

Chapter 18

Sewers

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Part 1**Sewer Connections****§18-101. Definitions and Interpretation.**

Terms used in this Part shall have the meanings as follow:

Borough - Forest Hills Borough, Allegheny County, Pennsylvania.

Borough lien letter - a written letter from the Borough concerning municipal liens or municipal property taxes.

Certificate of compliance - an official statement of the Borough that it has on file a written statement that there are no illegal storm or surface water connections into the sanitary sewer system which would violate Borough or County Ordinances, the State statutes or Borough, County or State plumbing regulations.

Dye test - any dye test performed by the Borough or a registered plumber whereby dye is introduced into the storm or surface water collection system of real property to determine if storm or surface water is entering the sanitary sewer system.

Illegal storm or surface water connections - the discharge of basement seepage or ground water or the connection of downspout, roof drainage or surface or areaway drainage into the sanitary sewer system.

Ordinance compliance officer - those persons who may be designated to enforce the terms and conditions of this Part and who shall have the authority to bring legal proceedings for the violation of this Part.

Person - any person, partnership, association, syndicate, firm, corporation, institution, agency, authority or other entity recognized by law as the subject of rights and duties. The singular shall include the plural.

Temporary certificate of compliance - a temporary statement from the Borough issued pursuant to the terms of §18-403, "Dye Testing; Temporary Certificate of Compliance."

(Ord. 462, 6/23/1965, §1; as amended by Ord. 872, 8/20/1997, §1)

§18-102. Sewer Connections Required.

The owner of every building located in Forest Hills Borough and used as a dwelling or as a place where any person or persons may be employed or as a place where persons meet or assemble, shall cause such building to be connected to the public sanitary sewer system before such building may be occupied or used, or within 45 days after notice from the Borough to make such connection, and all fecal matter, human excrement, kitchen and laundry waste and all other sewage from such premises shall thereafter be disposed of only into such sanitary sewer system.

(Ord. 462, 6/23/1965, §2)

§18-103. Permit Required.

1. No building shall be connected with the sanitary sewer system until the owner of such building shall have obtained a permit from the Borough Secretary, for which

permit the applicant shall pay to the Borough a fee as established by resolution of Borough Council, for each lateral line connected to the main or trunk line of the Borough.

2. Where repairs are to be made on an existing lateral line, no work shall be done until the owner of the building served by such lateral line shall have obtained a permit from the Borough Secretary for which the applicant shall pay to the Borough a fee, as established by resolution of Council, for each lateral line on which repairs are to be made.

(*Ord. 462, 6/23/1965, §3; as amended by Ord. 557, 8/15/1910, §1; and by Ord. 830, 3/18/1992*)

§18-104. Manner of Making Connections; Inspection of Work.

All connections with the sanitary sewer system shall be made in conformity with this Part or other ordinances of the Borough governing plumbing and drainage, and with the rules and regulations of the Allegheny County Sanitary Authority governing the said subjects, and inspections of such work, while in process and upon completion, shall be made as provided in such ordinance or ordinances.

(*Ord. 462, 6/23/1965, §4*)

§18-105. Authority for Borough to Make Connections at Expense of Property Owner.

If any person shall fail, refuse or neglect to make any sewer connection, as hereby required, within 45 days after notice from the Borough to do so, the Borough may make such connection or cause the same to be made, and shall collect the cost of such connection from the owner of the property by a municipal claim or in an action of assumpsit.

(*Ord. 462, 6/23/1965, §5*)

§18-106. Written Reports of Leaking, Deteriorating or Poorly Constructed Private Sanitary Sewer Laterals and/or Sanitary Sewer Connections.

Written reports of leaking, deteriorating or poorly constructed private sanitary sewer laterals and/or sanitary sewer connections. The Ordinance Compliance Officer is authorized in the course of performing the Borough's program of repair, rehabilitation, maintenance and replacement of publicly owned sanitary sewers, when s/he identifies leaking, deteriorating or poorly constructed private sanitary sewer laterals and/or sanitary sewer service connections, to provide written notice to the property owner or owners as to the condition of such sanitary sewer laterals and/or service connections, together with an order that such leaking, deteriorating or poorly constructed sanitary sewer laterals and/or service connections must, at the property owner's expense, be repaired, replaced, or rehabilitated within 10 calendar days of the date of the written notice and order. If the unsatisfactory condition does not create a health hazard the Ordinance Compliance Officer, upon request of the property owner, may extend the 10 calendar days to 30 calendar days.

