

ORDINANCE NO. 4-1987

TOWNSHIP OF SHENANGO

AN ORDINANCE (a) SUPPLEMENTING PREVIOUS SANITARY SEWERAGE ORDINANCES; (b) ESTABLISHING CONSTRUCTION REQUIREMENTS; (c) PROHIBITING CERTAIN WASTES AND SANITARY SEWAGE; and (d) ESTABLISHING POWERS AND AUTHORITY OF THE TOWNSHIP.

WHEREAS, the Township, in order to promote the health, safety and welfare of the people of the Township and of the Commonwealth of Pennsylvania and the purity of its waters, has entered into an Agreement with the Shenango Township Municipal Authority, the City of New Castle, and the New Castle Sanitation Authority, et al., which Agreement provides, among other things, for the New Castle Sanitation Authority and/or the City of New Castle to provide for the transportation, treatment and disposal of acceptable sanitary sewage and/or industrial wastes from Township users; and

WHEREAS, it is necessary and appropriate to regulate the use of the Sanitary Sewer System in the interest of efficient management and in compliance with the terms of the aforementioned Agreement; and

WHEREAS, the Township has previously ordained and enacted Ordinance No. 1967-5 for the purpose of requiring each owner of property accessible to a sanitary sewer to connect therewith and Ordinance No. 1967-6 for the purpose of regulating the discharge of industrial waste and sanitary sewage and imposing service charges and surcharges for the use of the sewer system; and

WHEREAS, it has become necessary to expand and supplement the aforementioned Ordinances.

BE IT ORDAINED AND ENACTED by the Board of Township Supervisors of the Township Shenango, County of Lawrence and Commonwealth of Pennsylvania, and it is hereby ordained and enacted by the authority of the same as follows:

Section 1

The following words and terms used in this Ordinance shall have the following meanings, unless the context clearly requires otherwise:

ASTM - shall mean American Society for Testing Materials.

Building Sewer - shall mean the pipe conveying wastewater from the building to the public right-of-way line where the pipe becomes a part of the sanitary sewer system.

Garbage - shall mean solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of food products and produce.

High strength waste - shall mean sanitary sewage and/or industrial wastes which exceed treatment parameters established by the City of New Castle in their most recent sewer use ordinance.

Industrial wastes - shall mean any liquid, gaseous or waterborn wastes from industrial manufacturing, commercial or business establishments or processes or from the development, recovery or processing of any natural resources, as distinguished from sanitary sewage.

Municipal Authority - shall mean the Shenango Township Municipal Authority, its successors and assigns. Also noted herein as Authority.

Occupied Building - each single dwelling unit, household unit, flat or apartment unit, store, shop, office, hospital, business or industrial unit or family unit contained within any structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure sanitary sewage is or may be discharged.

Person - includes natural persons, partnerships, associations, private and public corporations, clubs, societies, institutions and governments and governmental agencies and subdivisions thereof.

pH - shall mean the logarithm to the base 10 of the reciprocal of the hydrogen ion concentration expressed in moles per liter, and shall be determined by an acceptable method.

P.P.M. - shall mean parts per million.

Sanitary sewage - shall mean the normal water-carried household and toilet wastes from residences, business and other buildings, institutions, schools, churches, and industrial and commercial establishments, exclusive of storm water runoff, surface or groundwater. Also noted as sewage.

Sanitary Sewer System - shall mean the system of pipes, conduits, lift stations, force mains and all devices, appliances and facilities appurtenant thereto used for collecting and transporting sewage, industrial waste or other waste liquids. Also noted as Sewer System and Public Sewer.

Township - shall mean the applicable governmental agency empowered to act on behalf of Shenango Township, Lawrence County, Pennsylvania and its successors and assigns.

## Section 2

The permit application to connect to the Sanitary Sewer System by all occupied buildings other than residential units requiring only a building sewer, shall be supplemented by any plans, specifications, or other information necessary to determine compliance with sewer use ordinances of the Township.

## Section 3

All persons performing plumbing work, except those property owners who are performing plumbing work on their own property, shall present evidence to the Township at the time of permit application that their contractor has liability insurance in the amount of one hundred thousand dollars (\$100,000). All persons shall be required to hold harmless the Township for any personal injury or property damage.

