§ 1104. Sewage removal or purification; condemnation of property. 1. When the department or the commissioner of environmental protection of the city of New York, or the board of water supply of the city of New York, shall, for the protection of a water supply from contamination, makes orders or regulations the execution of which will require or make necessary the construction and maintenance of any system of sewerage, or a change thereof, in or for any village or hamlet, whether incorporated or unincorporated, or the execution of which will require the providing of some public means of removal or purification of sewage, the municipality, corporation, state or United States or state or United States institution, park, reservation or post owning the waterworks benefited thereby shall, at its own expense, construct and maintain such system of sewerage, or change thereof, and provide and maintain such means of removal and purification of sewage and such works or means of sewage disposal as shall be approved by the department. For such purpose said municipality, corporation, state or United States or state or United States institution, park, reservation or post, may acquire, by condemnation the necessary real estate or interest therein or the easement or use thereof whether now used for public or private purposes.

2. When the execution of any such regulations of the department, or the commissioner of environmental protection of the city of New York, or the board of water supply of the city of New York will occasion or require the removal of any building or buildings, the municipality, corporation, state or state institution, park, reservation or post owning the waterworks benefited thereby shall, at its own expense, remove such buildings and pay to the owner thereof all damages occasioned by such removal.

3. When the execution of any such regulation will injuriously affect any property the municipality, corporation, state or state institution, park, reservation or post owning the waterworks benefited thereby shall make just and adequate compensation for the property so taken or injured and for all injuries caused to the legitimate use of operation of such property.

4. Until such construction or change of such system or systems of

sewerage, and the providing of such means of removal or purification of sewage, and until such works or means of sewage disposal and the removal of any buildings are so made by the municipality, corporation, state or state institution, park, reservation or post owning the waterworks to be benefited thereby at its own expense, and until, except in the case of a municipality, state or state institution, park, reservation or post, the corporation owning the waterworks benefited shall make just and adequate payment for all injuries to property and for all injuries caused to the legitimate use or operation of such property, there shall be no action or proceeding taken by any such municipality, officer, board, person, commission or corporation against any person or corporation for the violation of any regulation of the department under this article, and no person or corporation shall be considered to have violated or refused to obey any such rule or regulation.