

Chapter 18

Sewers and Sewage Disposal

Part 1 Sewer Charges

- §18-101. Short Title
- §18-102. Sewage Fees and Charges
- §18-103. Reasonable Charge
- §18-104. Charge for Delinquent Accounts
- §18-105. Additional Charges for Delinquent Accounts
- §18-106. Termination and Failure to Pay
- §18-107. Amendments and/or Increase of Rates

Part 2 Waste Discharge

- §18-201. Definitions
- §18-202. Toxins and Wastewater Prohibited
- §18-203. Other Prohibited Substances
- §18-204. Regulations of ALCOSAN
- §18-205. Penalties

Part 3 Sewer Connection

- §18-301. Short Title
- §18-302. Elimination of Discharge Surface Water
- §18-303. Duties of Code Enforcement Officer
- §18-304. Dye Testing and Fee
- §18-305. Transfer of Land Ownership
- §18-306. Duties of Land Owner
- §18-307. Appeals
- §18-308. Occupancy Permit Required
- §18-309. Amendment by Resolution
- §18-310. Violations and Fines

Part 1**Sewer Charges****§18-101. Short Title.**

This Part shall be known as the “Chalfant Sewage Charge Ordinance.”
(*Ord. 371, 5/22/1997, §1*)

§18-102. Sewage Fees and Charges.

There is herein imposed a charge on all sewage fees and charges as determined by ALCOSAN to Chalfant residents in the amount of 25 percent of such bill. The collector of sewage accounts shall calculate and collect such charge on behalf of the Borough.
(*Ord. 371, 5/22/1997, §2*)

§18-103. Reasonable Charge.

It is found that this charge is a reasonable approximation of expenses of the Borough of Chalfant in regard to the operation, maintenance, repair, and upgrading of the sanitary sewage system.
(*Ord. 371, 5/22/1997, §3*)

§18-104. Charge for Delinquent Accounts.

The sewage fee collector is hereby directed and authorized to impose and collect an additional 10 percent charge on all delinquent accounts, and remit the same to the Borough.
(*Ord. 371, 5/22/1997, §4*)

§18-105. Additional Charges for Delinquent Accounts.

All attorneys fees incurred shall be added to any delinquent account pursuant to the Chalfant Borough Attorney Fee Ordinance [Chapter 1, Part 5]. Turtle Creek Valley Council of Governments (TCVCOG) is entitled to charge \$10 for each delinquent account notice that is sent. Turtle Creek Valley Council of Governments (TCVCOG) shall not send more than three notices on any delinquent bill.
(*Ord. 371, 5/22/1997, §5*)

§18-106. Termination and Failure to Pay.

The Borough hereby confirms and re-establishes its right to terminate water service to any resident, business, or entity who has failed to timely pay sewage charges. The shut off procedure will be followed pursuant to the laws of the Commonwealth of Pennsylvania. Any fees, charges, or expenses incurred in connection with such termination shall be paid by the consumer.
(*Ord. 371, 5/22/1997, §6*)

§18-107. Amendments and/or Increase of Rates.

This Part may be amended by simple resolution by the Borough of Chalfant. However, in the event of an increase of rates, the same shall not go into effect until after advertising in accordance with the law.

(Ord. 371, 5/22/1997, §9)

Part 2**Waste Discharge****§18-201. Definitions.**

For the purposes of this Part, the following terms shall have the meaning hereafter designated:

ALCOSAN—Allegheny County Sanitary Authority including its treatment facility and any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature.

Corrosive waste—a waste or substance which has any of the following properties:

- (1) It is aqueous and has a pH of less than or equal to 5 or greater than or equal to 10, as determined by pH meter.
- (2) It is a liquid and corrodes steel (SAE1020) at a rate greater than 6.35 mm (0.250 in.) per year at a test temperature of 55°C (130°F).

Reactive / explosive waste—a waste or substance which can create an explosion hazard in the sewage collection system or the ALCOSAN treatment facility; which has any of but is not limited to the following properties:

- (1) It is normally unstable and readily undergoes violent change without detonating.
- (2) It reacts violently with water.
- (3) It forms potentially explosive mixtures with water.
- (4) When mixed with water, it generates toxic gasses, vapors, or fumes in a quantity sufficient to present a danger to human health or the environment.
- (5) It is a cyanide or sulfide bearing waste which can generate toxic gasses, vapors, or fumes in a quantity sufficient to present a danger to human health or the environment.
- (6) It is capable of detonation or explosive reaction if it is subjected to a strong initiating source or if heated under confinement.
- (7) It is readily capable of detonation, explosive decomposition, or reaction at standard temperature and pressure.
- (8) It is a forbidden explosive as defined in 40 CFR §173.51, or a Class A explosive as defined in 49 CFR §173.53 or a Class B explosive as defined in 49 CFR §173.88.

