

Division 10. Environmental Performance Standards**Section VII-1001. Application of Standards**

After January 10, 1974, any use established or changed to, and any building structure or tract of land developed, constructed or used for, any permitted or permissible principal or accessory use shall comply with the performance standards in this division. If any use or building or other structure existing on January 10, 1974 is extended, enlarged or reconstructed, the performance standards for the district involved shall apply with respect to such extended, enlarged or reconstructed portion or portions of such use or building or other structure.

Section VII-1002. RESERVED

(Ord. No. 00-4180, Sec. 3, 2-07-00; Ord. No. 03-4422, Sec. 1, 3-03-03)

Section. VII-1003. Vibration

A. Method of Measurement Generally. For the purpose of measuring vibration, a three-component measuring system recognized as standard for such purpose shall be used. Location and timing of measurements shall be arranged insofar as possible to exclude vibrations emanating from off the premises involved, or a correction factor reasonable under the circumstances shall be applied to compensate for off-premises vibrations.

B. Method of Measurement in Certain Districts. In all districts except "I" Industrial, measurement shall be at the zoning lot line. In "I" Industrial districts, measurement shall be at the district boundary.

C. Maximum Permitted Steady-State and Impact Vibration Displacement in Inches.

Frequency (cycles per second)	Vibration Displacement (in inches)	
	Steady-State	Impact
Under 10	0.0005	0.0010
10--19	0.0004	0.0008
20--29	0.0003	0.0006
30--39	0.0002	0.0004
40 and over	0.0001	0.0002

Section VII-1004 Smoke and Other Particulate Matter.

A. Method of Measurement of Smoke. For the purpose of grading the density of emission of smoke, the Ringelmann Chart shall be employed. For the purpose of determining smoke units, the Ringelmann density reading shall be made at least once every minute during the period of observation. Each reading (Ringelmann number) shall be multiplied by the time in minutes for which it was observed and the products added together to give

ARTICLE VII: Regulations of General Applicability

the total number of smoke units observed during the total period of observation, which shall be no less than one (1) hour. The total shall then be converted into units per hour. The same method shall be used for all districts.

B. Maximum Permitted Emission of Smoke. In all districts, the emission of more than ten (10) smoke units per hour per stack and smoke with a density in excess of Ringelmann No. 2 is prohibited except as indicated below. For special operations in districts where such operations are permitted, the following limitations apply:

C. Maximum frequency and permitted smoke units and densities for special operations

1. Maximum frequency permitted:

For rebuilding fires within twenty-four (24) hour period.Once

For banking or cleaning fires, soot blowing or process purging.....Once in
six (6)
hours

2. Maximum smoke units permitted per hour per stack during special operations:

Ringelmann No. 1 20

Ringelmann No. 2 10

Ringelmann No. 3 3

D. Measurement of Emission of Particulate Matter. Determination of the total net rate of emission of particulate matter within the boundaries of all zoning lots shall be made as follows:

1. Determine maximum emission in pounds per hour from each source of emission and divide this figure by acres of zoning lot area, obtaining the gross hourly rate of emission in pounds per acre.
2. For each gross hourly rate of emission, deduct the height of emission correction factor from the following table, interpolating as necessary for heights not given.

ALLOWANCE FOR HEIGHT OF EMISSION

Height of Emission Above Grade (feet)	Correction (pounds per hour per acre)
50	0.01
100	0.06
150	0.10
200	0.16
300	0.30
400	0.50

The result is the net hourly rate of emission in pounds per acre from each source of emission.

3. Adding together individual net rates of emission gives the total net rates of emission from all sources of emission within the boundaries of the zoning lot.

E. **Maximum Permitted Emission of Particulate Matter.** The total net rate of emission from all sources within the boundaries of any zoning lot shall not exceed seventy-five (75) micrograms per cubic meter of air at the zoning lot line. From all sources within any zoning lot area, emission of particulate matter containing more than ten (10) percent by weight of particles having a diameter of more than forty-four (44) microns is prohibited. Dust and other types of air pollution carried by wind from storage yards, piled materials, yards, roads, etc., within the zoning lot shall be included in particulate-matter measurements and limitations and shall in any case be kept to a minimum by appropriate screening, design landscaping, paving, oiling, sprinkling or other acceptable means.

Section VII-1005. Radiation Hazards

No operation involving radiation hazards shall be conducted in any zoning district which violates the regulations and standards established in Title 10, Chapter 1, Part 20, Code of Federal Regulations, "Standards for Protection Against Radiation," in its latest revised form.

Section VII-1006. Odorous Matter

In any district, no odor shall be permitted at any zoning lot line exceeding the lowest amount set forth in table III, "Odor Thresholds," of Chapter 5, "Physiological Effects," of the *Air Pollution Abatement Manual* of the Manufacturing Chemists Association, according to the latest edition of such table for the compounds therein described. For compounds not described in table III, odor thresholds may be established by methods indicated in Chapter 5 of such manual, and no odor exceeding the amount determined by the application of such methods shall be permitted at any zoning lot line.

Section VII-1007. Toxic or Noxious Matter

A. **Methods of Measurement.** For measuring density of mineral dusts the light field low-power method, described in United States Public Health Service Report 47, No. 12, pp. 660 through 672, March 18, 1932, or its equivalent, shall be used; and a standard-type impinger or its equivalent shall be employed for taking atmospheric dust samples.

B. **Maximum Allowable Concentration.** In any district, the concentration of toxic or noxious matter produced on any premises shall not exceed, at or beyond any zoning lot line, one-tenth (1/10) of the maximum allowable concentration set forth in Section 12-29 of the Industrial Code Rule No. 12, "Relating to Control of Air Contaminants," adopted by the Board of Standards and Appeals of the New York State Department of Labor, June 21, 1956, or as it may thereafter be amended.

C. **General Control.** In addition to the performance standards set out above, the emission of such matter shall be so controlled that no concentration at or beyond any zoning lot line surrounding the premises on which the matter is produced shall be detrimental to or

endanger the public health, safety, comfort or other aspects of the general welfare or cause damage or injury to property.

Section VII-1008. Fire and Explosive Hazards

All activities or operations in the City shall conform to the provisions of the City fire code.

Section VII-1009. Humidity, Heat or Glare

In all districts, any activity producing humidity in the form of steam or moist air or producing heat or glare shall be carried on in such a manner that the steam, moist air, humidity, heat or glare is not physically perceptible to normal senses at any zoning lot line.

Section VII-1010. Electromagnetic Interference

In all districts, no use, activity or process shall be conducted which produces electromagnetic interference with normal radio or television reception from off the premises where the activity is conducted.

Section VII-1011. Protection of Water and Submerged Land

All uses of any waters and submerged lands shall:

- A. Protect the right of the public to the use and enjoyment for recreational purposes of any of the waters or submerged lands affected.
- B. Preserve grass flats and flats for breeding and spawning grounds for fish.
- C. Not cause or contribute to erosion of waterfront properties.
- D. Not create any alteration of water flow, accumulation of debris or creation of water pockets for incubation of "red tide".
- E. Demonstrate that adequate precautions are taken to prevent saltwater intrusions into surface water tables.
- F. Display that there are proper provisions to be taken for protection of an access to existing or proposed navigable channels or basins.