

**VILLAGE OF WATERVILLE SEWER USE AND SEWER RENT ORDINANCE**

Adopted March 2, 1970  
Amended by Local Law No. 2 of 1981  
Amended by Local Law No. 2 of 1982  
Amended by Local Law No. 2 of 1984  
Amended by Local Law No. 2 of 1992  
Amended by Local Law No. 1 of 1996  
Amended by Local Law No. 1 of 1997  
Amended by Local Law No. 1 of 2006  
Amended by Local Law No. 3 of 2006  
Amended by Local Law No.2 of 2016

**SECTION 1.  
TITLE**

This ordinance shall be known as the Sewer Use and Sewer Rent Ordinance.

**SECTION 2.  
DESCRIPTION AND PURPOSE**

The sanitary sewer system of the Village of Waterville consists of lateral and trunk sewers laid in streets and rights of way, and a sewage treatment plant, the location of which are shown upon plans and drawing filed in the office of the Village Clerk, and all other appurtenances which are used in whole or in part in connection with the collection, treatment and disposal of sewage, industrial wastes and other wastes and all extensions, additions and improvements which may be made to such system. Its purpose is to provide for the collection and treatment of domestic sewage and such industrial wastes as are permitted by this ordinance, in order to promote the health, safety and general welfare of the residents of the Village of Waterville. The purpose of this ordinance is to protect the sewage collection and treatment facilities by controlling the quantity, quality and manner of discharge of sewage into the sanitary sewer system and to establish sewer rents by which the costs of construction of the system and continued collection and treatment may be equitably borne by resident of the Village or owners of property therein to whom the system is available.

**SECTION 3.  
DEFINITIONS**

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

- A. "Sewer System" shall mean all facilities for the collection, pumping, treatment and disposal of sewage, industrial or other waste, owned and operated or maintained by the Village of Waterville.
- B. "Sewage" shall mean a combination of water carried wastes from residences, business buildings, institutions, industrial establishments, or other places.
- C. "Sewer" shall mean a pipe or conduit for carrying sewage.
- D. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

- E. "Public Sewer" shall mean a sewer controlled by public authority, i.e., the Village of Waterville, New York.
- F. "Storm Sewer" or "Storm Drain" shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted and industrial wastes.
- G. "Industrial Wastes" shall mean the liquid or water born wastes from industrial processes as distinct from sanitary sewage.
- H. "Garbage" shall mean solid wastes from the preparation, cooking, and dispensing of food, and from the handling, storage and sale of produce.
- I. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such degrees that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particles greater than one-half (1/2) inch in any dimensions.
- J. "Building Drain" shall mean 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 any building and conveys it to the building or house lateral, beginning four (4) feet outside the building wall.
- K. "House Lateral" or "Building Lateral" shall mean the pipeline extending from the building drain to the public sewer or other place or disposal.
- L. "B.O.D." (Denoting Biochemical oxygen demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees (20C.), expressed in milligrams per liter.
- M. "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
- N. "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.
- O. "Sewage Treatment Plant" shall mean any arrangement of devices, buildings and structures owned by the Village of Waterville, New York and used for treating sewage.
- P. "Person" shall mean any individual, firm, company, association, society, corporation, group or agent therefore, including municipal corporations and school districts.
- Q. "Owner" shall mean any person having title to or any interest in real property in the Village of Waterville, New York.
- R. "Shall" is mandatory: "May" is permissive.
- S. "Village" shall mean the Village of Waterville, Oneida County, New York.
- T. "Superintendent of Public Works" shall mean the Superintendent of Public Works of the Village of Waterville, New York.
- U. "Sewer Rents" shall mean the tax or charge established and imposed by the Village upon persons or owners served by the sewer system.
- V. "Publicly Owned Treatment Works" (POTW) – A treatment works as defined by Section 212 of the Act (33 USC1292). Includes any sewers that convey wastewater to the POTW but does not include pipes, sewers or other conveyances not connected to a facility providing treatment.
- W. "Contamination" – An impairment of the quality of the waters of the State by waste to a degree which creates a hazard to the public health through poisoning or through the spread of disease.
- X. "Pollution" – The man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.
- Y. "Pretreatment"- Shall mean the reduction of the amount of pollutant properties in wastewater to a less harmful state prior to or lieu of discharging or otherwise

introducing such pollutants into a POTW. The reduction alteration can be obtained by physical, chemical or biological processes, process changes or by other means, except as prohibited by 40- CRF 403.6 General Pretreatment Regulations for Existing and New Sources of Pollution.

