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Local Law No. 1 of the year 20 06

A local law entitled On-Site Wastewater Treatment Local Law
(Insert Title)

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

- County
 - City of Inlet
 - Town
 - Village
- _____ as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

ON-SITE WASTEWATER TREATMENT LOCAL LAW
TOWN OF INLET, COUNTY OF HAMILTON
NEW YORK

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ARTICLE I

INTRODUCTORY PROVISIONS

Section 1.010 – Short Title

This Local Law shall be known as the Town of Inlet on-site wastewater treatment Local Law. The Town of Inlet is hereinafter referred to as the “Town”.

Section 1.020 – Applicability

This Local Law shall govern the design and installation of all wastewater treatment systems within the Town except the design or installation of, or treatment of wastewater by means of a community or public sewer. The requirements of this Local Law are in addition to, and not in lieu of, any applicable County, State, and Federal requirements.

Section 1.030 – Authority

Enactment of this Local Law is pursuant to the Municipal Home Rule Law.

Section 1.040 – Purpose

The purpose of this Local Law is to promote the health, safety and general welfare of the community by ensuring through the location, construction and use of properly designed facilities that waste discharged from wastewater treatment systems:

1. Does not contaminate any drinking water supply.
2. Is not accessible to insects, rodents, or other possible carriers of disease which may come into contact with food or drinking water.
3. Is not a health hazard by being accessible to children and adults
4. Does not give rise to a nuisance due to odor or unsightly appearance.
5. Will not violate any other laws or regulations governing water pollution or sewage disposal.

Section 1.050 – Compliance

Wastewater treatment systems shall comply with specifications and standards set forth in this Local Law. These specifications and standards are derived from the specifications and standards for wastewater treatment systems set forth in the current edition of:

“WASTEWATER TREATMENT STANDARDS INDIVIDUAL HOUSEHOLD SYSTEMS,” NYS DEPARTMENT OF HEALTH (DOH) (10 NYCRR APPENDIX 75-A).

“STANDARDS FOR WASTE TREATMENT WORKS – INSTITUTIONAL AND COMMERCIAL SEWAGE FACILITIES,” NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC). (1)

ADIRONDACK PARK AGENCY GUIDELINES FOR ON-SITE SEWAGE AND DISPOSAL SYSTEMS (1991).

ON-SITE WASTEWATER TREATMENT SYSTEMS MANUAL, EPA (PUBLICATION EPA625-R-00-008, FEB.2002)

Copies of the above-noted regulations, standards, guidelines, and manuals, and like materials noted elsewhere in this Local Law are on file in the Town Offices.

(1) DEC permit required for domestic sewage systems which discharge 1) 1,000 or more gallons per day, 2) to surface water, and/or 3) waste other than domestic sewage.

ARTICLE II

GENERAL PROVISIONS

Section 2.010 - Prohibited Acts

Except as otherwise provided in this local law:

A. It shall be unlawful for any person to construct, alter, or make major repairs to, enlarge, or extend any facility or part of such facility intended or used for the discharge of wastewater without obtaining all required governmental approvals.

B. It shall be unlawful for any person to cause to be discharged within the Town any wastewater except by systems designed, installed, and approved in accordance with the requirements of this Local Law, except that holding tank wastewater shall be disposed of in a location which has received all required governmental approvals and a method approved by the Department of Health.

C. It shall be unlawful for any person to use or maintain any individual wastewater treatment system that is unsafe, is a source of pollution to any of the surface waters or groundwater source of the state, permits the seepage of raw or partially treated sewage to ground surface, creates a potential health hazard, adversely affects the environment or impairs the use of development of the lot on which it is situated or nearby lands or interferes with the enjoyment or use of property.

D. It shall be unlawful for any person to knowingly abandon a septic tank, seepage pit or cesspool, unless at the time of such abandonment the septic tank, seepage pit or cesspool is pumped out and filled with clean, granular soil or inert, free-flowing, dense material.

E. It shall be unlawful for any person to discharge pollutants to the waters of the State from any outlet or point source without first obtaining a State Pollution Discharge Elimination System (SPDES) permit from DEC, if so required.

Section 2.020 – Definitions

Absorption Device – any structure that is designed to distribute wastewater or effluent into the soil by means of a network of pipes.

Abandonment – the relinquishment of the use of an on-site waste water treatment system with the intention of not continuing use of such system in the future. An on-site waste water treatment system shall be presumed to be abandoned when a new waste water system is being built to replace it.

Absorption Field – that area to which effluent is distributed for infiltration and treatment into the soil. It includes the area of the subsurface absorption system and, if required by the design, the areas covered by fill used to grade around the system.

Absorption Trench – a long narrow area which includes a pipe for the distribution of septic tank effluent.

Absorption System – any structure designed to distribute effluent into the soil and provide for its treatment. See conventional and alternative systems defined below.

Conventional Absorption System is one of the following systems:

ABSORPTION FIELD – a system of narrow trenches partially filled with a bed of washed gravel or crushed stone $\frac{3}{4}$ to $1\frac{1}{2}$ inches in diameter (i.e. aggregate) through which a perforated distribution pipe is laid.

GRAVELLESS ABSORPTION SYSTEM – generally proprietary products, which allow septic tank effluent to infiltrate soil in the absence of installed aggregate.

SEEPAGE PIT - a covered pit with an open-jointed or perforated lining through which septic tank effluent infiltrates into the surrounding soil.

SHALLOW ABSORPTION TRENCHES – an absorption field with trenches installed at or no more than two feet below original ground level on sites where there is a depth of at least two feet but less than four feet of usable soil.

ABSORPTION BEDS – similar to an absorption field except the several laterals (lengths of perforated distribution pipe) are installed in a single excavation.

FILL (A.K.A. “SITE MODIFICATION” OR “AMENDED SOIL” SYSTEM) – system employed when the soil percolation rate is faster than one minute per inch, wherein all soil bounded by two feet from the proposed absorption trenches (i.e. horizontally and vertically) is removed and blended with fine sand or sandy loam and replaced in six inch layers with mechanical compaction to the approximate density of the on-site soil.

Alternative Absorption System is one of the following systems:

RAISED SYSTEM – A conventional absorption trench system constructed in stabilized permeable fill placed above the original ground surface.

MOUND SYSTEM – a soil absorption system that is elevated above the natural soil surface in suitable fill material; similar to a raised system utilizing sandy fill material without requiring a stabilization period prior to construction of the absorption bed/trenches.

INTERMITTENT SAND FILTERS – a system which comprises the intermittent application of settled wastewater to a bed of granular material which is under drained to collect and discharge filtered effluent to a subsurface absorption facility (i.e. downstream absorption mound or modified shallow trench system).

