

TOWN OF NORTH CASTLE

Local Law No. 5 For the Year 2009
(Adopted May 27, 2009)

A Local Law to amend Chapter 164 entitled SEWERS of the Town of North Castle to add Article 1B to the Code pertaining to Quarry Heights Sewer System.

Be It Enacted by the Town Board of the Town of North Castle as follows:

1. Article 1 is hereby amended to read Article 1A.
2. Article 1B is hereby added to the Code as follows:

§ 164-1B Description of Sewer District facilities

The sewer system described herein is known as a Low Pressure Sewer System. The facilities which comprise the district are unique; specifically there are no gravity sewers within the system with the exception of the individual building sewer to the simplex pump system for each property and the final connection of the pressure force main system to an adjoining community gravity sewer. Each property shall have and requires an individual pump system compatible with the entire low pressure conveyance system.

§ 164-2B Compliance Required

The following rules and regulations, established by the North Castle Town Board for the North Castle Sewer District No. 1b, are hereby made a part of any and all agreements with each party for laying, discharging and using the sewer of said district. Every user of the sewer from said sewer district system shall be in all respects bound and shall be considered to have assented to the rules and regulations and requirements of said North Castle Sewer District No. 1b, as a condition precedent to the rights to service from said sewer system.

§ 164-3B Promulgation of additional rules and regulations

The North Castle Town Board reserves the right to make such changes in the rules and regulations and requirements as they may, from time to time, deem desirable.

§ 164-4B Connections required; disconnection of private units.

At such time as a public sewer becomes available to a property served by a private wastewater disposal system, a direct connection shall be made to the public sewer. Where a public sanitary sewer is accessible in a street, alley, easement or thoroughfare to a building or premises abutting thereon, the liquid wastes from any plumbing system in said building shall be discharged into the public sewer unless prohibited by some law of New York State, Westchester County or Town of North Castle ordinance or rules or regulations of a sewer district; provided, however, that, in the case of a building which has never been connected to a public sanitary sewer, this section shall become effective 60 days after a notice from the Superintendent, requiring such connection, has been mailed to the owner, addressed to the premises or to such other address as may be recorded on the books of the Town of North Castle. When the connection to the public sewer involves a discontinuance of an existing cesspool or similar type of local disposal unit, said unit shall be immediately disinfected in a manner conforming to Westchester County Board of Health regulations and under the direction and in the presence of the Superintendent. The pit or pits shall be pumped out and covered over in a suitable and safe manner and, at the time of connection to sanitary sewer system, shall be filled with clean

earth and left safe in all respects. When existing plumbing work in a building is disconnected from a private disposal unit and connected to a public sewer, a house trap and fresh air inlet shall be provided; the house drain shall be replaced in part or entirely if found unsanitary; the direction of flow of the main house drain, together with the house sewer, shall not in any case have changes in direction aggregating greater than 90°.

§ 164- 5B Use of private systems.

No private sanitary disposal systems shall be accepted within the district, all properties must connect to the public sewer system.

§ 164-6B Discharge of unpolluted waters restricted.

No person(s) shall make connection of roof downspouts, foundation drains, areaway drains or other sources of surface runoff or groundwater, water from condensing and cooling apparatus to a building sewer which, in turn, is connected directly or indirectly to a public sanitary sewer. Such wastes may connect with storm sewers where same are available.

§ 164-7B Discharge from house sewer into pump system.

The discharge of the following items is to be avoided in an effort to extend the operation life of the individual property pump. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, bones, cinders, seafood shells, sand, kitty litter, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, garbage whole or ground by garbage grinders, whole blood, paunch manure, hair and fleshing, entrails and paper dishes, diapers, sanitary napkins or tampons, cups, milk containers, etc.

§ 164-8B Discharge of harmful waste.

Corrosive or harmful wastes shall not be discharged into a public sewer, nor shall such wastes be discharged into a plumbing system to which water closets, bathtubs, lavatories or other household plumbing fixtures are connected. The disposal system designed to receive such wastes shall be of a material capable of resisting the destructive action of such wastes and disposal method, and the system shall be made to meet with the approval of the Superintendent.

§ 164-9B Discharge into public sewers.

