

SECTION 1 – GENERAL PROVISIONS

SECTION 1A – PURPOSE AND POLICY

These rules and regulations set forth uniform requirements for dischargers into the Town of Cambria Wastewater Collection System, and enable Town of Cambria to protect public health in conformity with all applicable State and Federal Laws as required by the Clean Water Act of 1977 and the General Pretreatment Regulations (40 CFR PART 403).

The objectives of these rules and regulations are:

- A. To prevent the introduction of pollutants into the Town of Cambria Collection System and Niagara County Sewer District No. 1 Treatment Works (NCSD) which will interfere with the normal operation of the treatment works or contaminate the resulting sludge;
- B. To prevent the introduction of pollutants into the Publicly Owned Treatment Works (POTW), which do not receive adequate treatment of the POTW or which pass through the system into receiving waters or the atmosphere or otherwise be incompatible with the POTW;
- C. To improve the opportunity to recycle and reclaim wastewater and sludge produced by the treatment processes.

These rules and regulations provide for the regulation of discharges into the Town of Cambria Collection System and NCSD treatment works through the issuance of Sewer Use Permits.

Except as otherwise provided herein, the Town Supervisor or duly authorized representatives of the Town shall administer, implement, and enforce the provisions of this Ordinance.

SECTION 1B – DEFINITIONS

The meaning of the terms used in this Ordinance shall be as follows:

- 1.1 **“Town”** shall mean the territorial limits of the Town of Cambria, New York.
- 1.2 **“Sewer District”** shall refer to any Sanitary Sewer District created in accordance with the provisions of the New York State “Town Law,” within the Town of Cambria.
- 1.3 **“Superintendent”** shall mean the person(s) responsible for operating and maintaining the Sewage Works of the Sewer Districts, or his authorized deputy, agent, or representative.
- 1.4 **“Owner”** shall be owner or owners of record of the freehold of the premises or lesser estate therein, a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee, or other person, firm or corporation in control, or person exercising dominion and control over the premises.
- 1.5 **“Industry” or “Industrial User”** shall mean any establishment defined as such by the “Standard Industrial Classification Manual” (latest edition) prepared by the Statistical Documents Division, Office of Management and Budget, Executive Office of the President of the United States. They shall also include any user which discharges or may accidentally discharge wastewater containing toxic substances, or any substances, which cause any interference or upset of the wastewater treatment plant.
- 1.6 **“Person”** shall mean any individual, firm, company, association, society, corporation or group.

- 1.7 **“Sewage”** shall mean a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments.
- 1.8 **“Sanitary Sewage”** shall mean water-carried wastes generated by contact with human activity from a residence, business building, and institutional or industrial establishment.
- 1.9 **“Industrial Wastes”** shall mean the liquid wastes from industrial processes as distinct from sanitary sewage.
- 1.10 **“Garbage”** shall mean solid wastes from the preparation, cooking, dispensing, handling, storage or sale of food.
- 1.11 **“Shredded Garbage”** shall mean the wastes from the preparation, cooking or dispensing of food that have 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 greater than ½ inch in any dimension.
- 1.12 **“BOD”** (denoting Biochemical Oxygen Demand) shall mean the pollutional strength of a waste expressed in terms of the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20° C, expressed in milligrams per liter.
- 1.13 **“Suspended Solids”** shall mean 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.
- 1.14 **“Concentration”** shall refer to the mass of a substance or material per unit volume of liquid. Concentration may be expressed as parts per million of water by weight (ppm) or as milligrams per liter (mg/l).
- 1.15 **“Loading”** shall mean the multiplication of a waste constituent concentration times the rate of flow of the liquid carrying the waste times a conversion factor to obtain the units of pounds per day.
- 1.16 **“Sludge”** shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in any quantity of flow that exceeds for any period of duration longer than fifteen (15) minutes or more than five (5) times the average twenty-four concentration or flows during normal operation.
- 1.17 **“Laboratory Determination”** shall mean the measurements, tests and analyses of the characteristics of waters and wastes in accordance with the methods contained in the latest edition at the time of any such measurement, test or analyses, of “Standard Methods for Examination of Water and Sewage,” a joint publication of the American Public Health Association, the American Waterworks Association and the Water Pollution Control Federation or in accordance with any other method prescribed by the New York State Department of Environmental Conservation.
- 1.18 **“Sewage Works”** shall mean all facilities for collection, pumping, treating and disposing of sewage.
- 1.19 **“System”** shall mean all sewers, interceptors, pumping stations, treatment facilities, outfall conduits, and so forth, employed to collect, transmit, treat and dispose of flows and loading of sanitary sewage.
- 1.20 **“Sewage Treatment Facilities”** shall mean any arrangement of devices and structures used for treating sewage.

- 1.21 **“Sewer”** shall mean a pipe or conduit for carrying sewage.
- 1.22 **“Public Sewer”** shall mean a sewer, which carries liquid and is controlled by public authority.
- 1.23 **“Sanitary Sewer”** shall mean a sewer, which carries sewage, and to which storm, surface and ground waters are not intended to be admitted.
- 1.24 **“Storm Sewer: or “Storm Drain”** shall mean a sewer which carries storm or surface waters and drainage, but is intended to exclude sewage and polluted industrial wastes.
- 1.25 **“Building Sewer”** shall mean the Sanitary Sewer from a building plumbing system to the public sanitary sewer.
- 1.26 **“Natural Outlet”** shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.
- 1.27 **“Watercourse”** shall mean a channel in which a flow of water occurs, either continuously or intermittently.
- 1.28 **“Shall”** is mandatory, **“may”** is permissive.
- 1.29 **“Act or The Act”** shall mean the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended.
- 1.30 **“Categorical Standards”** shall mean the National Categorical Pretreatment Standard or Pretreatment Standard.
- 1.31 **“Interference”** – The inhibition, upset, or disruption of any of the Wastewater Treatment Plant operations or process which contributes to either a violation of the Town’s SPDES permit or cause. A nuisance condition within the POTW. The term includes prevention of sewage sludge use or disposal by the Wastewater Treatment Plant in accordance with all applicable State and/or Federal laws, Regulations, and Guidelines.
- 1.32 **“National Categorical Pretreatment Standard or Pretreatment Standard”** – any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307 (B) and (C) of the Act which applied to a specific category of Industrial users.
- 1.33 **“National Prohibitive Discharge Standard or Prohibitive Discharge Standard”** – and regulation developed under the authority of 307 (B) of the Act and 40 CFR, Section 403.5.
- 1.34 **“National Pollutant Discharge Elimination System or NPDES Permit”** – A Permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342.)
- 1.35 **“NYSDEC”** – New York State Department of Environmental Conservation.
- 1.36 **“ph”** – The Logarithm (Base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution.
- 1.37 **“Pollution”** – The man-made or man-induced alteration of the Chemical, Physical, Biological, and Radiological integrity of water.

