Chapter 29

FIREWORKS AND FIREARMS

§ 29-1. Sale and firing of fireworks and discharge of firearms prohibited.

§ 29-2. Exceptions.

§ 29-3. Torpedoes on car tracks.

§ 29-4. Definitions.

§ 29-5. Penalties.

§ 29-6. Repeal of inconsistent ordinances.

§ 29-7. When effective.

[HISTORY: Adopted Rye Town Board 9-18-30.]

§ 29-1. Sale and firing of fireworks and discharge of firearms prohibited.

It shall be unlawful for any person to store, sell, offer or expose for sale, or have in his possession with intent to sell, or to use, discharge or cause to be discharged, ignited, fired or otherwise set in action within the limits of the Town of Rye outside the incorporated Villages of Port Chester, Rye[1] and Mamaroneck, any fireworks, firecrackers, rockets, sparklers, torpedoes, Roman candles, fire balloons or other fireworks, or substances of any combination whatsoever, designed or intended for pyrotechnic display. It shall be unlawful for any person to discharge within said portion of the Town of Rye any rifle, gun, pistol, revolver, cane or other appliance, whether projecting or exploding any bullet, cartridge, blank cartridge, cap or otherwise or any explosive substance or mixture of chlorates or nitrates except as hereinafter provided.

1. Editor's Note: Now the City of Rye.

§ 29-2. Exceptions.

The provisions of this ordinance shall not apply to articles of the kind and nature herein mentioned which shall be in the possession of railroads or transportation companies for the purpose of transportation unless the same shall be held voluntarily by such railroads or companies as warehouse men; nor to signaling devices used by railroad companies nor to high exposives used for blasting or similar purposes, nor to any proper and lawful use of any rifle, gun, pistol or revolver by any person duly authorized by law to have or use the same nor to any lawful display or use of fireworks on the fourth day of July, commonly known as Independence Day.

§ 29-3. Torpedoes on car tracks.

No person, other than a duly authorized railway or railroad employee, shall place upon any street or other railway or railroad tracks, within the said portion of said town, under any circumstances or at any time, any torpedoes, bomb or other thing containing any substance of any explosive nature.

§ 29-4. Definitions.

PERSON — As used in this ordinance shall mean to include one (1) or more persons of either sex, natural persons, corporations, partnerships, associations, joint stock companies, societies and all other entities of any kind capable of being sued.

§ 29-5. Penalties.

Any person who, himself or itself or by his or its agent or employee shall violate any of the provisions of this ordinance, or any order, code, rule or regulation made in pursuance thereof, shall be liable to a penalty not exceeding in any one

(1) case of violation fifty dollars ($50.) to be recovered with costs, and shall upon conviction of such violation be subject to a fine of not less than ten dollars ($10.) nor more than fifty dollars ($50.) or to imprisonment for not less than ten (10) days nor more than fifty (50) days, or to both such fine and imprisonment, and each day on which such violation continues shall constitute a separate offense.

§ 29-6. Repeal of inconsistent ordinances.

Any ordinance or part of any ordinance inconsistent with the provisions of this ordinance is hereby repealed.

§ 29-7. When effective.

This ordinance shall take effect at the earliest date allowed by law.

Chapter 30

(RESERVED)

This Reserve chapter page is part of your Code. It has been inserted here to allow for the integration of future enactments, the subject of which will fall alphabetically into this part of the Code.

Chapter 31

GARBAGE AND REFUSE COLLECTION

§ 31-1. Permit required.

§ 31-2. Definitions.

§ 31-3. Application and fee.

§ 31-4. Proof of insurance.

§ 31-5. Vehicle specifications.

§ 31-6. Exceptions.

§ 31-7. Revocation of permits.

§ 31-8. Rules.

§ 31-9. Violations and penalties.

§ 31-10. Repeal of inconsistent ordinances.

§ 31-11. When effective.

[HISTORY: Adopted Rye Town Board 10-21-58.]

§ 31-1. Permit required.

No person shall collect or transport garbage and/or refuse outside the limits of any incorporated village in the Town of Rye without a permit.

§ 31-2. Definitions.

PERSON — Wherever used in this ordinance shall be construed to include person, persons, firm, partnership or corporation.

TOWN — Wherever used in this ordinance shall be deemed to mean the Town of Rye.

GARBAGE and/or REFUSE — Wherever used in this ordinance shall be deemed to mean and include ashes, trade waste, swill, cesspool contents, dead animals, filth, rubbish, offal, animal or vegetable waste, waste paper, cardboard, manure, trash and similar material.

SUPERINTENDENT — Wherever used in this ordinance shall be deemed to mean the Superintendent of Public Works of the Village of Port Chester or his duly authorized representative.

§ 31-3. Application and fee.

Application for a permit shall be made in writing to the Town Clerk of the Town of Rye on a form to be furnished by him. The annual fee for such permit shall be one hundred dollars ($100.) per vehicle. Said permit shall expire on the 31st day of December following date of issue. If the application for permit be made on or after the first day of July in any year, the fee shall be fifty dollars ($50.) for each vehicle for the balance of such year.

§ 31-4. Proof of insurance.

Before the issuance of a permit by the Town Clerk, he shall require satisfactory proof that the applicant is insured against any and all liability for an accident in the minimum amount of one hundred thousand dollars ($100,000.) for injury to, or death, of one (1) person and the sum of three hundred thousand dollars ($300,000.) for all liability arising from any one (1) accident, and twenty-five thousand dollars ($25,000.) for property damage. In addition, the Town Clerk shall require proof that Workmen's Compensation has been obtained in those cases where it is required.

§ 31-5. Vehicle specifications.

Before the Town Clerk shall issue a permit, each vehicle shall be approved by the Superintendent of Public Works, as to type and construction.

A. Vehicle bodies shall be totally enclosed, welded steel, rear dumping, constructed, maintained and operated so that once garbage and/or refuse has been loaded, none of it may be reworked, sorted, handled or removed from the body except by dumping the load or partial load.

B. Vehicle shall be loaded only from and through the rear end or top of the totally enclosed vehicle body, except that the body may have side doors at the forward end not larger than thirty-six by thirty-six (36 x 36) inches for loading garbage and/or refuse which cannot be loaded through the rear or top openings. The vehicle shall be without any means of carrying anything on any part thereof except within the totally enclosed body.

C. Each vehicle shall be painted a uniform color. The color shall be chrome green.

D. The name and address of the permittee shall be painted on the cab or front portion of the vehicle in letters of at least two (2) inches in height and of a color contrasting with the body color.

E. Each vehicle shall be equipped with a broom and shovel and all scattered litter shall be cleaned up at the loading point. Boxes, barrels or cartons shall not be broken or torn apart on the sidewalk or street.

F. All vehicles shall be regularly washed and cleaned on both the inside and outside, and keep free at all times from dirt and offensive odors.

G. Vehicles used for the transportation of garbage and/or refuse shall not be used for transportation of food or food products.

H. A vehicle plate shall be issued by the Town Clerk and shall be fastened on the vehicle in a conspicuous place adjacent to the name and address of the permittee.

I. No gunpowder, dynamite, cartridge, shell, or gasoline, naphtha, benzine, ether or any other explosive or similarly dangerous substance or material shall be transported by a licensee.

§ 31-6. Exceptions.

A. Any person which shall only transport in its own vehicles garbage and/or refuse arising from its own business operation, and not the garbage and/or refuse of any other person, shall not be required to pay the fee for a permit under this section, but shall otherwise comply with these regulations.

B. The provisions of this section shall not apply to tree surgeons or gardeners removing debris resulting from the operations and their trade, or to building or plumbing contractors removing debris arising out of construction operations; unless said debris is removed by private refuse collectors, in which event the provisions of this section shall apply.

§ 31-7. Revocation of permits.

The Town Board of the town shall have the power to suspend or revoke the permit of any permittee hereunder found on two (2) successive inspections not to be operating in compliance with the requirements of this ordinance. No order of suspension or revocation shall be made except after hearing and reasonable notice thereof to the permittee.

§ 31-8. Rules.

The incineration and disposal of garbage and/or refuse at the public dump of the Village of Port Chester, New York, shall be subject to rules and regulations promulgated by the Superintendent.

§ 31-9. Violations and penalties.

A. The violation of any of the provisions of this ordinance is hereby declared to be disorderly conduct and any person violating this ordinance or any provisions thereof shall be and is hereby declared a disorderly person.

B. Any person violating any of the provisions of this ordinance, upon conviction thereof, and in addition to the penalties provided by law, shall be subject to a fine not exceeding twenty-five dollars ($25.) for each offense.

§ 31-10. Repeal of inconsistent ordinances.

All other ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

§ 31-11. When effective.

This ordinance shall take effect after publication and posting thereof as required by law.

Chapter 32

(RESERVED)

This Reserve chapter page is part of your Code. It has been inserted here to allow for the integration of future enactments, the subject of which will fall alphabetically into this part of the Code.

Chapter 33[1]

(RESERVED)

This Reserve chapter page is part of your Code. It has been inserted here to allow for the integration of future enactments, the subject of which will fall alphabetically into this part of the Code.

[1] Editor's Note: Former Ch. 33, Hawking and Peddling, adopted 4-18-50 was repealed 3-17-70. See Ch. 50, Soliciting.

Chapter 34

(RESERVED)

This Reserve chapter page is part of your Code. It has been inserted here to allow for the integration of future enactments, the subject of which will fall alphabetically into this part of the Code.

Chapter 35

HUNTING

§ 35-1. Definition.

§ 35-2. Restrictions on hunting and trapping.

§ 35-3. Distance from dwellings.

§ 35-4. Hunting by landowners.

§ 35-5. License for target shooting.

§ 35-6. Presumptive evidence of hunting.

§ 35-7. Registration of hunters.

§ 35-8. Trapping restrictions.

§ 35-9. Violation and penalties.

§ 35-10. Amendments.

§ 35-11. Validity.

§ 35-12. Short title.

§ 35-13. When effective.

[HISTORY: Adopted Rye Town Board 11-4-37.]

§ 35-1. Definition.

HUNTING — As used in this ordinance shall mean and include all forms of capturing or killing of, or attempting to capture or kill, wild animal or bird life in the Town of Rye outside the incorporated villages.

§ 35-2. Restrictions on hunting and trapping.

A. No person shall trap, hunt, shoot, wound or kill in any manner the wild-animal or bird life within the Town of Rye outside the incorporated villages, except as permitted by this Article.

B. No person shall hunt at any time in the Town of Rye outside the incorporated villages except as provided in § 35-4 of this ordinance.

§ 35-3. Distance from dwellings.

No person shall hunt animal or bird life in the Town of Rye outside the incorporated villages within five hundred (500) feet of any dwelling.

§ 35-4. Hunting by landowners.

Nothing in this ordinance, however, shall be construed so as to prohibit a landowner from hunting on his own premises provided such owner observes the other provisions of this ordinance; and provided that they have first secured a permit for that purpose, issued by the Town Board of the Town of Rye.

§ 35-5. License for target shooting.

Target shooting is permitted by members of any organization, club, upon a recognized rifle range licensed by the Town Board.

§ 35-6. Presumptive evidence of hunting.

The possession of any wild animals or wild birds or the possession and carrying in the field of a shotgun or other firearm shall be presumptive evidence of hunting.

§ 35-7. Registration of hunters.

The Town Board reserves the right to require every person desiring to hunt in the Town of Rye, outside the incorporated villages, to register his name, address and license number with the Town Clerk before proceeding to hunt.

§ 35-8. Trapping restrictions.

No trapping of any kind will be permitted except on permit issued by the town officials, and then only when it appears desirable to control some species of wild animal or bird which has become a nuisance, or is causing damage. In no case may the trap be set aboveground, in any path or runway where domestic stock or protected wild birds or animals, including dogs, may be caught or injured. No trap of the type known as the "Jaw Trap" or "Pole Trap" shall be permitted to be used. Every trap in use shall have a metal tag with owner's name and address upon it.

§ 35-9. Violation and penalties.

Any person or persons violating any of the provisions of this ordinance shall be liable to a penalty not exceeding in any one (1) case of violation one hundred dollars ($100.), to be recovered with costs, and any such violation shall constitute disorderly conduct and the person violating the same shall be a disorderly person and punishable by a fine not exceeding fifty dollars ($50.) or by imprisonment not exceeding fifty (50) days, or both such fine and imprisonment.

§ 35-10. Amendments.

This ordinance may be amended, revised or repealed by the Town Board in the manner provided by law.

§ 35-11. Validity.

Should any section, part or provision of this ordinance be held unconstitutional or invalid, such decision shall not affect the validity of this ordinance as a whole or any part thereof, other that the part so held unconstitutional and invalid.

§ 35-12. Short title.

This ordinance shall be known as "The Hunting Ordinance."

§ 35-13. When effective.

This ordinance shall be in force and effect immediately after the expiration of the ten (10) days from the publishing and posting of same as provided by law.

Chapter 36

(RESERVED)

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Chapter 37

(RESERVED)

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Chapter 38

(RESERVED)

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Unconstitutional
Cannot enforce
GK - 5/19/80

Chapter 39

MEMORIAL AND INDEPENDENCE DAY OBSERVANCE

§ 39-1. Traditional observance.

§ 39.2. Labor, manufactures, trades prohibited.

§ 39-3. Public traffic on Memorial Day and Independence Day.

§ 39-4. Violations and penalties.

§ 39-5. When effective.

[HISTORY: Adopted Rye Town Board 6-19-62.]

§ 39-1. Traditional observance.

The legal holidays known as Memorial Day and Independence Day being by general consent set apart for rest, repose and patriotic observance and uses, and the observance thereof being for the general welfare and health of the community, the doing of certain acts hereinafter specified, which are deemed serious interruptions and desecrations of the repose and patriotic liberty and sentiment of the community, are prohibited.

§ 39.2. Labor, manufactures, trades prohibited.

All labor, manufactures and trades on such holidays are prohibited, excepting the works of necessity and charity, which include whatever is needful during the said holidays for the good order, health or comfort of the community, and which is performed in orderly manner so as not to interfere with the repose or patriotic liberty and sentiment of the community. Nothing herein contained shall be deemed to prohibit public

or private sports, exercises, games, recreation, concerts, dances, shows, entertainments or performances, nor any necessary labor involved in such activities.

§ 39-3. Public traffic on Memorial Day and Independence Day.

A. All manner of public selling or offering for sale of any property upon either of such holidys is prohibited, except as follows:

(1) Articles of food may be sold, served, supplied and delivered at any time before 10:00 in the morning.

(2) Meals may be sold to be eaten on the premises where sold at any time of the day and alcoholic beverages may be sold, by duly licensed persons, for on-premises or off-premises consumption, at such times of the day as prescribed by law, or by rule duly adopted for the locality pursuant to the Alcoholic Beverage Control Law.

(3) Caterers may serve meals to their patrons at any time of the day.