Hazardous waste—all wastes that are defined as hazardous under the regulations enacted pursuant to the Resource Conservation and Recovery Act (RCRA) as specified in 40 CFR §261 or under the regulations promulgated pursuant to the Pennsylvania Solid Waste Management Act, 35 P.S. §6018.101 *et seq.*, as specified in 25 Pa.Code §260a *et seq.*

Ignitable waste—a waste or substance which can create a fire hazard in the sewage collection system or the ALCOSAN treatment facility which has any of but

is not limited to the following properties:

(1) It is liquid with a flash point less than 60°C (140°F) using the test methods specified in 40 CFR §261.21.

(2) It is an oxidizer as defined in 49 CFR §173.151.

Interference—a discharge originating in the Borough/Township which, alone or in conjunction with a discharge or discharges from other sources, both:

(1) Inhibits or disrupts the ALCOSAN facilities, its treatment processes or operations or its sludge processes, use or disposal.

(2) Therefore is a cause of a violation of any requirement of ALCOSAN's National Pollutant Discharge Elimination System (hereinafter referred to as "NPDES") Permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal by ALCOSAN in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent state or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (including Title 2 or more commonly referred to as the Resource Conservation and Recovery Act and including state regulations contained in and State Sludge Management Plan prepared pursuant to subtitle D of the solid Waste Disposal Act), the Clean Air Act, and the Toxic Substances Control Act.

Pass-through—the term pass-through shall mean any discharge of a pollutant through ALCOSAN into the waters of the Commonwealth of Pennsylvania in quantities or concentrations which, alone or in conjunction with other discharges from other sources, is a cause of a violation of any requirement of the ALCOSAN's NPDES Permit (including an increase in the magnitude or duration of a violation).

Person—any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, Governmental Entity, or any other legal entity, or its legal representatives, agents, or assigns.

pH—the logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution.

Pollutant—any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, emissions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt or other industrial, municipal, or agricultural waste discharged into water.

Pollution—the man made or man induced alteration of the chemical, physical, biological, and/or radiological integrity of water.

The Act—the Federal Water Pollution Control Act also known as The Clean Water Act, as amended, 33 USC 1251 *et seq.*

Toxic pollutant—any pollutant or combination of pollutants listed as toxic in regulations promulgated by the EPA, pursuant to §307 (A) of the Act.

Waste water—the liquid and water carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with any ground water, surface water, and storm water that may be present, whether treated or untreated, which is contributed directly or indirectly into the facilities of ALCOSAN.

Waters of the Commonwealth—all streams, lakes, ponds, marshes, water courses, water ways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the Commonwealth of Pennsylvania or any portion thereof.

(Ord. 362, 12/14/1994, §1)

§18-202. Toxins and Wastewater Prohibited.

No person shall introduce or cause to be introduced directly or indirectly into the facilities of ALCOSAN or into any sewer, pipe or other conveyance located in the Borough/Township and transmitting substances into the facilities of ALCOSAN, any toxic pollutant or other wastewater which will:

A. Cause interference with the operation or performance of ALCOSAN's treatment plant or other facilities.

B. Pass through ALCOSAN's treatment plant or other facilities.

(Ord. 362, 12/14/1994, §2)

§18-203. Other Prohibited Substances.

No person shall introduce, permit or cause to be introduced, directly or indirectly, into the facilities of ALCOSAN or into any piped sewer, pipe or other conveyance located in the Borough/Township and transmitting substances into the facilities of ALCOSAN any of the following:

A. Any substance which will endanger the life, health or safety of the treatment plant sewer maintenance and plant operations personnel or which would preclude safe entry into the sewer system or any portion of the treatment plant.

B. Any ignitable, reactive, explosive, corrosive, or hazardous waste, except as provided for by ALCOSAN's Rules and Regulations.

C. Any wastewater with a temperature greater than 140°F (60°C).

D. Any waste which exceeds the naturally occurring background levels for either Alpha, Beta, or Gamma radiation and/or any wastewater containing any radioactive wastes or isotopes of such half life or concentration not in compliance with applicable State or Federal regulations.

