

## **Chapter 120**

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[HISTORY: Adopted by the Board of Trustees of the Village of Camden 2-7-1977 as Ch. 46 of the 1977 Code. Amendments noted where applicable.]

GENERAL REFERENCES

Sewer and water service in mobile home parks — See  
Ch. 94.

Subdivision of land — See Ch. 130.  
Water — See Ch. 145.

ARTICLE I  
Definitions

§ 120-1. Definitions; word use.

- A. Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

ASTM (denoting "American Society for Testing and Materials") — The latest published amendments or revisions of the specifications and standards promulgated by the society.  
[Added 12-7-1999 by L.L. No. 4-1999]

BOD (denoting "biochemical oxygen demand") — The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20° centigrade expressed in parts per million by weight.

BUILDING DRAIN — That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet outside the inner face of the building wall.

BUILDING SEWER — The extension from the building drain to the public sewer or other place of disposal.

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

INDUSTRIAL WASTES — The liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.

**NATURAL OUTLET** — Any outlet into a watercourse, pond, ditch, lake or other body of surface water or groundwater.

**PH** — The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

**PROPERLY SHREDDED GARBAGE** — The wastes from the preparation, cooking and 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 1/2 inch in any dimension.

**PUBLIC SEWER** — A sewer in which all owners of abutting properties have equal rights, and is owned or controlled by public authority.

**SANITARY SEWER** — A sewer which carries sewage and to which storm-, surface and ground waters are not intentionally admitted.

**SEWAGE** — A combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground-, surface and storm waters as may be present.

**SEWAGE TREATMENT PLANT** — Any arrangement of devices and structures used for treating sewage.

**SEWAGE WORKS** — All facilities for collecting, pumping, treating and disposing of sewage.

**SEWER** — A pipe or conduit for carrying sewage.

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

**STORM DRAIN (SOMETIMES TERMED "STORM SEWER")** — A sewer which carries storm- and surface water and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

**SUPERINTENDENT** — The Superintendent of the Department of Public Works of the Village of Camden, or his authorized deputy, agent or representative. [Amended 12-7-1999 by L.L. No. 4-1999]

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

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

- B. "Shall" is mandatory; "may" is permissive.

ARTICLE II  
Use of Public Sewers Required

**§ 120-2. Unsanitary disposal of wastes prohibited.**

It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the Village of Camden, or in any area under the jurisdiction of said Village, any human or animal excrement, garbage or other objectionable waste, excepting insofar as may be permitted under the provisions of the State Sanitary Code.

**§ 120-3. Discharge of untreated sewage prohibited.**

It shall be unlawful to discharge to any natural outlet within the Village of Camden, or in any area under the jurisdiction of said Village, any sanitary sewage, industrial wastes or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.

**§ 120-4. Use of privies, septic tanks and other facilities restricted.**

Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.

**§ 120-5. Connection to available public sewer required.**

The owners of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes situated within the Village of Camden and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the Village, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this chapter within 90 days after the date of official notice to do so, provided that said public sewer is within 100 feet of the property line and that connection to said public sewer is feasible.

ARTICLE III  
Private Sewage Disposal

**§ 120-6. Connection required.**

Where a public sanitary sewer is not available under the provisions of § 120-5, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this article.

**§ 120-7. Permit required; fee.**

Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Superintendent. The application for such permit

shall be made on a form furnished by the Village, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the Superintendent. A permit and inspection fee as set from time to time by resolution of the Board of Trustees shall be paid to the Village Treasurer at the time the application is filed.

**§ 120-8. Inspection.**

A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Superintendent. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Superintendent when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within 48 hours of the receipt of notice by the Superintendent.

**§ 120-9. Compliance with other departmental or agency requirements.**

The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the New York State Department of Environmental Conservation or any other agency having jurisdiction. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than 20,000 square feet. No septic tank or cesspool shall be permitted to discharge to any public sewer or natural outlet.

**§ 120-10. Connection with public sewer when available.**

At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in § 120-5, a direct connection shall be made to the public sewer in compliance with this chapter, and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned and filled with suitable material.

**§ 120-11. Operation at owner's expense.**

The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the Village.<sup>1</sup>

ARTICLE IV  
**Building Sewers and Connections**

**§ 120-12. Permit required to connect with public sewer.**

No unauthorized 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.

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1. Editor's Note: Former § 46.37, regarding regulations imposed by the Health Officer, which immediately followed this section, was deleted 12-7-1999 by L.L. No. 4-1999.

**§ 120-13. Classes of permits.**

- A. There shall be two classes of building sewer permits:
- (1) For residential and commercial service.
  - (2) For service to establishments producing industrial wastes.
- B. In either case, the owner or his agent shall make application on a special form furnished by the Village. 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 as set from time to time by the Board of Trustees for a residential or commercial building sewer permit and for an industrial building sewer permit shall be paid to the Village Treasurer at the time the application is filed.

