

Chapter 18

Sewers and Sewage Disposal

Part 1

On-Lot Sewage Disposal

- §18-101. Definition and Interpretation
- §18-102. Septic Tanks Required
- §18-103. Privies, Cesspools and Certain Other Receptacles Unlawful; Exception
- §18-104. Abandonment of Prohibited Receptacles
- §18-105. Penalty for Violation

Part 2

Public Sanitary Sewers

A. Sewer Connections and Uses

- §18-201. Properties Abutting on Sanitary Sewers to Be Connected
- §18-202. Certain Receptacles Not to Be Used Where Sewer Available
- §18-203. Notice to Make Connection; Time Limit; Application for Extension of Time
- §18-204. Certain Receptacles Not to Be Connected to Sewer
- §18-205. Roof Drains Not to Be Connected to Sanitary Sewer; Certain Waste Not to Enter Sanitary Sewer
- §18-206. Conditions to Be Fulfilled Before Making Connection
- §18-207. Manner of Making Connection
- §18-208. Authority for Borough or Water Pollution Control Authority to Make Connection at Expense of Property Owner
- §18-209. Definition of Terms; Applicability of Rules and Regulations
- §18-210. Penalty for Violation

B. Sewer Rates and Charges; Sewer Management

- §18-211. Sewer Service Charges and Industrial Cost Recovery Charges Adopted
- §18-212. Billing
- §18-213. Authority over Sewer System; Rules and Regulations Authorized
- §18-214. When Due and Payable; Penalty and Interest Added to Unpaid Charges
- §18-215. Moneys Collected to be Deposited in Proper Account
- §18-216. When Charges Become Effective and Billing Commences

C. Sewer System Rules and Regulations

- §18-221. Definitions
- §18-222. Discharge of Sanitary Sewage to Public Sanitary Sewage System Required
- §18-223. Exclusion of Stormwater Runoff
- §18-224. Admission of Industrial Waste to Public Sanitary Sewage System
- §18-225. Terms and Conditions for the Issuance of an Industrial Waste Permit
- §18-226. Sewage Collection, Transportation and Treatment Charges
- §18-227. Removal, Transportation and Disposition of Scavenger Wastes

- §18-228. Billing and Collection
- §18-229. Connections to System
- §18-230. Proposed Extensions of System by Developers
- §18-231. Delinquencies, Violations and Remedies

Part 3
Pretreatment Program

- §18-301. Need for Enactment; Purpose
- §18-302. Definitions
- §18-303. Unlawful to Fail to Comply with Authority Rules and Regulations
- §18-304. Penalty for Violation or Failure to Comply
- §18-305. Penalty for Acts Involving Falsification of Records or Tampering with Monitoring Devices or Methods

Part 4
Grease Traps and Interceptors

- §18-401. Title
- §18-402. Authority, Findings, and Purpose

Part 5
Dye Test of Stormwater Infiltration

- §18-501. Definitions
- §18-502. Unlawful to Sell, Convey or Transfer Real Property without Obtaining Permit
- §18-503. Evidence of Compliance
- §18-504. Temporary Evidence of Compliance
- §18-505. Borough Lien Letter or Tax Certification Letter
- §18-506. Borough May Establish Procedures
- §18-507. Violation
- §18-508. Effective

Part 1**On-Lot Sewage Disposal****§18-101. Definition and Interpretation.**

The word “person,” as used in this Part, shall mean and include any natural person, partnership, association, firm or corporation. In this Part, the singular shall include the plural and the plural the singular, and the masculine shall include the feminine and the neuter.

(*Ord. 112, 8/19/1966, §1*)

§18-102. Septic Tanks Required.

Every person, being the owner of any building located in the Borough of Oklahoma, wherein any person shall live, work or congregate, shall construct, install and maintain upon the lot whereon such building is located, a septic tank, and the necessary appurtenances thereto, conforming in every respect to the requirements therefor prescribed by the “Minimum Requirements for Individual Water-Supply and Sewage Disposal Systems,” State of Pennsylvania, Federal Housing Administration, and all sewage matter and waste water and other waste liquid from such building shall be disposed of into such septic tank.

(*Ord. 112, 8/19/1966, §2*)

§18-103. Privies, Cesspools and Certain Other Receptacles Unlawful; Exception.

It shall be unlawful for any person, at any location in the Borough of Oklahoma, to construct, install or maintain, or to use for the disposal of sewage matter, waste water or other liquid waste, any privy or privy vault, or any cesspool, sink or other receptacle, other than a septic tank meeting the requirements set forth and referred to in the §18-102 of this Part. Provided with special permit from the Mayor, a privy may be erected, maintained and used temporarily, for the period of time stated in such permit, at the site of a building or other construction project, for the use of construction workers at such project, provided that the same shall not become offensive or a nuisance or menace to the health, and provided further that the holder of such permit shall remove such privy and cause the vault thereof to be emptied, cleansed and properly filled on or before the date of expiration of such permit.

(*Ord. 112, 8/19/1966, §3*)

§18-104. Abandonment of Prohibited Receptacles.

It shall be the duty of the owner of any premises on which there is a privy vault, cesspool or other receptacle, prohibited by §18-103 of this Part and not conforming to the requirements for septic tanks as set forth in the §18-102 of this Part, within 6 months after the date of enactment of this Part, to cause such vault, cesspool or other receptacle to be abandoned, emptied, cleansed and filled under the direction of and to the satisfaction of the Sewer Committee of Council. In case any such privy vault, cesspool or other receptacle shall not have been abandoned, emptied, cleansed and filled

by such owner, within such time limit, the Sewer Committee shall cause the same to be emptied, cleansed and filled and the cost of such work, with an additional amount 10 percent shall be collected from the owner of such premises, in the manner provided by law.

(*Ord. 112, 8/19/1966, §4*)

§18-105. Penalty for Violation.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not less than not less than \$200 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense. Provided, the payment of the cost of emptying, cleansing and filling, and any additional charge in connection therewith, as provided in §18-104 of this Part shall not preclude prosecution and imposition of penalty as provided in this Part.

(*Ord. 112, 8/19/1966, §5; as amended by Ord. 204A, 2/13/1989, §20; and by Ord. 2015-04, 12/14/2015*)

Part 2**Public Sanitary Sewers****A. Sewer Connections and Uses****§18-201. Properties Abutting on Sanitary Sewers to Be Connected.**

Every owner of property in the Borough of Oklahoma whose property abuts upon any public sanitary sewer presently in existence or to be constructed in the future and which connects to or whose property abuts upon any sewer constructed or to be constructed by Kiski Valley Water Pollution Control Authority shall connect, at its own cost, the house, building or other structures located on said property with the aforementioned public sanitary sewers or Authority sewers for the purpose of disposing of all acceptable sanitary sewage emanating from said property.

(Ord. 139, 7/13/1973, §1)

§18-202. Certain Receptacles Not to Be Used Where Sewer Available.

It shall be unlawful for any owner, lessee or occupier of any property in the Borough abutting upon any aforementioned public sanitary sewer to employ any means, either by septic tank, cesspool, privy vault, mine hole or otherwise, for the disposal of acceptable sanitary sewage other than into and through said public sanitary sewers.

(Ord. 139, 7/13/1973, §2)

§18-203. Notice to Make Connection; Time Limit; Application for Extension of Time.

Where any house, building or structure in the Borough abutting upon any aforementioned public sanitary sewer is now or hereafter may be using any method for the disposal of acceptable sanitary sewage other than through said public sanitary sewers, it shall be the duty of the Borough Secretary or the authorized representative of Kiski Valley Water Pollution Control Authority (hereinafter called the "Authority") to notify the owner, lessee or occupier of such structure in writing, either by personal service, certified mail or registered mail, to disconnect the same and make proper connection for the discharge and disposal of all acceptable sanitary sewage through the said public sanitary sewers, as herein provided, within 60 days after receipt of such notice. Any owner or lessee or occupier of a structure who cannot comply with the provisions of this Part as to connection within the 60-day period stipulated above due to causes beyond his control shall apply to the Borough or the Authority within said 60-day period for a time extension of up to 6 months in duration. Said application shall be made on a form to be furnished by the Borough or the Authority and shall contain a voluntary agreement on the part of the applicant under which the applicant shall agree to commence paying the regular monthly sewer rates immediately even though actual connection to the public sanitary sewers will not be accomplished until some stated later date within the said 6 months extension period.

(Ord. 139, 7/13/1973, §3)

§18-204. Certain Receptacles Not to Be Connected to Sewer.

