

# **TOWNSHIP OF WINFIELD**

## **ORDINANCE NO. 09-02**

AN ORDINANCE OF WINFIELD TOWNSHIP, BUTLER COUNTY, PENNSYLVANIA,  
AUTHORIZING WINFIELD TOWNSHIP TO REQUIRE MANDATORY CONNECTION BY  
PROPERTY OWNERS TO THE PUBLIC SEWAGE SYSTEM OF THE MUNICIPAL  
AUTHORITY OF BUFFALO TOWNSHIP OR ANOTHER AUTHORITY DESIGNATED BY  
THE TOWNSHIP.

WHEREAS, Winfield Township plans to provide public sanitary sewage within designated areas of Winfield Township. The Township has delegated to the Municipal Authority of Buffalo Township the right and power to provide public sanitary sewage to such areas pursuant to an Intermunicipality Agreement and Service Agreement. As a part of the development of a public sanitary sewage system, the Township has determined the mandatory connection to the public sanitary sewer system is required in order to assure the economic viability of the public sanitary sewer system. This ordinance is to provide for the mandatory connection to the public sanitary sewer system, to provide for the abandonment and destruction of existing privy vaults, cesspool, septic tanks, and any other on-lot means of treatment, including but not limited to, and all private sewage treatment systems in such designated areas, and to provide penalties for failure to comply with this ordinance.

### **Section 1. Definitions; word usage.**

As used in this ordinance, the following terms shall have the meanings indicated:

**AUTHORITY** – The Municipal Authority of Buffalo Township, or other authority designated by the Township in any future update to its Act 537 Plan which may be approved by the Board of Supervisors.

**AUTHORITY INSPECTOR** – The person appointed or employed by the Municipal Authority of Buffalo Township to inspect public sewers, building drains, building sewers and all other connections between occupiable homes or other buildings and the public sewers lines.

**BUILDING** – A man-made structure attached to or into the ground enclosing or covering a volume of space, and intended to shelter or contain people, animals, businesses and activities associated with any of them.

**BUILDING DRAIN or HOUSE DRAIN** – The part of the lowest horizontal piping of a drainage system which receives the sewage inside the walls of the building and conveys it to the building sewer building sewer beginning five (5) feet outside the inner face of the building wall.

**BUILDING SEWER** – That part of the drainage system that extends from the end of the building drain and conveys the discharge to the public sanitary sewer.

**OCCUPIABLE** – A building designed for human occupancy in which individuals congregate for any purpose and which is equipped with means of egress and plumbing facilities for water to be used by the occupants of the building.

**PERSON** – Individual, partnership, association, company, corporation, municipality, municipal authority or political subdivision, or any agency of the federal and state government. The term includes officers, employees, and agents of any partnership, association, company, corporation, municipality, municipal authority or political subdivision, or any agency of the federal or state government.

**PUBLIC SANITARY SEWER** – A sanitary sewer maintained and operated by the Municipal Authority of Buffalo Township or other authority designated by the Township in any future update to its 537 Plan which may be approved by the Board of Supervisors.

**SANITARY SEWER** – A sewer which carries sewage and to which stormwater, surface waters, and groundwaters are prohibited.

**SEWAGE** – A combination of water-carried wastes from the residence, business and commercial buildings, apartments, institutions and industrial establishments. Sewage includes any grey water originating from within the building. Sewage shall not include industrial waste, which shall be pre-treated prior to placement into the public sanitary sewer system.

**SEWAGE TREATMENT PLANT or SEWAGE TREATMENT WORKS** – Any public arrangement of devices and structures used for treating sewage.

**SEWER** – A pipe or conduit for carrying sewage.

**SHALL** – Mandatory.

**STORM DRAIN or STORM SEWER** – A sewer which carries storm and surface waters and drainage but excludes sewage and polluted industrial wastes.

**TOWNSHIP** – The Township of Winfield.

**Section 2. Connection required within specific time.**

- A. Within 60 days after issuance of a notice to connect by the Township or Authority, the owner or owners of all occupiable buildings located on premises accessible to a public sanitary sewer shall connect, or cause to be connected, the building or buildings with the public sanitary sewer to which the property is accessible. For purposes of discerning

accessibility, it shall be presumed that any building located within 150 feet of a public sanitary sewer is accessible to such sanitary sewer.

