

# Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County  City  Town  Village  
*(Select one.)*

of Briarcliff Manor

Local Law No. 4 of the year 20<sup>15</sup>

A local law TO AMEND CHAPTER 168 OF THE CODE OF BRIARCLIFF MANOR WITH RESPECT  
*(Insert Title)*  
TO SEWERS AND THE RESPONSIBILITIES OF OWNER/OPERATORS

Be it enacted by the Board of Trustees of the  
*(Name of Legislative Body)*

County  City  Town  Village  
*(Select one.)*

of Briarcliff Manor as follows:

SEE ATTACHED

(If additional space is needed, attach pages the same size as this sheet, and number each.)

**(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)**

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 4 of 2015 of the (County)(City)(Town)(Village) of Briarcliff Manor was duly passed by the Board of Trustees (Name of Legislative Body) on JULY 15 2015, in accordance with the applicable provisions of law.

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted (Elective Chief Executive Officer\*) on \_\_\_\_\_ 20    , in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. (Elective Chief Executive Officer\*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.



\_\_\_\_\_  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 7-16-15

(Seal)

A LOCAL LAW TO AMEND  
CHAPTER 168 OF THE CODE OF THE  
VILLAGE OF BRIARCLIFF MANOR  
WITH RESPECT TO SEWERS AND THE  
RESPONSIBILITIES OF OWNER/  
OPERATORS

Be it enacted by the Village Board of Trustees of the Village of Briarcliff Manor, as follows:

**Section 1.** Section 168-1 of the Village Code of the Village of Briarcliff Manor is amended to revise the definitions of the terms “Building Drain” and “Building Sewer” respectively, to read as follows:

“BUILDING DRAIN. That part of the lowest piping of a drainage system that receives the discharge from soil, waste and other drainage pipes inside and that extends 30 inches (762 mm) in developed length of pipe beyond the exterior walls of the buildings and conveys the drainage to the building sewer.

- A. Combined. A building drain that conveys both sewage and storm water or other drainage.
- B. Sanitary. A building drain that conveys sewage only.
- C. Storm. A building drain that conveys storm water or other drainage, but not sewage.

BUILDING SEWER. That part of the drainage system that extends from the end of the building drain and conveys the discharge to a public sewer, private sewer, individual sewage disposal system or other place of disposal.

- A. Combined. A building sewer that conveys both sewage and storm water or other drainage.
- B. Sanitary. A building sewer that conveys sewage only.
- C. Storm. A building sewer that conveys storm water or other drainage, but not sewage.

**Section 2.** Section 168-1 of the Village Code of the Village of Briarcliff Manor is amended to add the definitions of the terms “Grease Interceptor (sometimes termed Grease Trap)” and “Grease Removal Device, Automatic (GRD)” respectively, to read as follows:

GREASE INTERCEPTOR (sometimes termed GREASE TRAP). A plumbing appurtenance that is installed in a sanitary drainage system to intercept oily and greasy wastes from a wastewater discharge. Such device has the ability to intercept free-floating fats and oils.

GREASE REMOVAL DEVICE, AUTOMATIC (GRD). A plumbing appurtenance that is installed in the sanitary drainage system to intercept free-floating fats, oils and grease from wastewater discharge. Such a device operates on a time- or event-controlled basis and has the ability to remove free-floating fats, oils and grease automatically without intervention from the user except for maintenance.

**Section 3.** Section 168-1 of the Village Code of the Village of Briarcliff Manor is amended to add the definition of the term “Owner/Operator”, to read as follows:

OWNER/OPERATOR. The owner of a building and the operator of a commercial use within such building. The owner/operator need not be the same person.

**Section 4.** Section 168-2 of the Village Code of the Village of Briarcliff Manor is amended to read as follows:

It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the Village of Briarcliff Manor, or in any area under the jurisdiction of said Village, any human or animal excrement, garbage or other waste.