NON-WATERBORNE SYSTEMS – (composers, chemicals and recirculation toilets, incinerator toilets, sanitary privies) systems designed to treat human wastes with no wet plumbing. These systems must be accompanied by systems designed to treat household wastewater (i.e. grey water) from sinks, showers, tubs and other fixtures by settling and soil absorption.

Advanced Septic System – septic system with a component to pre-treat wastewater to a higher quality than a conventional septic system.

Baffle - a flow deflecting device used in septic tanks and distribution boxes to inhibit the discharge of floating solids, reduce the amount of solids that exit and reduce the exit velocity of the wastewater.

Building - a structure wholly or partially enclosed with exterior or party walls, and a roof, affording shelter to persons, animals or property.

Building Drain - that part of the lowest piping of a drainage system which receives the discharge of wastewater and conveys such discharge to the building sewer. The building drain extends to three feet outside the building wall.

Cesspool - a covered pit into which wastewater is discharged for disposal by infiltration of the liquid portion into the surrounding soil.

Cleanout - an opening providing access to wastewater collection and treatment devices (i.e. house sewer, septic tank, distribution box) which allows for the cleaning or purging of materials and obstructions.

Combined Sewer - a sewer receiving both surface runoff and wastewater.

Combined Solids Depth - the combined thickness of the scum layer and sludge layer in a septic tank.

Design Average Flow (DAF) - the highest expected volume of wastewater, expressed in gallons, that will pass through a wastewater treatment system in a twenty-four hour period normally occurring during periods of greatest use.

Distribution Box or Device - a device used to uniformly distribute effluent to the distribution lines.

Distribution Lines - the perforated pipe used to distribute effluent to the absorption field.

Drop Box - a watertight compartment that receives septic tank effluent and distributes to two primary pipe lines of a soil absorption system, followed by a drop to the remainder of the system after those lines are full.

Effluent - the liquid discharged from a septic tank outlet.

Emergency Repairs - repairs designed to prevent or abate an existing or imminent threat to ground or surface water quality or the public health, safety, or welfare, caused or about to be caused by a wastewater treatment system.

Enforcement Officer - a person appointed by the Town Board whose duty and authority is to administer and enforce the provisions of this Local Law.

Existing Grade - the natural topography of land prior to construction activity.

Final Grade - the elevation that land will have at the conclusion of cutting, filling or other site work.

Failure or System Failure - a wastewater treatment system that discharges wastewater onto the surface of the ground or into a watercourse, or that has sustained a cracked or

broken tank, distribution box, leach line or pipe, or has a malfunctioning pump or other component of such system.

Garbage - organic solid wastes from domestic and commercial preparation, cooking, or dispensing of food, or from the handling, storage and sale of produce.

Grade - the slope of a line of pipe, trench bottom, or ground surface in reference to a horizontal surface.

Gravel - a mixture of mineral soil particles with whole individual diameter range from ¼" to 3".

Greywater - all sewage or wastewater from a building except waste from flush toilets and urinals.

Groundwater - subsurface water occupying a zone of saturated soil.

Holding Tank - a sealed, vault or tank, usually a reinforced concrete septic tank with no outlet, into which wastewater is discharged for temporary storage.

Impervious Material - material with a percolation rate of slower than 60 minutes per inch.

Industrial Waste - any liquid, gaseous, solid, or waste substance or a combination thereof resulting from any process or industry, manufacturing, trade or business or from development or recovery of any natural resource.

Invert - the bottom most point of an open conduit or the bottom most point on the inside of a closed conduit.

Licensed Design Professional - a person licensed or registered in the State of New York and authorized by the State Education Law to design the wastewater treatment systems described.

Mean High Water Mark - the average annual high water level.

Major Repair/Alteration - any replacement or reconstruction affecting the wastewater treatment system, other than the pumping of the septic tank and minor repairs as hereinafter defined.

Minor Repairs - minor repairs shall include such items as the replacement of pumps, damaged pipes (except within the absorption area), electrical repairs, replacement of septic tank covers, or septic tank baffles.

Other Waste - garbage, refuse, decayed wood, sawdust, shavings, bark, sand, lime, cinders, ashes, offal, oil, tar, dye-stuffs, acids, chemicals, ballast and all other discarded

matter not sewage or industrial waste which may cause or might reasonably be expected to cause pollution of the waters of the State.

Other Engineered Systems – a wastewater treatment system of a type not addressed in the Department of Health Design Handbook, designed by a design professional and construction certified by a licensed professional engineer. These systems should meet Class A national sanitary foundation certification.

Percolation - the movement of water downward through the pores of a soil or other porous medium following infiltration through the soil surface.

Percolation Test - a standard procedure for testing the soil's ability to accept and convey water to establish the application rate. See Appendix B for proper testing procedures.

Person - any individual, corporation, partnership, association, trustee, municipality or other legal entity, but shall not include the State or any State Agency.

Privy - a building fixed to a vault or pit, equipped with seating to allow for excretion of body waste.

Pre-Existing Individual Wastewater Treatment System - any treatment system that was lawfully in existence prior to the effective date of this Local Law.

Riser - a cylinder typically made of concrete or fiberglass that allows easy access to a submerged manhole or inspection port.

Sanitary Tee - a pipe used in septic tanks, distribution boxes and drop manholes to reduce wastewater or effluent flow velocities and to increase solids retention in septic tanks which prevents carry-over of solids to subsurface systems. (See Baffle.)

Scum Layer - scum is the wastewater constituent that is lighter than water, and floats.

Seasonal High Groundwater Table - the highest surface of a zone of saturated soil which is at least six inches thick and which persists during the average year for more than a week when the ground is free of frost.

Seepage Pit - a covered pit with an open-jointed or perforated lining through which septic tank effluent infiltrates into the surrounding soil.

Septic Tank - a large, watertight chamber which promotes the growth of anaerobic bacteria for the biological decomposition of sewage.

Slope - the ratio of the maximum vertical rise or fall of the land in 50 feet of horizontal distance, expressed as a percentage.

Sludge Layer - sludge is wastewater material heavier than water that settles to the bottom of a septic tank.

Soil Mottles - spots or blotches of different color, or shades of color, interspersed with the dominant background color. See Appendix C, High Groundwater Determination.

Subdivision - the division of land into two or more lots, parcels or sites.

Surface Water Body - any lake, pond, river, permanent or intermittent stream.

Toilet Wastes - human excreta and toilet flushing fluid.

Treatment System Building Permit - the permit required before construction of an on-site wastewater treatment system.

Treatment System Use Certificate - the certificate required before any portions of an on-site sewage treatment system are backfilled or covered.

Usable Soil - soil with a percolation rate between one and sixty minutes per inch.

Wastewater - any water discharged through a plumbing fixture to include, but not limited to, sewage and any water or waste from a device (e.g., water softener brine) which is produced in the building or property.