No privy vault, cesspool, septic tank, mine hole or similar receptacle for human excrement shall at the present time or at any time hereafter be connected with the aforesaid public sanitary sewers.

(*Ord. 139, 7/13/1973, §4*)

§18-205. Roof Drains Not to Be Connected to Sanitary Sewer; Certain Waste Not to Enter Sanitary Sewer.

It shall be unlawful for any person, firm or corporation connected to any aforementioned public sanitary sewers to connect any roof drain thereto or permit any roof drain to remain connected thereto, or to permit, allow or cause to enter into said public sanitary sewers any stormwater, foundation drain water, spring water, surface water, or any sewage or industrial waste from any property other than that for which a permit is issued. These provisions do not apply to combination (sanitary and storm) sewers.

(*Ord. 139, 7/13/1973, §5*)

§18-206. Conditions to Be Fulfilled Before Making Connection.

No person, firm or corporation shall make or cause to be made any connection with any of the aforementioned public sanitary sewers until he has fulfilled all of the following conditions:

A. He shall make application to the Borough or the Authority, as the Borough's agent, upon a permit form to be formulated and supplied by the Borough or the Authority for permission to connect to the aforementioned public sanitary sewers. Among other things, the applicant must state the character and use of each structure located upon his property.

B. He shall pay to the Borough, or its designated authorized representative, the required tap connection fee in an amount as established from time to time by resolution of Borough Council (with such discount as may be given if payment is made on or before July 1, 1979) for each equivalent domestic unit (as defined in the Borough's Sewer Rate Ordinance [Part 2B] on each property connected to the aforementioned public sanitary sewers at the time of making application for permission to make such connection or connections, with the amount as specified in the aforesaid resolution to be paid over by the Borough to Kiski Valley Water Pollution Control Authority. [*Ord. 2015-04*]

C. No work shall commence before the payment of the aforesaid tap connection fee and issuance of the aforementioned connection permit.

D. He shall give the designated inspector of the Borough or the Authority at least 24-hours notice of the time when such connection shall be made in order that said inspector can be present to inspect and approve the work of connection. The inspector shall signify his approval of the connection by endorsing his name and the date of approval on the aforementioned connection permit in the possession of the permittees.

E. At the time of inspection of the connection, the owner or owners of properties shall permit the inspector full and complete access to all sanitary and

drainage arrangements and facilities in each building and in and about all parts of the property. No building sewer line shall be covered over, or in any manner concealed, until after it is inspected and approved by said inspector.

(*Ord. 139, 7/13/1973, §6; as amended by Ord. 145, 5/12/1976, §1; by Ord. 157, 3/12/1979, §1; and by Ord. 2015-04, 12/14/2015*)

§18-207. Manner of Making Connection.

The construction and number and size of all building sewer lines or house service sewers shall be done in accordance with the specifications, plans and procedures established by the Borough and the Authority in the Sewage Disposal System Rules and Regulations [Part 2C], as the same may be from time to time published and amended, copies of which, upon adoption, shall be maintained on file with the Borough Secretary and the Authority.

(*Ord. 139, 7/13/1973, §7*)

§18-208. Authority for Borough or Water Pollution Control Authority to Make Connection at Expense of Property Owner.

If the owner or owners of any occupied houses, buildings, or structures in the Borough shall neglect or refuse to comply with the provisions of this Subpart or the written notice as prescribed in §18-203 hereof, the Borough or the Authority may perform or cause to be performed such work and labor and furnish or cause to be furnished such material as may be necessary to comply with the provisions of this Subpart at the cost and expense of such owner or owners, together with 10 percent additional thereof and all charges and expenses incidental thereto, which sum shall be collected from said owner or owners for the use of the Borough or the Authority as debts are by law collectible, or the Borough or the Authority, as its agent, may, by its proper officer, file a municipal claim or lien therefor against said premises as provided by law.

(*Ord. 139, 7/13/1973, §8*)

§18-209. Definition of Terms; Applicability of Rules and Regulations.

Unacceptable sanitary sewage and other terms used for purposes of this Subpart shall have the same definitions as those which are set forth in the Sewage Disposal System Rules and Regulations [Part 2C], said rules and regulations to be applicable to all users of the aforementioned public sanitary sewers.

(*Ord. 139, 7/13/1973, §9*)

§18-210. Penalty for Violation.

In addition to any penalty hereinabove prescribed, any person, firm or corporation failing to make a proper connection within the time specified after receipt of notice as provided in §18-203 of this Part Subpart, shall, upon conviction, be sentenced to pay a fine of \$50 for each day in violation, and who or which violates any other provision of this Part 2A shall, upon conviction, be sentenced to pay a fine of not less than \$200 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Subpart continues or each Section of this Subpart which shall be found to have been violated shall constitute a separate offense.

(*Ord. 139*, 7/13/1973, §10; as amended by *Ord. 204A*, 2/13/1989, §21; and by *Ord. 2015-04*, 12/14/2015)

B. Sewer Rates and Charges; Sewer Management

§18-211. Sewer Service Charges and Industrial Cost Recovery Charges Adopted.

The schedule of sanitary sewage collection and transportation charges for sewer service that is set forth in “Schedule 18-2B-1” attached hereto and made a part hereof, that has been recommended by the Borough’s consulting engineers, be and it is hereby adopted by the Borough Council and shall take effect as hereinafter provided. The provisions for industrial cost recovery charges to be imposed against industrial users of the sewer system that are set forth in “Schedule 18-2B-2” attached hereto and made a part hereof, that also has been recommended by the Borough’s consulting engineers, be and they hereby are also adopted and approved by the Borough Council. All charges imposed hereunder shall take effect as soon as substantial operation of the Borough’s total sewer system begins.

Schedule 18-2B-1

1. The sewer service rates to be charged for sanitary sewage collection and transportation service to be furnished to customers by the existing and proposed sewer facilities of the Borough of Oklahoma, which shall take effect upon substantial completion of construction of the Borough’s 1979 sewer construction project and as soon as substantial operation of the Borough’s sewer system begins, shall be as follows:

A. *General Rates.* The user charges by the Borough of Oklahoma for sewer service to sewered premises in the Borough of Oklahoma (which is in addition to the sewage treatment service rate already being charged by Kiski Valley Water Pollution Control Authority) shall be as follows:

Sanitary Sewage Collection and Transportation Charge per Equivalent Domestic Unit (EDU)—semi-annual payment, on April 1 and October 1, of \$45 per payment/per year. [Ord. 2015-04]

B. *Equivalent Domestic Units.* An equivalent domestic unit (EDU) with regard to residential customers shall be defined as any room, group of rooms or enclosure, occupied or intended for occupancy as separate living quarters for a family or other group of persons living together or by persons living alone.

An equivalent domestic unit (EDU) with regard to commercial customers shall be defined as any office, store, shop, restaurant, club, tavern, barber or beauty shop, service station, funeral home, or other similar commercial establishment selling a product or rendering a service, or any religious or fraternal or governmental establishment. In the case of motels, hotels and schools, an EDU shall be defined as each 50,000 gallons or less of water used per year therein. Each commercial EDU even though in a building or complex of buildings shall be considered to be a separate EDU even though it may be located in the same building with a residential unit or units or other commercial units.

An equivalent domestic unit (EDU) with regard to industrial customers shall be defined as each 50,000 gallons or less of water used per year, at any industrial establishment.

C. *Rate Revisions.* The Borough specifically reserves the right to alter this Schedule at any time in the future, specifically in order to comply with the requirements of the Federal Environmental Protection Agency under the EPA

Grant Agreement and its financing arrangements.

D. *Annual Rate Review.* In order to comply with Federal regulations regarding sewer use charges, the Borough specifically covenants and provides herein that it shall review the user charges provided for in this Schedule annually and revise them periodically to reflect actual sanitary sewage collection and transportation service operation and maintenance costs and debt service costs.

Schedule 18-2B-2

2. The following industrial cost recovery charges are hereby also imposed upon all industrial users of the sewer system of the Borough of Oklahoma, and they shall take effect as soon as substantial operation of the Borough’s total sewer system shall begin, and shall be calculated and collected as follows:

A. In providing the sewer system, a sanitary waste collection and transportation system, which includes contractual provisions with the Kiski Valley Water Pollution Control Authority for facilities for the treatment of the sanitary sewage and industrial wastes, the Borough shall have the authority and shall collect from such industrial users to which they are applicable all or any part of the construction costs of such waste collection and transportation system reasonably attributed to such industrial wastes. The apportionment of such costs shall be equitable as among all industrial users, and such costs shall be collected by periodic charges in conjunction with the sanitary sewage collection and transportation charges imposed hereunder, or in such other manner or combinations thereof as in the judgment of the Borough Council is equitable and will assure each industrial cost recovery.

