

Title 15 of the Rules of the City of New York Chapter 31 Rule Governing House/Site Connections to the Sewer System

§31-01 Applicability and Scope.

(a) Applicability.

- (1) This Rule applies to the certification of sewer availability and to the issuance of permits for the construction, alteration, repair or relay, plugging, unplugging, and inspection of all Sewer connections and appurtenances.
- (2) The portion of a new Sewer connection extending from the curb line to sewers built under New York City capital sewer construction projects are not subject to this Rule and are covered by the standards and specifications for such projects.

(b) Definitions.

For the purposes of this Rule, the following definitions apply:

Agency. "Agency" means an agency of the City.

Allowable flow. "Allowable flow" means the storm flow from developments based on existing sewer design criteria that can be released into an existing storm of combined sewer.

Allowable sewer or drain. "Allowable sewer or drain" means an existing sewer or drain built in accordance with a City drainage plan or an approved Drainage proposal, and is the approved outlet to receive Flow from the site of an existing or a proposed development.

Alteration map. "Alteration map" means a map showing proposed changes to the City map.

A.N.S.I. "A.N.S.I." means the American National Standards Institute.

Applicant. "Applicant" means the Owner of an existing or a proposed development or his or her legally designated representative.

Applicant's offering plan. "Applicant's offering plan" or "Applicant's offering prospectus" means the set of legal documents setting forth the rights, privileges, and duties of purchasers of shares in the Applicant's proposed development, and which is submitted to the New York State Department of Law in accordance with the requirements of Section 352-e of the New York State General Business Law.

Approved outlet. "Approved outlet" means an existing storm, sanitary or combined sewer or drain built to receive flow from a development.

As-built drawing or Record drawing. "As-built drawing" or "Record drawing" means a map or a drawing which represents the actual constructed state of a City sewer, a Private sewer, or a Private drain and appurtenances.

A.S.T.M. "A.S.T.M." means the American Standards for the Testing of Materials, latest edition.

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Available sewer or drain. "Available sewer or drain" means an existing fronting sewer or drain which has existing adequate capacity for use by an existing or a proposed development.

Block. "Block" means a tract of land bounded by consecutive intersecting streets.

Building. "Building" means a structure having a specific Block and Lot (or tax sub-lot). In general, a structure will be considered a Building if it has a separate entrance from an outdoor area.

BWSO. "BWSO" means the Bureau of Water & Sewer Operations or its successor.

Catch basin. "Catch basin" means a structure designed to collect and convey stormwater runoff to a Storm sewer, a Combined sewer, or an approved outlet by means of a catch basin connection pipe.

City. "City" means the City of New York.

City drainage plan. "City drainage plan" or "drainage plan" means a plan for the proper sewage and drainage of the City of New York, or any part thereof, prepared and adopted in accordance with Section 24-503 of the Administrative Code of the City of New York.

City map. "City map" means the City map referred to in Sections 198 and 199 of the City Charter.

Code. "Code" means the Administrative Code of the City of New York.

Combined sewage. "Combined sewage" means a combination of Sanitary sewage, industrial wastewater and stormwater runoff.

Combined sewer. "Combined sewer" means a sewer receiving a combination of sanitary and/or industrial wastewater and stormwater runoff.

Combined sewer connection. "Combined sewer connection" means a Sewer connection which extends from the property line and conveys both Sanitary sewage and storm water runoff to a Combined sewer or drain.

Commissioner. "Commissioner" means the Commissioner of the New York City Department of Environmental Protection.

Condominium association. "Condominium association" means the legal entity comprising the present and future unit-Owners of a condominium development and established in accordance with Article 9-B of the New York State Real Property Law.

Connection permit. "Connection permit" means a written authorization issued by the DEP to connect to an existing sewer or drain or an approved outlet.

Contractor. "Contractor" means an entity retained by the Owner/Applicant to construct a facility.

Contributory drainage area. "Contributory drainage area" means a drainage area bounded by the ridge lines of the furthest boundaries from which flow reaches a point of discharge.

DEP. "DEP" means the New York City Department of Environmental Protection or its successor Agency.

Detention system. "Detention system" means a structure designed to store an accumulation of stormwater runoff and release it at a controlled rate into an approved outlet sewer system of limited capacity.

Direct discharge. "Direct discharge" means a discharge by means of a sewer connection to a City sewer, a Private sewer, a Private drain, or an approved outlet fronting the property.

DOB. "DOB" means the New York City Department of Buildings or its successor Agency.

DOF. "DOF" means the New York City Department of Finance or its successor Agency.