- B. As public sanitary sewers are laid and provided in other and additional areas of the Township of Winfield, the owners of all occupiable buildings accessible to such public sanitary sewers so laid and constructed shall, within 60 days, connect or cause to be connected any occupiable buildings with the sanitary sewer to which the property becomes accessible.

**Section 3. Abandonment of privies, privy vaults, cesspool, and septic tanks.**

When connection is required to the public sanitary sewer, the owner or owners of such property shall forthwith abandon any and all privies, privy vaults, cesspools, septic tanks, and any other on-lot means of treatment, including, but not limited to, and all private sewage treatment systems, then existing on said premises and shall use them no longer. Such abandoned privies, privy vaults, cesspools, septic tanks, and other on-lot means of treatment shall have pumped from them all sewage, septage or other waste and shall cause them to be filled with sand or other acceptable material, or be disconnected and left in a safe manner by other methods approved by the Township's Engineer. Any and all connection or connections with the occupiable building which was served by any privy, privy vaults, cesspool, septic tank, other on-lot means of treatment, or private sewage treatment systems shall be broken and destroyed in such a manner that sanitary sewage can no longer enter therein.

**Section 4. Prohibition against use of privies, privy vaults, cesspool, septic tanks and any other on-lot means of treatment, including, but not limited to, and all private sewage treatment systems.**

- A. From and after the passage of this ordinance, it shall be unlawful for any person, firm or corporation to erect or construct any privy, privy vault, cesspool or septic tank, or any other type of disposal receptacle or structure, other on-lot means of treatment, including, but not limited to, and all private sewage treatment systems, in, on or under any premises accessible to any public sanitary sewer in Winfield Township.
- B. From and after the passage of this ordinance, it shall be unlawful for any person to connect with any privy, privy vault, cesspool, septic tank or any other type of disposal, receptacle or structure, other on-lot means of treatment, including, but not limited to, and all private sewage treatment systems, to any public sanitary sewer in Winfield Township.
- C. From and after the passage of this ordinance, it shall be unlawful in areas where public sanitary sewers have been provided and where the owner or owners of premises have connected with the public sanitary sewer, or are by this ordinance duly bound to do so, to connect or continue to connect the occupied building with a privy, privy vault, cesspool, septic tank, any other type of disposal, receptacle or structure, other on-lot means of

treatment, or private sewage treatment systems.

**Section 5. Compliance with rules and regulations required.**

All connections to the sewer lines that are part of the public sanitary sewer system of the Township of Winfield shall be made in accordance with the rules and regulations adopted by the Authority. Any abandonment of any existing privy, privy vaults, cesspool, septic tanks or other disposal, receptacle or structure, other on-lot means of treatment, or private sewage treatment systems shall be made in accordance with rules and regulations adopted by the Authority.

**Section 6. Prohibition of storm water and other substances and materials into sanitary sewage system.**

- A. No basement seepage, groundwater drainage, foundation drain or storm drain or any other non-sewage source of water shall be discharged or permitted to enter into the sanitary sewer system by the use of a sump pump or any other means. All applicants desiring or required to be connect to the public sanitary sewage system shall certify that no groundwater, seepage drains, foundation drains, or storm drains are or shall be connected to the public sanitary sewage system. After connection to the sewer is made, the applicant shall maintain the house system in such a manner that no such seepage, groundwater drainage, foundation drains or storm water drains enter the sanitary sewage system.
- B. No down spouts, roof drainage or surface or area drainage shall be connected into the public sanitary sewage system, and before attachment to the sewer system, the property owner or applicant for service shall remove such connection adequately and rightly plug his system to prevent the entrance of down spouts, roof or surface area drainage into the public sanitary sewer system, and shall subject the property for inspection. After connection to the sewer system, no down spouts, roof drainage or surface or area drainage shall be connected to the sewer system or any part of the public sanitary sewage system.
- C. No person shall discharge or permit the discharge or infiltration into the public sanitary sewage system any of the following substances or materials:
  1. Wastes continuing ashes, cinders, sand, mud greases, lime or aceatylene sludges, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, sawdust, paunch manure, cotton, chemical or paint residues, wool, plastic or other fibers, hair, hides, dead animals, spent mash or grain, pulp from food processing, water or wastes containing grease, fat or oil in excess of 100 p.p.m., or any other liquids, gases, solids or characteristics may cause fire, explosion, obstruction to the flow in the public sanitary sewerage system or the proper operation of the public sanitary sewerage system.

