

**TOWN OF BALLSTON  
WATER ORDINANCE AND REGULATIONS**

**Be it enacted by the Town Board of the Town of Ballston as follows:**

**ARTICLE I  
Legislative Intent and Severability**

§1. Title.

This Local Law shall be known as Local Law No. 6 of 2021 for the Town of Ballston establishing rules and regulations for the use and operation of the Town's water districts, water district extensions and consolidated water district and further establishing rates for capital costs and operation and maintenance expenses. Local Law No. 6 of 2021 reads as follows:

§2. Quality.

The quality of Ballston's water supply and waterworks is fundamental to the quality of life in the town. It is hereby declared to be the intent of the Town of Ballston to provide its citizens with waterworks that are of the highest quality possible considering operation and maintenance, materials for construction, water quality, water quantity, water pressure, fire protection and overall cost.

§3. Impacts.

It shall be the intent of the Town of Ballston to continually consider and assess all the immediate and future impacts on the well-being of the town and its potable water supply, of all actions taken with regard to expanding, upgrading and permitting water distribution systems.

§4. Planning.

It shall be the intent of the town that approval of any new water district, water district extension or waterworks either within the town or within any adjoining municipality must include, in addition to any and all other regulatory requirements, an acceptable engineering assessment of how that system could be integrated into the existing town -wide system and the positive and/or negative impacts that any new system could have on the existing town system, including municipal and private wells and aquifer supply and quality concerns.

§5. Construction.

It shall be the intent of the town to require that all new or proposed waterworks shall be constructed in such a way and of such materials that they meet the minimum standards set by the town and that there is as much standardization in the system as is practicable.

**ARTICLE II**  
**Applicable Standards and Definitions**

§6. Severability.

The validity of any section, clause, sentence or provision of this chapter shall not affect the validity of any other part of this chapter, which can be given effect without such invalid part or parts.

§7. References to standards.

When reference is made to incorporate any statutes, codes, specifications or manuals of practice, said reference shall be to the latest editions thereof.

§8. Applicable standards.

The design, material and construction methods shall conform to the applicable sections of the current editions and subsequent revisions of the following documents. These documents may be reviewed in the Town Hall or on the town of Ballston web site.

- A. Recommended Standards for Water Works, Great Lakes — Upper Mississippi River Board of State Public Health and Environmental Managers.
- B. Rural Water Supply, New York State Department of Health.
- C. Part 75-B, New York State Department of Health, 10 NYCRR.
- D. Subpart 5-1 of New York State Sanitary Code, New York State Department of Health, 10 NYCRR.
- E. AWWA Standards, American Water Works Association.
- F. Fire Suppression Rating Schedule, Insurance Services Offices.

§9. Definitions of terms; word usage.

A. Definitions. Unless the context specifically indicates otherwise, the meanings of terms used in this chapter shall be as follows:

**APPLICANT** — Any individual, firm, company, association, builder, developer, society, person, group or municipality having title to real property located within the Town of Ballston or any of the above having title contiguous thereto and applying for a permit or currently connected to the waterworks system in the Town of Ballston.

**CAPITAL COSTS** — Those annual fixed costs which must be paid by the town to reduce indebtedness bonded or otherwise, which include, but are not limited to, land acquisition, required reserves for repairs, replacements or improvements to the infrastructure of the system and any other cost which is fixed, recurring and which does not include operation and maintenance expenses.

**COMMERCIAL SERVICE** — Any service for nonresidential buildings for which the usage is not predominately industrial.

**CURB BOX** — Pipe located over the curb stop which extends from the curb stop to ground level and provides access for the operation of the curb stop at ground level.

**CURB STOP** — Shut-off valve on the service line normally located at the property line.

**DEPARTMENT** — The Water Department for the Town of Ballston whose duties and responsibilities include but are not limited to permitting, monitoring, granting approvals, maintaining the waterworks system and billing.