- Z. “New York State Department of Environmental Conservation” or NYSDEC – The NYS Department of Environmental Conservation or other duly authorized official of said Department.
- AA. “United States Environmental Protection Agency” or USEPA – The U.S. Environmental Protection Agency or where appropriate, a designation for the administrator or other duly authorized official of said agency.
- BB. “Significant Industrial User” – Any user who (i) has a discharge flow of 25,000 gallons or more per average work day, or (ii) has a flow greater than 5% of the flow in the municipality’s wastewater system, or (iii) has in his waste toxic pollutants as defined pursuant to Section 307 of the Act, or (iv) has been identified as one of the 21 Industrial categories pursuant to Section 307 of the Act, or (v) is found by the County to have significant impact, either singly or in combination with other contributing industries, on the treatment or collection system.
- CC. “Residential User” – Shall mean all premises used only for human residency and which is connected to the wastewater facility.
- DD. “Standard Methods” – Shall mean the latest edition of Standard Methods for Examination of Water and Wastewater, published by the American Public Health Association, Water Pollution Control Federation and America Water Works Association.
- EE. “Act” – Shall mean the Federal Clean Water Act, as amended.
- FF. “ASTM” – Shall mean the American Society for Testing and Materials.
- GG. “Easement” – Shall mean an acquired legal right for the specific use of land owned by others.
- HH. “NPDES” – Shall mean National Pollutant Discharge Elimination System permit program, whether administered by the EPA or by the (State of New York).

#### **SECTION 4.**

##### **REQUIREMENTS AND LIMITATIONS OF USE OF SEWER SYSTEM:**

- A. The owner of any residence, building or property used for human occupancy, employment, recreation, commerce, manufacturing or other purpose situated in the Village and abutting on any street, alley, easement or right of way in which there is a public sewer line, or to which there is otherwise available or accessible a public sewer line, is hereby required at his expense to connect such residences, building or property directly with the public sewer and to install suitable toilet facilities therein within the time specified after publication of an official notice to do so. Such connection shall be made, within six months after publication of such notice, for all properties now discharging sewage directly or indirectly into streams or water courses, and with eighteen months after publication of such notice for all other properties. Whenever a direct connection is made to the public sewer in compliance with this Local Law, any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned and filled with suitable backfill material.
- B. It shall be unlawful for any person to place, deposit, or permit to be deposited upon public or private property within the Village of Waterville any human or animal excrement, garbage or other objectionable wastes, and except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank,

cesspools, or other facility intended or used for the disposal of sewage within the Village of Waterville, New York.

- C. Where the Village sewer system is not available an owner may employ a private sewage disposal system, the type, capacity, location and construction of which shall comply with all requirements of the county and State Health Departments.
- D. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water, impounded water or unpolluted industrial process waters to any sanitary sewer or public sewer.
- E. Storm water 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 of Public Works. Industrial cooling water or other unpolluted process waters may be discharged to a storm sewer or natural outlet upon written approval of the Superintendent of Public Works. No such approval shall be given unless a NPDES permit, when necessary, has been obtained authorizing such discharge.
- F. Except as hereinafter provided no persons shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:
  - 1. Any liquid or vapor having a temperature lower than OC (32F) or that contain heat in amounts which will accelerate the biodegradation of wastes, causing the formation of excessive amounts of hydrogen sulfide in the wastewater sewer or inhibit biological activity in the wastewater treatment facilities, but in no case shall the discharge of heat cause the temperature in the village wastewater sewer to exceed 65.5C (150F) or the temperature of the influent to the treatment facilities to exceed 40C (104F) unless the facilities can accommodate such heat.
  - 2. Any water or waste which may contain more than one hundred (100) milligrams per liter by weight, of fats, oils or grease.
  - 3. Any waste which will create a fire or explosion hazard inducing, but not limited to, gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas, or any liquid, solids or gases which by reason of their nature or quantity are sufficient either alone, or by interaction with other substances, to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system) be more than five percent (5%), nor any single reading over ten percent (10%) of the Lower Explosive Limit (LEL) of the meter.
  - 4. Any garbage that has not been properly shredded.
  - 5. Any ashes, cinders, sand, mud, straw, shavings, animal wastes, metal, glass, rags, feathers, tar, plastics, wood, 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 in the opinion of the Superintendent of Public Works.
  - 6. Any waters or wastes having a pH lower than 5.5 or higher than 9.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works, in the opinion of the Superintendent of Public Works.

