

ORDINANCE NO. 2-86
BOROUGH OF HARRISVILLE
BUTLER COUNTY, PENNSYLVANIA
SEWER USE ORDINANCE

AN ORDINANCE REGULATING THE USE OF THE PUBLIC SANITARY SEWER SYSTEM, THE INSTALLATION AND CONNECTION OF SERVICE LATERALS, EXTENSIONS TO THE PUBLIC SANITARY SEWER SYSTEM, THE DISCHARGE OF WASTEWATER AND WASTES INTO THE PUBLIC SANITARY SEWER SYSTEM, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF, IN THE BOROUGH OF HARRISVILLE, COUNTY OF BUTLER, STATE OF PENNSYLVANIA.

NOW, THEREFORE, be it ordained and enacted by the Council of the Borough of Harrisville as follows:

PART 1 - MANDATORY CONNECTION

Section 1.1 The owner(s) of all houses, buildings or other structures, used for human occupancy, recreation or other purposes, situated within the Borough of Harrisville which abut any street, alley or right-of-way in which a public sanitary sewer is located, are hereby required to connect to the public sanitary sewer system within ninety (90) days after receipt of an official notice to connect.

Section 1.2 Only houses, buildings or other structures that are less than one hundred (100) feet from a public sanitary sewer and that can be served by gravity flow will be required to connect to the public sanitary sewer system. This provision shall not be interpreted as prohibiting the connection of houses, buildings or other structures from connecting to the public sanitary sewer system, as long as the owner(s) cover the full cost of the construction and maintenance of the private sewer laterals, pumps or other facilities required to make such a connection.

Section 1.3 The Borough of Harrisville may determine that certain wastewaters from industrial, commercial and/or institutional customers can not be accepted into the public sanitary sewer system. Such a determination does not relieve customers that may be affected by such a prohibition from the requirement to connect to the public sanitary sewer system and to discharge all domestic-like and/or otherwise compatible wastewaters to the public sanitary sewers.

Section 1.4 If any owner(s) of properties satisfying the conditions of Section 1.1, who are not exempted by Section 1.2, fail to connect to the public sanitary sewer system within ninety (90) days of the receipt of an official notice to connect, then the Borough is empowered to make said connection and to collect the full costs thereof from the owner(s) through a municipal claim or in an action of assumpsit.

PART 2 - APPLICATIONS FOR SEWAGE SERVICE

Section 2.1 Property owners receiving a mandatory connection notice or those desiring to voluntarily connect to the public sanitary sewers must prepare and submit a formal sewage service application to the Borough. No unauthorized person(s) shall uncover, make any connections with or opening into, use, alter or disturb any public sanitary sewer or appurtenance without first obtaining written permission from the Borough in the form of a discharge permit.

Section 2.2 The sewage service application will request such information as the Borough Engineer deems necessary, must be signed by the owner(s) of the property or his duly authorized agent and must be accompanied by the deposit set forth in the Borough's Rate Ordinance. The sewage service application must be submitted to the Borough at least forty five (45) days prior to the anticipated date of connection, if a new service connection is required and at least ten (10) days prior to the date that service is required, when a new service lateral is not required. Sewage service applications will only be accepted for properties abutting existing public sanitary sewers. Conditions under which properties not abutting existing public sanitary sewers can obtain public sewage service are set forth in PART 6 - SANITARY SEWER EXTENSIONS. The Borough's acceptance of a sewage service application and a deposit does not compel the Borough to grant a discharge permit but only to review the owner's request for service.

Section 2.3 If a property owner desires to have service to a structure temporarily or permanently suspended, he must file an application for suspension of service with the Borough. The Borough will grant such suspensions for good cause, such as vacation of the premises or destruction of a structure. If a property owner desires that his permit be transferred to a new owner, a new application for sewage service must be filed and be executed by the new owner/user.

Section 2.4 The Borough will furnish sewage service only in accordance with the herein established provisions and regulations and at the rates and fees prevailing at the time service is rendered. Said provisions/regulations and rates/fees are made part of every permit issued and any subsequent amendment or alteration of these provisions/regulations and rates/fees will become and thereafter be part of all new and then existing permits.

