

CODE OF WAYMART BOROUGH
SEWAGE FACILITIES— CHAPTER 80

Chapter 80.
Sewage Facilities

§ 80-01. Sewer Connections.

§ 80-02. Use of Public Sewers.

§ 80-03. Holding Tanks.

§ 80-04. Enforcement

[HISTORY: This Chapter incorporates regulations regarding sewage facilities that originate from Ordinance 70, Ordinance 10/3/1990 and Chapter 18 of Ordinance 6/2/1998 previously codifying the ordinances of the Borough of Waymart.]

§ 80-01. Sewer Connection.

A. Definitions.

Unless the context specifically and clearly indicates otherwise, the meaning of terms and phrases used in this Chapter shall be as follows:

AUTHORITY - Waymart Area Authority, a municipal authority of the Commonwealth.

BUILDING SEWER - the extension from sewage drainage system of any structure to the lateral of a sewer.

BOROUGH - the Borough of Waymart, Wayne County, Pennsylvania, a municipal corporation of the Commonwealth, acting by and through its Council or, in appropriate cases, acting by and through its authorized representative.

IMPROVED PROPERTY - any property within this Borough upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure sanitary sewage and/or industrial wastes shall be or may be discharged.

INDUSTRIAL ESTABLISHMENT - any improved property located in this Borough used or intended for use, wholly or in part, for the manufacturing, processing, cleaning, laundering or assembling of any product, commodity or article or any other improved property located in this Borough from which wastes, in addition to other than sanitary sewage, shall be discharged.

INDUSTRIAL WASTES - any and all wastes discharged from an industrial establishment other than sanitary sewage.

LATERAL - that part of the sewer system extending from a sewer to the curb line or, if there shall be no curb line, to the property line, or if no such lateral shall be provided, then "lateral" shall mean that portion of, or place in, a sewer which is provided for connection of any building sewer

OWNER - any person vested with ownership, legal or equitable, sole or partial, of any improved property.

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PERSON - any individual, partnership, company, association, society, trust, corporation or other group or entity

SANITARY SEWAGE - normal water-carried household and toilet wastes from any improved property.

SEWER - any pipe or conduit constituting a part of the sewer system used or usable for sewage collection purposes.

SEWER SYSTEM - all facilities, as of any particular time, for collecting, transmitting, treating and disposing of sanitary sewage and/or industrial wastes, situate in or adjacent to this Borough and owned by the Authority.

STREET - any street, road, land, court, cul-de-sac, alley, public way or public square.

B. Use of Public Sewers Required.

- (1) The owner of any improved property benefitted, improved or accommodated by a sewer shall connect such improved property with such sewer in such manner as the Authority may require, within 45 days after notice to such owner from the Authority to make such connection, for the purpose of discharge of all sanitary sewage and industrial wastes from such improved property; subject, however, to such limitations and restrictions as shall be established herein or otherwise shall be established by the Authority, from time to time.
- (2) All sanitary sewage and industrial wastes from an improved property, after connection of such improved property with a sewer shall be required, shall be conducted into a sewer; subject, however, to such limitations and restrictions as shall be established herein or otherwise shall be established by the Authority, fromtime to time.
- (3) No person shall place, shall deposit or shall permit to be placed or to be deposited upon public or private property within this Borough any sanitary sewage or industrial wastes in violation hereof. No person shall discharge or shall permit to be discharged to any natural outlet within this Borough any sanitary sewage or industrial wastes in violation hereof except where suitable treatment has been provided which is satisfactory to this Borough.
- (4) No privy vault, cesspool, sinkhole, septic tank or similar receptacle shall be used or shall be maintained at any time upon any improved property which has been connected to a sewer or which shall be under subsection (1) to be connected to a sewer. Every such privy vault, cesspool, sinkhole; septic tank or similar receptacle in existence shall be abandoned and, at the discretion of the Authority, shall be cleansed and shall be filled, at the expense of the owner of such improved property, under the direction and supervision of the Authority and any such privy vault, cesspool, sinkhole. septic tank or similar receptacle not so abandoned and, if required by the Authority, not cleansed and filled, shall constitute a nuisance and such nuisance may be abated, as provided, by law, at the expense of the owner of such improved property.
- (5) No privy vault, cesspool, sinkhole, septic tank or similar receptacle at any time shall be

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connected with a sewer.

