

Chapter 147

SEWER USE

GENERAL REFERENCES

Building construction — See Ch. 76.

Sewer rents and charges — See Ch. 144.

Streets and sidewalks — See Ch. 163.

Subdivision of land — See Ch. 167.

Water — See Ch. 189.

Zoning — See Ch. 200.

ARTICLE I
Definitions

§ 147-1. Definitions and word usage.

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

B.O.D. (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° C. 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 wastes, 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.

EQUIVALENT DWELLING UNIT (EDU) — An occupied unit with water use generally equivalent to that of a single-family home.[Added 10-21-2019 by L.L. No. 2-2019]

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

INDUSTRIAL WASTES — The liquid wastes from industrial processes as distinct from sanitary sewage.

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

PERSON — Any individual, firm, company, association, society, corporation, or group.

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 degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no article greater than 1/2 inch in any dimension.

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

SANITARY SEWER — A sewer which carries sewage and to which stormwater, surface water and groundwater are not intentionally admitted.

SEWAGE — A combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments together with such groundwater, surface water and stormwater 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.¹

SEWER — A pipe or conduit for carrying sewage.

STORM SEWER or STORM DRAIN — A sewer which carries storm and surface water and drainage, but excludes sewage and polluted industrial wastes.

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.

WCWSA SEWER USE RULES — The Wayne County Water and Sewer Authority Amended and Restated Sewer Use Rules and Regulations, adopted by resolution of the Wayne County Water and Sewer Authority Board of Directors on May 28, 2019, as may be amended from time to time. **[Added 10-21-2019 by L.L. No. 2-2019]**

- B. “Shall” is mandatory; “may” is permissive.

1. Editor’s Note: The original definition of “Superintendent,” which immediately followed this definition, was deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

ARTICLE IA

**Wayne County Water and Sewer Authority Sewer Use Rules
[Added 10-21-2019 by L.L. No. 2-2019]****§ 147-1.1. Application of Wayne County Water and Sewer Authority Amended and Restated Sewer Use Rules.**

Except as set forth herein, Wayne County Water and Sewer Authority Amended and Restated Sewer Use Rules, adopted May 28, 2019 by the Wayne County Water and Sewer Authority Board, and as may be amended from time to time, shall apply to properties located within the Village of Palmyra. A copy of the current Wayne County Water and Sewer Authority Amended and Restated Sewer Use Rules is attached, in Appendix "A."² In the event of any conflict between the provisions of the Village of Palmyra Sewer Use Law then in effect and the provisions contained in Appendix "A," the provisions of the Wayne County Water and Sewer Authority Amended and Restated Sewer Use Rules as set out in Appendix "A" then in effect shall govern.

§ 147-1.2. When effective.

The Wayne County Water and Sewer Authority Amended and Restated Sewer Use Rules, adopted May 28, 2019, shall apply to all properties located in the Village of Palmyra on the date when this article is filed with the Secretary of State.

2. Editor's Note: Said appendix is on file in the Village offices.

ARTICLE II
Use of Public Sewers Required

§ 147-2. Unsanitary deposits on property prohibited.

It shall be unlawful for any person to place, deposit, or permit to be deposited in an unsanitary manner upon public or private property within the Village of Palmyra, or in any area under the jurisdiction of said Village, any human or animal excrement, garbage, or other objectionable waste.

§ 147-3. Unsanitary discharges into outlets prohibited.

It shall be unlawful to discharge to any natural outlet within the Village of Palmyra, 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.

§ 147-4. Use of privies, cesspools and similar receptacles 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.

§ 147-5. Sewer facilities to be used when available.

The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the Village of Palmyra and abutting on any street 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 date of official notice to do so, provided that said public sewer is accessible and available.

ARTICLE III
Private Sewage Disposal

§ 147-6. Use of private disposal limited.

Where a public sanitary or combined sewer is not available under the provisions of § 147-5, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this article.

§ 147-7. Permit required for construction of private facilities.³

Before commencement of construction of a private sewage disposal system the owner shall first obtain a written permit signed by the Village Engineer or other Village-designated representative. 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 Village Engineer or other Village-designated representative. A permit and inspection fee in the amount 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.

§ 147-8. Inspection.⁴

A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Village Engineer or other Village-designated representative. He shall be allowed to inspect the work at all stages of construction and, in any event, the applicant for the permit shall notify the Village Clerk when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be within 72 hours of the receipt of notice.

