

Chapter 18

Sewers and Sewage Disposal

Part 1

Sanitary Sewer Service

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Part 1**Sanitary Sewer Service****§18-101. Definitions.**

Administrative assistant - the position and its accompanying duties established by the Borough and the person employed in such position.

Borough - the Borough of Connoquenessing.

Building drain or house drain - that part of the lowest horizontal piping of a drainage system which receives the sewage or discharge from soil, waste and other drainage pipes inside the walls of a building and conveys it to the building sewer beginning 5 feet outside the inner face of the building wall.

Building sewer or house sewer - the extension from the building drain to the public sewer or other place of disposal.

Capacity part - a fee for capacity-related facilities which may not exceed an amount that is based upon the cost of such facilities including, but not limited to, source of supply, treatment, pumping, transmission, trunk, interceptor and outfall main, storage, sludge treatment or disposal, interconnection, or other general system facility.

Collection part - a fee which may not exceed an amount based upon the cost of distribution or collection facilities required to provide service, such as mains, hydrants and pumping stations.

Connection fee - a fee which shall not exceed an amount based upon the actual cost of the connection of the property extending from the Authority's main to the property line or curb stop of the property so connected. For the installation of normal residential lines, 6" line for sewer service, the connection fee shall be based upon the average cost for previously installed connections of pipes of those sizes.

Customer facilities fee - a fee charged for the facilities serving the connected property from the property line or curb stop to the proposed dwelling or building to be served.

Distribution part or collection part - a fee which may not exceed an amount based upon the cost of distribution or collection facilities required to provide service, such as mains, hydrants and pumping stations.

Equivalent dwelling unit - a standard unit of consumption based on water consumption per year per residential unit within the Borough of Connoquenessing service area. A single-family residential dwelling shall be equal to one equivalent dwelling unit (EDU). [Ord. 76]

House drain or building drain - that part of the lowest horizontal piping of a drainage system which receives the sewage or discharge from soil, waste and other drainage pipes inside the walls of buildings and conveys it to the building sewer beginning 5 feet outside the inner face of the building wall.

House sewer or building sewer - the extension from the building drain to the public sewer or other place of disposal.

Inspector - the person appointed or employed by the Borough of Connoquenessing to inspect public sewers, water lines, building sewers and all other connections between occupied homes or other buildings and the public sewers and water lines.

Lead free - when used with respect to solders and flux, refers to solders and flux containing not more than 0.2% lead and, when used with respect to pipes and pipe fittings, refers to pipes and pipe fittings containing not more than 8% lead.

Manager of operations - the position and its duties as established by the Borough and the person employed in such position.

May - is permissive.

Natural outlet - shall mean any outlet directly or indirectly into a watercourse, pond, gutter, ditch, lake or other body of surface or ground water.

Person - any individual, partnership, association, company, corporation, municipality, municipal authority or political subdivision, or any agency of the federal or state government. The term includes the officers, employees and agents of any partnership, association, company, corporation, municipality, municipal authority or political subdivision, or any agency of the Federal or State government.

Public sanitary sewer - a sanitary sewer maintained and operated by the Borough of Connoquenessing.

Public sewer - a sewer in which all owners of abutting properties have equal rights and is controlled by public authority.

Reimbursement component - an amount necessary to recapture the allocable portion of facilities in order to reimburse the property owner or owners at whose expense such facilities were constructed.

Sanitary sewer - a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

Sewage - an a combination of water-carried wastes from the residence, business and commercial buildings, apartments, institutions and industrial establishments.

Sewage treatment plant or sewage treatment works - any arrangement of devices and structures used for treating sewage.

Sewer - a pipe or conduit for carrying sewage.

Shall - is mandatory.

Special purpose part - fees for special purpose facilities applicable only to a particular group of customers, for serving a particular purpose and/or serving a specific area, based upon the cost of such facilities.

Storm drain or storm sewer - a sewer which carries storm and surface waters and drainage but excludes sewage and polluted industrial wastes.

Suspended solids - solids that either float on the surface of or are in suspension in water, sewage or other liquids which are removable by laboratory filtering.

Tapping fee - a fee which shall not exceed an amount based upon some or all of the fee components.

Watercourse - a channel in which a flow of water occurs, either continuously or intermittently.

(Ord. 66, 4/5/2001, §A)

§18-102. Service.

1. Mandatory Connection.

A. The owner or owners of all occupied buildings located on any premises which now or in the future becomes accessible to a public sanitary sewer in the service area of the Borough and such municipality shall have enacted a mandatory tap ordinance shall connect or cause to be connected any building or buildings to the sanitary sewer to which the building or buildings may be accessible.

(1) Accessible means 175 feet from right-of-way to the nearest point of foundation of the building, with gravity flow.

B. Any owner or lessee on real property who connects onto the public sanitary sewers shall thereafter be prohibited from constructing or utilizing any on-lot sewage disposal system unless the property owner has obtained the prior written consent of the Borough not to tap onto the existing public sanitary sewers.

C. As public sanitary sewers are laid and provided in other and additional areas of the Borough, the owners of all occupied lands accessible to such public sanitary sewers so laid and provided shall within 60 days connect or cause to be connected all occupied buildings with the sanitary sewer to which the property is accessible.

D. When future sanitary sewers become available to any property in any municipality for which the municipality has enacted a mandatory tap ordinance and the property owner or owners have failed to connect the property to the sanitary sewer, the Borough may give written notice to the owner or owners the requirement that they connect the property to the sanitary sewer within 60 days from the date thereof and failure to comply with said notice shall subject the property owner or owners to any of the penalties provided for in this resolution or to an action in equity to compel connection to the sanitary sewer.