7. Any water or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, or to constitute a hazard to humans or animals, or to create any hazard in the receiving waters of the sewage treatment plant.
  8. 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, in the opinion of the Superintendent of Public Works.
  9. Any noxious or malodorous gas or substance capable of creating a public nuisance.
  10. Contain radioactive wastes in harmful quantities as defined by applicable State and Federal regulations.
  11. Contain any odor or color producing substances exceeding concentration limits which may be established by the Superintendent for purposes of meeting the Village's NPDES permit.
- G. Adequate grease, oil and sand interceptors shall be provided in all gas stations and wash racks and when in the opinion of the Superintendent of Public Works they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any inflammable wastes, sand, grit 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 of Public Works, and shall be located so as to be readily and easily accessible for cleaning and inspection. Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature and shall be of substantial construction, water tight, and equipped with easily removable covers which when bolted in place shall be gas tight and water tight.
- H. Where installed, all grease, oil and sand interceptors shall be maintained by the owner at his expense, in continuously efficient operation at all times.
- I. The admission into the public sewers of any waters or waste having (a) five day biochemical oxygen demand greater than three hundred milligrams per liter, or (b) containing more than three hundred fifty milligrams per liter of suspended solids or (c) containing any quantity of substances having the characteristics described in subdivision F of this section, or (d) having an average daily flow greater than two percent of the average daily sewage flow of the Village, shall be subject to the review and the approval of the Board of Trustees of the village. Where necessary, in the opinion of the Board of Trustees of the village, the owner shall provide, at his expense, such preliminary treatment as may be necessary to (a) reduce the biochemical oxygen demand to three hundred milligrams per liter and the suspended solids to three hundred fifty milligrams per liter, or (b) reduce objectionable characteristics or constituents to within the maximum limits provided for in this section, or (c) control the quantities and rates of discharge of such waters or wastes. Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for approval of the Board of Trustees of the Village and of the County and State Health Department and no construction shall be commenced until said approvals are obtained in writing. Where preliminary treatment facilities are required for any waters or wastes no permit for connection to the sewage system will be granted until such pretreatment units have been placed in operation and have demonstrated their effectiveness by test. The cost of such testing, sampling and analyzing shall be borne by the waste contributor. Said

preliminary treatment facility shall be maintained continuously and satisfactory in effective operation by the owner at his expense.

- J. When required by the Superintendent of Public Works, the owner of any property served by a house lateral carrying commercial-industrial wastes shall install a suitable control manhole in the lateral to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be conveniently and safely located and shall be constructed in accordance with plans approved by the Superintendent of Public Works. This 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 time.
- K. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in paragraph F and I shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Sewage" and may be determined at the control manhole provided for in paragraph J or upon suitable samples taken at said manhole. In the event that no special manhole has been required, the control manhole may be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Any analyses required by the Superintendent of Public Works pursuant to the provisions of this ordinance may be performed at the Sewage Treatment Plant or at such laboratory as may be designated by the Superintendent of Public Works and if the latter, the cost of these analyses shall be borne by the owner.
- L. No statement contained in this section shall be construed as preventing any special arrangement or agreement between the Board of Trustees of the Village and any industrial, commercial or other owner from whose premises a commercial-industrial or domestic waste emanates which if of unusual strength or character from being accepted by the Board of Trustees of the Village for treatment subject to payment therefore by such owner.

