

ARTICLE 143
DISPOSAL OF SEWAGE

§145.01 Definitions.

§145.03 New or altered disposal facilities; permits and approval of plans. [Repealed]

§145.05 Existing waste discharges; orders to abate pollution hazards. [Repealed]

§145.06 Registration of outlets from certain disposal facilities. [Repealed]

§145.07 Operation. [Repealed]

§145.09 Cooperation with other governmental agencies. [Repealed]

§143.11 Community private sewage disposal systems.

§143.13 Private sewage disposal systems; inspection; operation. [Repealed]

§143.15 Privies.

§143.17 Modification by Department.

§143.01 Definitions.

When used in this article:

- (a) Municipal sewage systems means the series of sanitary, combined and storm sewers, intercepting sewers and intercepting collecting sewers, sewage treatment plants or pollution control facilities, drains and other facilities, connections and equipment for the conveyance, treatment and disposal of sewage and drainage operated by the Departments of the City of New York.
- (b) Private sewage disposal system means a water-flushed facility for the disposition of sewage which does not connect either with the municipal sewage disposal system or with a sewer or other facility connecting with such municipal system.
- (c) Privy means a permanent facility for urinating or defecating embedded in the subsurface which is not waterflushed and which does not connect, directly or otherwise, to a private sewage disposal system or the municipal sewage disposal system, and includes a chemical toilet but does not include portable toilets such as those found in transportation facilities or at construction or other street locations.
- (d) Sewage means human wastes, liquid kitchen wastes, waste water from wash basins, waste water from bathing facilities including a bathing establishment as defined in §165.01, or liquid wastes resulting from any process of industry, manufacturing, trade or business or from the development or recovery of any natural resources.
- (e) Community private sewage disposal system means a private sewage disposal system which services fifteen or more dwellings.

§143.11 Community private sewage disposal systems.

- (a) No permit shall be issued approving the site and sub-soil for the proposed construction of individual private sewage disposal systems in subdivision realty developments involving 15 or more dwellings, but application shall be made for a permit to construct and maintain a community private sewage disposal system for the disposal of sewage from all of the dwellings within the subdivision development. This provision shall not apply, however, if in the opinion of the Department, it is more practicable to construct

individual systems rather than a community system, by reason of physical or engineering difficulties, estimated cost of construction or other pertinent considerations.

- (b) No community private sewage disposal system shall be constructed and maintained without a permit issued by the Commissioner. The permit may contain such conditions as the Commissioner may impose for the protection of public health. No permit is required and this article shall not apply if a permit must be obtained for a disposal facility pursuant to §145.03 of this Code or pursuant to Article 12 of the Public Health Law.
- (c) Application for a permit to construct and maintain a community private sewage disposal system shall be made by the owner of the subdivision development or his authorized representative, who shall submit a detailed report, including drawings of the proposed system, design data and such other data as will enable the Department to determine all facts relating to the proposed system and its intended operation or use.
- (d) The Department may prescribe the number of copies of and the format in which the information required by subsection (b) of this section shall be submitted. Plans, specifications and other information shall contain the signature, seal and address of a professional engineer or architect licensed and registered pursuant to Article 145 or Article 147, respectively, of the Education Law.
- (e) If the Department approves such application, a permit to construct and maintain the community private sewage disposal system shall be issued and shall remain valid until revoked, provided construction of the system is instituted within one year after issuance.
- (f) No community private sewage disposal system shall be constructed otherwise than in accordance with plans and specifications filed with and approved by the Department and in compliance with all of the applicable provisions of the Building Code of the City of New York.

§143.15 Privies.

No privy shall be constructed otherwise than in accordance with the requirements imposed by the Department in issuing the authorization for its temporary use, and no privy shall be maintained or used so as to create a nuisance or health hazard. A privy shall be covered and protected so as not to be exposed to the outer air. It shall not be allowed to pollute a well or water supply system, or to discharge sewage on surface ground level. Privies shall be protected against rodents, insects and other pests. When a privy is no longer to be used, it shall be thoroughly cleansed so that it will not cause a nuisance or health hazard, and it shall be filled in so as to prevent accidents.

§143.17 Modification by Department.

When the Department determines that the strict application of any provision of this Article presents practical difficulties, the Commissioner or their designee may, in a specific instance, modify the application of such provision consistent with the general purpose of this Article and upon such condition(s) the Department deems necessary to protect life and health. Failure to comply with the terms of a modification may render such modification null and void and result in enforcement by the Department. The denial of a request for modification by the Commissioner shall be deemed a final agency determination.