E. Any development of three EDUs or more will be required to tap in to public sewage.

2. *Unoccupied Properties.* When any premises shall be unoccupied for a period in excess of 60 days, the property owner shall notify the Borough in writing and sewer service shall be discontinued. When the premises are again occupied, the property owner shall notify the Borough in writing and sewer service will be restored. A property owner who does not notify the Borough that the premises is unoccupied shall remain liable for all charges for sewer service during the period that the property is unoccupied and the Borough has not been notified of such condition. There shall be no refund or allowance on account of any claims that the property was unoccupied until written notice has been given as required under this Section. The Borough shall charge an amount as established from time to time by resolution of Borough Council for discontinuing and restoring sewer service. [Ord. 76]

3. *Continual Supply.* In the case of sewage breaks, emergency or other unavoidable causes, the Borough shall have the right to temporarily cut off or limit service in order to make necessary repairs and connections or for other necessary purposes. The Borough will use all reasonable and practical measures to notify the consumer in advance of such discontinuance or limitation of service. The Borough shall not be liable for any damage or inconvenience suffered by the consumer, or in any case for any claim against it at any time, for interruption in service or any cause beyond its control.

(Ord. 66, 4/5/2001, §B; as amended by Ord. 76, 12/29/2003)

§18-103. Line Extension; Sewer.

1. *Applicability.* The procedure outlined herein shall be applicable to any person, persons, partnerships, corporations or other entities who plan to extend any sewer line from the existing lines of the Borough of Connoquenessing which sewer line extension shall be constructed with the intent of transferring ownership of the sewer line extension to the Borough of Connoquenessing.

2. *Preliminary Meeting.* Not less than 6 months prior to the intended date of commencing construction, the person, persons, partnerships, corporation or other entity (herein referred to as "developer") intending to construct the sewer line extension shall:

A. Give written notice to the Borough of its intent to construct a sewer line extension.

B. Attend a meeting with the Borough Engineer to discuss the sewer line extension and the developer shall provide to the engineer at such meeting the following:

(1) The proposed plan of the property showing description by metes and bounds, the location of all lots and/or the proposed location of any buildings, streets, utility rights of way, storm drainage and such other information as the engineer may request.

(2) The location and names of adjoining properties and any roadways that will be connecting to the roadways in the plan or development.

(3) A topographic map of the entire parcel.

(4) Full compliance with the county and municipal sewerage plans under Act 537.

C. Deposit with the Borough a sum sufficient to cover the Borough Engineer's charges for review of the sewer line extension and all engineering fees up to and including Borough approval and Department of Environmental Protection approval and all costs incident to the approval process.

3. *Designs and Specification.*

A. The developer shall thereafter cause to be prepared by a professional engineer a complete design and calculation of the sewer line extension including the specifications necessary for the construction of the sewer line extension. Before such design and specifications shall be considered in a final form, the developer shall comply with all specifications of the Borough of Connoquenessing.

B. A review of the design calculations and specifications from the Borough Engineer, including compliance with Act 537.

4. *Borough Approval.* Upon developer completing the requirements of the previous section, developer shall present to the Borough at a regular or special meeting the completed design, plans and specifications. The Borough, upon review of the plans and specifications, and the Borough Engineer indicating his general approval of the plans, shall thereafter give general approval of the plans. The Borough Engineer's approval is preliminary approval to Department of Environmental Protection's approval.

5. *Department of Environmental Protection's Approval.*

A. Upon the Borough's review and general approval of the plans, the

developer shall make application for the construction permit to the Commonwealth of Pennsylvania, Department of Environmental Protection. The developer shall be responsible for the payment of all costs and expenses of the Borough in making this application.

B. Once the Department of Environmental Protection has issued a construction permit, the developer shall deliver to the Borough a bond in the form of cash, letter of credit, sequestered bank account or a third-party collateral bond from a reputable bonding company in an amount equal to the cost of construction and site restoration determined by the Borough's engineer guaranteeing completion of the sanitary sewer line extension. Notwithstanding anything contained herein to the contrary, the extension of the sewer line to provide service to one single-family dwelling residence shall be exempted from the bonding requirement.

C. Following receipt of the construction permit from the Department of Environmental Protection, a developer may proceed with the construction of the sanitary sewer line extension subject to the remaining provisions contained herein.

6. *Developer's Agreement.* Prior to the commencement of construction, developer shall enter into an agreement with the Borough of Connoquenessing which agreement shall contain the following provisions and place the following obligations upon the developer:

A. The developer shall be required to pay a deposit to the Borough in an amount estimated to be the cost of the engineering fees for review of the plans, inspection fees, legal fees and overhead expenses.

B. The Borough Engineer shall serve as resident inspector on the project.

C. The developer shall pay any and all applicable tap fees for the sewer line extension.

D. The developer's agreement to transfer to the Borough of Connoquenessing all right of ways in acceptable widths for the sewer line extension and transfer ownership of all parts of the sewer collection system, excepting therefrom service lines.

E. The developer's agreement to install and construct a sewer line according to the design and specifications approved by the Borough.

F. The developer's agreement to deliver to the Borough upon completion of the sewer line extension a maintenance bond for a period of 1 year in an amount equal to 110% of the actual cost of construction or the Borough Engineer's estimate of the cost of construction, whichever is greater.

G. The developer to procure the necessary highway occupancy permits in the name of the Borough.

H. The developer providing to the Borough upon completion of the project a list of contractors and subcontractors and a statement that all have been paid and a notarized and properly executed release of liens.