Wastewater Treatment System - a complete system of piping, tanks or other facilities for the on-site collection and treatment of wastewater, and not connected to a community or public sewer system. A wastewater treatment system is also referred to as a disposal system in SPDES regulations.

Watercourse - a visible path through which surface water travels on a regular basis. Drainage areas which contain water only during and immediately following precipitation or snow melt shall not be considered a watercourse.

Wetland - any land which is annually subject to periodic or continual inundation by water and commonly referred to as a bog, swamp, or marsh which is either, (a) one acre or more in size, or (b) located adjacent to a body of water, including a permanent stream, with which there is free interchange of water at the surface, in which case there is no size limitation.

ARTICLE III

REQUIRED WASTEWATER TREATMENT SYSTEM PERMIT AND TREATMENT USE CERTIFICATE

Section 3.010 - Wastewater Treatment System Permit:

1. It shall be unlawful for any person to construct, alter, make major repairs, or enlarge a wastewater treatment system within the Town unless a Wastewater Treatment System Permit ("Permit") has been issued, except in the case of emergency repairs, as provided in Section 4.030.

2. Applications for a Permit may be made only by the property owner of the property for which the system is proposed or his/her duly authorized agent or assign. Applications shall be in writing signed by the applicant on such form as the Enforcement Officer shall determine. A fee as set by resolution of the Town Board must accompany the application for a Permit. In addition, two stamped copies of the wastewater system plans prepared by a licensed professional engineer will be required for new construction, additions or alterations, repair or replacement of any type of absorption field that involves relocating or extending an absorption area to a location not previously approved for such. At the sole discretion of the Enforcement Officer, the repair or replacement of components "in kind" or "like-for-like" may not require the involvement of a licensed design professional.

3. The Enforcement Officer shall not issue a Permit unless:

- a. all pertinent site data has been submitted, verified and certified as required by this Local Law, all permit fees have been paid, and the Enforcement Officer has determined that the alteration, repair or construction as proposed in the application complies with all specifications contained in this Local Law, or
- b. the Enforcement Officer is specifically ordered to issue a Permit as directed by the Zoning Board of Appeals ("ZBA") pursuant to Section 5.060 of this Local Law or authorized by specific waiver of the Department of Health and all permit fees have been paid.

4. The Enforcement Officer shall disapprove an application for a Permit if he/she determines:

- a. that the applicant has failed to supply all data necessary to make a determination as to whether such wastewater treatment system conforms to the requirements or specifications of this Local Law.
- b. that the wastewater treatment system, as proposed, will not conform to the requirements or specifications of this Local Law or an order of the ZBA.

- c. that the wastewater treatment systems, as proposed, cannot comply with any prior subdivision, site plan, or Class A or B regional project authorization for such locations;
- d. that any required SPDES permit from the Department of Environmental Conservation has not been issued.

Section 3.020 General Standards and Requirements for Wastewater Treatment Systems

1. All wastewater must be discharged into the on-site wastewater treatment system. Surface and subsurface water including roof, cellar, foundation and storm drainage shall be excluded from such systems and shall be disposed of so they will in no way affect the system, and are not discharged to surface waters or other waters that would contravene water quality standards.
2. No component of a subsurface absorption area shall be located under driveways, roads, parking areas or areas subject to heavy loading, or any paved area unless the absorption system is structurally designed to support vehicular traffic and provide for ventilation.
3. No wastewater treatment system shall be allowed in areas where flooding occurs.
4. Most proposed absorption facilities shall not be located where the final slope of stabilized soil exceeds 15%, but absorption trench systems with stringent minimum horizontal and vertical separation distances (i.e. 10 ft., 9 ft., 8 ft., or 7 ft. between parallel trenches and 2 ft., 3 ft., or 5 ft., between trench bottom and high ground water, bedrock, or impermeable soil, respectively) may be constructed on sites with soil having a slope of >15% to <20% and a soil percolation rate of 1 to 60 minutes per inch. For absorption beds, the slope of the site shall not exceed 8%.
5. Standards related to subdivision plats: All new building lots not served by a public water supply shall be at least 20,000 sq.ft. in area.
6. Horizontal separation distances and systems layout shall be governed by Department of Health requirements as set forth in "WASTEWATER TREATMENT STANDARDS INDIVIDUAL HOUSEHOLD SYSTEMS," NYS DEPARTMENT OF HEALTH (10 NYCRR APPENDIX 75-A) which sets forth the minimum horizontal separation distances required (See Appendix A of this Local Law).
7. Standards for Areas with special soil conditions:

a. The natural ground intended for the subsurface absorption system must have a minimum depth of four feet of usable soil above bedrock or impervious material. The separation distance to the seasonal high groundwater table shall be at least two feet with two feet of additional usable soil as backfill. When fractured bedrock is encountered, the usable soil depth must be at least six feet.

b. Within 100 ft. of the shoreline of a lake, pond, river or stream: if the percolation rate is 0 to 3 minutes per inch, and usable soil is less than 4 feet or the depth to bedrock or seasonal high groundwater is less than 4 feet, a leaching (absorption) facility will not be permitted and an alternative on-site treatment system will be required.

8. A minimum of two soil percolation tests are required for the site of a proposed absorption area. The percolation rate shall be determined by the procedures described in Appendix B. This test shall be conducted by the licensed design professional and all appropriate information provided as described on Appendix B.

Section 3.030 - Conventional Absorption System

1. The wastewater treatment systems classified as conventional absorption systems shall be used on sites with adequate soil percolation and vertical/horizontal separation distances to boundary conditions.
2. The plan prepared by a licensed professional engineer of the proposed treatment system and replacement areas shall contain substantiating data indicating that the minimum standards set forth in this Local Law will be complied with. Such plans shall include the delineation of the property lines and sources of water supply for the property and adjoining properties and any surface water bodies or wetlands within 100 feet.
3. The Enforcement Officer may require certification or retesting to verify information submitted as part of the application.

Section 3.040 - Advanced or Alternative Absorption Systems

1. At sites not suitable for conventional absorption systems, consideration can be given to the construction of advanced or alternative absorption systems to assure proper treatment of sewage rather than to restrict use of land.

2. All new or replacement advanced or alternative wastewater systems, as defined by this Local Law and further described in the New York State Individual Residential Wastewater Treatment Systems Design Handbook, shall be designed or approved by a licensed professional engineer.
3. The new or replacement absorption system may include any alternative on-site treatment systems approved by the Department of Health, including raised systems, mounds, intermittent sand filters, evaporation-transpiration (ET) and evapo-transpiration absorption (ETA) systems, non-waterborne systems, and holding tanks.
4. All advance absorption systems plans must include an operation and maintenance manual and all manufacturers' recommendations are to be followed in the installation, operation and maintenance of the system.
5. Advance absorption systems (i.e., aerobic treatment units and media filters such as Sand, Textile, Foam, Peat, etc) which provide pre-treatment before the absorption area, either in place of or after the septic tank, shall be inspected annually by the manufacturer's representative or other authorized service provider. A copy of the maintenance contract shall be provided to the Enforcement Officer prior to Permit being issued.
6. The licensed professional engineer may propose an advanced or alternative absorption wastewater disposal field that is smaller than a conventional septic system absorption field. A backup absorption field is not required for replacement systems utilizing advanced on-site wastewater treatment.