**ENGINEER** — The professional engineer retained in connection with the waterworks or the town engineer, as designated by the Town Board.

**INDUSTRIAL SERVICE** — Any service for which the water use is predominantly industrial.

**LANDLOCKED** – Entirely or almost entirely surrounded by land without access to any dedicated public road or any easement providing access to a dedicated public road.

**METERED USAGE** — The amount of water passing through the water meter.

**OPERATION AND MAINTENANCE COSTS** — Variable expenses annually incurred by the town for the maintenance of the waterworks system which shall be computed yearly by the Town Board.

**PERMIT** — A license issued by the town, allowing and/or authorizing work to be done under this chapter by any plumber, contractor or excavator, builder, developer, applicant or any other person, firm or corporation.

**PERSON** — Any individual, firm, company, association, society, builder, developer, corporation or group.

PROPERTY LINE —

- (1) The edge of a public water right-of-way in those instances where the water service connects to the public water line not located in a street right-of-way; and
- (2) The applicant's property line in those instances where the water service connects to a public water main located in the street right-of-way.

PUBLIC WATER MAIN — A water connection to which all applicants of abutting properties have equal rights and which is controlled by the town.

RESIDENTIAL SERVICE — Any service for which the water usage is for domestic nature only.

SERVICE LINE — That portion of pipe located between the water main and the applicant's water meter.

TOWN — The Town of Ballston, Saratoga County, New York.

TOWN BOARD — The duly elected Town Board of the Town of Ballston or its authorized agent or representative.

TOWN BOUNDARIES — The physical boundaries of the town as currently established, or as may be extended in the future.

UNDEVELOPED – The inability to cause a tract of real property to become improved with a structure or to be used in any way.

WATERWORKS — All facilities for distributing, pumping, holding or storing, treating and obtaining water.

WORD USAGE. “Shall” is mandatory; “may” is permissive.

§10. Construal of provisions.

No statement contained in this chapter shall be construed to interfere with any additional requirements that may be imposed by any authorized representatives of the State of New York, the Saratoga County Department of Health or other applicable rules and regulations.

**ARTICLE III**  
**New Service**

§11. Applications for service.

- A. All applications for the use of water, provided by the town, must be made in writing on a form provided by the Water Department. On acceptance by the Water Department, the application shall constitute a contract between the town and the applicant, obligating the applicant to pay the town its applicable rates and charges as set forth in Article VII and to comply with the rules and regulations of this chapter. The water use application is available on the Town of Ballston web site.
- B. Applications of contractors, builders and others for temporary service will be accepted, written permits will be issued and temporary water service will be supplied, provided that it does not interfere with the use of water for general purposes and that use of water from any hydrant shall be strictly in accordance with §24 of this chapter. Applicants requiring temporary service shall reimburse the town for its expense in connection with providing the necessary temporary service connection.
- C. No agreement will be entered into by the Department with any applicant for water service until all charges due the town from the applicant for water or services at any premises now or heretofore owned or occupied by the applicant which are in arrears shall have been paid.
- D. Approval of the water service application for any new applicant or the providing of increased service to any existing water user requiring water for other than normal domestic purposes shall be subject to the review and approval of the Department. Where necessary in the opinion of the Department, the applicant shall provide at his own expense such water conservation, storage or flow-limiting facilities or such other devices necessary to obtain the approval of the Department. The Department reserves the right to refuse or limit service to any new applicant or existing water user if the foregoing requirements are not met to the Department's satisfaction.

§12. Installations and requirements.

- A. No applicant shall make any attachment with the mains of the town or may make any repairs, additions to or alterations with the service water lines, between the main and curb stop, unless the applicant is authorized in writing by the Department. Any unpermitted hook ups shall be a violation of this Local Law and subject the individual to the penalties set forth in Article VIII hereof or to any other applicable laws of the State of New York.
- B. A separate service line shall be required for each dwelling or any other building.
- C. Any existing owner or applicant in violation of these requirements may be notified on 30 days' written notice from the Department to conform to these requirements.

