

RULES and REGULATIONS
FOR
THE PROTECTION FROM
CONTAMINATION OF THE
PUBLIC WATER SUPPLY OF
THE VILLAGES OF
AVON AND GENESEO
AND THE
LAKEVILLE WATER DISTRICT
OF THE TOWN OF LIVONIA
LIVINGSTON COUNTY
NEW YORK

Enacted by the New York State
Commissioner of Health under
Chapter 45 of the Consolidated Laws
(Public Health Law)

December 29, 1961

APPLICATION OF RULES

The following rules and regulations enacted under the authority of Article 11 of the Public Health Law, and the whole thereof, as amended, shall apply to Conesus Lake and its tributaries which now serve or which may be developed in the future to serve as sources of the public water supply of the Villages of Avon and Geneseo and the Lakeville Water District of the Town of Livonia, and to all watercourses tributary thereto or ultimately discharging into said reservoirs.

The term "Water Supply" means the public water supply of the Villages of Avon and Geneseo and the Lakeville Water District of the Town of Livonia.

The term of "Conesus Lake" means said body of water serving as a source of the water supply of the Villages of Avon and Geneseo and Lakeville Water District of the Town of Livonia.

The term "Lake" means Conesus Lake.

The term "watercourse" means every spring, pond (or other than reservoirs), stream, marsh, or channel of any kind, the waters of which flow or may flow into Conesus Lake or into this water supply.

The term "linear distance" means the shortest horizontal distance. The linear distance between a structure or object and a reservoir, watercourse or Conesus Lake shall be measured from the nearest point of the structure or object to the high water mark of the reservoir or to the edge, margin, or precipitous bank forming the ordinary high water mark of the watercourse or of Conesus Lake.

The term "human excreta" means feces, urine and other excretions, commonly disposed of by the so-called dry system as typified by the ordinary privy, and shall include also sludge and scum from septic tanks and cesspools connected to disposal systems receiving the aforementioned feces, urine and other excretions.

The term "Sewage" means waste liquids containing human excreta, decomposing matter, or bath, kitchen or laundry waste water.

1. No human excreta shall be deposited, thrown, or placed, or allowed to escape into Conesus Lake or any watercourse.
2. No human excreta shall be placed or spread upon the surface of the ground at any point on the watershed of the water supply.
3. No human excreta or sewage shall be buried in the soil on the watershed of the water supply, unless deposited in trenches or pits at a linear distance of not less than five hundred (500) feet from the high water mark of Conesus Lake or any watercourse and covered with not less than twenty-four (24) inches of soil in such a manner as to effectually prevent its being washed over the surface of the ground by rain or melting snow. The bottom of any trench or pit in which human excreta or sewage is deposited shall be not less than two (2) feet above the high ground water table at the location of such trench or pit.
4. No privy or receptacle of any kind for the storage or deposit of human excreta shall be constructed, placed, maintained, or allowed to remain within a linear distance of five hundred (500) feet from the high water mark of Conesus Lake or any watercourse except a properly constructed and operated sewage disposal plant, as hereinafter set forth in Rule 8, provided, however, that the property on which the privy or receptacle is built or is to be built is so located, bounded, or otherwise placed that the distances above named can be obtained within the limits of such property.
5. Every privy or receptacle of any kind for the storage or deposit of human excreta built or to be built on property which is so located, bounded or otherwise placed that the linear distances named in Rule 4 cannot be obtained, shall be placed as far as possible from any reservoir or watercourse and especially constructed of masonry, concrete or metal to form a watertight receptacle from which no outward percolation can take place. Where removable watertight containers are provided they shall be located as far as practicable from any reservoir or watercourse. All privies or receptacles referred to in this regulation shall be constructed or installed only with the approval and under the supervision of the Board of Trustees of the Villages of Avon and Geneseo and the Town Board of the Town of Livonia, and in such manner as effectually to prevent any pollution of the public water supply.
6. Every privy or receptacle for the storage or deposit of human excreta or sewage located less than a linear distance of five hundred (500) feet from Conesus Lake or any watercourse, shall be arranged so that all excreta will be received in a suitable watertight receptacle or removable container, which shall be emptied when filled to within six (6) inches of the top. The contents, if disposed of on the watershed, shall be buried as set forth in Rule 3.
7. Whenever, in the opinion of the State Commissioner of Health, excremental matter from the aforesaid privy, receptacle, trench, or place of disposal may be washed over the surface of the ground or through the soil in an imperfectly purified condition into any reservoir, or watercourse, the said privy, receptacle, trench, or place of disposal shall be removed after reasonable notice to the owner thereof, to such places as shall be considered safe and proper by the State Commissioner of Health.
8. No sewage shall be discharged or allowed to flow into the lake or any watercourse or any reservoir, nor deposited on or beneath the surface of the ground within a linear distance of five hundred (500) feet of the high water mark of Conesus Lake or any watercourse except into watertight receptacles, the contents of which shall be disposed of as provide for by Rule 3. If such watertight receptacles are used, they shall not be located within a linear distance of thirty-five (35) feet of the high water mark

provided, however, that the property on which the receptacle is built or to be built is so located, bounded or otherwise placed that the distances above named can be obtained within the limits of the property. In such case, the watertight receptacle shall be constructed and maintained as provided for in Rule 5. These restrictions and limiting distances shall not apply to sewage treatment plants constructed and operated in accordance with plans which first have been submitted to and approved by the State Commissioner of Health and in accordance with such terms and conditions as may be specified by said commissioner.

