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**To....: All A.I.S. Clients**

**From: James Scaturro, Vice President**

**Re...: Town of Mamaroneck Discharge Compliance Certificate**

**Date.: December 8, 2005**

The Town of Mamaroneck has announced the enactment of a new law (Section 106-49 of the Town of Mamaroneck town code) that will go into effect as of January 1, 2006.

Under this new law, it will be illegal to occupy any building on real property located in the unincorporated section of the Town of Mamaroneck and sold after January 1, 2006 without first obtaining a **Discharge Compliance Certificate** for the property.

The discharge compliance certificate is a certification stating that all of the connections leading from the real property to the public storm water sewer lines and to the sanitary sewer lines comply with the requirements of the New York State building codes and the town code. The certification will also state that there are no culverts, drains, hoses, leaders, lines, pipes or pumps that discharge liquids directly toward a street, sidewalk or right of way.

The procedures for obtaining the certification are explained on the attached copy of the town code.

Thank you

**CODE OF THE TOWN OF MAMARONECK, NEW YORK, v13 Updated 10-15-2005 / PART II GENERAL LEGISLATION / Chapter 106, FIRE PREVENTION AND BUILDING CONSTRUCTION / Part 2, Building Construction [Adopted 2-27-1985 by L.L. No. 3-1985 (Ch. 14 of 1975 Code)] / ARTICLE VI, Permits and Certificates / § 106-49. Discharge compliance certificate required. [Added 5-4-2005 by L.L. No. 6-2005EN]**

**§ 106-49. Discharge compliance certificate required. [Added 5-4-2005 by L.L. No. 6-2005<sup>EN(1)</sup>]**

A. As used in this section, the following terms have the meanings indicated:

**DIRECTOR** -- The Director of Building Code Enforcement and Land Use Administration.

**DISCHARGE COMPLIANCE CERTIFICATE** -- A certificate issued by the Director stating that all of the connections leading from the real property to the public stormwater sewer lines and to the sanitary sewer lines comply with the requirements of the New York State Building Codes and the Town Code and there are no culverts, drains, hoses, leaders, lines, pipes or pumps that discharge liquids directly onto or directly toward a street, sidewalk or right-of-way.

**PLUMBER'S CERTIFICATION** -- A certification made to the Town by a plumber licensed to do business within the Town that the plumber has inspected all of the connections leading from the real property to the public stormwater sewer lines and to the sanitary sewer lines and that all such connections comply with the requirements of the New York State Building Codes and the Town Code and has inspected the real property and found that there are no culverts, drains, hoses, leaders, lines, pipes or pumps that discharge liquids directly onto or directly toward a street, sidewalk or right of way.

**REAL PROPERTY** -- A lot with respect to which a renewal event occurs after October 15, 2005.

**RENEWAL EVENT** -- The transfer of title in connection with the sale of real property located in the unincorporated portion of the Town.

B. No building on real property shall be used or occupied, in whole or in part, unless a discharge compliance certificate is issued therefor. To apply for a discharge compliance certificate, a plumber's certification that complies with this section shall be submitted to the Director together with whatever forms and other documentation may be required by the Director, and the fee for a discharge compliance certificate shall be paid. The Director can issue a discharge compliance certificate based upon a plumber's certification or the Director may conduct an inspection of the real property to determine whether any of the connections leading from the

real property to the public stormwater sewer lines or the sanitary sewer lines violate a requirement of the New York State Building Codes or the Town Code or whether there are any culverts, drains, hoses, leaders, lines, pipes or pumps on the real property that discharge liquids directly onto or directly toward a street, sidewalk or right-of-way. By applying for a discharge compliance certificate, the owner of the real property authorizes the Director or a designee of the Director to enter upon the real property for the purpose of conducting such inspection.

- C. A discharge compliance certificate can be issued at any time after a renewal event has occurred. A discharge compliance certificate also can be issued prior to a renewal event; however, such certificate shall expire on the 60th day after it is issued unless the renewal event shall have occurred before its expiration date.
- D. A discharge compliance certificate issued after a renewal event has occurred shall expire when the next renewal event with respect to that real property occurs. A discharge compliance certificate issued prior to a renewal event that does not expire pursuant to § 106-49C also shall expire when the next renewal event with respect to the real property occurs. Nothing contained in this section shall be construed as preventing the Director from revoking a discharge compliance certificate if there are grounds to do so.