

LEGAL NOTICE

PLEASE TAKE NOTICE that after a public hearing held by the Town Board of the Town of Knox, Albany County, New York, on the 11th day of July, 1967, the following Ordinance was duly adopted:

THE TOWN OF KNOX SANITARY CODE

Pursuant to §130 (15) of the Town Law and §308 of the Public Health Law, the Town Board does enact the following ordinance for the purpose of protecting the health, safety and general welfare of the Town:

Section 1. DEFINITIONS.

a. "Sewage disposal system" as used in this ordinance shall mean a septic tank, leaching pit, cesspool, chemical toilet, privy, pipe or other means to dispose of sewage or tank wastes.

b. "Structure intended for human occupancy" as used in this ordinance shall include any vehicle, house car, camp car or other type of vehicle, whether on wheels or not if used for living or sleeping purposes, and "erection" of a structure intended for human occupancy shall include the parking of such a vehicle with the intent that it be occupied by humans. A tent or camp car erected and used for less than one week shall not be deemed a structure intended for human occupancy.

c. "Person" as used in this ordinance shall mean an individual, an association, a partnership or a corporation.

Section 2. BUILDING PERMIT. No sewage disposal system shall be installed or structurally altered anywhere in the Town until an application for a building permit shall have been filed and approved as hereinafter provided. The construction or erection of any structure intended for human occupancy shall not be commenced until an application therefor shall have been filed and a building permit issued in the manner hereinafter provided.

Section 3. CERTIFICATE OF OCCUPANCY. No sewage disposal system shall be used in the Town, if constructed after the effective date of this ordinance, unless a certificate of occupancy be issued therefor, as hereinafter provided.

No structure intended for human occupancy shall be occupied or used by human beings in the Town if such structure was erected or constructed after the effective date of this ordinance, unless a certificate of occupancy has been issued therefor as hereinafter provided.

Section 4. BUILDING INSPECTOR. The Town Board shall appoint a building inspector who shall be responsible to the Town Board for the performance of the duties hereinafter mentioned and whose appointment shall be at the pleasure of the Town Board.

Section 5. APPLICATIONS. Applications for building permits shall be submitted to the Town Clerk with a plot plan or sketch showing the intended location of the sewage disposal system. In the case of subdivisions temporary residences on any other premises requiring the approval of the State of New York and/or Albany County Department of Health, such approval shall be filed with the Town Clerk at the time of filing said application. A fee of \$2.50 shall be paid to the Town Clerk simultaneously with the filing of the application.

After a building permit has been granted and the work thereunder performed, but before the work has been covered, the applicant shall notify the Building Inspector that the work has been completed. Said notice shall be deemed an application for a certificate of occupancy.

Section 6. DUTIES OF BUILDING INSPECTOR. It shall be the duty of the building inspector to receive applications filed with the Town Clerk. He shall promptly investigate the proposed disposal devices indicated in the said application, inspect the proposed site of the disposal system and issue a building permit if the proposed sewage disposal system complies with the requirements of this ordinance. The said site investigation may, at the discretion of the building inspector, be made

in the company of the applicant, and/or representative of the Albany County Department of Health. The building inspector shall also inspect the disposal system when its construction has been completed, but before it has been covered, and shall issue the applicant a certificate of occupancy permitting the use of such installation, if he finds such installation conforms to the requirements of this ordinance.

Section 7. COVERING. No sewage disposal system shall be covered until it has been inspected as aforesaid.

Section 8. APPEALS. If the building inspector declines to issue a building permit or a certificate of occupancy, the applicant may appeal within 30 days of the denial thereof to the Town Board by filing a request for a hearing with the Town Clerk. The applicant will be notified by the Town Board of the date, time and place of said hearing.

Section 9. DISTANCES. No sewage disposal system shall be installed unless every part of such installation shall be more than 10 feet from the boundary line of the property on which it is located and more than 25 feet from any lake, reservoir, stream or water course not protected by rules enacted by the State Commissioner of Health; nor shall the leaching parts of such installation be located on the direct line of drainage to, nor less than 100 feet in a horizontal direction from, any source of domestic water supply systems which are located on watersheds of public water supplies must comply with the rules and regulations enacted by the State Department of Health for the protection of such supplies.

Section 10. EXPOSURE OF SEWAGE. No person either as owner, lessee or tenant of any property, or dwelling, building or place shall construct or maintain any sewage disposal system so as to expose or discharge the contents or effluent therefrom to the atmosphere or on the surface of the ground nor so as to enter any source of drinking water nor to discharge into any water course, storm sewer drain, or body of water.