**SECTION 5.  
CONNECTION TO SEWER SYSTEM:**

- A. No person shall enter into, open, connect with, use or do any repair or maintenance work with respect to the sewer system except under the inspection and direction of the Superintendent of Public Works and without first obtaining a written permit from the Village Clerk.
- B. There shall be two classes of building sewer permits: (1) for residential and commercial uses and (2) for use by establishments producing industrial wastes. 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 such plans, specifications and other information considered pertinent and requested by the Superintendent of Public Works. A permit and inspection fee of thirty dollars (\$30.00) for a sewer permit shall be paid to the Village Clerk at the time the application is filed. Such fee may be subsequently changed by the Village Board.
- C. All costs and expense incident to the installation and connection of the building drain and house lateral shall be borne by the owner or his contractor. The owner shall also be liable for the initial cost of installation and continued maintenance of the house lateral from the building to the highway R/W line or easement line, whichever applies. Where a new service is constructed on an existing Village street, the owner shall also be liable for the cost of installing the connection from the building lateral to the existing sewer system.

- D. A separate and independent house lateral shall be provided for every building. Existing private sewer lines or laterals not passing through a septic tank may be used when they are found on examination by Superintendent of Public Works to be satisfactory and to meet all other requirements of this ordinance. Abandoned septic tanks, cesspools, laterals and other private sewage disposal facilities shall be removed or filled with suitable materials.
- E. House laterals shall be class 3500 PVC or greater and shall be surrounded by select earth compacted to at least a distance of one (1) foot above the pipe. Cast iron soil pipe with a cleanout inside the building must be used for the building drain through the wall of any building and for at least four (4) feet from the building to the connection of the building drain to the house lateral or building lateral.
- F. The size and slope of the house lateral shall be subject to the approval of the Superintendent of Public Works but in no event shall the internal diameter be less than four (4) inches. The slope of such four (4) inch pipe shall be not less than one-fourth (1/4) inch per foot except where unusual circumstances establish a proven hardship, in the opinion of the Superintendent of Public Works, and his opinion shall be final in this regard.
- G. No house lateral shall be laid in a ditch paralleling a gas line within four (4) feet of such other line, nor shall it be laid parallel or within three (3) feet of any bearing wall which might thereby be weakened. All house laterals shall be laid at uniform grade and in straight alignment insofar as possible and changes in direction shall be made only with properly curved pipe and fittings. The depth thereof shall be sufficient to afford protection from frost.
- H. In all buildings in which any building drain is too low to permit gravity flow to the sewer system, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the house laterals.
- I. All excavation required for the installation of a house lateral shall be open trench work unless otherwise approved by the Superintendent of Public Works. No backfill shall be placed until the work has been inspected by the Superintendent of Public Works. No house lateral shall be connected to the sanitary system unless the structure to be served shall have a soil line properly vented in a manner approved by the Superintendent of Public Works with such cleanouts along the house lateral as may be required by him.

**SECTION 5A.  
INDUSTRIAL COMPLIANCE SECTION**

- A. All permits issued to establishments producing industrial wastes shall be for a period of five years. Said permits can be extended for additional periods of five years provided the Superintendent of Public Works inspects said premises and finds the establishment in full compliance with this Local Law and all other applicable State and Federal regulations, and within the parameters of its original permit application.
- B. No permit issued to an establishment producing industrial wastes shall be assignable or transferable to a new owner, new user, or valid for any new or changed operations which alters the characteristics of the discharged wastes.
- C. In the event an industrial discharge changes a production or process such that the wastewater characteristics or flow is altered, said user shall apply for a permit modification.
- D. Permit application and applications for permit modification require information concerning volume, constituents and characteristics of wastewater, flow rates, each product produced by type, amount and rate of production, and description of

activities, facilities and plant processes on the premises including all materials processed and types of materials which are or could be discharged. The Village shall implement measures to ensure the confidentiality of information provided by an industrial discharger pursuant to this ordinance. In no event shall any claimed confidential information be disclosed to any person without prior notice in writing to the owner and without providing the owner with opportunity to protect such confidential information, including the right to seek judicial relief.