- 1.38 **“Pollutant”** – Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage 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.
- 1.39 **“Pretreatment”** – The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of Pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, or process changes other means, except as prohibited by 40 CFR Section 403.6 (D).
- 1.40 **“Pretreatment Requirements”** – Any substantive or procedural requirement related to pretreatment, other than a National pretreatment Standard imposed on an Industrial user.
- 1.41 **“Publicly Owned Treatment Works (POTW)”** – A treatment works as defined by Section 212 of the Act, (33 U.S.C. 1292) which is owned in this instance by the Town. This definition includes any sewers that convey wastewater to the POTW Treatment Plant, but does not include pipes, sewers or other conveyances not connected to a facility providing treatment.
- 1.42 **“POTW Treatment Plant (Sewage Treatment Plant)”** – That portion of the POTW designed to provide treatment to wastewater.
- 1.43 **“Significant Industrial user”** – Any Industrial user of the Town’s Wastewater Disposal System who (i) has a discharge flow of 25,000 gallons or more per average work day, or (ii) has in his wastes toxic pollutants as defined pursuant to Section 307 of the Act or New York State Statutes and Rules or (iii) is found by the Town, to have significant impact, either singly or in combination with other contributing Industries, on the wastewater treatment systems the quality of sludge, the system’s effluent quality, or air emissions generated by the system.
- 1.44 **“SPDES (State Pollutant Discharge Elimination System)”** Shall mean the State system through which permits are issued to regulate discharge into waters from all point sources of pollution including industries and municipal wastewater treatment plants.
- 1.45 **“ASTM”** shall mean the American Society for Testing and Materials.
- 1.46 **“Unit”** shall mean a building, structure, dwelling unit, residence, industry, institution or other such facility within the Sewer District.
- 1.47 **“Equivalent Dwelling Unit” (EDU)** shall mean each unit provided with a connection or connections to the public sewer systems. For purposes of measurement of flows each unit shall be established as a minimum of one (1) unit for each dwelling unit or 72,000 gallons per year of metered water consumption and the next whole unit above each succeeding 72,000 gallons for commercial, institutional and industrial establishments or such volume per unit as amended by resolution of the Town Board from time to time.

SECTION 2. – USE OF PUBLIC SEWERS REQUIRED

- 2.1 No person shall place, deposit or permit to be deposited in any unhealthy manner upon public or private property within the Sewer District, or any area under the jurisdiction of said Sewer District, any human or animal excrement, garbage, or other objectionable waste.

- 2.2 Where a public sanitary sewer system is available, no person shall discharge to any natural outlet within the Sewer District, or in any area under the jurisdiction of the said Sewer District, any sanitary sewage, industrial wastes, or other polluted waters.
- 2.3 The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purpose, situated within the Town and abutting on any road, street, alley, easement or right-of-way in which there is located a public sanitary sewer of the Town's Sewer Districts, is hereby required at his expense to connect all sanitary facilities directly with public sanitary sewer in accordance with the provisions of this Ordinance, within ninety (90) days after the date of written notice to the Owner to do so.

SECTION 3. – PRIVATE SEWAGE DISPOSAL

- 3.1 No person shall construct any privy, privy vault, septic tank, tile field, cesspool or other facility intended or used for the disposal of sewage, unless specifically permitted by the Niagara County Health Department or as hereinafter provided.
 - 3.1.1 Where use of a private disposal system is allowed under Section 3.2, the private disposal system shall be constructed and operated in accordance with the requirements of the Niagara County Health Department. Written approval of the private disposal system shall be obtained from the Niagara County Health Department prior to use.
 - 3.1.2 Where use of private disposal system is allowed under Section 3.2, the Owner of such system shall pay all costs for the construction, operation, and maintenance of the private disposal system.
- 3.2 Where no public sanitary sewer exists or where a public sanitary sewer does exist under the conditions hereinafter described, the building sewer shall be connected to an approved sewage disposal system.
 - 3.2.1 When the distance from the highway boundary, public sewer easement line or the public trap and vent at the sewer main to the nearest extremity of the building exceeds three hundred (300) feet, the building sewer may be connected to private sewage disposal system.
 - 3.2.2 When the distance from the highway boundary, the public sewer easement line or the public trap and vent at the sewer main to the nearest extremity of the building exceeds two hundred (200) feet, but is less than three hundred (300) feet and the building main floor elevation is such that a gravity sewer connection is below the public sewer, the Owner may request dispensation from connection to the public sewer. The request shall be in writing and shall be presented to the Administrative body of the Sewer District one week prior to a regular session of the administrative body. Simple majority of the administrative body by resolution will be required for dispensation.
 - 3.2.3 For any building that is not connected to the public sewer under Section 3.2.1 and 3.2.2 or for any other reason, the Owner shall pay all charges as may be applicable in full accordance with Section 9 of this Ordinance.