DOT. "DOT" means the New York City Department of Transportation or its successor Agency.

Drainage proposal. "Drainage proposal" means a plan showing a proposed sewerage system to serve an existing or a proposed development and Contributory drainage area that does not conform to the City drainage plan.

Dwelling unit. "Dwelling unit" means one or more rooms in a Building that are arranged, designed, used or intended for use by one family.

Finally mapped street. "Finally mapped street" means a street as shown on the City map.

Flow. "Flow" means a continuous movement of storm water or wastewater.

Fronting. "Fronting" means an existing sewer or drain abutting an existing or proposed development.

Groundwater. "Groundwater" means any existing water in subsoil stratum, including water from springs and natural underground streams, but excluding water from wells used for the delivery of potable or processed water.

Groundwater table. "Groundwater table" means the actual depth of ground water below surface.

Homeowners' association. "Homeowners' association" means the legal entity comprising the present and future homeowners/unit owners of a development.

House connection proposal. "House connection proposal" means a plan showing proposed Sewer connection(s) to a City sewer, a Private sewer, a Private drain, or an approved outlet to serve Fee Simple One (1), Two (2) or Three (3) Family Dwelling Units.

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Indirect discharge. "Indirect discharge" means a discharge into a City sewer, a Private sewer, or an approved outlet by means other than a direct discharge.

Industrial waste. "Industrial waste" means any liquid, gaseous or solid substance, or a combination thereof, resulting from any process of industry, manufacturing, trade or business, or from the development or recovery of natural resources.

Inspector. "Inspector" means a DEP or DOB sewer connection inspector.

Internal drain. "Internal drain" means a drainage system under the jurisdiction of the DOB and which is not located in a Final mapped street, a Record street or an Easement under the jurisdiction of the DEP.

Intercepting sewer. "Intercepting sewer" or "Interceptor sewer" means a sewer which, during dry weather, receives the dry-weather flow from a number of transverse Sanitary or Combined sewers and conveys such Flow to a wastewater pollution control plant. During storms, it receives predetermined quantities of dry-weather flow mixed with stormwater and conveys Combined sewage to a wastewater pollution control plant.

Interceptor-collector. "Interceptor-collector" means an Intercepting sewer which also serves as a local Sanitary sewer.

Legally designated representative. "Legally designated representative" means a Professional Engineer or Registered Architect licensed by the State of New York who represents the Owner in connection with a proposal, plan, or application.

Licensed Master Plumber. "Licensed Master Plumber" means a plumber licensed to perform plumbing work within the City by the City agency having jurisdiction over such licensing.

Lot. "Lot" means a tax lot as shown on the Tax map of the City.

Mapping action. "Mapping action" means a proceeding to change the City map pursuant to the New York City Charter.

Non-plumbing work. "Non-plumbing work" means any work not referenced in the definition of "Plumbing Work" as set forth in Section 28-401.3 of the Code, including excavation work, construction work or any other work not classified as piping work.

Opinion of dedication. "Opinion of dedication" means an opinion by the Corporation Counsel that a street is an open and continuously traveled street dedicated for public use.

Owner. "Owner" means any individual, firm, corporation, company, association, society, institution or any other legal entity that owns the property, appurtenances, and easements compromising an existing or a proposed development.

Private drain. "Private drain" means a private sanitary, stormwater, or combined drain that is constructed in a Finally mapped street, a Record street, or an easement and discharges into an approved outlet.

Private pumping station. "Private pumping station" means a privately owned, operated, and maintained wastewater collection facility required for the pumping of sanitary or stormwater runoff or Combined sewage to a Private force main.

Private force main. "Private force main" means a privately owned, operated and maintained pressurized pipe designated to receive the wastewater discharged from a Private pumping station and to convey it under pressure to a point of discharge.

Private sewage treatment plant. "Private sewage treatment plant" means a privately owned, operated and maintained wastewater collection facility located on private property that is used for the physical, chemical, and/or biological treatment of wastewater.

Private sewer. "Private sewer" means a private sanitary, stormwater, or combined sewer that is designed and constructed in accordance with the requirements of the City drainage plan to serve a specific development and is located in a Finally mapped street, a Record street, or a sewer easement, and discharges into an approved outlet.

Private sewer plan or private drain plan. "Private sewer plan" or "Private drain plan" means a construction plan for the installation of Private sewers or Private drains and appurtenances thereto.

Record street. "Record street" means a street that appears on the Tax map of the City, but is not a Finally mapped street.