**§ 120-14. Costs to be borne by owner.**

All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Village from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

**§ 120-15. Separate building sewers required; exception.**

A separate and independent building sewer shall be provided for every building; except that where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

**§ 120-16. Use of old building sewers.**

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 chapter.

**§ 120-17. Construction specifications.**

- A. 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 applicable rules and regulations of the Village.
- B. The building sewer shall be cast iron soil pipe, ASTM specification (A74-42) or equal; vitrified clay sewer pipe, ASTM specification (C13-44T) or equal; or other suitable material approved by the Superintendent. Joints shall be tight and waterproof. Cast iron pipe with leaded joints may be required by the Superintendent where the building sewer is exposed to damage by heavy traffic or other harm.

- C. In the absence of provisions, or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9 shall apply.
- D. The size and slope of the building sewer shall be subject to the approval of the Superintendent, but in no event shall the diameter be less than four inches. The slope of such four-inch pipe shall be not less than 1/8 inch per foot.

**§ 120-18. Required elevation of building sewer.**

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within three feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipe and fittings. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

**§ 120-19. Drainage connections to sanitary sewers prohibited.**

No person shall make connection of roof downspouts, exterior foundation drains, areaway drains or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

**§ 120-20. Standards for connection to public sewer.**

- A. Excavations. All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the Superintendent. Pipe laying and backfill shall be performed in accordance with ASTM specification (12-19) except that no backfill shall be placed until work is inspected.
- B. Joints and connections.
  - (1) All joints and connections shall be made gastight and watertight.
  - (2) Cast iron pipe joints shall be firmly packed with oakum or hemp and filled with molten lead, federal specification (QQL-156), not less than one inch deep. Lead shall be run in one pouring and caulked tight. No paint, varnish or other coatings shall be permitted on the jointing material until after the joint has been tested and approved.
  - (3) All joints in vitrified clay pipe or between such pipe and metals should be made with approved hot poured jointing material or cement mortar as specified below.
  - (4) Materials in hot poured joints shall not soften sufficiently to destroy the effectiveness of the joint when subjected to a temperature of 160° F., nor be



soluble in any of the wastes carried by the drainage system. The joint shall be first caulked tight with jute, hemp or similar approved material.

- (5) Cement joints shall be made by packing a closely twisted jute or oakum gasket of suitable size to fill partly the annular space between the pipes. The remaining space shall be filled and firmly compacted with mortar composed of one part portland cement and three parts mortar sand. The material shall be mixed dry; only sufficient water shall be added to make the mixture workable. Mortar which has begun to set shall not be used or retempered. Lime putty or hydrated lime may be substituted to the extent of not more than 25% of the volume of the portland cement that may be added.
  - (6) Other jointing materials and methods may be used only by approval of the Superintendent.
- C. Superintendent to inspect connection. The applicant for the building sewer permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Superintendent or his representative.
- D. Guarding of excavations; restoration. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Village.

## ARTICLE V

### Use of Public Sewers

#### § 120-21. Discharge of surface waters.

No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial process waters to any sanitary sewer.

#### § 120-22. Discharge of stormwater or unpolluted drainage.

Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Superintendent. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Superintendent, to a storm sewer or natural outlet.

#### § 120-23. Prohibited wastes or waters.

Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:



- A. Any liquid or vapor having a temperature higher than 150° F.
- B. Any water or waste which may contain more than 100 parts per million, by weight, of fat, oil or grease.
- C. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
- D. Any garbage that has not been properly shredded.
- E. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.
- F. Any waters or wastes having a pH lower than 5.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.
- G. Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.
- H. Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.
- I. Any noxious or malodorous gas or substance capable of creating a public nuisance.

**§ 120-24. Grease, oil and sand interceptors.**

- A. When required. Grease, oil and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent, and shall be located so as to be readily and easily accessible for cleaning and inspection.
- B. Construction details. Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in the temperature. They shall be of substantial construction, watertight and equipped with easily removable covers which when bolted in place shall be gastight and watertight.
- C. Owner's responsibility. Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

**§ 120-25. Restrictions on certain wastes.**

- A. The admission into the public sewers of any waters or wastes having a five-day biochemical oxygen demand greater than 300 parts per million by weight; containing more than 350 parts per million by weight of suspended solids; containing any quantity of substances having the characteristics described in § 120-23; or having an average daily flow greater than 2% of the average daily sewage flow of the Village shall be subject to the review and approval of the Superintendent.
- B. Where necessary, in the opinion of the Superintendent, the owner shall provide, at his expense, such preliminary treatment as may be necessary to:
  - (1) Reduce the biochemical oxygen demand to 300 parts per million and the suspended solids to 350 parts per million by weight;
  - (2) Reduce objectionable characteristics or constituents to within the maximum limits, provided for in § 120-23; or
  - (3) Control the quantity and rates of discharge of such waters or wastes.
- C. Plans, specifications and other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Superintendent and no construction of such facilities shall be commenced until said approvals are obtained in writing.

