

ARTICLE II General Sanitation (§ 569-10 — § 569-17)

[Amended 12-1-59 by Res. No. 282-1959; 11-12-80 by Res. No. 407-1980]

§ 569-10 Offensive material.

A.

Definition. The term "offensive material," as used in this section, shall mean any sewage, fecal matter, manure, offal, garbage, dead animals, meat wastes, blood, tankage or any putrescible organic matter or the contents of privies, cesspools, septic tanks or chemical toilets, either in liquid or solid state, or any other solid, liquid or gaseous substance dangerous or prejudicial to health or the environment.

B.

Disposal.

(1)

No person shall permit, deposit, store or hold any offensive material on any premises or place or in any building or structure unless such material is so treated, screened, covered or placed as not to create a nuisance or condition detrimental to health. All containers for the storage of such material shall completely confine the material, shall be rodent- and insectproof and shall be kept in an inoffensive and sanitary condition at all times.

(2)

All offensive material shall be buried at such distance from any source of water supply or be disposed of at other places so that water supplies will not be subject to pollution and where a nuisance or condition detrimental to health will not be created, subject to regulations for the protection of public water supplies adopted pursuant to the provisions of the Public Health Law. Such material shall not be discharged into streams, ponds or other bodies of water or onto the surface of the ground or into the atmosphere except as permitted under the New York State Public Health Law, the New York State Environmental Conservation Law and regulations promulgated pursuant thereto.

(3)

Earth pit toilets shall not hereafter be constructed except by special permission of the Director. When permitted, they shall be located at least 100 feet from any source of water supply or such other distance as may be specified by the Director and shall be constructed in a manner approved by the Director. All privies now existing or hereafter constructed shall be properly enclosed and screened, provided with self-closing doors and seat covers, properly ventilated, kept in good repair and shall be maintained at all times in a clean and sanitary condition.

C.

Removal and transportation. No person shall remove or transport or permit the removal or transportation of any offensive material except in such manner and in or by such conveyance as will prevent the creation of a nuisance or the loss or discharge of such material in any public place. All such material shall be so handled, covered or treated that it cannot escape or be accessible to rodents, flies or other insects or create a nuisance. All vehicles and implements used in connection therewith shall be kept in an inoffensive and sanitary condition and, when not in use, shall be so stored or kept as not to create a nuisance.

D.

Compliance with state and federal laws and regulations. Compliance with this section does not relieve a person from complying in all respects with state or federal laws, rules or regulations relating to the collection, removal, storage, hauling, deposition, discharge, dumping or disposal of offensive materials.

§ 569-11 Sewage disposal.

A.

No person shall construct on any premises any privy vault, cesspool, septic tank, tile field, seepage pit or other separate system for the disposal of sewage, except a temporary privy for construction purposes, where a sanitary sewer is available and accessible. Where a public sanitary sewer is available and accessible, the Director may issue an order upon the owner of any property whereon any other method of sewage disposal is located, requiring said owner to abandon the use of such other method of sewage disposal, within a period of not less than 20 days, and connect with such sanitary sewer system.

B.

No person, either as owner or agent thereof or lessee or tenant shall undertake to construct a system or facilities for the private disposal of waterborne sewage, domestic wastes or trade wastes to serve any building or other premises generating waste flows of 1000 gallons per day or more until a plan of these facilities shall have been filed with and approved by the Director. The owner

or his agent or the lessee or tenant who shall be in responsible charge of such building or other premises for which this approval has been given shall not use or permit the use of such systems or facilities until construction has been completed in accordance with the approved plans, inspected and approved by the Director and a certificate of approval issued and apply to individual dwellings. Compliance with this section does not exempt a person from applications or permits required by any state or federal agency.

C.

No person shall construct or maintain any cesspool, sewage disposal system, pipe or drain so as to expose or discharge the sewage contents or other deleterious liquids or matter therefrom to the atmosphere or on the surface of the ground or into any storm sewer or drain or so as to endanger any watercourse or body of water unless a permit for such discharge shall have been issued therefor by the Director or by the State Department of Health or the State Department of Environmental Conservation, and such discharge shall be made in accordance with the requirements thereof. Where applicable, the requirements of Part 75 of the New York State Codes, Rules and Regulations shall be followed in the construction of a sewage disposal system. Where such discharge does exist and no permit has been or can be issued, the Director shall issue an order requiring cessation of the discharge or acceptable treatment thereof.