§13. New water systems or extensions of water mains.

The procedures to be followed by applicants in the town who propose to install new waterworks shall be in accordance with the rules and regulations of the Department and as enumerated in the following subsections:

- A. The applicant or his engineer shall furnish the Department with two stamped prints of the proposed overall development plan on which are indicated the required water mains and appurtenances. The Department shall also furnish to the applicant the Department's requirements regarding materials of construction and specifications for pipe, fittings, valves, hydrants and appurtenances along with any special conditions regarding installations. After this plan has been approved by the Department, one copy will be filed with said Department. Maps shall be 24 inches by 36 inches in size, drawn to the scale of one inch equals 50 feet. In addition, the applicant shall provide the Department with a digital CAD of the approved stamped plans.
- B. Before the applicant is ready to file the map with the Saratoga County Department of Health, the applicant shall furnish the Department, for its approval, with a copy of the proposed map, on which will be indicated the size of the water mains and appurtenances along with construction specifications, in writing, which should be consistent with the requirements of the Department furnished under Subsection A above.
- C. The installation of the waterworks will be inspected and supervised by the town designated Engineer and the Department or representative. Upon completion, two record plans of the completed installation shall be furnished to the Department by the applicant in a form acceptable to the Department. All expenses of installation, inspection and supervision of new water mains and appurtenances shall be borne by the applicant.
- D. Upon completion of construction, the entire water system must be turned over to the town (§16). Before the town takes over a water system installed in a private development, the developer must transfer its right, title, interest and ownership to the town for the nominal consideration of \$1.00 before the town will maintain it. The town must be furnished satisfactory proof that either the streets in which the water mains are laid have been dedicated and accepted by proper public authority or furnished proof that instruments granting easements to the town, in a form to be recorded in the Saratoga County Clerk's Office, with a satisfactory title company certificate, have been executed by all owners and mortgagees, other lien holders or the applicant. All expenses shall be paid in full by the applicant. In addition, proof must be shown that all valve boxes have been located and placed at the proper levels.
- E. Upon satisfactory completion of the above subsections, the Department will then advise the New York Fire Insurance Rating Organization accordingly.

§14. Construction under public contract.

Water extensions, including individual building services to the property line, may be constructed by the town under public contract if, in its opinion, the number of properties to be served by such extension warrants the cost. Contractors constructing these waterworks facilities shall post a payment and performance bond or certified check as set forth in §15 hereof.

§15. Construction by applicant.

If the town does not elect to construct a water extension under public contract, the applicant may construct the necessary water extension if this extension is approved by the Town Board in accordance with the requirements of this chapter and the Town Law of the State of New York. The applicant must pay for the entire installation, including all expenses incidental thereto, and shall post a payment and performance bond or certified check. Each extension must be installed and inspected as previously required, and the inspection fees shall be paid in full by the applicant to the town. The installation of the extension must be subject to inspection by the Department, town designated engineer or other town representative, and the expense for this inspection shall be paid in full by the applicant. The Department's decisions shall be final in matters of materials' quality and methods of construction. The extension, as constructed, must pass all required testing before any service lines are connected thereto. The entire cost of the extension, including inspection, shall be paid by the applicant or benefited property owner(s).

§16. Acceptance of new waterworks; guarantee.

All new waterworks, after final approval by the Department and acceptance by the Town Board, shall become the property of the town and shall thereafter be maintained by the town. Said waterworks, after acceptance by the town, shall be guaranteed for one year by the applicant or contractor. The guarantee shall be in such form and contain such provisions as provided for by the town. A payment and performance bond or certified check in the amount of 10% of the total cost of the applicant's project shall be retained by the town for a period of one year. Said bond or check will be released to the applicant or contractor upon certification by the engineer that all work has been completed in accordance with the permit and that all other conditions, if any, imposed by the Department have been satisfied.