- E. The conditions or wastewater discharge permits shall be uniformly enforced by the Village in accordance with this ordinance and applicable State and Federal pretreatment regulations. Also, that the permits shall be expressly subject to all provisions of this ordinance and all other regulation, user charges and fees established by the Village and applicable State and Federal regulations.
- F. Permits shall contain specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types and standards for test and reporting schedule.
- G. An industrial user shall notify the Village immediately upon accidentally discharging wastes in violation of this ordinance. This notification shall be followed, within fifteen (15) days of the date of occurrence, by a detailed written statement describing the causes of the accidental discharge and the measures being taken to prevent future occurrence. Such notification will not relieve users of liability for any expense, loss or damage to the sewer system treatment plant or treatment process, or for any fines imposed on the Village under applicable State and Federal regulations.
- H. A notice shall be furnished and permanently posted on the industrial user's bulletin board advising employees whom, to call in case of an accidental discharge in violation of this ordinance. Also, copies of the ordinance are to be made available to users employees.
- I. Any direct or indirect connection or entry point for persistent or deleterious wastes to the user's plumbing or drainage system shall be eliminated. Where such action is impractical or unreasonable, the user shall approximately label such entry points to warn against discharge of such wastes in violation of this ordinance.
- J. When pretreatment regulations are adopted by USEPA or NYSDEC for any industry, then that industry must immediately conform to the USEPA or NYSDEC in accordance with Section 307 of the PL 95-217. Additionally, such industries shall comply with anymore stringent standards necessitated by local conditions as determined by the Village.
- K. No user shall ever increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the Federal Categorical Pretreatment Standards, or in any other pollutant specific limitation developed by the County or State unless authorized by State or Federal regulations.
- L. Any person who knowingly makes any false statements, representation, record, report, plan or other documentation filed with the municipality or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this ordinance, shall be deemed to have violated this ordinance as well as any applicable State and Federal laws.
- M. The Village may revoke any wastewater discharge permit or terminate or cause to be terminated wastewater service to any premises if a violation of any provision of this ordinance is found to exist or if a discharge or wastewater causes or threatens to cause a condition of contamination or pollution as defined in this ordinance.



**SECTION 6.**  
**POWER AND AUTHORITY OF INSPECTORS.**

- A. The Superintendent of Public Works, duly authorized employees of the Village, and USEPA and NYSDEC representative bearing proper credentials and identification shall be permitted to enter upon any property at reasonable hours for the purpose of inspecting, measuring, sampling, testing, repairing or disconnection or for any other purpose reasonably necessary to carryout and enforce the provision of this ordinance.
- B. The Board of Trustees of the Village may, at any time in its discretion, stop and prevent the discharge into the sewer system of any substance which it considers may injure the sewer system or interferes with its normal operation or obstruct the flow or hinder any process or sewage purification and it may, in furtherance of this provision, sever the connection and cause the removal of any house lateral or building lateral through which such detrimental substances are being discharged or cause the water service to disconnected and discontinued, or both. No action shall be taken by the Board of Trustees to implement the foregoing provisions unless the Village shall have given at least forty-eight (48) hours notice in writing stating the action to be taken and the grounds therefore except that such notice shall not be required if immediate action is necessary to prevent injury to the sewer system or any part thereof.

**SECTION 7.**  
**SEWER TAX OR RENT:**

- A. A quarterly charge is hereby imposed upon every person whose premises are served by the sanitary sewer system of the Village, either directly or indirectly, for the service rendered by the sewer system to the owners and other users of real property within the Village, and for the payment of the cost of construction, debt service, operation, maintenance and repair of said system.
- B. The quarterly charge based upon a unit system of measurement, shall be established as follows:
  - 1. Each single family dwelling shall be charged at the rate of one (1) unit.
  - 2. Each two family house, apartment house or multiple dwelling shall be charged at the rate of one (1) unit for each apartment or dwelling unit.
  - 3. Each business activity in a residence shall be charged at the rate of an additional one-half (1/2) unit.
  - 4. Each gas station and/or garage shall be charged at the rate of one and one-half (1-1/2) units including the first 4 employees plus one unit for each additional five employees or fraction thereof.
  - 5. Churches, lodges and religious or charitable organizations shall be charged at the rate of one (1) unit.
  - 6. Laundromats containing washers for public use shall be charged on the basis of the number of washers with two (2) washers equivalent to one (1) unit.
  - 7. Public schools shall be charged at the rate of one (1) unit for fifteen (15) students, teachers and employees including bus drivers, the number of which are to be determined as of the 30<sup>th</sup> day of September in each year for the next succeeding four quarters.