I. The developer's agreement that the sewer line extension is subject to the rules and regulations of the Borough and the existing rate structure.

7. *Pre-Construction.* Prior to the commencement of any construction on the sewer line extension, the developer shall have performed the following:

A. Delivered to the Borough the executed development agreement and paid all necessary deposits and other fees required under the preceding subsection.

B. The developer shall have delivered to the Borough two full sets of the sewer line extension design, detailed drawings and specifications.

C. The developer shall have given written notice to the Borough and to the Borough Engineer of the date upon which construction is to be commenced, which notice shall not be less than 5 business days prior to the commencement of construction.

8. *Construction.* The sewer line extension shall be constructed in a workman-like manner and shall comply in all respects with the design and specifications approved by the Borough.

A. In the event that changes become necessary during the construction of the sewer line extension, then such changes shall only be permitted after execution by the developer, the Borough Engineer and the Borough.

9. *Post-Construction.* Following completion of the construction in accordance with the design and specifications and any change orders authorized by the Borough Engineer, developer shall:

A. Cause to be made a pressure test of all lines that have been installed in accordance with the Borough's current guidelines.

B. Deliver to the Borough a notarized and properly executed release of liens from all contractors and subcontractors.

C. A properly executed right of way agreement transferring ownership of the required right of ways to the Borough.

D. Deliver to the Borough a bill of sale transferring all parts of the sewer collection system to the Borough of Connoquenessing for \$1.

E. Deliver the maintenance bond.

F. Deliver two full sets of "as-built" drawings.

G. Pay such sums as may be due and owing for the difference between the estimated costs and actual cost outlined in the development agreement and all other fees.

10. *Acceptance of Sewer Line Extension.* When a developer has complied with all of the provisions in the preceding paragraphs, the Borough of Connoquenessing at a regular or special meeting shall move to accept ownership of the sewer line extension. (Ord. 66, 4/5/2001, §C)

§18-104. Specifications.

The Borough Engineer shall establish all necessary specifications and provide such specifications to existing and potential customers as requested by them or the Borough. (Ord. 66, 4/5/2001, §D)

§18-105. Application.

1. *Application for Service.* Prior to any building or buildings being tapped into the sanitary sewer lines of the Borough, the person requesting such service shall submit an

application for sewage service on forms provided by the Borough. Each application for a new customer, whether new service, change in service, or change in customer, which is received by the Borough on or after January 1, 2002, shall be accompanied by a \$25 fee to turn on service. Until such time as a written application has been submitted with all information required as a part of such application and the \$25 turn on fee has been paid, no sanitary sewage service shall be made available to any customer.

2. *Action on Application.* The manager of operations or engineer and administrative assistant shall review the application to determine the availability of sanitary sewer service and whether the application has provided all information necessary for the commencement of sanitary sewage service. If necessary, the administrative assistant and the manager of operations shall obtain from the Borough Solicitor or the Borough Engineer a decision regarding the applicable tapping fee should the application for service be for a newly constructed building or for an addition to a building requiring a new or different connection to the sanitary sewer line. Prior to service being commenced, all fees shall be paid by the applicant unless permission has been granted by the Borough to accept the payment of any applicable fees over time. (Ord. 66, 4/5/2001, §E)

§18-106. Tapping Fees.

1. *Establishment of Connection Fees.* The Borough of Connoquenessing establishes the following connection fees:

A. A sanitary sewer connection, including the actual connection and all necessary materials, equipment and labor for a 6 inch sanitary sewer line shall be as set forth in the Borough's annual fee resolution as shown on Exhibit "A."

B. For all sanitary sewer connections involving pipe greater than 6 inches in diameter, the connection fee shall be based on the actual cost of making the connection, including all materials, engineering, labor and equipment.

2. *Customer Facilities Fee.* The Borough of Connoquenessing hereby establishes the following customer facilities fees:

A. For the installation of all facilities from the sewer tap to the residence or building to be connected to the sanitary sewer line, the property owner shall be responsible for making such installations and connections and shall bear all costs associated with such facilities. Prior to covering the installation of these facilities, the property owner shall request an inspection by the Borough's personnel and shall pay the cost of \$15 for such inspection. In the event that said inspection reveals any defects or violations of Borough specifications and procedures, such work shall be corrected and reinspected. For each such reinspection, a fee of \$15 shall be due and payable to the Borough.

3. *Establishment of Tapping Fees.*

A. *Capacity Part.* The Borough of Connoquenessing hereby establishes the following as the capacity part of the tapping fee:

(1) Sewage capacity fee - as set forth in Exhibit "A," attached hereto and incorporated herein by reference.

(2) Whenever a detached single-family dwelling unit is connected onto the sanitary sewer system, the single family detached residential dwelling shall

be deemed to be one equivalent dwelling unit.

(3) Whenever any multi-family residential dwelling, including but not limited to duplexes, townhouses, garden apartments, high-rise apartment buildings, zero lot line houses, four-plexes, conversion apartments and trailer parks, makes application for connection to either the sanitary sewer system, the number of equivalent dwelling units shall be determined by establishing the number of separate residential areas contained in the multi-family building or buildings. The number of equivalent dwelling units shall then be multiplied by the sewage capacity fee to determine the capacity part of the tapping fee.

(4) For all other uses, including but not limited to commercial, industrial, governmental, warehouse, hotels, motels, and all other uses, the capacity part of the tapping fee shall be determined by establishing the number of equivalent dwelling units and multiplying it by the sewage capacity fee. To determine the equivalent number of dwelling units for such uses, the following procedure shall be followed:

(a) Data to the Borough and the Borough Engineer regarding estimated usage based on the customer's prior experience in the operation of a business of a similar nature or based on data that the customer provides to show the estimate to be reasonable. The Borough shall ultimately determine the number of equivalent dwelling units based on the data submitted.