B. An industrial user hereunder is any non-governmental user of the sewer system of the Borough located in the Borough of Oklahoma, as identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented, under the following divisions:

- (1) Division A–Agriculture, Forestry and Fishing
- (2) Division B–Mining
- (3) Division D–Manufacturing
- (4) Division E–Transportation, Communication, Electric, Gas and Sanitary Services
- (5) Division F–Services

Any industrial user may be excluded if it is determined that it will introduce primarily segregated domestic wastes or wastes from sanitary conveniences.

C. The annual amount to be recovered from each industrial user shall be predicated on the following formula:

$$\frac{(A \times G)}{D} + \frac{(B \times H)}{E} + \frac{(C \times I)}{F} J = \text{Annual Payment } (\$ / \text{year})$$

where:

- (1) Eligible Federal Grant allocable to flow (q), in dollars.
- (2) Eligible Federal Grant allocable to B.O.D., in dollars.
- (3) Eligible Federal Grant allocable to S.S., in dollars.
- (4) Total design flow (q), in 100 gal/day.
- (5) Total design B.O.D., in lbs/day.
- (6) Industrial users flow discharge to sewer system, in (1) 1000 gal/day.
- (7) Industrial users B.O.D. discharge to sewer system, in lbs/day.
- (8) Industrial users S.S. discharge to sewer system, in lbs/day.
- (9) Amortization period = 30 years.

D. For the purpose of computing hereunder the industrial user's annual payment, a cost recovery period of 30 years is hereby established.

E. Any and all sections of the Borough's Sewer System Rules and Regulations, as adopted and from time to time amended, pertaining to the determination, measurement, billing and collecting regulations for industrial waste water discharges shall be the same hereunder and in effect as if written herein. Each industrial user shall be billed monthly on the basis of his computed annual industrial cost recovery payment divided by 12.

F. Moneys collected under the industrial cost recovery charges hereunder shall be deposited into a special account under its sewer revenue fund entitled "Industrial Cost Recovery Account," which is hereby established. On an annual basis, 50 percent of the amounts recovered, together with interest earned thereon, shall be returned to the U.S. Treasury. Of the 50 percent remaining, together with interest earned thereon, 80 percent shall be used for eligible costs for reconstruction and expansion pursuant to 40 CFR 35.928-2(b), and 20 percent used as the Borough Council sees fit.

G. Pending use, retained amounts in said industrial cost recovery account shall be invested in (1) obligations of the U.S. Government; or (2) obligations guaranteed as to principal and interest by the U.S. Government or any agency thereof; or (3) shall deposit such amounts in accounts fully collateralized by obligations of the U.S. Government or by obligations fully guaranteed as to principal and interest by the U.S. Government or any agency thereof.

H. Industrial users shall be reviewed annually by the Borough for quantity and strength of waste, and the industrial cost recovery charges imposed hereunder adjusted accordingly.

I. The Borough shall maintain records and submit reports and financial statements to the Environmental Protection Agency in conformance with the latest applicable Federal regulations.

J. This Schedule shall be amended, as necessary, in order to comply with new or amended Federal regulations.

(*Ord. 158, 3/12/1979, §A; as amended by Ord. 2015-04, 12/14/2015*)

§18-212. Billing.

All bills for sanitary sewage collection and transportation charges and all other charges imposed hereunder shall be computed in accordance herewith by the Borough,

or its authorized and appointed agent, and shall be rendered to the owner, or, after proper arrangements, to the tenant, of the premises to which the sewer service is furnished; but, nevertheless, the owner of the premises shall in all such cases be ultimately liable for payment of such bills.

(Ord. 158, 3/12/1979, §B)

§18-213. Authority over Sewer System; Rules and Regulations Authorized.

The Borough shall have charge and management of the sewer system and shall from time to time hereafter issue rules and regulations governing the use, operation and maintenance of said sewer system. The Borough reserves the right to refuse permission to connect directly or indirectly to the sewer system, to compel discontinuance of use of the sewer system, or to compel pretreatment of sewage and industrial wastes by any establishment in order to prevent discharges deemed harmful or to have a deleterious effect upon any portion of the sewer system. Nonresidential establishments having large variations in rates of waste discharge may be required to install such devices at their own expense as may be required and approved by the Borough for equalizing waste discharge rates. The Borough's representatives shall have access at all reasonable times to both residential and nonresidential establishments for the purpose of establishing, determining or checking water consumption and employees, wastewaters discharged to or excluded from the sewer system, and the character of discharges to the sewer system.

(Ord. 158, 3/12/1979, §C)

§18-214. When Due and Payable; Penalty and Interest Added to Unpaid Charges.

All bills imposed hereunder shall be due and payable immediately upon receipt of the bill by the owner and/or tenant and shall be paid not later than the due date appearing on the individual bills. Said charges shall be subject to a 10 percent penalty if not paid within 20 days from their due date. If not paid within 40 days after said due date, the charge plus the penalty shall bear interest at the rate of 1 percent per month or any fraction thereof until paid.

(Ord. 158, 3/12/1979, §D)

§18-215. Moneys Collected to be Deposited in Proper Account.

All sanitary sewage collection and transportation charges and other charges and fees received by the Borough shall be promptly deposited to the appropriate Borough account established hereunder and under its financing arrangements.

(Ord. 158, 3/12/1979, §E)

§18-216. When Charges Become Effective and Billing Commences.

As stated above the sanitary sewage collection and transportation charges imposed hereunder shall become effective as soon as substantial operation of the sewer system begins. Appropriate billings shall commence promptly thereafter.

(Ord. 158, 3/12/1979, §F)

C. Sewer System Rules and Regulations

§18-221. Definitions.

Abnormal industrial waste—any industrial waste having a suspended solid content or BOD appreciably in excess of that normally found in municipal sewage. For the purpose of these regulations, any industrial waste containing more than 350 milligrams per liter of suspended solids, or having a BOD in excess of 300 milligrams per liter, shall be considered an abnormal industrial waste regardless of whether or not it contains other substances in concentrations differing appreciably from those normally found in municipal sewage.

Authority—the Kiski Valley Water Pollution Control Authority, a body corporate and politic, organized and existing under the laws of the Commonwealth of Pennsylvania.

BOD of sewage or industrial waste—the biochemical oxygen demand and shall mean the quantity of oxygen utilized in the biochemical oxidation of the organic matter in said sewage or industrial waste under standard laboratory procedure in 5 days at 20°C (under aerobic conditions), expressed in milligrams per liter by weight. It shall be determined by one of the acceptable methods described in the latest edition of “Standard Methods for the Examination of Water and Wastewater” cited above.

Borough—Borough of Oklahoma, situated in Westmoreland County, Pennsylvania.

Board—the elected and appointed members of the Borough Council of the Borough of Oklahoma, as now or hereafter constituted, and its duly authorized agents or representatives.

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

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

Combined sewer—a sewer designed to receive both sewage and stormwater runoff which has been approved for such purpose.

Commercial service—provision of sewage service for premises where the customer is engaged in trade and/or commerce.

Customer—the owner or tenant as hereinafter defined which is furnished sewage service by the Borough.

Date of presentation—the date upon which a bill or notice is mailed, as evidenced by the United States Post Office mark.

Domestic service—provision of sewage service for residential premises.

Garbage—solid wastes from the preparation, cooking and dispensing of food and the handling, storage and sale of produce.

Industrial service—provision of sewage service for premises where the customer is engaged in manufacturing or process industries.

Industrial wastes—the liquid wastes from industrial processes as distinct from sanitary sewage.

Intercepting sanitary sewer—a sewer into which the sewage from all main and other

sewers is discharged.

Lateral sanitary sewer—a sewer which does not receive sanitary sewage from any other common sewer.

Main sanitary sewer; trunk sewer—a sewer that is a main stem or artery of the sewerage systems.

Municipal or public service—provisions of service to a municipal subdivision of the Commonwealth of Pennsylvania or agency thereof, or to other similar public bodies.

Natural outlet—any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

Occupied building—any structure erected and intended for continuous or periodic habitation, occupancy or use by human beings or animals, and from which structure sanitary sewage and industrial wastes, or either thereof, is or may be discharged.

