

<b>Topic:</b>	Water Conservation
<b>Resource Type:</b>	Regulations
<b>State:</b>	New York
<b>Jurisdiction Type:</b>	Municipal
<b>Municipality:</b>	Town of New Paltz
<b>Year (adopted, written, etc.):</b>	1990
<b>Community Type – applicable to:</b>	Suburban; Rural
<b>Title:</b>	Town of New Paltz Water Conservation Ordinance
<b>Document Last Updated in Database:</b>	April 12, 2017

### ***Abstract***

This law was adopted by the Town of New Paltz in order to conform with the performance standards of the New York State Environmental Conservation Law, which places water conservation requirements on sink and lavatory faucets, shower heads, urinals and toilets. The law also places water conservation requirements on air-conditioning systems and car washes.

### ***Resource***

Town of New Paltz Water Conservation  
Code of the Town of New Paltz NY  
Chapters 138 and 138A  
General Code

#### Chapter 138: WATER CONSERVATION WITHIN IMPROVEMENT DISTRICTS

[HISTORY: Adopted by the Town Board of the Town of New Paltz 4-26-1990 by L.L. No. 7-1990. Amendments noted where applicable.]

#### § 138-1. Water-saving fixtures.

- A. All water fixtures installed on or after June 1, 1990, shall be in conformance with the performance standards of § 15-0314 of the New York State Environmental Conservation Law, and all sink and lavatory faucets, shower heads, urinals and toilets shall conform to the following water-saving performance standards:
- (1) For sink and lavatory faucets, at a constant water pressure of 60 pounds per square inch, the maximum flow shall not exceed three gallons per minute.
  - (2) For shower heads, at a constant water pressure of 60 pounds per square inch, the maximum flow shall not exceed three gallons per minute.

- (3) For urinals and associated flush valves, if any, each flush shall not exceed 1 1/2 gallons of water per flush.
- (4) For toilets and associated flush valves, if any, each flush shall not exceed 3 1/2 gallons per flush.
- B. Fixtures installed on or after June 1, 1990, which fail to meet the above performance standards shall, within 90 days of notification by appropriate Town of New Paltz personnel, be replaced with fixtures meeting or exceeding the foregoing water-saving performance standards.
- C. The Town Board of the Town of New Paltz may permit the installation of toilets and associated flush valves, if any, which do not meet the standards provided for in Subsection A of this section, if after application therefor, it is determined by the Town Board that the installation of fixtures which meet such standards would be detrimental to the operation of the existing sewage system or part of such system servicing such fixtures.
- D. The provisions of this section shall not apply to fixtures installed prior to the effective date of this section which are removed and relocated to another room or area of the same building after the effective date of this section, nor shall they apply to fixtures, such as safety showers and aspirator faucets, which, in order to perform a specialized function, cannot meet the standards specified in Subsection A of this section.

§ 138-2. Air-conditioning systems.

- A. All commercial and industrial air-conditioning systems, refrigeration or other water-cooling equipment installed on or after June 1, 1990, shall be equipped with a water-recycling system.
- B. On or before January 1, 1991, all existing commercial and industrial water-operative air-conditioning systems, refrigeration or other water-cooling equipment shall be equipped with a water-recycling system or shall be converted to an air-operative system.

§ 138-3. Retrofitting of nonresidential water fixtures.

- A. On or before January 1, 1991, all commercial, industrial and governmental customers using in excess of 1,500 gallons of water per day shall be required to retrofit all sink and lavatory faucets, shower heads, urinals and toilets so as to be in conformance with § 138-1 of this chapter.

- B. All such retrofitting must be completed and approved no later than January 1, 1991. In addition to any other fine or penalty which may be imposed for any violation of this chapter, the failure to comply with the provisions of this section shall result in a customer surcharge of 50% for each billing period wherein said retrofitting has not been completed and approved.

§ 138-4. Car wash installation.

- A. All commercial and industrial installations for the washing of automobiles and other motor vehicles installed on or after June 1, 1990, shall be equipped with a water-recycling system.
- B. On or before January 1, 1991, all existing commercial and industrial installations for the washing of automobiles and other motor vehicles shall be equipped with water-recycling systems.