- (6) The notice by the Authority to make a connection to a sewer, referred to herein, shall consist of a copy of this Chapter, including any amendments and/or supplements at the time in effect, or a summary of each Section thereof, and a written or printed document requiring the connection in accordance with the provisions of this Chapter and specifying that such connection shall be made within 45 days from the date such notice is given. Such notice may be given at any time when a sewer is in place which can receive and can convey sanitary sewage and industrial wastes for treatment and disposal from the particular improved property. Such notice shall be served upon the owner in accordance with law.

C. Building Sewers and Connections.

- (1) Any future improved property and/or development within the Borough that may consider on-lot sewage system(s) must first contact the Authority as to the feasibility of connecting sewage into the municipal sewage system and must provide an economic and environmental analysis showing that the proposed on-lot system is preferable to connecting to the municipal sewer system.
- (2) Any improved property within the Borough having an on-lot sewer system with a malfunction requiring the intervention of the local Sewage Enforcement Officer and upon his inspection must notify the Authority before any repair permits are issued. The Authority will review the problem and determine as to the feasibility of connecting the improved property to the municipal sewage system.
- (3) Such person shall have given the Authority at least 24 hours notice of the time when such connection will be made so that this Borough may supervise and inspect or may cause to be supervised and inspected the work of connection and necessary testing.
- (4) If applicable, such person shall have furnished satisfactory evidence to the Authority that any tapping (or connection) fee which may be charged and imposed by the Authority against the owner of each improved property who connects such improved property to a sewer has been paid.
- (5) Except as otherwise provided in this subsection each improved property shall be connected separately and independently with a sewer through a building sewer. Grouping of more than one improved property on one building sewer shall not be permitted, except under special circumstances and for good sanitary reasons or other good cause shown but then only after special permission of the Authority, in writing, shall have been secured and only subject to such rules, regulations and conditions as may be prescribed by the Authority.
- (6) All costs and expenses of construction of a building sewer and all costs and expenses of connection of a building sewer to a sewer shall be borne by the owner of the improved property to be connected and such owner shall indemnify and shall save harmless this Borough and the Authority from all loss or damage that may be occasioned, directly or indirectly, as a result of construction of a building sewer or of connection of a building sewer to a sewer.

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- (7) A building sewer shall be connected to a sewer at the place designated by the Authority and constructed in strict accordance with the Authority's "Sanitary Sewer Connection Code," a copy of which shall be provided when obtaining a permit as required herein.
- (8). If the owner of any improved property benefitted, improved or accommodated by a sewer, after 45 days notice from the Authority requiring the connection of such improved property with a sewer in accordance with this Chapter shall fail to connect such improved property, as required, the Authority may make such connection and may collect from such owner the costs and expenses thereof by a municipal claim, an action in assumpsit or such other legal proceeding as may be permitted by law.

D. Rules and Regulations Governing Building Sewers and Connections.

- (1) Where an improved property, at the time connection to a sewer is required, shall be served by its own sewage disposal system or sewage disposal device, the existing house sewer line shall be broken on the structure side of such sewage disposal system or sewage disposal device and attachment shall be made, with proper fittings, to continue such house sewer line as a building sewer.
- (2) No building sewer shall be covered until it has been inspected and approved by the Authority. If any part of a building sewer is covered before so being inspected and approved, it shall be uncovered for inspection at the cost and expense of the owner of the improved property to be connected to a sewer.
- (3) Every building sewer of any improved property shall be maintained in a sanitary and safe operating condition by the owner of such improved property.
- (4) Every excavation for a building sewer shall be guarded adequately with barricades and lights to protect all persons from damage and injury. Any street, sidewalk and other public property disturbed in the course of installation of a building sewer shall be restored, at the cost and expense of the owner of the improved property being connected, in a manner satisfactory to the Authority or Borough.
- (5) If any person shall fail or shall refuse, upon receipt of a notice of this Borough or the Authority, in writing, to remedy any unsatisfactory condition with respect to a building sewer, within 45 days of receipt of such notice, this Borough or the Authority may refuse to permit such person to discharge sanitary sewage and industrial wastes into the sewer system until such satisfactory condition shall have been remedied to the satisfaction of this Borough and the Authority.
- (6) The Authority reserves the right to adopt, from time to time, additional rules and regulations as it shall deem necessary and proper relating to connections with a sewer and with the sewer system, which additional rules and regulations, to the extent appropriate, shall be and shall be construed as part of this ordinance.