Person—natural persons, partnerships, associations and corporations, public or private.

pH—the logarithm to the base 10 of the reciprocal of the hydrogen ion concentration expressed in moles per liter. It shall be determined by one of the acceptable methods described in the latest edition of “Standard Methods for the Examination of Water and Wastewater” published jointly by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation.

Premises accessible to the public sanitary sewage system—any real estate abutting on or adjoining or having access to any street, alley or right-of-way in which a sewer is located which ultimately connects to the public sanitary sewage system.

Properly shredded garbage—the wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce that have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than ½ inch in any dimension.

Public sanitary sewage system (sometimes called the “Oklahoma Borough Sewer System”)—all sanitary or combined sewers, all pumping stations, all force mains, all sewage treatment works, and all other sewerage facilities owned or leased and operated by the Borough for the collection, transportation and treatment of sanitary sewage and industrial wastes, together with their appurtenances, and any additions, extensions or improvements thereto. It shall also include sewers within the Borough’s service area which serve one or more persons and discharge into the public sanitary sewerage system even though those sewers may not have been constructed by the Borough and are not owned or maintained by the Borough. It does not include separate storm sewers or culverts which have been constructed for the sole purpose of carrying storm and surface runoff, the discharge from which is not and does not become tributary to the sewage treatment facilities.

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

Sanitary sewage—the normal water-carried household and toilet wastes from residences, business buildings, institutions, industrial and commercial establishments, exclusive of stormwater, water runoff, surface water or ground water.

Sanitary sewer—a sewer which carries sewage and to which storm, surface and

ground waters are not intentionally admitted.

Sewage—a combination of water-carried wastes from residences, business buildings, institutions, and industrial and commercial establishments, together with such ground, surface or stormwater as may be present.

Sewage service connection—the connection of a sewer carrying sewage to the sanitary sewerage system.

Sewage treatment plant—any arrangement of devices and structures used for treating sewage.

Sewage works—all facilities for collecting, pumping, treating, and disposing of sewage.

Sewer—a pipe or conduit for carrying sewage.

Sewer extension—extensions of sewer lines, exclusive of service connections beyond existing facilities.

Shall and may—“shall” is mandatory; “may” is permissive.

Storm sewer—a sewer which is intended to carry stormwater runoff, surface waters, groundwater drainage, etc., but which is not intended to carry any sanitary sewage or polluted industrial waste.

Stormwater runoff—that portion of the rainfall which reaches a channel, trench or sewer.

Submain sanitary sewer; branch sewer—a sewer into which the sewage from two or more laterals is discharged.

Suspended solids—solids that either float on the surface or are in suspension in water, sewage, industrial waste or other liquids, and which are removable by laboratory filtration. The quantity of suspended solids shall be determined by one of the acceptable methods described in the latest edition of “Standard Methods for the Examination of Water and Wastewater,” cited above.

Temporary service—a service for circuses, bazaars, fairs, construction work, trailer or trailer camps and similar uses, that because of their nature will not be used steadily or permanently.

Tenant—anyone occupying premises owned by another, which premises are furnished sewage service.

Unpolluted water or waste—any water or waste containing none of the following: free or emulsified grease or oil; pH less than 6.0 or greater than 9.0; phenols or other substances imparting taste and odor to receiving waters; toxic or poisonous substances in suspension, colloidal state or solution; obnoxious or odorous gases. It shall not contain not more than 750 milligrams per liter by weight of dissolved solids of which not more than 250 milligrams per liter shall be as chloride and not more than 10 milligrams per liter each of suspended solids and BOD. The color shall not exceed 5 color units. Analysis for any of the above mentioned substances shall be made in accordance with the latest edition of “Standard Methods for the Examination of Water and Wastewater” cited above.

Water authority—any publicly or privately owned duly authorized agency, corporation or organization which is the approved purveyor of the public water supply within the limits of the Borough’s service area.

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

(*Ord. 169, 3/10/1980, Art. I, §§101–147*)

§18-222. Discharge of Sanitary Sewage to Public Sanitary Sewage System Required.

1. All persons owning property within the Borough's service area accessible to the public sanitary sewage system, and whose existing occupied building is within 150 feet from such sewer system, shall, at their own expense, make connection with the public sanitary sewage system in accordance with the applicable Sections of Part 2A of this Part in effect in the Borough's service area, if they are not presently so connected.

2. All persons owning property within the Borough's service area accessible to the public sanitary sewage system, upon which an occupied building is subsequently erected within 150 feet from such sewer system, shall, at their own expense, make connection with the public sanitary sewage system in accordance with the applicable Sections of Part 2A of this Part in effect in the Borough's service area.

3. All persons owning any occupied building within the Borough's service area accessible to the public sanitary sewage system, and, if said building is within 150 feet from such sewer system, shall, at their own expense, make connection with the public sanitary sewage system within the time period stipulated after proper notice to do so has been given in accordance with applicable law.

4. All connections to the public sanitary sewage system shall be made in accordance with §18-230.

5. No privy vault, cesspool, septic tank, mine hole or similar receptacle for human excrement shall presently or at any time hereafter be connected with the public sanitary sewage system.

6. The Borough and the Authority will furnish sewage service only in accordance with the prevailing Rules and Regulations of the Borough and of the Authority, which rules and regulations, along with the prevailing rates for sewage service, are made a part of every application, contract, agreement or license entered into between the property owner or customer or sewage agency and the Borough and the Authority.

(*Ord. 169, 3/10/1980, Art. II, §§201–206*)

§18-223. Exclusion of Stormwater Runoff.

1. The discharge of stormwater runoff to sanitary sewers is prohibited.

2. All persons presently connected to or connecting hereafter to the public sanitary sewage system shall provide adequate means for excluding stormwater runoff in the event the connection is made to a sanitary sewer.

3. No person presently connected to or connecting hereafter to a sanitary sewer shall connect any roof drain or foundation drain or cellar drain thereto or permit any such drains to remain connected thereto, nor shall he permit, allow or cause to enter into any sanitary sewer any spring water or surface water from any other source. Also no stormwater connection from any building or yard, nor any drain from any catch basin, lake, swamp, pond or swimming pool, nor any inlet for surface water, stormwater or ground water of any kind shall be connected to the public sanitary sewage system,

or to any private sanitary sewer connected to the public sanitary sewage system.

4. The provisions of these rules and regulations do not prohibit the discharge through presently existing connections of stormwater runoff to combined sewers or storm sewers or to natural water courses within the Borough's service area, but within any area served by the public sanitary sewer system no future stormwater connections shall be made and existing stormwater connections must also be removed prior to connection to the public sanitary sewage system. Within such area no downspout or leader, gutter or other pipe, drain or channel, which may at any time carry stormwater, subsurface drainage derived from hydraulic pressure or from well points or cooling water, shall hereafter remain connected or be connected with any sanitary sewer. No downspout or leader shall be used as a soil, waste or vent pipe. Every joint in the connection of a house drain to a sanitary sewer shall be made watertight so that no leakage into or from any such drain shall occur.

(*Ord. 169, 3/10/1980, Art. III, §§301–304*)

§18-224. Admission of Industrial Waste to Public Sanitary Sewage System.

1. Except as hereinafter provided, no person shall discharge or cause to be discharged, or allow to run, leak, or escape directly or indirectly into the public sanitary sewage system or any public sewer, pipe, channel, or sewer appurtenance connecting with any public sewer, or into any private sewer connected with a public sewer, any of the following described materials, substances or wastes, except such small quantities as may be present in normal household wastes:

A. Construction materials, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood, paunch manure, fur, wax, or any solids or viscous substances capable of causing obstruction to the flow in sewers or other interference with the proper operation of the public sanitary sewage system.

B. Snow and ice.

C. Any gasoline, benzine, naphtha, fuel oil, or other inflammable or explosive liquids, solids or gases.

D. Steam or hot water above 150° Fahrenheit.

E. Any waste or water which may contain petroleum hydrocarbons, such as greases, oil and oil sludges from garages, repair shops, machine shops, industrial establishments in concentrations in excess of 100 mg. per liter. However, fats and greases, such as those derived from cooking and food processing, may be discharged to sewers, provided that the concentration and physical dispersion of the fats and greases does not result in separation and the adherence to sewer structures or appurtenances. If there is evidence of adherence of such materials to said structures, or if such materials cause blockage in the public sanitary sewage system, then the wastewater carrying such materials must be effectively treated by a process or device, such as a grease trap or interceptor, before its discharge.

F. Coal tar, its derivatives and waste.

G. Any waters or wastes having a pH lower than 6.0 or higher than 9.0 or having any other corrosive property which may cause damage or hazard to structures, equipment of the public sanitary sewage system, or personnel employed in its operations.

