

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

§31-04 Standards for Issuance of Permits.

(a) Permits.

- (1) No person or Owner shall connect to, make use of, or make an opening into any interceptor sewer, interceptor collector, sanitary, storm, or combined sewer or drain, or install, repair, relay or plug sewer connections, except upon issuance of a permit consistent with the provisions of this Rule. No sewer connections shall be permitted to any catch basin. Any such connection made without a permit shall be in violation of this Rule.
- (2) Permits for a new connection or connections shown on certified sewer certification applications shall be required for the following:
 - (i) new developments;
 - (ii) alterations performed on existing buildings, where sewer availability certification is required by the DOB;
 - (iii) existing buildings served by cesspools or septic tanks to be connected to fronting sewers or drains; and
 - (iv) unplugging and reuse of a plugged sewer connection.
- (3) Plug permit(s) shall be required when an existing connection or connections are to be abandoned.
- (4) Repair or relay permits shall be required for the repair or replacement of an existing sewer connection. Where realignment of the existing sewer connection or connections to new points of connection results in the plugging of an existing sewer connection or connections, no separate plug permit shall be required.
- (5) Permits shall be required to install manholes on existing sewers or drains.
- (6) Permits shall be required to install catch basins and catch basin connections outletting to existing sewers or drains, or an approved outlet.
- (7) Permits shall be required to install seepage basins and catch basins outletting to such seepage basins.
- (8) Any detention or retention system and any replacement of such a system proposed and implemented in order to comply with this rule must be properly maintained throughout the useful life of the system and maintenance records maintained, until replacement as approved by DEP. This obligation applies to current property owners, their successors, assigns, and other persons in control of the property, and shall be made binding in a deed restriction or other form satisfactory to DEP. Three years after the date of approval of retention or detention system and every three years thereafter the operation of the system shall be inspected by a licensed

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

professional engineer, a registered architect or a licensed master plumber. Such architect, engineer or master plumber shall submit certification to DEP that the system is free of debris and sediments, that its orifice is unobstructed and flowing and that the system is otherwise operating in compliance with this rule.

(b) General Requirements. Sewer connection permits shall be required as follows:

- (1) For a single structure on an individual tax lot fronting an existing combined sewer, a new sewer connection permit shall be required for each connection.
- (2) For individual structures on one tax lot with individual combined sewer connections to an existing combined sewer or drain, a sewer connection permit shall be required for each individual combined connection. Where such structures have separate connections to separate sanitary and storm sewers, a new connection permit shall be required for each individual sanitary and/or storm sewer connection.
- (3) For several individual structures on one tax lot sharing a common internal drain or drains connecting to existing combined sewers, one new sewer connection permit shall be required for each connection. Where such structures have common sanitary and storm internal drains for connection to separate sanitary and storm sewers or drains, a new sewer connection permit shall be required for each connection made to the sewers or drains.
- (4) For individual structures on individual tax lots, which will share common internal drains owned, operated or maintained by a Homeowners Association, connections to existing combined sewers shall require a new sewer connection permit for each tax lot.
- (5) Where individual structures on individual tax lots, which share common internal drains owned, operated and maintained by a Homeowners Association, connect to separate sanitary and storm sewers or drains, a sewer connection permit shall be required for each sanitary and storm sewer connection made to the common internal drains from each tax lot.

(c) Application Procedure.

- (1) A certified house connection proposal or site connection proposal shall be required for all permits, except for the following:
 - (i) plug permits;
 - (ii) repair/relay permits;
 - (iii) catch basin, catch basin connection, and manhole permits;
 - (iv) catch basin, catch basin connection, and seepage basin permits; and
 - (v) connection to an existing sewer for elimination of existing cesspool or septic tanks for fee simple one, two, or three family dwelling units.

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

(2) Prior to the issuance of a permit, applicants shall comply with the following requirements:

- (i) Upon certification of a house connection proposal or site connection proposal by the DEP or DOB, the applicant's Licensed Master Plumber shall apply for the required sewer connection permits at the DEP's water and sewer records office.
- (ii) If the Licensed Master Plumber retains a subcontractor, that subcontractor is only authorized to conduct non-plumbing work. All plumbing work must be done by the Licensed Master Plumber or persons under the direct employment and continuing supervision of the Licensed Master Plumber. If work is to be done by a subcontractor, said subcontractor must be identified on the application and an affidavit of authorization must be executed by the Licensed Master Plumber. The authorization shall specify the location and work to be done and shall state that the work is being done under the supervision of the Licensed Master Plumber. Such authorization and responsibility will be effective for the duration of the permit. If coring is to be done as part of the work, it shall be performed by the Licensed Master Plumber, or his/her authorized designee.
- (iii) Only a Licensed Master Plumber may apply for a permit to install new catch basins, catch basin connections, and manholes on existing sewers or drains.
- (iv) A Licensed Master Plumber or a Contractor may apply for a permit or permits to install seepage basins, catch basins, and catch basin connections outletting to such seepage basins.
- (v) No sewer connection permit shall be issued without the presentation of a valid building construction permit or alteration repair application (ARA) from DOB or other Agencies having jurisdiction.
- (vi) No permits shall be issued to install new catch basins, catch basin connections, seepage basins, or manholes on existing sewers or drains until an approved builder's pavement plan has been submitted.