(*Ord. 462, 6/23/1965; as added by Ord. 872, 8/20/1997, §3*)

§18-107. Penalties.

1. Any person, firm or corporation who violates a provision of this Part, or who fails to comply therewith, or with any of the requirements thereof, shall be, upon conviction thereof, sentenced to pay a fine of not less than \$100 nor more than \$1,000 for each violation, plus court costs and costs of prosecution incurred by the Borough, and in default of payment of said fine and costs, to imprisonment to the extent permitted by law for the punishment of summary offenses. Procedures for collection of fines and penalties for default of payment shall be in accordance with Chapter 1 of this Code.

2. A separate offense shall arise for each day or portion thereof in which a violation is found to exist or for each Section of this Part found to have been violated. All fines and penalties for the violation of this Part shall be paid to the Borough Treasurer.

3. The Borough may also commence appropriate actions in equity or other to prevent, restrain, correct, enjoin, or abate violations of this Part.

(*Ord. 462, 6/23/1965, §6; as amended by Ord. 830, 3/18/1992; and by Ord. 976, 1/16/2008*)

Part 2**Sewer Use Restrictions****A. Surface and Storm Waters****§18-201. Surface, Storm or Roof Water to Be Excluded.**

It shall be unlawful for the owner or owners of any building or buildings of any kind or character to drain or to cause, permit or allow to be drained, any surface, storm or roof water into the sanitary sewer system of Forest Hills Borough.

(*Ord. 185, 6/10/1931, §1*)

§18-202. Discontinuance of Existing Drainage.

In all cases where surface, storm and/or roof water is now or has heretofore been drained into the sanitary sewer system, the owner or owners of the property or properties discharging the same shall perform the necessary act or acts to comply with §18-201 hereof.

(*Ord. 185, 6/10/1931, §2*)

§18-203. Supervision of Work.

All work contemplated by this Part shall be done under the direct supervision and inspection of the Ordinance Enforcement Officer, and shall not be covered or concealed until after it has been inspected and approved by him.

(*Ord. 185, 6/10/1931, §3; as amended by Ord. 442, 6/23/1965, §1*)

§18-204. Notice to Comply; Authority of Borough to Do Work.

1. If the owner or owners of any property shall neglect or refuse to comply with the provisions of this Part, the Street Committee by or through its chairman may serve a written notice upon said owner or owners, or upon the tenant or party in possession of the premises, if said owner or owners cannot be found on the said premises, requiring said owner or owners to comply in every respect with the provisions of this Part within 30 days after the service of such notice, and if said owner or owners shall neglect or refuse to comply with said notice, the Street Committee shall 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 Part at the cost and expense of such owner or owners together with 10 percent additional thereon and all charges and expenses incident thereto which sum shall be collected from said owner or owners for the use of Forest Hills Borough as debts are by law collectible, or the said Borough may, by its proper officer, file a municipal claim or lien therefor against said premises as provided by the Act or Acts of Assembly in such cases made and provided, and in addition to any penalty hereinabove prescribed, any person, firm or corporation violating any of the provisions of this Part shall, upon conviction thereof, be sentenced to pay a fine not less than \$100 nor exceeding \$1,000 and costs and, in default of payment thereof, shall be subject to imprisonment for a term not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

[*Ord. 976*]

2. The Forest Hills Borough may follow either or both of the remedies herein prescribed in order to enforce compliance with the provisions of this Part.

(*Ord. 185*, 6/10/1931, §4; as amended by *Ord. 830*, 3/18/1992; and by *Ord. 976*, 1/16/2008)

B. Prohibited Wastes**§18-221. Definitions.**

For the purposes of this Part, the following terms shall have the meaning hereafter designated:

ALCOSAN - Allegheny County Sanitary Authority including its treatment facility and any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature.

Corrosive waste - a waste or substance which has any of the following properties:

- (1) It is aqueous and has a pH of less than or equal to 5 or greater than or equal to 10, as determined by pH meter.
- (2) It is a liquid and corrodes steel (SAE1020) at a rate greater than 6.35 mm (0.250 in.) per year at a test temperature of 55°C (130°F).

