

(Please Use this Form for Filing your 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 of Clifton
Town
Village

Local Law No. 1 of the year 1988

A local law requiring minimum standards governing the design, construction and installation of septic tanks, soil absorption systems, privies, self-compostion toilets, and penalties for violations.

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

County
City of Clifton St. Lawrence County, N.Y.
Town
Village as follows:

SECTION 1. DEFINITIONS.

The following words and phrases shall have the meanings described as follows

- 1.1 Sanitary Commissioner shall mean the legally designated representative for the Town of Clifton, charged with the duty of inspecting and enforcing the provisions of this law.
- 1.2 Individual Sewage Disposal Systems shall mean a single sewage disposal system, other than a public or community system, which receives either human excreta or liquid wastes, or both, from one or more premises. Included within the scope of this definition are septic tanks, soil absorption systems, self composting, chemical-type toilets, and other types as seen fit by the Sanitary Commissioner.
- 1.3 Permit shall mean a written permit issued by the Town of Clifton under the recommendation of the Sanitary Commissioner, permitting the construction of a sewage disposal system under this law.
- 1.4 New York State Sanitary Code shall mean the guidelines as described in the handbook "Bulletin Waste Treatment Handbook on Individual Household systems", published by the New York State Department of Health, as amended January 1, 1975 by the State and as amended in this law.
- 1.5 Subdivisions shall mean any tract of land which is divided into two or more parcels along an existing or proposed street, highway, easement, right of way for sale or for rent as residential lots or residential building plots.
- 1.6 Dwelling shall mean a structure used as permanent living quarters for a person or group of persons living as a single housekeeping unit.

SECTION 2. REQUIREMENTS FOR INDIVIDUAL SEWAGE DISPOSAL SYSTEMS.

- 2.1 The Sanitary Commissioner of the Town of Clifton in order to protect the health and safety of the general public, is authorized and directed to administer regulations establishing minimum standards governing the design, construction, installation and operation of individual sewage disposal systems. The purpose of this law is to insure that the water discharged of various sewage disposal systems:
- (1) does not contaminate any drinking systems;
 - (2) is not accessible to insects, rodents or other possible carriers of disease, which may come into contact with food or drinking water;
 - (3) does not pollute or contaminate the waters of any bathing beach, shellfish breeding grounds lake or stream
 - (4) does not allow surface disposal of effluents.
- 2.2 The Sanitary Commissioner, if he deems it appropriate, shall recommend amendments to these regulations for adoption by the Town Board.
- 2.3 No dwelling shall be allowed without an operable sewage disposal system. Existing operable sewage disposal systems shall not be required to meet the design standards set forth in Section 2.5 below. Sewage disposal systems shall be altered or reconstructed to the standards established herein when such systems fail to be operable.
- 2.4 If the system fails to meet the criteria in Section 2.1, it shall be considered an inoperable system.
- 2.5 Specific Standards. The design of individual sewage disposal systems shall take into consideration the following items:
- (a) Existing well or water supply location, on site and adjacent;
 - (b) existing septic systems and leachfields both on applicant's property and neighboring property;
 - (c) soil characteristics and topography;
 - (d) household size and use.

The design and construction of these systems shall follow the guidelines of the most current New York State Sanitary Code as amended below.

These specifications shall serve to guide the Sanitary Commissioner in issuing or denying permits.

For the purpose of this law, the Town of Clifton shall require all Subdivisions be subject to the New York State Code, "Regulations Sewage Disposal in Realty Subdivisions". In addition, all campsites shall be subject to the "Temporary Residences and Mass Gatherings", and "Standards for Waste Treatment Works", Institutional and Commercial Service Facilities, New York State Department of Environmental Conservation, 1980.

Copies of the above New York State Code Section will be on file and available for reference from the Town Clerk.

SECTION 3. PERMITS.

- 3.1 It shall be unlawful for any person to construct, alter or extend a sewage disposal or sewage treatment system within the Town of Clifton, unless he holds a valid permit issued by the Sanitary Commissioner.
- 3.2 All applications for permits shall be submitted to the Town Clerk. Approval of application and granting of permits shall be based on complete submittal of all requirements, specified in this law, by the applicant.
- 3.3 The Sanitary Commissioner may refuse to grant a permit for the construction of an individual sewage disposal system if public or community sewerage systems become available.
- 3.4 Applications for building permits shall be in writing, shall be signed by the applicant and shall include the following:
1. Name and address of the applicant. Lot and block number of the property on which construction is proposed.
 2. Percolation test results as verified by the Sanitary Commissioner.
 3. A site plan showing location and dimensions of property, roadways, buildings, wetlands, streams, lakes, ponds, wells (both on site and adjacent), existing sewage systems and the proposed layout

- of the new system or alterations giving dimensions and capacities.
4. Date of application
 5. Such further information as may be required by the Sanitary Commissioner to substantiate that the proposed construction complies with the regulations of this law.

3.5 There shall be a fee for this permit in the amount of \$25.00 to cover the cost of administration.

SECTION 4. INSPECTIONS.