(b) In the alternative to subsection (a), if the customer has no data from which to make a reasonable estimation, the Borough Engineer shall calculate the number of equivalent dwelling units based on reference to standard usages for similar businesses.

(5) The customer shall pay to the Borough the sewage capacity fee as the same may apply in accordance with one of the two above methods.

(6) For commercial nonresidential properties, the customer will be metered, the Borough shall review the actual usage by the applicant for a period of 12 months with a second review in another 12 months, after which time the Borough shall calculate the actual usage of the customer. This actual usage shall then be used to arrive at the number of equivalent dwelling units. In the event that the estimated sewage capacity fee is erroneous, a new sewage capacity fee shall be established and the customer applicant shall be responsible for paying to the Borough any shortage between the estimated fee and the actual fee or the Borough shall be responsible for repaying to the customer any overpayment of the sewage capacity fee.

B. *Distribution/Collection Part.* The Borough of Connoquenessing hereby establishes the following:

(1) *Distribution/Collection Fees.*

(a) Sewage collection fee - as set forth in Exhibit "A," attached hereto and incorporated herein by reference.

C. *Special Purpose Part.* The Borough of Connoquenessing currently has no special purpose facilities and thus imposes no fees for special purpose facilities.

D. *Reimbursement Part Fee.* The Borough of Connoquenessing hereby establishes a reimbursement fee which shall be equal to the distribution/collection fees established in this Part subject to the following further provisions:

(1) Reimbursement shall be available to a property owner who constructs or causes to be constructed at his expense any extension of a sewer system of the Borough or whenever a sewer system or any part or extension thereof owned by the Borough has been constructed by the Borough at the expense of a private person or corporation under the supervision of the Borough at the expense of the private persons or corporation.

(2) The Borough shall be entitled to deduct from each reimbursement payment to the property owner or private person or corporation an amount equal to 5% which shall be deemed to represent the appropriate charge for administrative expenses and services rendered in calculating, collecting, monitoring and disbursing the reimbursement payments to the property owner, private person or corporation.

(3) The Borough shall enter into a written agreement with the property owner, private person or corporation entitled to receive reimbursement under the provisions hereof which agreement shall contain as an exhibit an itemized listing of all sewer facilities for which reimbursement shall be provided.

(4) The total reimbursement to which the property owner, private person or corporation shall be entitled shall not exceed the cost of all labor, materials, engineering design charges, cost of performance and maintenance bonds, Borough review and inspection charges, flushing and televising charges and any incidental charges involved in the acceptance and dedication of such facilities to the Borough unless the amount which would be chargeable to such property owner, private person or corporation based upon the Borough's collection and distribution tapping fees which would be applicable to all lands of the property owner, served directly or indirectly through such extension of the property owner, private person or corporation did not fund the extension.

E. The Borough shall notify by certified mail to their last known address the property owner, private person or corporation for whose benefit such reimbursement shall be due within 30 days of the Borough's receipt of any such reimbursement payment, In the event that the property owner or owners have not claimed a reimbursement payment within 120 days of the mailing of the notice, the payment shall revert to and become the sole property of the Borough with no further obligation on the part of the Borough to refund the payment to the property owner or owners.

4. The amount of the tap fees hereunder may be changed by ordinance of the Borough.

5. The tapping fees, including all components thereof, that are due and owing by any customer shall be payable as follows:

A. For all residential dwellings, the tap fees shall be due and payable at the time of a building permit application and no building permit shall be issued until such time as the tapping fees have been paid.

B. For all other connections other than residential dwellings, the tapping fees shall be due and payable at the time of application for service as required under

§18-106.1.

(Ord. 66, 4/5/2001, § F)

§18-107. Construction of Lines.

1. *Service Connection of Sewers.*

A. All connections to the sewer lines that are part of the sewage system of the Borough will be made by the Borough upon application for service connection by property owner, occupant of a property or the developer of a subdivision. The Borough will install a connection with a 6 inch branch for each house and provide an adequate bend to bring the service connection at right angles to the sewer main and extend a 6 inch PVC SDR 35 service connection to the curb line or public right of way. Beyond this point, the property owner shall install the service line to the structure or structures on the property in accordance with the provisions of the tapping fee rules and regulations provided in §18-105.

B. No connection less than 6 inches in diameter will be permitted to the main sewer lines and the construction of the property owner's connection shall be in accordance with the general specifications provided by the Borough. A grade of not less than 0.6 feet per 100 feet for a 6 inch pipe shall be employed. All sewers shall be installed by competent and skilled pipe layers in accordance with the proof standards, plans and specifications of the Borough.

2. *Sanitary Sewer Line Traps.* Each service connection to the sanitary sewer system shall provide as part of the house sewage system just outside the building wall a trap with a fresh air vent on the house side in accordance with the specifications established by the Borough.

3. *Prohibition of Use of Lead-Containing Materials for Water System for New Construction.* No property owner shall use or authorize to use any pipe, pipefitting, solder, or flux that is not lead-free in the construction, modification or repair of any plumbing system. At the time of application for any water service, such application shall contain a certification of compliance with the Plumbing System Lead Ban and Notification Act, Act No. 33 of 1989. The Borough shall have the right upon reasonable notice and at reasonable times to conduct inspections to verify compliance with this provision.