§17. Public safety.

Whenever any street or public grounds shall be opened for the purpose of making a connection with the mains or for laying any water lines or fixtures, public safety and convenience shall be duly regarded, and the street or public place shall be restored to its original condition as soon as possible, and all work must conform to the safety requirements as set forth by the State of New York and OSHA.

**ARTICLE IV**  
**Mains, Service Lines and Meters**

§18. Ownership.

- A. At his or her own expense, the applicant shall install from the curb stop to the meter on the premises a service line to be approved by the Department. Every service line must have a curb stop of an approved type at the property or easement line and be provided with an iron curb box and cover. This curb stop may not be used by the applicant for turning on or shutting off the water supply. The curb stop is for the exclusive use of the Department unless otherwise authorized by permit.
- B. The service line from the curb box to the meter shall at all times remain the sole property of the applicant, in whom title thereto shall vest. All service lines installed shall have no sweat joint between the curb box and the foundation.

§19. Maintenance and replacement.

- A. The applicant, at his own expense, will maintain and protect from freezing the service line and meter from the curb stop into the building and, when necessary, replace such service line at the applicant's expense. Specifications for service lines are contained in §20 hereof.
- B. Should a leak occur in a service line, the applicant shall forthwith cause the same to be repaired at the applicant's own expense. Should the applicant fail to effect such repair after two days' written notice from the Department, the Department will cause the water service to be discontinued until such repair has been made or the Department shall cause the repair to be made at the sole cost and expense of the applicant.

§20. Service line specifications.

- A. All service lines shall be installed and maintained five feet below the surface of the ground and will be installed in accordance with acceptable engineering standards.
- B. All service lines shall not be less in size than three-fourths-inch inside diameter and shall be United States Government Specification Type K soft-tempered copper tubing with only mechanical joints underground. For over 100 feet, one-inch minimum size is required. For services three inches in diameter or larger, ductile-iron cement-lined Class 52 pipe of quality equal to American Water Works Association or federal specifications and of weight suitable for service under a pressure equivalent to at least 150 pounds per square inch is required. The Department reserves the right in all cases to stipulate the size and type of service lines to be used.

§21. Service line connection specifications and rules.



- A. All tapping into the public water mains shall be performed by or under the supervision of the Department. No tapping will be done after November 1 or before April 1 unless weather permits, at the discretion of the Department.
- B. The curb stop and box will be placed at the easement or property line. The Department reserves the right to select a location suitable to the town.
- C. No outlet through which water can be taken between the meter and the district's main in the street will be permitted.
- D. No one shall leave the curb stop open or allow the water to run on the premises after making any new connection with the street main or after making any new extension or attachment in unoccupied premises; but in cases where the work is a simple extension or additional attachments on the owner's side of the meter, in places where the water is then in use, the installer may leave the water on.
- E. No additions or alterations whatever, in or about public water mains or service lines, except on the pipes on the owner's side of the meter, shall be made by any person until application therefor has been made to the Department and written permit given.
- F. When the supply of water to any premises has been turned off by the direction of the Department, service shall only be returned by and with the authority of the Department.
- G. If any building is razed, moved or abandoned, it will be the responsibility of the owner, applicant or the authority which requires such razing, moving or abandonment by virtue of the public improvement to notify the Department to remove the water meter. The applicant shall disconnect the water service line at the curb stop, under the supervision of the Department.

§22. Water Meters.

- A. An individual meter shall be required for each separate service line. The users of water shall at no time tamper with the meter. Any tampering with the water meter shall constitute a violation of the Town Code or the Penal Law of the State of New York.
- B. A meter which meets town specifications shall be supplied by the town, at the applicant's expense, and shall remain the property of the town. Installation of the meter will be the responsibility of the applicant. All meter installations must be inspected and sealed by the Department.
- C. Submetering will not be permitted.