§ 147-9. System to comply with recommendations.⁵

The type, capacities, location and layout of private sewage disposal systems shall comply with all recommendations of the Code Enforcement Officer. No septic tank or cesspool shall be permitted to discharge to any public sewer or natural outlet.

§ 147-10. When public sewers become available.

At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in § 147-5, 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.

§ 147-11. Operation of private facilities.

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

3. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

4. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

5. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

§ 147-12. Saving clause.

No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the Health Officer.

ARTICLE IV
Building Sewers and Connections

§ 147-13. Permit required to alter or open sewers.⁶

No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining an application from the Village Clerk. The permit application shall be supplemented by any plans, specifications or other information considered pertinent.⁷

§ 147-14. Fees and costs.⁸

Application fees are set from time to time by resolution of the Board of Trustees. All costs and expenses incident to the installation and connection of the building sewer above and beyond the application fee 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.

§ 147-15. Separate line to each building; exception.⁹

A separate and independent building-sewer line shall be provided for every building except where otherwise permitted by the Village Engineer or duly appointed official of the Village Board; except 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.¹⁰

§ 147-16. Materials.¹¹

The building sewer shall be constructed of one of the following materials:

- A. Sewer lateral pipe for gravity sewer.
 - (1) Cast iron sewer pipe shall be extra heavy class with rubber gasket joints and maximum lengths equal to five feet zero inches per ASTM A-74.
 - (2) Polyvinyl chloride (PVC) pipe shall be of a minimum wall thickness SDR 35 with elastomeric gasket joints, supplied in standard lengths, and conform to ASTM D-3034.
- B. Sewer lateral pipe for pressure sewer.
 - (1) Polyvinyl chloride (PVC) pipe and fittings shall meet the same requirements as PVC force mains.

6. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

7. Editor's Note: Original § 17-14, Classes of sewer permits, which immediately followed this section, was deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

8. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

9. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

10. Editor's Note: Original § 17-17, Old sewers to new buildings, which immediately followed this section, was deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

11. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

§ 147-17. Size and slope.¹²

The size and slope of the building sewer shall be subject to the approval of the Village Engineer or duly appointed official of the Village Board, but in no event shall the diameter be less than four inches. The slope shall be not less than 1/4 inch per foot.

§ 147-18. Laying of sewer.

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.

§ 147-19. Low drains.

In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the building sewer.

§ 147-20. Excavations and fill.¹³

All excavations required for the installation of a building sewer shall be open-trench work unless otherwise approved by the Superintendent of the Highway Department. Pipe laying and backfill shall be performed in accordance with ASTM specification C12 except that no backfill shall be placed until the work has been inspected.

§ 147-21. Joints.

All joints and connections shall be made gastight and watertight.

§ 147-22. Connecting private to public sewer.¹⁴

The connection of the building sewer into the public sewer shall be made at the “Y” branch, if such branch is available at a suitable location. If the public sewer is 12 inches in diameter or less, and no properly located “Y” branch is available, the owner shall at his expense install a “Y” branch in the public sewer at the location specified by the Village Engineer or duly appointed official of the Village Board. Where the public sewer is greater than 12 inches in diameter and no properly located “Y” branch is available, a neat hole may be cut into the public sewer to receive the building sewer with entry in the downstream direction at an angle of about 45°. A forty-five-degree ell may be used to make such connection with the spigot end cut so as not to extend past the inner surface of the public sewer. The invert of the building sewer at the point of connection shall be at the same or at a higher elevation than the invert of the public sewer. A smooth, neat joint shall be made and the connection made secure and watertight by encasement of concrete. Special fittings may be used for the connection only when approved by the Village Engineer or duly appointed official of the Village Board.

12. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

13. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

14. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

§ 147-23. Inspection.¹⁵

The applicant for the building sewer permit shall notify the Village Clerk or Water or Sewer Departments when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Village Engineer or duly appointed official of the Village Board, or his representative.

§ 147-24. Guarding 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 work shall be restored in a manner satisfactory to the Village.

§ 147-25. Cleanouts. [Added 4-11-1961¹⁶]

There shall be an accessible cleanout on the building drain near its junction with the building sewer or building trap inside the building. The cleanout shall be installed on the sewer side of all building fixtures except the building trap, if one is required. Approved material shall be four-inch cast-iron pipe, or SDR-35 PVC. In no case shall the cleanout opening be less than three inches above the basement or grade floor, whichever is lower. The open drain of a basement shower shall not be less than three inches above the basement or grade floor, whichever is lower.