9. No bath water, sink or laundry wastes or polluted liquid of any kind, except the effluent from a properly constructed and operated sewage treatment plant approved by the State Commissioner of Health as hereinbefore provided by Rule 8, shall be discharged or allowed to flow into the lake or any watercourse, nor be deposited on or beneath the surface of the ground within a linear distance of five hundred (500) feet of the high water mark of the lake or any watercourse.

10. No garbage, refuse, putrescible matter, decayed fruits or vegetables, dead animals or fish or parts thereof, or any other matter that pollutes water shall be deposited in the lake or any watercourse nor on or beneath the surface of the ground within a linear distance of five hundred (500) feet of the high water mark of the lake or any watercourse nor in such manner that it can be washed by rain, melting snow or otherwise over the surface or through the ground into the lake or any reservoir or watercourse.

11. No person or persons shall bathe or swim or be allowed to bathe or swim in Conesus Lake within a linear distance of five hundred (500) feet of the public water supply intakes of the Villages of Avon or Geneseo, or the Lakeville Water District.

12. No hut, tent, shelter or building of any kind shall be permitted on the ice of Conesus Lake.

13. No animal of any kind shall be washed or watered in the lake or any watercourse and no watering place shall be maintained in such a way as to pollute the lake or any watercourse with excremental matter.

14. No stable for cattle or horses, barnyard, hogyard, pigpen, poultry house or yard, hitching place or standing place for horses or other animals shall be located or maintained in such a manner that the drainage, leachings, or washings therefrom may pollute the lake.

15. No manure pile shall be maintained or allowed to remain within a linear distance of five hundred (500) feet of the high water mark of Conesus Lake or one hundred (100) feet from any watercourse.

16. No camp, tent, building or other structure for the occupancy of transients for the housing of laborers engaged in construction work or for other use, except as a private camp or dwelling maintained by a person for his use or for the use of his family and friends, shall be located, placed or maintained within a linear distance of five hundred (500) feet of the high water mark of Conesus Lake or any watercourse.

17. No interment of a human body shall be made within a linear distance of five hundred (500) feet of the high water mark of Conesus Lake or any water course.

18. Any boat equipped with toilets or receptacles for human excreta or sinks of any kind shall not be permitted upon the waters of Conesus Lake.

19. In addition to observing the foregoing requirements all persons living on or visiting the watershed of Conesus Lake shall refrain from any act, whether or not specified in these Rules and Regulations, which may result in contamination of the water supply or any portion thereof.

20. The Boards of Trustees of the Villages of Avon and Geneseo and the Town Board of the Town of Livonia, or such other person or persons as may be charged with the operation, maintenance or supervision of the water supply or the duly appointed representative or representatives of the Boards of Trustees of the Villages of Avon and Geneseo and the Town Board of the Town of Livonia or of such other person or persons as may be charged with the operation, maintenance or supervision of the water supply, shall make regular and thorough inspections of the lake, watercourses, and watersheds 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 Boards of Trustees and Town Board to cause copies of any rules and regulations violated to be served upon the persons violating the same, together with notices of such violations. If such persons served do not immediately comply with rules and regulations it shall be the further duty of said Boards of Trustees and Town Board to promptly notify the State Commissioner of Health of such violations. The Boards of Trustees and Town Board shall report to the State Commissioner of Health 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.

21. In accordance with Section 1103 of Chapter 45 of the Consolidated Laws of New York State (Public Health Law), being Chapter 879 of the Laws of 1953, as amended, the penalties for violations of any of the foregoing rules or regulations are specified as follows:

A. Any person violating a rule or regulation relating to a temporary source or act of contamination shall be liable to prosecution for misdemeanor for every such violation, and on conviction thereof shall be punished by a fine not exceeding two hundred (\$200) dollars or imprisonment not exceeding one year, or both.

B. For a violation of or noncompliance with a rule or regulation relating to a permanent source or act of contamination, the State Department of Health may impose penalties not exceeding two hundred (\$200) dollars for every such violation or noncompliance.

The amended rules and regulations for the protection from contamination of the public water supply of the Villages of Avon and Geneseo enacted by the State Commissioner of Health on July 3, 1924, are hereby rescinded and the foregoing rules and regulations for the protection from contamination of the public water supply of the Villages of Avon and Geneseo and the Lakeville Water District of the Town of Livonia are hereby duly made, ordained, and established on this 29th day of December 1961, pursuant to the Public Health Law of the State of New York, as amended.

(Sgd.) Herman E. Hilleboe
Commissioner of Health