

RESOLUTION ADOPTING LOCAL LAW NUMBER 1 OF 2011
FOR THE TOWN OF LANSING SEWER LOCAL LAW

At a Regular Meeting of the Town Board of the Town of Lansing, held in and for the Town of Lansing at the Lansing Town Hall on the 19th day of January, 2011, the following members were present and voting throughout:

A. Scott Pinney, Supervisor;

Martin Christopher, Councilperson;

Robert Cree, Councilperson;

Kathy Miller, Councilperson;

Connie Wilcox, Councilperson.

The following Town Board members were absent: none.

The following Resolution was duly presented for consideration by the Town Board:

WHEREAS, pursuant to an Intermunicipal Agreement with the Villages of Lansing and Cayuga Heights, the Town of Lansing agreed and is required to adopt an updated Local Law to require compliance with state and federal permits and wastewater treatment laws and regulations so as to allow the Villages and the Town to effect repairs and take other actions to comply with such state and federal laws and regulations; and

WHEREAS, the Town has a draft of such Sewer Local Law and desires to conduct a public hearing thereupon; and such draft Local Law is intended to (a) permit discharges into the sanitary sewers of the Town of Lansing Sewer System and districts, including laterals and tributaries thereto, (b) to prohibit excessive volumes and/or inordinate rates of flow of sewage and wastes into Town of Lansing Sewer Systems, (c) to prohibit the contribution of sewage, industrial wastes, and other wastes of a flammable nature, or which creates any potential poisonous or hazardous environment for the sewer system, Town employees, and users of the sewer system, (d) to prohibit the contribution of sewage, industrial wastes, and other wastes that may cause maintenance difficulties in trunk sewers, force mains, pumping stations, sewage regulators, and other structures and appurtenances of the Town of Lansing Sewer System and any other public sewers tributary thereto, (e) to prohibit the contribution of sewage, industrial wastes, or other

wastes which may create operating difficulties at any sewage treatment plants, (f) to prohibit and/or regulate by permit the contribution of sewage, industrial wastes, and other wastes that require treatment at a level or cost greater than required for equal volumes of normal sewage, and to surcharge users for permitted effluent or contributions requiring treatment levels or costs beyond the treatment level or costs normally incurred for the collection, transportation, and treatment of normal sewage, (g) to require the treatment, before introduction into the Town of Lansing Sewer System, of such wastes as may otherwise impair the strength and/or durability of the structures appurtenant to the Town of Lansing Sewer System by direct or indirect chemical action, or that may otherwise interfere with the normal transportation and treatment processes, (h) to provide the authority and procedures for the Town of Lansing to promulgate rules, to investigate and prepare findings of facts, to collect sewer charges, rents and fees, to issue permits, to hold hearings, to make decisions, orders and opinions, and to give notice and make public all rules and decisions affecting substantial rights of persons or property, and (i) to protect the public health and prevent nuisances; and

WHEREAS, said Local Law proposes to define the above terms, among others, and to identify chemicals and compounds, and limits therefore, in relation to the permitting, fees, charges, transportation and treatment of sewage, as well as to allow for inspections, testing, and analysis of flow rates and sewage composition, and to appoint inspectors and empower them to act under the Local Law, to define offenses and penalties for violations of the Local Law, to provide for and allow permit issuance, cancellation, and other administrative processes and procedures, and to adopt rules and regulations for the operation and use of the sewer system; and

WHEREAS, this action is classified as a Type II SEQRA Action pursuant to 6 NYCRR Parts 617.5(c)(20) and 617.5(c)(27), and therefore no environmental review is necessary or required; and

WHEREAS, the Town duly noticed and held a Public Hearing at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, upon the 19th day of January, 2011, at 6:05 p.m., and thereat heard and considered all testimony, comments, and evidence, if any, offered in relation to the aforesaid Local Law; and

WHEREAS, upon due deliberation thereupon, the Town Board of the Town of Lansing has hereby

RESOLVED, that Local Law Number 1 of 2011 be and hereby is approved and adopted in the form as presented in this meeting, and in such form, "be it so enacted"; and it is further

RESOLVED, that in accord with §21 of the Municipal Home Rule Law, the final adopted version of this Local Law shall be presented to the Supervisor for approval; and it is further

RESOLVED, that upon such approval by the Supervisor (or other approval occurring pursuant to said §21 of the Municipal Home Rule Law), and within 20 days after the final adoption of this Local Law, the Town Clerk shall file a certified copy of this Local Law, together with the required certifications, if any, as follows: (i) in the Office of the Town Clerk; and (ii) with the New York State Secretary of State as required by Municipal Home Rule Law §27 (said filing may be made by delivery to the State Records and Law Bureau, Department of State, 41 State Street, Albany, New York 12231).