

TOWNSHIP OF OHIO

ORDINANCE NO. 4/3

AN ORDINANCE PRESCRIBING CERTAIN RULES, REGULATIONS, REQUIREMENTS AND PROHIBITIONS ON THE CONSTRUCTION AND OPERATION OF SEWAGE DISPOSAL SYSTEMS; PROVIDING FOR THE ISSUANCE OF PERMITS, AND IMPOSING FINES AND PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED AND ENACTED by the Board of Supervisors of Ohio Township and it is hereby ordained and enacted by and with the authority of the same.

ARTICLE I

Short Title

This Ordinance shall be known by the short title of:
"The Sewage Disposal Ordinance".

ARTICLE II

Definitions

The following words and phrases when used in this Ordinance shall have the meaning ascribed to them in this Article except when the context clearly indicates a different meaning:

Section 201: PLUMBING INSPECTOR: The Plumbing Inspector of the Township of Ohio.

Section 202: INDIVIDUAL SEWAGE DISPOSAL SYSTEM: All or part of an underground passage or conduit used for the purpose of discharge and underground disposal of fluid and feculent matter discharged from one dwelling house (including duplex or double house) and other buildings for which the Allegheny County Department of Health may issue a permit for a sewage disposal system. It shall include that part of the sewage system of the building commencing 5 feet outside of the building and ending with the final disposition of the sewage and shall be entirely located on the same parcel of real estate upon which the

dwelling served by it is erected.

Section 203: **COMMUNITY SEWAGE DISPOSAL SYSTEM:** Any sanitary sewage disposal system including laterals, mains and disposal plant designed to receive and dispose of all sanitary sewage discharged from more than one dwelling and other buildings.

Section 204: **PERMIT:** That official document issued by the Allegheny County Department of Health in the case of an individual sewage disposal system and by the Sanitary Water Board of the Commonwealth of Pennsylvania in the case of a community sewage disposal system.

Section 205: **ALTERATION OF SEWAGE DISPOSAL SYSTEM:** The changing of an existing sewage disposal system (either individual or community) by additional connections thereto above or beneath the ground. This shall include any additional fixtures installed in the buildings or dwelling for the purpose of increasing the discharge into an individual sewage disposal system.

Section 206: **HOUSE SEWER:** That part of the main drain or sewer of a dwelling or building extending from a point five (5) feet outside the outer wall of the building, vault or area to its connection with a public sewer or private sewer.

Section 207: **HOUSE DRAIN:** That part of the main horizontal drain and its branches inside the walls of the building, vault or area and extending to and connecting with the house sewer and shall not include roof downspouts or other surface water drains.

Section 208: **REPAIR:** Any work required to maintain a sewage disposal system or to restore regular operation thereof by the replacement of worn, defective, broken or obsolete parts.

Section 209: **TOWNSHIP INSPECTOR:** The person or persons appointed by the Board of Supervisors of Ohio Township to inspect the construction of community sewage disposal systems and authorized to perform the several duties assigned them in this Ordinance and to enforce the provisions thereof.

Section 210: DEVELOPER: The person, whether as owner, contractor, agent or otherwise, who requests permission to construct and install a community sewage disposal system.

Section 211: PERSON: Any individual, institution, firm, corporation, partnership, copartnership. The singular shall include the plural and the masculine shall include the feminine and neuter.

Section 212: TOWNSHIP: The Township of Ohio, Allegheny County, Pennsylvania, or the Board of Supervisors thereof, and its duly appointed officers.

ARTICLE III

General Provisions

Section 301: On and after the effective date of this Ordinance, no sewage disposal system shall be constructed, installed, altered, repaired, operated or used in the Township of Ohio, except in accordance with the requirements of this Ordinance as set forth herein, the regulations of the Allegheny County Department of Health and the laws of this Commonwealth.

Section 302: No person shall commence work to construct, install, alter or repair any sewage disposal system unless and until he has made proper application for and received a permit for such work. In the case of an individual sewage disposal system the required permit shall be the permit issued by the Allegheny County Department of Health and in the case of a community sewage disposal system the required permit shall be the permit issued by the Sanitary Water Board of the Commonwealth of Pennsylvania.

Section 303: No building permit shall be issued for a new dwelling or other building or for alterations thereto which includes changes in the plumbing or sewage disposal system of the building unless a permit required by Section 302 hereof is attached to the application for the Building Permit or the applicant files a certificate of the Plumbing Inspector that (1) the house drain of

the proposed new dwelling or other building will be connected into a community sewage disposal system already constructed or for which a permit has been issued under the provisions of this Ordinance, (2) the house drain of the proposed new dwelling or other building will be connected into a public sanitary sewer, or (3) that the proposed changes in the plumbing or sewage disposal system do not require such a permit.

