

May 8, 1978

I hereby certify that I have compared this copy with the original and find it to be a true and complete copy.



Vincent J. Rossi
VINCENT J. ROSSI, Attorney at Law
TOWN OF DEERFIELD

AMENDMENT TO DEERFIELD SEWER ORDINANCE

WHEREAS, pursuant to Section 130 of the Town Law, after notice published in the Utica Daily Press April 27, 1978 and duly posted by the Town Clerk April 26, 1978, a hearing was held pursuant to said notice at 7:30 p.m. May 8, 1978 at the Deerfield Town Hall, Deerfield, New York, to consider the enactment of a Town of Deerfield ordinance regulating the correction of defective septic and plumbing systems, and, after due consideration and the completion of said hearing, the Deerfield Town Board, on the motion of Councilman Arleigh Paquette seconded by Councilman Edward T. Wurz

the following was unanimously passed:

This ordinance to be known as the ordinance regulating the correction of defective septic systems and plumbing systems be and the same hereby is enacted as follows:

In the event that the Building Inspector of the Town of Deerfield finds that there is a leak, breakdown, non-functioning, or other impairment of the septic system on the premises as to any real property in the Town of Deerfield, he shall give notice by certified mail, return receipt requested, to the persons maintaining such defective system, as well as to the owners of said premises. Upon receipt of said notice, all of the persons maintaining such system, as well as the owners thereof, shall immediately proceed to correct said defective system, or, as an alternative, shall immediately connect up the plumbing system of the premises with the Town sewer, which latter



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is to be accomplished within 30 days of said notice.

In the event the owner of said premises and all persons using and maintaining such system shall fail to comply with this ordinance, they shall be in violation thereof and shall be guilty of a violation, punishable by no more than a fine of \$100.00 a day for each day that such violation continues after notice of existence of such violation has been given to such persons following the effective date of this ordinance.

Also, all of the parties in violation of this ordinance shall be subject to injunction brought at the direction of the Town Board in the Supreme Court, Oneida County.

This ordinance shall take effect immediately upon personal service of a certified copy thereof on any party concerned, and, pursuant to law, shall take effect within ten days after publication thereof. In the event that corrective action as above mentioned is instituted, whether it be to correct the defective plumbing or septic system or to begin connecting the system with the Town's sewer and such corrective action does not proceed at a reasonable pace so as to complete the correction within a reasonable time, then, after notice has been given of the aforesaid delay to the owners or the persons maintaining the premises by ordinary mail, and such delay continues, the parties concerned shall be guilty of a further violation punishable by no more than a fine of \$100.00 a day for each day that such violation continues. The right of injunction shall also be available to the Town to enforce this further sanction through access to the Supreme Court, Oneida County.

Dated: Deerfield, New York
May 8, 1978

S/ Bernard E. Ruskey
Bernard E. Ruskey, Town Clerk

Amendment To Deerfield Sewer Ordinance

WHEREAS, pursuant to Section 130 of the Town Law, after notice published in the Utica Daily Press April 27, 1978 and duly posted by the Town Clerk April 26, 1978, a hearing was held pursuant to said notice at 7:30 p.m. May 8, 1978 at the Deerfield Town Hall, Deerfield, New York, to consider the enactment of a Town of Deerfield ordinance regulating the correction of defective septic and plumbing systems, and, after due consideration and the completion of said hearing, the following was unanimously passed by the Deerfield Town Board:

This ordinance to be known as the ordinance regulating the correction of defective septic systems and plumbing systems be and the same hereby is enacted as follows:

In the event that the Building Inspector of the Town of Deerfield finds that there is a leak, breakdown, non-functioning, or other impairment of the septic system on the premises as to any real property in the Town of Deerfield, he shall give notice by certified mail, return receipt requested, to the persons maintaining such defective system, as well as to the owners of said premises. Upon receipt of said notice, all of the persons maintaining such system, as well as the owners thereof, shall immediately proceed to correct said defective system, or, as an alternative, shall immediately connect up the plumbing system of the premises with the Town sewer, which latter is to be accomplished within 30 days of said notice.

In the event the owner of said premises and all persons using and maintaining such system shall fail to comply with this ordinance, they shall be in violation thereof and shall be guilty of a violation, punishable by no more than a fine of \$100.00 a day for each day that such violation continues after notice of existence of such violation has been given to such persons following the effective date of this ordinance.

Also, all of the parties in violation of this ordinance shall be subject to injunction brought at the direction of the Town Board in the Supreme Court, Oneida County.

This ordinance shall take effect immediately upon personal service of a certified copy thereof on any party concerned, and, pursuant to law, shall take effect within ten days after publication thereof. In the event that corrective action as above mentioned is instituted, whether it be to correct the defective plumbing or septic system or to begin connecting the system with the Town's sewer and such corrective action does not proceed at a reasonable pace so as to complete the correction within a reasonable time, then, after notice has been given of the aforesaid delay to the owners or the persons maintaining the premises by ordinary mail, and such delay continues, the parties concerned shall be guilty of a further violation punishable by no more than a fine of \$100.00 a day for each day that such violation continues. The right of injunction shall also be available to the Town to enforce this further sanction through access to the Supreme Court, Oneida County.

Date: Deerfield, New York, May 8, 1978