

## New York Codes, Rules and Regulations (/)

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# Title: Section 100.2 - City of Watervliet

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100.2 City of Watervliet. (a) Application. The rules and regulations hereinafter given, duly made and enacted in accordance with the provisions of sections 70, 71, 72 and 73 of chapter 45 of the Consolidated Laws (Public Health Law) as heretofore set forth shall apply to all natural and artificial reservoirs on the Normanskill and to all HEALTH 10B watercourses tributary thereto or ultimately discharging into said reservoirs, these bodies of water being sources of the public water supply of the city of Watervliet, Albany County, New York.

(b) Definitions (1) The term reservoir wherever used in this section is intended to mean and refer to all storage and impounding reservoirs on the Normanskill which are tributary to or which serve as sources of this public water supply or to any additional reservoir which may be constructed or used for the purpose of this public water supply.

(2) The term watercourse wherever used in this section is intended to mean and include every spring, pond (other than the artificial reservoirs and filter basins), stream, ditch, gutter or other channel of any kind the waters of which, when running whether continuously or occasionally, eventually flow or may flow into the public water supply of the city of Watervliet.

(3) Wherever a linear distance of a structure or object from a reservoir or from a watercourse is mentioned in this section, it is intended to mean the shortest horizontal distance from the nearest point of the structure or object to the high-water mark of a reservoir or to the edge, margin or precipitous bank forming the ordinary high-water mark of such watercourse.

(c) Privies adjacent to any reservoir or watercourse. (1) No privy, privy vault, pit, cesspool or any other receptacle of any kind used for either the temporary storage or the permanent deposit of human excreta shall be constructed, placed, maintained or allowed to remain within 100 feet of any reservoir or within 50 feet of any watercourse tributary to the public water supply of the city of Watervliet.

(2) No privy, privy vault, pit, cesspool or any other receptacle used for the permanent deposit of human excreta shall be constructed, located, placed, maintained or allowed to remain within 300 feet of any reservoir or within 100 feet of any watercourse tributary to the public water supply of the city of Watervliet.

(3) No cesspool, pit or other receptacle of any kind used for the temporary storage of human excreta or sewage shall be constructed, located, maintained or allowed to remain between the limiting distances prescribed by paragraph (1) of this subdivision and the limiting distances prescribed by paragraph (2) of this subdivision unless said cesspool, pit or other receptacle is so arranged and equipped that the said excreta or sewage are at once removed by pump or other satisfactory means through watertight pipes or conduits to some proper place of ultimate disposal, as hereinafter provided, or unless suitable removable vessels or receptacles for the temporary storage of said human excreta or sewage are provided and at all times maintained in an absolutely watertight condition and in such manner as to permit of convenient removal of said excreta or sewage to some place of ultimate disposal as hereinafter set forth.

(4) The excreta collected in the aforesaid removable receptacles permitted under paragraph (3) of this subdivision shall be removed and the receptacles thoroughly cleaned and deodorized as often as may be found necessary to maintain the privy in proper sanitary condition and to effectually prevent any overflow upon the soil or upon the foundation or floor of the privy. In effecting this removal the utmost care shall be exercised that none of the contents be allowed to escape while being transferred from the privy to the place of disposal hereinafter specified and that the contents, while being transferred from the privy to the place of disposal, shall be thoroughly covered and that the least possible annoyance and inconvenience be caused to occupants of the premises and the adjacent premises.

(5) Unless otherwise specially ordered or permitted by the State Department of Health, the excreta collected in the aforesaid removable receptacles permitted under paragraph (3) of this subdivision shall, when removed, be disposed of by burying in trenches or pits at a depth of not less than 18 inches below the surface and at a distance not less than 500 feet from any reservoir or watercourse tributary to the public water supply of the city of Watervliet.

(6) Whenever, owing to the character of the soil or of the surface of the ground or owing to the height or flow of subsoil or surface water or other special local conditions, it is considered by the State Commissioner of Health that excremental matter from any privy or aforesaid receptacle or from any trench or place of disposal or the garbage or wastes from any dump may be washed over the surface or through the soil in an imperfectly purified condition into any reservoir or watercourse, then the said privy or receptacle for excreta or the trench or place of disposal or the said garbage or waste dump shall, after due notice to the owner thereof, be removed to such greater distance or to such place as shall be considered safe and proper by the State Commissioner of Health. (d) Sewage, house slops, sink wastes, etc. (1) No house slops, bath water, sewage or other excretal matter from any water closet, privy, cesspool or other source, except the purified effluent from a properly constructed sewage disposal plant approved by the State Department of Health, as required by law, shall be thrown, placed, led, conducted, discharged or allowed to escape or flow in any manner either directly or indirectly into any reservoir or any watercourse tributary to the public water supply of the city of Watervliet, nor shall any such matters be thrown, placed, led, discharged or allowed to escape beneath the surface except into watertight receptacles, the contents of which are to be removed as provided by paragraph (4) of subdivision (c), within 300 feet of any reservoir or within 100 feet of any watercourse tributary to the public water supply of the city of Watervliet.

(2) No garbage, putrescible matter, kitchen or sink wastes, refuse or waste matter from any creamery, cheese factory or laundry nor water in which milk cans, utensils, clothing, bedding, carpets or harness have been washed or rinsed nor any polluted water or liquid of any kind shall be thrown or discharged directly or indirectly into any reservoir or watercourse, nor shall any such liquid or solid refuse or waste be thrown, discharged or allowed to

escape or remain upon the surface of the ground or to percolate into or through the ground below the surface in any manner whereby the same may flow into any reservoir or watercourse within a distance of 200 feet from any reservoir or within 50 feet from any watercourse tributary to the public water supply of the city of Watervliet.