H. Any liquids or wastes containing toxic or poisonous substances in sufficient quantity or rate of flow as to injure or interfere with any of the wastewater treatment processes, or to constitute a hazard to human beings or animals, or to create any hazard in the receiving waters.

I. Any liquids or wastes containing suspended solids of such quality and/or quantity that become burdensome in the operation and maintenance of the wastewater treatment plant facilities.

J. Any noxious or malodorous gas or substance capable of creating a nuisance.

K. Any natural waters including lake and swamp drainage, or recycled stream waters.

L. Any water or substance, which in the opinion of the Borough or Authority will result in a discoloration or other undesirable physical change in the appearance of the receiving stream.

2. When, in the opinion of the Borough or Authority, the solids in an industrial or commercial waste require comminution before discharge to the public sanitary sewage system, not only must the necessary comminution facilities be approved for adequacy, but also the operating results must satisfactorily abate the problem which such solids may tend to create in the public sanitary sewage system.

3. Any physical connection to the public sanitary sewage system, or to a private sewer connected to the public sanitary sewage system, from vessels, tanks or containers receiving any of the hereinbefore mentioned materials and substances from which quantities of the aforesaid prohibited materials or substances could accidentally be discharged directly or indirectly into the public sanitary sewage system is prohibited. Precautions shall be taken by the respective property owner to prevent the accidental spillage of any of the hereinbefore mentioned material to floor drains, manholes, basins, gutters, etc., from any manufacturing process or storage tank.

4. The following is a partial list of toxic substances and pathogenic bacteria, the admission of which into the public sanitary sewage system is hereby prohibited unless their concentration: (1) is reduced by treatment at the source to a point that will meet the general purposes of these rules and regulations or come within the acceptable standards formally established by the Authority through issuance of a permit described under §18-230 of said Authority's rules and regulations, and (2) will not adversely affect sludge handling or any other bio-chemical, biological, physical or other sewage treatment process:

- A. Alcohols
- B. Antibiotics
- C. Arsenic and arsenicals
- D. Bromine, iodine, chlorine
- E. Copper and copper salts
- F. Creosoles or creosotes
- G. Fluorine
- H. Formaldehydes

- I. Mercury and mercurials
- J. Phenols and their derivatives
- K. Silver and silver compounds
- L. Sulfonamides, toxic dyes (organic or mineral)
- M. Zinc compounds
- N. All strong oxidizing agents such as chromates, dichromates, peroxides, etc.
- O. Chemical compounds producing toxic, inflammable or explosive gases, either upon acidification, alkalization, oxidation, or reduction.

(*Ord. 169, 3/10/1980, Art. IV, §§401–404*)

§18-225. Terms and Conditions for the Issuance of an Industrial Waste Permit.

1. It shall be unlawful for any person to discharge directly or indirectly into the public sanitary sewage system or into any private sewer or drain emptying into the public sanitary sewage system, any non-domestic industrial or commercial waste, except upon such terms and conditions as may be established by the Borough and the Authority in the issuance of such a permit.

2. Terms and conditions as may be required by the Borough and the Authority in the issuance of a permit shall be as set forth in the Authority's rules and regulations.

(*Ord. 169, 3/10/1980, Art. V, §§501–502*)

§18-226. Sewage Collection, Transportation and Treatment Charges.

1. There is imposed upon the owners of, or the users of water in or on, all properties served by the public sanitary sewage system, sewage collection, transportation and treatment charges for the use of said system, payable in the amounts and as provided in Sections of Part 2B and in the Authority's Sewer Rate Resolution heretofore adopted by the Borough and the Authority, respectively, and as they are hereinafter from time to time amended and modified. Said owners and users will be jointly and severally liable for the payment of said sewage collection, transportation and treatment charges and the penalties therein prescribed for delinquent payments thereof.

2. All bills for sewage collection, transportation and treatment charges shall be due when rendered and shall be subject to the penalty provisions set forth in Sections of Part 2B and in the Authority's Sewer Rate Resolution. Owners and, where adequate arrangements have been made with the Borough and the Authority, users will be billed periodically for the sewage collection, transportation and treatment charges in accordance with the billing practices of the Borough and the Authority.

3. The Borough's initial sewage collection charges shall be on a flat rate basis in accordance with sections of Part 2B. The Borough may, if it deems it advisable, elect at some time in the future to impose, in whole or in part, the sewage collection charges on such other basis as it may determine. When water usage is used as the basis for said charges, the volume of water to be used for billing purposes shall be based upon water meter readings of the Water Authority or, in the absence of such readings, upon estimates made by the Borough or flat rate charges.

4. When water usage is used as the basis of charges, then if an owner or user

obtains part or all of the water used in or on a property from sources other than the Water Authority, such owner or user may, after written approval from the Borough, at no expense to the Borough or the Water Authority, install and maintain a water meter or meters satisfactory to the Borough and the Water Authority for measuring all water used other than that obtained from the Water Authority, and the quantity of water used to determine the sewage collection charges shall be the quantity of water measured by all such meters plus the quantity of water obtained from the Water Authority. In lieu of such additional meters, the Borough may establish under §18-211 a flat rate charge which shall be applicable to such non-metered water usage.

5. When water usage is used as the basis of charges, then if it is established to the satisfaction of the Borough that a portion of the water used in or on any property served by the public sanitary sewage system does not and cannot enter said system, and in the event that the total water used in or on said property exceeds 100,000 gallons per quarter, the Borough may determine, in such manner and by such method as it may deem practical, the percentage of the water entering the public sanitary sewage system, or the Borough may require or permit the installation of additional meters in such manner as to determine either the quantity of water excluded from the public sanitary sewage system or the quantity of water, sewage or industrial waste actually entering the public sanitary sewage system, exclusive of stormwater runoff. In such case, the sewage collection charge shall be based upon the quantity of water estimated, measured or computed by the Borough to be actually entering the public sanitary sewage system, exclusive of stormwater runoff.

6. When water usage is used as the basis of charges, then any person requesting consideration for a reduction of the amount of the sewage collection charges because of water not entering the public sanitary sewage system shall make written application to the Borough for such consideration, giving the name of such person, his address and setting forth supporting data fully describing other sources of water, if any, as well as the disposition of water alleged not to be entering the public sanitary sewage system. The application shall be accompanied by a sketch to approximate scale showing the plan of the property, the water distribution system, sewer layout, existing meters, and proposed meters in the scheme to determine the quantity of flow entering, or not entering, the public sanitary sewage system. The cost of furnishing, installing and maintaining any meters other than those utilized to measure water purchased from the Water Authority shall be borne by the applicant. The type, size, location, arrangement and maintenance of such meters shall be subject to the approval of the Borough, the Authority and the Water Authority.

(Ord. 169, 3/10/1980, Art. VI, §§601–606)

§18-227. Removal, Transportation and Disposition of Scavenger Wastes.

Scavenger wastes will be admitted into the public sanitary system only by approval of the Borough and the Authority, and only in accordance with and in full compliance with the provisions of the Authority's Rules and Regulations. Persons desiring to discharge scavenger wastes into the public sanitary sewage system and the treatment plant shall be required to obtain permits from the Authority. Scavenger wastes under this title shall mean putrid or offensive matter collected from privies, septic tanks and cesspools within the limits of the Borough. The disposal of such wastes to the public sanitary sewage system from sources outside of the Borough is prohibited.

(Ord. 169, 3/10/1980, Art. VII, §701)

§18-228. Billing and Collection.

Bills and notices relating to the sewage collection, transportation and treatment charges and surcharges will be mailed or delivered to the property owner's last address, or where proper arrangements have been made with the Borough and the Authority, to the user's last address, as shown on the billing books of the Borough and the Authority.

(Ord. 169, 3/10/1980, Art. VIII, §801)

§18-229. Connections to System.

1. Application for connection to the public sanitary sewage system shall be made to the Borough upon the permit form to be formulated and furnished by the Borough.

2. All information requested on said form shall be furnished by the applicant, including the character and use of each structure located upon the property.

3. Any required tap connection fee shall be paid at the time of making application for permission to make a connection.

4. No work shall commence before the payment of any aforementioned tap connection fee and issuance of the aforementioned connection permit.

5. All connections shall be made in accordance with the requirements of these rules and regulations and the Authority's Sewer Rate Resolution and the Authority's rules and regulations.

6. Connections to sanitary and combined sewers shall be completed within 60 calendar days after receipt of proper notice.

