

**TOWNSHIP OF SHAMOKIN
NORTHUMBERLAND COUNTY, PENNSYLVANIA**

ORDINANCE NO. 1997 - 2

AN ORDINANCE OF THE TOWNSHIP OF SHAMOKIN REQUIRING ALL USERS OF THE SANITARY SEWAGE COLLECTION LINE OF THE TOWNSHIP OF SHAMOKIN TO DISCONNECT AND REFRAIN FROM CONNECTING ANY PIPE, CONDUIT, DRAIN OR OTHER FACILITY FOR THE DISCHARGE OF STORM WATER INTO THE SEWER SYSTEM; AND PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.

WHEREAS, the Board of Supervisors of the Township of Shamokin, Northumberland County, Pennsylvania ("Township"), has, by ordinance, created a Municipal Authority for the Township of Shamokin; and

WHEREAS, in furtherance of its statutory purposes, the Township and The Shamokin Township Municipal Authority ("Authority") have implemented a Mandatory Connection Ordinance requiring all improved properties located within one hundred fifty (150) feet of any existing lateral of the Authority to connect to the same for the disposal of effluent; and

WHEREAS, incident to the operation of the system by the Authority, it has become apparent that there is a large infiltration problem of rain water into the Sanitary Sewage System ("System") of the Authority, resulting in additional costs to the Authority for electrical services and treatment of the sewage; and

WHEREAS, it is believed to be in the best interest and welfare of the residents of the Township of Shamokin to prohibit the discharge of storm or rain water into the System.

BE IT ORDAINED by the Board of Supervisors of the Township of

Shamokin, Northumberland County, Pennsylvania, and it is hereby ORDAINED and ENACTED by and with the authority of the same as follows:

Section 1. Title.

This Ordinance shall be known and may be cited as the "Mandatory Separation Ordinance".

Section 2. Purpose.

In that the Authority is currently operating the System and desires to do so in the most economical and cost effective manner available, and has found, incident to the operation of the same, that a significant problem exists as a result of infiltration of rain and storm water into the System, the Township finds that it is necessary, in furtherance of the health and safety needs of the residents thereof, to require all property owners connected to the sanitary sewage collection line, or any lateral thereof, to disconnect and remove from the System any conduit, pipe, or drain which may be depositing rain or storm water into the laterals of the Authority, to reduce the cost of operation of the System.

Section 3. Definitions.

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

- (a) "Authority" means The Shamokin Township Municipal Authority, Northumberland County, Pennsylvania.

- (b) "Improved Property" means any property serviced by the Authority from which structures, sanitary sewage shall be or may be discharged.
- (c) "Person" means any individual, individuals, corporation, partnership, trust, unincorporated association, joint venture, joint stock company, municipal corporation or authority, or any other entity.
- (d) "Property Owner" means any person who is the title owner of real estate utilized as a dwelling serviced by the Authority within the Township of Shamokin, Northumberland County, Pennsylvania.
- (e) "Sanitary Sewage" means the normal water-carried household and toilet waste from all improved properties.
- (f) "Separation" means the removal of all drains, conduits, pipes, or other facilities for the discharge of storm water into the Sanitary Sewer System.
- (g) "Sewer System" means the sanitary sewage collection and treatment system to be constructed and operated by the Authority.
- (h) "Township" means the Township of Shamokin, Northumberland County, Pennsylvania, or the duly constituted or elected municipal authorities thereof.

Section 4. Prohibited Practices.

It shall be unlawful for any person owning any improved property serviced by the Authority to connect or caused to be connected any pipe, conduit, drain or other facility for the discharge of storm water into the Sewer System. Pursuant hereto, any improved property which has any drain, pipe, conduit, or other facility entering the ground, either outside of the dwelling, or within the dwelling, shall be deemed to have said pipe, conduit, drain or other facility connected to the Sewer System, and to have deposited storm water into said Sewer System. All existing properties shall be given a period of thirty (30) days from the date of adoption of this Ordinance in which to disconnect and remove any existing pipes, conduits, drains or other facilities from the Sewer System, by bringing the aforesaid pipe, conduit, drain or other facility above ground level, so that the discharge of the storm water may be seen to occur on the ground area prior to entry into the ground, and the Sewer System.

Section 5. Exception.

Notwithstanding the provisions of Section 4 hereof, any property owner who has a pipe, conduit, drain or other facility located in the ground at their property shall be permitted to allow the aforesaid pipe, conduit, drain or other facility to remain therein, provided that they shall first notify the Authority, and shall permit the Authority to perform a dye test upon such pipe,

conduit, drain or other facility, and provided further that the dye test proves conclusively that the storm water exiting the pipe, conduit, drain or other facility does not enter the Sewer System.

Section 6. Future Installation of Pipes, Conduits, Drains or Other Facilities.

All future buildings to be erected within one hundred fifty (150) feet of any lateral of the Sewer System, in addition to being required to connect thereto, shall, upon placement of any pipes, conduits, drains or other facilities in to the ground, or underground, shall first notify the Authority or the Township of the installation of the same, and shall not cover the aforesaid pipe, conduit, drain or other facility until such time as the same shall have been inspected by a representative of the Township or Authority, and verification given that the aforesaid pipe, conduit, drain or other facility does not, in fact, connect to the lateral of the Sewer System.

Section 7. Penalties.

The provisions of this Ordinance are declared to be for the health, safety and welfare of the residents of the Township. Any persons who shall violate any provision of this Ordinance shall be fined the sum of Three Hundred (\$300.00) Dollars, together with the cost for each violation. Each thirty (30) day period during which such violation shall continue shall be deemed a separate offense, subject to the penalties herein stated.

Section 8. Authority to Disconnect Pipes, Conduits, Drain and Other Facilities Upon Failure of Owner to Perform Work.

In the event that any owner of improved property serviced by the Authority or located within the Township limits, and further located within one hundred fifty (150) feet of any lateral of the Sewer System shall neglect or refuse to separate their storm water from the Sewer System as provided in this Ordinance for a period of sixty (60) days after notice to do so has been served upon the owner by the Township or the Authority, said service to be by personal service or registered or certified mail, and to include a copy of this Ordinance, the Township, the Authority, or their agents, may enter upon the improved property and disconnect the pipe, conduit, drain or other facility in such fashion as shall cause minimal damage to the property, and shall be entitled to collect the cost thereof from such owner by a municipal claim or an action in assumpsit, as provided by law.

Section 9. Severability.

If any provision of this Ordinance, or the application thereof, is found to be illegal or invalid, such illegality or invalidity shall not affect or impair any of the remaining provisions of this Ordinance. It is hereby declared as the intent of the Township that this Ordinance will have been enacted had such illegal or invalid provision not been included herein.

Section 10. Repealer.

All ordinances or parts of ordinances in conflict or inconsistent herewith shall be and the same are hereby repealed absolutely.

Section 11. Effective Date.

This Ordinance is hereby declared to be urgent for the preservation of the peace, health, safety and comfort of the people of the Township and shall effect and be in full force immediately after its passage.

DULY ORDAINED AND ENACTED this 11th day of June, 1997.

ATTEST:

Heather A. McKinney
Secretary

TOWNSHIP OF SHAMOKIN

BY: Robert Zimmerman
Chairman