No person(s) shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

1. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
2. Any waters containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any waste treatment process, constitute a hazard to humans or animals, create a public nuisance or create any hazard in the receiving waters of the wastewater treatment plant, including, but not limited to, cyanides as CN in the wastes as discharged to the public sewer.
3. Any 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 the sewer facilities.
4. No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely in the opinion of the Superintendent that such wastes can harm either the sewers, sewage treatment process or equipment, have an adverse effect on downstream

facility, or can otherwise endanger life, limb, public property, or constitute a nuisance. The Superintendent may set limitations lower than the limitations established in the regulations below if, in his opinion, such more severe limitations are necessary to meet the above objectives. In forming his opinion as to the acceptability of these wastes, the Superintendent will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities of subject wastes in relation to flows and sewers, nature of the downstream sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant and other pertinent factors. The substances prohibited are:

5. Any liquid or vapor having a temperature higher than 150° F. (65° C.)
6. Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32° F. and 150° F. (0° C. and 65° C.)
7. Wastewater containing more than 25 milligrams per liter of petroleum oil, non biodegradable cutting oils or products of mineral oil origin.
8. Any waters or wastes containing strong acid pickling wastes or concentrated plating solutions, whether neutralized or not.
9. Any 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 material received in the composite sewage at the sewage treatment works exceeds the limits established by the Superintendent for such materials or limits pursuant to Section 307 of the Clean Water Act, whichever are more stringent.
10. Any waters or wastes containing phenols or other taste- or odor-producing substances, in such concentrations exceeding limits which may be established by the Superintendent as necessary to meet the requirements of the state, federal or other public agencies of jurisdiction for such discharge to the receiving waters.
11. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent, in compliance with applicable state or federal regulations.

§ 164-10B Discharge of certain wastes that may constitute a nuisance.

Catch basins and special disposal systems installed in the drainage system from any yard, manure pit, stable or other like place, the discharge from which, if improperly treated, might become a nuisance or danger to the health of the community. No drains from any such areas, or any floor drains shall connect directly to a sanitary sewer or to a private sanitary disposal system to which household fixtures are connected.

§ 164-11B Testing and verification.

1. The Superintendent and other duly authorized employees of the town bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation measurement, sampling and testing pertinent to discharge to the low pressure system in accordance with the provisions of this chapter.
2. While performing the necessary work on private properties referred to in Subsection 1 above, the Superintendent or duly authorized employees of the town shall observe all safety rules applicable to the access to the premises, and the owner shall be held harmless for injury or death to the town employees; and the town shall indemnify the owner against loss or damage to its property by town employees and against liability claims and demands for personal injury or property damage asserted against the owner and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required.

3. The Superintendent and other duly authorized employees of the town bearing proper credentials and identification shall be permitted to enter all private properties through which the town holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the wastewater facilities lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

§ 164-12B Penalties for offenses

No person(s) shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the sewer system facilities.

Any person committing an offense against any rules and regulations of this Article shall be guilty of a violation punishable by a fine not exceeding \$250 or by imprisonment for a term not exceeding 15 days, or by both such fine and imprisonment. The continuation of an offense against the provisions of this Article shall constitute, for each day the offense is continued, a separate and distinct offense hereunder.

§ 164-13B Permits; application; fees.

No unauthorized person(s) shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Superintendent.

Before any work is commenced, the owner(s) shall apply for a connection building sewer permit for residential sewer service which will be filed by the owner or his/her agent and shall make application on a special form furnished by the town. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Superintendent. A permit and inspection fee of \$25 for a residential building sewer permit shall be paid to the town at the time the application is filed.

All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner(s). The owner(s) shall indemnify the town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Each building, other than accessory buildings incidental to the principal building or structure on each parcel of property shall have a separate connection with the sewer system. Any such lateral sewer privately constructed shall be constructed in accordance with the standards contained herein and shall be properly maintained at all times.

§ 164-14B Excavation and inspection of trenches.

After the owner has received a permit and paid the necessary charges, he shall have the trench for the house sewer pipe excavated to true line and grade. No trench shall be backfilled until after the completed house sewer pipe has been inspected and passed by the Superintendent. The backfill shall be free from stones larger than six inches in diameter and shall be satisfactorily compacted either by tamping or flushing or both. The property owner or agent shall keep the trench to proper grade until final settlement is completed.