**§ 120-26. Facilities to be maintained by owner.**

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

**§ 120-27. Manholes required.**

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

**§ 120-28. Measurements; tests; analyses.**

All measurements, tests and analyses of the characteristics of water and wastes to which reference is made in this chapter shall be determined in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in

the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by the customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. (The particular analyses involved will determine whether a twenty-four-hour composite of all outfalls of a premises is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from twenty-four-hour composites of all outfalls, whereas pH's are determined from periodic grab samples.)

#### ARTICLE VI Protection from Damage

##### **§ 120-29. Damaging or tampering with sewer.**

No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the sewage works. Any person violating this section shall be subject to immediate arrest.

#### ARTICLE VII Powers and Authority of Inspectors

##### **§ 120-30. Right to make inspections.**

The Superintendent and other duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this chapter. The Superintendent or his representative shall have no authority to inquire into any processes, including metallurgical, chemical, oil, refining, ceramic, paper or other industries, beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

##### **§ 120-31. Observation of safety rules.**

While performing the necessary work on private properties referred to in § 120-30, the Superintendent or duly authorized employees of the Village shall observe all safety rules applicable to the premises established by the company, and the company shall be held harmless for injury or death to the Village employees, and the Village shall indemnify the company against loss or damage to its property by Village employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by the negligence or failure of the company to maintain safe conditions as required in § 120-26 and § 120-27.

##### **§ 120-32. Entry on easements.**

The Superintendent and other duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter all private properties through which

the Village holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, replacement, improvement and maintenance of any portion of the sewage works 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 properties involved.

## ARTICLE VIII

### Penalties

#### § 120-33. Penalties for offenses.

- A. Violation of § 120-29. Any person who shall violate any provision of § 120-29 shall be guilty of a violation and on conviction thereof shall be punished by a fine not exceeding \$250 or imprisonment for not more than 15 days, or both such fine and imprisonment.
- B. Written notice of violation. Any person found to be violating any provision of the foregoing articles of this chapter except § 120-29 shall be served by the Village 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.
- C. Continued violation. Any person who shall continue any violation beyond the time limit provided for in Subsection B herein shall be guilty of a violation, and on conviction thereof shall be punishable as provided in Chapter 1, General Provisions, Article II, General Penalty. [Amended 12-7-1999 by L.L. No. 4-1999]
- D. Civil liability. Any person violating any of the foregoing provisions of this chapter shall become liable to the Village for any expense, loss or damage occasioned the Village by reason of such violation.

## ARTICLE IX

### Sewer Rents and Charges

#### § 120-34. Sewer rents established.

*Rent defined*

There is hereby established in the Village of Camden a scale of rents to be called "sewer rents," the revenues from which shall be used for financing and maintaining sewage collection and treatment facilities of the Village. The funds derived from these charges shall be used for all municipal expenses associated with design, engineering, construction, improving or maintaining a sewerage system, including engineering, planning, construction, reconstruction of sewers and sewage treatment works and all necessary appurtenances thereto, including pump stations, extension, enlargement, replacement or additions to the sanitary or stormwater sewer system, separation of sanitary and stormwater sewers or the preliminary or other studies and surveys relative thereto and from the acquisition of land or rights-of-way for any of the capital improvements.

**§ 120-35. Imposition of sewer rents.**

- A. In addition to any and all other fees and charges provided by law, the owner of any parcel of real property connected with the sanitary sewer system of the Village of Camden shall pay a sewer rent for the use of such sanitary sewer system.
- B. The sewer rental charge shall be assigned to owners of properties located within or without the corporate limits of the Village of Camden who contribute wastes to the municipal sanitary sewer system.
- C. The basis for the normal sewer rental charge shall be the volume of water consumed from the public water supply system by the individual property owner, computed in accordance with the following schedule: [Amended 6-6-1994 by L.L. No. 2-1994; 6-16-1998 by L.L. No. 4-1998; 6-17-2003 by L. L. No. 2-2003; 10-17-2012 by L.L. No. 2-2012; 1-22-2022]

<b>Water Consumed</b> <b>(gallons)</b>	<b>Rent</b>
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0 to 10,000	\$47.20 minimum
Next 10,001 to 30,000	\$3.66 per 1,000 gallons
Next 30,001 to 50,000	\$3.89 per 1,000 gallons
Next 50,001 to 100,000	\$4.25 per 1,000 gallons
Next 100,001 or more	\$5.13 per 1,000 gallons