2. Wastes or sanitary sewage having a temperature in excess of 120 degrees Fahrenheit or less than 32 degrees Fahrenheit.
3. Wastes or sanitary sewage having a pH lower than 5.5 or higher than 9.0 or having any corrosive property capable of causing damage or hazards to structures, equipment or personnel of the public sanitary sewage system. Where the Board of Supervisors deems it advisable, it may require any person discharging wastes or sanitary sewage to install and maintain, at his own expense in a manner approved by the Board of Supervisors, a suitable device to continuously measure and record the pH of the wastes or sanitary sewage so discharged.
4. Garbage, whether ground or not, except properly shredded garbage from a private dwelling unit resulting from the property use of a garbage grinder or disposer; provided, however, that no disposer which shall be not greater than 3 h.p. in size and, when so required by the Board of Supervisors, shall be equipped with an approved water meter and limited in use to the consumption of an average not more than 1,500 gallons of water per day.
5. Wastes containing mineral acids, waste acid pickling or plating liquors from the pickling or plating of iron, steel, brass, copper or chromium, or any other dissolved or solid substances which will endanger health or safety, interfere with the flow in the public sanitary sewage system, attach or corrode the public sanitary sewage system or its structures or equipment or otherwise interfere with or be detrimental to the operation of the public sanitary sewage system.
6. Wastes or sanitary sewage containing cyanides or cyanogen compounds capable of liberating hydrocyanic gas or acidification; and wastes or sanitary sewage containing any of the following substances in concentration exceeding those shown in the following table:

<u>SUBSTANCE</u>	<u>MAXIMUM PERMISSIBLE CONCENTRATION</u>
Phenolic compound as C <sub>6</sub> H <sub>5</sub> OB	1 p.p.m.
Cyanides as CN	1 p.p.m.
Cyanates as CNO	10 p.p.m.
Iron as Fe	15 p.p.m.
Trivalent Chromium as Cr	3 p.p.m.
Hexavalent Chromium as Cr	0.5 p.p.m.
Nickel as Ni	3 p.p.m.
Copper as Cu	2 p.p.m.
Lead as Pb	2 p.p.m.
Tin as Sn	2 p.p.m.
Zinc as Zn	2 p.p.m.

and wastes and sanitary sewage containing other chemicals or other matter detrimental to the operation of, or causing erosion, corrosion or deterioration in the public sanitary sewage system.

7. Wastes or sanitary sewerage containing more than 10 p.p.m. of any of the following gases: hydrogen, sulfide, sulfur dioxide, nitrous oxide, or any of the halogens.
8. Wastes or sanitary sewage containing toxic or poisonous substance in quantities sufficient to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals or create any hazard in the public sanitary sewerage system operation, and such toxic substances shall include, but shall not be limited to, substances containing cyanide, chromium and/or copper ions.
9. Wastes or sanitary sewerage containing toxic substances in quantities sufficient to interfere with the biochemical processes of the sewage treatment works or that will pass through the sewage treatment works and exceed the state requirements in respect thereof.
10. Wastes or sanitary sewage containing any toxic radioactive isotopes without a special permit.
11. Fats, entrails and the like from meat processing plants, rendering plants and similar industries and establishments.
12. Sludges or other materials from septic tanks or similar facilities or from sewage or industrial waste treatment plants or from water treatment plants.
13. Wastes or sanitary sewage containing any noxious or malodorous gas or substance which either singly or by interaction with sewage or other wastes is likely, in the opinion of the Board of Supervisors, to create a public nuisance or hazard to life, or prevent entry to the public sanitary sewerage system for its maintenance and repair.
14. Wastes or sanitary sewage containing gases or vapors, wither free or occluded, in concentrations toxic or deleterious to humans or animals.
15. Wastes or sanitary sewage containing insoluble, non-flocculent substances having a specific gravity in excess of 2.65.
16. Wastes or sanitary sewage containing soluble substances in such concentration as to cause the specific gravity of the waste to be greater than 1.1.