**Section 5.** Section 168-16 of the Village Code of the Village of Briarcliff Manor is amended to read as follows:

It shall be the responsibility of the owner of a building to install, maintain, repair or replace the building sewer, at the owner’s expense, to ensure said building sewer’s compliance with the New York State Uniform Fire Prevention and Building Code or other applicable rules and regulations. The building owner shall indemnify the Village from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

**Section 6.** Section 168-19 of the Village Code of the Village of Briarcliff Manor is amended to read as follows:

- A. All work of installing building sewers and sewer connections and all materials used shall conform to the New York State Uniform Fire Prevention and Building Code, Village of Briarcliff Manor standard detail, and/or other applicable rules and regulations of the Village. Any deviation from the prescribed procedures and materials must be approved by the Plumbing Inspector before installation.
- B. The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe, bedding of the pipe, jointing, testing and backfilling the trench, shall conform to the requirements of the Plumbing Code or other applicable rules and regulations of the Village.
- C. Building sewers must be constructed of extra-heavy cast-iron pipe, or other approved material as set forth in the Plumbing Code, be a minimum of four inches in inside diameter and be properly connected by one-inch forty-five-degree bend with a four-inch minimum diameter Y-branch on a public sewer.
- D. All house sewers, drains and horizontal soil and waste pipes shall be laid as straight as possible, and any changes in directions shall be made with proper, approved fittings, and all such pipes shall have a fall of not less than 1/4 inch per foot and as much more as may be practicable in each case and as approved by the Plumbing Inspector.
- E. No building sewer shall be covered until it has been examined and approved by the Plumbing Inspector.

**Section 7.** The heading of Section 168-26 of the Village Code of the Village of Briarcliff Manor is amended to read as follows:

§ 168-26. Discharge to combined sewers, storm sewers, and natural outlets.

**Section 8.** Section 168-30 of the Village Code of the Village of Briarcliff Manor is amended to read as follows:

§ 168-30. Required grease interceptors or GRDs.

- A. Grease interceptors or GRDs shall be provided when, in the opinion of the Plumbing Inspector, they are necessary for the proper handling of liquid

wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients; except that such grease interceptors or GRDs shall not be required for private living quarters or dwelling units. All grease interceptors and GRDs shall be of a type and capacity approved by the Plumbing Inspector, and shall be located as to be readily and easily accessible for cleaning and inspection.

- B. It shall be the responsibility of the owner/operator to install, maintain, repair or replace a grease interceptor or GRD, as the case may be, at the owner/operator's expense, to ensure said building plumbing system is in compliance with the New York State Uniform Fire Prevention and Building Code or other applicable rules and regulations
- C. Each and every food service establishment as defined in Chapter 873, Article V, Section 873.411 of the Westchester County Code and as licensed by the Westchester County Department of Health shall cause to be installed an operating grease interceptor or GRD, to which all grease and grease-containing liquids generated in the normal course of business shall be directed. Each and every food processing establishment and/or retail food store as identified and as licensed by the New York State Department of Agriculture and Markets shall cause to be installed an operating grease interceptor or GRD, to which all grease and grease-containing liquids generated in the normal course of business shall be directed.
- D. All grease interceptors and GRDs shall be of a type and capacity approved by the Plumbing Inspector, and shall be located as to be readily and easily accessible for cleaning and inspection. All work must conform to the New York State Uniform Fire Prevention and Building Code or other applicable rules and regulations of the Village.
- E. (1) All new and existing grease interceptors shall be cleaned and inspected by a licensed waste disposal firm on a quarterly basis, at the owner/operator's expense and an inspection report therefore maintained by the owner/operator for review by the Plumbing Inspector at the Plumbing Inspector's request. For each grease interceptor cleaning the owner/operator shall maintain a log of manifests recording the name of the contractor, date of haulage and quantity of contents removed from the grease interceptor. The log shall be made available upon request of the Plumbing Inspector. After one full year of such quarterly cleaning and inspection the Plumbing Inspector may require more or less frequent cleaning and inspections for each grease interceptor. In making his determination, he shall consider the size of the grease interceptor, the type of establishment utilizing the grease

interceptor, the inspection reports, the log of manifests, and any other considerations he sees fit.

- (2) GRDs are not subject to the cleaning and inspection provisions of grease interceptors as set forth above. However, the owner/operator of a GRD shall maintain a log of manifests recording the date of haulage and quantity of contents removed from the GRD. This log shall be made available upon request of the Plumbing Inspector

**Section 9.** Section 168-34 of the Village Code of the Village of Briarcliff Manor is amended to read as follows:

No statement contained in this article shall be construed as preventing any special agreement or arrangement between the Village and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Village for treatment, subject to payment therefore, by the industrial concern.

**Section 10.** Severability. The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any part of this local law which can be given effect without such valid part or parts.

**Section 11.** Supersession. This local law is adopted pursuant to the authority granted by New York Municipal Home Rule Law Section 10(1)(e)(3) and shall supersede any provision New York Village Law Section 7-718 and any other section of Village Law which is inconsistent with it.

**Section 12.** Effective Date. This local law shall take effect immediately upon filing in the Office of the Secretary of State of New York.