Section 2.5 No permit will be issued to any applicant until all arrears for sewage service or other sewage fees, due by the applicant at properties now or theretofore owned/occupied by him, are paid, or until satisfactory arrangements for payment of such unpaid bills have been made.

PART 3 - CONNECTION PROCEDURES AND STANDARDS

Section 3.1 The Borough will install or arrange for the installation of the physical tap into the public sanitary sewer main and for the construction of the service lateral to the edge of the applicant's property. The segment of service lateral within the public right-of-way will be owned and be maintained by the Borough. The property owner will be responsible for the provision and the cost of the service lateral and/or appurtenances on his property between his property line and the structure(s) to be served. It shall be the owner's responsibility to cause and require that his service lateral be adequate for the purpose intended, that it be properly maintained and that it shall at all times allow to pass freely all materials that enter same.

Section 3.2 No service lateral or appurtenance may be covered or concealed in any manner until an authorized Borough official inspects said installation and determines that it complies with provisions herein. The Borough will inspect an installation within three (3) days of the owner's notification to the Borough that construction is complete and is ready for inspection. The owner must provide the Borough with the exact date of the installation of his service lateral as soon as practical to insure that the publicly-owned segment of the service lateral and sewer tap is available when needed, and to insure that the Borough can make a timely inspection.

Section 3.3 Each house, building or structure shall be served by a separate service lateral and shall be separately and independantly be connected to the main public sanitary sewer; except where one building stands at the rear of another on an interior lot and both are of single ownership, or where two dwellings are built together on a lot with a frontage of less than forty (40) feet. Other exceptions to this rule will be allowed only at the specific approval of Borough Council.

Section 3.4 All service laterals must have a minimum internal diameter of four (4) inches. Service laterals shall be laid on a minimum grade of one-quarter inch (1/4") per foot and shall be as straight and as nearly perpendicular to the main public sanitary sewer as possible. Bends in the service lateral shall be limited to forty five degrees (45°). A minimum of three and one-half feet (3-1/2') of cover shall be provided above the service lateral. The following materials of construction may be employed for service laterals: vitrified clay pipe, cast iron pipe or PVC pipe (ASTM D -3034). The Borough Engineer may permit case-by-case deviations to the provisions of Section 3.4 for sound technical considerations. Section 3.4 sets forth minimum requirements for service laterals. It is the responsibility of the property owner to determine whether conditions exist in his particular situation which require that alternate construction materials or techniques be applied. In accepting a discharge permit, the owner shall indemnify the Borough from any loss or damage that may directly or indirectly be occasioned by the installation of the service lateral.

Section 3.5 There shall be no direct or indirect connection of roof downspouts, driveway drains, area drains, yard drains or other sources of surfacewater runoff to the service lateral or the public sanitary sewers. French drains, seeps, springs, drains which are placed under a cellar floor or are used to encircle the outer walls of a building, or other sources of groundwater shall not be connected or discharged, either directly or indirectly, to the service lateral or the public sanitary sewers. All joints and connections in the service lateral must be watertight to prevent leakage. Bell and spigot joints with rubber compression gaskets must be employed unless an alternate method of jointing is approved in advance by the Borough Engineer. If a home, building or structure was previously served by a septic tank or other on-lot system, then the existing outside plumbing will be intercepted prior to the on-lot facilities. Existing outside piping can be used as part of the new service lateral only if the owner can demonstrate that the piping is watertight and is in good condition and only after it has been demonstrated that no direct or indirect surfacewater or groundwater connections exist.

PART 4 - RESTRICTIONS ON SEWER USE

Section 4.1 No person shall discharge or cause to be discharged, any of the following described materials, substances or wastes, except in such small quantities as may be present in normal household wastewaters:

- (A) Construction materials, ashes, cinders, sand, mud, straw, shavings, metal, glass, feathers, tar, plastic, wood, paunch manure, fur, wax, whole blood, entrails, hair, unground garbage or any solid or viscous substance capable of causing obstruction of the flow in sewers or otherwise interfering with the proper operation of the wastewater collection and treatment facilities;
- (B) Gasoline, paint, industrial/commercial organic solvents or other ignitable, inflammable, reactive or explosive liquids, solids or gases;
- (C) Any wastewaters or wastes having a pH lower than 5.5 or higher than 10.0 or having other corrosive properties apt to cause damage or hazard to structures, equipment and the personnel employed in the wastewater collection and treatment system;
- (D) snow or ice.

