

Chapter 41

- § 41-1. Description of sewer system.
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[HISTORY: Adopted by the Tupper Lake Village Board 6/21/1976 by L.L. No. 1, 1976; amended in its entirety 7/29/1996 by L.L. No. 3, 1996. Subsequent amendments noted where applicable].

General References:

Sewers and sewage disposal – See Ch. 40.

Sewer rents – See ch. 50.

§ 41-1 Description of sewer system:

The sewer system for which such rents are hereinafter established and imposed is more particularly described in drawings on file in the office of the Village Clerk entitled “Sanitary-Sewerage and Sewage-Treatment Facilities for the Village of Tupper Lake, Franklin County, New York, Joseph A. Kestner, Jr., Consulting Engineer, 189 N. Lake Avenue, Troy, New York,” plus any additions thereto or extensions thereof either within or without the corporate limits of said village as may from time to time be authorized by the Board of Trustees of the village.

§ 41-2 Basis for rental charge:

The sewer rental charge will be based upon the consumption of water on the premises connected with and served by the sewer system or upon the type of premises being serviced by the sewer system on a flat-rate basis. Charges will be made for each family unit or each business establishment within each building. Billings for multiple-family dwellings will be on the basis of each family unit. One or more persons using or operating a cook stove upon which their food is prepared shall be considered a family unit. A business establishment is any individual, firm, corporation or association regularly established and doing business under the laws of the State of New York.

§ 41-3 Rental rates:

- A) The following flat rates are established for that portion of the sewer system within the corporate limits of the Village of Tupper Lake and for those parts of said system outside the corporate limits as follows:

<u>Type of Business</u>	<u>Monthly Rate</u> <u>Inside</u>	<u>Monthly Rate</u> <u>Outside</u>
Bakeries	\$42.25	\$67.60
Barber Shops, 2 chairs	23.85	32.00
each additional chair	3.70	4.00
Beauty Parlors	33.00	40.40
Beauty Parlors In-Home (Added July 2004)	5.85	8.00
Bars, Taverns	38.50	58.00
Boardinghouses, Bed & Breakfasts, Tourist Homes-Base rate	23.85	32.00
each Rental Room	3.30	3.60
Bowling Alleys	44.00	54.00
Bowling Alleys w/bar	55.00	75.60
Car Wash	38.50	58.00
Clubs	23.85	32.00
Clubs w/bar	38.50	58.00
Dental Offices	38.50	58.00
Fabricator of Dry Goods	44.00	59.20
Family Unit, each	22.00	27.20
Funeral Parlors	34.10	58.40

§ 41-3 Rental rates: (Continued)

Garages, private	\$22.00	\$27.20
Garages, public	69.30	86.00
Halls	23.83	32.00
Halls w/bar	38.50	58.00
Hotels, per bedroom	5.50	6.80
Ice Cream Stands	23.83	32.00
Industries	110.00	128.00
Laundromats/Laundries	77.00	102.80
Law and other Offices	22.00	27.20
Lodges w/bar	38.50	58.00
Motels, per unit	5.85	8.00
Nurseries, Day Care	23.85	32.00
Nursing homes ICF/SUR, per unit	13.95	15.20
Physicians Office	23.85	32.00
Restaurants	55.00	75.60
Restaurants w/bar	70.00	102.80
School, metered per year, per student and employee	1.10	1.20
Service Stations	38.50	58.00
Shops	22.00	27.20
Soda Fountains	22.00	27.20
Stores	22.00	27.20
Supermarkets	22.00	27.20
Theaters	22.00	27.20
Trailer Parks, per trailer	22.00	27.20
Minimum Charge per month	22.00	27.20

- B) The following rates are established for that portion of the sewer system within the corporate limits and for that portion of said system outside said corporate limits for premises upon which a water meter is installed: a sum equal to 176% of the water metered charge of the flat rate indicated in Subsection A above if the flat rate is higher than the metered rate.
- C) A charge of \$265.00 will be made for each new connection to the system and shall be billed as a separate service.

§ 41-4 Period of rental; penalties for late payment:

Sewer charges shall be billed monthly. No rebate will be allowed on sewer rental bills because of vacancy or un-occupancy. Charges for sewer

service will be made from the time the tap is made to the sewer main until the location is destroyed or ceases permanently to take service. A penalty of 1 ½ will be added if such charges are not paid in full within 30 days after each billing date.

§ 41-5 **Rents to constitute a lien:**

Sewer rents constitute a lien upon the real property served by the sewer system or such part or parts thereof for which sewer rents shall have been established and imposed. The lien shall be prior and superior to every other lien or claim except the lien of an existing tax, assessment or other lawful charge imposed by or for the state or a political subdivision or district thereof.

§ 41-6 **Collection authority:**

Collection of the sewer rents will be made pursuant to § 452 of the General Municipal Law.

§ 41-7 **Disposition of rents:**

Revenue derived from sewer rents, including penalties and interest, shall be credited to a special fund, to be known as the "Sewer-Rent Fund." The monies in such fund shall be used pursuant to § 451 of the General Municipal Law.

§ 41-8 **Definitions:**

The terms "sewer rents," "sewer system," "part," "sewage," "industrial waste" and "other wastes" shall mean as defined in § 451 of the General Municipal Law.

§ 41-9 **Severability:**

If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but

shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 41-10

Effective date:

This local law shall take effect on August 1, 1996 at 12:01 am of said day.