## Section 4

The applicant shall pay all fees that may be adopted from time to time by the Township. Said fees may include, but shall not be limited to, fees associated with: tapping fees; assessments; plan review; and construction inspection. Where engineering costs could become appreciable, the Township may require that an escrow account be established.

## Section 5

The applicant shall obtain all necessary permits as applicable for sewer extensions from the Pennsylvania Department of Environmental Resources and for road crossing permits from the Pennsylvania Department of Transportation.

## Section 6

The owner shall notify the Township twenty-four (24) hours in advance when the sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Township. In no case shall backfill be placed until such inspection has been made. The Township reserves the right to make a sight inspection at any time or continuously during the construction.

## Section 7

If the owner of an occupied building or property will have to connect with the Sanitary Sewer System by entering within the Township Right-of-Way, the applicant shall include a bond payable to the Township in the sum of not less than five thousand dollars (\$5,000.00) with sufficient corporate sureties to

indemnify the Township (i) against all damages for injury to the Sanitary Sewer System; (ii) to replace in good condition any facilities disturbed during construction; (iii) to indemnify and save harmless the Township for at least one (1) year from the completion of the work, from all damages, repairs, costs and expenses, injuries and such actions and suits as are caused or occasioned by defective materials and workmanship, and from all damages from any accident and from all costs and attorney's fees incurred by reasons of any matter or thing done, committed or omitted by such owner, his agents or employees under such permit, and (iv) to comply in all respects with the ordinances, resolutions, rules and regulations of the Township and any other governmental agency having jurisdiction.

#### Section 8

Persons responsible for the construction of building sewers, laterals, trunks or other facilities to be connected to the Sanitary Sewer System and that will be constructed in the public right-of-way, shall transfer ownership of said facilities to the Shenango Township Municipal Authority by means of a legally acceptable document. Persons responsible for the construction of laterals, trunks or other facilities to be connected to the Sanitary Sewer System and that will not be constructed in the public right-of-way, shall transfer ownership of certain lines that may either be extended to benefit other properties or serve a number of occupied buildings. Requirements of transfer based on service to a number of occupied buildings may be waived if an identifiable maintenance association is formed or a single entity maintains ownership of all occupied buildings within the property. Where applicable, transfer of ownership shall include a minimum twenty (20) feet wide permanent easement and perpetual access thereto for maintenance purposes.

#### Section 9

All costs and expenses incident to the installation of building sewers and laterals to serve the property of the owner, as well as meeting the requirements of this Ordinance, shall be borne by the owner.

#### Section 10

All laterals, trunks, and other facilities constructed shall conform to the Master Plan of Sewers (the "Official Plan"), and construction standards adopted by the Township for that purpose.

#### Section 11

The owner of the property to benefit shall be responsible for locating the point of connection to the public sewer and establishing the depth and grade necessary. The Township

shall not guarantee that basement service will be available. The Township may prohibit the connection of basement floor drains to the Sanitary Sewer System on a case by case basis if there is reason to believe the principle purpose of said drain is to allow prohibited clean water connections.

#### Section 12

Old building sewers may be used in connection with new building sewers only when they are found, on examination by the Township, to meet all requirements of this Ordinance. The permit application and issuance procedures applicable to new building sewers shall apply to the re-use of old building sewers.

#### Section 13

All sewer materials including pipe, joints and adapters shall, at all times, be subject to the direction, supervision and approval of the Township. The following pipe materials and joints are recommended:

- A.) Cast or ductile iron with neoprene gaskets;
- B.) Extra strength vitrified clay with premium joints;
- C.) Polyvinylchloride Schedule 40 or ASTM D3034 with neoprene gaskets.

Other materials are to be as shown on the Developer Sewer Construction Detail Sheet adopted as a part of this Ordinance.