7. All connections to the sanitary or combined sewers shall be subject to certain restrictions as to unacceptable sanitary sewage which are set forth herein and in the Authority's rules and regulations.

8. The designated Inspector of the Borough shall be given at least 24 hours notice before any connection is made to the system so that said Inspector can be present to inspect and approve the work of building the sewer and connection. The Inspector shall signify his approval to the connection by endorsing his name and the date of approval on the aforementioned connection permit in the possession of the permittee. The Inspector shall be permitted to enter upon all properties receiving sewer service for the purpose of inspection, observation, measurement, sampling and testing; such entries to be made only during reasonable daylight hours with prior notification to the customer.

9. At the time of inspection of the connection, the owner or owners of properties shall permit the Inspector full and complete access to all sanitary and drainage arrangements and facilities in each building and in and about all parts of the property. No building sewer line shall be covered over, or in any manner concealed, until after it is inspected and approved by said Inspector.

10. It is the intention of these rules and regulations that the entire connection be inspected at one time; however, if the property owner feels that special conditions warrant more than one inspection, he may request the same, subject to such additional inspection fees as the Borough shall determine.

11. All pipe installed shall be either:

- A. PVC polyvinyl chloride plastic sewer pipe, having either a rubber ring or a solvent cemented joint (ASTM D-3033 or 3034).
- B. Asbestos cement pipe with rubber ring joint (ASTM C-428).
- C. Cast iron soil pipe with leaded or rubber ring joint (ASA-A40.1).
- D. Vitrified clay pipe with rubber joint (ASTM C-700).

All pipe installed shall be at least 4 inches in diameter. Each section of pipe shall be stamped with the manufacturer's certification.

12. All sewer pipe shall be installed in strict accord with the manufacturer's recommendations. Where rock trench foundation exists, a 4-inch gravel cradle shall be provided under the pipe.

13. All pipe shall be installed with a minimum slope of $\frac{1}{8}$ inch per foot and a minimum cover of $2\frac{1}{2}$ feet unless otherwise approved. All pipe shall be laid to an even grade and straight alignment to the public sanitary sewer. All pipe shall be laid with full and even bearing and no block supports will be allowed. Bell holes shall be dug to allow sufficient space to properly make each joint. Backfill shall be tamped uniformly around the pipe. All work shall be done in a workmanlike manner and shall provide a durable installation.

14. A 4-inch trap with a 4-inch vent shall be installed a maximum of 5 feet from the building. The vent shall be so situated as not to allow the discharge of any surface water to the sanitary sewer.

15. Commercial installations must also comply with all local construction regulations.

16. Maintenance and repair of all building sewers shall be the responsibility of the property owner.

17. Old building sewers may be used to connect existing buildings to the sewer system only when the Borough's Inspector and the Authority's representative determine that the old sewer is in an acceptable condition. If rejected, the owner of the property shall install a new building sewer to comply with these rules and regulations.

18. No person shall uncover or make any connections with or opening into, use, alter, or disturb any sewer owned by the Authority or the Borough without first having obtained a written permission to do so from an authorized official.

19. All costs and expenses incident to the installation and connection of building sewers shall be borne by the owner of the building or property desiring to make such connection. The owner shall indemnify the Authority and the Borough in which the premises is located from any personal or property damage that may directly or indirectly be caused by the installation of the building sewer.

20. All sewers laid beneath the basement floor shall be extra heavy cast iron soil pipe with leaded and caulked joints and extended at least 5 feet outside the cellar wall, where the aforementioned suitable venting trap device shall be installed and shall otherwise comply with the building code of the Borough.

21. All sewer service pipe to be located between the building and the public sanitary sewage system shall be constructed with water-tight joints and shall be a material approved by the Borough Inspector and the authorized representative of the

Authority.

(*Ord. 169, 3/10/1980, Art. IX, §§901–921*)

§18-230. Proposed Extensions of System by Developers.

1. Five copies of plans for proposed extensions shall be submitted by the developer at his expense to the Borough on 24-inch x 36-inch sheets showing plan views to a scale of 1 inch equals 50 feet and profiles to a scale of 1 inch equals 10 feet vertically and 1 inch equals 50 feet horizontally, a north point, a suitable title block, date and the name of the engineer or surveyor and imprint of his registration seal.

2. All sewers shall be designed in accordance with the Sewerage Manual of the Pennsylvania Department of Environmental Protection, Division of Sanitary Engineering, and these rules and regulations. [*Ord. 2015-04*]

3. Construction of sewers will not be permitted until the proper State permits have been obtained.

4. Prior to final acceptance of any sewer extensions by the Borough, it will be necessary for the developer to furnish to the Borough “as-built” plans showing the angle and distance between manholes, the top and invert elevation of each manhole, and the exact location of all house sewer connections relative to the nearest manhole both downstream and upstream.

5. Easements shall be recorded in the name of the Borough for all sewers to be constructed outside of dedicated street rights-of-way.

6. All sewer pipe shall be extra strength vitrified clay pipe conforming to ASTM Specification C-700, ABS Truss Pipe conforming to ASTM Specification D-2680, PVC Sewer Pipe conforming to ASTM Specification D-3034 (with SDR of 35), or Class 2400 Asbestos-cement pipe conforming to ASTM Specification C-428, unless otherwise specified for extraordinary ground conditions by the Borough.

7. All sewer pipe shall be a minimum of 8 inches in diameter and have a minimum of laying length of not less than 5 feet.

8. Jointing connections for clay pipe shall be the factory fabricated type conforming to ASTM Specification C-425, Type III; both the bell and the spigot of the pipe shall be especially prepared for the jointing connection selected; and the details of any jointing connection which is proposed for use must be submitted to the Borough for prior approval.

9. The installation of sewers shall start at the lower end of the line and proceed upstream so that the spigot ends point in the direction of flow, the pipe shall be carefully laid to line and grade, and the handling, placing and jointing of pipe shall be in strict accordance with the pipe manufacturer’s recommendations.

10. All manholes shall be constructed in accordance with the standards established by the Borough. Frames and covers for all manholes shall be fabricated of cast iron and shall conform to the standards established by the Borough. Vented covers shall be furnished at the ends of lines.

11. Sewers shall be hydrostatically, pneumatically, and/or smoke tested for leakage at the discretion of, and in the manner required by, the Borough.

12. The developer shall file all necessary connection permits and pay the applicable tap connection fees for each house or building to the Borough which shall become due

and payable prior to inspection and approval by the Inspector for each respective house service sewer.

13. The developer shall also reimburse the Borough in full for all costs of inspection of construction of all sanitary sewers. The amount and type of inspection required shall be determined by the Borough during construction.

14. No sewer extensions constructed by a developer will be approved for use and acceptance by the Borough until said sewers are formally approved by the Borough, all building tap connection fees have been paid for each building connected to the system, and the Borough has been reimbursed in full for all inspection costs incurred by the Inspector during construction, testing and approval.

(*Ord. 169, 3/10/1980, Art. X, §§1001–1014; as amended by Ord. 2015-04, 12/14/2015*)

§18-231. Delinquencies, Violations and Remedies.

1. Each sewage collection charge, surcharge and penalty imposed by Part 2A of this Part shall be a debt due the Borough and shall be a lien on the property served, and if not paid within the period prescribed in the Sewer Rate Ordinance after the date of the bill shall be deemed delinquent. In such event, the Borough or its designated agent shall proceed to file a lien in the office of the Prothonotary of Westmoreland County and collect the same in the manner provided by law for the filing and collection of municipal claims. In the event of failure to pay the sewage collection charge or surcharge or penalty after they become delinquent, the Borough may also authorize the appropriate personnel to shut off water service to said property or to remove or close the sewer connection and to take such steps as may be necessary to accomplish such shut off or removal or closing. The expense of such shut off or removal or closing, as well as the expense of restoring any such service, shall likewise be a debt due the Borough and a lien on the property served and may be filed and collected as hereinabove provided. Such sewage service shall not be restored until all sewage collection charges, surcharges and penalties, including the expense of removal, closing and restoration shall have been paid or adequate provisions for their payment shall have been made.

2. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, 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 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense. [*Ord. 2015-04*]

(*Ord. 169, 3/10/1980, Art. XI, §§1101–1102; as amended by Ord. 204A, 2/13/1989, §22; and by Ord. 2015-04, 12/14/2015*)

Part 3**Pretreatment Program of Water Pollution Control Authority****§18-301. Need for Enactment; Purpose.**

1. The Borough of Oklahoma, and the Boroughs of Apollo, East Vandergrift, Hyde Park, Leechburg, North Apollo, Vandergrift, and West Leechburg and the Townships of Allegheny, Gilpin, Kiskiminetas, Parks and Washington (hereinafter referred to as the "Municipalities") have duly incorporated the Kiski Valley Water Pollution Control Authority, hereinafter referred to as the Authority, under the provisions of the Municipality Authorities Act of 1945, approved May 2, 1945, P.L. 382, as amended, and charged the Authority with the responsibility to exercise all powers and control over the operation and use of the sewage transportation and treatment facilities serving the municipality.

2. The Authority has been ordered by the United States Environmental Protection Agency to develop and submit for approval a Pretreatment Program in accordance with the requirements of the General Pretreatment Regulations (40 CFR, Part 403).

3. An approvable Pretreatment Program must establish police powers including the authority to enforce criminal penalties against industrial users which violate Federal or local pretreatment standards or requirements.

4. The Borough of Oklahoma desires to cooperate with the Authority in developing and implementing an approvable pretreatment program.

(Ord. 189A, 10/8/1984, Preamble)

§18-302. Definitions.

The following words, terms, and phrases shall be construed in this Part to have the following meanings except in those instances where the context clearly indicates otherwise:

Industrial wastes—any liquid, gaseous or waterborne wastes from industrial processes or commercial establishments as distinct from sanitary sewage.

Person—any individual, partnership, copartnership, firm, company, corporation, association, or any other legal entity, or their legal representatives, agents or assigns.

Sanitary sewage—the normal water carried household and toilet wastes from residences, business establishments, institutions, industries and commercial establishments, exclusive of stormwater runoff, surface water, groundwater and industrial wastes.

(Ord. 189A, 10/8/1984, §1)

§18-303. Unlawful to Fail to Comply with Authority Rules and Regulations.

No person shall contribute, cause to be contributed, or discharge any industrial wastes to the public sanitary sewage facilities of the Kiski Valley Water Pollution Control Authority, except in accordance with the Rules and Regulations Governing Industrial Sewer Use that have been adopted, or may hereafter be adopted, by the

Authority.

(*Ord. 189A*, 10/8/1984, §2)

§18-304. Penalty for Violation or Failure to Comply.

Any person who is found to have violated or willfully or negligently fails to comply with any provision of the Rules and Regulations Governing Industrial Sewer use adopted by the Authority or any order, regulation, service contract or permit issued by the Authority, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not less than \$100 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 189A*, 10/8/1984, §3; as amended by *Ord. 2015-04*, 12/14/2015)

§18-305. Penalty for Acts Involving Falsification of Records or Tampering with Monitoring Devices or Methods.

Any person who knowingly makes any false statement, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to the Authority's Rules and Regulations Governing Industrial Sewer Use, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required pursuant to the Authority's Rules and Regulations Governing Industrial Sewer Use, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, 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 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 189A*, 10/8/1984, §4; as amended by *Ord. 2015-04*, 12/14/2015)

Part 4**Grease Traps and Interceptors****§18-401. Title.**

There shall, following the adoption hereof, be added to the ordinances of Oklahoma Borough this Part to be titled "Grease Traps and Interceptors."

(*Ord. 2010-12, 9/13/2010, Art. I*)

§18-402. Authority, Findings, and Purpose.

1. Authority is hereby authorized to establish an inspection and maintenance program, along with rules, regulations and standards to require commercial and industrial Borough users whose use is likely to generate harmful grease, fats and oils, to install and maintain traps, interceptors and recovery devices to prevent the introduction, disposal and/or discharge of such grease, fats, oils, and other wastes and substances, food particles, or organic or inorganic solid or semisolid waste that can be collected and intercepted by a grease interceptor, usually in layers of floatable, suspended, and settleable substances, which are or can be ultimately removed from a grease interceptor for proper disposal (hereinafter "harmful grease.") The grease trap maintenance and protection system shall be implemented and administered as follows:

A. The objective of the grease trap protection and maintenance system is to reduce the operational and maintenance costs of maintaining the public sewers, sewage disposal system and sewer system by preventing the accumulation of harmful grease within the sanitary sewer lines.

B. The Council and/or its designee or agent, and persons designated and under the instruction and supervision of any of them, may inspect and investigate compliance with this Part and enforce violations hereof.

C. Commercial or industrial generators of harmful grease shall install, operate and maintain a "grease interceptor" or "interceptor" approved by the Council, which shall mean a water-tight receptacle to intercept, collect, and prevent the passage of harmful grease into the service connection and, ultimately, the sewer, sewer system and/or sewage disposal system to which the receptacle is directly or indirectly connected.

D. Commercial or industrial generators of harmful grease shall install, operate and maintain a "grease recovery device" approved by the Council, which shall mean a type of grease interceptor that mechanically removes harmful grease from the waste stream for later disposal.

E. Grease and grease interceptors and grease recovery devices shall:

- (1) Be stored on premises in an integral recovered grease container.
- (2) Be stored in such a manner as to minimize odors and insects.
- (3) Not be mixed with edible grease.

(4) Be properly disposed of in accordance with all applicable rules and regulations.

(5) If stored on site, it shall be stored in proper containers so as to prevent odor and leaking.

F. The following facilities shall discharge all waste from sinks, dishwashers, drains, and any other fixtures through which harmful grease may be discharged, into an adequately sized, properly maintained and functioning grease trap protection and maintenance system before the discharge enters the service connection and, ultimately, the sewer, sewer system and/or sewage disposal system to which the receptacle is directly or indirectly connected, as well as providing a grease interceptor inlet flow control device inspection port and a grease interceptor effluent monitoring port:

(1) Every commercial food preparation and service facility, including but not limited to bakeries, boarding houses, butcher shops, cafes, clubhouses, commercial kitchens, delicatessens, fat rendering plants, ice cream parlors, hospitals, meat packing plants, restaurants, schools, slaughter houses, soap factories, and similar facilities, especially where meat, poultry, seafood, dairy products or fried foods are prepared or served.

(2) All shopping centers that have food processing facilities.

(3) All food courts.

(4) All other facilities discharging harmful grease that, in the opinion of the Council, will, alone or in concert with other substances from the discharges of other facilities, have a reasonable chance to impede or stop the flow in the sewer, sewer system and/or sewage disposal system to which any service connection is directly or indirectly connected.

G. Grease interceptors or recovery devices shall not be required for single-family residences, duplexes, triplexes, quadplexes, or apartment complexes, unless the Council first determines there are discharges from the property that will create problems in the sewer, sewer system and/or sewage disposal system. The determination shall be made based upon an investigation of the property and a comparison of the content and amount of discharge from the property with the discharges of other properties similar in size and use. Upon a determination that the discharges will create problems in the sewer, sewer system and/or sewage disposal system to which any service connection receptacle is directly or indirectly connected, the Council may require the installation of a sufficiently sized grease inceptor or recovery device to treat the discharges.

H. Those Borough users of the sewer, sewer system and /or sewage disposal system who are or may be determined to be subject to the requirements of this Part shall:

(1) Describe the method or means by which harmful grease is being disposed of in accordance with applicable rules and regulations when providing records in accordance with paragraph .F(3) hereof.

(2) Maintain and inspect the grease interceptor and/or recovery device as often as necessary to properly dispose of harmful grease and no less often than every 90 days and maintain on the premises of the facility, and produce, upon request by the Counsel, backup copies of trip tickets and/or a service log, for at least 2 years.

(3) Within 10 days after notice from the Council, provide copies of records to the Council demonstrating service, cleaning and maintenance of the interceptor and/or recovery device every 90 days.

(4) Allow demand inspection of the facility and of records by inspectors during reasonable hours.

(5) Pay the costs of inspecting, administering, implementing and enforcing this Part in the event of failure to comply with the provisions hereof.

I. It is unlawful for any generator of harmful grease to discharge into the service connection and, ultimately, the public sewer; sewer system and/or sewage disposal system to which the receptacle is directly or indirectly connected, in any manner that is in violation of this Part, or of any condition set forth in this Part. Additionally, a person commits an offense if the person causes or permits the plugging or blocking of, or otherwise interferes with or permits the interference of a grease interceptor or recovery devices so as to cause flow to rise above the design capacity of the interceptor.