Section 3.050 - Wastewater Treatment System Use Certificates

1. It shall be unlawful for any unauthorized person to cover with soil or other material, or utilize, any wastewater treatment system for which a Permit has been issued unless a Wastewater Treatment System Use Certificate ("Certificate") has been issued.
2. The holder of a Permit shall notify the Enforcement Officer when the treatment system is ready for inspection. The inspection shall be made as soon thereafter as practicable by the Enforcement Officer. The Enforcement Officer may also make inspections during construction to ensure that the system is being installed in accordance with the terms of the wastewater treatment system permit. Any part of any installation which has been covered prior

to final approval shall be uncovered upon order of the Enforcement Officer.

3. A Certificate shall not be granted until the Enforcement Officer has determined that the wastewater treatment system has been installed in compliance with the terms of the Permit. The Enforcement Officer shall make such a determination only after he/she has made an on-site investigation of the system or received a certification from the design professional that the system conforms to the specifications as set forth in the application and this Local Law. The Enforcement Officer may withhold a determination until after an on-site investigation has been completed notwithstanding that the system has been certified as properly installed and designed.

Section 3.060 - Recording of Wastewater Treatment System Permits

Any Permit issued pursuant to this Local Law shall be filed and duly recorded in the office of the Enforcement Officer

Section 3.070 - Expiration of Permits.

Unless otherwise provided for in the Permit, all Permits shall expire within (1) year of issuance. Once a Permit expires and the wastewater treatment system is not complete, a new Permit application is required.

ARTICLE IV

PRE-EXISTING SYSTEMS

Section 4.010 – Continuation of Pre-Existing Systems

Subject to the provisions of this Local Law, the use or maintenance of a pre-existing wastewater treatment system may be continued without a Certificate provided it shows no evidence of failure. But, it shall be unlawful to alter, make major repairs or enlarge such systems except in conformity with the provisions herein.

Section 4.020 – Property Transfer

- A. Pursuant to any property sale/conveyance for consideration, all existing on-site wastewater systems shall be inspected by an individual meeting the qualifications shown on Appendix E of this Local Law and a copy of such report shall be filed by the buyer with the Enforcement Officer within six months (6) of closing date. The report shall consist of the OTN System Inspection Information Request and System Inspection Findings Worksheet as set forth in Appendix “D”

and, for purposes of this provision, the report shall be good for two (2) years from the date of inspection.. Additionally, within seven (7) days of any such sale/conveyance, the buyer of any such property shall send written notice to the Enforcement Officer advising him or her of the closing date of any such sale/conveyance. The foregoing requirements shall not apply to (i) a property transfer of vacant land, or (ii) a property transfer of a parcel(s) which has had a new on-site wastewater system installed within thirty-six (36) months prior to the date of transfer.

B. If a lending institution requires a property owner to obtain a wastewater treatment system inspection, and pumping of septic tank for refinancing, such reports shall be filed with the Enforcement Officer and must be on the report format set forth in Appendix "D".

C. If the existing wastewater system is determined to be failing or inadequate, a written Notice of Violation will be issued to the property owner and an approved Wastewater Treatment System Permit must be obtained prior to any property sale/conveyance for consideration.

Section 4.030 – Repair, Alteration, Enlargement or Extension of a System

It shall be unlawful to make major repairs, alter, enlarge or extend a pre-existing wastewater treatment system without an approved Permit, except as follows:

Emergency repairs – repairs designed to prevent or abate an existing or imminent threat to public health, safety or welfare caused or to be caused by on-site wastewater treatment system. The Enforcement Officer shall be notified immediately of any such existing or imminent threat, and in no case should this repair include enlarging the absorption area or replacing or disconnecting septic tanks.

ARTICLE V

ADMINISTRATIVE PROVISIONS

Section 5.010 – Enforcement Officer

1. The Enforcement Officer shall have the duty to administer and enforce the provisions of this Local Law. Persons adversely affected by an action, omission, decision or ruling by the Enforcement Officer may appeal to the ZBA, which shall render a decision regarding the appeal only after holding a hearing on the matter in accordance with the time periods set forth in Section 5.060 of this Local Law. The Enforcement Officer shall not plan, design, construct, sell or install wastewater treatment systems within the Town.

2. The Enforcement Officer may, by written notice, order all further work stopped on any wastewater treatment system which is being constructed or installed in violation of this Local Law.

3. As further set forth in Section 5.010(5), the Enforcement Officer may conduct such inspections, investigations, examinations, tests and site evaluations with respect to an application for a Wastewater Treatment System Permit and/or the issuance of a Treatment Use Certificate.

4. In the case of multiple family systems or systems serving more than one principal use, the establishment of a proper legal entity, such as a transportation corporation or homeowners association, will be required and a copy of any agreement between the property owners shall provided to the Enforcement Officer.

5.(A) The Enforcement Officer or his/her designee may inspect, investigate, examine, test and evaluate (hereinafter collectively referred to as "inspections") any wastewater treatment system built after this Local Law takes effect to ensure that it is being maintained in proper working order. Inspections shall be made during any reasonable hours. Where the Enforcement Officer determines that a system is not being maintained in compliance with this Local Law or any Certificate issued hereunder, he/she may order that use of the system cease, that the defects be corrected, that the misuse be abated within a reasonable time, and/or issue any other written order concerning the elimination or removal of any substandard system or component thereof. If the prescribed action is not taken within the time fixed by the Enforcement Officer, he/she may revoke any Certificate issued, and/or refer the matter to the Department of Health or other agency/department, in addition to other remedies herein provided.

(B) If admission for inspection(s) is refused or cannot be obtained from the person in possession or occupancy, the Enforcement Officer or his his/her designee shall be authorized to obtain a warrant to make an inspection, provided that reasonable or probable cause is shown.

(C) In case of an emergency, the Enforcement Officer or his/her designee may, without a warrant, enter any premises to inspect the same, at any time, without the permission of the person in possession or occupancy.

Section 5.020 – Required Records

The original or certified copy of all applications, plans, findings, decisions, Permits, Certificates or other rulings of the Enforcement Officer or ZBA under this Local Law shall be retained in the files of the Enforcement Officer as a permanent public record.

Section 5.030 - Form of Petitions, Applications and Appeals

Unless otherwise stated, all petitions, applications and appeals provided for in this Local Law shall be made on forms prescribed by the Enforcement Officer. Completed forms shall be accompanied by whatever further information, plans or specifications may be required by such forms.

