

AN ORDINANCE OF THE TOWNSHIP OF SOUTH HUNTINGDON, WESTMORELAND COUNTY, PENNSYLVANIA, GOVERNING THE INSTALLATION, CONSTRUCTION AND USE OF SANITARY SEWERS IN SAID MUNICIPALITY; REQUIRING ALL PROPERTY, BUILDINGS AND/OR STRUCTURES TO BE CONNECTED TO THE SANITARY SEWER SYSTEM AND PROVIDING PENALTIES FOR VIOLATION OF SAID PROVISIONS.

WHEREAS, there has been constructed in the Township of South Huntingdon, Westmoreland County, Pennsylvania a new sanitary sewer system which will be connected to the newlt built sanitary sewage treatment plant, situate in the Borough of Smithton; and

WHEREAS, the Township has deemed it necessary to adopt certain Rules and Regulations for the operation of said sanitary sewage system; and

WHEREAS, it is necessary for all buildings located in the Township of South Huntingdon, Westmoreland County, Pennsylvania, situate within the Service Area identified on Exhibit "A", attached hereto, to be connected to said sewage system by the 1st day of April, 1999.

NOW, THEREFORE, the Board of Supervisors of the Township of South Huntingdon, Westmoreland County, Pennsylvania, pursuant to the authority granted to it by the laws of the Commonwealth of Pennsylvania, hereby ORDAINS AND ENACTS the following Rules and Regulations governing said sanitary sewage system:

SECTION ONE: RULES AND REGULATIONS.

1. The Municipal Authority of the Borough of Smithton is hereby desginated as the agent for the Township of South Huntingdon to operate the Township sewage system within the Service Area identified on Exhibit "A", attached hereto.
2. Except as hereinafter modified, the official Rules and Regulations, prepared by Gannett Fleming, Inc. and adopted by the Municipal Authority of the Borough of Smithton, and attached hereto as Exhibit "B" are hereby adopted as the official Rules and Regulations governing the operation of the sanitary sewer system in the Township of South Huntingdon, Westmoreland County, Pennsylvania.

SECTION TWO: CONNECTION TO AND USE OF SANITARY SEWER SYSTEM REQUIRED.

1. Any owner of property in the Township of South Huntingdon, whose property adjoins, is adjacent to or has its principal building within one hundred fifty (150) feet of any line of the sanitary sewer of the Township of South Huntingdon or the Municipal Auhtority of the Borough of Smithton shall connect, at his or her own cost, the building, buildings or other structures located on said property with said sanitary sewer of the Township of South Huntingdon or the Municipal Auhtority of the Borough of Smithton for the purpose of disposing of all sanitary sewage as is customarily disposed of in a system of sanitary sewers and shall use such system.
2. It shall be unlawful for any owner, lessee or occupier of any property, who is required to connect to the sanitary sewer system of the Township of South Huntingdon or the Municipal Authority of the Borough of Smithton to employ any means, either by septic tank or otherwise, for the disposal of sanitary sewage other than into and through the sanitary sewers of said Township of South Huntingdon.
3. Any property, buildings and/or structures located in the Township of South Huntingdon, within the Municipal Service Area described on Exhibit "A", attached hereto and made a part hereof, used for human occupancy, employment, recreation or other purpose which generates sewage of any type, upon the adoption of this ordinance, must connect to said system by the 1st day of April, 1999.
4. Subsequent to the above date, any property, building and/or structures used or erected in the Township of South Huntingdon, within the Municipal Service Area, and used for human occupancy, employment, recreation or other purpose which generates sewage of any type must be connected to the sanitary sewer system before said property, building and/or structure is used or occupied.

SECTION THREE: PERMITS.

1. Any person, entity or organization required to connect with the sanitary sewer system of the Township of South Huntingdon or the Municipal Authority of the Borough of Smithton shall make application for a permit to the individual designated by the Municipal Authority of the Borough of Smithton on forms furnished by said Authority and shall set forth in said application the character of structure and use, the lot number and location of the structure and the name and address of the person who is to make the connection. The applicant shall also provide all further information deemed necessary by the Municipal Authority of the Borough of Smithton as fully set forth in the Rules and Regulations attached hereto.
2. No fee shall be charged for all permits issued up to 1st day of April, 1999. Subsequent to 1st day of April, 1999, a permit fee may be charged as set forth in the Rate Ordinance to be adopted by the Township of South Huntingdon, except as to the existing properties within the Municipal Service Area which are serviced by sewers constructed with monies received by the Township of South Huntingdon through the Community Development Block Grant Program.