J. If any person, company, firm, corporation or other entity is in violation of any of the conditions, restitutions or requirements or any of the provisions of this Part and/or neglects or refuses to comply with the provisions of this Part, he shall be guilty of a violation and for each such violation, upon conviction thereof in a summary proceeding commenced under the Pennsylvania Rules of Criminal Procedure, he shall be sentenced to pay a fine of not more than \$1,000 along with costs of prosecution, and imprisonment to the extent allowed by law for the punishment of summary offenses; provided, each day's violation shall constitute a separate violation. In addition, the Borough shall have the right to enforce this Part or remedy conditions occasioned by violations of this Part by actions instituted in equity or at law. [*Ord. 2015-04*]

K. The Council may suspend water or sewer service when such suspension is necessary, in the opinion of the Council, in order to stop an actual or threatened discharge which:

(1) Presents or may present an imminent or substantial endangerment to the health or welfare of persons or the environment.

(2) Causes stoppages or excessive maintenance to be performed to prevent stoppages in the public sewer, sewer system and/or sewage disposal system.

(3) Causes interference to the public sewer, sewer system and/or sewage disposal system.

(4) Causes the Borough or Council to violate any condition of its permits.

(5) Any person notified of a suspension of the water or sewer service shall immediately stop or eliminate the discharge. In the event of a failure of the person to comply voluntarily with the suspension order, the Council shall take such steps as deemed necessary, including immediate termination of water or sewer service, to prevent or minimize damage to the sewer, sewer system and/or sewage disposal system to which the receptacle is directly or indirectly connected or endangerment to any individuals. Council shall reinstate the water or sewer service when such condition cause(s) of the harmful discharge and the measure(s) taken to prevent any future occurrence shall be submitted

to the Council within 15 days of the date of occurrence.

(6) A person is liable to Council for any expense, loss or damage incurred by Council for reason of appropriate clean-up and proper disposal of harmful grease. Additionally, an administrative fee equal to one-half of assessed clean-up costs shall be levied by the Council against the responsible party.

L. If any part or parts of this Part shall be held to be invalid, such invalidity shall not affect the remaining parts of this Part. The governing body declares that it would have passed the remaining parts of this Part, it had known that such parts or parts thereof would be declared invalid.

M. This Part shall take effect 5 days after enactment.

(Ord. 2010-12, 9/13/2010, Art. II; as amended by Ord. 2015-04, 12/14/2015)

Part 5**Dye Test of Stormwater Infiltration****§18-501. Definitions.**

When used herein, the following words shall have the following meanings:

Borough claim / lien tax verification letter—a written letter from the Borough regarding any liens, claims, and/or taxes due the Borough from said person.

Dye test—any commonly accepted plumbing test whereby dye is introduced into the sanitary, storm or surface water collection system of real property to determine if any sanitary water or discharge or storm or surface water is entering the sanitary or storm sewer system.

Evidence of compliance—an official written letter or statement from the Borough confirming that it has on file a written report or statement from a licensed plumber certifying there are no illegal storm or surface water connections into the sanitary sewer system or there are no sanitary water or discharge connections into the storm sewer system, which would violate the Borough or County ordinances, the State statues, or Borough, County or State plumbing regulations.

Illegal storm or surface water—the inflow, infiltration and/or discharge of stormwater, surface water, basement seepage, downspouts, roof drainage, area way drainage, or non-sanitary sewer discharge into the Borough's sanitary sewer system.

Person—shall include within limitation any person, partnership, association, authority, syndicate, firm corporation, or other entity having ownership rights for or in any real property.

Sanitary sewage / water—the inflow, infiltration and/or discharge of sanitary water or sewer discharge into the Borough's sanitary sewer system.

Temporary evidence of compliance—a temporary written report/statement from the Borough issued pursuant to §18-504 of this Part.

(Ord. 6/9/2003B, §1)

§18-502. Unlawful to Sell, Convey or Transfer Real Property without Obtaining Permit.

From and after the effective date of this Part, it shall be unlawful for any person to sell, convey or transfer real property located within the Borough on which a building or improvement exists without first obtaining and delivering to the purchaser an evidence of compliance or temporary evidence of compliance form from the Borough as required under this Part.

(Ord. 6/9/2003B, §2)

§18-503. Evidence of Compliance.

1. Any person selling, conveying or transferring real property located within the Borough shall apply for evidence of compliance on a Borough approved form at least 14 days prior to the date of closing and pay such fee as the Borough may establish from

time to time by resolution. Such person, hereinafter termed the applicant, shall thereupon have a dye test performed on the real property to be sold, conveyed or transferred by a plumber registered and licensed by the Westmoreland County Health Department. Upon completion of the dye test, the plumber so hired by the applicant shall then complete the appropriate section of the Borough form confirming that the property has been dye tested and certifying the results of such test. In the event the said plumber certifies that there no illegal storm or surface water or sanitary water or discharge connections on the property to be sold conveyed or transferred, the Borough Manager or his designated representative shall issue the evidence of compliance. If the dye test reveals the existence of an illegal storm or surface water or sanitary connection, the Borough Manager shall not issue the evidence of compliance until the illegal connection has been removed and certification of the correction of the illegal connection has been certified by a plumber who is registered and licensed by the Westmoreland County Health Department.

2. This Part shall apply to any transfer of the property, whether by sale, gift, exchange, inheritance, or bequest or deed In lieu of mortgage foreclosure, except that this Part shall not apply where a joint owner with right of survivorship or a tenant by the entireties acquires full ownership of the property upon the death of the co-owner. (*Ord. 6/9/2003B*, §3)

§18-504. Temporary Evidence of Compliance.

In the event an illegal storm or surface water or a sanitary connection is discovered, and the necessary remedial correction of the condition would require a length of time to perform such that it would create an undue hardship on the applicant to perform the same prior to the date of closing on the sale, conveyance or transfer of the property, the applicant may apply to the Borough Manager for temporary evidence of compliance provided there is strict compliance with the following conditions:

A. The Borough Manager or designee is provided with a bona fide executed contract between the applicant and a plumber registered and licensed by the Westmoreland County Department of Health requiring the plumber to complete the necessary remedial work to correct and/or remove the illegal storm or surface water or sanitary water.

B. Cash security in the amount of 110 percent of the contract price described in paragraph .A above is deposited with the Borough prior to the issuance of the temporary evidence of compliance to be held by the Borough in a noninterest bearing account. Cash security shall be limited to cash, certified checks and treasurers checks.

C. A written acknowledgment and notarized agreement under which the purchaser, grantee, transferee, or devisee agrees to be responsible for all cost over runs related to the remedial work together with a grant to the Borough of a license to enter upon the property to complete the work at the expense and cost of the purchaser should the contractor default in the agreement. The Borough Manager or his designee may establish a reasonable period of time for the said corrective work to be completed taking into consideration the extent of the work required, and the conditions then existing. The said Borough Manager or his designee shall thereupon advise the applicant and the purchaser of the date of expiration of the

temporary evidence of compliance. Upon expiration of the temporary evidence of compliance, without all remedial working having been completed, the cash security deposited with the Borough shall be forfeited and the Borough may use such security to have the required remedial work completed. Any cost over run exceeding the cash security posted with the Borough shall remain the sole and exclusive liability of the purchaser and constitute a lien against the real estate.

D. The agreement referred to in paragraph .C above shall be in a form capable of being recorded in the Office of the Recorder of Deeds, and may be recorded by the Borough as it deems necessary. The cost of recording the agreement shall be the responsibility of the purchaser and applicant.

(Ord. 6/9/2003B, §4)

§18-505. Borough Lien Letter or Tax Certification Letter.

A request for a Borough lien letter or tax certification letter must be accompanied by a valid evidence of compliance certificate and/or a valid temporary evidence of compliance certificate no less than 14 business days prior to the date the letters are requested. The Borough may by resolution establish the fees for such letters.

(Ord. 6/9/2003B, §5)

§18-506. Borough May Establish Procedures.

The Borough may, by resolution, adopt any or all of the following in order to accomplish the purposes of this Part:

A. Establish the application form, the purchaser acknowledgment form, the plumber's certificate form, and the form of the evidence of compliance certificate and temporary evidence of compliance, and the fee for issuance of the same.

B. Establish the procedures and guidelines for the retention, release, and/or payment of any security fund held by the Borough under and pursuant to §18-504.B above.

(Ord. 6/9/2003B, §5)

§18-507. Violation.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, 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 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 6/9/2003B, §7; as amended by Ord. 2015-04, 12/14/2015)

§18-508. Effective.

This Part shall take affect on June 9, 2003, and shall apply to any transfer, conveyance, gift, sale, or devise on or after that date, without regard to the date of any agreement or contract under which the transfer conveyance gift, or sale occurred.

(Ord. 6/9/2003B, §8)