(d) Permit Issuances.

(1) Prior to the issuance of any permit for sewer connection, applicants must submit the following to the DEP:

- (i) the appropriate permit application form and, if applicable, an affidavit by the Licensed Master Plumber authorizing a subcontractor to perform non-plumbing work;
- (ii) a certified house connection proposal or site connection proposal application;
- (iii) a valid street/sidewalk opening permit from the DOT or other entity having jurisdiction;
- (iv) proof of payment of the appropriate permit fee to the Water Board;

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

- (v) proof of compliance with all conditions set forth in the certified house connection proposal or site connection proposal application form;
 - (vi) a letter of authorization from the Owner to retain a Licensed Master Plumber;
 - (vii) except for a single structure condominium development, which is exempt from this requirement, a declaration of covenants and restrictions establishing a Homeowners Association or a declaration of condominium recorded at the appropriate City Register's or County Clerk's Office and a letter issued by the New York State Attorney General accepting the offering plan/prospectus for filing; or a "No- Action Letter" issued by the New York State Attorney General and reviewed by the Legal Counsel of the DEP;
 - (viii) easement documents, declaration of maintenance and deed restrictions approved by the Legal Counsel of the DEP and recorded at the office of the County Clerk.
 - (ix) proof of compliance with all other conditions that may be set forth by the City and with all applicable Federal, State, and Local Laws, Rules and Regulations.
- (2) Unplug and Reuse or Reuse. For one, two or three family dwellings only, permits for unplugging and reuse of a plugged sewer connection, or reuse of an existing sewer connection will be issued upon:
- (i) compliance with all of the requirements listed in paragraph (1) of this subdivision (d); and
 - (ii) submission to the DEP of the following:
 - (A) a notarized letter of intent from the owner requesting reuse of the plugged sewer connection or reuse of the existing sewer connection;
 - (B) signed and sealed certification from the filing professional engineer or registered architect that the existing sewer connection is adequate; and
 - (C) signed and sealed certification from the Licensed Master Plumber that such plumber has verified that the existing sewer connection is in good working order.
- (3) Plug Permit for plug of an existing sewer connection will be issued upon:
- (i) compliance with the requirements contained in subparagraphs (i), (iii), (iv), (vi) and (ix) of paragraph (1) of this subdivision (d);
 - (ii) presentation of a notarized letter of intent from the Owner to plug the existing sewer connection and to retain a Licensed Master Plumber for this purpose; and
 - (iii) verification of the existence of the sewer connection to be plugged.

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

- (4) Repair or Relay of Existing Sewer Connections. Permits for repair/relay of existing sewer connections will be issued upon compliance with the requirements in subparagraphs (i), (iii), and (ix) of paragraph (1) of this subdivision (d);
- (5) Connections to an existing sewer for the purpose of eliminating cesspools or septic systems. Permits for sewer connections to an existing sanitary or combined sewer in order to eliminate cesspools or septic systems will be issued upon:
- (i) compliance with the requirements contained in subparagraphs (i), (ii), (iii), (iv), (v), and (ix) of paragraph (1) of this subdivision (d);
 - (ii) for fee simple one, two or three family dwelling units, submission of approval from DOB to abandon the existing cesspool or septic system;
 - (iii) for other than fee simple one, two or three family dwelling units, submission of:
 - (A) an approval from DOB to abandon the existing cesspool or septic system; and
 - (B) a certified site connection proposal from the appropriate department, as required by subparagraphs (i), (ii) and (v) of paragraph (1) of this subdivision (d).
- (6) New manholes on existing sewers or drains for new sewer connections or for new catch basin connections. Permits for new manholes to be placed on existing sewers for new sewer connections or for new catch basin connections will be issued upon:
- (i) compliance with all of the requirements in subparagraphs (i), (ii), (iii), (iv), (v), and (ix) of paragraph (1) of this subdivision (d); and
 - (ii) for new catch basin connections, compliance with all requirements contained in paragraph (7) of this subdivision (d).
- (7) New catch basins, catch basin connections, and seepage basins. Permits for new catch basins, catch basin connections, and seepage basins will be issued upon:
- (i) compliance with the requirements contained in subparagraphs (i), (iii), (iv), and (ix) of paragraph (1) of this subdivision (d); and
 - (ii) presentation of a valid approved Builders Pavement Plan. A Builders Pavement Plan, approved by the City, must be on file with the Borough office of BWSO prior to issuance of the permit.

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

(e) Terms and Conditions.

- (1) Each permit shall be valid for a period not to exceed sixty (60) calendar days from the date of issuance. An additional one time thirty (30) day extension may be granted upon written request by the Licensed Master Plumber explaining reasons for the delay.
- (2) After expiration of the permit period and any extension, the permittee shall be required to file for a new permit and pay all required fees.
- (3) Any permit issued by the DEP pursuant to this Rule may be revoked by the Commissioner for cause.

(f) Fees.

- (1) All fees shall conform to the latest fee schedule published by the Water Board.
- (2) All fees shall be paid to the Water Board.

(g) Violations.

It shall be a violation to perform any operation or work without a permit as required by this Rule.