

MONROE COUNTY SANITARY CODE

ARTICLE IIA

Private Sewage Disposal Systems

[Added 10-8-74 by Res. No. 453-1974]

- § 569-18. Declaration of policy.
- § 569-19. Purpose.
- § 569-20. Definitions.
- § 569-21. Permit required for construction.
- § 569-22. Construction standards.
- § 569-23. Connection to public sewer required if available.
- § 569-24. Exposure or discharge of sewage.
- § 569-25. Abandoned septic tanks.
- § 569-26. Variations.

§ 569-18. **Declaration of policy.**

- A. It is hereby declared to be the policy of the County of Monroe to maintain a reasonable degree of purity of private water supplies and a reasonable degree of efficiency for private sewage disposal systems, consistent with the public health, welfare and comfort of the residents of the county, the business and industrial development of the county and the protection of property and other resources and to that end, to require the use of all available practical and reasonable methods for controlling private water supplies and private sewage disposal systems in the county.
- B. The necessity for legislative intervention by the enactment of the provisions of this article is hereby declared as a matter of legislative determination, and this title shall be liberally construed to effect its purposes.
- C. Nothing herein contained shall be construed to abridge the emergency powers of the Board of Health of the Department of Health or the right of the Department of Health to engage in any of its necessary or proper activities.

§ 569-19. **Purpose.**

- A. It is the intent and purpose of this article to safeguard the public health and water resources of the County of Monroe by:
- (1) Providing for review, approval and inspection of individual sewage disposal systems so as to assure installations consistent with recognized good practice and providing reasonable efficiency of operation.
 - (2) Controlling and abating discharge of sewage from private sewage disposal systems so that no potential public health hazard or violation of Article 17 of the Environmental Conservation Law occurs therefrom.
 - (3) Controlling and abating pollution by preventing the occurrence of any new sources of potential public health hazards related to private water supplies or private sewage disposal systems.
- B. Such standards, regulations and procedures as may be deemed necessary by the Board of Health of the Department of Health shall be incorporated under a program consistent with the above-stated declaration policy.

§ 569-20. **Definitions.**

As used in this article, the following terms shall have the meanings indicated:

COMMUNITY SEWERAGE SYSTEM -- A system utilized for the collection and disposal of sewage or other wastes of a liquid nature, including the various devices for the treatment of such wastes, serving more than one lot, whether owned by a municipal corporation or private utility.

DISPOSAL FIELD -- An area in which open joint or perforated piping is laid in appropriate aggregate material in trenches or excavations for the purpose of distributing the effluent discharged from a private sewage disposal system for absorption into the soil.

PERMIT-ISSUING OFFICIAL -- The Monroe County Health Director or his authorized representative.

PERSON -- An individual, public or private corporation, political subdivision, government agency, municipality, industry, copartnership, association, firm, trust, estate or any other legal entity.

PRIVATE SEWAGE DISPOSAL SYSTEM -- A sewage disposal system or facility that is not directly connected to an approved community sewerage system and serving a single residential lot or other facility generating sewage in quantities of less than 1,000 gallons per day.

SEEPAGE PIT -- A covered pit with open-jointed lining surrounded with washed gravel or crushed stone through which septic tank effluent may seep or leach into surrounding ground.

SEPTIC TANK -- A watertight receptacle which receives the discharge of a building sanitary drainage system or part thereof and is designed and constructed so as to separate solids from the liquid, digest a portion of the organic matter through a period of detention, reduce the velocity of discharging wastes and allow the liquids to discharge into the soil outside of the tank through a system of open joint or perforated piping or a seepage pit.

SEWAGE -- Human excreta or the water-carried discharges of the human body and/or the human liquid wastes from the household, such as laundry wastes, kitchen sink and bathroom fixtures, or liquid wastes of human origin from business, recreation, industry, trade establishments or other places.

SEWER -- A watertight conduit for carrying sewage.

§ 569-21. **Permit required for construction.**

- A. No person shall construct a private sewage disposal system in Monroe County unless a permit has first been obtained from the permit-issuing official or until an approval for a realty subdivision has been issued under Article III of this Monroe County Sanitary Code.
- B. No person shall alter, repair or extend a private sewage disposal system in Monroe County unless a permit has first been obtained from the permit-issuing official.
- C. Application for a permit shall be made on a form prescribed by the permit-issuing official. Application for approval of a subdivision under Article III constitutes permit application for the lots included in that subdivision. The owner or lessee of the lot shall submit to the permit-issuing official such of the following information as may be necessary to determine whether the construction, alteration, repair or extension will conform to the provisions of these regulations:

- (1) The name and address of the applicant.