Section 5.040 – Variances

The ZBA may vary or adapt the strict application of any of the requirements of this Local Law in the case whereby such strict application would result in unnecessary hardship that would deprive the property owner of the reasonable use of the land involved. No variance in the strict application of any provision of this Local Law shall be granted by the ZBA unless it shall find all of the following:

- (a) That there are special circumstances or conditions, fully described in the findings of the ZBA, applying to such land and that such circumstances or conditions are such that strict application of the provisions of this Local Law would deprive the applicant of the reasonable use of such land.
- (b) That the variance would not be materially detrimental to the purposes and objectives of this Local Law, or to other adjoining properties, or otherwise conflict with the purpose or objectives of any plan or policy of the Town.
- (c) That for reasons fully set forth in the findings of the ZBA, the granting of the variance is necessary for the reasonable use of the land and that the variance as granted by the ZBA is the minimum variance which would alleviate the specific unnecessary hardship found by the ZBA to affect the applicant.
- (d) In granting any variance, the ZBA shall prescribe and attach any reasonable conditions that it deems to be necessary or desirable.

Section 5.050 – Application for Variance

Variances may be sought by filing an application with the ZBA using forms supplied by the Enforcement Officer, which shall include all information reasonably considered by the ZBA as necessary to make its findings under Section 5.060 of this Local Law including, among other things, the legal description of the property for which the variance is sought, plans and elevations necessary to fully describe the conditions for which a variance is sought, and all other information reasonably considered necessary by the ZBA for an understanding of the conditions of the property for which the variance is sought and the relationship thereof to surrounding properties.

Section 5.060 – Variance Application Hearing and Decision

(a) Within thirty (30) days of receipt by the ZBA of a completed application for a variance from the provisions of this Local Law, the ZBA shall give notice by publication in an official newspaper of the Town of a public hearing to be held on the variance application which public hearing shall be held not less than five (5) days nor more than thirty (30) days after the publication of said notice. In addition to the publication of the Notice of Public Hearing, at least ten (10) days prior to said public hearing, the Enforcement Officer shall mail notices of said public hearing to all owners of properties located within 500 feet of the property for which the variance is sought. For purposes of said notice by mail, the owners of properties within 500 feet shall be determined from the latest completed assessment roll of the Town and the notices shall be mailed to said owners at the addresses set forth on said roll.

(b) Within thirty (30) days of the closing of the public hearing, the ZBA shall grant, grant with condition, or deny the variance applied for. The decision of the ZBA shall be in writing and shall contain each of the findings specified in Section 5.040 of this Local Law.

Section 5.070 – Appeal from Action of the Local Zoning Board of Appeal

An action, decision, omission or ruling of the ZBA pursuant to this Local Law may be reviewed at the request of any aggrieved person in accordance with Article 78 of the Civil Practice Law and Rules, but application for such review must be made not later than 60 days from the effective date of the decision or ruling or the date when the action or omission occurred.

ARTICLE VI

ENFORCEMENT

Section 6.010 – Penalty

Written Notice of Violation shall be issued to any property owner found in violation of this Local Law, stating the date(s) by which corrective action shall be completed. Any violation beyond that date shall be punishable by a fine not to exceed \$250.00 per day to be recovered by the Town Board in any court of competent jurisdiction. Each such person shall be deemed guilty of a separate offense for each day that such violation, disobedience, omission, neglect or refusal shall continue. Where the person committing such violation is a partnership, association or corporation, the principal executive officer, partner, agent or manager may be considered to be the person for the purposes of this

Article. The penalty provisions of the Department of Environmental Conservation and/or Department of Health may also apply.

Section 6.020 – Alternative Remedies

In case of any violation or threatened violation of any of the provisions of this Local Law, in addition to other remedies herein provided, the Town Board or its designee, including, but not limited to, the Town Attorney and/or the Enforcement Officer may institute any appropriate action or proceeding to prevent unlawful construction, structural alteration, repair, reconstruction, moving and/or use, to restrain, correct or abate such violation to prevent the use of the wastewater treatment system or to prevent any illegal act, conduct, business or use regarding such treatment system.

Section 6.030 – Misrepresentation

Any permit or approval granted under this Local Law which is based upon or is granted in reliance upon any material misrepresentation, or failure to make a material fact or circumstance known, by or on behalf of an applicant, shall be void. This Section shall not be construed to affect the remedies available to the Town Board under Sections 6.010 and 6.020 of this Local Law.

ARTICLE VII

MISCELLANEOUS PROVISIONS

Section 7.010 – Interpretation

Where the conditions imposed by any provision of this Local Law are less restrictive than comparable conditions imposed by any other provisions of this Local Law or of any other statute, local law, order, rule, regulations, the provisions which are more restrictive shall govern.

Section 7.020 – Severability

The provisions of this Local Law are severable. If any article, section, subsection or provision shall be invalid, such invalidity shall apply only to the article, section, subsection or provisions adjudged invalid; and the rest of this Local Law shall remain valid and effective.

Section 7.030 – Replacement of Previous Sewage Disposal Ordinance

The provisions in the existing Town Ordinance entitled “Sewage Disposal Ordinance for the Town of Inlet, Hamilton County” are hereby repealed, and said provisions are replaced by this Local Law.

Section 7.040 – Savings Clause

The adoption of this Local Law shall not affect or impair any act done, offense committed or right accrued or acquired or liability, penalty, forfeiture or punishment incurred prior to the time this Local Law takes effect.

Section 7.050 – Other Authority

No provision of this Local Law shall be construed to limit any State standards for wastewater treatment systems including, but not limited to, the provisions of the Adirondack Park Agency Act relating to shorelines and Class A and B projects.

Section 7.060 – Effective Date

This Local Law shall take effect immediately upon its adoption and upon the filing with the Secretary of State.

APPENDIX "A"

MINIMUM SEPARATION DISTANCES FROM WASTEWATER SYSTEM COMPONENTS

<u>System Components</u>	<u>Well or Suction Line</u>	<u>To Stream, Lake Watercourse (b), or Wetland</u>	<u>Dwelling</u>	<u>Property Line</u>
House sewer (watertight joints)	25' if cast iron pipe, 50' otherwise	25'	3'	10'
Septic tank	50'	50'	10'	10'
Effluent line to distribution box	50'	50'	10'	10'
Distribution box	100'	100'	20'	10'
Absorption field	100' (a)	100'	20'	10'
Seepage pit	150' (a)	100'	20'	10'
Dry well (roof and footing)	50'	25'	20'	10'
Raised or Mound system (c)	100' (a)	100'	20'	10'
Evapotranspiration-absorption system (c) 100'	(a)	50'	20'	10'
Composter	50'	50'	20'	10'

NOTES:

- (A) When sewage treatment systems are located in coarse gravel or upgrade and in the general path of drainage to a well, the closest part of the treatment system shall be at least 200 feet away from the well.
- (b) Mean high water mark.
- (c) For all systems involving the placement of fill material, separation distances are measured from the toe of slope of the fill.