SECTION FOUR: RESTRICTIONS ON USE OF ALTERNATE SYSTEMS AND PROHIBITED DISCHARGES.

1. No privy vault, cesspool, septic tank or similar receptacle for human or animal excrement shall at any time now or hereafter, be connected with the sanitary sewers of the Township.
2. No privy vault, cesspool, septic tank or similar receptacle for human or animal excrement shall hereafter be maintained upon any premises from which connection with any of the sanitary sewers of the Township or Authority shall have been made. Every such privy vault, cesspool, septic tank or other receptacle shall, within thirty(30) days after the final enactment of this Ordinance in the case of premises connected with a sewer, and within thirty(30) days after connection with a sewer in the case of premises hereafter so connected, be abandoned, cleansed and filled under the direction and supervision of the Board of Supervisors of the Township. Any such privy vault, cesspool, septic tank or other receptacle not abandoned, cleansed and filled as required by this section shall constitute a nuisance and may be abated on order of the Board of Supervisors of the Township as provided by law, at the expense of the owner or occupier of such property.
3. The construction of all present sewers and or laterals and their connections with any lines of the sanitary sewer system of the Township of South Huntingdon or the Municipal Authority of the Borough of Smithton shall be done in accordance with the Rules and Regulations attached hereto as Exhibit "B" and shall be inspected by the individual designated by the Municipal Authority of the Borough of Smithton or the Township of South Huntingdon.
4. It shall be unlawful for any person, firm or corporation to discharge or cause to be discharged into the sanitary sewerage system any stormwater, surface water, groundwater, roof runoff, subsurface drainage, cooling water or unpolluted industrial process water. All existing connections permitting such discharges shall be eliminated within three(3) months after notice to take such action is issued by the Municipal Authority and/or Board of Supervisors of the Township of South Huntingdon.

SECTION FIVE: PENALTIES FOR FAILURE TO CONNECT OR OTHER VIOLATIONS OF THIS ORDINANCE.

1. Where any property or structure is now or hereafter may be connected to any septic tank or is using any methods by which sanitary sewage is disposed of or eliminated other than through the sanitary sewage system of said Township of South Huntingdon and/or the Municipal Authority of the Borough of Smithton, it shall be the duty of the Secretary or other authorized person to notify the owner, either by personal service or by certified mail, to disconnect the same and make proper connections for the discharge and disposal of sewage through the sanitary sewer system of the Township of South Huntingdon, and/or the Municipal Authority of the Borough of Smithton as hereinafter provided, within sixty(60) days after receipt of such notice.

2. The Township and Authority, through its authorized representatives, shall be permitted to enter upon all properties serviced for the purpose of inspection, observation, measurement and/or testing.
3. Any person, partnership, firm or corporation or any agents or executive officers of any person, partnership, firm or corporation violating the provisions hereof shall, upon conviction, for each and every violation, be subject to a fine of not less than ten dollars(\$10.00), nor more than one hundred dollars(\$100.00) and costs of prosecution, and in the event of a subsequent conviction thereof, for every such violation that constitutes the same offense, be sentenced to pay a fine of not less than ten dollars(\$10.00) nor more than one hundred dollars(\$100.00) and cost of prosecution, subject to the condition that each day's violation shall constitute a separate offense and a separate fine may be imposed for each day the violation continues to exist.

If any word, phrase, section, sentence, clause or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, invalidity, or illegality shall not affect or impair any of the remaining words, phrases, sections, sentences, clauses or parts of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid word, phrase, section, sentence, clause or part thereof not been included therein.

ORDAINED AND ENACTED by the Board of Supervisors of the Township of South Huntingdon, Westmoreland County, Pennsylvania this 4th day of January, 1999.

TOWNSHIP OF SOUTH HUNTINGDON

BY: Scott Painter  
Chairman

ATTEST: Cindy Thorne  
Secretary