- (2) The lot, tax account number, address and detailed location of the property on which construction, alteration, repair or extension is proposed.
 - (3) A complete plan of the proposed disposal facility with substantiating data attesting to its compliance with the minimum standards of the County Health Department.
 - (4) Detailed information showing the absorptive qualities of the soil involved and a conclusion as to the suitability of such soil for the proposed use thereof. The permit-issuing official or his representative may request to be present during the performance of tests designed to show the absorptive qualities of the soil.
 - (5) Pertinent groundwater and geological data as the permit-issuing official may require.
 - (6) Evidence to demonstrate to the satisfaction of the permit-issuing official that there is no community sewer or other part of the community sewage system within reasonable distance of such lot into which sewage can be discharged or that it is impracticable to discharge the sewage concerned into the community sewerage system.
 - (7) The number of bedrooms, anticipated sewage flow and type of use (residential, commercial, etc).
 - (8) The location of any water wells within 500 feet of the proposed sewage disposal system.
- D. The permit-issuing official shall issue a permit when he finds that the proposed design meets the requirements of these regulations. A subdivision approval under Article III of this Monroe County Sanitary Code shall constitute the issuance of permits for the lots contained on that subdivision.
- E. When the permit-issuing official determines that the proposed design does not meet the requirements of these regulations or that soil and geological conditions are such as to preclude safe and proper operation of the desired installation(s) he shall deny a permit to proceed with the construction, alteration, repair or extension.
- F. The holder of the permit or of a subdivision approval under Article III of this Monroe County Sanitary Code shall notify the permit-issuing official when any installation is ready for inspection. Inspections may be made during the construction to determine compliance with these regulations. No part of any installation shall be backfilled until inspected and backfill authorized by the

permit-issuing official or his representative. Any part of an installation which has been covered prior to final inspection shall be uncovered upon order of the permit-issuing official. If the permit-issuing official determines that the installation is satisfactory, he will issue the owner a certificate of approval.

- G. No person shall occupy the premises with a newly built or reconstructed private sewage disposal system unless a certificate of approval has been issued by the permit-issuing official.
- H. Any person whose application for a permit under this section has been denied shall be notified, in writing, as to the reasons for denial and such person may, after official notification of such action, file a written request for a hearing with the Monroe County Health Department.
- I. Any person acting as a builder or developer who receives a certificate of approval must furnish the purchaser of such lot with a copy of such certification and a diagram of the facilities as built.
- J. A permit may be revoked if it is found that soil and site conditions found at some later date differ from conditions described on the permit application to a degree that would impair proper operation of the sewage disposal system.

§ 569-22. **Construction standards.**

Private sewage disposal systems shall meet the construction standards as set forth in Standards for Individual Sewage Disposal Systems, published by the Monroe County Health Department. Said standards are incorporated by reference in this article. EN

§ 569-23. **Connection to public sewer required if available.**

Where a public sanitary sewer is available and accessible, no person shall construct, repair, alter or provide on any property a private sewage disposal system for the disposal of sewage except a temporary privy for use in connection with a construction project.

§ 569-24. **Exposure or discharge of sewage.**

No person shall construct, maintain or operate any private sewage disposal system so as to expose or discharge sewage or sewage effluent therefrom to the atmosphere or onto the surface of the ground or into any lake or stream or stormwater sewer or drain or roadside ditch without the permission of and treatment acceptable to the County Health Department. When a private sewage disposal system is constructed, operated or maintained so as to expose or discharge sewage or sewage effluent as indicated above, the Department of Health may order that the premises from which the sewage originates be vacated until repairs are made and permission to occupy is issued, in writing, by the permit-issuing official.

§ 569-25. **Abandoned septic tanks.**

For safety purposes, all abandoned septic tanks shall be crushed, removed or filled with stone, earth or sand.

§ 569-26. **Variations.**

An alternative method of sewage disposal or a variation may be approved by the permit-issuing official if it provides equal or better treatment than the minimum requirements provided for herein or if, in his judgment, it will secure substantially the objectives of the standards or requirements of these rules and regulations. Variations shall be specifically approved, in writing, by the permit-issuing official before construction or installation. Such approval shall cover the details of construction to be used.