8. Commercial establishments, including but not limited to retail stores, wholesale distributors, light manufacturers, barber and beauty shops, bands, post offices, funeral homes, professional and business offices, lunch bars or other types of business enterprises not heretofore or hereinafter described shall be charged at the rate of one (1) unit for each five employees or fraction thereof.
  9. Industrial plants shall be charged on the basis of the number of employees as shown on their quarterly unemployment reports, water and character of waste as determined by the Village Board.
  10. Nursing homes shall be charged on the basis of the number of patients and employees.
  11. In the event the use of any parcel or real property combines two or more of the classifications herein set forth (except public schools) the number of units in each classification shall be determined, and the total thereof shall constitute the number of units to be charged to the entire parcel.
  12. Any classification not covered above shall be determined by the Village Board.
- C. The sewer tax or rent established by this section shall be charged whether or not the property is occupied and whether or not the property is connected to the sewer system by the required lateral.
- D. The amount of the sewer tax or rent shall be ninety- five dollars (\$95.00) per quarter year for one (1) unit. Sewer rents shall be due and payable in advance at the office of the Village Clerk on the 1<sup>st</sup> days of January, April, July and October of each year. Sewer tax or rent becoming due on other than the aforementioned quarterly dates shall be pro-rated and billed with the next succeeding quarter. In the event any sewer tax or rent shall not be paid within thirty (30) days from the date such rent is due it shall be considered delinquent and a penalty in the amount equal to fifteen (15%) per cent of the amount of the bill shall be added to the amount due.
- E. The Board of Trustees of the Village shall determine the number of units to be charged to each parcel or real property pursuant to sub-paragraph B of this section. The Village Clerk shall keep a record of all owners of real property within the Village, and this record shall indicate the classification or classifications of each parcel of real property according to sub-paragraph B of this section and the total number of units charged to such property. Bills shall be mailed to the owners of such property at the address to which Village tax bills are mailed unless otherwise requested in writing by the owner. The failure of any owner or designated agent to receive a bill promptly shall not excuse nonpayment of same as herein provided, and in the event an owner fails to receive a bill promptly he shall obtain a bill at the office of the Village Clerk.
- F. Collection of delinquent sewer tax or rent may be enforced by the Village pursuant to Section 452 of the General Municipal Law as heretofore enacted and hereafter amended. In addition thereto, in the event any sewer tax or rent is not paid within ninety (90) days from the date due, the Board of Trustees of the Village may cause a notice to be delivered or mailed to the owner, addressed as provided in subdivision E of this section, and to the occupant of the premises, addressed at the premises, stating the amount due and demanding payment thereof within a period of at least ten (10) days of the date of such notice and stating that if such payment is not made, the water service or the sewer service, or both, shall be discontinued without further notice, and, at the expiration of such period as provided in such notice, the Board of Trustees of the Village or the duly designated employees or officer of the Village may enter on said premises and cause the water service, or the sewer service, or both, to be

disconnected and discontinued. A charge of thirty (\$30.00) dollars shall be made for discontinuing or reconnecting each of such services on account of non-payment or sewer rents and such charges shall be billed and collected in the same manner as sewer tax or rent.

- G. All revenues derived from sewer tax or rent including interest and penalties, thereon, and charges, shall be credited to a special fund to be know as the “Sewer Tax or Rent Fund”. The moneys in such fund shall be used only for the purposes and in the manner specified in Article 14-F of the General Municipal Law.

**SECTION 8.  
PENALTIES**

- A. No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or otherwise tamper with any structure, appurtenance or equipment which is a part of the Village Sanitary Sewer System. A violation of this provision shall constitute disorderly conduct and the person committing such a violation shall be a disorderly person. Such person shall be liable to the Village for any expense, loss or damage occasioned by reason of such violation.
- B. Any person violating any provisions of this ordinance other than those provisions contained in Section 7 shall, upon conviction be fined in an amount not to exceed One Thousand (\$1,000.00) dollars for each such violation. When any such violation shall be continuous for more than one (1) day, each twenty-four (24) hours thereof shall constitute a separate, distinct and additional violation. In addition thereto such person shall be liable to the Village for any expense, loss or damage occasioned by reason of such violation.

**SECTION 9.  
REPEAL OF PRIOR ORDINANCES**

All ordinances or parts of ordinances of this Village in conflict with or inconsistent with the provisions of this ordinance are hereby repealed.

**SECTION 10.  
VALIDITY**

The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any part of this ordinance which can be given effect without such invalid part or parts.

**SECTION 11.  
EFFECTIVE DATE**

This ordinance shall be in full force and effect upon compliance with Section 95 of the Village Law as amended.