

SCHOHARIE COUNTY DEPARTMENT OF HEALTH

SANITARY CODE

ARTICLE 3

SEWAGE DISPOSAL SYSTEMS

1. **APPLICABILITY.** This Article shall apply to the installation and use of a sewage disposal system for a new dwelling or structure or for a dwelling or structure which is modified. It is not applicable to dwellings or structures where a permit for such facility is required under the applicable provision of Article 17 of the New York State Environmental Conservation Law.
2. **DEFINITIONS.**
 - a. "Dwelling" means any building or structure which is wholly or partly used or intended to be used for living or sleeping by human occupants.
 - b. "Sewage" means water-carried human wastes and liquid or water-carried wastes from water closets, lavatories, sinks, bathtubs, laundry tubs or devices, floor drains or other sanitary fixtures without the admixture of industrial or other wastes.
 - c. "Sewage Disposal System" means a complete system of piping, tanks or other facilities for the on-site collection, treatment and disposal of sewage and not connected to a community sewage disposal system.
 - d. "Community Sewage Disposal System" means a system utilized for the treatment, 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 dwelling, structure, or

premise, whether owned by a municipal corporation or private utility.

- e. "Person" means an individual, group of individuals, partnership, firm, corporation, association, county, city, town, village or improvement district, and includes the plural as well as the singular.
- f. "Department" means the Schoharie County Department of Health.
- g. "Modified" means a change in character and use of the premises, i.e. single-family to multi-family; commercial expansion; residential to commercial; commercial to residential.

3. GENERAL PROVISIONS.

- a. Sewage from any building shall be discharged directly into a community sewage disposal system, if available and accessible.
- b. If there is no community sewage disposal system available and accessible, a private sewage disposal system approved by the department may be used.
- c. Whenever a community sewage disposal system becomes available and accessible, any building or premises shall be connected to such system and immediately thereafter the use of any other sewage disposal system or facility shall be discontinued and shall be cleaned and filled with a suitable material unless otherwise permitted by the department.
- d. No person shall construct or maintain a sewage disposal system, pipe or drain so as to expose or discharge the sewage contents therefrom to the atmosphere or onto the surface of the ground or into any storm sewer, drain or

roadside ditch, nor so as to discharge into any water-course or body of water contained within Schoharie County, unless approval for such discharge shall have been issued in accordance with the provisions of this Article.

- e. Collection, transportation and final disposal of material removed, drained or flushed from sewage disposal systems shall be performed in a safe and sanitary manner and in accordance with the New York State Environmental Conservation Law, Section 27-0301 and Part 364 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York.
- f. These regulations in no way waive the requirements of the applicant to seek approval from the New York State Department of Environmental Conservation or unit of local government within Schoharie County for the sewage disposal systems requiring appropriate State or local review and approval.

4. REGULATIONS & STANDARDS.

- a. Soil and Site Appraisal. An investigation of subsoil conditions and soil percolation tests shall be made in conformance with the procedures described in the latest edition of the New York State Department of Health bulletin entitled "Waste Treatment Handbook, Individual Household Systems." The soil and site appraisal shall be the basis for design of all subsurface sewage disposal systems.
- b. Design, Construction, Installation, Maintenance and Operation. The design, construction, installation, maintenance, operation, capacity and minimum distances of any part of a subsurface sewage disposal system for a structure, building, or mobile home intended for residential purposes shall be in confor-

mance with the latest edition of the New York State Department of Health bulletin entitled "Waste Treatment Handbook, Individual Household Systems." For units larger than a single-family dwelling unit, including all commercial establishments, the latest edition of the New York State Department of Environmental Conservation bulletin entitled "Standards for Waste Treatment Works, Institutional and Commercial Sewerage Facilities" shall apply.

5. PERMIT .

- a. No person shall construct, install, alter, extend or allow to be constructed, installed, altered or extended any sewage disposal system or part thereof until a permit shall have been applied for and issued in accordance with this Article.
- b. Application for an installation permit shall be made in writing on forms provided by the department. For units larger than a two-family dwelling unit, including all commercial establishments, the application for an installation permit shall be accompanied by such data, including but not limited to engineering drawings, maps, soils analyses, percolation tests, groundwater and flood elevations, and detailed plans of the proposed sewage disposal system, as the department may require or direct. Each permit, unless otherwise stated, shall expire 12 months following the date of issuance.

- c. The department may require that authorized representatives of the department witness the performance of tests designed to determine the suitability of the site proposed for the installation of the sewage disposal system.
 - d. For units larger than a two-family dwelling unit, including all commercial establishments, plans and drawings shall contain the signature, seal and address of a professional engineer or an architect licensed and registered pursuant to the Education Law of the State of New York.
 - e. The department may refuse issuance of an installation permit to construct, install, alter or extend a sewage disposal system, or, after notice and a hearing, revoke or suspend same, if, upon investigation and/or review of submitted information, it is determined that the site lacks sufficient usable area, suitable soil, satisfactory groundwater conditions for the proper construction, installation, alteration or extension of the proposed system, or sufficient area to provide adequate separation of such system from water supplies on the same site or adjoining properties, or if the proposed system does not otherwise comply with design, construction, installation, location or operation standards of the design bulletins found in Section 4 of this Article.
6. INSPECTION REQUIRED.
- a. The construction of a sewage disposal system shall be in accordance with the plans or any revision thereafter approved by the department.
 - b. After construction, installation, alteration or extension of the sewage disposal system has been completed, no portion of

the system shall be covered with soil or placed in operation, until it is first inspected and approved by an authorized representative of the department.

- c. The sewage disposal system may not be backfilled without authorization of the department and the department may require it to be uncovered if backfilled without such authorization.
- d. For units larger than a two-family dwelling unit, including all commercial establishments and realty subdivisions, the department may require that the sewage disposal system shall be constructed under the supervision of a professional engineer or architect licensed and registered pursuant to the Education Law of the State of New York and that a certified copy of the engineer or architect's certificate of inspection be submitted. Such certificate shall be in a form prescribed by the department.
- e. The property owner or his designated representative shall not use or permit the use of the sewage disposal system until a certificate of approval has been issued by the department.
- f. Construction of a sewage disposal system meeting the approval of the department should not be construed as a guarantee by the department that the system will function satisfactorily nor shall it in anyway restrict the action of the department in the enforcement of any law or regulation.

7. VARIANCES.

The department may on written application grant a variance from a specific provision of this Article on a particular case, subject to appropriate condition, where such a variance is in harmony with the general purpose and intent of this Article.

An appeal of the department's decision may be made to the Schoharie County Board of Health through written application within thirty days of such decision.

STATE OF NEW YORK
COUNTY OF SCHOHARIE

I, Una Hughes President of the Schoharie County Board of Health, do hereby certify that I have compared the foregoing with the original Article 3 of the Sanitary Code adopted and established by the Schoharie County Board of Health, at a meeting held at Schoharie, New York on the 22nd day of January 1980, to be effective on the 1st day of April 1980, and that the same is a true and complete copy thereof, published by authority and order and under the direction of said Schoharie County Board of Health.

IN WITNESS WHEREOF, I have herewith set my hand this 22nd day of January, 19 80

Una Hughes
President
Schoharie County Board of Health

Carl Stipovich
Administrator
Schoharie County Department of Health