

Town of Ticonderoga

Local Law No. 1 of the Year 1993

A Local Law regulating private waste disposal systems located within 500 feet of the shoreline of Eagle Lake.

Article I
Title

Section A: Title.

This Local Law shall be known as Local Law Number 1, 1993 Regulating Private Domestic Waste Disposal Systems Located Within 500 feet of The Shoreline of Eagle Lake.

Article II
Definitions

Section A: Definitions.

(1) Private System--is a waste disposal system not connected to any municipal operated Sewer System.

(2) Waste--is waste generated from a residence or other building or structure including, but not limited to, human body waste and household or domestic waste such as toilet, bath, sink, dishwashing or laundry waste.

(3) Sale of A Building, Structure or Residence means the transfer of ownership to another person or entity for consideration and does not include a transfer of ownership through inheritance.

Article III

General Provisions

Section A: Application.

This Local Law Applies Only to Private Systems within 500 feet of the shoreline of Eagle Lake.

Section B: Prohibitions.

No person shall occupy, use or permit the use of a residence, building or structure which has a Private System within 500 feet of the Lake's shoreline unless the residence, building or structure is in Compliance with the following statement:

every Private System within 500 feet of the Lake's shoreline shall be tested with a conventional dye test and the certification required below shall be filed at least every three (3) years.

Compliance with section B shall be evidenced by filing a report which contains the results of the conventional dye test with the Town of Ticonderoga Zoning Enforcement Officer. The report shall be in a form reasonably acceptable to the Zoning Enforcement Officer and shall state the results of the test. The report shall be signed by a person authorized in section D to perform the test.

The Zoning Enforcement Officer may from time to time issue rules and regulations governing the method of conducting dye tests.

Section C: Compliance.

All private systems in existence on the effective date of this Local Law shall have one (1) year from the date of initial testing to comply with the provisions of Section B of this Local Law. Thereafter, a dye test shall be performed as required in Section B at least once every three (3) years. All private systems built after the effective date of this Local Law shall comply with the provisions of Section B within one (1) year of the date of use or occupancy. Notwithstanding the foregoing two sentences, any sale of building, structure or residence containing a private system after the effective date of this Local Law shall be subject to the provisions of Section B.

Section D: Persons Authorized to Perform Tests

The conventional dye test required by this Local Law or the test authorized by Section E may only be performed by the Town of Ticonderoga Zoning Enforcement Officer, A Licensed Professional Engineer, A Registered Sanitarian, a Licensed Land Surveyor or any other person or persons authorized in writing by the Town of Ticonderoga Town Board.

Section E: Nonconventional Tests

In the event a conventional dye test is inappropriate for a particular Private System, a person or entity may comply with this Local Law by performing a more appropriate alternative test and filing a certification with the Zoning Enforcement Officer which certification shall state the reason the conventional dye test is not appropriate, the nature of the test performed and the result of the test. This certification shall be signed by a person authorized in Section D.

Section F: Separability.

In the event that any section, paragraph, sentence, clause or phrase of this Local Law shall be declared unconstitutional or invalid for any reason, the remainder of the Local Law shall not be affected thereby and shall remain in full force and effect.

Section G: Interpretation.

The provisions of this Local Law are supplemental to applicable federal and New York State Laws and regulations. Where the standards imposed by any provisions of this Local Law are more restrictive than other comparable federal or New York State Laws or regulations, the more restrictive provisions of this Local Law shall govern.

Section H: Violations.

Any violation of this Local Law is hereby declared to be an offense punishable by a fine not to exceed the sum of Two Hundred Dollars (200.00), or imprisonment for a period of not more than fifteen (15) days or both, and each week's continued violation shall constitute a separate and distinct offense.