E. Any solids or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operations of ALCOSAN's facility or facilities discharging into the ALCOSAN system.

F. Any noxious or malodorous liquids, gasses or solids which either singly or by interaction with other wastes may create a public nuisance or adversely affect public health or safety.

G. Pathological wastes from a hospital or other medical establishment.

H. Garbage, whether ground or not, except properly shredded food waste garbage resulting from the proper use of a garbage grinder or disposer type approved by ALCOSAN and maintained in good operating condition.

I. Sludges or other materials from septic tanks or similar facilities or from

sewage or industrial waste treatment plants or from water treatment plants: unless the discharge of such sludges and other materials is specifically approved by ALCOSAN.

J. Any pollutant including oxygen demanding pollutants released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the ALCOSAN facilities.

K. Any substance which will cause ALCOSAN's effluent or any other product of the ALCOSAN facilities such as residues, sludges, or scums, to be unsuitable for reclamation processes, including any substance which will cause the ALCOSAN facility to be in noncompliance with sludge use or disposable criteria, guidelines, or regulations developed under §405 of the Act, any criteria, guidelines, or regulations promulgated pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act or State laws or regulations applicable to the treatment or disposal of such effluent or such product.

(*Ord. 362, 12/14/1994, §3*)

§18-204. Regulations of ALCOSAN.

1. No person shall take any action or do or cause to be done anything in violation of any rule or regulation of ALCOSAN.

2. The pretreatment regulations of the Allegheny County Sanitary Authority are incorporated into this Part by reference as though fully set forth herein.

(*Ord. 362, 12/14/1994, §4*)

§18-205. Penalties.

Any person violating any provision of this Part shall, upon conviction, be punished by a fine not to exceed the sum of \$1,000, for each offense, recoverable with costs, and in default of payment of the fine and costs, shall be subject to imprisonment in the Allegheny County Jail for a period not exceeding 30 days. Each day a violation is continued shall constitute separate offense. In addition, any person violating any provision of the ALCOSAN Pretreatment Regulations may be subject to administrative and civil penalties as provided for by the Pretreatment Regulations and administered by ALCOSAN. Such penalties may include, but are not limited to, injunctive relief and penalties of up to \$25,000 per day, per violation as provided for by the Publicly Owned Treatment Works Penalty Law, 35 P.S. §752.1 *et seq.* Authority to so enforce the Pretreatment Regulations is granted to ALCOSAN, and is in addition to but not in place of any other remedy available to the Borough/Township.

(*Ord. 362, 12/14/1994, §5*)

Part 3**Sewer Connection****§18-301. Short Title.**

This Part shall be known as the “Chalfant Sewer Connection Ordinance.”
(*Ord. 397, 1/3/2006, §1*)

§18-302. Elimination of Discharge Surface Water.

1. It is declared to be the intent of Chalfant Borough to eliminate the discharge of surface water into the sanitary sewer system, and to prohibit and require the removal and/or corrective action to private sewer lines and connections that allow extraneous surface water to enter its public-owned sanitary sewers that are directly or indirectly tributary to a public sanitary sewer system.

2. No structure or building shall permit any surface water to be channeled into the sanitary sewer system. The intent is to prohibit the intrusion of water by maintaining the integrity of all private systems, including sanitary sewer laterals and surface water lines. It is the intent of this Part that the substantial reconstruction, demolition, razing, or removal of any structure shall be the loss of any pre-existing right, if any, to utilize or construct a combination sewer; upon any reconstruction, rebuilding or repair of any structure, the same must be brought into full compliance with this Part and no surface water shall be permitted to be discharged into the sanitary sewer system.

3. No person or entity shall permit any extraneous surface water to enter into a publicly owned sanitary sewer system either directly or indirectly.

4. Where used herein, reference to a “plumber” shall mean a person registered as a master plumber with the Allegheny County Health Department with a then current license.

5. Where used herein, reference to a “Code Enforcement Officer,” “Building Inspector” or “Engineer” shall mean the person or entity having the responsibility for carrying out the official duties under this Part as the Borough may designate from time to time.

(*Ord. 397, 1/3/2006, §2*)

§18-303. Duties of Code Enforcement Officer.

Whenever the Code Enforcement Officer ascertains or determines that a private surface water sewer or later line is defective in any manner, or has reason to suspect that the same is allowing surface water into the Chalfant sanitary sewer system, he is hereby authorized and directed to provide a written notice to the property owner of such condition and demand that the same be cured. The property owner shall repair, replace, remedy or otherwise rehabilitate all such defects within 30 days of the date of the written notice, or within such longer period of time as the Code Enforcement Officer shall reasonably allow.