#### Section 14

All construction methods shall at all times be subject to the direction, supervision and approval of the Township. The following methods and procedures are recommended:

- A.) The inside of every building sewer connection, after it is laid shall be left smooth and perfectly clean throughout its entire length;
- B.) Where existing building sewers are of a different diameter or dissimilar material than the lateral connection supplied, only adapters specifically made for that particular application will be allowed;
- C.) Each building sewer shall have a trap assembly, clean out, and fresh air intake;
- D.) Ninety degree (90°) fittings shall not be used except for the fresh air intake;

- E.) The ends of all pipes not to be immediately connected for branch use shall be securely closed with a plug of similar material;
- F.) Minimum depth of burial for main line sewers shall be three (3) feet as measured from the ground surface to the top of the pipe;
- G.) Where foundation conditions are poor due to groundwater, or subsurface materials, a bedding of Pennsylvania Department of Transportation No. 2B crushed stone at least six (6) inches in depth shall be installed beneath the pipe;
- H.) Where rock is encountered, the trench shall be excavated to a depth of four (4) inches below the bottom of the pipe and the trench refilled to the grade line with clean earth or crushed stone;
- I.) Use of polyvinylchloride pipe shall necessitate use of clean, low void sand or other noncompressible bedding and backfill material installed to the pipe manufacturer's recommendations;
- J.) All excavations shall be adequately guarded with barricades and lights to protect the public from hazards;

Other construction methods are to be as shown on the Developer Sewer Construction Detail Sheet adopted as a part of this Ordinance.

#### Section 15

At the discretion of the Township, standard air and water exfiltration/infiltration tests may be required prior to approval of any building or main line sewer.

#### Section 16

The Township reserves the right to require that grease, oil, and sand interceptors shall be provided for outlets connected with the public sanitary sewers when, in the opinion of the Township, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or 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 Township, and shall be located so 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 gastight and watertight.

All oil, grease and sand interceptors, where required, shall be installed and maintained by the owner at his expense. Such units shall be operated and maintained so that they shall be continuously efficient and shall be cleaned and repaired as required to maintain such efficient operation.

#### Section 17

No person shall discharge or cause to be discharged any of the following described waters or wastes into any public sanitary sewer:

- A.) Storm water, surface drainage, ground drainage, roof runoff or subsurface drainage.
- B.) Any liquid or vapor having a temperature higher than 120°F. or less than 32°F.
- C.) Any water or waste which may contain more than 100 milligrams per liter, by weight, of fat, oil or grease.
- D.) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
- E.) Any ashes, cinders, sand, mud, straw, shavings, metal, glass rags, feathers, tar, plastics, wood, paunch manure, or any other solid or viscous substance capable of obstruction to the flow in sewers or other interference with the proper operation of the sewage works.
- F.) Garbage, whether ground or not, except properly shredded garbage from a private dwelling unit, resulting from the proper use of a garbage grinder or disposal maintained in good operating condition.
- G.) 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 structure, equipment processes, and personnel of the sewage works.
- H.) 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 substance which will endanger health or safety, interfere with

the flow in, or attach or corrode, or otherwise interfere with or be detrimental to, the Sewer System and/or the sewage treatment works or the operation of either thereof.

- I.) Wastes or sanitary sewage containing cyanides or cyanogen compounds capable of liberating hydrocyanic gas on 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 $C_6H_5OH$	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 Sewer System and/or the sewage treatment works.

- J.) Wastes or sanitary sewage containing more than 10 p.p.m. of any of the following gases: hydrogen sulfide, sulfur dioxide, nitrous oxide, or any of the halogens.
- K.) Wastes or sanitary sewage containing a toxic or poisonous substance in quantities sufficient to injure or interfere with any sewage treatment process; constitute a hazard in the Sewer System and/or the sewage treatment works operation, and such toxic substances shall include, but shall



not be limited to, substances containing cyanide, chromium and/or copper ions.

- L.) Wastes or sanitary sewage 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 requirement in respect thereof.
- M.) Wastes or sanitary sewage containing any toxic radioactive isotopes, without a special permit.
- N.) Fats, entrails and the like from meat processing plants, rendering plants and similar industries and establishments.
- O.) Sludges or other materials from septic tanks or similar facilities or from sewage or industrial waste treatment plants or from water treatment plants.
- P.) 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 Township to create a public nuisance or hazard to life, or prevent entry to the Sanitary Sewer System and/or the sewage treatment works for maintenance and repair.

#### Section 18

The sewer service charge for the collection, transportation, treatment and disposal of sanitary sewage and industrial wastes shall be as adopted from time to time by the Township.

#### Section 19

All owners of, or users of water in or on single family residential properties having an unmetered private water supply shall pay a flat sewer service charge equal to the minimum charge established a sewer service charge ordinance.