Section 4.2 No person shall discharge or cause to be discharged into the public sanitary sewer sytem any liquids or wastes that contain toxic, poisonous or otherwise incompatible materials in amounts sufficient to harm either the sewers or the wastewater treatment facilities; to injure or interfere with the wastewater treatment of sludge handling/disposal processes; to endanger lives, limbs, public property or constitute a nuisance; or to cause an adverse effect on the wastewater treatment facility's receiving stream. The following limitations and restrictions are hereby established in furtherance of these goals:

- (A) The discharge of wastewater having a temperature higher than 150°F is prohibited,
- (B) The discharge of wastewater containing more than 50 milligrams per liter of petroleum oil, non-biodegradable cutting oils or any lubricants having a mineral oil origin is prohibited,
- (C) The discharge of flutable oils, fats and greases of either mineral, animal or vegetable origin is restricted and all users generating wastewaters containing higher concentrations of these materials than encountered in typical household wastewater must install grease interceptors or similar facilities,
- (D) The discharge of any wastewaters or wastes containing odor-producing substances which cause or contribute to public nuisance problems in the sewer system or at the wastewater treatment plant is prohibited,
- (E) The discharge of any wastewaters containing one or more of the one hundred and twenty nine (129) toxic pollutants identified on Attachment "A" or copper or zinc in concentrations over and above that found in normal household wastewaters is prohibited, unless the concentration of these pollutants is at such a level so as to not contravene the goals set forth above or violate any standards governing discharge into public sewer systems set by agencies of the county, state, or federal governments. The Borough will control the discharge of wastewaters containing such pollutants through the issuance and administration of a special permit as described in Section 4.3.
- (F) The discharge on non-polluted stormwater runoff and groundwater is prohibited.

Section 4.3 The Borough's return of an approved sewage service application to the applicant is the applicant's permit to discharge to the public sewer system. The Borough may elect to add special conditions to the permits of individual industrial, commercial, institutional or other non-residential customers which may include:

- (A) A limitation on the volume, rate or time of discharge from the customer's premises;
- (B) A limitation on the concentration of one or more pollutants to satisfy the intent of Section 4.2,
- (C) The installation and maintenance by the permittee, at his own expense, of facilities for the intermittent/continuous monitoring of flow or sampling wastewater,
- (D) The installation and maintenance of special facilities, at the permittee's expense, to achieve specific pretreatment goals, such as the installation of grease, oil or grit interceptors/traps;
- (E) The submittal of periodic analyses of the discharge for key pollutants and/or data on rate of discharge.

Prior to the issuance of such a conditional permit, the Borough may request the submittal of detailed information on wastewater volume and characteristics and other background information, which may include but may not be necessarily limited to:

- (A) Details of production processes or activities engaged in at the site, number of employees or units of production, water consumption and usage, and other data helpful in establishing the nature of and the variation of the wastewater to be discharged,
- (B) A plan of property showing all sewers, drains and points of connection to the public sanitary sewers,
- (C) Details of any wastewater pretreatment facilities which are either existing or are proposed.
- (D) Laboratory and/or field determinations of the characteristics of the wastewater being or to be discharged to the public sanitary sewers.

Such information shall be obtained and filed at the expense of the applicant, and when the applicant has neither the facilities nor professional personnel to properly make said determinations, he shall have the determinations performed and attested to by a person or agency of recognized professional standing.

Section 4.4 It is the responsibility of each individual or firm holding a discharge permit to inform the Borough of any changes in the characteristics of the waste streams covered by his permit and to inform the Borough of any new waste streams that he generates which are not covered by his permit.

Section 4.5 Scavenger wastes, including septic tank and cesspool pumpings or industrial/commercial wastes being hauled for hire, may not be discharged into the public sanitary sewer system under any permit issued under Part 2 and/or Section 4.3, above. Scavenger wastes will be accepted only after the negotiation and approval of an individual service contract, executed by both Borough Council and the proposed discharger. The service contract will establish terms and conditions under which a particular waste from a specific discharger will be accepted.