D.

The Director may order the vacating of any property on or in which he finds that a discharge of sewage in violation of Subsection C above exists after orders to cease the discharge or obtain the required permit have been issued and the time allowed for compliance has elapsed.

§ 569-12 Toilet facilities.

A.

Every person who shall provide a toilet for the use of employees, patrons or members of the public shall maintain such toilet room at all times in a clean, well-lighted, well-ventilated and good sanitary condition. The floor of any such toilet room under and adjacent to a urinal fixture shall be impervious to moisture and properly drained. The owner of a building or dwelling or his agent in charge thereof, wherein two or more tenants shall have common use of a toilet, shall be responsible for the maintenance of such toilet in good repair and in a clean and sanitary condition.

B.

Any person employing men or women on the construction or repair of any building structure or other project shall provide or cause to be provided a temporary privy or privies or other satisfactory toilet facilities upon the premises or readily accessible thereto, and the same shall be properly enclosed and contents thereof shall be completely covered with inert material or otherwise effectively treated or removed immediately at the end of each shift or working day. Separate facilities shall be provided for each sex.

§ 569-13 Water supplies.

A.

No person shall provide or make accessible a supply of water for human consumption or other domestic uses unless such water supply is potable and is protected from actual or potential sources of pollution and is so maintained as to deliver potable water of safe sanitary quality at all times.

B.

No person who shall have contracted, undertaken or who is bound by the terms of a lease to supply water for any habitable building owned thereby shall shut off or cause to be shut off such water supply while so obligated so as to result in an insanitary condition or health menace. Whenever a public water supply is available to serve such building or dwelling, no other supply shall be furnished for drinking and domestic purposes unless such other supply is potable. No person shall occupy any habitable building or use any structure, store or place for the processing of food or drink unless a safe and adequate supply of water is readily available.

C.

The Director may order the treatment, abandonment, sealing or posting of any water supply not deemed of a safe sanitary quality.

§ 569-14 Bottled drinking water.

A.

The sale, offering for sale or delivery of natural or distilled water in bottles, tanks or other containers intended for human consumption is prohibited unless such water is from a satisfactory source, is distributed, stored, handled and delivered in a sanitary manner and is of a safe and sanitary quality, provided also that all bottles, tanks, containers and closures used shall be

effectively cleaned and disinfected before each use. Compliance with all applicable sections of Part 5 of the New York State Sanitary Code is required.

B.

Samples of water shall be collected by the Director and shall be examined and tested in accordance with the standard methods of the American Public Health Association. Such water shall meet the standards of Part 5 of the New York State Sanitary Code.

C.

The Director may condemn and embargo unsafe or insanitary bottled or tanked drinking water where, in his opinion, such action is necessary for the protection of the public health.

§ 569-15 Ice.

A.

No person shall sell, offer for sale or deliver any artificial ice unless it shall be produced from a potable water supply and manufactured, stored and delivered under clean and sanitary conditions. Compliance with all applicable sections in Part 5 of the New York State Sanitary Code is required.

B.

The sale, offering for sale or delivery of any natural ice for domestic refrigeration or for use in foods or beverages is prohibited.

§ 569-16 Wading pools.

A.

A "wading pool" shall mean any concrete or masonry structure intended for wading purposes by young children, having a maximum depth of 24 inches of water, maintained outdoors and having a controlled water supply.

B.

No wading pool, except one owned by an individual and/or maintained by an individual for use by his family and friends, shall be constructed or made available for public use unless it shall be provided with suitable equipment and facilities for adequate replacement of water, recirculation, filtration, disinfection and cleaning. Every such wading pool shall be maintained in a clean and sanitary condition, and the water used therein shall be from a public water supply or from a source approved by the Director.

§ 569-17 Nuisances.

Whenever any establishment, building, premises or place is maintained or operated in such manner as to constitute a nuisance endangering the public health or where conditions exist which may be dangerous to life or health or are the cause of such nuisances existing elsewhere, the Director shall cause an investigation to be made, and after a hearing, if, in his opinion, such nuisance requires abatement, he may so order. If compliance with a Director's order is not obtained within the time period specified in the order, the Director may order that the property be vacated.