(4) Prepared tobacco, bread, milk, eggs, ice, soda water, fruit, flowers, confectionery, souvenirs, newspapers, magazines, gasoline, oil, tires, cemetery monuments, drugs, medicines and surgical instruments may be sold and may be delivered at any time of the day.

(5) Grocers, delicatessen dealers and bakeries may sell, supply, serve and deliver cooked and prepared foods, between the hours of 4:00 in the afternoon and 7:30 in the evening, in addition to the time provided for in Subdivision (1) hereof, and delicatessen dealers, bakeries and farmers' markets or roadside stands selling fresh vegetables and other farm produce may sell, supply, serve and deliver merchandise usually sold by them at any time of the day.

B. The provisions of this section, however, shall not be construed to allow or permit the public sale or exposing for sale or delivery of uncooked fresh foods, or meats, fresh or salt, or frozen, at any hour or time of the day. Delicatessen dealers shall not be considered as caterers within Subdivision (3) hereof.

§ 39-4. Violations and penalties.

Any person who violates any provision of this ordinance shall be a disorderly person and guilty of disorderly conduct and shall, upon conviction, be subject to a fine of not to exceed fifty dollars ($50.) or imprisonment for not more than thirty (30) days, or by both such fine and imprisonment.

§ 39-5. When effective.

This ordinance shall take effect immediately upon its adoption, publication and posting as required by law.

Chapter 40

(RESERVED)

This Reserve chapter page is part of your Code. It has been inserted here to allow for the integration of future enactments, the subject of which will fall alphabetically into this part of the Code.

Chapter 41

(RESERVED)

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Chapter 42

OIL BURNERS AND FLAMMABLE LIQUIDS

§ 42-1. Title.

§ 42-2. Permit for installation.

§ 42-3. Fuel oil defined.

§ 42-4. Oil heating burners defined.

§ 42-5. Approval of oil-burning systems.

§ 42-6. Oil heating equipment defined.

§ 42-7. Application for installation.

§ 42-8. Tanks.

§ 42-9. Types of materials.

§ 42-10. Piping.

§ 42-11. Vent pipes.

§ 42-12. Valves.

§ 42-13. Protection of pipes.

§ 42-14. Tank gauges.

§ 42-15. Unions.

§ 42-16. Shutoff valve.

§ 42-17. Automatic pumps.

§ 42-18. Oil heating burner controls.

§ 42-19. Instruction cards.

§ 42-20. Installation.

§ 42-21. Fire protection and location of burner.

§ 42-22. Use, handling, storage and sale of flammable liquids.

§ 42-23. Garages.

§ 42-24. Service or filling stations.

§ 42-25. Air-pressure tests.

§ 42-26. Schedule of fees.

§ 42-27. Violation and penalty.

§ 42-28. Amendments.

§ 42-29. Invalidity.

§ 42-30. When effective.

[HISTORY: Adopted Rye Town Board 4-18-50.]

§ 42-1. Title.

This ordinance shall be known as an ordinance to regulate the construction and installation of oil-burning equipment and storage and use of fuel oils.

§ 42-2. Permit for installation.

No person shall construct and install oil-burning equipment, in that portion of the town outside any incorporated village without first obtaining a permit from the Plumbing Inspector of the Town of Rye.

§ 42-3. Fuel oil defined.

FUEL OIL — Under this section includes any liquid or mobile mixture, substance or compound derived from or including petroleum, which does not emit an inflammable vapor below a temperature of one hundred ten degrees Fahrenheit (110° F.) to be ascertained by any standard closed-cup tester. The test shall be made in accordance with the methods of test adopted by the American Society

of Testing Materials. Fuel oil shall not be mixed or blended except at a storage plant (the location of which is approved by the proper authorities) and under competent supervision, and no waste oil shall be used.

§ 42-4. Oil heating burners defined.

For the purpose of this section, OIL-HEATING BURNERS shall mean and include any device designed and arranged for the purpose of burning or preparing to burn fuel oil, as specified in § 42-3 of this ordinance, and having a tank or container for the storage of fuel oil connected thereto.

§ 42-5. Approval of oil-burning systems.

Only oil-burning systems approved by the National Board of Fire Underwriters shall be installed.

§ 42-6. Oil heating equipment defined.

For the purpose of this section, oil heating equipment shall consist of the equipment connected with oil heating burners and located within the building, including internal and external supply and storage tanks and provisions for filling and venting same, piping, electrical wiring and all accessories.

§ 42-7. Application for installation.

A. An application shall be filed with the Plumbing Inspector of the Town of Rye[1] previous to the installation of fuel-oil storage tanks, their auxiliaries, piping, burner, heater and pumps giving the following information:

(1) Name and address of person, firm, company or corporation installing equipment.

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[1] **Editor's Note: For appointment, etc., of Plumbing Inspector, see § 45-8, p. 4507 of Ch. 45, Plumbing.**

(2) Location where oil-burning equipment is to be installed.

(3) Maximum quantity of fuel oil to be stored.

(4) Capacity of storage tank.

(5) Gauge of metal in the tanks.

(6) Name of burner.

(7) Whether or not the burner has been approved by the National Board of Fire Underwriters.

B. The application shall further set forth in detail the specifications of the proposed installation based upon the provisions hereinafter prescribed by this ordinance. If required by the Plumbing Inspector of the Town of Rye, such application shall be accompanied by plans drawn to an indicated scale. These plans shall show, in detail, the location and method of oil storage and all other features necessary for a complete description of the oil-burning system and include proposed methods for protecting combustible material adjacent to the oil burner.

§ 42-8. Tanks.

A. Tanks shall be constructed of black steel, open-hearth steel or wrought iron, of a minimum gauge, depending upon the capacity as follows:

Capacity Gallons	Thickness Shell	Thickness Head
55	14 gauge	14 gauge
56 to 275	12 gauge	12 gauge
276 to 550	3-16 gauge	3-16 gauge
551 to 750	3-16 gauge	3-16 gauge
751 to 1,080	3-16 gauge	3-16 gauge
1,081 to 1,500	1-4 gauge	1-4 gauge
1,501 to 2,000	1-4 gauge	1-4 gauge

Capacity Gallons	Thickness Shell	Thickness Head
2,001 to 2,500	1-4 gauge	5-16 gauge
2,501 to 3,000	1-4 gauge	5-16 gauge
3,001 to 3,500	1-4 gauge	5-16 gauge
3,501 to 4,000	1-4 gauge	5-16 gauge
4,001 to 5,000	1-4 gauge	5-16 gauge
5,001 to 7,000	5-16 gauge	3-8 gauge
7,001 to 10,000	5-16 gauge	3-8 gauge

B. Air-pressure tests.

All tanks and piping proposed to be used for the storage of any byproducts of petroleum shall be subjected to an air- or hydrostatic-pressure test of ten (10) pounds per square inch for at least thirty (30) minutes and shall show no leaks.

C. Storage tank for fuel oil shall be thoroughly coated on the outside with tar, asphaltum or other suitable rust-resisting material.

D. Joints and connections.

All joints shall be riveted and caulked, brazed, welded or made tight by some equally satisfactory process. Tanks shall be tight and sufficiently strong to bear without injury the most severe strains to which they may be subjected in practice. Shells or tanks shall be properly reinforced where connections are made and all connections shall be made through the top of the tank.

E. Location of storage tanks.

Storage tanks shall preferably be located outside, underground, with the top of the tank below the level of the burner where tanks are located so that the top of the tank is above the level of the suction inlet of the pump supplying oil to the burner assembly. A syphon-breaking device

consisting of an antisyphon valve, vacuum tank, vacuum syphon breaker, syphon-breaking pump set or equivalent device to prevent syphoning shall be installed.

F. When located inside a building or aboveground, the aggregate capacity of the tanks shall not exceed two hundred seventy-five (275) gallons. When inside a building, tanks must be at least ten (10) feet from furnace.

G. If soil conditions warrant, underground tanks shall be set on a concrete foundation not less than six (6) inches in thickness for tanks not exceeding one thousand eighty (1,080) gallons' capacity and eight (8) inches for tanks exceeding one thousand eighty (1,080) gallons' capacity.

H. Except with the prior approval of the Plumbing Inspector of the Town of Rye, no tank shall be placed nearer than five (5) feet to a foundation or bearing wall of a building, depending upon the capacity of the tank; and the distance shall be increased proportionately depending upon the capacity of the tank; five (5) feet being the minimum for a tank of five hundred fifty (550) gallons of capacity and one (1) additional foot for each five hundred (500) gallons' capacity in excess thereof.

I. Where tanks in connection with a system exceed an aggregate capacity of two hundred seventy-five (275) gallons and cannot be buried either inside or outside of a building, they may be located in the lowest story of the building under the following conditions:

(1) They shall be placed in an enclosure, the walls, floor and roof of which shall be constructed of reinforced concrete not less than four (4) inches in thickness, or of eight (8) inches of masonry and of dimensions six (6) inches greater on all sides than the outside dimensions of the tank.

(2) The walls of the enclosure shall be carried up to a height of not less than one (1) foot above the tank

and roofed over with reinforced concrete not less than four (4) inches in thickness.

(3) A space of at least two (2) feet shall be maintained between the top of the roof of the enclosure and the ceiling immediately above.

(4) The space surrounding the tank formed by the enclosure walls and roof shall be completely filled with clean sharp sand or dry earth, well tamped into place.

(5) Not more than one (1) tank shall be placed in an enclosure.

§ 42-9. Types of materials.

A. Standard full-weight wrought iron, steel or brass pipe with substantial fittings or approved brass or copper tubing with approved fittings shall be used and shall be carefully protected against mechanical injury in a manner satisfactory to authorities having jurisdiction. In all piping systems proper allowance shall be made for expansion and contraction, jarring and vibration.

B. All piping shall be separated from electric wiring not enclosed in approved conduit raceways or armored cable, by some continuous and firmly fixed nonconductor creating a permanent separation as provided in the National Electrical Code.

C. Approved brass or copper tubing, where permitted by authorities having jurisdiction, shall have a wall thickness of not less than one-sixteenth (1-16) inch for small sizes and correspondingly heavier where necessary.

§ 42-10. Piping.

A. Piping shall run as directly as possible from the storage or supply tank to the burner without sags and be so laid

that, where possible, pipes shall pitch toward the supply tank without traps. Provision shall be made for expansion, contraction, jarring and vibration.

B. Cross connections permitting gravity flow from one (1) tank to another shall be prohibited.

C. Flexible metal hose and couplings, where used in connection with mechanical burners, shall be capable of withstanding a pressure equal to the piping to which it is connected and shall be constructed of fire-resisting materials. Hose shall be no longer than absolutely necessary but in no case shall exceed twelve (12) inches. Only hose approved by the Underwriters Laboratories, Inc. will be approved.

D. Each fuel-oil tank will be provided with a separate fill pipe two (2) inches or larger in diameter. Fill pipes when installed near any building opening shall be made as remote therefrom as practicable so as to prevent liability of flow of oil or vapor through the building opening. Each fill pipe shall be laid at a descending grade to the storage tank, except where the tank is located on higher elevation than the fill-pipe terminal. In such case a check-and-gate valve shall be placed as near the end of the terminal as it is practicable to place it.

E. Terminals shall be outside of the building in a tight metal box or flush road box so designed as to make access difficult by unauthorized persons.

F. Where practicable, fill pipes shall terminate at the curb line. In locations where it is impracticable to extend the terminal to the curb line, such terminal shall terminate at a point designated by the Plumbing Inspector of the Town of Rye. Fill pies shall not be connected to any other pipe.

§ 42-11. Vent pipes.

A. An open steel vent pipe not less than two (2) inches in diameter without trap and draining to the tank shall be provided for each tank. The lower end of the vent pipe shall not extend through the top of the tank more than one (1) inch.

B. For all tanks located beneath the lowest story of the building, or tanks located on the lowest story of the building, the vent pipe shall be two (2) inches in diameter, and terminate in such a location as to be readily observed in the event of an overflow from the tank during filling operations.

C. Vent openings shall be equipped with a weatherproof hood, and shall be of sufficient area to permit proper inflow of the liquid during the filling operation.

D. Vent pipes shall terminate outside of the building above the street surface not less than four (4) feet nor more than twelve (12) feet above the fill pipe. Such vent outlet shall not be located within three (3) feet in any direction of a window or other opening, or an exterior stairway, or fire escape. Vent pipes shall not be placed in elevator or dumbwaiter shafts, or in enclosed courts.

E. If necessary, because of structural conditions, to carry the vent outlet higher than twelve (12) feet above the fill box, and if the fill lines are connected to tank trucks by tight connections and filled by pressure, a one-inch line shall be connected to the tank parallel to the fill line and terminating in the fill box with unthreaded end.

(1) A check valve shall be installed in the line so as to permit excess oil in the tank to flow to the fill box and shall be so set as to prevent the passage of vapor to the street.

F. All vent pipes must be not less than two (2) inches in diameter.

§ 42-12. Valves.

A. Readily accessible valves shall be provided near each burner and also close to the auxiliary tank in the line to the burner.

B. Control valves shall be of approved type provided with stuffing box of liberal size, containing a removable cupped gland designed to compress the packing against the valve stem and arranged so as to facilitate removal. Valves shall be designed to close against the supply and to prevent withdrawal of the stem by continued operation of the hand wheel. The use of packing affected by oil or heat is prohibited.

C. A check valve shall be provided in the discharge line as near the tank as possible.

§ 42-13. Protection of pipes.

All outside piping shall be laid in solid earth or in a trench. All pipes shall not be located near or in the same trench with other pipes except steam lines for the heating of oil. Propping of pipes on wooden blocks is prohibited. Pipes conveying oil if laid inside a building shall be laid in a trench at least three (3) inches deep and cemented in after inspecting except where impracticable, when they shall be protected from mechanical injury. Suction and return lines shall run from tanks or pumps to the burner in the most direct manner. All pipes shall be painted.

§ 42-14. Tank gauges.

A. No oil tanks or automatic oil pump used in connection with oil-heating equipment shall be equipped with a gauge

glass, or glass for demonstration purposes, the breaking of which will permit the oil to escape from the tank. If a gauging device is installed, it shall be so designed as to prevent the escape of oil or vapor within the building at all times. No test well shall be connected with a tank inside a building. A test well connected with a tank outside of a building shall be so designed as to make access difficult by unauthorized persons.

B. A scavenging line installed in connection with a tank located within the building may be used and shall terminate outside the building. It shall be capped oil-tight when not in use. This shall be connected with the top of the tank.

§ 42-15. Unions.

A union, if used in any part of the installation, shall be of the ground pattern and of approved type. No right and left couplings shall be used.

§ 42-16. Shutoff valve.

A shutoff valve shall be provided on the tank side of any strainer which may be installed on pipe lines.

§ 42-17. Automatic pumps.

Any automatic pump, not an integral part of the oil burner, shall be approved by the Underwriters Laboratories, Inc. It shall be rigidly mounted and located at least seven (7) feet from a gas meter or furnace door.

§ 42-18. Oil heating burner controls.