PART 5 - ENFORCEMENT

Section 5.1 The Borough Engineer and other duly authorized employees of the Borough, bearing proper credentials and identification, shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing pertinent to the discharge of wastewater and wastes into the public sanitary sewer system.

Section 5.2 Any person, partnership, association, firm or corporation, or agent or employee thereof, who shall violate or fail to comply with any provision of this ordinance or any rule/regulation made pursuant thereto shall, for each and every such violation, upon conviction thereof, be sentenced to pay a fine of not more than five hundred dollars (\$500.00) and costs of prosecution, and in default of payment of such fine and costs, to imprisonment for not more than thirty (30) days. Each day's violation of any provisions of this ordinance shall constitute a separate violation.

Section 5.3 The Borough, by appropriately adopted resolution, may delegate the administration of the provisions of this ordinance to any Borough department or a Borough-formed Authority.

PART 6 - SANITARY SEWER EXTENSIONS

Section 6.1 The Borough shall be under no obligation at any time to make extensions to the public sanitary sewer system, but may do so, upon the request of one or more prospective customers or upon the Borough's determination that certain extensions are desirable. Conditions under which extensions may be made are outlined in the Sections that follow.

Section 6.2 When a person, corporation or partnership desires to construct a new sanitary sewer line or system to serve a commercial, residential or industrial development, they shall submit three sets of plans/specifications to the Borough for approval. The plans/specifications shall show and identify the proposed construction including: the size, length, depth, slope and location of the sewer lines and appurtenances; the construction materials; the location of roads, property lines, structures and other utilities; and calculations showing the basis for the projection of the development's/site's average and maximum wastewater discharge. After approval of the developer's submittal(s) and the issuance of a permit, if required, the developer shall construct the proposed facilities in conformance with the approved submittal. The Borough will periodically inspect the work as it proceeds and upon the completion of construction, the developer will provide one (1) set of reproducible as-built drawings to the Borough.

The developer will be responsible for all of the cost of construction of the sanitary sewer facilities required to serve the development. He will also bear the legal, engineering and

inspection costs incurred by the Borough. The ownership of all sanitary sewer lines serving residential developments will become the property of the Borough upon the Borough's final acceptance of construction and the developer's posting of a maintenance bond. A one (1) year maintenance bond in the amount of one hundred percent (100%) shall be posted by the developer as a guarantee that all workmanship and materials provided are satisfactory and to guarantee that the developer will remedy all defects which may develop during the one (1) year period from the date of acceptance. The Borough shall operate and maintain said sanitary sewer lines from that point forward as part of the overall public sanitary sewer system. In non-residential developments, termination points between the public sanitary sewer system and the private on-site sanitary sewer system will be established by agreement. The Borough will assume ownership of and the responsibility of maintenance for the public portion of the sanitary sewer system. The private on-site system will continue to be owned and maintained by the developer and subsequent owners. In any event, the developer will receive no compensation for his assignment of sanitary sewer facilities to the Borough.

As an alternative to the above, a developer may request that the Borough design and construct sanitary sewer facilities to serve his development. The Borough may agree to accept such a proposition, provided that the developer still covers the full costs of construction, engineering, legal work and inspection. The Borough will embark on such a project upon the negotiation and execution of an agreement with the developer and the developer's deposit of an agreed amount in an escrow account.

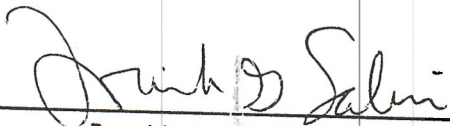
Beyond the sanitary sewers and appurtenances serving development itself, in many cases it will be necessary to extend an interceptor sewer from the nearest existing point on the public sanitary sewer system to the site of the development. Other modifications/additions to the public sanitary sewer system such as new pumping stations, existing pump station modifications and relief sewers may also be required. The Borough may agree to pay for a portion, all or none of the cost of these improvements. The Borough's cost participation or lack thereof will be based on an evaluation of the benefits that may be generated by the improvements to those customers outside of the development. Participation or lack of participation in the cost will be at the discretion of the Borough.