APPENDIX B

SOIL PERCOLATION PROCEDURE

Percolation tests should be conducted by persons with training/experience in conducting such tests. They include but are not limited to design professionals (i.e., engineers and architects), surveyors, sanitarians, soil scientists, technicians, and system installers.

Soil percolation test results are indicative of the ability of a soil to absorb treated sewage. If the percolation test results are inconsistent with field determined soil conditions, additional percolation tests must be conducted and the more restrictive test results must be used for the system design. Percolation tests may be conducted anytime except when the ground is frozen or precipitation interferes with the test (i.e. adds water to the test hole)

If a conventional absorption system is planned, at least two percolation tests shall be performed within the proposed absorption area with the bottom of the test holes at 24 to 30 inches below grade. The slowest percolation test results (i.e. worst case observed) shall be used to design the absorption facilities. At least one percolation test may also be required to determine if the soil in the proposed expansion area soil is usable.

At least two percolation tests shall be performed in any proposed seepage pit area with the bottom of the percolation test holes at the proposed pit depth and half the proposed pit depth. If different soil layers are encountered at the proposed pit sidewall area, a percolation test shall be conducted in each permeable layer and the applicable pit design percolation rate shall comprise the weighted average of each test result based upon the depth of each permeable layer. No allowance for infiltration area is made for the bottom area of a pit or the pit sidewall area of impervious strata (i.e. percolation rate slower than 60 minutes/inch).

If a deep absorption trench system is planned, at least two percolation tests shall be performed within the proposed absorption field with the bottom of the test holes at the depth of the proposed trenches. If a shallow absorption trench system is proposed, at least two percolation tests shall be performed within the proposed absorption field with the bottom of the test holes at the depth of the proposed trenches or at six inches below grade if the bottom of the proposed trenches will be between grade and six inches below grade. The slowest percolation rate observed shall be used to design the absorption facility.

Where absorption facilities are to be constructed in fill or disturbed soils, the soil shall be permitted to stabilize by natural settlement for a period of at least six months, including a freeze-thaw cycle, before in situ percolation and deep hole tests are performed. If the site to be modified and any fill comprises only permeable granular material (e.g. sand, sand and gravel or sandy loam similar to fill material for mound systems with a percolation rate of ≤ 30 minutes per inch), stabilization may be achieved by mechanical compaction in approximately six inch lifts. Mechanical compaction shall be achieved via track type

machines (e.g. bulldozer or front end loader with downward blade/bucket pressure) or steel wheeled roller. All non-granular soils (e.g., silt loam, clay loam, silt, clay) require natural settlement to achieve stabilization. Fill material to be used in a mound system shall undergo percolation tests at the borrow pit and exhibit a percolation rate of 5 to 30 minutes per inch.

Heavy construction equipment shall not be used in and immediately down slope of raised or mound system areas to avoid compaction of the native soil (i.e. reduction in permeability). Areas to be used for an absorption system should be disturbed as little as possible. When a raised or mound system is planned, percolation and deep hole tests should be performed within the estimated basal area of the raised or mound system.

The procedure noted below should be followed in performing a soil percolation test:

- (a) Make sure proper construction safety practices are followed.
- (b) Dig a hole with vertical sides approximately 12 inches wide on all four sides or 12 inches in diameter. If an absorption field is being considered, the depth of the test holes should be 24 to 30 inches below final grade or at the projected bottom of trenches in shallower/deeper systems. If a seepage pit must be used, percolation tests should be conducted at one-half the depth and at the full estimated depth of the seepage pit. In order to facilitate conducting the test and preventing cave-in, a two-tiered excavation should be made approximately two feet above the bottom of the proposed seepage pit and two feet above the half-depth of the proposed seepage pit. Percolation test pits should be dug approximately two feet deep into each tier base. It is necessary to place washed aggregate in the lower two inches of each percolation test hole to reduce scouring and silting action when water is poured into the hole. The sides of percolation holes should be scraped to avoid smearing.
- (c) Pre-soak the test hole by periodically filling the hole with water and allowing the water to seep away. This procedure should be performed for at least four hours and should begin one day before the test, except in clean, coarse sand and gravel. After the water from the final pre-soaking has seeped away, remove any loose soil that has fallen from the sides of the hole.
- (d) Pour clean water into the hole with as little splashing as possible, to a depth of six inches above the bottom of the test hole.
- (e) Observe and record the time in minutes required for the water to drop from the six inch depth to the five inch depth
- (f) Repeat the test a minimum of three times until the time for the water to drop from six inches to five inches for two successive tests is approximately equal (i.e. ≤ 1 min. for 1-30 min./inch, ≤ 2 min. for 31-60 min./inch). The longest time interval to drop one inch shall be taken as the stabilized rate of percolation and shall serve as the basis of design for the absorption system.

APPENDIX C

SEASONAL HIGH GROUNDWATER DETERMINATION

The seasonal high groundwater table shall be determined by observing its elevation and evidence of soil mottling in a deep hole test pit dug to a depth of at least five feet deeper than the anticipated depth of the invert of the subsurface absorption system and/or by methods employed by a qualified soil engineer. The soil mottles are spots or blotches of different color or shades of color, interspersed with the dominant background soil color. Oxidation (bright colors) and reduction (dull colors) are caused by alternating aerobic and anaerobic conditions attributable to a seasonal fluctuating groundwater table, or intermittent presence of a perched water table. Soil mottles indicate a zone in which the soil is saturated for at least a two week period during the average water year. Water which seeps into test pit only indicates the current status of the water table and is not a reliable method of predicting the seasonal high groundwater table, particularly if the test pits are dug outside of the normally high groundwater period of March 15 to June 30.

The applicant may be required to retain the services of a qualified soil engineer to determine the seasonal high groundwater table.

APPENDIX D

OTN SYSTEM INSPECTION INFORMATION REQUEST

Individual Residential Wastewater Treatment System

(Please type or print)

Property and Owner Identification (Please attach property survey or tax parcel map)

Tax parcel identification number
Property address
Property owner
Address
Telephone No.