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§ 80-02. Use of Public Sewers.

A. Certain Wastewater Not to Be Discharged Into Sewage System.

No person shall discharge or cause to be discharged any spring water, stormwater, surface water, ground water, roof run-off, subsurface drainage, building foundation drainage, drainage from roof leader connections, cooling water or unpolluted industrial process waters into the public sewage system.

B. Accepted Means of Disposal for Certain Wastewater.

Vapor water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers, storm sewers or to a natural outlet approved by the Enforcement Officer; industrial cooling water or unpolluted process waters may be discharged, upon approval of the Enforcement Officer, to a storm sewer or natural outlet.

C. Prohibited Wastes.

Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes into the public sewage system:

- (1) Any liquid or vapor having a temperature higher than 150 degrees F. or 68 degrees C.
- (2) Any water or waste which may contain more than 100 parts per million by weight of tar, fat, oil or grease.
- (3) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gases.
- (4) Any solid wastes resulting from preparation, cooking and dispensing of food and from handling, storage and sale of produce, which wastes commonly are known as garbage, which have not been ground by household type disposal units or other suitable garbage grinders.
- (5) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, manure, cotton, wool or other fibers or any other solid or viscous substances capable of causing obstruction or other interference with proper operation of the public sewage system.
- (6) Any waters or wastes having a pH lower than 5.5 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment or operating personnel of any part of the sewer system.
- (7) Any waters or wastes containing a toxic or poisonous substance in sufficient quality to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals or create any hazard in the waters receiving the sewage treatment plant effluent.
- (8) Any noxious or malodorous gas or substance capable of creating a public nuisance.

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- (9) Any solids of such character and quantity that special and unusual attention is required for their handling.

D. Grease, Oil and sand Interceptors.

- (1) Grease, oil and sand interceptors shall be provided by and at the expense of the property owner, when in the opinion of the Authority, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or containing any flammable wastes, sand and other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Authority and shall be located as to be readily and easily accessible for cleaning and inspection. Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily removable covers which when bolted in place shall be gas-tight and watertight.
- (2) Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation.

E. Restrictions on Discharge of Wastes and Water; Preliminary Treatment Facilities May Be Required.

- (1) The admission into the public sewage system of any waters or wastes having any of the following characteristics shall be subject to the review and approval of the Authority:
 - (a) A 5 day B.O.D. greater than 300 ppm by weight.
 - (b) Containing more than 350 ppm by weight of suspended solids.
 - (c) Containing any quantity of substances having the characteristics described in § 80-02.C of this Chapter.
 - (d) Having an average daily flow greater than 2% of the average daily sewage flow of the Borough.
 - (e) Any wastewater which is regulated by the Commonwealth of Pennsylvania or the United States Government.
- (2) Where necessary, in the opinion of the Authority, the owner shall provide at his expense, such preliminary treatment as may be necessary to:
 - (a) Reduce the B.O.D. to less than 300 ppm by weight and suspended solids to less than 350 ppm by weight.
 - (b) Reduce the objectionable characteristics or constituents to within the maximum limits provided in § 80-02.C of this Chapter.

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(c) Control the quantities and rates of discharge of such waters or wastes.

(d) Meet applicable limitations of subsection (1)(e) above.

(3) Plans and specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Authority Engineer and no construction of such facilities shall be commenced until approval is obtained in writing.