4. *Cross Connections to Sanitary Sewer Lines.* During the construction of any sanitary sewer lines, no cross connection shall be made between the sanitary sewer system and the public or private potable water system whereby vacuums or back siphonage could permit sanitary waste to enter the public or private potable water system. No storm drains or storm sewers shall be cross-connected to the sanitary sewage system.

5. *Service Line.* The service pipelines shall be the property of the owner of the premises to which they are connected and shall be installed according to the specifications of the Borough. All repairs to the service line shall be made at the expense of the property owner who shall keep his pipes and fixtures in good repair, so as to avoid unnecessary waste and protect the water meter where installed against frost. The property owner shall be held responsible for any waste or damage that may result from any defective service pipes or other pipes located within the premises or any fixtures. No sewage service shall be used permanently in any location until the Borough shall

be satisfied that every applicable provision of these rules and regulations have been complied with.

(Ord. 66, 4/5/2001, §G)

§18-108. Billing.

1. *Sewage Rates.* All owners of property who are about to become or are users of sewage service rendered by the Borough shall pay for such sewage service in accordance with the schedule of rates then ordained and enacted by the Borough.

2. *Invoices for Sewage.* Invoices for sewage services and any additional charges for related services unless otherwise provided for herein shall be rendered on a monthly basis.

3. *Liability for Payment of Invoices.* All invoices for sewage services, including late charges and interest, shall be the personal responsibility of the customer who has applied for service. In cases in which the customer who has applied for service is not the owner of the property, the following provisions shall apply:

A. Pursuant to the provisions of Act 217 of 1990, the Borough hereby establishes procedures in accordance with that Act which shall govern the liability and notice to be provided to owners in the event that properties owned by them and leased to third parties incur delinquent sewage bills.

B. In cases where sewer service is provided by a separate meter and separate service line to a residential dwelling unit and such residence is not occupied by the owner of that property, the following procedures shall be followed by the Borough:

(1) In the case of sewer service being provided to a residential dwelling unit that is not occupied by the owner, the Borough must give written notice to the owner and the tenant within 30 days after a bill for sanitary sewer services first becomes overdue that said bill is overdue.

(2) The notice to be provided under subsection (1) shall be provided by first class mail to the address of the owner that is provided to the Borough at the time service is established at the residence and to the tenant at the billing address of the property.

(3) Provided, the Borough has given notice to the owner as required in subsection (1), above, the owner shall remain liable for all overdue charges for sanitary sewer services.

4. *Customer Changes.*

A. The customer and the owner of the properties served by sewage service shall be responsible for notifying the Borough immediately of any change of ownership or change of the name of a customer receiving sewage services. Until such time as the Borough has received written notification of either the change of customer or the change of owner, and the Borough has had time to render a final billing, the owner and/or customer shall remain liable until such time as the final bill has been paid by the owner and/or customer.

B. Any customer who moves shall be responsible for notifying the Borough of their forwarding address.

5. *Terms of Payment.* All invoices shall be payable monthly at the office designated by the Borough being due and payable on the due date of each month. Each

customer who shall fail to pay in full any charge by the due date of the month the same shall become due and payable, shall be subject to a late charge of 1.5% per month of the amount of such charge. In addition, if any account is not paid within 60 days after the same shall become due, the Borough shall have the right to terminate service from the delinquent premises and not to restore the same until all the delinquent charges and the cost of terminating and restoring service shall have been paid. If collection of an account requires legal action, the customer shall be liable for all costs and fees, including attorneys fees, incurred by the Borough. [Ord. 75]

6. *Multi-Unit Buildings with Single Meters.* All owners of property having a multi-unit building or buildings thereon, which shall include, but not be limited to, buildings with more than one apartment or living quarters and/or buildings with more than one business establishment, presently having one water meter shall be metered at the current rates in the following manner:

A. Total meter reading in gallons shall be divided by the number of units in the building, thereby establishing the average reading in gallons per unit. The average reading shall be applied to the current schedule of rates for water and sewage service thereby establishing a cost per unit, but not less than the minimum monthly charges established in the schedule of rates for the Borough. The cost, in turn, shall be multiplied by the number of units in the building as established above to establish the bill to be rendered to the owner of the property.

7. *Mobile Home Parks.* The Borough recognizes that mobile home parks create a unique set of circumstances for supplying sewage service. Because of the diversity and uniqueness of mobile home parks, mobile home park owners shall have the option of electing one of two methods for being billed for sewage services. In order to implement this procedure and to bring current mobile home parks into compliance with this resolution, all mobile home parks shall be notified of the options available to them under the rules and regulations. The mobile home park owners shall notify the Borough within 30 days of the date of the notice of the option they are electing for the billing of sewage service to their mobile home park. Once a mobile home park owner has elected a method of billing, they may only change such method of billing with the written permission of the Borough.

8. Mobile home park owners may choose one of the following two options:

A. A master meter will be placed on the main lines that provide water service to any mobile home park. The costs of such water meters shall be borne by the owner. The Borough will then render a single monthly invoice to the mobile home park owner based on the amount of consumption registered on the master meter.

B. The mobile home park owner can construct the sewer lines within the mobile home park in accordance with the specifications of the Borough and thereafter dedicate the lines and sufficient right of way to the Borough for its acceptance. If the Borough determines that the lines meet its specifications, individual meters shall be installed and thereafter the Borough shall render individual meter readings to each occupant of the mobile home.

(Ord. 66, 4/5/2001, §H; as amended by Ord. 75, 11/6/2003, §1)

§18-109. Enforcement.