§ 138-5. Applicability.

The provisions of this chapter shall be applicable to residential and nonresidential, commercial and industrial installations located within and/or receiving the benefit of water services provided by the several established water improvement districts and/or sewer improvement districts as have been previously established prior to the effective date of this chapter or as may be hereafter established by the Town of New Paltz following the effective date of this chapter.

§ 138-6. Penalties for offenses.

- A. Each and every violation of this chapter shall constitute and shall be a violation as defined in Article 10, § 10.00, Subdivision 3, of the Penal Law, and shall be punishable by a fine not to exceed \$250 or by imprisonment for a term not to exceed 15 days, or both.
- B. Any person violating this chapter shall be subject to civil penalty in the sum of \$50 per week, enforceable and collectible by the Town. Such penalty shall be collectible by and in the name of the Town for each week that such violation shall continue.
- C. In addition to the above-provided penalties and punishment, the Town Board may also maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with or to restrain by injunction any violation of this chapter.

## Chapter 138A Water Conservation

[HISTORY: Adopted by the Town Board of the Town of New Paltz 4-26-1990 by L.L. No. 8-1990. Amendments noted where applicable.]

### **§ 138A-1. Water-saving fixtures.**

- A. All water fixtures installed on or after June 1, 1990, shall be in conformance with the performance standards of § 15-0314 of the New York State Environmental Conservation Law and all sink and lavatory faucets, shower heads, urinals and toilets shall conform to the following water-saving performance standards:
- (1) For sink and lavatory faucets, at a constant water pressure of 60 pounds per square inch, the maximum flow shall not exceed three gallons per minute.
  - (2) For shower heads, at a constant water pressure of 60 pounds per square inch, the maximum flow shall not exceed three gallons per minute.
  - (3) For urinals and associated flush valves, if any, each flush shall not exceed 1 1/2 gallons of water per flush.
  - (4) For toilets and associated flush valves, if any, each flush shall not exceed 3 1/2 gallons per flush.
- B. Fixtures installed on or after June 1, 1990, which fail to meet the above performance standards shall, within 90 days of notification by appropriate Town of New Paltz personnel, be replaced with fixtures meeting or exceeding the foregoing water-saving performance standards.
- C. The Town Board of the Town of New Paltz may permit the installation of toilets and associated flush valves, if any, which do not meet the standards provided for in Subsection A of this section, if after application therefor, it is determined by the Town Board that the installation of fixtures which meet such standards would be detrimental to the operation of the existing sewage system or part of such system servicing such fixtures.
- D. The provisions of this section shall not apply to fixtures installed prior to the effective date of this section which are removed and relocated to another room or area of the same building after the effective date of this section, nor shall they apply to fixtures, such as safety showers and aspirator faucets, which, in order to perform a specialized function, cannot meet the standards specified in Subsection A of this section.

### **§ 138A-2. Air-conditioning systems.**

All commercial and industrial air-conditioning systems, refrigeration or other water-cooling equipment installed on or after June 1, 1990, shall be equipped with a water-recycling system.

### **§ 138A-3. Car wash installation.**

All commercial and industrial installations for the washing of automobiles and other motor vehicles installed on or after June 1, 1990, shall be equipped with a water-recycling system.

### **§ 138A-4. Applicability.**

The provisions of this chapter shall be applicable to residential and nonresidential, commercial and industrial installations not receiving the benefit of water services provided by the several established water improvement districts and/or sewer improvement districts as have been previously established prior to the effective date of this chapter or as may be hereafter established by the Town of New Paltz following the effective date of this chapter.

### **§ 138A-5. Penalties for offenses.**

- A. Each and every violation of this chapter shall constitute and shall be a violation as defined in Article 10, § 10.00, Subdivision 3, of the Penal Law and shall be punishable by a fine not to exceed \$250 or by imprisonment for a term not to exceed 15 days, or both.
- B. Any person violating this chapter shall be subject to civil penalty in the sum of \$50 per week, enforceable and collectible by the Town. Such penalty shall be collectible by and in the name of the Town for each week that such violation shall continue.
- C. In addition to the above-provided penalties and punishment, the Town Board may also maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with or to restrain by injunction any violation of this chapter.