

**VILLAGE OF BRONXVILLE
BOARD OF TRUSTEES**

**PROPOSED LOCAL LAW NO. 1 - 2024
A LOCAL LAW TO AMEND CHAPTER 256 OF THE CODE OF THE VILLAGE OF
BRONXVILLE TO PROVIDE FOR THE INSPECTION, TESTING, REPAIR,
REPLACEMENT AND ONGOING MAINTENANCE OF PRIVATE SEWER LATERALS BY
PRIVATE PROPERTY OWNERS**

Section One: The title of Chapter 256 of the Code of the Village of Bronxville is hereby amended to read as follows: CHAPTER 256, STORM DRAINAGE SYSTEM AND SANITARY SEWER LATERALS.

Section Two: Chapter 256, Storm Drainage System and Sanitary Sewer Laterals, of the Code of the Village of Bronxville is hereby amended to add a new Article II entitled “Private Sanitary Sewer Laterals” to read as follows:

§ 256-30. Legislative intent.

The purpose of this article is to reduce infiltration and inflow into the sanitary sewer system operated by the Village of Bronxville and exfiltration of sewage into groundwater and waterways by requiring inspection, testing, repair, replacement and ongoing maintenance of private sewer laterals by property owners in the Village of Bronxville.

§ 256-31. Definitions.

As used in this article, the following terms are defined as follows:

DISCHARGE COMPLIANCE CERTIFICATE

A certificate issued by the Village Building Inspector stating that a licensed plumber has provided them with a Plumber’s Certification.

CERTIFICATION OF A PLUMBER or PLUMBER’S CERTIFICATION

A certification made to the Village by a plumber licensed to do business within the County of Westchester stating that the plumber:

- A. Has inspected all of the connections leading from the structures on the real property (the “Property”) to the public stormwater sewer lines and the public sanitary sewer lines and that all such connections comply with the requirements of the New York State Building Code, Westchester County Sewer Act, the Westchester County Sanitary Code and the Village Code;
- B. Has inspected the Property and found that there are no culverts, drains, hoses, leaders, lines, pipes or pumps that discharge liquids into the sanitary sewer; and
- C. Has inspected the Sanitary Sewer Laterals leading from the structures on the Property and determined that such laterals do not directly or indirectly allow Inflow or infiltration therefrom into the Village’s public sanitary sewer lines, which inspection must include either a video record of a closed-circuit television (CCTV) inspection of the entire sanitary sewer lateral that has been provided to the Village, or, in the case of a force or pump system, the results of a pressure test of the system; satisfactory, in either case, to the Village Building Inspector or their designee.

EXFILTRATION

Raw sewage that leaks out of laterals into soil, groundwater and waterways.

INFILTRATION

Water, other than wastewater, that enters a sewer system (including Sanitary Sewer Laterals or sewer service connections) from the ground through such means as defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from, Inflow.

INFLOW

Water, other than wastewater, that enters a sewer system (including Sanitary Sewer Laterals or sewer service connections) from sources such as, but not limited to, roof leaders, sump pumps, cellar drains, yard drains, area drains, foundation drains, drains from springs and swampy areas, manhole covers, cross-connections between storm sewers and sanitary sewers, catch basins, cooling towers, stormwaters, surface runoff, street washwaters and drainage. Inflow does not include, and is distinguished from, Infiltration.

RENEWAL EVENT

Either a transfer of title to the Property, other than a transfer between family members, or an application for a building and/or plumbing permits for construction ~~with that, when combined with the aggregate value of construction that required a building permit for two years prior to the application, will result in a total amount of \$100,000 in value.~~ ~~a value that exceeds \$100,000.~~

SANITARY SEWER LATERAL or LATERAL

The sanitary sewer pipe running from the structure(s) on a Property conveying wastewater from the structure(s) and connecting to the public sanitary sewer main.

§ 256-32. Standards for maintenance of Sanitary Sewer Laterals.