- D. Meters larger than one inch shall be furnished and installed by the applicant at the applicant's expense and shall be placed in an area designated by the Department, and all expense in connection with its proper housing, including a bypass for testing, shall be borne by the applicant. Such meters shall be maintained and repaired at the direction of the Department and at the expense of the applicant. A certified diagram by an engineer or plumber of the proposed installation and proper piping shall be submitted and approved by the Department.
- E. The Department reserves the right to remove, inspect, test and repair any meter when necessary.
- F. If any premises is vacated, the owner may, on written notification to the Department, request that the water meter be removed and stored. During the period the meter is out of service, no charge for water service will be made. When service is again requested, the town will restore service for a minimum charge of not less than \$100.
- G. Meters will, at all times, be protected by the owner from freezing. In the event that the meter is damaged by freezing or other external cause the Department will replace the meter and a bill will be rendered to the owner for the cost of repairs and/or replacement.
- H. The town will maintain, inspect, repair and test when necessary all one-inch and smaller meters. It is the owner's responsibility to remove and have tested all meters larger than one inch at the owner's expense. The Department reserves the right to remove and test meters as required.

## **ARTICLE V**

### **Private Fire Protection and Temporary Service**

#### **§23. Sprinkler-head fire protection service.**

- A. Any and all sprinkler systems installed in residences, multiple dwellings and commercial buildings (i.e., any and all buildings) shall meet the requirements of the following:
  - (1) The latest version of New York State Department of Health, State Sanitary Code.
  - (2) The latest version of National Fire Protection Association Standards for Installation of Sprinkler Systems (Bulletin 13).
  - (3) New York State Building Code.
- B. The Department shall require the furnishing of detailed drawings showing the proposed installation and shall approve or disapprove the type of valving to be installed on such a system and shall inspect by its own forces or duly authorized representatives any such installation past, present or future.

- C. The applicant will furnish “as-built” drawings stamped by a New York State licensed architect or engineer of the facilities to the Department and the Fire Department that provides protection to the applicant’s facilities. In addition, the applicant shall provide the Department with a digital CAD of the approved stamped plans.

§24. Private fire hydrant protection.

- A. Any and all private water supply distribution systems installed within the town equipped with hydrants for fire protection shall conform to the requirements of the following:
  - (1) The latest version of New York State Water Resources Commission Rules and Regulations Governing Water Supply Applications.
  - (2) New York Fire Insurance Rating Organization.
  - (3) Type of hydrants shall be in accordance with town specifications.
- B. Detailed plans and drawings of any and all such installations shall be furnished for the approval of the Department before any permit to allow installation or to build shall be issued. Inspection of the installation during construction to guarantee compliance will be performed by the Department, or any other regulatory body having jurisdiction over said installation, and “as-built” drawings will be furnished to both the Department and the Fire District that provides protection to the applicant’s facilities.
- C. The Department reserves the right to require any sprinkler system installation or any hydrant system installation installed prior to the date of this Local Law to be brought up to the standards referred to at any time.

§25. Temporary water service.

Water for contractors, builders and other temporary purposes (§11B) will be billed for such privilege, according to the metered usage. A permit for temporary water usage shall be issued by the Department prior to obtaining water for temporary purposes. Payment for temporary water usage must be paid by the applicant within thirty days after receiving the invoice from the Department and if payment is not remitted within thirty days the town shall pursue all available remedies. The costs of collection, attorney’s fees and all other costs shall be paid by the permittee. The willful waste of water under temporary permits shall constitute a violation of this Local Law, and the Department may cancel such permit.

**ARTICLE VI**  
**Nonessential Water Use**

§26. Nonessential facilities.

Construction of nonessential water-using facilities which are attached to the water system, including but not limited to underground sprinkler systems, swimming pools and certain types of air conditioning, refrigeration and heating units are required to obtain a permit from the Department.

§27. Permits for nonessential uses of water.