1. *Inspection.* The sewage enforcement officer, manager of operations, the

Borough Engineer or any other duly authorized employees of the Borough upon showing proper credentials and identification, shall be permitted on all properties for the purpose of inspection, observation, sampling, testing and retesting in accordance with the provisions of these rules and regulations.

2. *Compliance with Rules and Regulations.* If the owner or owners of any occupied building or buildings shall neglect or refuse to comply with the provisions of these rules and regulations, the Borough may serve a written notice upon said owner or owners or upon the tenant or other party in possession of the premises. Said written notice may require compliance with the provisions of the rules and regulations within 60 days after service of such notice. If the work is not performed in the time limit established in the notice, the Borough may perform or cause to be performed such work and labor and furnish or cause to be furnished such materials as may be necessary to comply with the provisions of these rules and regulations at a cost and expense of such owner or owners, together with 10% overhead, and all charges and expenses incident thereto may be collected from the owner or owners for the use of the Borough as debts are by law collectible or the said Borough may, by its proper officers, file a municipal lien or claim wherefore against said premises as provided by the Municipalities Authorities Act and the Municipal Lien Law and other applicable law.

3. *Further Policies and Procedures.* The Borough shall have charge and management of the sewer system and shall issue from time to time such additional policies and procedures governing the use, operation and maintenance of said sewage system as it shall deem necessary.

4. *Entry on the Premises.* The Borough shall have the right of free access to all buildings and to any premises connected to the sewage system for purposes of setting, reading, testing, inspecting and/or repairing any facilities employed in connection with the use of the sewage from the Borough's system. Any such inspection shall be conducted during reasonable hours.

5. *Termination Procedure.* In the event that a customer should fail to pay a sewage bill in accordance with these rules and regulations and such delinquency shall continue as provided hereinafter, the Borough shall have the right to terminate sanitary sewer service. In the event a sanitary sewage customer receives its water supply from well water, the termination procedure provided herein shall permit the Borough to disconnect or obstruct such customer from the sanitary sewer facilities. The procedure for terminating a customer shall be as follows:

A. Upon the failure to pay charges in accordance with the billing procedures established herein and such delinquency continues for a space of 60 days, a notice shall be sent to the customer indicating the intention to terminate service and indicating the outstanding delinquent balance, penalties and interest. In the event the customer is not the owner of the property, a copy of the termination notice shall be sent to the property owner.

B. Upon the failure of the customer to make payment in accordance with the notice in subsection .A, a second notice shall be sent to the customer with a copy to the owner of the property indicating the following information:

- (1) The outstanding balance, penalties and interest on the account.
- (2) The termination date.

(3) Offer the customer a repayment plan.

C. Following the second notice and at least 3 days prior to termination, the Borough shall attempt to make personal contact either by telephone or in person with the customer or by posting the property with a second notice of termination which will indicate the termination date.

D. The failure of the customer to take action shall result in termination provided that the Borough has complied with the personal contact provision set forth above and provided that such termination shall not be performed on a Friday, Saturday, Sunday, bank holiday, day before bank holiday, any holiday observed by the Borough, day before any holiday observed by the Borough, holiday the PUC observes or the day before the holiday that the PUC observes.

E. A customer will be given notice of the availability of a payment plan which plan shall provide for the following:

(1) That the outstanding balance, penalties and interest shall be payable in three equal installments, one upon the signing of a payment plan agreement and the second 30 days thereafter, and the third 30 days after the second.

(2) In the event any payment is missed, the entire balance shall immediately be due and payable.

(3) All current charges must be paid when due in addition to payments under any plan.

(4) That upon default under the payment plan the second termination notice and personal contact specified above shall be given and service terminated on a specific date identified in the termination notice.

(5) That upon breach of a payment plan agreement, the employees of the Borough shall not be authorized to accept any further payment plans in order to avoid termination and shall only be authorized to accept payment in full of all outstanding balances including current charges, penalties and interest. The only available remedy to Borough customers will be to request the Board to enter into a payment plan which shall only occur at a regular meeting and in the event a regular meeting is not scheduled, the Borough personnel shall not have the authorization to accept less than payment in full after a breached agreement.

6. *Penalties.* Any person or property owner who shall violate any of the provisions of these rules and regulations shall, upon conviction thereof, shall be sentenced to pay 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. 76]

7. *Liens and Penalties.*

A. Each sewage service charge connection fee and other charges levied by these regulations shall be a debt due the Borough. If any charge shall not be paid within 30 days after it shall be due and payable, the amount thereof, together with a penalty of 10% and a reasonable attorney's fee, may be recovered by the Borough in a civil action or as provided by subsection .C herein.

B. In the event of failure to pay the sewage service charge, connection fees or any other charges after they become delinquent, the Borough shall be authorized

to remove or close the sewage connection and shall have the right to enter upon the property of the owner of the service for such purpose and to take such steps as may be necessary to accomplish such removal or closing or shutting off of service and the cost of removal or closing or shutting off of service, as well as the expense of restoring any such service, shall likewise be a debt due the Borough and may be recovered by civil action and such water or sewage service shall not again be turned on, nor the connections restored, until all service charges, including the expense of removal, closing and restoration have been paid. Change of ownership or occupancy of premises found delinquent shall not be cause for reducing or eliminating these penalties.

C. All charges under these rules and regulations and resolution are hereby made a charge against the property and a lien therein to be levied and collected against the property in the name of the owner or reputed owner, occupier, mortgagee or any one beneficially interested therein as claims are liened and collected under the Municipal Claims Law of the Commonwealth of Pennsylvania or by suit in assumpsit and not as an alternative but as an additional cumulative remedy, the Borough may require the shutting off sewage connections as set forth herein above.