SECTION 4 – BUILDING SEWERS AND CONNECTIONS

- 4.1 No person shall uncover, make any connection with or opening into, use alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Superintendent.
- 4.2 There shall be two classes of Building Sewer Permits: a) Sanitary Sewage Service, and b) Service to establishments discharging Industrial Wastes. In either case, the Owner or his agent shall make application in such manner, as the Town shall prescribe. The application shall describe the quantity and character of the waste to be discharged to the public sewer. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent in accordance with Section 7 of this Ordinance.
- 4.2.1 Establishments discharging Industrial wastes shall also comply with Federal Regulations defined by 40 CFR 403 or other applicable Federal Regulations promulgated by the United States Environmental Protection Agency in accordance with Section 307 of the Federal Water Pollution Control Act Amendments of 1972 and Regulations promulgated hereunder by the Town. Compliance with these regulations shall be demonstrated by the Applicant prior to approval of the Permit Application by the Town.
- 4.2.2 The Permit Application, upon approval of the Town, shall constitute a Permit, and shall remain valid and in effect except that it shall automatically terminate upon the happening of any of the following:
1. The Applicant changes the quantity or character of the waste as described in the Application; or
 2. The Applicant fails to meet the requirements of this ordinance, including but not limited to Section 4.12; or
 3. The conditions of the NCS D Treatment Facilities under which the Town accepted the Permit Application change to such a degree that the NCS D cannot meet State and Federal Requirements imposed upon the Town; or
 4. The expiration of a period of three years from the issuance for major Industrial users as defined by Federal Regulations 40 CFR 403, or equivalent Federal or State Regulations.
- 4.2.3 An Applicant's permit may be renewed by submission of a new application form, stating any conditions or circumstances which may have varied from the original Permit Application, and approval of the same by the Superintendent.
- 4.3 All permit terms and conditions may be subject to modification and change by the Town.
- 4.4 A permit shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation.
- 4.5 An industrial discharger shall apply for a permit modification if production or process is changed so that the wastewater characteristics or flow is altered.
- 4.6 All work and expense incident to the installation, connection and maintenance of the building sewer from the building to the sanitary sewer connection shall be borne by the owner. The

connection to the sanitary sewer shall be made under the supervision and in the presence of the Sewer Superintendent.

- 4.6.1 There shall be a charge as described in the Rate Schedule for all public sewer connections not installed under a construction project for new or replacement of public sanitary sewers.
- 4.7 A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private building sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer for the front building may be extended to the rear building.
- 4.8 Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of this Ordinance.
- 4.9 The building sewer shall be cast iron soil pipe, ASTM Specification A 74- (latest revision thereof); or PVC non-pressure pipe, ASTM Specification D-3033 with minimum SDR of 41, or non -pressure PVC pipe labeled "Schedule 40," ASTM Specification D-2665 and D-1785. All joints shall be compression type joints with Neoprene or rubber circular gaskets. Chemically welded joints shall not be allowed. For buildings requiring pumping, the discharge pipe shall be PVC, or HDPE pressure pipe AWWA Specification C-900 (latest revision thereof) with minimum SDR of 18 or such a material as is approved by the Superintendent. All pressure pipe shall have working pressure of 150 pounds per square inch.
- 4.10 The building sewer shall have a minimum horizontal separation of ten (10) feet from the water service or any potable waterline and shall be above the sewer and shall have a minimum vertical separation from the top of the sewer to the bottom of the waterline of one and one-half (1 ½) feet from one water distribution main or service connection. In cases where this criteria cannot be accomplished, the Superintendent will determine if other suitable protection can be obtained.
- 4.11 No building sewer shall be covered until after it has been inspected, tested and approved by the Superintendent.
- 4.12 All building sewers shall be air tested for leakage after installation. The test shall be conducted on all joints that would be exposed to infiltration of ground water, surface water or other extraneous sources of non-polluted waters. The test shall be conducted from the connection to the Town sewer to the building plumbing system. The test shall be conducted by the Superintendent or his authorized representative.
 - 4.12.1 The sewers shall be charged with air to four (4) pounds per square inch pressure. The sewer shall show a loss of pressure no greater than 0.5 pounds per square inch over a ten (10) minute period.
- 4.13 In certain cases where the building sewer is being replaced, the Superintendent may allow the use of high-density polyethylene pipe inside of the existing building sewer. In this situation, the pipe shall have a minimum SDR of 18 and shall conform to all applicable ASTM Specification for this material. The joints shall be thermal butt fused between lengths of polyethylene pipe with the inner bead removed. Joints between the polyethylene and other pipe shall be by a coupling acceptable to the Superintendent. Express permission of the Superintendent shall be obtained prior to proceeding with this type of installation. Application for permission shall be accompanied by a plan and a list of materials, sizes and depths.

- 4.14 All gravity building sewers shall be bedded to one (1) foot above the pipe barrel and six (6) inches below. The bedding material shall be sand or stone of a maximum dimension of one-half (1/2) inch, and shall be placed to eliminate voids between the pipe and the disturbed soil. If the soil conditions appear unstable, the Superintendent may require additional methods of support for the pipe.
- 4.15 The size, slope and alignment of the building sewer shall be subject to approval of the Superintendent, but in no event shall the diameter be less than four (4) inches.

Grade or slope for various pipe sizes shall be not less than:

- 4 Inch Pipe – 1/8 inch per foot
- 6 Inch Pipe – 1/16 inch per foot
- Over 6 inches – Plan required for review and approval.

- 4.16 The depth of the building sewer shall be sufficient to afford protection from freezing and against physical damage and shall not be less than three feet from the surface. The building sewer shall be laid at a uniform grade. The line shall be straight or laid with properly curved pipe and fittings. Changes in alignment direction greater than 45 degrees shall be provided with cleanouts accessible for cleaning.
- 4.17 In all buildings in which any building sewer is too low to permit gravity flow to the public sewer, sanitary sewage carried by such sewer shall be lifted by a method approved by the Superintendent and discharged to the public sanitary sewer and at the expense of the Owner.
- 4.18 No person shall permit connection of roof downspouts, foundation drains, areaway drains, or other sources of surface run-off or ground water to a building sewer, which in turn is connected directly or indirectly to public sanitary sewer.
- 4.19 All building sewers and building plumbing systems shall meet New York State Plumbing code as applicable.

SECTION 5 – GENERAL DISCHARGE PROHIBITIONS

- 5.1 No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, or subsurface drainage to any public sanitary sewer.
- 5.2 Storm water, ground water and all other unpolluted drainage shall be discharged to such sewers as are specially designated as storm sewers or drainage ditches. Discharge of cooling water or process water to a natural outlet shall require a permit in accordance with the National Pollutant Discharge Elimination System as administered by the New York State Department of Environmental Conservation.
- 5.3 No person shall discharge or cause to be discharged, any of the following described liquids, waters, or wastes to any public sanitary sewer:
- 5.3.1 Any water or wastes of such a nature and delivered at such a rate as to impair the hydraulic capacity of the sanitary sewer and/or sewage treatment facility.