Inspection Request Information

Inspection requested by
Affiliation
Address
Telephone No.
Requested date of inspection (give two or three)
Purpose of request: property transfer ___ agency request ___ malfunction
___ other (please describe)
Inspection fee to be paid by:

Household Information

___ Owner-occupied or ___ Rental
___ Full-time or ___ Seasonal If seasonal, # weeks per year: ___
Last known date of occupancy: ___ Number of occupants: ___
Age of home: ___ Total square footage: ___
of bedrooms: ___ # of bathrooms: ___ Water-saving fixtures? ___ Yes ___ No
Home, business or hobby? (e.g. daycare, photography, taxidermy, salon): ___ Yes ___ No
Type
Regularly used medications? (e.g. chemotherapy, dialysis): ___ Yes ___ No
Are there any wells on the property? ___ How many? ___
Household fresh water source: ___ public; ___ well(s); ___ spring(s); ___ other
List all public or private buried utilities or structures on property: (gas, electric, phone, etc.)
Type

Onsite Wastewater Treatment System (s)

How many systems are on the property? ___
Year system(s) installed: Tank ___ Leach system ___
Are all system components wholly within the property boundaries? ___ Yes ___ No
Are system plans available? ___ Yes ___ No
Does the system(s) serve multiple properties? ___ Yes ___ No
If yes, describe

Maintenance

Service agreement? ___ Yes ___ No If yes, vendor name ___
Date of last inspection ___; N/A ___ Date tank last pumped ___; N/A ___
Frequency of pumping ___; N/A ___

OTN SYSTEM INSPECTION INFORMATION REQUEST (cont.)

List known repairs/replacements, with dates:

Date	Type of Repair/Replacement
_____	_____
_____	_____
_____	_____
_____	_____

Operation

- ♦ System problems? ___ Yes ___ No
- ♦ Sewage odors? ___ Yes ___ No
- ♦ Direct surface discharge(s)? ___ Yes ___ No
- ♦ Back-up of toilets? ___ Yes ___ No
- ♦ Back-up of any other fixtures? (e.g. slow drains) ___ Yes ___ No
- ♦ Seasonal ponding or breakout of leachfield? ___ Yes ___ No

Statement of Acceptance of Conditions

I agree to:

- ensure that the septic tank(s), distribution box(es), and/or seepage pit(s), if any, will be uncovered **prior** to the requested inspection time;
- have a seepage hauler on site (to pump the tank *after** the inspector arrives);
 - *tank must be pumped in presence of inspector*
- have an authorized representative present at the site to provide access to home for inspection of interior plumbing;
- allow the inspector to verify information provided above, and to conduct an inspection of the indicated onsite wastewater treatment system(s), including all system components, and interior and exterior plumbing.

To the best of my knowledge, the information provided above is accurate.

I agree to be responsible for inspection fee payment.

Signature of property owner or authorized agent:

Please print name: _____

Affiliation: ___ owner ___ agent _____

Signature: _____

Date: _____

Comments/Directions to property/etc. (optional)

Inspector

Name of Inspector _____

Affiliation _____

Address _____

Telephone No. _____

OTN SYSTEM INSPECTION FINDINGS WORKSHEET
Individual Residential Wastewater Treatment System

Complete one worksheet for each wastewater treatment system on the property.
 Provide property/system sketch (sheet 5), and attach plan(s) of system(s), if available.

Inspection Conditions Date _____ Inspector _____
 Tax parcel number _____ Temperature: _____ °F
 Weather _____ Can the inspection be fully completed under
 existing conditions? yes no, because _____

System Layout

Distance from house to first system component (_____), is _____ ft.
 Distance from septic tank to nearest property line is _____ ft.
 Distance from leach system to nearest property line is _____ ft.
 Distance from property well to septic tank is _____ ft, or N/A (Not Applicable) _____
 Distance from property well to leach system is _____ ft, or N/A _____.
 Distance from neighboring well to leach system is _____ ft, N/A _____.
 Distance from leachfield to surface water is _____ ft, or N/A _____.
 Distance from leachfield to top of slope is _____ ft, or N/A _____.

Water-Using Appliances (check all that apply)

➤	Washing Machine	Discharge to	
➤	Water Softener	Discharge to	
➤	Whirlpool Bath	Discharge to	
➤	Hot Tub	Discharge to	
➤	Garbage Disposal	Discharge to	
➤	Kitchen Drains	Discharge to	
➤	Dishwasher	Discharge to	
➤	Bathroom Fixtures	Discharge to	
➤	Other (auxiliary sinks, Showers, etc.)	Discharge to	
➤		Discharge to	

Additional Loading

Check any additional sources that are diverted to the septic system:
 storm water sump pumps foundation drains roof runoff
 other (please describe): _____

OTN SYSTEM INSPECTION FINDINGS WORKSHEET (cont.)

System Components

Holding tank? yes no; capacity: _____ gallons;
 watertight? yes no unknown; outlet pipe? yes no

Cesspool? yes no; capacity: _____ gallons; overflow pipe? yes no

Septic tank (s)? yes no Number of tanks _____
 Tank construction material(s):
 concrete metal plastic other (_____)

Aerobic system? yes no Type: _____
 Manufacturer: _____ Model: _____

Other system? yes no Type: _____
 Manufacturer: _____ Model: _____

Distribution box? yes no Material: _____

Drop boxes? yes no Number of boxes: _____

Soil absorption system

Type	# of lines	total length, ft	how determined
<input type="checkbox"/> Trad. leachfield	_____	_____	_____
<input type="checkbox"/> Leaching bed	_____	_____	_____
<input type="checkbox"/> Raised system	_____	_____	_____
<input type="checkbox"/> Sand filter	_____	_____	_____
<input type="checkbox"/> Mound system	_____	_____	_____
<input type="checkbox"/> Seepage pit (s)	- number: _____	- Approximate size/depth: _____	/ _____
<input type="checkbox"/> Other	_____	_____	_____

Surface discharge? no yes, there is discharge to: _____

Observations

<u>Yes</u>	<u>No</u>	<u>N/O*</u>	<u>Type/Condition/Comments</u>
			Household plumbing
_____	_____	_____	Are there any leaking fixtures and/or plumbing? _____
_____	_____	_____	Are all waste lines directed to the tank? _____
_____	_____	_____	Are there separate grey water or other waste lines? _____
_____	_____	_____	Are there any other interconnections to the system? (e.g. sump pump, softener, etc.) _____
_____	_____	_____	Is there a system vent? If yes, on roof or ground? _____

OTN SYSTEM INSPECTION FINDINGS WORKSHEET (cont.)

<u>Yes</u>	<u>No</u>	<u>N/O*</u>	<u>Type/Condition/Comments</u>
			(*Not Observed)
			Septic tank _____ N/A (Not Applicable)
_____	_____	_____	Access riser? If, yes, depth to cover: (inches) _____
_____	_____	_____	Depth below grade to top of tank: (inches) _____
_____	_____	_____	Tank cover? _____
_____	_____	_____	Inlet baffle? _____
_____	_____	_____	Outlet baffle? _____
_____	_____	_____	Effluent filter? _____
_____	_____	_____	Liquid level: _____ at, _____ above, or _____ below discharge invert?
_____	_____	_____	Number of tank compartments: _____
_____	_____	_____	Visible scum layer? _____
_____	_____	_____	Main tank clean out? Size (in.) _____ Location _____
_____	_____	_____	Capacity (gal.): _____ How determined? _____
_____	_____	_____	Water tight tank? How determined? _____
_____	_____	_____	Cracked, corroded or deformed tank? Describe _____
_____	_____	_____	See or hear flow from inlet while all fixtures/appliances are off?
_____	_____	_____	Evidence of a pipe or conveyance bypassing septic tank?