§ 164-15B Horizontal piping, building sewers.

The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the Building and Plumbing Code or other applicable rules and regulations of the town. In the

absence of code provisions or in application thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9 shall apply.

All horizontal piping shall be run in practical alignment and at a uniform grade of not less than 1/4 inch per foot up to five-inch diameter pipe inclusive and not less than 1/8 inch per foot for all large size, and all piping shall be supported or anchored at intervals not to exceed 10 feet. When making connections for house sewer into the public sewer pump system, the plumber, at his own expense, will utilize the necessary adapters to tie in the house sewer material used. The line running from the house or other building to the sanitary sewer shall be of not less than four inches extra heavy cast-iron or service weight pipe, and fittings bearing the Cast-Iron Soil Pipe Institute insignia, and shall be thoroughly caulked and joined with first quality molten lead and oakum, not less than one inch deep, well caulked.

All cast-iron pipe and fittings shall be four inches minimum size and conform to the American Society for Testing and Materials standard specifications for extra-heavy cast-iron soil pipe and fittings (serial designation A74-18). All pipes shall be cushioned by a minimum six-inch thick layer of 3/4 inch gravel. Under no circumstances shall grade blocks be left in place at the time of backfilling. Said stone shall additionally be placed to the spring line of the pipe.

When minimum, uncritical loading conditions exist as determined by the Superintendent, it shall be permissible to use SDR 35 PVC sewer pipe. The installation shall conform to the recommended practice of the Uni-Bell Plastic Pipe Association. The embedment shall be Class I. All pipe shall be bedded (cushioned) on a minimum six-inch thick layer of 3/4 inch crushed gravel. Additionally, the 3/4 inch crushed gravel shall be placed the full height of the pipe zone (packing to spring line of the pipe, thence to the crown of the pipe). Initial and final backfill material and procedures shall conform to Association recommendations and standards.

Whether cast-iron or SDR35 pipe is used, the connection will be made in the presence of the Superintendent. Care must be taken in making such connection that no damage will be caused to the system. One length of four-inch extra-heavy cast-iron pipe will be permitted through the foundation wall; an approved adapter will be used for pipe type transitions. All stacks shall be supported at their bases, and all pipes shall be rigidly secured. All excavation shall be backfilled and the earth rammed. In no case shall boulders or rock layers be used for backfill within two feet of house sanitary sewer service connection.

§ 164-16B Changes in direction of gravity line piping

All changes in direction shall be made by the appropriate use of forty-five-degree wyes, long sweep quarter bends, sixth, eighth or sixteenth bends, except that sanitary tees may be used on vertical stacks, and short quarter bends may be used in soil and waste lines where the changes in direction of flow is from the horizontal to the vertical. Tees and crosses may be used in vent pipes.

§ 164-17B Protection of materials.

All pipes passing under or through walls shall be protected from breakage. All pipes passing through or under cinders, cinder concrete or otherwise corrosive material shall be protected against external corrosion by means of sleeves and all stress points will be supported properly.

§ 164-18B Workmanship.

Workmanship shall be of such character as fully to secure the results sought to be obtained in all of the sections of this Article. The person so licensed to make such connection or opening shall comply with and be responsible for the following:

1. All openings into any sewer shall be made carefully without injuring the same and in accordance with New York State Uniform Code standards.
2. No obstruction of any description whatsoever shall be left in the connection.
3. Unless otherwise approved by the Superintendent, a minimum separation of 10 feet on centers shall be maintained between the house sanitary connection and the house water service, and the water line shall be at an elevation 18 inches higher than the sewer line if laid within 10 feet of the sewer line.
4. Any damage or injuries that may occur to persons, animals or property by reason of any opening in any street or right-of-way made by them or those in their employ.
5. The applicant for the building sewer permit shall notify the Superintendent a minimum of 24 hours prior to when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of a plumber licensed. No work shall be covered until inspected by the Superintendent or his representative. All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazard. Proper shoring shall be provided where necessary to avoid cave-ins into trench excavations. In the event that water conditions are encountered during trench excavations, a licensed plumber shall provide suitable pumping equipment to ensure installation of a house sanitary sewer under reasonably dry conditions, said groundwater to be disposed of in storm drainage facilities. Under no circumstances is groundwater to be disposed of in the sanitary sewers. At the time of connection to a public sewer, any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned, pumped out and filled with suitable inert material. Under no circumstances shall said sanitary waste material be disposed of into town sanitary sewers.
6. The provisions of the New York State Uniform Code applicable to plumbing shall apply, except as required herein.
7. All materials used in connecting to the sewer system shall be free from defects.
8. All joints and connections mentioned under this Article shall be made gas- and watertight.