- 5.3.2 Any liquid of such a quantity, quality or other nature as to create flammable or explosive conditions in the sanitary sewer system, and specifically any liquid, which has a flash point, lower than 187°, as determined using appropriate ASTM testing methods.
 - 5.3.3 Any liquid having a pH lower than 6.0 or greater than 8.0 or otherwise contain chemical properties, which are capable of causing damage to structures, equipment and/or personnel of the sewage works.
 - 5.3.4 Any liquid containing radioactive substances which are considered toxic by any standard, except with approval of the appropriate environmental agency and the written consent of the Town.
 - 5.3.5 Any garbage other than shredded received directly into the sanitary sewer system from domestic and commercial garbage grinders in dwellings, restaurants, hotels, stores, and institutions, by which such garbage has been shredded.
 - 5.3.6 Wastes that includes septic tank pumpage except by special Permit in writing in accordance with all provisions of this Ordinance and instructions promulgated by the Superintendent. The Superintendent may promulgate new instructions and supplements from time to time as necessary. Printed instructions shall apply to treatment facilities and shall be available for all applicants.
- 5.4 No person shall discharge or cause to be discharged, any of the following described liquids or sewage into any public sewer.
- 5.4.1 Any solid or viscous material which could cause an obstruction to flow in the sewers or in any way could interfere with the treatment process, including as examples of such materials, but without limiting the generality of the foregoing, significant proportions of ashes, wax, paraffin, cinders, sand, mud, straw, shavings, metal, glass, rags, lint, feathers, tars, plastics, wood and sawdust, paunch manure, hair and fleshings, entrails, lime slurries, beer and distillery slops, grain processing wastes, grinding compounds, acetylene generation sludge, chemical residues, acid residues, food processing bulk solids, snow, ice, and all other solid objects, material, refuse, and debris not normally contained in sewage.
 - 5.4.2 Sludge or other material from sewage or industrial waste treatment plants except as permitted in writing by the Superintendent.
 - 5.4.3 Any liquid or vapor having a temperature higher than 150°F (65°C).
 - 5.4.4 Any water or wastes containing grease or oil or other substances that will solidify or become viscous at temperatures between 32°F and 150°F.
 - 5.4.5 Any gasoline, benzene, napha, fuel oil, lubricating oil or other flammable or explosive liquid, solid or gas.
 - 5.4.6 Any water or wastes containing emulsified oil or grease exceeding 75 mg/1 of ether-soluable matter.
 - 5.4.7 Any wastes that contain concentrated dye wastes or other wastes that are either highly colored or become highly colored upon reacting with other wastes.

- 5.4.8 Any wastes containing a toxic substance in sufficient quantity to:
- 1.) constitute a health hazard to humans;
 - 2.) cause damage to any eco-system to which the waste may come in contact
 - 3.) cause damage or create a hazardous condition in any component of the treatment works.
- 5.5 The discharge to the public sanitary sewer of toxic substances shall be allowed to exceed the requirements as stated in Section 5.4.8 only with the written approval of the New York State Department of Environmental Conservation. Any proposed discharge of toxic materials shall be requested by letter to the Sewer District and shall be accompanied by a Facilities Report stating the conditions of the proposed discharge. The Facilities Report shall thereby establish limits for the approved discharge only, which shall not be exceeded. No special agreement shall circumvent Federal pretreatment standards and requirements.
- 5.6 All industrial discharges to the public sanitary sewers shall be in accordance with pre-treatment regulations that have been or may be promulgated by the U.S. Environmental Protection Agency as required by Section 307 of the ACT, if more stringent than the requirements of Section 5.4 of this ordinance.
- 5.7 Discharge of any substance described in Sections 5.3 or 5.4 or the discharge of any substance in excess of the limits established in Sections 5.4.8, shall constitute a violation of the provisions of this ordinance.
- 5.8 Grease, oil or grit traps shall be provided, when in the opinion of the Superintendent, they are necessary for the handling of liquids containing greases or any flammable wastes or grits; except that such traps shall not be required for a single family detached dwelling unit. All traps shall be of a type and capacity approved by the Superintendent, and shall be located to be readily and easily accessible for cleaning and inspection. Grease and oil traps shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily removable covers which when secured in place, shall be gastight and watertight.
- 5.9 Where installed, all grease, oil and grit traps shall be maintained by the Owner, at his expense.
- 5.10 The admission into the public sanitary sewers of any waters or wastes at the point of discharge into the sewer, containing:
- a.) BOD greater than 300 mg/1 or
 - b.) Containing more than 300 mg/1 of suspended solids, or
 - c.) Containing any quantity of substances having a peak flow greater than 2% of the average daily sewage flow of the Sewer District shall be subject to review and approval of the Sewer District.
- 5.11 Where necessary in the opinion of the Sewer District, the Owner shall provide, at his expense, such pretreatment as may be necessary to reduce the BOD and/ or Suspended Solids to 300 mg/1, or to reduce objectionable characteristics or constituents to within the maximum limits provided for in Sections 5.3 and 5.4 or control the quantities and rates of discharge of such waters or wastes.
- 5.12 Plans, specifications and other pertinent information relating to the proposed pretreatment facilities, shall be prepared and submitted by a Professional Engineer licensed in the State of

New York, for approval of the Sewer District, and no construction of such facilities shall be commenced until said approvals are obtained in writing.

- 5.13 Where the concentrations of sewage from an industrial, commercial or institutional establishment exceeds:
- a.) 300 mg/1 of BOD or
 - b.) 300 mg/1 of suspended solids or
 - c.) The total phosphorous measured as P is greater than 10 mg/1 and where such wastes are permitted to be discharged to the sewer system by the Sewer District, an added charge shall be made against such establishment according to the concentration of such wastes. The loading of such wastes shall be determined by composite samples taken over the period of time to develop a representative sample, and by flow data collected over a period of time to develop a representative probability plot. The collection and analyses of samples and flow data shall be conducted by the Sewer District or an authorized representative.
- 5.14 Where pretreatment facilities are provided for any waters or wastes, they should be operated and maintained continuously by the Owner at his expense.
- 5.15 The Sewer District may require the owner of any property served by a building sewer carrying industrial wastes, to install a wastewater flow meter and sampling device in a suitable control manhole in the building sewer to facilitate observation, sampling and measurement of the wastes. Such a manhole shall be located, constructed and maintained in accordance with plans approved by the Sewer District at the Owners expense.
- 5.16 All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in Sections 5.3, 5.4, 5.10 and 5.11 shall be determined in accordance with "Laboratory Determinations" as defined in Section 1.17 and shall be determined at the control manhole provided for in Section 5.15, or upon suitable samples taken at said control manhole. In the event that no special manhole has been constructed, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.
- 5.17 To determine the sewage flow from any establishment, the Sewer district may use one of the following methods in the following Subsections.
- 5.17.1 The amount of water supplied to the premises by the Town or a private water company as shown upon the water meter if the premises are metered.
 - 5.17.2 If the premises are supplied with river water or water from private wells, the amount of water supplied from such sources as estimated by the Town from the water, gas or electric supply.
 - 5.17.3 The number of gallons of sewage discharge into the sewer system as determined by measurements taken with a wastewater flow meter as described in Section 5.15.
 - 5.17.4 A figure determined by the Town by any combination of the foregoing or by any other equitable method.