			Pump system _____ N/A
_____	_____	_____	Is there a dosing or pump tank? _____
_____	_____	_____	Is there an ejector or a grinder pump? _____
_____	_____	_____	Does the pump(s) appear to be operating properly? _____
_____	_____	_____	Is there a high water alarm? _____
_____	_____	_____	Are both switch and alarm operable? _____
_____	_____	_____	Is there evidence of surface water infiltrating the pump chamber?
_____	_____	_____	Are there any obvious electrical shortcomings? _____

Note: the inspector is not a certified electrical inspector

			Dosing Device _____ N/A
_____	_____	_____	_____ siphon _____ bell _____ float _____ other: _____
_____	_____	_____	Does device appear to be functioning properly?

			Distribution Box _____ N/A
_____	_____	_____	Number outlets: _____; Number in use: _____.
_____	_____	_____	Equal distribution to all outlets? _____
_____	_____	_____	Adjustable flow regulators? _____
_____	_____	_____	Evidence of liquid above outlet inverts? _____
_____	_____	_____	Baffle or other inlet device? _____
_____	_____	_____	Cracked, corroded or deformed? _____

OTN SYSTEM INSPECTION FINDINGS WORKSHEET (cont.)

<u>Yes</u>	<u>No</u>	<u>N/O*</u>	<u>Type/Condition/Comments</u>
			Drop Boxes _____ N/A
___	___	___	Number outlets/box: _____
___	___	___	Outflow line invert above leach line invert (s)? _____
___	___	___	Evidence of liquid above outlet inverts? _____
___	___	___	Cracked, corroded or deformed? _____
			Soil Absorption System _____ N/A
___	___	___	Obvious septic odor? _____
___	___	___	Evidence of seepage? _____
___	___	___	Any area of lush vegetation beyond leach system? _____
___	___	___	Impermeable surface or structure over part or all of leach system?
___	___	___	Extensive roots in or near subsurface system?
___	___	___	Evidence of heavy equipment on or driving over leach system?
___	___	___	Leach system probed for excessive moisture, odor and/or effluent?
___	___	___	Leach lines parallel with slope?
___	___	___	Sump pump/footer drains discharged onto or near system?
___	___	___	System diversion valve? If yes, frequency of alternation: _____

Record general observations of surrounding topography:

System Sketch

- On the next page, sketch the onsite wastewater treatment system to an approximate scale (or verify on and attach existing plan).
- Outline the approximate shape of the house, indicate front (F), back (B), and compass orientation (N).
- Show the location of all system components and their orientation relative to the house and other reference points (e.g. wells, embankments, rock outcrops, roads, fences, other buildings, surface water, etc.).
- Triangulate to indicate manhole (main access) of septic tank and distribution box.
- Show relative grades around and within system area (direction and approximate slope).

Separate plan attached? ___ yes ___ no

OTN SYSTEM INSPECTION *FINDINGS WORKSHEET* (cont.)

System Sketch

Must be filled in or attach a separate sketch of site plan

A large rectangular grid area for drawing a system sketch. The grid consists of 20 columns and 30 rows of small squares, providing a space for a detailed site plan or system diagram.

OTN SYSTEM INSPECTION FINDINGS WORKSHEET (cont.)

Check all that apply, and provide explanation for *each* checked item in the "Comments/Evaluation" section below:

1. ___ System appears to have functioned adequately under past and present loading. There can be no assurance or guarantee of future performance for any period of time. Numerous factors, such as household wastewater usage, leaking toilets, soil characteristics, and seasonal groundwater table fluctuation, as well as owner failure to manage and maintain the system, will affect its performance.
2. ___ System/components indicate unacceptable operation or performance.
 - 2.a. ___ Absence of treatment tank or other critical component(s) (e.g. d-box, pump chamber, baffles)
 - 2.b. ___ Apparent structural damage.
 - 2.c. ___ Evidence of wastewater breakout or direct discharge.
 - 2.d. ___ Evidence of prolonged high liquid level in dispersal area.
 - 2.e. ___ Failed dye test.
 - 2.f. ___ Other
3. ___ Due to weather conditions, lack of information provided, and/or inaccessibility to all system components, the inspection results are incomplete.
4. ___ System appears undersized, or has undersized components per current standards for new construction since 1990.
5. ___ Recommend upgrade, expansion, and/or replacement of one or more components.

Comments/Evaluation: _____

****IMPORTANT ****

- > The OTN System Inspection *Site Report* excludes components that are concealed or otherwise not observable.
- > The **Inspection Findings** address the present condition of the system but in no way guarantee or warranty future performance.

Date: _____ Inspector Registration number: OTN- _____

Inspector's signature: _____

*The inspection report format is part of a standardized process used by those who have completed inspection training by the New York Onsite Wastewater Treatment Training Network (OTN).

APPENDIX E

WASTEWATER INSPECTOR QUALIFICATIONS

An approved inspector shall be one of the following:

1. **Professional Engineer, Registered Architects or Licensed Land Surveyor with certificate for minor engineering all of whom are licensed by New York State to design on-site wastewater systems.**
2. **New York State Certified Code Enforcement Officer**
3. **An individual who has been in the business of supervising the installation of on-site wastewater systems for a minimum of five (5) years in New York State and has been approved by the Code Enforcement Officer.**
4. **An individual who has completed inspection training by the New York Onsite Wastewater Treatment Training Network (OTN) and has been assigned an OTN Inspector Registration Number.**

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 20 06 of the (County)(City)(Town)(Village) of Inlet was duly passed by the Town Board on September 12 20 06, in accordance with the applicable provisions of law.
(Name of Legislative Body)

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

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20 _____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20 _____ *(Elective Chief Executive Officer*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special)(annual) election held on _____ 20 _____, in accordance with the applicable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20 _____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20 _____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

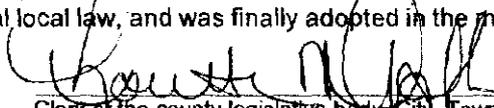
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20 _____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20 _____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 _____, above.


Clerk of the county legislative body, City, Town or Village-Clerk or officer designated by local legislative body

Date: 9-18-06

(Seal)

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

STATE OF NEW YORK
COUNTY OF Oncida

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

C. A. Walsh
Signature
Inlet Town Attorney
Title

County
City of Inlet
Town
Village

Date: 9/18/06