8. *Complaint Procedures and Relief.*

A. *Designation of Responsible Personnel.* For any problem that arises concerning service to a customer, all such complaints shall be directed to the manager of operations for handling. For all complaints regarding billing or financial matters, the complaints shall be submitted to the administrative assistant.

B. *Procedure.*

(1) All complaints or requests for relief shall be submitted to the designated personnel in subsection .A and such written notice shall contain the following:

- (a) Statement of the problem or complaint.
- (b) The relief requested.
- (c) The reasons that such relief is justified.

(2) The administrative assistant or manager of operations, whichever personnel is designated to handle the complaint, shall review the complaint or relief requested and shall make a determination within 15 days of the receipt of the written statement. Upon making such decision the administrative assistant or manager of operations shall notify the customer in writing of his determination.

(3) If a customer is unhappy with the determination of the administrative assistant or manager of operations, said customer may request in writing that the matter be referred to the Board of the Borough for determination.

(4) Upon receipt of a written request to review the administrative assistant's or manager of operations' decision, the Board shall review the written statement of complaint, written determination by the administrative assistant or manager of operations and such additional information as the Board may deem necessary to make a proper determination. The Board shall

thereafter make a determination and notify the customer in writing.
(Ord. 66, 4/5/2001, §I; as amended by Ord. 76, 12/29/2003)

§18-110. Prohibitions.

1. *Abandonment of On Lot Sewage Disposal Systems.* It shall be unlawful after connection has been made with the public sanitary sewer for the owner or owners of any property to maintain any privies, privy vaults, cesspools or septic tanks. Upon connection to the public sanitary sewer system, any and all connection or connections with the occupied building or buildings which have been served shall be broken or destroyed in such a manner that sanitary sewage can no longer enter therein.

2. *Future Construction of On-Lot Sewage Disposal Systems.* It shall be unlawful for any persons, firm, or corporation to erect or construct any privy, privy vault, cesspool, septic tank or any other type of disposal receptacle or structure in or on any premises accessible to any public sanitary sewer in the service area of the Borough.

3. *Ground Water and Seepage Drains.* No basement seepage or ground water drainage or any other uncontaminated source of water shall be discharged to the sanitary sewage system and all applicants desiring connection to the sanitary sewage system shall certify that no ground water or seepage drains are or shall be connected to the sanitary sewage system. After connection to the sewer is made, the applicant shall maintain his house in such a manner that no such seepage or drainage enters the sanitary sewage system.

4. *Downspouts and Roof Drainage.* No downspouts, roof drainage or surface or storm water drainage shall be connected into the sanitary sewage system and before attachment to the sewer system the property owner or applicant for service shall remove such connection and adequately and rightly plug his system to prevent the entrance of any downspout, roof, surface or storm water drainage.

5. *Interference with Borough Property.* No person shall damage, injure, molest, disturb or interfere with any pipe, lagoons, machinery, or any other property belonging to or pertaining to the sewage system.

6. *Tapping of Borough Lines.* No person except an authorized employee of the Borough shall tap any sewage main pipe or connection line. Service connections shall be furnished and installed by the Borough from the street main to street rights of way or property line.

7. *Discharge of Food and Grease Products.* No customer shall discharge into the sanitary sewer system any food products or garbage unless such products have been ground or otherwise reduced in size and quantity so as to prevent such products from clogging the sanitary sewer system. Any restaurants or other food service businesses shall not discharge any grease or other similar products in quantities sufficient to cause any clogs or blockages in the sanitary sewer system or other detrimental affect on the sanitary sewer system. For all new construction, all restaurants and food service establishments shall cause to be installed at the owner's expense a grease trap or other similar device to prevent grease or related products from entering the sanitary sewer system and such food service businesses shall further be equipped with such screens or other devices necessary to prevent food products or garbage from entering the sewer system unless the same has been ground or otherwise reduced in size prior to its discharge into the sanitary sewer system.

8. *Discharge of Foreign Materials.* No customer shall discharge into the sanitary sewer system any dangerous or hazardous foreign materials.

(*Ord. 66, 4/5/2001, §J*)

EXHIBIT "A"

The following schedule of fees shall be charged to customers connecting onto the Borough of Connoquenessing Sewer System.

A. Sewage Connection Fees and Charges: RESIDENTIAL

1	Connection Fee		\$ 475
2	Customer Facilities Fee		\$ 25
3	Tapping Fee		
	(a) Capacity part per EDU		\$ 584
	(b) Collections part per EDU		\$1,416
		TOTAL	\$2,500

B. Sewage Connection Fees and Charges: Multi-Unit Residential

1	Connection Fee	\$ 475	\$
2	Customer Facilities Fee	\$ 25	\$
3	Tapping Fee		
	(a) Capacity part per EDU	\$ 584	\$ 584
	(b) Collection part per EDU	\$ 1,416	\$1,416
		TOTAL	\$2,500+ (\$2,000 x #of Units)

C. Sewage Connection Fees and Charges: Non-Residential - based on a 6" connection.

1*	Connection Fee	\$ 475	
2	Customer Facilities Fee	\$ 25	
3	Tapping Fee		
	(a) Capacity part per EDU	\$ 584	
	(b) Collection part per EDU	\$ 1,416	
		TOTAL	\$ 2,500 x # of EDU's

One EDU is equal to a monthly water usage as determined in §18-106.3.A(4).