Section 11. SEPTIC TANKS. Setting of septic tanks for single or two-family dwellings shall have capacities below the flow line of not less than one day's flow of sewage based on the rate of 150 gallons per bedroom for small dwellings, farm houses and summer cottages, and 75 gallons per person for large dwellings, boarding houses and hotels. The minimum size of approved septic tank shall be 500 gallons working capacity. Septic tanks shall be at least 10 feet outside the foundations of buildings. Drains from buildings to septic tanks shall be water-tight and equipped with a house trap and fresh air vent. They shall have a diameter of not less than 4 inches. No roof leaders or floor or cellar drains shall drain into septic tanks. Septic tank effluents shall be disposed of by discharging to sub-surface tile systems, leaching cesspools or by such other means as may be approved in writing by the Building Inspector.

Section 12. SUBSURFACE TILE SYSTEMS. A subsurface tile system shall be laid with proper slope and alignment below the ground surface in such a fashion as to permit an even flow from the septic tank into all parts of the tile field. A distributing box shall be used to distribute the flow evenly to each lateral in the tile field. Diameter of distributors, type of joints and the slopes thereof shall be as prescribed by the Building Inspector and the entire system shall conform to standards set by the Building Inspector as a result of percolation tests conducted by him.

Section 13. SEEPAGE PITS. Seepage pits or cesspools may be permitted where the top soil is underlaid with sand or gravel. They shall be preceded by a septic tank. Such pits shall be made of durable material and construction and of such proportions that the side area is approximately three times the bottom area. The bottom of a seepage pit shall be at least two feet above the ground water table. The seepage area of

a pit or cesspool shall be as calculated by the Building Inspector.

Section 14. PIT PRIVIES. Outdoor pit privies are permissible only in porous sandy soils where the ground water level is at least 2 feet below the bottom of the pit. They shall be fly-tight, properly ventilated and otherwise constructed as to facilitate maintenance in a sanitary condition.

Section 15. WATER-TIGHT SYSTEMS. When the nearby ground water must be protected, or leaching systems cannot be utilized, a watertight vault privy, a removable receptacle privy or a chemical toilet can be used if approved by the Building Inspector and adequate facilities are available for proper sanitary maintenance and disposal of wastes.

Section 16. CONSTRUCTION. Nothing contained in this ordinance shall be construed to permit the installation or maintenance of disposal facilities which are or may become a nuisance.

The Building Inspector may at any time by personal inspection determine that existing sewage disposal facilities on a property are inadequate or do not function properly, or that there is not available an adequate supply of water for use in connection therewith. In such cases he shall notify the tenant or owner of the said premises in writing of such fact, and a copy of such notice shall be sent to the Town Clerk. Upon a receipt of such notice it shall be the duty of the owner or tenant within ten days, to make application to the Town Clerk for a permit to reconstruct or alter such disposal system, and to complete such reconstruction or alteration within thirty days after receipt of said notice. Unless such reconstruction or alteration as is required shall have been completed within the said thirty days it shall be unlawful and improper to use the said premises for human occupancy until such reconstruction or alteration is completed and approved. The fee for a reconstruction or alteration permit shall be the same as that for a new installation, and such work shall be inspected and approved in the manner provided for new installations.

Section 17. VIOLATIONS. Any violation of this ordinance is hereby declared to be an offense and shall render the owner or owners of the land and the tenant thereof or any other person guilty of a violation thereof liable to a fine of not more than \$50.00 or to imprisonment for a period of not more than thirty days or both. In addition, the Town Board may also maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with or to restrain the violation of this ordinance.

Section 18. REPEAL. All ordinances or regulations heretofore adopted in conflict with this ordinance are hereby repealed.

Section 19. SAVING CLAUSE. If any clause, sentence, paragraph, section or part of this ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

State of New York

§§:

County of Albany

I, Bernard White, do hereby certify that the foregoing is a true and correct copy of an Ordinance duly adopted by the Town Board of the Town of Knox on July 11, 1967 after due notice and public hearing; that the said ordinance has been entered in the minutes of said meeting; and that I have compared the preceding copy with the original thereof now on file in said minutes and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Knox this 11th day of July, 1967.

(SEAL)

S/BERNARD WHITE,
Town Clerk, Town of Knox.

(July 21)