#### Section 20

All owners of, or users of water in or on, multiple dwelling residential, commercial, industrial, or institutional properties having an unmetered private water supply shall pay a sewer service charge equivalent to their actual useage as determined by the Township by special investigation or for usage as estimated from published guidelines for similar users.

## Section 21

In the event the City of New Castle charges the Township a surcharge for transportation and treatment of a high strength waste, the persons responsible for causing the surcharge shall be responsible for the payment of the surcharge and all costs associated therewith. Said costs shall be added to the service charges, shall become due and payable at the same time and shall be subject to the same penalties for late payment.

## Section 22

The Township reserves the right to determine the adequacy and capacity of all sanitary sewers as well as exclude non-contaminated waters and cooling waters from the Sanitary Sewer System.

## Section 23

The Township reserves the right to refuse connection to the Sanitary Sewer System for discharge of deleterious industrial wastes, or to compel users of the Sanitary Sewer System to discontinue the use of the Sanitary Sewer System, for such wastes, or to require pretreatment thereof in order to prevent harmful or adverse effect upon the Sanitary Sewer System and/or the sewage treatment works. The design, construction and operation of such pretreatment facilities shall be subject to the approval of the Township.

## Section 24

The Township reserves the right to require every person discharging any industrial waste mixture into the public sanitary sewer or sewers connected thereto, to keep and maintain records to consist of the following minimum information:

1. Name and address;
2. Title of official making report;
3. Location of establishment;
4. The nature of the business conducted in such establishment;
5. The volume of industrial waste mixture and sewage discharged by each establishment:
  - (a) to sanitary sewers
  - (b) to storm sewers
6. The average daily number of employees employed in each establishment by shifts;
7. The source of water supply of each establishment and the volume of water used by each establishment daily, specified separately as to each source.
8. Such additional information as is deemed applicable to ascertain the volume, nature and composition of the waste so discharged.

Such records shall be available for inspection during regular business hours by authorized representatives or employees or the Township upon presenting written credentials of their authority, and such representatives or employees shall be permitted to make and retain copies of such records.

#### Section 25

The Township may, at its discretion, require any person discharging industrial wastes or combined industrial wastes and sanitary sewage into the Sanitary Sewer System to install a suitable structure on his building sewer to facilitate observation, sampling and measurement of the flow of wastes from the premises. Such structure shall be installed by such person at his expense, maintained by such person so as to be safe and accessible to the Township at all times, and constructed in accordance with plans approved by the Township.

#### Section 26

The Township Supervisors may, by agreement with the Municipal Authority or any other person, delegate, transfer, set over and assign to the Municipal Authority or to such other person any/or all administrative duties, obligations and rights of the Township Supervisors under this Ordinance.

#### Section 27

The proper officers of the Township are hereby authorized to do and perform all and every act and thing necessary or convenient to fully and completely carry out the obligations and purposes of the Township set forth in this Ordinance.

#### Section 28

Any person violating any of the provisions of this Ordinance shall, upon conviction thereof before any Justice of the Peace or District Magistrate, be sentenced to pay a fine of not more than three hundred dollars (\$300) for each and every offense, and costs, and in default of payment of said fine and costs, to be imprisoned in the Lawrence County Jail for a period not exceeding thirty (30) days until such fine and costs are paid. Whenever such person shall have been notified in writing by the Township Supervisors that such person is violating this Ordinance, each day that he shall continue such violation after receipt of such notification shall constitute a separate offense punishable by a like fine hereunder upon conviction thereof.

#### Section 29

The invalidity of any part of this Ordinance shall not affect the validity of any other part of this Ordinance.

Section 30

All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 31

This Ordinance shall become effective five days after the date of the enactment hereof.

ORDAINED AND ENACTED into an Ordinance and passed by the Board of Township Supervisors of the Township of Shenango this 20<sup>th</sup> day of April, 1987.

(TOWNSHIP SEAL)

BOARD OF SUPERVISORS,  
SHENANGO TOWNSHIP,  
LAWRENCE COUNTY, PENNSYLVANIA

Joseph Shinsky  
Township Supervisor

ATTEST:

Theresa K. Mace  
Township Secretary

Andrew Piccitta  
Township Supervisor

Earl F. Cunningham  
Township Supervisor