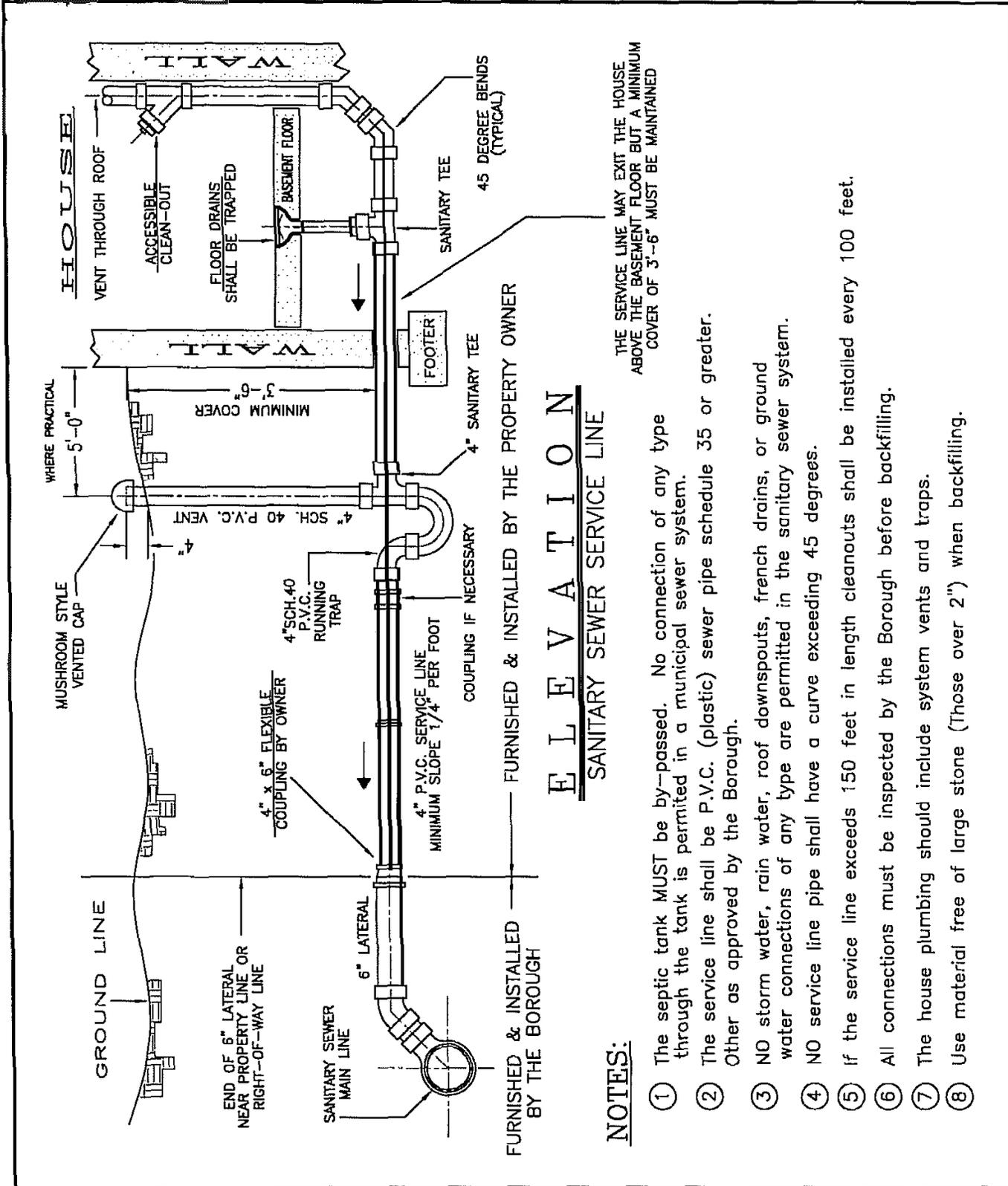
* "Connection Fee" for connection larger than 6" will be at actual cost but no less than \$475.

EXHIBIT "A"

The following schedule of fees shall be charged to customers connecting onto the Borough of Connoquenessing Sewer System.

All users of the Connoquenessing Borough Sewer System shall be metered and will be required to pay the following monthly charges:

Minimum	2000	gallons @	\$ 33.75
Next	7000	gallons @	\$ 7.25 /1000 gal
All Over	9000	gallons @	\$ 6.00 /1000 gal



THE SERVICE LINE MAY EXIT THE HOUSE ABOVE THE BASEMENT FLOOR BUT A MINIMUM COVER OF 3'-6" MUST BE MAINTAINED

FURNISHED & INSTALLED BY THE BOROUGH ————— FURNISHED & INSTALLED BY THE PROPERTY OWNER

E L E V A T I O N
SANITARY SEWER SERVICE LINE

NOTES:

- ① The septic tank **MUST** be by-passed. No connection of any type through the tank is permitted in a municipal sewer system.
- ② The service line shall be P.V.C. (plastic) sewer pipe schedule 35 or greater. Other as approved by the Borough.
- ③ NO storm water, rain water, roof downspouts, french drains, or ground water connections of any type are permitted in the sanitary sewer system.
- ④ NO service line pipe shall have a curve exceeding 45 degrees.
- ⑤ If the service line exceeds 150 feet in length cleanouts shall be installed every 100 feet.
- ⑥ All connections must be inspected by the Borough before backfilling.
- ⑦ The house plumbing should include system vents and traps.
- ⑧ Use material free of large stone (Those over 2") when backfilling.

CONNOQUENESSING BOROUGH - SANITARY SEWER TAP
TYPICAL DOMESTIC INSTALLATION DETAIL
Connoquenessing Borough, Butler County, PA

Date: FEB. 14, 2001 * Scale: NONE * By: *JES* Project #99512B

Prepared By:

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