Section 6.3 A sewer extension committee, as used herein, is considered to be any association of two or more individuals who have associated themselves together to petition the Borough to extend sanitary sewers to premises owned by said individuals, where the premises so owned are being intended for private use, rather than for resale as part of a land development program. If the majority of the property owners who could be served by such an extension sign a petition requesting an evaluation of the feasibility of extending sewage service to a given area then the Borough will evaluate said extension request. It should be understood that properties abutting such an extension will be required to pay an assessment to defray part of the total cost of the extension. The assessment is a sum that will be levied over and above the normal sewer service connection fee and the monthly/quarterly sewer user charges. Upon completion of the feasibility evaluation, the Borough will provide the extension committee with an estimate of the assessment that would be required. If upon disclosure of this fee, a majority of the property owners along the proposed extension still desire to receive sewage service and indicate same by signing a statement to that effect and agree to pay said assessment, then the Borough will proceed with said extension.

If a single property owner is situated immediately adjacent to the end of an existing public sanitary sewer line, such an owner can be considered an extension committee in the context outlined above and may request and consent to an extension under the arrangements set forth above for extension committees.

Section 6.4 From time to time the Borough may independently explore the feasibility of limited or areawide extensions to the public sanitary sewer system and embark on such construction programs that the Borough feels to be in the best long-term interests of the Borough and the public sanitary sewer system. When such programs are undertaken, the Borough will levy the assessments and/or fees necessary to assist in financing said programs.

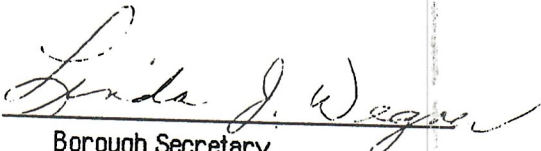
Ordered and enacted into an ordinance this 9th day of January, 1986.



President of Council

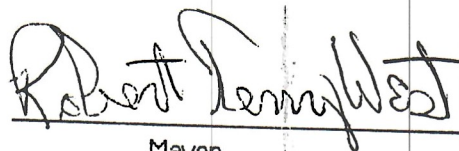
(SEAL)

Attest:



Borough Secretary

Approved this 9th day of January, 1986.



Mayor

ATTACHMENT "A"