- 5.18 No industrial wastewater shall be discharged to a trunk sewer or a sewer discharging directly or indirectly to a trunk sewer until a permit for industrial wastewater discharge has been approved by the Superintendent.
- 5.19 No statement contained in the Section shall be construed as preventing any special agreement or arrangement between the sewer district and any industrial user whereby an industrial wastes may be accepted by the sewer district, subject to payment, therefore, by the industrial user. No special agreement shall circumvent Federal Pretreatment standards and requirements.

SECTION 6 – PRETREATMENT REQUIREMENTS

6.1 PROHIBITED INDUSTRIAL WASTES

No person shall discharge or deposit or cause or allow to be discharged or deposited into the treatment works or public sewer, any waste which causes or contains the following:

- A. **Explosive Wastes.** Wastes, which create a fire or explosion hazard to the treatment works, collection system or to the operation of the system. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, etc. in sufficient quantities to create a fire or explosion hazard.
- B. **Corrosive Wastes.** Waste, which will cause corrosion or deterioration of the treatment works. All wastes shall have a pH not less than 6.0 or greater than 8.0. Prohibited materials include, but are not limited to, acids, sulfides, concentrated chloride or fluoride compounds, etc. in sufficient quantities to cause wastes having pH values less than 6.0 or greater than 8.0.
- C. **Solids or Viscous Wastes.** Solids or viscous wastes in amounts, which would cause obstruction to the flow in a sewer, or otherwise interfere with the proper operation of the treatment works. Prohibited materials include, but are not limited to, uncomminuted garbage, bones, hides or fleshings, ciders, sand, stove or marble dust, glass, etc.
- D. **Oils and Grease.** (1.) Any Industrial Wastes containing floatable fats, wax, grease or oils. (2.) Any Industrial Wastes containing more than 75 mg/l of emulsified mineral oil or grease.
- E. **Noxious Materials.** Noxious or malodorous solids, liquids or gases, which, either singly or by interaction with other wastes, are capable of creating a public nuisance or hazard to life, or are, or may be sufficient to prevent entry into a sewer for its maintenance and repair.
- F. **Radioactive Wastes.** Radioactive wastes or isotopes of such half life or concentration that they do not comply with regulations or orders issued by the appropriate authority having control over their use and which will, or may cause damage or hazards to the treatment works or personnel operating the system.
- G. **Interference.** Any waste, including oxygen demanding wastes (BOD etc.) released in a discharge at a flow rate and/or pollutant concentration which an industrial user knows or has reason to know will cause interference of the Town Treatment Works.
- H. **Excessive Discharge Rate.** Industrial wastes discharged in a slug of such volume or strength so as to cause a treatment process upset and subsequent loss of treatment efficiency.

- I. **Heat.** Heat in amounts, which would inhibit biological activity in the Town Treatment Works resulting in a treatment process upset, and subsequent loss of treatment efficiency, but in no case heat in quantities that the temperature at the POTW Treatment Plant influent exceeds 40°C (104°F).
- J. **Unpolluted Waters.** Any unpolluted water including, but not limited to, non-contact cooling water or uncontaminated storm water, which will increase the hydraulic load on the treatment system, except as approved by the Town.
- K. **Dilution Water.** Any water added for the purpose of diluting wastes, which would otherwise exceed applicable maximum concentration limits.
- L. **Violations.** Wastes, which cause the town Treatment Plan to violate its SPDES Permit, applicable receiving water standards, permit regulating sludge, which is produced during treatment, or any other permit issued to the Town.
- M. **Ultra Hazardous Toxics.** Those wastes designated by EPA as sufficient toxic that they shall not be discharged to the sanitary sewer in any concentrations.

6.2 **CATEGORICAL PRETREATMENT STANDARDS**

- 6.2.1 No person shall discharge or deposit or cause or allow to be discharged or deposited into the treatment works or public sewer, any waste which violates pretreatment standards. As pretreatment standards for toxic or other hazardous pollutants are promulgated by USEPA for a given Industrial category, all Industrial users within that category shall conform to the USEPA timetable as well as any numeric limitations imposed by USEPA. In addition, an Industrial User shall comply with any more stringent standards as determined by the Town or other agency. Pretreatment limitations established by the Town shall be contained in individual Industrial Discharge Permits. Changes and additions shall be made as necessary from time to time by resolution of the Town Board.

6.3 **UPSETS**

- 6.3.1 If for any reason, an Industrial User does not comply with or will be unable to comply with any prohibitions or limitations contained either in the Rules and Regulations, Ordinance or the Sewer Use Permit, the Industrial User responsible for such discharge shall immediately notify the Superintendent so that corrective action may be taken to protect the Treatment Works. In addition, a written report addressed to the Superintendent detailing the date, time and cause of the accidental discharge, the quantity and characteristics of the discharge and corrective action taken to prevent future discharges, shall be filed by the responsible Industrial user within five (5) days of the occurrence of the non complying discharger.
- 6.3.2 An upset shall constitute an affirmative defense to an action brought for non-compliance if the following requirements are met:
 - A. The Industrial User shall demonstrate through relevant evidence that:

1. An upset occurred and the Industrial User can identify the specific cause(s) of the upset; and that said cause(s) were due to circumstances reasonably beyond the control of the user;
2. The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures;
3. The Industrial user has submitted the written report described in paragraph (1) above within 5 days.

6.3.3 The Industrial User seeking to establish the occurrence of an upset shall have the burden of proof.

6.4 **PRETREATMENT FACILITIES**

6.4.1 A Pretreatment Facility or device may be required by the Town to treat or monitor industrial wastes prior to discharge to the public sewer or Town treatment works. Where pretreatment or construction necessary to control or monitor industrial wastes is required, prior to the issuance of, or as prescribed in the permit, schematics, detailed plans and specifications, process descriptions and other pertinent data or information relating to such pretreatment facility or device shall first be filed with the Superintendent. Such filing shall exempt neither the user nor the facility from compliance with any applicable code, nor the facility from compliance with any applicable code, Ordinance, rule, regulation or other of any Governmental authority or from these rules and regulations. Any subsequent alterations or additions to such pretreatment or flow-control facilities which might affect the quantity or characteristics of the waste being discharged shall not be made without due notice and submission of detailed plans and specification.

