

ORDINANCE NO: 182

AN ORDINANCE PROSCRIBING RATES FOR THE SERVICE OF THE MUNICIPAL SEWAGE DISPOSAL PLANT AND REVISING ORDINANCE NUMBER 107-18 AND ORDINANCE NUMBER 134.

BE IT ORDAINED BY THE TOWN OF BUFFALO

Section 1: The sewage disposal system constructed in the Town of Buffalo shall be operated as a public utility of the Town and rates, charges, rentals, regulations and provisions of this ordinance shall be and remain applicable thereto until duly amended. The Town reserves the right and power to amend this ordinance as the need or propriety thereof arises, and the rates, charges and rentals herein specified may be increased or decreased.

Section 2: The following rates, charges and rentals are hereby established, subject to revision by ordinance amendatory hereof or supplemental hereto, as herein above provided:

(a) Each owner or occupant of premises to be connected to the sewer system shall pay a connection charge of \$75.00 for each connection desired. No connection shall be made to premises situated in whole or in part on any platted lot as to which the availability charge has not been paid.

(b) The following monthly sewer service charges are hereby established, on the following described types of connections, in the monthly amount per connection indicated opposite the classification of the connection:

1. Residential Users: \$12.00 per month per each residence connected to the system.
2. Duplex and Commercial Users: \$13.00 per month per each building or lot connected to the system.
3. Motels and Apartment Complexes: \$15.00 per month per each motel and apartment complex connected to the system.

For the purpose of this ordinance an apartment complex shall be defined as a building containing three or more apartments.

4. The sewage service fee shall be assessed on the availability of hookups and will not be based upon volume use of the system connections.
5. In the event that any particular connection is described in more than one of the above classifications, the rate to be paid for such connection shall be the highest of the rates applicable to the classifications descriptive of such connection.

Section 3: It is hereby found, determined and declared that said sewage disposal plant and system is necessary for the prevention of, and will prevent the pollution of, the municipal water supply, and all rates, charges and rentals contained in Section 2(b) above for the service and benefit of said plant to the users of the municipal water system shall be established as a surcharge on the regular monthly water bills of such users. All such charges shall be collected with and as part of said bills, but shall be separately stated therein. If bills are not paid within 90 days from date, the water service to the premises shall be discontinued without further notice. In the event of the discontinuance of any such water service, there will be a charge of \$50.00 for resumption of such service. Any claim for unpaid rates, charges or rentals which have been properly billed to the occupant of the premises may be collected in a civil action against such occupant in any court of competent jurisdiction.

Section 4: Implementation of 4% rate increase. For purposes of all sewage rate increases, the Finance Office shall calculate a 4% rate increase for each year beginning January 1, 2012 and round the increase to the nearest 10 cents.

Section 5: Late payment charge. Sewer charges received after the 20th of the month shall be subject to a charge of 20% of the past due bill.

Section 6: Penalty. Any person, firm or corporation violating any provision of this article shall be fined not less than \$50 nor more than \$500.00 for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

All provisions of revised ordinance number 107-18 and ordinance number 134 are replaced in their entirety upon adoption of this ordinance.

Dated this 9th day of May, 2011.


PRESIDENT, BOARD OF TRUSTEES

ATTEST:


TOWN FINANCE OFFICER

(SEAL)

Placed upon its 1st reading: April 11, 2011

Placed upon its 2nd reading: May 9, 2011

Approved: May 9, 2011

Published: May 12, 2011

107-
REVISED ORDINANCE NO. 17

AN ORDINANCE SETTING UP AND DEFINING RULES AND REGULATIONS GOVERNING THE CONDUCT OF BUSINESS CONCERNED WITH THE OPERATION OF THE SEWER AND SEWAGE DISPOSAL SYSTEM

BE IT ORDAINED BY THE TOWN OF BUFFALO

Section 1: Connections to Sewers.) The owner of any house or building, occupied by any person and located so that any part of said building is within two hundred feet of a public sewer, or to which a public sewer is available, shall, within thirty days from the time of receiving from the Board of Trustees, a written notice to do so, connect such house or building to a public sewer. The connection must be made so as to comply with all the rules and regulations of the Town in regard to the construction and use of sewers and be inspected and approved by the Superintendent of Water and Sewers.

Section 2: Sewer Permit Required.) No person shall make any connection with any public sewer, either directly or indirectly, inside or outside the corporate limits of the Town, without first having obtained the proper permit. All of the availability and tapping charges must be paid within thirty days after installation.

Section 3: Application for Permit.) An application for a permit to connect to any sewer must be made in writing to the Board of Trustees and must state the owner of the property to be served, the lot and block numbers, the addition to the Town, also for what purposes the premises to be served will be used, whether for a private home, factory, store, etc. The application will be approved or disapproved by the Board of Trustees.

If it is found necessary to tap a sewer at any other place than where a "Y" has been placed, the Superintendent of Water and Sewers must be notified and the break-into or tap must be approved by Superintendent of Water and Sewers. No sewer work shall be covered until it has been compacted, inspected and approved by the Superintendent of Water and Sewers or his authorized agent.