(*Ord. 397, 1/3/2006, §3*)

§18-304. Dye Testing and Fee.

From the effective date of this Part, every owner of land in the Borough of Chalfant upon which a structure is erected, and every owner of land which discharges sewage into the public sanitary sewage system of Chalfant Borough which has not been previously tested pursuant to the Chalfant Borough 2005 Dye Testing Program, or which has heretofore been tested by another source and found to have been compliant with the conditions of this Part, shall by November 30, 2006, supply to the Borough a certification of dye testing and the results thereof as provided below. Dye testing may only be performed by a registered plumber no less than 60 days prior to the date submitted to the Borough. The certification must contain the date of testing, provide a plan of the property and show all drains, downspouts and other means of disposing of surface water on the premises, and certify that all were tested. This report shall certify to the Borough that no surface water is being discharged into the sanitary sewer system. Upon receipt of such certificate in proper form, and payment of a fee in an amount as established from time to time by resolution of Borough Council, the Borough Code Enforcement Officer will issue a certificate of compliance to the owner of the real estate. If the dye test reveals that surface water is being discharged into the sanitary sewer system, no certificate of compliance will be issued until there is compliance with this Part.

(*Ord. 397, 1/3/2006, §4; as amended by Ord. 408, 8/11/2011*)

§18-305. Transfer of Land Ownership.

Commencing on January 1, 2007, every owner of land upon which a structure is erected in the Borough of Chalfant prior to any transfer of ownership shall supply to the Borough at least 21 days prior to the date of sale or transfer a certification of dye testing of all private lines and the results thereof as provided below. Dye testing may only be performed by a registered master plumber no more than 120 days prior to the date of sale or transfer. The certification must contain the date of testing, provide a plan of the property and show all drains, down spouts, laterals, and other means of disposing of surface water on the premises, and certify that all were tested. This report shall certify to the Borough that no surface water is being discharged into the sanitary sewer system, and that the lateral sewer line is defect free. Upon receipt of such certificate in proper form, and payment of a fee in an amount as established from time to time by resolution of Borough Council, the appropriate Borough official will issue a certificate of compliance to the seller or transferor of the real estate. If the dye test reveals that surface water is being discharged into the sanitary sewer system, no certificate of compliance will be issued until there is compliance with this Part.

(*Ord. 397, 1/3/2006, §5; as amended by Ord. 408, 8/11/2011*)

§18-306. Duties of Land Owner.

Whenever any land owner is obligated to take action to prevent surface or stormwater from entering the sanitary sewer system, the Borough reserves the right to require the owner to present to the Building Inspector or engineer a plan showing the method of redirecting the surface stormwater. It shall be diverted into an available public surface, storm sewer system or it may be allowed to drain naturally with the natural flow of surface water. Such diversion may not be directed to flow on any sidewalk or walkway, may not be diverted to cause a runoff onto neighboring land in

excess of a natural runoff rate, it may not be directed from the owner's land onto other land in a force or volume in excess of the natural flow and may not cause a pooling or flooding on a public street. In no instance shall any redirection of surface storm water be permitted to adversely impact any adjacent public or private facilities or structures.

(*Ord. 397, 1/3/2006, §6*)

§18-307. Appeals.

Any party aggrieved by the decision of the Borough official, who or which has an interest in the matter may file an appeal to the Chalfant Zoning Hearing Board within 20 days of the decision, which is given jurisdiction to hear and determine such questions.

(*Ord. 397, 1/3/2006, §7*)

§18-308. Occupancy Permit Required.

Every structure in the Borough of Chalfant must have an occupancy permit prior to a change of occupancy; in the case of a transfer of ownership such application must be accompanied with a certificate demonstrating compliance with the obligations described in this Part. No buyer or transferee may buy, take title, or occupy land without first complying with the provisions of this Part. No owner or seller of land may convey title to land without first complying with the provisions of this Part.

(*Ord. 397, 1/3/2006, §8*)

§18-309. Amendment by Resolution.

The fees and charges imposed herein may be amended by simple resolution.

(*Ord. 397, 1/3/2006, §9*)

§18-310. Violations and Fines.

Any person, firm, or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(*Ord. 397, 1/3/2006, §10; as amended by Ord. 408, 8/11/2011*)