6.4.2 If inspection of pretreatment facilities and devices by authorized personnel of the Town reveals such systems are not installed or operating in conformance with the plans and procedures submitted to the Town, or are not operating in compliance with the effluent limitations required by the Town, the industrial user shall make those modifications necessary to meet those requirements. All pretreatment systems judged by the Town to require Engineering design shall have plans prepared and signed by an Engineer or suitable discipline licensed by the State of New York. If pretreatment or control of waste flows is required, such facilities shall be maintained in good working order and operated as efficiently as possible by the Owner or operator at his own cost and expense, subject to the requirements of these rules and regulations and all other applicable codes, Ordinances and laws.

6.5 **INDUSTRIAL WASTE REPORTING**

6.5.1 Every industrial user to whom a permit is issued shall file a periodic discharge monitoring report at such intervals as are designated by the Town prior to the issuance of, or contained in, the Sewer Use permit. The discharge report may include but, at the discretion of the Town, shall not be limited to, nature of processes, volume, rates of flow, mass discharge emission rate, production quantities, hours of operation, concentrations of controlled pollutants or other information which relates to the generation of industrial waste.

6.6 **INDUSTRIAL WASTE MONITORING**

- 6.6.1 All industrial users who discharge or propose to discharge wastes to the Town treatment works shall maintain such records as are necessary to demonstrate compliance with the requirements of these rules and regulations, the Sewer Use permit and any applicable State and Federal Pretreatment Standards or requirements. Such records shall be kept for a minimum of three years or as otherwise permitted by the Town.
- 6.6.2 Such records shall be made available upon request by the Superintendent. All such records relating to compliance with Pretreatment Standards shall be made available to officials of NYSDEC and Officials of USEPA upon demand. A summary of such data indicating the industrial user's compliance with these rules and regulations shall be prepared and submitted to the Superintendent as designated in the permit, utilizing forms contained in Appendix (A).
- 6.6.3 Each designated industrial user shall install, at his own cost and expense, suitable monitoring equipment to facilitate the accurate observation, sampling and measurement of industrial wastes. Such equipment shall be kept safe, secure from unauthorized entry or tampering and accessible at all times.
- 6.6.4 When more than one industrial user can discharge into a common sewer, the Superintendent may require installation of separate monitoring equipment for each industrial user. When there is a significant difference in wastewater constituents and characteristics produced by different operations of a single industrial user, the Superintendent may require that separate monitoring facilities be installed for each separate discharge.
- 6.6.5 Whether constructed on public or private property, the monitoring facilities shall be constructed in accordance with the Town's requirements and all applicable construction standards and specifications.

6.7 **COMPLIANCE DETERMINATION**

- 6.7.1 Compliance determinations with respect to any permit prohibitions and limitations may be made on the basis of instantaneous grab samples, sequential samples or composite samples. Sequential or composite samples may be taken over a 24-hour period, or over a longer or shorter time span, as deemed necessary by the Superintendent, to meet the needs of specific circumstances.
- 6.7.2 The Town may inspect the monitoring facilities of any industrial user to determine compliance with the requirements of these rules and regulations as specified.

6.8 **ANALYSIS OF INDUSTRIAL WASTES**

- 6.8.1 Laboratory analysis of industrial waste samples shall be performed in accordance with the current edition of "Standard Methods," "Methods of Chemical Analysis or Water and Waste," published by the U.S. Environmental Protection Agency. Analysis of those pollutants not covered by this publication shall be performed in accordance with procedures established by the NYSDEC or other applicable agency.

6.9 **FREQUENCY OF SAMPLING AND ANALYSIS**

- 6.9.1 Industrial wastes shall be sampled and analyzed for user charge and where required, pretreatment. The frequency of the sampling and analysis shall be specified in the Sewer Use permit and will vary, based on the quantity and quality of wastes discharged, as well as other factors which the Superintendent deems appropriate.
- 6.9.2 If a permittee analyzes his industrial wastes for parameters not required in the permit or at a greater frequency than specified in the permit, these results shall also be made available to the Town upon request.

SECTION 7. SEWER USE PERMITS

7.1 **SEWER CONNECTION PERMITS**

- 7.1.1 Except as provided in Section 7.3, no industrial user shall discharge or cause to be discharged, any wastes either directly or indirectly into the Town Treatment Works without first obtaining a Sewer Connection Permit issued by the Town.

7.2 **NEW INDUSTRIAL USERS**

- 7.2.1 New industrial users which desire to locate into the Sewer District sewer service area or existing industrial users which desire to commence operations at a new facility within the Sewer District, shall apply for and receive a Sewer Use Permit prior to the commencement of operations at the new facility. Although a Sewer Use Application may be submitted to the Town at any time, the Town shall issue a permit only after the user either procures title to the property or signs a Lease Agreement with the property Owner.

7.3 **EXISTING INDUSTRIAL USERS**

- 7.3.1 All industrial uses discharging wastes directly or indirectly to the Town Treatment Works prior to the effective date of these rules and regulations are hereby granted temporary authority to discharge these wastes. This temporary authority shall expire two months after enactment of this local law. Unless prior to that date the discharger has filed an application for a Sewer Use Permit pursuant to Sections 7.1, 7.6 and 7.8 of these rules and regulations. In such case this temporary authority shall expire on the date the Sewer Use Permit is issued. Any person discharging pursuant to the temporary authority provided for hereby is subject to all the provisions of these rules and regulations and such authority may be suspended or revoked in accordance with the terms and provisions set forth in Sections 7.10 and 7.11 of these rules and regulations.

7.4 **RENEWAL OF PERMITS**

- 7.4.1 If a Permittee wishes to continue discharging to the Town Treatment Works, he shall request a renewal of his Sewer Use Permit no less than 3 months prior to the expiration date of the permit then in force. Failure to make a timely application may result in the suspension or revocation of the permit. The request shall be contained in a form prepared by the Town. Renewal of the permit shall be contingent upon the Permittee having complied with the terms and conditions of the expired permit. Sewer Use Permit forms are contained in Appendix A of this Ordinance.

