

**SANITARY DISPOSAL REQUIREMENTS
TOWN OF FENNER
MADISON COUNTY, N.Y.**

In order to promote a healthy environment and to protect residents of the Town from unhealthy conditions due to improper sanitary facilities, the Town plans to adopt these sanitary disposal requirements.

CHAPTER 1. INTRODUCTION

Section 1.01 Adoption

At their meeting held on the 7th day of January 1975, the Town Board of the Town of Fenner adopted the following Sanitary Disposal Requirements for the purpose of protecting public health, safety, and well-being.

Section 1.03 Use of Authority

Before any private or public sewage disposal facility is installed or altered, it must receive approval by the Sanitary Inspector appointed by the Town. Any Sewage Disposal installation shall be designed and built according to the requirements of this regulation and current sanitary regulations of New York State.

Section 1.04 Validity

If any part of these regulations shall, for any reason, be held to be invalid, the validity of any other section or of the remaining portion shall not be affected or impaired.

Section 1.05 Effective Date

This regulation shall take effect immediately after adoption and the publication or posting as required by law.

CHAPTER 2. ADMINISTRATION

Section 2.01 Permit

It shall be unlawful for any person to construct, alter, or extend a sewage disposal system unless he has a valid Construction Permit.

Section 2.02 Application for a Permit

An application for a permit shall be filed in the office of the Town Clerk. The applicant shall furnish all information required to fill out the application.

Section 2.03 Fee

A fee of \$25.00 shall be paid to the Town Clerk at the time of filing of the application. The fee covers an application for a single installation; a fee of \$5.00 shall be charged for each additional installation.

Section 2.04 Connection to a Community System

Where a public or community sewage system is available or where such a system is available or where such a system is in close proximity (within 100 feet or less) the Town may refuse to grant a permit for individual sewage disposal and may require connection to the public or community system.

Section 2.05 Percolation Testing

A percolation test shall be performed at the site of each disposal area. More than one test will be required where the soil structure varies, where large disposal areas are proposed or where other natural or man-made conditions so require. Percolation tests shall be conducted under the supervision of the sanitary inspector: at least 24 hours notice is required to the inspector prior to the test.

Section 2.06 Design by Licensed Engineer

Design and supervision of construction by a licensed professional engineer shall be required where percolation rate is found to be greater than 30 minutes, where proposed installation is less than 6 feet above solid bedrock and where steep slopes, poor soil and drainage or other unsuitable conditions for private sewage disposal are in existence. Services of a licensed professional engineer shall also be required for installations not covered by requirements of this ordinance such as sand filters, seepage pits, surface or underground drains, etc. All sanitary installations which are subject to review by the New York State Department of Health require the design service of a licensed professional engineer.

Section 2.07 Inspection

Completed installation of the sanitary system shall be inspected and approved by the sanitary inspector or by a licensed professional engineer prior to covering or back filling of the installation. At least a 24 hour notice is required for the final inspection.

Section 2.08 Appeals

After the sanitary inspector declines to approve any proposed installation, the applicant may appeal to the Town Board whose approval or rejection shall be final and conclusive.

Section 2.09 Review and Approval by NYS-DOH

In addition to the approval of the Town, a review and approval by the New York State Department of Health (or the New York State Department of Environmental Conservation, if appropriate) shall be required for the following conditions:

- a. Subdivision of land into 5 or more residential parcels since January 1, 1970.
- b. A temporary residence as defined in Part 7.1 of the New York State Sanitary Code.
- c. Any commercial sewage disposal system or system with effluent in excess of 1,000 gallons per day.

Section 2.10 Existing Facilities

Facilities existing at the time this ordinance takes effect shall not be affected unless and until a formal complaint is filed by a resident of this Township with the Town Clerk. The Town Clerk shall communicate all such complaints to the Town Board at the earliest regular meetings following receipt thereof. The Town Board shall review all such complaints and shall determine whether they are reasonable in keeping with the purposes of this ordinance. Unreasonable complaints shall be returned to the complainants. When a complaint has been declared to be reasonable by the Town Board the land owner against whom the complaint was filed must proceed through the steps described in this ordinance for the alteration of any sewage disposal system.