A. Burners shall be equipped with a device, mechanical or electrical, which will automatically prevent an abnormal flow of oil.

B. All oil burners subject to automatic ignition must be provided with a permanent, automatic ignition device so designed that oil discharged into the combustion chamber will immediately become ignited or shut off.

C. Automatic systems, unless electrically ignited, shall be so designed that the pilot flame cannot be extinguished by the operation of the automatic control valves. A pilot light of adequate intensity, arranged so as not to be easily extinguished, shall be provided in each combustion chamber.

D. All fuel-oil burners used in connection with hot-water, steam or warm-air heating boilers or furnaces shall be equipped with an automatic device arranged to extinguish the flame in the event of excessive pressure or overheating within the boiler or furnace.

E. All low-pressure steam or vapor boilers shall be equipped with a low water cutoff and a cutout switch as approved by the Underwriters Laboratories and must have an adequate draw valve.

F. A remote-control switch shall be placed as designated for each installation by the Plumbing Inspector of the Town of Rye.

G. Gas or coal hot-water heating devices shall be adequately vented by direct connection to the chimney flue leading to the outer air.

H. No fuel-oil burner shall be installed in any boiler or heater unless said boiler or heater is connected with a chimney flue having a sufficient draft at all times to insure the safe operation of the burner.

I. Electrical installation used in connection with fuel-oil burners shall be installed in accordance with the National Electrical Code.

§ 42-19. Instruction cards.

Cards giving complete instructions for the care and operation of the fuel-oil system shall be permanently fixed near the apparatus by the person, firm or corporation installing the same and maintained in a readable condition and shall state thereon the grade of oil to be used in the fuel-oil system installed on the premises.

§ 42-20. Installation.

A. No fuel-oil system shall be installed until an application shall have been filed with the Plumbing Inspector of the Town of Rye.

B. Where a replacement of another oil burner is made, application must be made as if the installation were a new one.

C. No alteration or repair in an existing fuel-oil plant for which a permit has been issued shall be made without inspection and approval by the Plumbing Inspector of the Town of Rye.

D. No fuel-oil system shall be operated, or oil placed in the system, until a permit has been issued by the Plumbing Inspector of the Town of Rye.

E. Dampers which may entirely close the chimney uptake are prohibited. The damper area should be carefully determined in each case, but in no case shall it be greater than seventy per cent (70%) of the internal cross-section area of the uptake.

F. Lugs on all furnace doors, acting to keep doors closed, must be filed so as to permit a rounded edge. This is to enable the door to swing open and ride free in case of puffs caused by backfire or delayed ignition. All furnace doors must be equipped with a spring so as to make

them self-closing. All boiler rooms must be properly ventilated to the outside by windows, air conduits or other means.

G. No combustible material shall be stored in the same compartment with the oil burner. This is applicable to those cellars under hardware, paint and similar stores which are used as a storeroom for combustible materials. A separate fire-proof room, equipped with a fire door, shall be constructed in such places to house the oil burner. The fire door is to be equipped so that it is self-closing.

H. The keeping of oil drums or tanks on porches or inside the building above the main floor is prohibited.

§ 42-21. Fire protection and location of burner.

A. All woodwork, wooden lath-and-plaster partitions or other combustible material within four (4) feet of the side or back and eight (8) feet from the front of the burner shall be covered with plaster, asbestos board or other noncombustible material. Above the burner there shall be constructed a ceiling of a noncombustible material. In case of small home equipment the ceiling shall be of the dimensions six by eight (6 x 8) feet and in larger equipments shall extend beyond the sides and back at least four (4) feet and at least eight (8) feet from the front. At least a thirty-six-inch clearance shall be provided between the top and sides of breaching and flues from the ceiling partition and other combustible materials unless the breaching and flues are insulated with two (2) to four (4) inches of asbestos lagging or equivalent, in which case the clearance may be reduced to eighteen (18) inches.

B. Large kitchen ranges used in hotel and restaurant kitchens may be equipped with oil burners provided with

modern cutoff devices for oil from the storage tank but must have a permanent opening in the ash-pit door and a gas conduit to the stack or chimney for the purpose of conducting burned or exhaust gases. Such conduit must be of sufficient capacity so that all danger of accumulation of pockets of burned gas is avoided.

§ 42-22. Use, handling, storage and sale of flammable liquids.

A. No person, firm or corporation shall maintain or conduct a plant for the storage of flammable liquids without having obtained a permit from the Plumbing Inspector. No such permit shall be issued unless the plant and storage facilities conform with the provisions of this section. For the purpose of this section, flammable liquids are divided into two (2) classes, as follows:

Class I. Liquids with flash point below seventy degrees Fahrenheit (70°F.) [twenty-one degrees centigrade (21°C)] closed-cup tester, such as ether, carbon bisulphate, gasoline, naphtha, benzol, collodion, liquefied petroleum gas, acetone, alcohol, amyl acetate, toluel, ethyl acetate, methyl acetate.

Class 2. Liquids with flash point above that of Class 1 and below one hundred seventy degrees Fahrenheit (170°F.) [eighty-six degrees centigrade (86°C.)] closed-cup tester, such as kerosene, amyl alcohol, turpentine and fuel oil.

B. All tests shall be made in accordance with the methods adopted by the American Society for Testing Materials. In case of tanks for the storage of Class 1 and 2 liquids at marketing stations, wholesale storage, port terminals and other properties where flammable liquids are stored in quantities, the distance from the line of the adjoining property which may be built upon shall in no case be less than hereinafter set forth in Table 1 nor less than double

those distances in the case of tanks for the storage of crude petroleum. In particular installations those distances may be increased at the discretion of the Plumbing Inspector.

C. Table I. Outside aboveground tanks for Class I and II liquids other than crude petroleum shall not be placed or built nearer to the adjoining property lines than the distances hereinafter respectively set forth in the following table:

Capacity of Tank Gallons	Minimum of Distances to Line of Adjoining Property
0 to 12,000	10 ft.
12,001 to 30,000	15 ft.
30,001 to 250,000	20 ft.

D. At marketing stations and elsewhere, truck-loading racks shall be separated from tanks, warehouses and other plant buildings by distances at least equivalent to those specified in Table I.

E. Table II. Outside aboveground tanks for Class I and II liquids other than crude petroleum shall not be placed or built nearer to one another than the minimum distance hereinafter respectively set forth in the following table:

Capacity of Tank Gallons	Minimum Distance between Tanks	
	Class II	Class I
300 or less	3 ft.	3 ft.
301 to 18,000	5 ft.	5 ft.
18,001 to 24,000	5 ft.	10 ft.
24,001 to 75,000	10 ft.	20 ft.
75,001 to 150,000	15 ft.	30 ft.
150,000 to 250,000	20 ft.	40 ft.

F. All aboveground storage tanks containing flammable liquids as defined herein shall be surrounded by a wall of reinforced concrete not exceeding eight (8) feet in height forming an enclosure capable of holding at least one and one-tenth (1.10) times the capacity of the tank or tanks so enclosed therein. The total capacity of tanks enclosed within any such enclosure shall not exceed two hundred fifty thousand (250,000) gallons, exclusive of tanks already in use. Where existing conditions make it impossible to comply with the provisions of this section with regard to the enclosure of tanks, two (2) or more tanks upon the approval of the Plumbing Inspector may be surrounded and enclosed by a wall of reinforced concrete forming an enclosure capable of holding at least one and one-tenth (1.10) times the capacity of the tanks so enclosed therein. All concrete walls so constructed must be approved by the Building Inspector of the Town of Rye. The material and construction of tanks shall conform to the regulations of the National Board of Fire Underwriters. All tanks of an oil storage system shall be connected with each other by a system of pipes so that the entire contents of each tank can be transferred to any other tank at will. All storage plants, including the filling tank, if any, shall be equipped wth a fire-extinguishing system satisfactory to the Plumbing Inspector. The thickness, quality of materials, hydrostatic-pressure test, foundations and all connections, fire-protection and extinguishing systems and all other details of construction and installation of all tanks must be according to plans which have received the approval of the Plumbing Inspector. All construction and installation shall be subject to inspection by the Plumbing Inspector. A plant for the storage of flammable oil shall be continuously under the care and supervision of one (1) or more persons who shall be thoroughly familiar with the dangers incident to the storage of flammable oils and the operation of fire-extinguishing devices.

§ 42-23. Garages.

A. The word GARAGES wherever occurring in this ordinance shall mean a building or that part thereof in which there shall be housed or kept one (1) or more self-propelled vehicles, or automobiles, containing flammable liquid for fuel or power. For the purpose of this ordinance, garages are classed as follows:

Class A — Private Garages

Class B — Tenant Garages

Class C — Public Garages

PRIVATE GARAGE — Is any garage attached to or upon the premises of a one-family house.

TENANT GARAGE — Is one operated for the use of the tenants of a house containing two (2) or more families.

PUBLIC GARAGE — Is any garage not included in any of the preceding classifications.

B. Gasoline in excess of five (5) gallons, exclusive of that in the tanks of the vehicles in storage, shall not be kept in a private garage unless confined in a tank or tanks placed not less than two (2) feet beneath the surface of the ground. There shall be no heating apparatus (other than steam, hot-water or vapor radiators connected with the heating plant of the house) except such as shall be approved by the Plumbing Inspector. There shall be no artifical light other than incandescent electric light in any private garage.

C. No gasoline in excess of that in the supply tanks of vehicles in storage shall be kept or stored in any tenant garage unless confined in a tank or tanks placed not less than two (2) feet beneath the surface of the ground and

there shall be no artifical light other than incandescent electric light. Any tenant garage exceeding fifty (50) cars' storage capacity shall be protected by an automatic sprinkler system. Smoking shall not be permitted in any tenant garage and signs to that effect shall be prominently displayed to the satisfaction of the Plumbing Inspector. Each tenant garage shall be equipped with self-closing metal cans and all inflammable waste and materials shall be kept therein until removed from the building. In each tenant garage there shall be kept two (2) or more chemical fire extinguishers in readily accessible places and no stove, torch, boiler, furnace or open fire shall be permitted or used in any tenant garage.

D. No public garage hereafter erected shall be located or maintained within fifty (50) feet of any school, place of assemblage or place of detention. No public garage hereafter erected shall be permitted in any building occupied for dwelling purposes. Any garage exceeding fifty (50) cars' storage capacity, or ten thousand (10,000) square feet area shall be protected by an automatic sprinkler system adequately supplied, or in lieu thereof upon the express approval of the Plumbing Inspector, by a wet standpipe system with sufficient outlets equipped with one-and-one-half-inch hose in adequate lengths to cover the entire area of the garage. There shall be no pit in any floor and no artificial light other than incandescent electric light.

E. All storage of gasoline shall be in underground tanks, provided, however, that there may be in such garage one (1) or more approved portable wheeled tanks, each of a capacity not exceeding sixty (60) gallons, to be used for transferring such liquids from the storage tank. The number of these wheeled tanks shall be fixed for each garage by the Plumbing Inspector. The reservoirs of motor vehicles shall be filled directly through hose from

pumps attached to such portable tanks, or by hose coupled to permanent filling stations connected with the main storage tanks. No transfer of gasoline in any garage shall be made in any container. Hose for use in connecnection with the filling station or with the portable tank shall be of such design and material as to prevent leakage. The top of each storage tank shall be at least two (2) feet below the surface of the ground and may be permitted underneath the building if buried at least two (2) feet below the lowest floor. Buried tanks shall be set on a firm foundation and shall be surrounded by soft earth or sand, well tamped into place. A tank may have a test well, provided it extends to near the bottom of the tank and its top shall be hermetically sealed and locked except when necessarily opened. When a tank is located underneath a building, its test shall extend above the source of supply. All drawing-off pipes terminating inside of any building shall have valves at the discharge ends. The end of the filling pipe for every underground storage tank shall be carried to an approved location outside of any building, but not within five (5) feet of any entrance door or cellar opening and shall be set in an approved metal box with cover which shall be kept locked except during filling operations. This filling pipe shall be closed by a screw cap. A thirty by thirty (30 x 30) mesh or equivalent brass screen strainer shall be placed in the supply end of the filling pipe. Each tank used for the storage of volatile oil shall have a vent pipe at least two (2) inches in diameter which shall run from the tank to the outer air at least five (5) feet above the roof and five (5) feet from the nearest window and shall be welll braced in position. It shall be capped with a double gooseneck with a screen of twenty-mesh brass wire gauge placed immediately below the gooseneck. No tank hereafter installed for the storage of volatile oil shall exceed two thousand (2,000) gallons (U.S) capacity. Liquids shall be drawn from tanks by pumps constructed to

prevent leakage or waste splashing or by some other system approved by the Plumbing Inspector, with controlling apparatus and piping so arranged as to allow control of the amount of discharge and prevent leakage or discharge inside the building by any derangement of the system. When inside of a building, the pump or other drawing-off device shall be located on the ground floor, preferably near an entrance or other well ventilated place. Smoking shall not be permitted in any public garage and in every such garage signs to that effect shall be prominently displayed in three (3) or more places. Such signs shall have the words "No Smoking" in red letters at least four (4) inches high on white background, also by words "By order of the Chief of the Fire Department" in black letters at least one (1) inch high. No gasoline or other volatile or inflammable liquid shall be allowed to run upon the floor or to fall or to pass into the drainage system of the premises. Each floor of a garage shall be equipped with self-closing metal cans and all inflammable waste and materials shall be kept therein until removed from the building. On each floor of every such garage, there shall be two (2) or more approved chemical fire extinguishers. Four (4) or more pails of sand shall be kept conveniently located for use in extinguishing fire. Such garages shall be kept clean. No stove, forge, torch, boiler or other furnace, flame or open fire shall be permitted or used in any such garage unless separated from the garage by fireproof material with an entrance leading to the outer air. Calcium carbide shall be kept in airtight boxes or packages in a watertight container, placed at least two (2) feet above the floor level and no greater quantity than one hundred (100) pounds of such carbide shall be kept in any one (1) garage except by special permission in writing signed by the Plumbing Inspector. No public garage shall be maintained or used as such until a permit therefor has been granted by the Plumbing Inspector, and the requirements herein contained and hereinbefore specified complied with.

§ 42-24. Service or filling stations.

A. A SERVICE or FILLING STATION shall be any place used for retailing, storing or dispensing for private consumption or use of gasoline, oils and lubricants.

B. Storage tanks shall be placed below grade not less than two (2) feet. If it is impossible to install the tank two (2) feet below grade, it may be buried under twelve (12) inches of earth, in which event a reinforced concrete slab at least five (5) inches in thickness must cover the tank extending one (1) foot beyond the outline of the tank in all directions.

C. Tanks of six-hundred-gallon capacity, or less, shall not be placed nearer than five (5) feet to any building. One (1) additional foot shall be added to this limitation for each one-hundred (100) gallons, or major fraction thereof, capacity in excess of six hundred (600) gallons.

D. All tanks shall be constructed of open-hearth steel or wrought iron. Every tank shall be required to withstand at least five (5) pounds pressure after installation.