7.5 **DURATION OF PERMITS**

7.5.1 Permits will expire as indicated in the Permit (usually two (2) years.) Renewal of the Permit will be dependent upon compliance with the terms and conditions included in Section 7.4.

7.6 **CHANGES TO PERMITS**

7.6.1 Any industrial user that proposes to make any changes in its facility or processing which significantly affects either the quality or quantity of its discharge to the Town Treatment Works shall apply for an amended permit. Forms may be procured from Town and should be submitted at least 90 days prior to proposed changes are made.

7.7 **TRANSFER OF PERMITS**

7.7.1 Sewer Connection Permits are issued to a specific industrial user for a specific operation and are not transferable. A Permit shall not be reassigned or transferred or sold to a new Owner, new industrial user, or a new or changed operation. The Permittee shall notify the Superintendent within 14 days of any change in Ownership or Corporate structure.

7.8 **PROCEDURE FOR OBTAINING A SEWER CONNECTION PERMIT**

7.8.1 Persons desiring a Permit to discharge shall complete a Town application form and forward it to the Town. Upon receipt of all required information, the application shall be processed and if required and upon approval, a Permit shall be issued.

7.8.2 The application shall be approved if the applicant has complied with all applicable requirements of these rules and regulations and furnished to the Town all requested information, and if the Town determines that there is adequate capacity in the Town System to convey, and in the NCS D treatment works, treat and dispose of the industrial wastes.

7.8.3 An application submitted by a Corporation shall be signed by a Corporate Officer or other Executive Officer so designated. An application signed by an individual other than a Corporate Officer shall include a corporate Resolution granting the individual the authority to make the application on behalf of the Corporation. An application submitted by an industrial user other than a corporation shall be signed by a Proprietor or General Partner.

7.8.4 Where confidentiality is claimed by an industrial user, the Town shall conform to 40 CFR 403.14. Information and data provided to the Town, which is effluent data, shall be available to the public without restriction.

7.9 **SEWER CONNECTION PERMIT CONDITIONS**

7.9.1 Sewer connection permits will be negotiated with each industry to be permitted and shall be issued with at least the following applicable conditions.
a.) Monitoring Requirements for User Charge;
b.) Monitoring Requirements for Pretreatment;

- c.) Prohibitions and Limitations on Industrial Wastes Discharged to the Sanitary Sewer;
- d.) Compliance Schedules;
- e.) Reporting requirements;
- f.) Management requirements and responsibilities;
- g.) Special conditions applicable to industrial users on a case by case basis.

7.9.2 The terms and conditions of the permit may be subject to modification and change by the Town during the life of the permit, as limitations or requirements as identified in Sections 6.1 and 6.2 are modified and changed. The industrial user shall be informed of any proposed changes in his Permit at least (30) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

7.10 **SUSPENSION OF A SEWER CONNECTION PERMIT**

- 7.10.1 The Superintendent may, without formal notice, suspend a Sewer Use Permit for a period not to exceed 45 days when such suspension is necessary in order to stop a discharge which reasonably appears to present an imminent or substantial hazard to the public health, safety or welfare of persons.
- 7.10.2 The Superintendent may, after serving notice on the Permittee, including the opportunity to respond, suspend a Sewer Use permit for a period not to exceed 45 days when such suspension is necessary in order to stop a discharge which presents or may present an endangerment to the environment or which threatens to interfere with the operation of the Town or NCSO Collection and Treatment Works.
- 7.10.3 Any industrial user notified of a suspension of his Sewer Use Permit shall immediately cease and desist the discharge of all wastes regulated by that Permit. In the event of a failure of the industrial user to comply voluntarily with the Suspension Order, the Superintendent shall take such steps as are reasonably necessary to insure compliance.
- 7.10.4 Any suspended industrial user may file with Superintendent, a request for a hearing with the Town. Such a request shall not stay the Suspension. In the event of such request, the Town shall within 14 days of the receipt by the Director of such request, hold a hearing on the Suspension and shall either confirm or revoke the action of the Superintendent. Reasonable notice of hearing shall be given to the suspended industrial user. At this hearing the suspended industrial user may appear personally or through Counsel, present evidence in his own behalf.
- 7.10.5 In the event that the Town fails to meet within the time set forth above or fail to make a determination within 72 hours after the close of the hearing, the Order of Suspension shall be stayed until a determination is made either confirming or revoking the action of the Superintendent.
- 7.10.6 The Superintendent shall reinstitute the Sewer Use Permit upon proof of satisfactory compliance with all discharge requirements. The Town Counsel may, upon recommendation of the Superintendent, commence and prosecute such legal actions as may be appropriate to enforce the provisions of this section.

7.11 REVOCATION OF A SEWER CONNECTION PERMIT

- 7.11.1 The Town may revoke a Sewer Use permit upon a finding that the industrial user has demonstrated a refusal, inability or failure to take reasonable steps to comply with any of the provisions of these rules and regulations. No revocation shall be ordered until a hearing has been held by the Town, where the user shall have the right to be represented by Counsel and present evidence in his behalf. Notice of the hearing shall be given to the industrial user at least fifteen days prior to the date of the hearing.
- 7.11.2 Any industrial user whose Sewer Use Permit has been revoked shall immediately cease and desist all discharge of wastes regulated by that Permit. The Town may disconnect or permanently block from the public sewer, the connection of any industrial user whose permit has been revoked if such action is necessary to insure compliance with the Order of Revocation.
- 7.11.3 Before the discharge of wastes may be commenced by the industrial user, he must apply for and receive a new Sewer Connection Permit, pay all charges; penalties and such other sums as may be owed. Costs incurred by the Town in revoking the Permit and disconnecting the connection shall be paid by the industrial user before a new Permit is issued.

SECTION 8. PROTECTION FROM DAMAGE

- 8.1 No unauthorized person shall enter or maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the Sewer District sewage works.

SECTION 9. POWER AND AUTHORITY OF INSPECTORS

- 9.1 Duly authorized representatives or employees of the Town and /or Sewer District, bearing proper credentials and identification, shall be permitted to enter upon properties for the purposes of inspection, observation, measurement, sampling and/or testing required by this ordinance.
- 9.2 Duly authorized representatives of the New York State Department of Environmental Conservation and/or the United States Environmental Protection Agency, bearing proper credentials and identification shall be permitted to enter upon all properties for the purposes of inspection, observation, measurement sampling, and/or testing of waste discharges as required by this ordinance.

