

## TOMPKINS COUNTY CHARTER AND CODE

( 1) Rule I. Developmental plan required.

A. A survey of boundaries, topography, lot locations, ditches, streams, ponds, swamps, high pressure gas mains, etc., conducted by a land surveyor licensed to practice in New York State is required.

B. Soil tests, building location, water and sewage system location and design, drainage control and soil erosion prevention plans, etc., provided by a professional engineer licensed to practice in New York State is required.

(2) Rule II.

The minimum lot size shall not be less than one-half (1/2) acre of useable area per building in the complex.

(3) Rule III.

The minimum lot dimension for an apartment complex is 200 feet, and may not be reduced.

### ARTICLE IX

#### **Air Pollution Control**

[Amended 5-2-2000 by L.L. No. 5-2000<sup>7</sup>; 10-11-2005<sup>8</sup>]

The purpose of this article is to protect public health and the environment by avoiding public health nuisances and public health hazards caused by open fires and other air pollution sources.

#### § S-9.01. General provisions.

a. This article is supplemental to applicable rules and regulations of the New York State Department of Environmental Conservation.

b. No person shall discharge into the outdoor air any contaminants, smoke or other material that may cause:

1) Nuisance or annoyance to or disturb the comfort or repose of any considerable number of persons or the public; or

2) Injury to or endanger the health and safety of any person; or

3) Substantial injury or damage to business or property.

Such discharges shall be controlled using all available technology.

c. No person shall cause or permit a building or its appurtenances or a road or parking area to be constructed, altered, repaired or demolished without taking reasonable precautions to prevent the release of contaminants, smoke, or other material into the air.

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<sup>7</sup> Editor's Note: This local law was filed with the New York State Health Department 10-3-2000.

<sup>8</sup> Editor's Note: This amendment was filed with the New York State Department of Health 11-7-2005.

## SANITARY CODE

### § S-9.02. Open fires.

- a. No person shall burn any rubbish in any open fire except in conformity with the provisions of this article.
- b. No person shall burn, cause, suffer, allow or permit burning in an open fire of:
  - 1) Garbage.
  - 2) Rubbish, except:
    - (i) Rubbish resulting from residential activity, outside of a boundary of 1/8 mile of the periphery of any city or village and so long as no violation of § S-9.01.b is created.
    - (ii) Rubbish resulting from farming activity.
  - 3) Materials resulting from the demolition of buildings or structures.
- c. The following types of open burning shall not be considered violations of § S9.02.b:
  - (1) Fires in outdoor grills and outdoor fireplaces for the purpose of preparing food.
  - (2) Campfires and fires used solely for recreation purposes. However, the burning of leaves and lawn and garden debris shall not be considered recreational burning.
  - (3) Fire-training exercises sponsored by an agency or fire recognized by the Tompkins County Department of Emergency Response.

## ARTICLE X

### **Water Pollution Control**

Chapter II, Parts 75-76 of the Sanitary Code of the State of New York and/or the Laws or Rules & Regulations of the New York State Departments of Health and/or Environmental Conservation shall apply.

The following are supplemental for Tompkins County.

### § S-10.01. Definitions.

As used in this article, the following terms shall have the meanings indicated:

**WATERS** — Includes lakes, reservoirs, springs, wells, rivers, streams, and creeks within the territorial limits of Tompkins County and all the bodies of underground or surface water, natural or artificial, public or private (except private waters which do not effect any juncture with natural surface or ground water), which are wholly or partially within or bordering the county or within its jurisdiction.

**INDUSTRIAL WASTE** — Liquid, gaseous, solid or waste substance of a combination thereof resulting from any process of industry, manufacturing, trade, or business