E. Every tank shall be thoroughly coated on the outside with tar-asphaltum or other suitable rust-resisting material.

F. Every tank shall have a vent pipe not less than two (2) inches in diameter. Every vent pipe shall have a weatherproof hood and shall terminate outside of the building twelve (12) feet above the top of the fill pipe and not less than three (3) feet, measured horizontally or vertically from any window or other building opening.

G. All gasoline gauging or venting devices shall be of approved Fire Underwriters' type and substantially secured to concrete or masonry foundations which shall be suitably located and of proper design and dimensions.

H. All electric wiring, including electrically operated pumps, shall conform with the New York Board of Fire Underwriters and the Electrical Code of the Town of Rye.

I. Driveways and other areas where gasoline is unloaded or dispensed shall be graded or drained so that flammable liquids cannot accumulate on the surface.

J. On a graded driveway, raised door sills shall be provided to prevent gasoline spills from flowing into the interior of the station building.

K. All tank drums or systems which operate under pressure for the storage or dispensing of flammable liquids shall be prohibited.

L. "No Smoking" signs and "Stop Motor while Filling" signs shall be prominently posted.

M. Every service or filling station must be equipped with at least one (1) fire extinguisher of a suitable type, located where the same shall be readily accessible.

§ 42-25. Air-pressure tests.

All tanks and piping proposed to be used in accordance with this ordinance shall be subject to an air or hydrostatic pressure test of ten (10) pounds per square inch for at least thirty (30) minutes and shall show no leaks.

§ 42-26. Schedule of fees.

Where a permit is granted pursuant to application under § 42-22 of this ordinance, the fee for said permit shall be twenty-five dollars ($25.), and under any other section the fee shall be five dollars ($5.), which shall be levied and collected by the Plumbing Inspector of the Town of Rye.

§ 42-27. Violation and penalty.

Any person violating any provision of this ordinance shall be liable to a penalty not exceeding in any one (1) case of violation, one hundred dollars ($100.), to be recovered with costs; and any such violation shall also be deemed a misdemeanor punishable by fine not exceeding fifty dollars ($50.) or by imprisonment not exceeding fifty (50) days or by both such fine and imprisonment. Each week's continued violation shall constitute a separate additional violation.

§ 42-28. Amendments.

This ordinance may be amended, revised or repealed by the Town Board in the manner provided by law.

§ 42-29. Invalidity.

Should any section, part or provision of this ordinance be determined unconstitutional or invalid, such decision shall not affect the validity of this ordinance as a whole or any part thereof other than the part thereof determined unconstitutional or invalid.

§ 42-30. When effective.

This ordinance shall be in force and effect immediately upon adoption and publication as provided by law.

Chapter 43

(RESERVED)

This Reserve chapter page is part of your Code. It has been inserted here to allow for the integration of future enactments, the subject of which will fall alphabetically into this part of the Code.

Chapter 44

PARKS

§ 44-1. Title.
§ 44-2. Purpose.
§ 44-3. Administration.
§ 44-4. Definitions.
§ 44-5. Closing hours; exceptions.
§ 44-6. Permits.
§ 44-7. Use of park buildings.
§ 44-8. Acts requiring written permit.
§ 44-9. General regulations.
§ 44-10. Traffic rules.
§ 44-11. Parental responsibility.
§ 44-12. Compliance with orders.
§ 44-13. Enforcement of provisions.
§ 44-14. Penalties for offenses.
§ 44-15. Severability.
§ 44-16. When effective.

[HISTORY: Adopted Rye Town Board 8-15-78. Amendments noted where applicable.]

GENERAL REFERENCES

Alcoholic beverages — See Ch. 3.
Bonfires and burning — See Ch. 10.
Hunting — See Ch. 35.

§ 44-1. Title.

This ordinance shall be known as the "Parks Ordinance For the Unincorporated Area of the Town of Rye."

§ 44-2. Purpose.

The purpose of this ordinance shall be to preserve the public peace and good order on lands operated as public parks by the Town of Rye and to contribute to the safety and enjoyment of the users of such park land by regulating the hours of use, the use of motorized vehicles and by prohibiting certain activities inimical to customary park recreation use.

§ 44-3. Administration.

The Department of Recreation of the Town of Rye is charged with the administration of this ordinance and the posting of signs designating park lands within the Town of Rye. The rules and regulations set forth herein shall apply to and be in effect in all parks under the control, supervision and jurisdiction of the Department of Recreation of the Town of Rye.

§ 44-4. Definitions.

For the purpose of this ordinance, the terms used herein are defined as follows:

NONPROFIT SERVICE ORGANIZATION — An organization exempt from the payment of income tax under Section 501(a) of the Internal Revenue Code of 1954.

PARKS — The grounds, building thereon, waters therein any other property necessary for the operation thereof and constituting a part thereof, which are now or hereafter will be maintained, operated and controlled by the Town of Rye for public park purposes.

PERSON — Any individual, firm, partnership, corporation or association of persons, and the singular number shall include the plural.

RECREATION COMMISSION — A member of the Rye Town Recreation Commission appointed by the Rye Town Board.

VEHICLE — Every device in, upon or by which a person or property is or may be transported.

§ 44-5. Closing hours; exceptions.

A. No person shall be permitted to remain, stop or park within the confines of any park between the hours of 9:00 p.m. and 8:00 a.m., prevailing local time, in the Town of Rye, except in case of an emergency or with special permit of the Recreation Commission.

B. In case of an emergency or when, in the judgment of the Recreation Commission, the public interest demands it, any portion of a park may be closed to the public or to designated persons until permission is given to reopen. Nonobservance of this § 44-5 shall constitute a violation.

§ 44-6. Permits.

A. A permit must be obtained from the Recreation Commission for the following uses and activities:

(1) The use of park or building located at the park site.

(2) Picnicking on park grounds or the use of any playing fields or other park facilities by groups larger than twenty-four (24) persons.

(3) Camping within a park where allowed.

(4) Serving or preparing of food and drinks, including alcoholic beverages, by permission, by town ordinance.

(5) Those acts prohibited without a written permit as set forth in § 44-9 of this ordinance.

B. Permits shall be issued by the Recreation Commission at the Town Hall, Town of Rye, 10 Pearl Street, Port Chester, New York 10573.

C. All permit applicants must be twenty-one (21) years of age or older. All permits must be signed prior to use of a park facility or prior to the activities for which a permit is obtained. The signer of a permit shall be responsible for all damages to park facilities or contents thereof and shall agree to indemnify the Town of Rye for such damages.

D. All permits issued shall be in writing by the Recreation Commission and shall be subject to park rules and regulations. A permit to do any act shall authorize the same only insofar as it may be performed in strict accordance with the written terms and conditions thereof and not in violation of any law, ordinance or rule or regulation governing parks. Any violation of any term or condition thereof, or any law or ordinance or rule or regulation governing parks, shall constitute grounds for revocation of said permit by the Recreation Commission, whose action therin shall be final. No permit for the same purpose shall be issued to the person whose permit has been revoked, during the year in which such revocation is made.

E. Upon obtaining a permit, the applicant shall pay a permit fee to the Town of Rye in an amount established by the Town Board of the Town of Rye. Such fee may vary according to the activity permitted and the facilities used.

§ 44-7. Use of park buildings.

A. Park buildings may only be used upon the obtaining of a permit as provided herein.

B. Rules and regulations particular to each park's building or pavilion shall be established by the Town Board of the Town of Rye within such facility. Nonobservance of such rules and regulations shall constitute a violation.

C. All permits for park use must be picked up at the Rye Town Hall at least seventy-two (72) hours prior to use.

§ 44-8. Acts requiring written permit.

A. No person shall commit any of the following acts within parks without a written permit from the Recreation Commission:

(1) Post or display any sign, banner or advertisement of any kind within any park.

(2) Use any loudspeaker or other sound-amplifying equipment.

(3) Picnic or cook in any area not designated by the Recreation Commission for that purpose or make or kindle any fire, except in places provided therefor and subject to such regulations as may be prescribed.

(4) Write, paint or carve on any tree, bench or park structure or sleep, camp, lodge or reside in any park building, except in such places as may be designated for said purposes by the Recreation Commission.

(5) Ascend or land with any aircraft, including gliders or parachutes, except in an emergency situation, or engage in stunt flying or parachute landing or model airplane flying or model rocket launching using liquid or solid fuel as a propellant.

(6) Construct, repair or relocate utility fixtures, such as sewers, hydrants, posts, lines and conduits, or open trenches or make excavations or engage in any construction in or on park lands.

(7) Carry any flower or shrub, slingshot, axe, saw, shovel or spade within the parks; violate the regulations of the Recreation Commission relating to any building or place; damage any notice posted by order of the Recreation Commission; cut parkway curbs for private drives; locate, grade or construct paths, driveways and roadways across or along any parkway or park road; or deposit materials in or upon any park or park road.

(8) Move or carry any tables or equipment found within a park for park use to a different area of the park.

(9) Beg, hawk, peddle or solicit within any park.

B. Nonobservance of any part of this section shall constitute a violation.

§ 44-9. General regulations.

Nonobservance of the following park regulations shall constitute a violation:

A. Disorderly conduct.

(1) No person shall disturb the peace and good order in any park by fighting, quarreling or wrangling with loud voice or shouts, threatening violence to the person or property of others or engaging in riotous clamor or tumult.

(2) No person shall congregate with others in a public place and refuse to comply with a lawful order of the police or the Recreation Commission to disperse or leave the park.

(3) No person shall play or bet at or against any game which is played, conducted, dealt or carried on with cards, dice or other devices for money, chips, credit or any other representation of value, nor shall any person be allowed to maintain or exhibit any gaming table or other instrument of gambling or gaming.

(4) No person, except peace officers of the county or other law enforcement officers, shall have or carry any pistol, switchblade, hunting knife, slingshot, dagger, metal knuckles or other dangerous weapons concealed or about his person while in the park.

(5) No person shall use obscene, profane or abusive language while in the park.

(6) No person shall loiter in or near toilet buildings or parking areas.

B. Games. No person shall engage in potentially dangerous games involving thrown or propelled objects, such as

footballs, baseballs, horseshoes, roller skates, golf balls or similar objects, except in areas designated for such usage and then only subject to such rules as may be prescribed by the Recreation Commission. All games of any description must be conducted in a safe and orderly manner, and no rough or boisterous practices will be allowed. No one shall play games for which a permit or fee is required without first obtaining such permit and paying such fee.

C. Hunting, fishing and molesting wildlife. No person shall take or attempt to take any fish from, or send or throw any animal or thing into, a pond or any of the waters of the parks, except with permission of the Recreation Commission. No person shall kill, injure or unnecessarily disturb any fish, waterfowl, birds or animals. No person within the confines of a park shall hunt, pursue with dogs, trap or in any other way molest any wild bird or animal found within the confines of a park or rob or molest any bird nest or take the eggs of any bird.

D. Preservation of property and natural features. No person shall injure, deface, disturb or befoul any part of a park, or any building, sign, equipment or other property found therein, nor shall any tree, flower, shrub, rock or other mineral be removed, injured or destroyed.

E. Littering, rubbish, garbage, sewage and noxious material.

(1) No person shall, without the specific written consent of the Recreation Commission, bring into, leave behind or dump any material of any kind in the park, except the refuse, ashes, garbage and other material of a picnic, camp or other permitted activity, and such material shall be deposited in receptacles or pits provided for such purposes. Refuse is not to be dropped, thrown or scattered on park property. Tin cans, bottles or other glassware or metallic substances containing sharp edges shall be deposited in park receptacles.

(2) No person shall, either within or outside of a park, discharge into, throw, cast, lay, drop or leave in any river,

brook, stream, storm sewer or drain flowing into or through a park any substance, matter or thing, either liquid or solid, which may or shall result in the pollution of said river, brook or stream within a park or interfere with the conservation of the natural resources of a park or endanger the health of visitors in a park.

F. Alcoholic beverages.

(1) The consumption of alcoholic liquors or beverages, including beer, and the bringing of such items into the parks are permitted by making a request to the Recreation Commission, and the drinking of alcoholic beverages shall be in accordance with the Public Drinking Ordinance of the Town of Rye.[1]

(2) No person shall become intoxicated.

(3) No person shall bring into any park or drink any alcoholic liquors or beverages, including beer, in any park except by permission as contained in this ordinance.

G. Dogs, cats and other household pets. No person shall bring into, permit, have or keep in the park any dog, cat, household pet or other animal destructive to birds and other wildlife, except that dogs or cats are permitted if held in control by a leash.

H. Bicycles, snow vehicles and motorbikes.

(1) No person shall ride a bicycle upon the lawn, walks, foot trails or bridle trails or any park or parkways unless otherwise posted.

(2) No motorized snow vehicles shall be permitted in any area of a park.

(3) No unlicensed motorbikes or other unlicensed vehicles shall be permitted in any area of a park.

(4) Riders of bicycles shall comply with the rules for the regulation of other vehicles and, in addition thereto, shall be subject to the following rules and regulations:

[1] **Editor's Note: See Ch. 3, Alcoholic Beverages, Art. I, Consumption in Public.**

(a) Riders shall proceed in the extreme right-hand lane of the drive at all times, in single file only.

(b) Riding crosswise and curving to and from are strictly prohibited.

(c) No rider shall take both hands off the handles or steering mechanism or ride recklessly in any manner.

(d) A bicycle shall not be towed by a rope or otherwise, nor shall any rider hold onto any moving vehicle for the purpose of being drawn along.

(e) No bicycles shall be pushed upon any park or parkway drive where an adjoining footwalk is available.

(f) Children under the age of twelve (12) years, riding small bicycles with wheels less than twenty (20) inches in diameter, may use the footwalks.

(g) Wherever possible, bicycles shall be parked in places provided for such purpose.

I. Indecent conduct and exposure. No person shall appear in a park in a state of nudity or commit, perform or engage in any lewd, lascivious, obscene or indecent act or behavior, and no person shall make any indecent exposure of his or her person.

§ 44-10. Traffic rules.

A. No person shall drive any automobile, motorcycle, motorized bike or other vehicle of traffic or burden upon any part of the parks or parkways, except on the proper drives and parking areas, or permit the same to stand upon the drives or any part thereof so as to congest traffic or obstruct the drive. Paths established as bridle paths, footpaths or bicycle paths shall not be used for vehicular traffic.

B. No person shall cause any taxi, bus, limousine or other vehicle for hire to attend upon any part of the parks or parkways for the purpose of soliciting or taking in passengers or persons other than those carried to the parks or parkways by said vehicle.

C. No person shall cause any bus, with or without passengers, or any cart, wagon, truck or trailer or other vehicle carrying goods, merchandise, manure, soil or other articles or solely in use for the carriage of goods, merchandise, manure or other articles to enter or to be driven in any part of the park or parkway. This section shall not apply to vehicles engaged in the construction, maintenance or operation of the parks or parkways nor to buses under a permit of the Recreation Commission.