Section 304: No occupancy permit shall be issued for any dwelling or other building served by an individual sewage disposal system nor shall any such dwelling or building be occupied until said system is completely installed, finally inspected and approved by the Allegheny County Department of Health and in operation except in those instances where the Board of Supervisors may, upon application, permit occupancy prior to the issuance of the occupancy permit, subject to such conditions as the Board of Supervisors may impose.

Section 305: When a public sanitary sewer is constructed to serve any property, the house sewer from all dwellings and buildings erected on the property shall be connected into said public sewer and any individual sewage disposal system to which said house or building drain was connected shall be abandoned and no longer used. The Board of Supervisors shall, by resolution, fix a date by which the change from the individual sewage disposal system to the public sewer shall be made and shall give notice thereof to the property owner.

Section 306: All septic tanks and distribution boxes and similar devices abandoned and no longer used as provided in Section 305 shall be sealed to prevent the entry of any sewage and, if necessary, shall be made safe in a manner directed by the Board of Supervisors.

Section 307: In the event the Allegheny County Department of Health fails or is unable to exercise jurisdiction over the construction, alteration or repair of any individual sewage disposal

system, the rules and regulations of said Allegheny County Department of Health applicable to sewage disposal systems in effect at the time or in effect immediately prior to the termination of the jurisdiction of said Allegheny County Department of Health over such systems, if such is the case, the Ohio Township Plumbing Inspector is hereby authorized and directed to enforce such rules and regulations and the provisions of this Article.

ARTICLE IV

Community Sewage Disposal Systems

Section 401: A community sewage disposal system shall be required in all subdivisions consisting of fifteen (15) or more lots or dwelling units and may be required or installed in a subdivision consisting of less than fifteen (15) lots or dwelling units at the option of either the Board of Supervisors or the developer.

Section 402: A community sewage disposal system shall consist of collecting mains, a treatment plant and final disposal of the liquid and solid residue of the treatment process and other fixtures, pipes and devices appurtenant thereto, all of which must be approved by the Sanitary Water Board of the Commonwealth of Pennsylvania and a permit issued by said Board for the construction and operation thereof.

Section 403: No person shall commence work to construct, install, alter or repair any community disposal system or any part thereof until he has complied with the following conditions:

- (a) Obtained a permit of the Sanitary Water Board of the Commonwealth of Pennsylvania for construction and operation of the system.
- (b) Delivered to the Township a bond, with approved corporate surety, in an amount equal to 50% of the estimated cost of the system conditioned upon completion of the system according to the

plans and specifications and maintenance of the entire system for one year or authorize the Township to file a municipal claim in an amount equal to the estimated cost of the entire system against one-half of the lots to be served by the system; said municipal claim shall be a first lien on the lots described therein and shall be released upon final acceptance of the system by the Township or as to any one lot when the Township is satisfied that the value of the work remaining to be done in constructing the system does not exceed the value of the lots remaining encumbered by the lien. All costs, including legal fees, of preparing, filing and releasing said municipal claim shall be paid by the developer who shall deposit with the Township an amount fixed by the Township Board of Supervisors to be applied against said costs and disbursed by said Board of Supervisors.

(c) Notice in writing of the name of the contractor, date on which work is to begin and date of expected completion.

(d) Obtain a Township Building Permit for the construction of the sewage treatment plant shown on the approved plan.

(e) Dedication of the entire system to the Township subject to acceptance by action of the Township Board of Supervisors upon completion of the work in accordance with the plans and specifications, delivery to the Township of a complete set of "as built" drawings of said complete system, proof of payment for all labor and materials, proof of satisfactory operation, and approval of the completed system by the Department of Health of the Commonwealth of Pennsylvania, and/or the Allegheny County Department of Health and the Township Inspector. Such dedication

shall convey the sanitary sewer lines and treatment plant comprising the entire sewage disposal system together with all necessary rights of way when the sewer lines are outside dedicated highways or utility easements, and, by defeasible deed, the site and necessary access and effluent disposal rights of way for the treatment plant. Such dedication and conveyances shall be ineffective until accepted by specific action of the Township Board of Supervisors. The developer shall pay all costs and expenses connected with the preparation and recording of such deeds of dedication and conveyances.

Section 404: When the developer complies with all the requirements of Section 403 and the Township is satisfied in all respects with the plans and specifications of the proposed community sewage disposal system, the Township will, at the cost of the developer, apply to the Sanitary Water Board of the Commonwealth of Pennsylvania for a permit to construct and install any community sewage disposal system but such action on the part of the Township shall not be construed as binding said Township to accept the completed system until and unless all of the requirements of this Ordinance and of the Sanitary Water Board of the Commonwealth of Pennsylvania have been complied with nor shall the said Township be responsible for any part of the construction and installation of the system or payment therefor.