Section 4: Separate Trench.) Sewer pipes must not be laid in the same trench with water pipes, but an entirely separate trench must be provided therefor.

Section 5: Specifications for Sewer Connections.) Sewer connections from the public sewer to the users property shall comply with State sewer code regulations.

Section 6: Sewer Connections at Owners Expense.) All sewer connections from the public sewer to the users property shall be laid and constructed at the expense of the owners of the property to be served.

Revised
Section 7: Owners Duty to Maintain Private Sewer Lines and House Connections.) If any person shall fail to properly maintain a private sewer line or any house service sewer line, the supply of Town water shall be shut off from the premises served.

Section 8: Use of Sewers.) It shall be unlawful for any person to open any

manhole or catch basin along any sewer without property authority therefore, or to place any sticks, stones, rages or other similar objects in any sewer, or to dump, place or permit to flow in any sewer, or house connection any petroleum or its products, including gasoline, kerosine and lubricating oil; any tar pitch or asphalt; any acids, including battery water; any phenol or other similar coal tar derivatives; any garbage, as such is commonly defined; and any other liquids or solids not ordinarily the produce of human existence in homes or business houses in the Town. It shall be unlawful for any person to conduct, operate and maintain a garage, filling station, machinery cleaning rack, restaurant or plant within the Town without first installing and continuously operating and maintaining in connection with such business, under the direction of the Town Sewer Department, a proper and efficient grease trap, to be so designed and built as to trap and hold for frequent removal, as necessity requires, all oils and greases that otherwise might enter the sewer. It shall be unlawful for any person to operate, use or maintain an animal slaughtering or meat packing plant, a wool washing plant, a gas plant, a tannery, an oil refinery, a sugar refinery, a starch works, a metal smelter, a pickling works, a paper mill, or any other industrial works which may in the course of its proper operation produce a waste certain substances known to be deleterious to the proper operation of a sewage treatment works, without first pretreating in a manner satisfactory to the Board of Trustees, any and all such waste substances before permitting them to flow into the sewers of the Town.

It shall be unlawful for any person owning, operating and maintaining a creamery or milk-handling or treating station within the Town, to permit more than one-half of one percentum of the milk or milk products, based on the stations total sewage flow, to enter the Town sewer or sewers.

Section 9: Approved Methods of Disposal of Human Excreta Required.) Every residence and building within the Town of Buffalo in which human beings reside, are employed or congregate, shall be provided with an approved method of disposal of human excreta as required in this Ordinance.

Section 10: Methods of Disposal Permitted.) Only the following methods for disposal of human excreta shall be permitted within the limits of said Town.

1. Whenever a residence or building is provided with one or more water flush toilets, the contents from said toilets shall be discharged into one of the following:

A. A public sewer, provided a public sewer is or shall hereafter be located in a street or alley upon which the lot occupied by said residence or building fronts or abuts, or provided a public sewer is otherwise within 200 feet of said residence or building and is accessible.

B. A private sewage treatment plant constructed in accordance with plans approved by the State Board of Health.

2. In case a residence or building is not provided with water flush toilets, a sanitary pit privy or other sanitary method approved by the State Board of Health shall be installed but not nearer than forty feet to any dwelling.

Section 11: Inspection and Abatement of Violations.) It shall be the duty of the Health Officer or his authorized representative, to make an inspection of the methods of disposal of sewage within said Town as frequently as is necessary to secure compliance with this Ordinance. Written notification of any violation shall be given by the Health Officer or his authorized

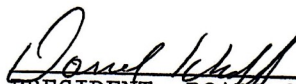
representative to the owner and occupant of the property upon which the violation occurs. If the provision of this Ordinance have not been complied with within a period of thirty days following date of notice of violation, the Town shall have the right to make or have made such alterations in the methods of disposal of sewage within the limits of said Town as are deemed necessary by the Health Officer to meet the requirements of this Ordinance and all the cost thereof shall be provided for and defrayed by a special tax bill to be assessed in favor of the Town against the property on which improvements are made and such special tax bill shall become a lien on said property.

Section 12: Duty of Property Owner.) It shall be the duty of the owner of any premises within the limits of said Town where human beings reside, are employed or congregate, to provide a sanitary method of sewage disposal complying with this Ordinance.

Section 13: Other Disposal Unlawful.) It shall be unlawful for any person, within the limits of said Town to throw out, deposit, or in any other way dispose of sewage other than as provided in this Ordinance.

Section 14: Definition of "sewage".) The term "sewage" as used in this Ordinance shall mean the bowel or kidney discharge of human beings.

Section 15: Penalty.) Any person, firm or corporation violating any provision of this article shall be fined not less than \$5.00 nor more than \$100.00 for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.


PRESIDENT, BOARD OF TRUSTEES

ATTEST:


FINANCE OFFICER

(S E A L)

Placed upon its 1st reading: August 11, 1987

Placed upon its 2nd reading

and passed:

December 8, 1987

Published:

December 16, 1987

Revised Section 7, by Ordinance #115, pg 74, 8/8/1989