D. It shall be the duty of every person operating an automobile, motorcycle or other vehicle of traffic or burden within the parks or parkways to comply with the Vehicle and Traffic Law of the State of New York and with all orders, directions and regulations issued by traffic officers or officially displayed on any post, standard, sign or device installed for the regulation of traffic.

E. No vehicle shall be operated on any road or drive in any park or parkway at a speed exceeding fifteen (15) miles per hour, unless otherwise posted.

F. No vehicle shall pass another vehicle proceeding in the same direction if the center of the road is marked with a solid double line.

G. Signs indicating one-way traffic must be obeyed.

H. All stop signs and other traffic control devices must be obeyed.

I. No person shall park any vehicle or permit any vehicle to remain standing on any highway or roadway within the boundaries of a park or parkway in excess of the length of time and between the hours as hereinafter specified. No parking shall be allowed on any of the park roads between the hours of 9:00 p.m. and 9:00 a.m. No parking shall be

allowed on the major roads, which will be designated by signs, during the hours the parks are open. Parking areas in the parks are established for the convenience of patrons while using the facilities of the parks. It shall be unlawful for any person to park, stop or leave standing any vehicle in any parking area in any park, except during the time he remains in the park. The term "parking" shall mean the standing of any vehicle, whether occupied or not, upon any highway otherwise than temporarily or while actively engaged in loading or unloading or while standing in obedience to traffic regulations or traffic signals.

J. No person shall operate a vehicle along or over any road or drive within a park in a reckless manner or without due regard for the safety and the rights of pedestrians and drivers and occupants of all other vehicles, so as to endanger the life, limb or property of any person while in the lawful use of said park drive or road.

K. No person shall participate in a drag race upon any park drive or park property. Drag racing is defined as the operation of two (2) or more vehicles from a point side by side at accelerating speeds in a competitive attempt to outdistance each other or the operation of one (1) or more vehicles over a common selected course from the same point to the same point wherein timing is made of the participating vehicles involving competitive accelerations or speeds. The operation of two (2) or more vehicles side by side, either at speeds in excess of permitted speeds on park drives or rapidly accelerating from a common starting point to a speed in excess of such permitted speeds, shall be prima facie evidence of drag racing.

L. No person who is under the influence of intoxicating liquor, narcotic drugs or opiates shall operate any vehicle within the park.

M. No person shall drive, move, cause, or knowingly permit to be driven or moved within the park, any vehicle or combination of vehicles which is in unsafe condition so as to endanger any person.

N. No person shall use or shine spotlights or unnecessarily or continuously shine automobile headlights onto park lands, except under direction of a police officer or park employee or except where necessary for the preservation of life or property.

§ 44-11. Parental responsibility.

No parent, guardian or custodian of any minor shall permit or allow him or her, as the case may be, to do any act which would constitute a violation of this ordinance. Nonobservance of this section shall be a violation.

§ 44-12. Compliance with orders.

A. No person shall fail or refuse to comply with any reasonable order relating to the regulation, direction or control of traffic or to any other order lawfully given by any police officer or town official in the execution of his office, or willfully resist, obstruct or abuse any police officer or town official in the execution of his office or duties. Nonobservance of this section shall be a violation.

B. No official or employee of the Town of Rye shall, while acting pursuant to the provisions of this ordinance, be personally liable for any damage that may accrue to persons or property as the result of any act required or permitted in the discharge of his official duties, provided that such acts are performed in good faith and without gross negligence.

§ 44-13. Enforcement of provisions.

A. This ordinance shall be enforced by the Recreation Commission and by the Rye Town Police Department within the Town of Rye.

B. Any police officer may issue an appearance ticket, pursuant to Article 150 of the Criminal Procedure Law of the

State of New York, to any person when he has reasonable cause to believe that such person has committed a violation of this ordinance. Said appearance ticket shall direct the designated person to appear in the Justice Court of the Town of Rye at a designated future time not later than thirty (30) days from the date of the issuance of the appearance ticket in connection with the alleged violation. Any police officer may, without a warrant, arrest any person in violation of any park rules or regulations, as set forth in this ordinance or as posted within such park, and take such person so arrested forthwith before a Magistrate having competent jurisdiction, and he shall have at all times the right to enter the premises of any building, structure or enclosure or any park, including such grounds, buildings and structures which may be leased or set aside for private or exclusive use of any individuals or group of individuals, for the purpose of arresting violators hereof, and may use all necessary means to attain that end.

§ 44-14. Penalties for offenses.

A. Any person convicted of a violation of this ordinance shall be subject to a fine not to exceed two hundred fifty dollars ($250.) and/or imprisonment for a term not to exceed fifteen (15) days, or both such fine and imprisonment.

B. Any person damaging any park property shall be liable for any damages incurred.

§ 44-15. Severability.

If any clause, sentence, phrase, paragraph or any part of this ordinance shall, for any reason, be adjudged finally by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance but shall be confined in its operation and effect to the clause, sentence, phrase, paragraph or part thereof directly involved in the controversy or action in which such judgment shall have been ren-

dered. It is hereby declared to be the legislative intent that the remainder of this ordinance would have been adopted had any such provision not been included.

§ 44-16. When effective.

This ordinance shall take effect and be enforced immediately after its passage, publication of notice of adoption and posting as prescribed by law.

Chapter 45

PLUMBING CODE

§ 45-1. Rules.

§ 45-2. Examining Board.

§ 45-3. Registration of plumbers and drain layers.

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§ 45-47. Abatement.

§ 45-48. Saving clause.

§ 45-49. Repeal of existing ordinance.

§ 45-50. When effective.

[HISTORY: Adopted Rye Town Board 4-20-54. Amendments noted where applicable.]

§ 45-1. Rules.

A. All plumbing and drainage systems, water-supply pipes, gas piping, steam or hot-water-heating or power systems, refrigerator systems and other systems of pipes or apparatus for holding or conveying gases, vapors or fluids hereafter installed and maintained in or upon any building in the Town of Rye outside the limits of any incorporated village therein, shall conform to these rules and as may be further provided for by law or found necessary for the protection of life, health and property, as adopted by the Town Board of the Town of Rye. No person shall use or permit the use of such system, piping or apparatus installed or maintained in violation of any of the provisions of this Article or the rules adopted hereunder.

B. Nothing herein contained or in the rules adopted hereunder shall require the alteration or reconstruction of any existing work that was lawfully installed, or permit repairs or the addition of new fixtures to existing work in conformity with the practice followed in the original installation; provided, however, that when such repairs involve the removal or alteration of more than one-half (½) of the existing work affected by the repairs, these rules for such repairs shall apply.

§ 45-2. Examining Board.

A. The Examining Board, appointed by the Town Board of the Town of Rye, shall consist of three (3) members [one (1) master plumber, one (1) journeyman having no less than eight (8) years' experience as a journeyman plumber and the Plumbing Inspector], all residents of the Town of Rye.

B. Of the members of this Board first appointed, one (1) shall hold office for a term of one (1) year; one (1) for two (2) years; and one (1) for a term of three (3) years after he is appointed. Their successors shall be appointed for a term of three (3) years. If a vacancy shall occur, other than the expiration of a term, it shall be filled by the Town Board by appointment for the unexpired term. Any member of this Board may be removed by the Town Board for cause and only after a public hearing.

C. The Town Board shall determine the compensation, if any, of the members of the Examining Board.

D. The Examining Board shall meet at the call of the Chairman. No examination shall be held except in the presence of at least two (2) members of this Board.

E. It shall be the duty of the Examining Board to examine all applicants for a master plumber's license, by a written and practical examination. In every case this code and its regulations shall be considered by this Board to be the standard and final authority.

§ 45-3. Registration of plumbers and drain layers.

A. No person, firm or corporation shall hold himself or themselves out to the public as a master or employing plumber by the use of the words "plumber," "plumbing" or other word of similar intent or meaning, in any manner whatsoever.

B. No person, firm or corporation shall engage in or carry on a business of master plumber unless the name and address of such person, president, secretary and treasurer shall have been registered.

C. No firm or corporation shall engage in or carry on a business of master plumber unless the chief executive officer of such firm or corporation shall have passed the examination of the Examing Board and has received a certificate of competency and registration.

D. No person, firm or corporation shall engage in the business of plumbing or drainage in that portion of the Town of Rye not included in any incorporated village unless he or it shall have passed a satisfactory examination before the Examining Board and have received a certificate of competency and registration.

E. The application for a master plumber's license shall state the name and place of business of the plumber and shall be accompanied by a fee of twenty-five dollars ($25.). If the applicant does not appear before the Examining Board for such examination, ten dollars ($10.) of his fee will be returned to the applicant. In the case of the applicant's failure to pass the examination, the fee paid by the applicant will not be returned. Such applicant may apply for a re-examination by payment of the usual fee of twenty-five dollars ($25.) after a ninety-day waiting period.

F. Notwithstanding anything contained herein to the contrary, all plumbers and drain layers who had filed bonds and were on the approved list of plumbers and drain layers in the Town of Rye on April 20, 1954 shall not be required to take an examination provided they shall in all other respects conform and comply with the Plumbing Code of the Town of Rye within sixty (60) days from the date of the adoption of this amendment.
[Added 2-15-55]

§ 45-4. Bond.

Every person, firm or corporation, before commencing the business of plumbing or drain laying, as hereinabove provided for, shall furnish a bond to the Town of Rye in the sum of three thousand dollars ($3,000), with one (1) or more sureties acceptable to the Board, conditioned upon the proper and faithful observance of this code and that he or it shall idemnify and save harmless the Town of Rye of and from all suits and actions brought against said town, or any officer thereof, for or on account of any injury or damage received or sustained by any person in consequence of or resulting from any work performed by him or it, or his or its servants or agents, or from any improper materials used in said work, or from any negligence in guarding said work or from any act of omission of him or it, or his or its servants or agents; that he will replace and restore any portion of street where he, his agent or employee shall make any excavations to as good permanent condition as that which existed before the work began. The Board may within one (1) year after the completion of any work done by a licensee, and with or without notice to him or it, repair or cause to be repaired any street in which such work shall be done, and the cost thereof shall be paid by the licensee.

§ 45-5. Expiration of license.

A. A license granted hereunder shall expire on the 31st day of December following the date of its issuance, but the holder thereof, if in good standing, may renew such license on or before the 31st day of December upon payment of a renewal fee of two dollars ($2.), together with a bond as aforementioned.

B. Any plumber allowing his license granted hereunder to expire for more than thirty (30) days after date of renewal by nonpayment of his renewal fee will be required to make application for a new license and submit to a new examination.

§ 45-6. License not transferable.

A. No person, firm or corporation shall allow their name or license to be used by anyone for the purpose of obtaining or doing plumbing work under such license.

B. No license issued shall be transferred for any reason whatsoever.

§ 45-7. Revocation of license.

A license granted hereunder may be revoked or suspended by the Town Board only after a public hearing.

§ 45-8. Plumbing Inspector.

A. There shall be appointed by the Town Board of the Town of Rye a Plumbing Inspector who shall be a resident of the Town of Rye and who shall have had at least eight (8) years' practical experience as a plumber prior to his appointment. His salary shall be determined by the Town Board.

B. Duties. It shall be the duty of the Plumbing Inspector to enforce all rules, regulations and specifications of this code, to examine all work and materials used. Whenever, in his opinion, by reason of defective or illegal work contrary to this code, he may order all further work to be stopped until the condition in violation has been remedied.

§ 45-9. Right of entry.

The Plumbing Inspector in the discharge of his duties shall have authority to enter any building, structure or premises at any reasonable hour.

§ 45-10. Drawings, permits and fees.

A. Drawings. When required by the Plumbing Inspector, application for permits shall be accompanied by floor plans

and sections, in duplicate, showing clearly all plumbing work and drainage to be done. Such plans and sections shall state kind of materials used and indicate pipe sizes.

B. Alterations.[1] Repairs or alterations of plumbing and drainage may be made without filing drawings and descriptions, but such repairs or alterations shall not be construed to include new vertical lines or horizontal branches of soil, waste and vent pipes. In any event, an application for such alterations or repairs shall be filed with the Plumbing Inspector and such alterations and repairs shall be subject to an inspection approval by the Plumbing Inspector, and a fee of five dollars ($5.) shall be paid upon filing of the application. **[Added 3-19-63]**

C. Permits and fees.

(1) Application for permits shall be filed with the Plumbing Inspector, in duplicate, on forms furnished by him. For each permit issued covering the installation of any plumbing system, a minimum fee of five dollars ($5.) at the rate of one dollar ($1.) per fixture must be paid to the Plumbing Inspector at the time permit is issued. Fees are to be paid only on plumbing fixtures that connect to sewer system. **[Amended 1-18-72]**

(2) Where a change is made from a private sewer to a public sewer connection, an application shall be filed for same and a fee of two dollars ($2.) shall be paid to the Plumbing Inspector. No backfilling of any trench upon completion of such connection shall be done without an inspection approval by the Plumbing Inspector. **[Added 3-19-63]**

(3) Application shall be filed for each sanitary and storm sewer connection to public sewer, and a fee of ten dollars ($10.) shall be paid to the Plumbing Inspector. No backfilling of any trench upon completion of such connection shall be done without an inspection approval by the Plumbing Inspector. **[Added 1-18-72]**

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1 Editor's Note: The word "alterations" was substituted for the word "repairs" by amendment of 3-19-63.

D. Permit limitation. Any permit issued by the Plumbing Inspector under the provisions of this code, but under which no work is commenced within one (1) year from the date of issuance, shall expire by limitation.

§ 45-11. Definition of terms.

PRIVATE SEWER — Is applied to main sewers that are not constructed by and under the supervision of the Department of Public Works.

HOUSE SEWER — Means that part of the sanitary sewerage system of any building which extends from a point five (5) feet beyond the outside face of the outer front wall of the building to its connection with either a public sewer or septic tank.

HOUSE DRAIN — Means the entire length of horizontal drain and its branches from the house sewer to the vertical soil or waste stacks.

SOIL PIPE — Means any vertical line of pipe designed to convey the discharge from one (1) or more water closets with or without the wastes from other plumbing fixtures.

WASTE PIPE — Means any vertical-line pipe receiving the waste water from plumbing fixtures other than water closets.

VENT PIPE — Means the pipe provided to ventilate the system of piping.

DEAD END — Means a branch which is terminated at a developed length of two (2) feet or more by a fitting not used for admitting liquids to the pipe.

LEADER — Means any vertical line of storm-water piping.

WATER SERVICE PIPE — Means the pipe from the water main to the building or structures served.

WATER DISTRIBUTION PIPE — Means a pipe which conveys water from the service pipe to the plumbing fixtures in any part of the premises.

PLUMBING FIXTURES — Means receptacles intended to receive and discharge water or other liquid or water-carried wastes into a drainage system with which they are connected, and includes hot-water storage tanks, automatic or semiautomatic washing machines, dishwashers, tankless and indirect water heaters.