Section 405: All materials used and work done in the construction and installation of a community sewage disposal system shall be inspected and approved by Township Inspectors as the work progresses at the cost of the applicant to be paid as the work progresses. No work or materials shall be buried or covered until it has been inspected and approved by the Township Inspectors and if any work or materials are buried or covered

before the same are inspected and approved, the Township Inspectors may require the same to be uncovered at the applicant's expense to allow inspection. In all such instances no additional work shall be done until the Township Inspectors have approved all work previously done. Approval of any part of the work shall be subject to final approval of the entire project upon completion thereof which shall include inspection of the treatment plant by the Allegheny County Department of Health. Unapproved work or materials shall be completely removed and the work redone or materials replaced and approved by the Township Inspectors.

Section 406: No occupancy permit shall be issued for any dwelling or other building served by a community disposal system nor shall any such dwelling or building be occupied until said system is completely installed, in operation and finally inspected and approved by the Township Inspectors and the Department of Health of the Commonwealth of Pennsylvania and/or the Allegheny County Department of Health except in those instances where the Board of Supervisors upon special request and subject to such conditions as it may impose, may permit occupancy prior to issuance of an occupancy permit.

Section 407: Prior to or at the time of acceptance of a community sewage disposal system, the Ohio Township Board of Supervisors may fix a uniform periodic service fee to be assessed against each of the properties served by the system in such an amount as the Board of Supervisors finds to be reasonable and necessary to maintain and operate said system. The service fee may be revised and changed from time to time in the sole discretion of the Board of Supervisors. The service fee shall be due and payable at times fixed by the Board of Supervisors and shall be billed to the occupant of the property. If said service fee is not paid within thirty (30) days from the due date thereof a penalty of Five (5%) per cent and interest at the rate of one-half (1/2%) per cent per month shall be added until paid and any unpaid service fee

together with any penalty and interest due may be filed as a municipal claim against the property in the Office of the Prothonotary of Allegheny County, Pennsylvania, and shall be collectible in the same manner as are other municipal claims.

Section 408: No connection of any kind shall be made to a community sewage disposal system after it has been accepted by the Township unless and until a permit therefor has been obtained from the Plumbing Inspector. In the case of a new dwelling or building the permit issued by the Plumbing Inspector for the interior plumbing of the structure shall include the permit to connect the house drain to the community sewage disposal system. A fee may be charged for said permit in an amount to be fixed from time to time by resolution of the Board of Supervisors.

Section 409: Upon the full completion and commencement of operation of a permanent sanitary sewage system for the entire Township or any part thereof so that there is no longer any need for the sewage treatment plant in any particular community sewage disposal system, the title and right to possession of the said sewage treatment plant shall revert to the developer. The developer shall remove the sewage treatment plant and renovate the site if the plant is the removable type and if the plant is not the removable type the developer shall renovate the site in a manner subject to the inspection and approval of the Township Inspector. If the developer shall not so remove and/or renovate within ninety (90) days after notice from the Township of any such reverter, the Township may so remove and/or renovate and the developer shall be liable to the Township for the cost of any such removal and/or renovation.

ARTICLE V

Enforcement and Penalty

Section 501: Any person violating any provisions of this Ordinance shall, upon conviction thereof, be liable to a fine not exceeding

One Hundred (\$100.00) Dollars, together with costs for each offense and upon failure to pay such fine, by imprisonment in the Allegheny County Jail for a period not exceeding thirty (30) days. Each day that any person shall continue to violate or fail to comply with any requirements of this Ordinance shall be considered a separate offense. In addition to the foregoing penalties, all provisions of this Ordinance must be fully complied with.

Section 502: All fines and penalties imposed by this Ordinance shall be recoverable by summary proceedings before any Justice of the Peace in said Township and all suits or actions at law instituted for the recovery thereof shall be in the name and for the use of the Township and upon recovery thereof all such fines and penalties shall be paid to the Township Treasurer.

Section 503: In addition to the penalties provided herein for the violation of this Ordinance the Township may institute appropriate action or proceedings in equity or at law to enjoin or otherwise prevent any violation of the provisions of this Ordinance to prevent the construction, installation, alteration or repair of any sewage disposal system in a manner not in compliance with this Ordinance or the permit therefor issued hereunder or to prevent a nuisance or a continuation thereof.

ARTICLE VI

Invalidity of Parts of Ordinance and Repealer

Section 601: The provisions of this Ordinance shall be severable. If any provision of this Ordinance is found by a court of record to be unconstitutional and void or illegal, the remaining provisions of the law shall, nevertheless, remain valid. Any requirements in this Ordinance which are in conflict with the requirements of the laws of this Commonwealth shall be subordinate thereto and this Ordinance shall be enforced as though the Commonwealth requirements were inserted therein.

Section 602: Ohio Township Ordinance No. 5 enacted August 5,

1950, is repealed insofar as the provisions thereof conflict with the provisions of this Ordinance and all other ordinances or parts thereof conflicting with the provisions of this Ordinance are likewise hereby repealed.

ORDAINED AND ENACTED into a law this 15th day of June,

1960.

ATTEST:

Alice B. Williams
Township Secretary

Jordan E. Hevenschwander
Chairman, Board of Supervisors