- | | | |
|--|---|---|
| 1. acenaphthene | 39. fluoranthene | 83. indeno (1,2,3-cd) pyrene (2,3-phenyleneepyrene) |
| 2. acrolein | 40. halosthers (other than those listed elsewhere) | 84. pyrene |
| 3. acrylonitrile | 41. 4-chlorophenyl phenyl ether | 85. tetrachloroethylene |
| 4. benzene | 42. 4-bromophenyl phenyl ether | 86. toluene |
| 5. benzidine | 43. bis (2-chloroisopropyl) ether | 87. trichloroethylene |
| 6. carbon tetrachloride (tetrachloromethane) | 44. bis (2-chloroethoxy) methane | 88. vinyl chloride (chloroethylene) |
| 7. chlorinated benzenes (other than dichlorobenzenes) | 45. halomethanes (other than those listed elsewhere) | pesticides and metabolites |
| 8. chlorobenzene | 46. methylene chloride (dichloromethane) | 89. aldrin |
| 9. 1,2,4-trichlorobenzene | 47. methyl chloride (chloromethane) | 90. dieldrin |
| 10. hexachlorobenzene | 48. methyl bromide (bromomethane) | 91. chlordance (technical mixture & metabolites) |
| 11. chlorinated ethanes (including 1,2-dichloroethane, 1,1,1-trichloroethane and hexachloroethane) | 49. bromoform (tribromomethane) | 92. DDT and metabolites |
| 12. 1,2-dichloroethane | 50. dichlorobromomethane | 93. 4,4'-DDT |
| 13. 1,1,1-trichloroethane | 51. trichlorofluoromethane | 94. 4,4'-DDE (p,p'-DDX) |
| 14. hexachloroethane | 52. dichlorodifluoromethane | 95. 4,4'-DDD (p,p'-TDE) |
| 15. 1,1-dichloroethane | 53. chlorodibromomethane | 96. endosulfan and metabolites |
| 16. 1,1,2-trichloroethane | 54. hexachlorobutadiene | 97. a-endosulfan-Alpha |
| 17. 1,1,2,2-tetrachloroethane | 55. hexachlorocyclopentadiene | 98. b-endosulfan-Beta |
| 18. chloroalkyl ethers (chloromethyl, chloroethyl and mixed ethers) | 56. isophorone | 99. endosulfan sulfate |
| 19. bis (chloromethyl) ether | 57. naphthalene | 100. endrin and metabolites |
| 20. bis (2-chloroethyl) ether | 58. nitrobenzene | 101. endrin |
| 21. 2-chloroethyl vinyl ether (mixed) | 59. nitrophenols (including 2,4-dinitrophenol and dinitroresol) | 102. endrin aldehyde |
| 22. chlorinated naphthalene | 60. 2-nitrophenol | 103. heptachlor and metabolites |
| 23. 2-chloronaphthalene | 61. 4-nitrophenol | 104. heptachlor |
| 24. chlorinated phenols (other than those listed elsewhere; includes trichlorophenols and chlorinated cresols) | 62. 2,4-dinitrophenol | 105. heptachlor epoxide |
| 25. 2,4,6-trichlorophenol | 63. 4,6-dinitro-o-cresol | 106. hexachlorocyclohexane (all isomers) |
| 26. parachlorometa cresol | 64. nitrosamines | 107. a-BHC-Alpha |
| 27. chloroform (trichloromethane) | 65. N-nitrosodimethylamine | 108. b-BHC-Beta |
| 28. 2-chlorophenol | 66. N-nitrosodiphenylamine | 109. gamma-BHC (lindane) -Gamma |
| 29. dichlorobenzenes | 67. N-nitrosodi-n-propylamine | 110. delta-BHC-Delta |
| 30. 1,2-dichlorobenzene | 68. pentachlorophenol | 111. polychlorinated biphenyls (PCB's) |
| 31. 1,3-dichlorobenzene | 69. phenol | 112. PCB-1242 (Arochlor 1242) |
| 32. 1,4-dichlorobenzene | 70. phthalate esters | 113. PCB-1254 (Arochlor 1254) |
| 33. dichlorobenzidine | 71. bis (2-ethylhexyl) phthalate | 114. PCB-1221 (Arochlor 1221) |
| 34. 3,3'-dichlorobenzidine | 72. butyl benzyl phthalate | 115. PCB-1232 (Arochlor 1232) |
| 35. dichloroethylenes (1,1-dichloroethylene and 1,2-dichloroethylene) | 73. di-n-butyl phthalate | 116. PCB-1248 (Arochlor 1248) |
| 36. 1,1-dichloroethylene | 74. di-n-octyl phthalate | 117. PCB-1260 (Arochlor 1260) |
| 37. 1,2-trans-dichloroethylene | 75. diethyl phthalate | 118. PCB-1016 (Arochlor 1016) |
| 38. 2,4-dichlorophenol | 76. dimethyl phthalate | 119. toxaphene |
| 39. dichloropropane and dichloropropane | 77. polynuclear aromatic hydrocarbons | 120. antimony (total) |
| 40. 1,2-dichloropropane | 78. benzo (a) anthracene (1,2-benzanthracene) | 121. arsenic (total) |
| 41. 1,2-dichloropropylene (1,3-dichloropropene) | 79. benzo (a) pyrene (3,4-benzopyrene) | 122. asbestos (fibrous) |
| 42. 2,4-dimethylphenol | 80. 3,4-benzofluoranthene | 123. beryllium (total) |
| 43. dinitrotoluene | 81. benzo (k) fluoranthene (11,12-benzofluoranthene) | 124. cadmium (total) |
| 44. 2,6-dinitrotoluene | 82. chrysene | 125. chromium (total) |
| 45. 1,2-diphenylhydrazine | 83. acenaphthylene | 126. copper (total) |
| 46. ethylbenzene | 84. anthracene | 127. cyanide (total) |
| | 85. benzo (ghi) perylene (1,12-benzoperylene) | 128. lead (total) |
| | 86. fluorene | 129. mercury (total) |
| | 87. phenanthrene | 130. nickel (total) |
| | 88. dibenzo (a,h) anthracene (1,2,5,6-dibenzanthracene) | 131. selenium (total) |
| | | 132. silver (total) |
| | | 133. thallium (total) |
| | | 134. zinc (total) |
| | | 135. 2,3,7,8-tetrachlorodibenzo-p-dioxin (TCDD) |