PLUMBING — Means and shall include the water-service pipe, the water-distributing pipes, the plumbing fixtures and traps, the soil and waste pipes, the vent pipes, the house drain and sewer, surface and ground drains, and their devices and appurtenances and connections within the structure and adjacent premises.

GAS PIPING — Means the installation, repair, replacement and relocation of pipes, fixtures and other apparatus for distributing gas for illumination or fuel in any premises.

§ 45-12. General regulations.

A. Sanitary drainage. In every structure in which the disposal of liquid or water-borne wastes or drainage is required, provision shall be made for conveying such wastes to a sewer or to a septic-tank system.

B. Cesspools and privy vaults. Cesspools or privy vaults will not be permitted, except that temporary privy vaults may be erected for use during such period of construction until other permanent facilities are provided.

C. Septic tanks. Where premises are located where a sanitary street sewer is not accessible to a private sewer, septic tanks and field may be installed on condition that such installation and use be temporary only and that its use must cease, the tanks disconnected and a private sewer installed and connected to public street sewer as soon as the public street sewer is installed and available. Applications for sewage-disposal permit shall be filed with the Department of Health, County of Westchester. Installation of sewage-disposal systems shall be done in accordance with the rules and regulations of said Health Department and the Plumbing Inspector.

D. Old house drains. Old house drains may be used for connections for new plumbing when such drains, upon examination, comply with this code in all respects.

E. House drains for rear buildings. When a structure stands in the rear of another building on the same lot, its plumbing and drainage system may be connected to the house drain of the front building behind the house trap and fresh-air inlet which shall be used for both buildings if sewer connected; or may be connected to an existing septic tank of front building and be provided with its own house trap and fresh-air inlet, and provided that such septic tank or tanks and field are of ample capacity and have so been approved by the Plumbing Inspector.

F. Water supply. Every structure intended for human occupancy shall be provided with a supply of pure and wholesome water. It shall be unlawful to connect such pure water supply with any unsafe water supplies or to cross-connect such pure water supply to any drainage system. Every structure shall be provided with a supply of water sufficient to keep the plumbing fixtures sanitary. Where supply from water mains in the street is available, each structure shall be adequately supplied with water from such mains.

G. Materials and arrangement of plumbing systems. The kind and quality of materials for plumbing systems and the arrangement, installation and construction of such systems shall be in accordance with this code and under the supervision of the Plumbing Inspector.

§ 45-13. Materials and weights.

A. All materials used in any part of a drainage or plumbing system shall be free from defects.

B. Pipe other than clay or metal. Extraheavy asbestos cement or reinforced-concrete sewer pipe, fittings and adaptors shall bear the approval of the National Bureau of Standards, and further approval for house-sewer use by the Plumbing Inspector. See § 45-15.
[Amended 3-19-63]

C. Cast-iron pipe. All cast-iron pipe and fittings shall be of the grade known as extraheavy, uncoated, of uniform thickness, truly cylindrical, straight and smooth, conforming to the standard specifications for cast-iron soil pipe and fittings of the A.S.T.M., S.D. A74-42 and A.S., S.D. A40.1-35. Such cast-iron pipe per five (5) feet of length shall have at least the following weight:

	Weight in Pounds	
Diameter in Inches	**Single Hub Pipe**	**Double Hub Pipe**
2	25	26
3	45	47
4	60	63
5	75	78
6	95	100
8	150	157
10	215	225
12	270	285

D. Wrought-iron pipe. Wrought-iron pipe shall conform to the standard specifications for welded wrought-iron pipe of the A.S.T.M., D., A72-33, and shall be galvanized. Such pipe shall have at least the following average thickness and weight per linear foot:

Diameter in Inches	Thickness in Inches	Weight in Pounds
½	0.110	0.85
¾	0.115	1.13
1	0.136	1.68
1¼	0.143	2.28
1½	0.148	2.72
2	0.158	3.65
2½	0.208	5.79
3	0.221	7.57
3½	0.231	9.11
4	0.242	10.79
5	0.263	14.62
6	0.286	18.97

E. Steel pipe. Steel pipe shall conform to the standard specifications for welded and seamless steel pipe of the A.S.T.M., D., A120-36, and shall be galvanized. Steel pipe shall have at least the same average thickness and weights per linear foot as prescribed for wrought-iron pipe.

F. Malleable fittings. All wrought-iron or malleable fittings shall be galvanized.

G. Lead pipe. Where permitted, for use other than water supply, lead pipe shall be best-quality drawn pipe and shall weigh not less, per lineal foot, than the following:

Diameter in Inches	Weight in Pounds
1	2
1¼	2.5
1½	3
2	4
3	6
4	8

H. Red-brass pipe. Red brass pipe, known to the trade as "regular'' or "extra strong," shall have a minimum copper content of eighty-five percent (85%) and shall conform to lastest specifications of the A.S.T.M. for red-brass pipe.

I. Copper pipe. Copper pipe, known to the trade as "regular" and "extra strong," shall be ninety-nine and nine tenths percent (99.9%) copper, and shall conform to the latest specifications of the A.S.T.M. for copper pipe.

J. Copper tubing. Copper tubing, known to the trade as type "K" and "L," shall be ninety-nine and nine tenths percent (99.9%) copper, and shall conform to the latest specifications of the A.S.T.M. for copper tubing.

K. Fittings for red-brass and copper pipe shall be cast or wrought brass, copper or bronze.

L. Where red-brass or copper pipe is used underground such pipe shall be "extra strong" or type "K."

§ 45-14. Joints and connections.

A. Tightness of plumbing joints and connections. Joints and connections shall be made gas- and watertight.

B. Caulked joints. Joints for bell-and-spigot metal drainage and vent pipe shall be firmly packed with oakum or hemp and shall be secured with molten lead. At least twelve (12) ounces of fine, soft pig lead shall be used for each joint for each inch in diameter of the pipe used. Lead shall be run in one (1) pouring and caulked tight. Lead joints for water supply piping shall conform to the regulation of the Department of Water Supply, Gas and Electricity.

C. Caulking ferrules and soldering nipples.

(1) Brass caulking ferrules shall be either of the best quality of cast brass or cold-drawn seamless tube ferrules, with weights and dimensions in accordance with the following table:

Pipe Size in Inches	Actual Inside Diameter in Inches	Length in Inches	Weight
2	2¼	4½	1 lb.
3	3¼	4½	1¾ lb.
4	4¼	4½	2½ lb.

(2) Soldering nipples shall be of brass pipe, iron-pipe size or heavy-cast brass, of at least the following weights:

Diameter in Inches	Weight in Ounces
1¼	6
1½	8
2	14
	Weight in Pounds
2½	1½
3	2
4	3½

(3) Soldering bushings shall be brass-pipe, iron-size, or heavy-brass or copper.

D. Screw joints. Screw points shall be tapered with the threads sharp and true and all burrs due to cutting shall be reamed out smooth.

E. Solder joints in copper tubing. All solder connections between cast bronze or wrought copper fittings and copper tubing shall be made as follows:

(1) All male and female surfaces in contact must be thoroughly cleaned of foreign matter or oxidation with steel wool or other approved method. Simple paste flux shall then be applied.

(2) Solder, free from any core compound, composed of not less than fifty percent (50%) tin, known to the trade as 50/50 spool solder, shall be properly introduced.

(3) Use of liquid self-cleaning fluxes, liquid-solder and flux combinations and solder compound mixtures are not permitted.

F. Wiped solder joints. Joints in lead pipes or between lead pipe and brass or copper pipes, ferrules, soldering nipples, bushings or traps, in all cases, shall be full-wiped joints, with an exposed surface of the solder on each side of the joint of at least three-quarters (¾) of an inch, and a minimum thickness at the thickest part of the joint of three-eighths (⅜) of an inch. It shall be unlawful to use overcase or cup joints.

G. Joints of lead to cast iron, steel or wrought iron. Joints of lead to cast iron, steel or wrought iron shall be made by means of a caulking ferrule or soldering nipple.

H. Fixture flanges. Flanges to receive outlets shall be at least three-sixteenths (3/16) of an inch thick and shall be made of brass or bronze.

I. Water-closet, pedestal-urinal and trap, and standard slop-sink connections. The connections between drainage pipes and water closets, floor-outlet slop sinks, pedestal urinals and earthenware trap standards, shall be made by means of brass flanges caulked to the drainage pipes. Such connections may be wiped or soldered to lead pipes. Such connections shall be bolted to the earthenware with an approved gasket between the earthenware and the connection. Floor outlet connections shall be set on an approved floor slab or other impervious material. In a private residence a toilet bowl may be set on top of linoleum regardless of the composition of the toiletroom or bathroom floor, provided the linoleum is set down first and extends to the brass flange.

J. Welding of plumbing joints and connections. Joints and connections for pipe made of brass, copper, black steel or black wrought iron, or combinations of these materials, may be made by welding. It shall be unlawful to weld any galvanized pipe, cast-iron pipe or drain, soil or vent pipe of any material.

K. Slip joints and unions. Metal-to-metal ground-joint unions shall be permitted only in trap seals and slip joints on the inlet side of the trap.

§ 45-15. Materials for house sewer.

A. House sewers shall be constructed of extraheavy cast-iron or extraheavy asbestos cement. **[Amended 3-19-63]**

B. In the case of filled, wet or other unstable ground, the Plumbing Inspector may forbid the use of any other but extraheavy cast-iron pipe for the sewer.

§ 45-16. Plumbing material within buildings. [Amended 3-19-63]

A. Drainage and vent piping within buildings shall be of extraheavy cast iron, galvanized steel or galvanized wrought iron, singly or in combination, except that it shall be unlawful to use galvanized steel or galvanized wrought-iron pipe underground.

B. Type "M" copper tubing may be used aboveground for drainage and vent piping within one- and two-family dwellings only.

C. All connections to the water-closet flange must be made with wiped-lead joints and lead pipes.

§ 45-17. Prohibited plumbing fittings, traps and dead ends.

A. It shall be unlawful to use double hubs or sleeves on soil or waste lines. It shall be unlawful to drill or tap house drains, soil, waste or vent pipes, or to use saddle hubs or bands.

B. It shall be unlawful to use mason's traps or catch basins inside of buildings, traps with partitions, bell, pot, bottle or "D" trap or traps depending for their seal upon the action of movable parts or concealed interior partitions.

C. Dead-ends shall be prohibited in the installation, alteration or removal of any drainage system. Future vents are not considered dead ends.

§ 45-18. Changes in direction in plumbing systems.

Changes in direction shall be made by the use of fittings suitable for that purpose. Special combination fittings designed to simplify installations may be used. Short sweeps are permissible on a flow from the horizontal to the vertical.

§ 45-19. Grade of horizontal drainage piping.

Horizontal drainage piping shall be run in practical alignment and at a uniform grade of at least one-quarter (¼) of an inch per foot.

§ 45-20. Hangers and other supports.

A. Hangers. Hangers shall be made of metal of heavy pattern and shall be securely attached to the building construction. Three-inch and over hangers shall be Clevis type with threaded rods and angle-iron brackets secured to support.

B. Vertical piping. Vertical piping shall be supported at the base at maximum intervals of every other floor, but in no case at more than twenty-five-foot intervals, with wrought-iron or steel floor clamps or other approved supports.

C. Horizontal piping. Horizontal piping shall be securely supported at maximum intervals of ten (10) feet.

D. Bases of risers and horizontal runs. Bases of risers and horizontal runs in cellars may be supported on masonry piers.

E. Pipe in the ground. Pipes in the ground shall be laid for their entire length on a firm bed.

§ 45-21. House traps and fresh-air inlets.

A. House trap. Every structure in which plumbing fixtures are installed shall be provided with a house trap having two (2) cleanouts with brass screw plugs. Such trap shall be located on the house drain at the wall nearest the discharge from the building, on the sewer side of all connections, except a connection used to receive and discharge from a sewer lift, oil separator, or blowoff pipe. If such trap is placed outside of a building or below a cellar floor, such trap shall be made accessible in a masonry manhole, with a metal or other approved cover. Oil separator and blowoff pipes shall not connect to sewage-tank systems.

B. Fresh-air inlet. A fresh-air inlet pipe shall be connected to the house drain, on the house side of the trap and extended to the outer air, terminating in a turned-down open end at least one (1) foot aboveground, or through wall of a building, above grade, and covered with an approved perforated metal cover. Fresh-air inlet shall be

at least half (½) the diameter of the house drain where such inlet pipe connects thereto but in no case less than four (4) inches in diameter.

Except in one- or two-family dwellings, where copper tubing is used for drainage, the fresh-air inlet may be no less than three (3) inches in diameter. Laundry tub may be connected to fresh-air line provided same connects to sanitary TY fitting. **[Amended 3-19-63]**

§ 45-22. Floor drains.

Cellar or basement floor drains or groups of drains shall connect into a trap or traps of adequate size. The drain inlet shall be located so that it is at all times in full view, and the traps so constructed that they can be readily cleaned. The venting of such drains shall be unnecessary. When such drains are subject to backflow or back pressure, they shall be equipped with approved backwater valves. The maximum distance from the trap to any floor drain shall be fifteen (15) feet. The discharge from such drains shall be connected to a storm sewer, if any, or to dry wells and not into sewers intended for sewage only or into septic-tank systems. Shower-bath drains, drains in floor urinals or any other drain used as a part of or in connection with a plumbing fixture, shall be considered a plumbing fixture. Floor drains in garages or other structures, where such drains receive the discharge of oils and similar substances, shall be installed as provided in §§ 45-23 and 24.

§ 45-23. Industrial wastes.

Wastes from hospitals, chemical plants, laundries or any other wastes which, in the opinion of the Plumbing Inspector are detrimental to the public sewer system or to public health, shall be treated inside of the structure before such wastes are discharged into the sewer.

§ 45-24. Oil separators.

A. When required. No garage permit authorizing the storage of volatile inflammable oil shall be issued for any premises which are not provided with an oil separator or other similar apparatus attached to the house drain, for the purpose of preventing volatile inflammable oils from flowing into the sewer and as provided for in § 45-21A.

B. Oil separators.

(1) When the liquid wastes from any structure consist wholly or in part of volatile inflammable oil, the fixtures receiving such wastes shall be connected to an independent drainage system discharging into such separator.

(2) Oil separators must be connected by a "Y" branch fitting to the house drain on the sewer side of the house trap in such a manner that they will not interfere with the house drain and the rest of the plumbing and drainage system.

(3) No separate running trap need be provided on the drain entering oil separators, but a fresh-air inlet and vent line must be provided to keep the system controlled by the oil separator entirely separate from the rest of the plumbing and drainage system.

(4) Vent lines from oil separators shall not be less than two (2) inches in diameter and must be continued above the roof.

(5) Oil separators shall be of a type that automatically closes off the waste discharge through the separator when oil well is full.

(6) The Plumbing Inspector shall make a yearly inspection of oil separator installations and shall issue a certificate of approval upon finding such systems operating properly.

§ 45-25. Sump pumps and sewage lifts.