All such power and authority described and set forth herein shall be limited to the specific conditions of this ordinance and shall in no way infringe upon the constitutional rights of the private citizen under the laws of New York State and the United States of America.

SECTION 10. PENALTIES

- 10.1 Any person found to be violating any provision of this ordinance shall be served by the Town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

- 10.1.1 Any person who shall continue any violation beyond the time limit provided for in Section 10.1 shall be guilty of a misdemeanor and upon conviction thereof, shall be fined in an amount not exceeding five hundred dollars, or by imprisonment in the County Jail for not more than ninety days or by both such fine and imprisonment in the discretion of the Court, for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.
- 10.1.2 Any person violating any of the provisions of this ordinance shall become liable to the Town for any expense, loss or damage occasioned the Town by reason of such violation.
- 10.1.3 The Town is also authorized to apply to the Supreme Court of New York State for a permanent injunction to restrain any violation of this ordinance.

SECTION 11. RATES FOR CAPITAL COST AND SEWER RENTS

- 11.1 Pursuant to the provisions of article fourteen F (14F) of the General Municipal law of the State of New York entitled “Sewer Rent Ordinance” there is hereby established and imposed sewer rents as a means of producing revenue for the Town of Cambria Sewer District I.
- 11.2 Definitions:
 - 11.2.1 “Sewer Rents.” A scale of charges established and imposed in the Town of Cambria for service by the Sewer systems of Sewer District I.
 - 11.2.2 “Unit.” The base charge for sewer rent established in this ordinance.
- 11.3 The sewer charge structure for services to real property owners in the Town of Cambria Sewer District I shall be as follows:

<u>Water Usage</u>	<u>Equivalent Dwelling Unit (EDU)</u>
Each Dwelling Unit (Residence, apartment, mobile home)	1
<u>Commercial, institutional, industrial</u>	
0 to 72,000 gallons per year	1
over 72,000 gallons under 144,000 gallons	2
over 144,000 gallons under 216,000 gallons	3
over 216,000 gallons under 288,000 gallons	4
over 288,000 gallons under 360,000 gallons	5
Subsequent units shall be based upon 1 unit for every 72,000 gallons or less gallons of water consumed.	

- 11.4 Consumption of water shall be based upon the most recent annual reading prior to the rent levy or the best estimate of the Superintendent for new construction.
- 11.5 The rate per unit and gallonage per unit shall be established from time to time by resolution of the Town Board, and as shown on the Schedule annexed hereto and made a part hereof.
- 11.6 Sewer rents shall constitute a lien upon real property served by the sewer system pursuant to Article 14-F of the General Municipal Law. Sewer rents will be billed annually as provided by said law, which bill will provide that if not paid within 30 days of the date of said bill, a penalty in the amount of ten (10%) percent will be added. Any unpaid bills shall be presented in the form of notice of lien to the Niagara County Legislature on or before November 1, of any year, which Board shall levy the amounts contained in such statement against the real property liable at the same time and in the same manner as county or town taxes. Said amount shall be set forth in a separate column in the annual tax rolls. The amount so levied, including penalty, shall be collected and enforced in the same manner and at the same time as may be provided by law for the collection and enforcement of county and town taxes.

Sewer rents shall become due and payable 30 days after billing as above provided, which billing will be based upon O & M charges as set forth in the annual budget of the Town of Cambria pursuant to Section 11 of the Sewer Ordinance of said Town of Cambria.

SEWER CHARGES SHALL BE A LIEN UPON THE REAL PROPERTY upon which or in connection with which the sewer had been used. In all cases where sewer charges remain due and unpaid at the time the annual tax roll is made out, the same shall be included therein and levied against the real property upon which or in connection with which the sewer is used and shall be collected with and in the same manner as other town taxes, together with the additional charges, fees, and penalties incident to the collection of such taxes”. **(Amended 3/12/15 added)**

- 11.7 Each equivalent dwelling unit receiving sewer service and subject to sewer rents pursuant hereto, not being assessed a direct capital sewer charge pursuant to Section 11 herein, shall be liable for a sewer charge for sewer rent to include capital charges in the amount of \$30.00 per month per EDU for each month such unit is not paying an assessed valuation charge for sewer service.
- 11.8 Capital charges shall be established pursuant to Article 15 of the Town Law and the rate schedule as adopted each year by the Town Board shall apply to such charges to be assessed upon properties within the Cambria Sewer District No. 1.
- 11.9 To recover costs incurred by the Town/District in the processing of unpaid sewer bills for collection by the county, there shall be added to the amount of such unpaid bill the sum of \$100.00 for each property. The Town Board may by Resolution, change the amount of said fee from time to time as a Town Board may deem appropriate.”
(Amended 3/12/15 added 11.9)

CHARGE FOR PUBLIC SEWER CONNECTION

There shall be a charge of \$1,600.00 to be paid by the property owner to tap an existing sewer line within the Town of Cambria Sewer District, where such tapping does not require boring a highway or where a roadway can be open cut.

Where boring is required, the property owner shall be required to pay the actual cost incurred by the Town for such boring, plus the sum of \$1,600.00 for the tap-in fee.

GRINDER SEWER FEES (Amendment 8/09/07) (Amendment 6/12/14)

At the time of application for sewer service, the following fees shall be paid by the property owner:

- \$1,000 – tap-in connection fee
- Current Market Cost – to cover cost of grinder tank/pump/control panel

The Town Board may, by resolution, make any changes in rates and fees as they may deem necessary without the necessity of a public hearing.

SECTION 12. VALIDITY

12.1 The provisions of this ordinance are severable, and if any of the provisions, words, phrases, clauses or terms, or the application thereof to any person, firm or corporation, or to any circumstances, shall be held invalid, illegal or unconstitutional by any court of law having legal jurisdiction, such decision or findings shall not in any way affect the validity, legality or constitutionality of any other provision, word phrase, clause or term, and they shall continue in full force and effect.

12.2 All laws and parts of laws, all ordinances, codes and regulations which are inconsistent with or in conflict with or repugnant to any provisions of this ordinance, shall be deemed not to apply; provided that nothing herein contained shall be construed to prevent the adoption and enforcement of a law, ordinance, code or regulation which is more restrictive or establishes a higher standard than those provided in this ordinance.

12.3 This ordinance shall supersede all prior sewer ordinances.

SECTION 13. EFFECTIVE DATE

This ordinance shall take effect immediately, as soon as published, posted, and/or served as required by law.