Repair/relay. "Repair/relay" means complete, substantial, or partial repair or replacement of any existing Sewer connection.

Retention system. "Retention system" means a structure designed to store an accumulation of stormwater runoff and dispose of it onsite.

Rule. "Rule" means all the standards and requirements of the DEP governing connection to the sewer system, as contained herein.

Runoff. "Runoff" means overland stormwater flow that is not absorbed into the ground.

Sanitary sewage. "Sanitary sewage" means bodily waste, swimming pool discharge, wash water, or similar waste which is discharged into a Sanitary sewer or a Combined sewer.

Sanitary sewer. "Sanitary sewer" means a sewer which conveys Sanitary sewage and/or industrial waste.

Sanitary sewer connection. "Sanitary sewer connection" means a Sewer connection which extends from the property line of a building and conveys only Sanitary sewage to a Sanitary sewer/drain or a Combined sewer/drain.

Seepage basin. "Seepage basin" means a drainage structure constructed in the street area designed to dispose of street storm water runoff collected by catch basins and catch basin connections at locations where storm or combined sewer do not exit.

Sewer certification. "Sewer certification" or "Sewer availability certification" means a house connection proposal application or site connection proposal application to certify the adequacy of the existing abutting sewer to receive site storm and sanitary discharge from a development.

Sewer connection. "Sewer connection" means that part of a sanitary, stormwater, or combined sewer disposal pipe which extends from the property line of a Building to an existing City sewer, a Private sewer, a Private drain, or an approved outlet under the jurisdiction of the DEP.

Sewer easement. "Sewer easement" means a nonpossessory interest in private property, which allows for the limited right to use the property that is designated for the construction and maintenance of a drainage facility such as a City sewer, a Private drain, a Watercourse, a Watercourse diversion, or related structures.

Site connection proposal. "Site connection proposal" means a plan showing proposed Sewer connection(s) from existing or proposed developments other than Fee Simple of One (1), Two (2) or Three (3) Family Dwelling Units to a City sewer, a Private sewer, a Private drain, or an approved outlet.

Special conditions. "Special conditions" mean and include, but is not limited to, the construction or use of a Private sewage treatment plant, a Private on-site pumping station, a private on-site Detention basin, a private Watercourse diversion by an open channel or closed piping, or a proposed development requiring a Mapping action.

Storm sewer. "Storm sewer" means a sewer which conveys only stormwater.

Stormwater. "Stormwater" means the excess water running off the surface of a drainage area during, and immediately following, a period of precipitation.

Stormwater release rate. "Stormwater release rate" means the rate at which stormwater is released from a site, calculated in terms of cubic feet per second (cfs) or as a percentage of the Allowable Flow, which is also calculated in terms of cfs.

Stormwater sewer connection. "Stormwater sewer connection" means a Sewer connection, which extends from the property line of a Building and conveys stormwater runoff to a Storm sewer/drain, or Combined sewer/drain or an approved outlet.

Tax map. "Tax map" means the Tax map of the City as defined and referred to in Section 11-203 of the Administrative Code of the City of New York.

Tentative lot. "Tentative lot" means a proposed tax lot as shown on the "Request to Real Property Assessment, Department of Surveying, Division for Tentative Lot Numbers".

Water Board. "Water Board" means the New York City Water Board.

Watercourse. "Watercourse" means a natural or artificial channel, a visible path or an active trench, which carries stormwater runoff from a Contributory drainage area.

Watercourse diversion. "Watercourse diversion" means the re-routing of an existing Watercourse by either open channel or closed piping.

Water service connection. "Water service connection"—The pipe from the street water main or other source of water supply to the building served.

(c) Variances.

(1) The DEP may grant a variance from one or more of the requirements of this Rule only upon:

- (a) written request by the Applicant; and
- (b) the presentation of adequate proof substantiating that compliance with the requirements of this Rule would impose an exceptional hardship.

(2) Every request for a variance shall:

- (a) identify the specific provision(s) of this Rule for which a variance is sought;
- (b) demonstrate that an exceptional economic, technological or safety hardship would result from compliance with the identified provision(s) and that the variance requested is the minimum necessary to afford relief; and
- (c) demonstrate that the proposed variance would not result in any adverse impact on public health, safety, or welfare, the environment, or any natural resource(s).

(3) There shall be no variances granted from the bonding, insurance, or security requirements of this Rule.

- (4) In granting variance, the DEP may impose specific conditions necessary to assure that the variance will have no adverse impact on public health, safety, or welfare, the environment, or any natural resource. Failure to comply with any condition of a variance shall be a violation of these rules.