A. Sump pumps. Where subsoil, foundation and cellar floor drains cannot properly be disposed of into dry wells, in the opinion of the Plumbing Inspector, such drains shall be discharged into an independent sump or receiving tank, and automatically lifted and discharged into a storm sewer, if any, or to dry well or wells, as approved by the Planning Inspector. Such contents shall not be discharged into septic-tank system.

B. Sewage lifts. Piping for a sub-house-drainage system shall be installed in accordance with the requirements for gravity systems. Sub-house drains shall discharge into an airtight sump or receiving tank so located as to receive the sewage by gravity. From the sump or receiving tank, the sewage shall be lifted and discharged by pumps, pneumatic ejectors or equally efficient devices automatically operated. When the lifting device forms a trap, an additional trap on the drain may be omitted, but all fixtures and equivalent devices shall be trapped. The vents or sub-house drainage systems may be connected to the vents of the gravity systems when an atmospheric system is used and the vent is three (3) inches or larger. When a pneumatic system is used and the sewage is discharged by means of air pressure, the mechanism for the relief of such air pressure in the closed sewage receptacle shall have valves, piping and connections which form a part of the sewage-ejector device, of sufficient size to receive the ejector pot to atmospheric pressure in not more than ten (10) seconds. Such pneumatic sewage-ejector relief device shall have an independent vent line not less than three (3) inches in diameter connected thereto and carried independently to the roof, terminating in the same manner as required for vent pipes.

§ 45-26. Safe, refrigerator and other wastes.

Bar sinks, soda fountains and drinking fountains may be installed with indirect wastes. Drip pipes from refrigerators, ice-

boxes or receptacles where food is stored shall be installed as indirect wastes. Indirect wastes shall discharge into a water-supplied, trapped and vented sink. Fixtures connected to indirect wastes shall be trapped, but it shall be unnecessary to vent such fixtures. In no case shall any such indirect wastes discharge over a sink located in a room used for living purposes.

§ 45-27. Fixture units.

The following table shall be used to determine fixture equivalents.

One lavatory or wash basin	1
One bathtub	2
One laundry tray	2
One sink, except slop sink	2
One combination fixture	3
One urinal	3
One shower bath	2
One floor drain	2
One slop sink	3
One water closet	6
One slop sink with flushing rim	6
One drinking fountain	½
One dental cuspidor	½
One dishwasher, for residential use	2
One dishwasher, other than for residential use	3
One garbage-disposal unit, for residential use	2
One clothes washer	1
Bathroom group, with bathtub or shower	6
Bathroom group, with bathtub and shower stall	8
Sterilizers, with one-half inch waste connection	½

§ 45-28. Minimum size of individual soil and waste branches.

A. Minimum sizes of soil or waste branches to individual fixtures shall be in accordance with the following:

Water closet	4	inches
Floor drains	3	inches
Urinal	2	inches
Slop sink	3	inches
Sink, except slop sink	2	inches
Bathtub	1½	inches
Laundry tray	1½	inches
Shower bath	2	inches
Lavatory or wash basin	1½	inches
Drinking fountain	1½	inches
Dental cuspidor	1½	inches
Combination fixture, laundry tubs and kitchen sinks	2	inches
Dish washer, for residential use	1½	inches
Dish washer, other than for residential use	2	inches
Garbage-disposal unit, for residential use	1½	inches
Clothes washer	1½	inches

B. Water closet, in one- or two-family dwellings only, the individual soil line may be of type "M" copper three (3) inches in diameter. Also sink except slop sink may be one and one-half (1½) inches in diameter, with adequate cleanouts. **[Added 3-19-63]**

C. Trap sizes to be same as above branches or pipe sizes with the exception of kitchen sink traps which may be one and one-half (1½) inches.

§ 45-29. Branch soils and wastes. [Amended 3-19-63]

A. The required size of branch soils and wastes receiving the discharge of two (2) or more fixtures, shall be determined on the basis of the total number of fixture units to be drained, in accordance with the following:

Maximum Number of Fixture Units Permitted	Maximum Number of Water Closets Permitted	Diameter of Branch in Inches
2		1½
9		2
35	1 to 2	3
125	3 to 10	4
350	11 to 28	5

B. In one- and two-family dwellings only, where type "M" copper tubing three (3) inches in diameter for house drainage is permitted, the maximum number of fixture units permitted shall be thirty-five (35) and the maximum water closets shall be two (2).

§ 45-30. Soil and waste stacks. [Amended 3-19-63]

A. The required size of a soil or waste stack shall be independently determined by the fixture units connected to such stack, in accordance with the following:

Maximum Number of Fixture Units Permitted	Maximum Number of Water Closets Permitted	Diameter of Stacks in Inches
4		1½
14		2
50	1 to 2	3
400	3 to 20	4
1000	21 to 75	5
1800	76 to 150	6

In one- and two-family dwellings only, where type "M" copper tubing three (3) inches in diameter for house drainage is permitted, the maximum number of fixture units permitted shall be fifty (50) and the maximum water-closets shall be two (2) inches.

B. It shall be unlawful to discharge water closets into a stack less than four (4) inches in diameter, except where type "M" copper tubing three (3) inches in diameter for house drainage is permitted in one- and two-family dwellings only, the soil and waste stacks shall be no less than three (3) inches in diameter.

C. The size of the horizontal run from the base of the soil or waste stack to the house drain shall be in accordance with the table for sanitary house drains in § 45-29, except that the size shall be at least that of the largest stack connected to such horizontal run.

§ 45-31. House drains and house sewers. [Amended 3-19-63]

A. The required size of sanitary house drains and sanitary sewers shall be determined on the basis of the total number of fixture units drained by them, in accordance with the following:

Maximum Number of Fixture Units Permitted	Diameter of House Drain in Inches
2	1½
9	2
35	3
125	4
350	5
525	6

B. The minimum size of a house drain receiving the discharge of a water closet shall be four (4) inches in diameter, continued full size to all vertical stacks receiving the discharge of a water closet, except that type "M" copper tubing three (3) inches in diameter may be used aboveground, for house drains in one- and two-family dwellings only.

C. House sewer shall be of a size to conform with the house drain but shall not be less than four (4) inches in diameter.

D. Copper tubing shall not be used for house sewers underground.

§ 45-32. Vent stacks and branches.

A. The required size of the vents shall be determined on the basis of the size of the soil or waste stack, the number of fixture units connected to the vent and the developed length of the pipe, in accordance with the following table. Vents shall be at least one and one-half (1½) inches in diameter. In determining the developed length of vent pipes, the vent stack and branches shall be considered continuous.

Diameter of Pipe in Inches	Maximum Number Fixture Units Permitted	Maximum Developed Length in Feet for Each Size
1½	6	35
2	40	75
2½	72	100
3	120	150
4	250	250
5	500	300
6	1,250	400

B. Distance of vent from trap seal. The maximum distance from the vent intersection with the waste or soil pipe to the dip of the trap shall be five (5) feet, pitched at one-fourth (¼) inch per foot. The vent opening from the soil or waste pipe, except for water closets and similar fixtures, shall be above the dip of the trap. Branch vent lines shall be kept above the tops of all connecting fixtures, in order to prevent the use of vent pipes as soil or waste pipes.

C. Vent connections. Main vents or vent stacks shall connect at their base to the main soil or waste pipe at least three (3) feet below the lowest vent branch and shall extend undiminished in size above the roof or be reconnected to the main soil or waste stack at least three (3) feet above the highest fixture branch. Branch vents shall be connected above the top of connecting fixtures. Branch vents shall be graded and connected so as to drip back by gravity to a soil or waste pipe.

D. Yoke-type ventilation.

(1) Yoke-type ventilation shall be taken to mean a cross connection, by means of a horizontal branch soil or waste pipe, between the main soil or waste line and the vent line, and in which the connection between the branch pipe and the vent line is made at least six (6) inches above the line of fixtures discharging into such branch pipe.

(2) When the plumbing fixtures in any building are arranged in groups or batteries, "yoke-type" ventilation may be installed provided that for batteries of water closets each fixture shall be set not more than two (2) feet distant from the horizontal branch soil pipe into which it discharges, and for batteries of fixtures other than water closets, each fixture shall be so located that its trap will be not more than two (2) feet distant from the horizontal branch waste line into which it discharges.

E. Wet venting.

(1) In one-story and split-level residences it is permissible, where a four-inch vertical soil line goes through the roof, to vent additional water closets with a two-inch vent provided vents connected to the water closet vent are no more than as called for in § 45-32A.

(2) A four-inch vertical soil line directly above a water closet it is venting, and on the same floor with the

water closet in one-story and split-level residences, may be used as a waste and vent for the branch waste of two (2) basins and a single sink or laundry tray, provided the maximum distance from the vent to the trap shall not be more than four (4) feet and pitched one-quarter (¼) of an inch per foot.

(3) In one-story and split-level residences it is permissible to install a two-inch vent for a water closet which can be used as a separate waste pipe for two (2) basins or one (1) basin and one (1) single laundry tray, provided said fixtures are on the same floor as the water closet and provided the waste connection from the four-inch soil before the lead bend is made by a four by two (4 x 2) "Y" or equivalent, and waste fittings are used on the waste section of said vent, and the developed length of said waste is not more than twelve (12) feet. The two-inch waste and vent lines so used shall continue full size to normal termination.

F. Roof-vent extensions and terminals. When soil, waste or vent pipes are extended through the roof, they shall be undiminished in size but not less than two (2) inches.

G. Where main stacks are grouped together at the top of a structure into one (1) pipe which extends through the roof, such combined vent shall be at least equal in area to seventy-five percent (75%) of the sum of the areas of the stacks connecting into such combined vent.

H. Roof extensions of soil and waste stacks or roof vents shall be run at least one (1) foot above any roof pitched at an angle of thirty degrees (30°) or more from the horizontal. Where flat roofs are used for roof gardens, drying or other purposes, such extensions shall be carried at least seven (7) feet high. Where such extensions

are within ten (10) feet of any door, window, scuttle or airshaft, such terminal shall extend at least three (3) feet above such opening.

I. All vent or other pipe passing through roofs shall be flashed with lead, aluminum or copper, with flanges extending out on the roof.

§ 45-33. Fixture traps.

A. Traps required. Each fixture shall be separately trapped as near to such fixture as possible, except that a battery of two (2) or three (3) laundry trays, one (1) sink and two (2) laundry trays or two (2) compartment sinks may connect with a single trap when the outlets of such types of fixtures are two (2) inches or less. It shall be unlawful to discharge the waste from a bathtub or other fixture into the watercloset trap or bend.

B. Designs of traps. Traps shall be self-scouring and water-sealed. Traps for bathtubs, lavatories, sinks and other similar fixtures shall be either integral or shall be of lead, brass, cast iron or galvanized malleable iron. Traps shall have a full-size bore and smooth interior waterway. Fixture traps shall have a water seal of at least two (2) inches. All other traps shall have a water seal of at least three (3) inches. The use of New York regulation traps is approved.

C. Setting and protection of traps. Traps shall be set true with respect to their water seals and shall be protected from frost.

D. Size of fixture traps. The minimum diameter of traps shall be that diameter given for the soil or waste branch in § 45-28.

§ 45-34. Cleanouts.

Easily accessible cleanouts shall be provided at the foot of each vertical waste, soil stack or inside leader; on all hand holes of running traps; on all exposed or accessible fixture traps, except earthenware traps, and at reasonable change of direction of horizontal runs, as directed by the Plumbing Inspector. Cleanouts shall be of the same nominal size as the pipe up to four (4) inches, and such cleanouts shall be at least four (4) inches for larger pipes. The maximum distance between the cleanouts in horizontal soil lines shall be fifty (50) feet.

§ 45-35. Grease interceptors.

Grease interceptors (commonly called grease traps) shall be installed in the wastes from all pot- or dishwashing sinks or machines in every hotel, restaurant, lunchroom or other establishments in which cooking is done, or where greasy wastes obtain, or in similar places where the Plumbing Inspector decides their use is necessary. Such grease interceptors shall be placed as near as possible to the fixture from which it receives the discharge in an accessible location for cleaning.

§ 45-36. Drainage of yards, areas and roofs.

A. Areas, yards, courts and courtyards, if paved, together with all roofs, shall be drained into a storm sewer, if any, or to dry wells. It shall be unlawful to drain such areas, yards, courts, courtyards and roofs into sewers intended for sewage only or into septic-tank systems.

B. Leaders.

(1) All leaders and horizontal runs within a structure and to a point five (5) feet beyond exterior walls shall be of cast iron.

(2) All underground piping from leaders or drains shall be of cast iron, vitrified tile, asbestos cement, reinforced concrete or bituminous fiber. In the case of filled, wet or unstable ground, the Plumbing Inspector may forbid the use of any other but extra-heavy cast-iron pipe.

(3) Exterior leaders of metal shall be connected above grade to underground pipe.

(4) No leaders shall spill water on the ground within one hundred (100) feet of property adjoining.

C. Dry wells. Dry wells shall be located a minimum distance of ten (10) feet from lot lines to prevent seepage from entering into adjoining property structures or doing damage to walls and foundations of such structures.

D. Storm-water drains.

(1) The required size of storm-water drains shall be in accordance with the following table:

Diameter of Pipe in Inches	Maximum Drained Area in Square Feet		
	A Fall 1/8″ per foot	B Fall 1/4″ per foot	C Fall 1/2″ per foot
3	700	1,000	1,500
4	1,500	2,100	3,000
5	2,700	3,800	5,500
6	4,300	6,100	9,000
8	9,600	13,000	19,000
10	16,500	24,000	35,000
12	27,000	40,000	56,000

(2) Leaders shall be at least of the size required in Column C of the table above.

§ 45-37. Swimming pools.

Construction, drainage, sterilization of water, etc., of swimming pools shall be in accordance with the laws and regulations of the Department of Health of Westchester County and the State of New York.

§ 45-38. Water supply and distribution.

A. Water supply. The entire water supply and distribution system shall be of such sizes and arrangement as will insure an adequate supply of water in volume and pressure for flushing purposes without unduly reducing pressure and volume at other fixtures. All water piping taking supply from another source and all equipment in connection therewith shall be run independently in such manner that there will be no cross-connections.

B. Sizes of service pipes. The diameter of water-service pipe shall be not less than three-quarters (¾) of an inch for dwelling or apartment houses occupied by six (6) families or less, and one and one-half (1½) inch for hotels, factories and other buildings, provided that in no case shall the diameter of the service pipes be less than the diameter of the tap installed under the supervision of the local water company.

C. House service pipes. House service pipes shall be connected to the street mains by means of taps, and a stopcock or valve placed in compliance with the rules of and under the supervision of the local water company.

D. Stopcock or valve. A separate stopcock or valve shall be placed upon the service pipe inside the front wall on the street side of the meter.

E. Meters. Meters shall be installed near the point of entrance of the service and be accessible at all times.

F. Materials of water supply pipes.

(1) Water-service pipe to the building, two (2) inches or less in diameter, shall be Type K soft copper tube, flared fittings. For service pipe over two (2) inches in diameter, pipe shall be of material as recommended by the local water company.