Permits for uses of water considered to be nonessential will only be granted where the applicant has demonstrated to the Department that sufficient capacity in the supply, storage and distribution facilities is available and that proper back-flow measures have been taken.

§28. Town's right to restrict approved usage.

The town shall have the right, in periods of drought or emergency, to restrict nonessential uses of water such as the use of water for sprinkling, pools or other outside nonessential use or to prohibit such use entirely. Notice of such restriction shall be published by the town in the official town newspaper and on the town's web site. Notification shall also be provided when the restrictions are lifted.

**ARTICLE VII**  
**Cost Allocation and Billing Provisions**

§29. Allocation of costs.

- A. Capital costs shall be determined annually on an ad valorem basis.
- B. Payment of operation and maintenance expenses shall be determined annually based upon a minimum quarterly charge of \$15.00 and upon a dollar amount per 1000 gallons consumed.
- C. Permit fees which shall include, but not be limited to, connection fees, the cost of a meter and any and all inspection fees..
- D. The Town Board shall adopt a resolution whenever necessary establishing or amending the water rates for the Town. Such resolution shall remain in full force and effect until such time as it is repealed or superseded by a subsequent resolution of the Board adopted pursuant to this Local Law. No such resolution establishing water rates or amending the water rates duly established shall be adopted until a public hearing has been held on such resolution on at least seven (7) days public notice. Such notice shall be accomplished by publication in a newspaper of general circulation in the Town and shall include a brief description of the rates to be established.

In any such resolution establishing or amending water rates the Town Board may establish an equitable classification of users and establish different rates for the different classifications. Such classification may include separate charges for users who are located outside of the corporate limits of the town.

§30. General billing provisions.

- A. All bills for operation and maintenance expenses as determined in §29B hereof will be issued on March 31, June 30, September 30 and December 31 of each year and are due and payable without penalty 35 days after the date thereof. All charges by the Department for operation and maintenance expenses shall become a lien upon the real property upon which or in connection with which such water is used if not paid by October 10 of each year. If such charges are not paid within 35 days from the date due, the water supply may be cut off until said charges are paid. A penalty of 10%, per quarter, of the amount of the bill shall be added to the bill for late payment and if relieved there shall be an additional \$100 penalty.
- B. Bills for capital charges as determined in §29A shall be billed on January 1 of each year. All charges by the Department for capital charges shall be a lien upon the real property upon which or in connection with which such water is used.
- C. There shall be filed annually, with the Town Board, a statement showing the unpaid water charges and penalties payable, with a brief description of the owner's property.
- D. Bills for capital charges shall be paid to the Receiver of Taxes and bills for operation and maintenance expenses shall be paid quarterly to the town.
- E. No bill will be rendered for less than the minimum charge for each billing period. No payment will be accepted for less than the amount stated on the bill with respect to the payment of capital costs.

**ARTICLE VIII**  
**General Provisions and Penalties**

§31. General provisions.

- A. Water service may be discontinued by the Department for any one of the following reasons:
  - (1) Use of water other than as represented in an applicant's applications or through bypass connections of the meter or place reserved thereof.