- 4.1 The Sanitary Commissioner is hereby authorized and directed to conduct such inspections as are necessary to determine satisfactory compliance with this code. The applicant shall give the Sanitary Commissioner access to the property at a time agreeable to both, prior to covering the disposal system, for the purpose of making the on-site inspection of the completed sewage disposal system.

SECTION 5. FINAL APPROVAL.

- 5.1 Final approval shall be required prior to the operation of the sewage disposal system. Such approvals shall be granted by the Sanitary Commissioner, based upon satisfactory installation of the facilities, based on the site plan for which the permit was issued.

SECTION 6. ENFORCEMENT.

- 6.1 Any violation of this law shall be punishable by a fine not to exceed \$100.00. Each day of the violation shall constitute a separate offense.

SECTION 7. APPEALS.

- 7.1 Any person whose application for a permit under this law has been denied may request a hearing on the matter before the Town Board. A hearing date shall be set not later than thirty (30) days from the date of the request.

SECTION 8. CONFLICT OF LAWS, EFFECT ON PARTIAL INVALIDITY.

- 8.1 In any case where a provision of this law is found to be in conflict with any other local provision, the article setting the higher standard in promoting the general public welfare shall be used. If any section or subsection of this law is declared invalid for any reason, the remainder of the code shall not be affected and shall continue in effect.

SECTION 9. AMENDMENTS.

- 9.1 Table one, "Separation Distances from Wastewater Sources" of the Waste Treatment Handbook, Individual Household Systems, New York State Department of Health, is hereby amended to read as follows: Distances between evapotranspiration-absorption between systems shall be one hundred (100) feet to stream, lake or watercourse.
- 9.2 Table one, "Separation Distances from Wastewater Sources" of the Waste treatment Handbook, Individual Household Systems, New York State Department of Health, is hereby amended to add the following:

Footnote (c), Distances are subject to revisions at the discretion of the Sanitary Commissioner, as influenced by the local terrain or soil conditions.
- 9.3 At the end of section "Non-Waterborne Systems" of the Waste Treatment Handbook, Individual Household Systems, New York State Department of Health, is hereby amended to add the following:

Self-Composting Toilets (without electric coils). A commercial product designed in various sizes for residential use or for use in remote areas such as beaches and rock areas where either water is at a premium or leaching is unacceptable. Cleaning is only necessary every one or two years depending on size and useage.

Systems of this nature should be installed per manufacturers

recommendations and as they handle only toilet and garbage waste, additional consideration must be made for disposal of the remaining gray water from sinks and laundrys.

- 9.4 At the end of Alternative Systems of the Waste Treatment Handbook, Individual Household Systems, New York State Department of Health, is hereby amended to add the following:

Alternative Systems. Further information concerning alternative systems may be obtained from local Planning Board or Sanitary Commissioner.

SECTION 10. EFFECTIVE DATE.

- 10.1 This law shall take effect immediately upon its adoption by the Town Board and its filing in accordance with the provisions of the Municipal Home Rule Law.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein 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.1..... of 19.88..
~~County~~
of the ~~City~~ of..... Clifton..... was duly passed by the Town Board.....
Town (Name of Legislative Body)
~~Village~~
on..... July 13..... 19.88.. in accordance with the applicable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. of 19.....
County
of the ~~City~~ of..... was duly passed by the
Town (Name of Legislative Body)
~~Village~~
on..... 19..... and was approved by the
not disapproved repassed after disapproval Elective Chief Executive Officer *
and was deemed duly adopted on 19....., in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19.....
County
of the ~~City~~ of..... was duly passed by the
Town (Name of Legislative Body)
~~Village~~
on..... 19..... and was approved by the
not disapproved repassed after disapproval Elective Chief Executive Officer *
on..... 19..... Such local law was submitted to the people by reason of a
mandatory referendum, and received the affirmative vote of a majority of the qualified electors voting
permissive general
thereon at the special election held on..... 19....., in accordance with the appli-
annual
cable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. of 19.....
County
of the ~~City~~ of..... was duly passed by the On
Town (Name of Legislative Body)
~~Village~~
..... 19..... and was approved by the on
not disapproved repassed after disapproval Elective Chief Executive Officer *
..... 19..... Such local law being subject to a permissive referendum and no
valid petition requesting such referendum having been filed, said local law was deemed duly adopted on
..... 19....., in accordance with the applicable provisions of law.

*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 chairman of the county legislative body, the mayor of a city or village or the supervisor of a town, where such officer is vested with 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 19..... of the City of..... having been submitted to referendum pursuant to the provisions of § 36 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 election held on 19 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 19..... of the County of, State of New York, having been submitted to the Electors at the General Election of November, 19, 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 of 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 above.

Janet S. Ploy

Clerk of the County Legislative Body, City, Town or Village Clerk or officer designated by local legislative body

Date: July 13, 1988

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF ST. LAWRENCE

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Charles Pat

Signature

Town Attorney

Title

Date: July 13, 1988

County
City of Clifton
Town
Village