§ 147-26. Traps. [Added 4-11-1961]

Where all water fixtures in a building are equipped with suitable fixture traps a building trap shall not be required. Where any fixtures are not equipped with suitable traps, there shall be a building trap located within two feet of the cellar or basement wall inside the building consisting of four-inch cast-iron soil pipe provided with two brass cleanout plugs and suitably vented on the house side.

§ 147-27. Connection between drain and sewer. [Added 4-11-1961]

The connection between the building drain and building sewer shall be a duplex coupling and there shall be no threaded connection ahead of the cleanout on the sewer side of the building connection. The bands shall be of a full sweep and the cleanout plug shall be of full size.¹⁷

15. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

16. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

17. Editor's Note: Original § 17-30, Surety for compliance required, added 4-11-1961, which immediately followed this section, was deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

ARTICLE V
Regulations for Use of Public Sewers

§ 147-28. Prohibited discharges. [Amended 8-28-1972]

No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, cooking water or unpolluted industrial process waters to any sanitary sewer, nor make or maintain any connections facilitating the discharge of said stormwater, surface water, groundwater, roof runoff, subsurface drainage, cooling water or unpolluted industrial process waters.

§ 147-29. Storm sewers.¹⁸

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 of the Highway Department. Industrial cooling water or unpolluted process waters may be discharged upon approval of the Superintendent of the Highway Department, to a storm sewer or natural outlet.

§ 147-30. Description of prohibited discharges.

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 waste 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, or which 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.

18. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

- I. Any noxious or malodorous gas or substance capable of creating a public nuisance.

§ 147-31. Interceptors required.¹⁹

Grease, oil and sand interceptors shall be provided when, in the opinion of the Village Engineer or duly appointed official of the Village Board, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand and 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 Village Engineer or duly appointed official of the Village Board and shall be located 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. They shall be of substantial construction, watertight and equipped with easily removed covers which when bolted in place shall be gastight and watertight.

§ 147-32. Maintenance of interceptors.

Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

§ 147-33. Treatment facilities.²⁰

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, or containing more than 350 parts per million by weight of suspended solids, or containing any quantity of substances having the characteristics described in § 147-30C, or having an average daily flow greater than 2% of the average daily sewage flow of the Village, shall be subject to the review of the Village Engineer or duly appointed official of the Village Board. Where necessary in the opinion of the Village Engineer or duly appointed official of the Village Board, the owner shall provide, at his sole expense, such preliminary treatment as may be necessary to reduce the biochemical oxygen demand to 300 parts per million and the suspended solids to 350 part per million by weight, or reduce objectionable characteristics or constituents to within the maximum limits provided for in § 147-30, or 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 the approval of both the Village Engineer or duly appointed official of the Village Board and the Code Enforcement Officer, and no construction of such facilities shall be commenced until said approvals are obtained in writing.

§ 147-34. Treatment facilities to be maintained by owner.

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

19. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

20. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

§ 147-35. Manholes.²¹

When required by the Superintendent of the Highway Department, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole 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 of the Highway Department. The manhole shall be installed by the owner at his sole expense and shall be maintained by him so as to be safe and accessible at all times.

§ 147-36. Tests.

All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in §§ 147-30 and 147-33 shall be determined in accordance with "Standard Methods for the Examination of Water and Sewage," and shall be determined at the control manhole provided for in § 147-35, 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 from the point where the building sewer is connected.

§ 147-37. Saving clause.

No statement contained in this article shall be construed as preventing any special agreement or arrangement between the Village and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Village for treatment, subject to payment therefor by the industrial concern.

21. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

ARTICLE VI
Protection from Damage

§ 147-38. Penalty for damage.

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 municipal sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

ARTICLE VII
Powers and Authority of Inspectors

§ 147-39. Right of entry.²²

The Village Engineer or duly appointed official of the Village Board and other duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter upon all properties for the purposes of inspection, observation, measurement, sampling and testing, in accordance with the provisions of this chapter.

22. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

ARTICLE VIII
Penalties

§ 147-40. Notice of violation; abatement.

Any person found to be violating any provision of this chapter except § 147-38 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.

§ 147-41. Penalties for offenses.²³

A violation of this chapter beyond the time limit provided by § 147-40 shall subject such person, upon conviction, to a fine not exceeding \$250 or a term of imprisonment not exceeding 15 days, or both, for each violation. Each day in which such violation shall continue shall be deemed a separate offense.

§ 147-42. Liability for expense.

Any person violating any of the provisions of this chapter shall become liable to the Village for any expense, loss or damage occasioned by reason of such violation.

23. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