- D. Properties served by the sewerage system but which receive water from another supply and properties which contribute to the sewerage system an amount of sewage substantially less than or substantially greater than the amount of water supplied to the premises by the Camden Water Works shall be charged a sewer rent to be determined by the Superintendent as equivalent to a normal user. If an owner does not agree with the determination of the Superintendent, he may ask for a public hearing before the Board of Trustees, which shall, after such hearing, affirm or modify the same as it deems appropriate.<sup>2</sup>
- E. The Board of Trustees may change the sewer rates set forth in § 120-35, Subsection C, set forth above by resolution, after a public hearing on at least five days' public notice. [Amended 10-17-2012 by L.L. No. 2-2012]<sup>3</sup>

**§ 120-36. Payment of sewer rents; penalties. [Amended 2-18-1986 by L.L. No. 2-1986]**

Metered service bills. Service bills shall be rendered at the scheduled Village rates at four-month intervals, except that the bill for the four-month period ending on March 1 may be estimated and shall be based on the charge for the same period the previous year. Such service bills shall be due and payable at the office of the Village Clerk within 30 days after the mailing date. On bills remaining unpaid after 30 days, a penalty of 10% of the amount of

2. Editor's Note: Former Subsection D, which allowed the Board of Trustees to reserve the right to change the stated percentage multiplier of the water bill, which immediately preceded this section, was repealed 6-6-1994 by L.L. No. 2-1994.

3. Editor's Note: Former § 46.93, Minimum charge, which immediately followed this section, was repealed 6-6-1994 by L.L. No. 2-1994.

the bill shall be imposed and added to the basic charge. Bills for sewer service shall be included, but be separately stated, and sent along with the water bills of customers served by the Village Water Department. Bills for sewer service to premises not served by the Village Water Department or not billed for water service shall be sent separately.

**§ 120-37. Annual review.**

The sewer rental rates shall be reviewed annually in January by the Board of Trustees or by a committee appointed by the Board of Trustees to determine, on the basis of the preceding year's experience, whether such rates shall be increased or decreased and in the case of properties with unmetered water service, whether the charges are equitable.

**§ 120-38. Sewer rent fund.**

Revenues derived from the sewer rents, including penalties, shall be credited to a special fund to be known as the "Sewer Rent Fund." Moneys in such fund shall be used in the following order:

- A. For the payment of costs of operation, maintenance and repairs of the sewerage system or such part or parts thereof of which sewer rents have been established and imposed.
- B. For the payment of the interest on and amortization of, or payment of, indebtedness which has been or shall be incurred for the construction or extension of the sewerage system or such part or parts thereof for which sewer rents have been established and imposed.
- C. For the construction of sewerage treatment and disposal works with necessary appurtenances, including pumping stations, or for the extension, enlargement or replacement of, or additions to, such sewerage system or part or parts thereof.

**§ 120-39. Enforcement procedures.**

- A. Lien; collection with Village taxes. Sewer rents shall constitute a lien upon the real property served by the sewerage system for which sewer rents have been established. The Village Treasurer shall annually on or before May 1 certify to the Village Clerk the amounts of all unpaid sewer rents, including penalties computed to the first day of the month following the month in which the fiscal year commences, with a description of the real property affected thereby. The Village Clerk shall present such certificate to the Board of Trustees and shall enter the same or an abstract thereof in the minutes of the meeting. The Board of Trustees shall levy such amounts against the real property liable therefor as a part of the annual tax levy setting forth such amounts in a separate column in the annual tax roll. The sewer rent fund shall be credited with the amount of an unpaid sewer rent, including penalties, and such amount, when collected, shall be credited to the general fund. The Board of Trustees in its discretion may authorize collection of delinquent sewer rents by civil action.

- B. Discontinuance of services. In addition to the remedies and penalties provided under Article 14-F of the General Municipal Law the Village, in the case of nonpayment of sewer rents for three months after notice sent by certified mail, reserves the right to discontinue water service and also to require any person, firm or corporation furnishing water service to discontinue water service. Failure of any water customer or user of sewer services to receive a bill promptly will not excuse nonpayment of the same.

**§ 120-40. Tap-in charge.**

A charge as set from time to time by resolution of the Board of Trustees shall be made and collected for each new connection or tap-in with the Village sewer system. A further additional charge as set from time to time by resolution of the Board of Trustees for property owners on streets, roads or highways which are state highways shall be made and collected, unless pavement does not have to be cut to install such sewer lines.<sup>4</sup>

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4. Editor's Note: Former § 46-100, Penalties, which immediately followed this section, was deleted 12-7-1999 by L.L. No. 4-1999.