(2) All underground water-supply pipe within a building shall be Type K soft copper tube or "extra strong" copper or red-brass pipe.

(3) All water-supply pipe aboveground within a building shall be "regular strength'' copper or red-brass pipe or Type L copper tubing.

(4) It shall be unlawful to distribute water through pipes or fittings previously used for any other purpose.

G. Sizes of water pipes. The minimum diameter of water mains shall be three-quarters (¾) of an inch, and risers one-half (½) of an inch. Flushometers shall be supplied from tanks or where there is water pressure sufficient to insure adequate supply, through approved flush valves. Flushometers shall be supplied from risers and branches from which no other supply branch is taken. Every flushometer supply riser shall be one and one-quarter (1¼) inches or more in diameter, and where the number of flush valves supplied is more than two (2) such riser shall be at least one and one-half (1½) inches in diameter. Every main branch to flushometers shall be one and one-quarter (1¼) inches or more in diameter with individual branches one (1) inch or more in diameter, except that in private dwellings two (2) stories or less in height, the Plumbing Inspector may, in his discretion, permit a reduction in the size of risers and branches and may waive the requirement for independent flushometer supply risers.

H. Sizes of water-supply branches to fixtures shall be no less than the following:

Bathtubs	½ inch
Hosebibbs	½ inch
Heating boilers	½ inch
Laundry trays	½ inch
Lavatories	⅜ inch
Sinks	½ inch
Showers	½ inch
Urinal tanks	⅜ inch
Urinal flush valve	¾ inch
Water-closet tanks	⅜ inch
Water-closet flush valve	1 inch

I. Number of fixtures allowed on a single branch.

(1) No branch three-eighths (⅜) of an inch in diameter shall serve more than one (1) lavatory, water closet or urinal tank.

Number of Flush valves	Size of Branch
1	1 inch
2	1¼ inch
3 to 4	1½ inch
5 to 9	2 inch
10 to 17	2½ inch

(2) Figures for flush valves are based on water-closet flush valves. Two (2) urinal flush valves will be considered equivalent to one (1) water-closet flush valve.

J. Hot-water supply system. Where hot-water supply systems are installed, the distance between the hot- and cold-water mains and risers shall be not less than six (6) inches unless the hot-water main and risers be covered with an insulating material.

K. Relief valve for hot-water systems.

(1) All hot-water storage tanks shall be equipped with approved thermostatic combination temperature and pressure relief valves of required sizes. No fuse-type temperature-relief valves will be permitted. These valves shall be installed at the nearest outlet to the vessel it serves with no connection between the valves and the tank it serves.

(2) Thermostatic mixing valve shall be installed on all tankless coils to control the hot water from the tankless coil.

L. Stopcocks or valves on water-supply pipes. Separate stopcocks or valves, always accessible, shall be placed at the foot of each riser line; and in structures other than residence structures occupied exclusively by one (1) or two (2) families, or having less than sixteen (16) sleeping rooms, such stopcocks or valves shall be placed on each branch line from the riser for each isolated fixture or group of fixtures; except that only one (1) such stopcock or valve shall be required for all the fixtures contained in a single apartment, suite, store or loft occupied by one (1) tenant when all such fixtures are supplied from one (1) branch line. Such stopcock or valve may be located outside of the apartment, suite, store or loft which it serves.

M. Hose bibbs. Pipe to hose bibbs shall be valved at source of supply and be provided with an approved self-drain-device.

N. Hot-water heater vents. Every hot-water heater, other than electric, shall be vented to the outer air above the roof. Such vents or flues shall be connected to flue in a chimney or to a noncombustible pipe, if gas operated, of size required, running through the roof. An approved draft diverter shall be located in the vent or flue near the appliance if connected to a chimney flue to which

is connected an oil burner. Openings around vents run in combustible construction shall be fire-stopped at each floor and roof with noncombustible material.

§ 45-39. Number of toilets and other fixtures required.

A. Every building occupied as a store, school, office building, loft, workshop or storage must have at least one (1) water closet and one (1) lavatory.

B. Sanitary fixtures not less than the following table shall be provided:

No. of Persons	Closets	Lavatories
1 - 15	1	1
16 - 35	3	2
36 - 55	4	2
56 - 80	5	3
81 - 110	6	3
111 - 150	7	4

C. Whenever a urinal is supplied, one (1) closet less than the required number may be provided for males when more than twenty (20) are employed; except that the number of closets in such cases may not be reduced to less than two-thirds (⅔) the required number.

D. For private dwellings, to be occupied by one (1) family or more, there shall be provided at least one (1) water closet, one (1) lavatory, one (1) bath, one (1) sink for each family.

E. Toilet facilities shall be readily accessible to the persons using them. It shall be unlawful to locate toilet facilities more than one (1) floor above or below the regular working place of the persons using them, except that the Plumbing Inspector may determine the location of toilet

facilities in warehouses, garages and similar structures of low occupancy. When passenger elevators are provided and employees are permitted to use them in going to the toilet room floors, the above rule as to location will be waived.

F. Separate water closets and toilet rooms must be provided for each sex in all buildings except dwellings.

G. Toilet rooms in all buildings shall be fully enclosed, and the floor and base to a height of no less than six (6) inches shall be made waterproof with asphalt, cement, tile, metal or other waterproof material as approved by the Plumbing Inspector.

§ 45-40. Light and ventilation of toilet rooms.

Every bathroom and every toilet room containing one (1) or more water closets or urinals shall be ventilated by one (1) or more windows opening on a street, yard or court of lawful dimensions on the same lot or plot; or by a duct or vent of incombustible material extending above the roof and having cross-sectional area of at least one (1) square foot for one (1) or two-closets or urinals and one-third (⅓) of a square foot additional for each additional water closet or urinal; or by a ventilating skylight having a glazed surface of at least three (3) square feet and provided with fixed ventilating openings of one and one-half (1½) square feet for one (1) or two (2) water closets or urinals and one (1) square foot additional for each additional water closet or urinal; or by an approved system of mechanical ventilation of a capacity to exhaust at least forty (40) cubic feet of air per minute per water closet or urinal for public toilet rooms, and at least twenty-five (25) cubic feet per minute for each private interior bathroom.

§ 45-41. Gas piping and appliance installation.

Gas service, piping, equipment, appliances and appliance venting shall be installed in accordance with the standards of the American Gas Association and the National Board of Fire Underwriters.

A. Gas service connection. House service pipe shall be connected to the main in street and a stopcock or valve placed at property line, in compliance with the rules and under the supervision of the local gas company.

B. Service stopcock or valve. An approved lubricated type straightway shutoff stopcock or shutoff valve shall be placed in the main, in an accessible location, immediately inside of the wall through which such main enters and on street side of the gas meter and of the gas regulator, if any.

C. Gas-meter location. Meters shall be located near the point of entrance of the service and be accessible at all times.

D. Material of gas pipe. All gas piping within buildings shall be wrought iron or steel complying with the American Standard for wrought iron and steel pipe A.S.A., B36.10-39. All pipe fittings (except stopcocks and valves) shall be malleable iron or steel. Defects in pipe or fittings shall not be repaired. When defective pipe and fittings are located in a system, the defective pipe or fittings shall be replaced.

E. Gas stopcocks or valves. Stopcocks or valves shall be A.G.A.-approved. There shall be installed in the pipe serving gas appliances an approved "T" handle gas cock to each appliance placed near the appliance in an accessible location.

F. Gas-pipe sizes.

(1) Piping shall be of such size and so installed as to provide a supply of gas sufficient to meet the maximum demand without undue loss of pressure between the meter and the appliance or appliances.

(2) It is recommended that the pressure loss in any piping system from the gas meter to any appliance at the maximum probable gas demand not exceed three-tenths-inch water column.

G. Installation of gas piping.

(1) All piping shall be graded not less than one-fourth (¼) inch in fifteen (15) feet to prevent traps. All horizontal lines shall grade to risers and from the risers to the meter.

(2) Gas piping shall not be supported by other piping but shall be supported to main proper grade with pipe hooks, metal pipe straps, bands or hangers suitable for the size of pipe, and of proper strength and quality at proper intervals so that the piping cannot be moved accidentally from the installed position. Pipe shall not be bent. Threaded fittings shall be used when making turns and connections in gas piping. A drip shall be installed at any point in the line of pipe where condensate may collect. A.G.A.-approved flexible connectors may be used for residential gas ranges.

H. Venting of gas appliances.

(1) Appliances shall be installed in a location in which the facilities for ventilation permit satisfactory combustion of gas and proper venting under normal conditions of use.

(2) A manually operated lever handle valve, labeled "Main Burner Shutoff" shall be provided to control

the supply of gas to the main burner manifold for central heating systems and conversion burners. This valve shall be located externally to the jacket, adjacent to any electrical ignition device, and ahead of all controls except the pilot-control valve, and shall be marked so as to indicate the "on" and "off" positions clearly.

(3) Every gas appliance, except domestic gas ranges and domestic clothes dryers, shall be connected to an effective flue or vent if it is included in any of the following classifications:

(a) Any appliance installed for domestic purposes having an input rating in excess of fifty-thousand (50,000) Btu per hour.

(b) Automatically controlled appliances which use more than five thousand (5,000) Btu per hour. For the purpose of this provision, manually operated appliances equipped with automatic means for reducing the gas supply to the main burner or burners to not less than thirty percent (30%) of the maximum demand are not considered as automatically controlled.

(c) Automatically controlled appliances which use less than five thousand (5,000) Btu per hour unless equipped with an automatic pilot or a flame-responsive fuel shutoff device.

(d) Any appliance, excluding domestic gas ranges, installed in the same room which if not vented would make the total input rating of the unvented gas appliances as great as thirty (30) Btu per hour per cubic foot of room content.

(e) Room heaters in sleeping quarters for use of transients or in institutions such as homes for the aged, sanitoriums, convalescent homes, etc. Such heaters must be equipped with an automatic pilot.

(f) All space-heating steam and hot-water boilers and warm-air furnaces, floor furnaces, unit heaters, duct furnaces and recessed heaters.

(g) Appliances which have draft hoods supplied by the appliance manufacturer except automatic water heaters having input ratings not in excess of five thousand (5,000) Btu per hour and room heaters listed as unvented by an approved nationally recognized testing agency.

(h) Unlisted appliances having flue collars.

(i) Gas-fired incinerators.

(4) Every vented appliance, except incinerators, dual oven-type combination ranges, and units designed for power burners or for forced venting, shall have a draft hood.

§ 45-42. Plumbing tests.

A. No person shall use or permit the use of any plumbing and drainage hereafter installed in any building before being tested under the supervision of the Plumbing Inspector to insure the tightness of the system. The Plumbing Inspector shall, within a reasonable time after being requested to do so, inspect and supervise the testing of any system of plumbing and drainage, and if the work is found satisfactory and the test requirements complied with, he shall issue a certificate to that effect. Nothing herein contained shall prevent the inspection and test of part of a system or the issuance of a partial certificate, nor prevent the use of such part of a system, properly tested and approved, constituting a complete system by itself.

B. The Plumbing Inspector shall, after approving a roughing test, leave posted, in a conspicuous location inside the

building, a card indicating his approval of the work to that point.

C. The entire plumbing and drainage system within the building must be given a water test by the plumber, in the presence of the Plumbing Inspector. All pipes must remain uncovered throughout until a satisfactory test is made. The plumber must securely close all openings, as directed by the Plumbing Inspector. The use of wooden plugs for this purpose is prohibited.

D. The water test shall consist of the closing of the lower end of the main house drain and filling the pipes to the highest opening above the roof with water. The water test shall include at one (1) time the house drain and branches, all vertical and horizontal soil, waste and vent lines and all branches therefrom to a point above the surface of the finished floor and beyond the finished face of walls and partitions. If any part of the system is to be tested separately, there must be a head of water at least six (6) feet above all parts of the work tested and special provisions made for including all joints and connections in at least one (1) test.

E. After the completion of the plumbing work and before the building is occupied, a final smoke test shall be made in the presence of the Plumbing Inspector.

F. Where, in the judgment of the Plumbing Inspector, it is impractical to apply the tests above mentioned on alterations or additions to existing work, such work shall be thoroughly inspected by the Plumbing Inspector in lieu of making the tests.

§ 45-43. Gas piping test.

After all piping is installed and all outlets are capped, the plumber shall apply an air-pressure test equal to a column of mercury six (6) inches in height. Such pressure shall be main-

tained for at least ten (10) minutes. Such test shall be applied in the presence of the Plumbing Inspector. It shall be unlawful to cover up any piping, or the connection to such piping, of any meter, gas fixture, gas heater or gas range until a certificate showing the approval of such test has been issued.

§ 45-44. Defective work.

All defective plumbing work including fixtures shall be removed, repaired or replaced within thirty (30) days upon receipt of written notice from the Plumbing Inspector.

§ 45-45. Modifications.

Where, in the best judgment of the Plumbing Inspector, it is impracticable to comply strictly with this code, he shall have power to modify its provisions so that the spirit and substance thereof shall be complied with. Such modifications shall be indorsed upon the permit over the signature of the Plumbing Inspector.

§ 45-46. Violations and penalties.

Any person, firm or corporation, owner, lessee, tenant, occupant or the agent of any of them who violates, or is accessory to the violation of any provision of the code, or who fails to comply with any of the requirements thereof, shall be guilty of a misdemeanor, and shall be liable to a fine which shall not exceed one hundred dollars ($100.) or by imprisonment not exceeding fifty (50) days, or by both such fine and imprisonment. Each day's violation shall constitute a separate offense. Violations shall be prosecuted and penalties collected in the manner prescribed by law or ordinance effective in the Town of Rye.

§ 45-47. Abatement.

The imposition of the penalties or other punishment herein prescribed shall not preclude institution of appropriate action to prevent, restrain, correct or abate a violation.

§ 45-48. Saving clause.

If any clause, sentence, paragraph or part of this code shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this code or any parts thereof, but such invalidity shall be confined in its operation of the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment is rendered.

§ 45-49. Repeal of existing ordinance.

A. An ordinance adopted by the Town Board of the Town of Rye on the 19th day of July, 1928, entitled "An ordinance of the Town of Rye to regulate and control the business of plumbing and sewer-drain laying in the Town of Rye, New York'' and any and all amendments thereto, is hereby repealed.

B. The repeal of the above ordinance does not affect or impair any act done, offense committed or right accruing, accrued or acquired, or liability, penalty, forfeiture or punishment incurred prior to the time such repeal takes effect, but the same may be enjoined, asserted, enforced, prosecuted or inflicted, as fully and to the same extent as if such repeal had not been effected.

§ 45-50. When effective.

This code shall take effect immediately.

Chapter 46

(RESERVED)

This Reserve chapter page is part of your Code. It has been inserted here to allow for the integration of future enactments, the subject of which will fall alphabetically into this part of the Code.

Chapter 47

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