(3) No clothing, bedding, carpets, harnesses, vehicle, receptacles, utensils nor anything that pollutes water shall be washed, rinsed or placed in any reservoir or watercourse.

(e) Bathing, animals, manure, compost, etc. (1) No person shall be allowed to bathe in any reservoir nor shall any animals or poultry be allowed to stand, wallow, wade or swim in any reservoir nor be washed therein. The watering of animals or poultry in any reservoir of the public water supply of the city of Watervliet is prohibited. No watering place shall be maintained in such a way as to pollute with muddy leachings or excretal matters any streams tributary to the public water supply of the city of Watervliet.

(2) No stable for cattle or horses, barnyard, hogyard, pigpen, poultry house or yard, hitching place or standing place for horses or other animals, manure pile or compost heap shall be constructed, placed, maintained or allowed to remain with its nearest point less than 100 feet from any reservoir or within 25 feet of any watercourse tributary to the public water supply of the city of Watervliet, and none of the above named objects or sources of pollution shall be so constructed, placed, maintained or allowed to remain where or in such a manner that the drainings, leachings or washings from the same may enter any such reservoir or watercourse without first having passed over or through such an extent of soil as to have been properly purified, and in no case shall it be deemed that proper purification has been secured unless the above drainings, leachings or washings shall have percolated over or through the soil in a scattered, dissipated form and not concentrated in perceptible lines of drainage for a distance of not less than 100 feet from any reservoir or 25 feet from any watercourse tributary to the public water supply of the city of Watervliet.

(3) No human excreta and no compost or other matter containing human excreta shall be thrown, placed or allowed to escape into any reservoir or watercourse nor to be placed, piled or spread upon the surface of the ground at any point on the watershed tributary to the public water supply of the city of Watervliet, nor shall such human excreta or compost or other matter containing human excreta be dug or buried in the soil at a less depth than 18 inches below the surface nor within a distance of 500 feet from any reservoir nor within 100 feet of any watercourse tributary to the public water supply of the city of Watervliet, and no manure or compost of any kind shall be placed, piled or spread upon the ground within a distance of 200 feet from any reservoir or within 25 feet from any watercourse tributary to the public water supply of the city of Watervliet.

(4) No decayed or fermented fruit or vegetables, cider mill wastes, roots, grain or other vegetable refuse of any kind shall be thrown, placed, discharged or allowed to escape or pass into any reservoir or watercourse, nor shall they be thrown, placed, piled, maintained or allowed to remain in such places that the drainage, leachings or washings therefrom may flow by open, blind or covered drains or channels of any kind into any reservoir or watercourse without first having passed over or through such an extent of soil as to have been properly purified, and in no case shall it be deemed that sufficient purification has been secured unless the above mentioned drainings, leachings or washings shall have percolated over or through the soil in a scattered, dissipated form and not concentrated in perceptible lines of drainage for a distance of not less than 100 feet before entering any reservoir or 25 feet before entering any watercourse tributary to the public water supply of the city of Watervliet. (f) Dead animals, offal, manufacturing wastes, etc. No dead animals, bird, fish or any part thereof nor any offal or waste matter of any kind shall be thrown, placed, discharged or allowed to escape or to pass into any reservoir or watercourse. Nor shall any such material or refuse be so located, placed, maintained or allowed to remain that the drainage, leachings or washings therefrom may reach any such reservoir or watercourse without having first percolated over or through the soil in a scattered, dissipated form and not concentrated in perceptible lines of drainage for a distance of 200 feet from any reservoir or 100 feet from any watercourse tributary to the public water supply of the city of Watervliet.

(g) Fishing, boating and ice cutting. No boating of any kind or fishing from boats or through the ice and no ice cutting or any trespassing whatever shall be allowed in or upon the waters or ice of the reservoirs.

(h) Labor camps. No temporary camp, tent, building or other structures for housing laborers engaged on construction work or for other purposes shall be located, placed or maintained within a distance of 500 feet from any reservoir or 100 feet from any watercourse tributary to the public water supply of the city of Watervliet.

(i) Cemeteries. No interment of a human body shall be made within a distance of 300 feet from any reservoir or 100 feet from any watercourse tributary to the public water supply of the city of Watervliet.

(j) Inspections. The board of water commissioners of the city of Watervliet shall make regular and thorough inspections of the reservoirs, streams and drainage areas tributary thereto for the purpose of ascertaining whether the above rules and regulations are being complied with, and it shall be the duty of said board of water commissioners to cause copies of any rules and regulations violated to be served upon the persons violating the same with notices of such violations; and if such persons served do not immediately comply with the rules and regulations, it shall be the further duty of the board of water commissioners to promptly notify the State Commissioner of Health of such violations. The board of water commissioners shall report in writing annually, on the first day of January, the results of the regular inspections made during the preceding year, stating the number of inspections which have been made, the number of violations found, the number of notices served and the general condition of the watershed at the time of the last inspection.

(k) Penalties. In accordance with section 70 of chapter 45 of the Consolidated Laws (Public Health Law), the penalty for each and every violation of or noncompliance with any of these rules and regulations which relate to a permanent source or act of contamination is hereby fixed at \$100.

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