

SANITARY CODE OF RENSSELAER COUNTY

ARTICLE 2

GENERAL SANITATION

AND

REVIEW OF INDIVIDUAL SEWAGE AND WASTE
TREATMENT SYSTEMS (One or More)

ISSUED BY

RENSSELAER COUNTY BOARD OF HEALTH

TROY, NEW YORK

JULY 29, 1993

AMENDED JANUARY 19, 1995

ADOPTED FEBRUARY 1, 1995

2.1 Offensive Material

(a) Definition. The term "offensive material" as used in this section shall mean any sewage, fecal matter, wastes, blood, tankage, or any putrescible organic matter, or the content of privies, cesspools, septic tanks or chemical toilets, household, commercial or industrial chemical wastes either in liquid or solid state, or any other substance or liquid dangerous or prejudicial to health.

(b) Transportation, treatment and disposal of offensive material shall be accomplished (a) without creating a condition threatening health or polluting surface or ground water sources of water supply and (b) in accord with the NYS Environmental Conservation and Public Health Law.

2.2 Exposure of Sewage of Offensive Material. No person, either as owner, lessee, or tenant of any property, dwelling, building, or place shall construct or maintain a pipe or drain so as to expose or discharge the sewage contents or other deleterious liquid or matter therefrom on the surface of the ground, nor so as to endanger any source of supply of drinking water, nor so as to discharge into any water course or body of water unless a permit for such discharge shall have been insured therefor by the New York State Department of Environmental Conservation and such discharge shall be made in accordance with the requirements thereof.

2.3 Sewer Connections Required. No person shall construct on any premises any privy, cesspool, or individual sewage treatment system for the treatment of sewage, where a public sanitary sewer is available and accessible. Where a public sanitary sewer is available and accessible, the Department may issue an order upon the owner of any property whereon any other method of sewage treatment is located requiring said owner to abandon the use of such other method of sewage treatment, within a period of not less than thirty days, and to connect with such public sanitary sewer system.

2.4 Permit to construct sewage or waste treatment system. Until a written permit has been granted by the Department it shall be unlawful for any person to :

- (a) Make or cause to make any new outlet or to reconstruct or otherwise alter an existing outlet for the discharge of sewage, commercial waste, other wastes, effluent, gray water or other discharges;
- (b) Construct or operate and use a new sewage treatment system for the discharge of sewage, commercial waste, other waste, effluent, gray water or other discharges; or make change in, addition to or extension of any existing sewage or waste treatment system or part thereof which would materially alter the method, the volume, or the effect of treating or disposing of the sewage, waste, effluent, gray water or other discharges;
- (c) No person shall operate a sewage treatment system in such a manner as to expose sewage, commercial waste, other wastes, effluent, gray water or other discharges on the ground surface or impair the quality of ground water or otherwise create a nuisance or menace to health;
- (d) Plans required. No permit for the construction of a new sewage or waste treatment system, or the modification or extension of an existing system shall be issued by the Department until plans therefor have first been approved by the Department. Plans proposing the use of systems other than absorption trench, shallow absorption trench or raised system will require the issuance of a Specific Waiver by the Department.

2.5 Cleanliness of Public Toilets. Every person who shall provide a toilet for the use of employees, patrons or members or which is available to the public, shall maintain such toilet room at all times in clean, well-lighted, well ventilated and sanitary condition. The floor of any such toilet room shall be impervious to moisture and shall be 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 a clean and sanitary and functional condition. Hand-washing facilities, including hot and cold running water, shall be provided in all public toilets.

2.7 Water Supplies. No person shall provide or make accessible a supply of water for human consumption or other domestic use unless the source, treatment, and distribution of such water shall be so protected from pollution and so maintained as to deliver at all times an adequate supply of water of safe, sanitary quality.

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

The Department may order the treatment, abandonment, sealing or posting at its discretion of any water supply not of a safe, sanitary quality.

2.8 Nuisances. Whenever any establishment, building, premises or place is maintained or operated in such manner as to constitute a nuisance, the Department shall cause the operator of such premise to abate the nuisance by issuing a citation of a violation and notice to abate health hazard. If after the issuance of a citation of a violation and notice to abate health hazards abatement does not occur, the Department shall commence an abatement hearing. If after citation of a violation, abatement does not occur the Department shall convene a hearing.

2.9 Unsanitary Buildings. Whenever any building or apart thereof shall become unsanitary or any dwelling shall become unsanitary as to be unfit for human habitation or whenever occupancy of a building or dwelling shall cause an unsanitary condition on or adjacent to the premises thereof and such condition shall be determined by the Director, after due notice to the owner and hearing thereon, to constitute a nuisance or condition detrimental to life or health, the Director may issue an order, to be affixed conspicuously upon such building or dwelling and served upon the occupant or lessee thereof and upon the owner thereof or his agent, requiring all persons to vacate such building or dwelling and to discontinue its use at such time as shall be stated in said order and until such time as the building or dwelling shall be placed in a sanitary or habitable condition and the nuisance abated. Whenever such building or dwelling is vacated in accordance with this section, it shall not be re-occupied except by permission of the director.

2.10 Insects, Rodents and Vermin. All means necessary or required shall be taken to eliminate insects, rodents or other vermin from any habitable building and to prevent the breeding or harboring of such vermin on the premises.