17. Other wastes and sanitary sewage which are determined by the Board of Supervisors after consultation and a public hearing to be considered harmful to the public sanitary sewage system.

**Section 7. Provisions of connection materials.**

Each user of the public sanitary sewer system, before connections are made thereto, shall provide the necessary piping, venting, connections and meters as required by the rules and regulations of the Authority. All lines (building sewers) carrying sewage from each occupiable building must be connected to the public sanitary sewer through a single connection (wye).

**Section 8. Cross-connections prohibited.**

No cross-connections shall be made between the sanitary sewer system and the potable water system whereby vacuums or back siphonage could permit sanitary sewer waste to enter the potable water system. No cross-connections shall be made between the sanitary sewage system and the storm drains or storm sewers.

**Section 9. Inspectors**

The Authority and Township, and their agents and employees, shall be permitted to enter upon all properties for the purpose of inspection, observation, sampling, testing and retesting in accordance with rules and regulations adopted by the Authority.

**Section 10. Violation and penalties.**

- A. If the owner or owners of any occupied building or building shall neglect or refuse to comply with the provisions of this ordinance, the Township and/or Authority may serve a written notice upon said owner or owners, or upon the tenant or party in possession of the premises if the owner or owners cannot be found on said premises, requiring said owner or owners to comply in every respect with the provisions of this ordinance within 30 days after the service of such notice, and if the owner or owners shall neglect or refuse to comply with the notice, the Township and/or 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 ordinance at the cost and expense of the owner or owners, together with 10% in addition thereto. All charges and expenses incident to such connection by the Township and/or Authority, which sum shall be collected from said owner and owners, for the use of the Township and/or Authority as debts are by law collectible or the said Township and/or Authority may, by the proper officer, file a municipal claim or lien therefor against said premises as provided by the Act or Acts of Assembly.

- B. In addition to any penalty herein above prescribed, any person violating any of the provisions of this ordinance shall be subject to the following:

The Township and/or Authority may in its discretion enforce this ordinance as follows.

1. Civil Enforcement/Equitable Action.

The Township and/or Authority may commence a civil proceeding before a District Judge or an action in equity before the Court of Common Pleas. Any person who shall violate any provision of this ordinance shall, for each and every such violation, pay a penalty of not less than One Hundred (\$100) Dollars or no more than the maximum penalty of \$600.00 per violation as permitted by Section 1601(c.1)(1) of the Second Class Township Code, 53 P.S. § 66601(c.1)(1), as may be amended, following adjudication by a District Judge or Judge of the Court of Common Pleas, plus court costs and reasonable attorney fees incurred by the Township and/or Authority. Each day during which any person violates any provision of this ordinance shall constitute a separate offense.

2. Criminal Enforcement.

The Township and/or Authority may file and commence a summary offense proceeding. Any person who shall violate any provision of this ordinance shall, for each and every such violation, be sentenced to pay a fine of not less than One Hundred (\$100) Dollars or no more than the maximum penalty of \$1000.00 per violation as permitted by Section 1601(c.1)(2) of the Second Class Township Code, 53 P.S. § 66601(c.1)(2), as may be amended, plus costs of prosecution, following adjudication and conviction by a District Judge or Judge of the Court of Common Pleas. Each day during which any person violates any provision of this ordinance shall constitute a separate offense.

- C. In addition to any of the penalties set forth above, any person who fails to connect to the public sanitary sewer as required under this ordinance, and such failure to connect continues for a space of 30 days after written notice to do so, shall become liable for the monthly minimum charge for sanitary sewer service and debt service charge, and such charges shall continue regardless of whether service has been established to the property, together with any interest and penalty established by resolution of the Board of Supervisors and the Authority's Board, as applicable, and as may be amended from time to time.



D The Township designates the Authority to act as its agent to enforce the provisions of this ordinance.

**ORDAINED AND ENACTED**, this 26<sup>th</sup> day of February, 2009, by the Winfield Township Board of Supervisors, Butler County, Pennsylvania in lawful session duly assembled.

ATTEST:

Victoria Schmeider  
Township Secretary

**Winfield Township**

[Signature]  
Chairman, Board of Supervisors

[Signature]  
Supervisor

[Signature]  
Supervisor