§ 164-19B Required cleanouts.

A cleanout, easily accessible, shall be provided at the foot of each vertical waste or soil stack. There shall be at least two cleanouts in the house drain; one at or near the base of a stack and the other with a full Y-branch, inside the wall near the connection between the house drain and house sewer.

§ 164-20B Manholes.

All underground traps and cleanouts of a building, except where cleanouts are flush with the floor, and all exterior underground traps shall be made accessible by manholes with heavy iron, concrete or flagstone covers.

§ 164-21B Connections to pressure system.

In the event a connection is required for a property that has not been pre-connected to the existing system the following criteria must be met:

An application will have to be filed with the Superintendent for connection; additionally a plan will have to be submitted for connection which will include the method of connection, material to be used, pump data and nomenclature. A road opening permit and bond will be required with the highway department.

§ 164-22B Material for connection to pressure system.

High Density Polyethylene Pipe (HDPE) pressure rated pipe will be used for pressure connections (no substitutes) this material conforms to the existing system. The following pipe specifications are to be met.

1. The pipe shall be made from polyethylene resin compound with a minimum cell classification of PE 354464C for PE 3408 materials in accordance with ASTM D 3350. This material shall have Long Term Hydrostatic Strength of 1600 psi when tested and analyzed by ASTM D 2837, and shall be of Plastic Pipe Institute (PPI) listed compound.
2. High Density Polyethylene Pipe shall conform to ASTM 2240 and 1248 and shall be one continuous length, joints shall be linked using BUTT FUSING. The pressure rating shall be 200 psi (SDR-9). Rubber gaskets, conforming to ASTM D 1869 shall be used. All fittings shall have equal or better pressure rating than the pipe it is connecting to. Fittings shall be compatible with the kind and type of pipe specified.
3. Pumping facilities to be installed must match criteria of existing pressure system.

§ 164-23B Bond required; repairs by town.

- A. Where road pavement must be cut it will be necessary to first secure a street opening permit from the Highway Department. All requirements set forth in said permit shall constitute part of Chapter 102 Article III § 102-21-25, and the licensee and owner of the land benefited by the sewer connection shall be deemed to have accepted such permit or the issuance of the same on condition that there will be full compliance with the provisions of said section and that such persons will be bound thereby.
- B. Every person, firm or corporation, before being allowed to lay house sewers and connect with said district sewer system, shall furnish a bond in the amount of \$5,000 with one or more sureties acceptable to the Town Attorney conditioned substantially that he or it shall indemnify and save harmless the said district of and from all suits and actions brought against said district, or any officer thereof, for or on account of any injury or damage received or sustained by any person in consequence of or resulting from any work performed by him or it or his or its servants or agents or from any improper materials used in said work or from any negligence in guarding said work or from any act of omission of him or it or his or its servants or agents.
- C. The Highway Superintendent may, within one year after the completion of any work done by a person, firm or corporation, and with or without notice to him or it, repair or cause to be repaired any street in which such work shall be done, and the cost thereof shall be paid by the person, firm or corporation. It is further understood and agreed that all skilled workmen and laborers, as and when used on any work, shall be insured and protected in accordance with the state labor laws and subject also to all rules and regulations as to public employment.

§ 164-24B No liability for stoppage.

The sewer district shall not be liable or responsible for any stoppage in any main sanitary sewer or trunk line or any individual conveyance system for any reason whatsoever.

3. **Effective Date:** This Local Law should be effective immediately upon filing of same with the Secretary of State of the State of New York.