Section 2.11 Maintenance and Protection

All existing and new sanitary facilities shall be maintained in good working order at all times. It is considered poor practice to install paving, to plant trees and shrubs, to re-grade or to fill, to cross by vehicle or to install driveways over sanitary disposal fields; there shall be no other activities or conditions which would interfere with proper operation of sewage disposal facilities.

Section 2.12 Conflict with other Provisions

In any case where a provision of this ordinance is found to be in conflict with a provision of any zoning, building, fire, safety, health ordinance of the Town the provision which in the judgment of the sanitary inspector establishes the higher standard for the promotion of health and safety of the people shall prevail.

Section 2.13 Detriments to General Welfare

Proposals for sewage disposals which could have an adverse effect, or could contribute to an adverse effect on the public health, safety, and general welfare shall not receive favorable consideration even though meeting other requirements of this ordinance.

Section 2.14 Violation and Penalties

Any person who violates any provision of this ordinance shall be punished by a fine not to exceed the sum of \$50.00 or by imprisonment of not more than 30 days, or both. Each week shall constitute a separate violation.

CHAPTER 3. MINIMUM DESIGN REQUIREMENTS

Section 3.01 Subsurface Conditions

Minimum depth between bottom of the tile field and highest level of seasonal or permanent water table shall be 24 inches or more. Tile field installation should be in an area which provides good drainage of storm water.

Section 3.02

A soil percolation test (utilizing at least two percolation holes) shall be made within the area proposed for the sewage disposal system. Percolation tests should follow procedures outlined in the appendix.

Section 3.03 Percolation Requirements

A stabilized percolation rate greater than 60 minutes per one inch drop of water indicates that the land is not suitable for sub-surface disposal; percolation rate of less than 60 minutes but more than 30 minutes indicates areas where design can be based on requirements of this chapter.

Section 3.04 Minimum Design Capacity

Design of private sewage disposal shall be based on a minimum occupancy per dwelling unit equivalent to a three bedroom house. A smaller design capacity may be permitted (for a two bedroom house) provided such restriction is noted and made part of the record map which is filed in the County Land Records, or noted on the deed in the case of filing of single lots.

Section 3.05 Lot Areas

Where private water supply and private sewage disposal are used, a minimum lot area shall be no less than 40,000 square feet per dwelling unit with a minimum road frontage of 200 feet and not less than 150 feet wide at the Building Line as measured not less than 50 feet from the road right of way.

Section 3.06 Individual Sewage Disposal System

An individual sewage disposal system shall consist of a house sewer, approved septic tank, septic tile field, connecting piping, and distribution boxes as required.

Section 3.07 House Sewer

The house sewer shall consist of four or six inch diameter tight-jointed pipe made of cast iron, asbestos, cement or plastic, plus adequate vent. That portion of the sewer line within 100 feet of any well or suction line from a well, or within five feet of any drinking water supply line under pressure, should be of watertight construction.

The sewer should be laid on a firm foundation at a minimum grade of $\frac{1}{4}$ inch per foot with minimum bends. On lines longer than 30 feet, a vent at the inlet side of the septic tank is suggested to permit the escape of any accumulated gas. Normally, the main vent for the house plumbing will provide adequate ventilation for the disposal system.

Section 3.08 Septic Tank

Minimum storage capacity of a septic tank shall be as indicated in Table 1. Pre-fabricated metal tanks or precast concrete or fiberglass tanks shall be of a design approved by the New York State Department of Health.

At a regular meeting of the Town Board of the Town of Fenner, the foregoing local law was duly adopted and enacted. Motion made by Councilman Charles Record, seconded by Councilman Earl Hyatt.

Vote: Ayes - Councilman Charles Record
- Councilman Earl Hyatt
- Supervisor John Larkin
- Town Justice Merwin Hughes
- Town Justice William Gerbig
No's - None

Dated: February 7, 1968
Archie McEvers
Town Clerk