- (2) Willful waste by use of water through improper and imperfect pipes, or by any other means.
  - (3) Tampering with any service line, seal or meter.
  - (4) Nonpayment of bills for water or services rendered by the Department in accordance with these rules and regulations.
  - (5) Cross-connecting pipes carrying water supplied by the town system with any other source of supply or with any apparatus which may endanger the quality of the town's water supply.
  - (6) Refusal of reasonable access to the property for the purpose of reading, repairing, testing or removing meters or inspecting water piping and other fixtures.
  - (7) Failure to promptly repair leaky service lines.
- B. No person shall open or interfere with the fire hydrants or draw water therefrom without permission from the Department or, in case of fire, by the Fire Departments or their representatives.
- C. In the interest of public health, the Department will not permit mains or service lines to be connected in any way to any piping, tank, vat or other apparatus that contains liquids, chemicals or any matter which may flow back into the town service lines or mains and consequently endanger the water supply, except as expressly permitted by the New York State Department of Health.
- D. Upon receipt of an application for a new service or for the reinstatement of an existing service, the Department will assume that the piping and fixtures that the service will supply are in proper order to receive the same, and the Department will not be liable in any event for any accident, breaks or leakage arising in any connection with the supply of water or failure to supply the same.
- E. Any person who damages any street hydrant shall be liable for the actual costs incurred by the Department to repair all damage as well as the estimated loss of water wasted before the hydrant can be shut off.
- F. The Department undertakes to use reasonable care and diligence to provide a constant supply of water at a reasonable pressure to consumers, but reserves the right, at any time, without notice, to shut off the water in its mains for the purposes of making repairs or extensions or for other purposes, and it is expressly agreed that the Department shall not be liable for a deficiency or failure in the supply of water or the pressure thereof for any cause whatsoever nor for any damage thereby or by the bursting or breaking of any main

or service line or any attachment to the district's property. All applicants having boilers upon their premises depending upon the pressure in the district's pipes to keep them supplied are cautioned against danger of collapse, and all such damage shall be borne exclusively by the owner or applicant. For routine maintenance such as line flushing or planned outages the Department will take reasonable measures to notify applicants.

- G. In those cases where the applicant's service line, from the curb stop to the meter, is frozen, the thawing shall be done at the expense of the owner or applicant. To avoid a recurrence of freezing, the Department may order an examination of the owner's or applicant's service line; and, if the same is not at a depth of 60 inches as required, the Department reserves the right to require it to be so relocated before service is resumed at the owner's or applicant's expense.

§32. Notice of violation.

Any owner or applicant found to be violating any provision of this chapter shall be served by the town with written notice stating the nature of the violation and providing a thirty-day-or-less time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

§33. Penalties for offenses.

Any applicant who fails to comply with the provisions of this chapter, other than those provisions pertaining to the payment of charges for services established herein, shall be guilty of a violation punishable by a fine not exceeding \$250 for each offense. The continued violation of any provision of any section of this chapter, other than those pertaining to the payment of charge for services established herein, shall constitute a separate offense for each and every day such violation of any provision hereof shall continue. Intentional damage to the waterworks system or theft of water shall be punishable under the Penal Law of the State of New York.

§34 Other remedies.

Upon violation of any section within this chapter, the Town Board, in addition to other remedies, may institute any appropriate action or special proceeding, including an injunction to prevent the occupancy of any building, structure or land where said violations of this chapter are found.

§35. Liability of offender to town.

Any applicant or owner violating any of the provisions of this chapter shall become liable to the town by reason of such violation and shall also be liable for all costs and Department and/or town expenses associated with the repair of the damage and for any fines imposed as a result of such violation.

§36. Interpretations.

The Town Board's opinion shall be controlling in the event that differences between a Department and an owner or applicant exist on matters concerning interpretation and execution of the provisions of this chapter.

§37. Penalty for false statements.

Any applicant or owner who knowingly makes or supplies any false statements, representation, records, reports, plans or other documentation filed with the town required under this chapter shall be punishable in accordance with the Penal Law.

§38. Orders to cease and desist.

The town is also authorized to issue an order to cease and desist and direct those persons not complying with such prohibitions, limits, requirements or provisions of this chapter to comply forthwith or comply in accordance with a time schedule set forth by the town, or the appropriate remedial or preventative action in the event of a threatened violation.

§39. Revocation of permit.

If any conditions of a permit or of this chapter are not strictly adhered to, the permit may be revoked.

§40. Repealer

Chapter 132 of the Town of Ballston Code is hereby repealed.

§41. Effective Date.

This Local Law shall take effect immediately upon being filed in the Office of the Secretary of State in accordance with the provisions of Section 27 of the Municipal Home Rule Law.