(4) The discharge of industrial wastewater shall require a connection permit and a separate discharge permit from the Authority. The discharge permit shall list any limitations which the Authority may place on the discharge.

F. Maintenance of Preliminary Treatment Facilities.

Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

G. Manholes May Be Required.

When required by the Authority, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the Authority. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

H. Measurements, Tests and Analyses of Waters and Wastes.

All measurements, tests and analyses of the characteristics of water and wastes to which reference is made in §§ C and §§ E of this Chapter shall be determined in accordance with standard methods for the examination of water and sewage and shall be determined at the control manhole provided for in §§ G or, if there is no control manhole as provided for in §§ G, the control manhole shall be considered to be the nearest manhole in the public sewer line downstream from the point at which the building sewer is connected and the matter shall be determined upon suitable samples taken from that point.

I. Inspections.

Whenever circumstances indicate that a violation of this Chapter exists, the Authority may contact the home/business owner or occupant, and request entry to the home or business for the purpose of inspecting for compliance with this Chapter. Should permission be denied or it be impracticable in its opinion to seek such, then the Authority may take any legal procedure it deems appropriate to gain such entry. Issuance of an industrial wastewater discharge permit automatically allows inspection at any given time.

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§ 80-03. Holding Tanks.

A. Purpose.

The purpose of this section is to establish procedures for the use and maintenance of holding tanks designed to receive and retain sewage, whether from residential or commercial uses, and it is hereby declared that the enactment of this section is necessary for the protection, benefit and preservation of the health, safety and welfare of the inhabitants of this Borough.

B. Definitions.

Unless the context specifically and clearly indicates otherwise, the meaning of the following additional terms used in this section shall be as follows:

HOLDING TANK - a watertight receptacle which receives and retains sewage and is designed and constructed to facilitate ultimate disposal of the sewage at another site. Holding tanks include, but are not limited to, the following:

CHEMICAL TOILET - a toilet using chemicals that discharge to a holding tank.

RETENTION TANK - a holding tank where sewage is conveyed to it by a water carrying system.

VAULT PIT PRIVY - a holding tank designed to receive sewage where water under pressure is not available.

C. Rights and Privileges Granted.

The Borough Council of the Borough of Waymart shall control the use of holding tanks for sewage disposal and the collection and transportation such wastes as are involved.

D. Rules and Regulations.

The Borough Council of the Borough of Waymart shall adopt such rules and regulations concerning sewage which it may deem necessary, from time to time, to effect the purposes herein. All such rules and regulations shall be in conformity with the provisions herein, all other ordinances of the Borough and all applicable laws and applicable rules and regulations of administrative agencies of the Commonwealth of Pennsylvania.

E. Rates and Charges.

The Borough Council of the Borough of Waymart shall have the right and power to fix, alter, charge and collect fees, assessments and other charges related to this section.

F. Exclusiveness of Rights and Privileges.

The collection and transportation of all sewage from any improved property utilizing a holding tank shall be done solely by or under the direction and control of the Borough and the disposal

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thereof shall be made only at such site or sites as may be approved by the Department of Environmental Protection of the Commonwealth of Pennsylvania.

G. Duties of Property Owner.

The owner of an improved property that utilizes a holding tank shall:

- (1) Maintain the holding tank in conformance with this Chapter or any ordinance of this Township, the provisions of any applicable law and the rules and regulations of the Borough and any administrative agency of the Commonwealth of Pennsylvania.
- (2) Permit only the Authority or its agent to collect, transport and dispose of the contents therein.

§ 80-04. Enforcement.

A. Penalties.

Any person who shall violate any provision of §308 of this Chapter shall, upon conviction thereof, be sentenced to pay a fine not less than \$100 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to undergo imprisonment for a term not to exceed 30 days. Each day that a violation of this Chapter continues shall constitute a separate offense.

B. Abatement of Nuisances

In addition to any other remedies provided in this Chapter any violation, shall constitute a nuisance and shall be abated by the Borough or the Authority by either seeking appropriate equitable or legal relief from a court of competent jurisdiction.