

VILLAGE OF HIGHLAND FALLS
INTRODUCTORY LOCAL LAW
REPAIR AND MAINTENANCE OF SEWER LATERALS

BE IT ENACTED by the Board of Trustees of the Village of Highland Falls, County of Orange, State of New York, as follows:

Section 1. Section 180-15, titled, “Definitions; word usage” is amended to add the following definition:

LATERAL – Pipe or conduit that goes from the sewer main up to the foundation of a structure with plumbing that is used to transmit sewage from the structure to the sewer collection system.

Section 180-23, titled “ All installation and costs are responsibility of owner; indemnification of village,” of Chapter 180, titled “Sewers and Sewage Disposal,” of the Code of the Village of Highland Falls is amended by designating the current subsection 180-23 (B) as subsection 180-23 (C) and adding a new subsection 180-23 (B) to read as follows:

The lateral sewer line, shall be kept in good repair and protected from frost by the property owner at his/her expense. The investigation, testing, maintenance and repair of any lateral sewer line is the responsibility of the property owner. The investigation, testing, maintenance and repair of lateral sewer lines shall be performed under the supervision of the Village Street Superintendent.

In the event that a property is unable to discharge its wastes into the public sewer it will be presumed that the fault is in the lateral sewer line connection unless the Village Street Superintendent determines otherwise.

The first sentence of subsection 180-23(C) [formerly subsection 180-23(B)] is hereby modified by adding a comma after the word “installation” and inserting the words “investigation, testing, maintenance and related work” immediately preceding the words “of sewer facilities.”

A new subsection 180-23(D) shall be added to read as follows:

Maintenance of that portion of a lateral sewer line that is located under a public sidewalk and/or a public street will be performed by the village at its expense and risk.

Section 2. Article II, titled “Excavations in Streets,” of Chapter 85, titled “Excavations” of the Code of the Village of Highland Falls is amended by changing the title of Article II from “Excavations in Streets” to Excavations in Streets or Sidewalks” and inserting the words “and/or sidewalk” after the word “street” in §§ 85-5, 85-6 and 85-7.

Section 3. This local law shall take effect immediately upon filing with the Secretary of State.