- A. It is the sole responsibility of private Property owners within the Village to perform all required maintenance, repairs and replacements of Sanitary Sewer Laterals in accordance with the requirements of this article and the requirements of the New York State Building Code, the Westchester County Sewer Act, the Westchester County Sanitary Code and the Village Code.
- B. Laterals shall be kept free from roots, grease deposits and other solids which may impede the flow or obstruct the transmission of sewage.
- C. Laterals shall not exhibit any evidence of Infiltration.
- D. Laterals shall not exhibit any evidence of Exfiltration or leakage.
- E. Lateral pipe joints shall be tight and all lateral pipes shall be free of any structural defects such as breaks, openings, and/or voids.

§ 256-33. Standards for connection to common force main.

Connection to any common sanitary sewer force main shall be constructed strictly in accordance with plans, details, specifications, and standards approved by the Village Building Inspector and the Westchester County Department of Health.

§ 256-34. Correction or abatement.

- A. If at any time any sanitary sewer lateral is found by the Village Building Inspector or their designee to not be in compliance with the requirements of § 256-32 or 256-33, the owner of the Property must cause all necessary repairs to be made to bring the lateral into compliance. Unless the Village Building Inspector allows additional time for good cause shown, the owner of the Property must undertake to complete the required repairs to the satisfaction of the Village Building Inspector or their designees within 60 days of the sooner of becoming aware of the noncompliance, or receiving notice from the Village or otherwise, including an inspection by a plumber done in connection with providing a Plumber's Certification, that the lateral is not in compliance.
- B. If the Property owner fails to complete the repairs and bring the lateral into compliance within the time required, the Village may, but shall not be required to, enter upon the Property and complete the required work, and the cost of doing so will be billed to the owner of the Property, and in the event of nonpayment, will be a lien on the Property which can be collected and enforced as part of, and in the same manner as, Village taxes, after reasonable notice and an opportunity for the Property owner to be heard.
- C. Upon completion of the repairs, the Property owner must provide to the Village Building Inspector a detailed invoice specifying the repairs made and reflecting payment for the repairs and a Plumber's

Certification and must obtain from the Village Building Inspector a Discharge Compliance Certificate.

- D. A Property owner may choose to correct the noncompliance by replacing the sanitary sewer lateral. Any new sanitary sewer lateral, whether installed to correct a noncompliance or otherwise, must be installed in accordance with all applicable codes and regulations, including this article, and must be inspected by the Village Building Inspector, who will issue a Discharge Compliance Certificate if the new lateral complies with the requirements of this article.

§ 256-35. Inspection upon Renewal Event.

- A. Each Property owner must obtain a Discharge Compliance Certificate prior to any Renewal Event as defined in § 256-31. Upon making an application for a Discharge Compliance Certificate, the Village Building Inspector or their designees shall have the right, but not the obligation, to inspect the Property. If the plumber's inspection, the video required to be submitted, or the inspection by the Village Building Inspector or their designee indicates the lateral is not in compliance with the requirements set forth in § 256-32 and/or 256-33 above, the Property owner shall be required to correct the conditions not meeting the requirements and provide a Plumber's Certification and video indicating all conditions have been corrected and that the lateral is now in compliance with this article. Upon the Village Building Inspector's determination that the lateral is in compliance, which may be based on a Plumber's Certification, the Discharge Compliance Certificate will be issued.
- B. If at the time of a Renewal Event or a required inspection the Property owner can prove that a Discharge Compliance Certificate has been issued within the preceding five years, and there has been no significant change in the condition of the Property, the Village Building Inspector may waive the requirement for a new Discharge Compliance Certificate for that particular Renewal Event.

§ 256-36. Fees.

The Village of Bronxville shall charge and receive fees for the issuance of a Discharge Compliance Certificate under this article in an amount set by resolution of the Board of Trustees including, if the Board of Trustees deems advisable, late fees for untimely compliance.

§ 256-37. Penalties for offenses.

Any person, firm, association, or corporation which violates any of the provisions of this article or fails to complete remediation as required herein shall be guilty of a violation and, upon conviction, shall be punished by a fine of not more than \$2,500 or imprisonment for not more than 15 days, or both such fine and imprisonment. Each day the violation exists shall constitute a separate offense.

Section Two: Severability.

If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

Section Three:

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State.