIEW.

ASTM A53 GRADE B EXTRA STRONG STEEL PIPE SLEEVE W/ ANTI CORROSIVE COATING ON PIPE EXTERIOR

D.I. WATER MAIN W/ CENTERED-RESTRAINED CASING SPACERS BY CCI PIPELINE SYSTEMS, O.A.E.



SECTION A-A



Town of MONROE

ME ENGINEERING

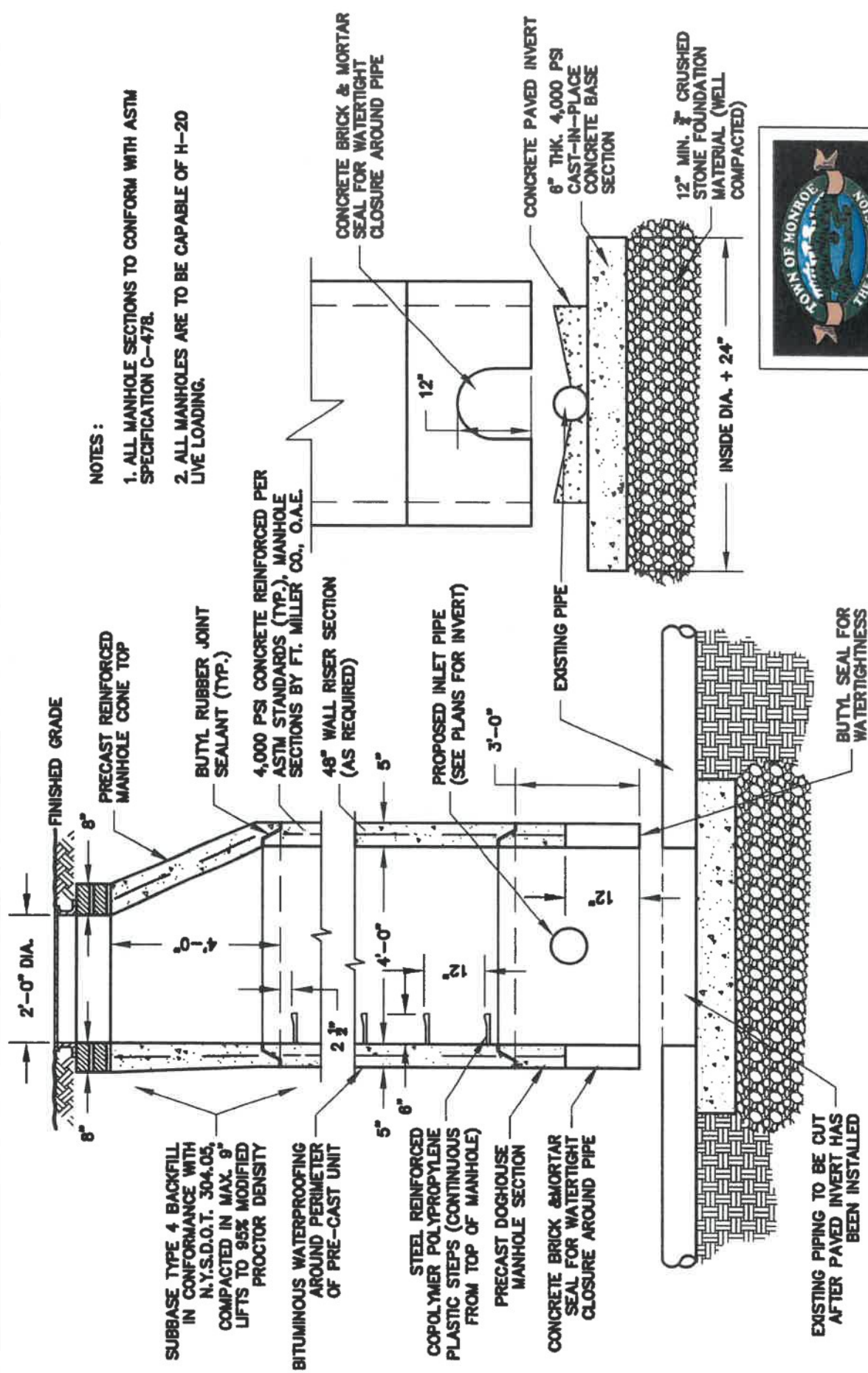
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BORING/JACKING DETAILS

FIGURE 7-S



- NOTES :**
1. ALL MANHOLE SECTIONS TO CONFORM WITH ASTM SPECIFICATION C-478.
 2. ALL MANHOLES ARE TO BE CAPABLE OF H-20 LIVE LOADING.



Town of MONROE

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DOGHOUSE MANHOLE DETAIL

FIGURE 8-S

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MFE ENGINEERING