Hazardous waste - all wastes that are defined as hazardous under the regulations enacted pursuant to the Resource Conservation and Recovery Act (RCRA) as specified in 40 CFR 261 or under the regulations promulgated pursuant to the Pennsylvania Solid Waste Management Act as specified in 25 Pa. Code §261.

Ignitable waste - a waste or substance which can create a fire hazard in the sewage collection system or the ALCOSAN treatment facility which has any of, but is not limited to, the following properties:

- (1) It is liquid with a flash point less than 60°C (140°F) using the test methods specified in 40 CFR 261.21.
- (2) It is an oxidizer as defined in 49 CFR 173.151.

Interference - a discharge originating in the Borough which, alone or in conjunction with a discharge or discharges from other sources, both:

- (1) Inhibits or disrupts the ALCOSAN facilities, its treatment processes operations or its sludge processes, use or disposal; and
- (2) Therefore is a cause of a violation of any requirement of ALCOSAN's National Pollutant Discharge Elimination System (hereinafter referred to as "NPDES") permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal by ALCOSAN in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent state or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (including Title 2 or more commonly referred to as the Resource Conservation and Recovery Act and including State regulations contained in any State Sludge Management Plan prepared pursuant to subtitle D of the Solid Waste Disposal Act), the Clean Air Act, and the Toxic Substances Control Act.

Pass-through - the term "pass-through" shall mean any discharge of a pollutant through ALCOSAN into the waters of the Commonwealth of Pennsylvania in quantities or concentrations which, alone or in conjunction with other discharges from other sources, is a cause of a violation of any requirement of the ALCOSAN's NPDES permit (including an increase in the magnitude or duration of a violation).

Person - any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity, or its legal representatives, agents, or assigns.

pH - the logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution.

Pollutant - any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, emissions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt or other industrial, municipal, or agricultural waste discharged into water.

Pollution - the man made or man induced alteration of the chemical, physical, biological, and/or radiological integrity of water.

Reactive/explosive waste - a waste or substance which can create an explosion hazard in the sewage collection system or the ALCOSAN treatment facility; which has any of, but is not limited to, the following properties:

- (1) It is normally unstable and readily undergoes violent change without detonating.
- (2) It reacts violently with water.
- (3) It forms potentially explosive mixtures with water.
- (4) When mixed with water, it generates toxic gasses, vapors or fumes in a quantity sufficient to present a danger to human health or the environment.
- (5) It is a cyanide or sulfide bearing waste which can generate toxic gasses, vapors, or fumes in a quantity sufficient to present a danger to human health or the environment.
- (6) It is capable of detonation or explosive reaction if it is subjected to a strong initiating source or if heated under confinement.
- (7) It is readily capable of detonation, explosive decomposition or reaction at standard temperature and pressure.
- (8) It is a forbidden explosive as defined in 40 CFR 173.51, or a Class A explosive as defined in 49 CFR 173.53 or a Class B explosive as defined in 49 CFR 173.88.

The Act - the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 USC §1251 *et seq.*

Toxic Pollutant - any pollutant or combination of pollutants listed as toxic in regulations promulgated by the EPA, pursuant to Section 307 (A) of the Act.

Waste water - the liquid and water carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with any ground water, surface water, and storm water that may be present, whether treated or untreated, which is contributed directly or indirectly into the facilities of ALCOSAN.

Waters of the Commonwealth - all streams, lakes, ponds, marshes, water courses, water ways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the Commonwealth of Pennsylvania or any portion

thereof.

(Ord. 854, 12/21/1994, §1)

§18-222. General Discharge Prohibitions.

No person shall introduce or cause to be introduced directly or indirectly into the facilities of ALCOSAN or into any sewer, pipe or other conveyance located in the Borough and transmitting substances into the facilities of ALCOSAN, any toxic pollutant or other wastewater which will:

A. Cause interference with the operation or performance of ALCOSAN's treatment plant or other facilities.

B. Pass through ALCOSAN's treatment plant or other facilities.

(Ord. 854, 12/21/1994, §2)

§18-223. Permit Requirements; Specific Prohibitions.

No person shall introduce, permit or cause to be introduced, directly indirectly, into the facilities of ALCOSAN or into any piped sewer, pipe or other conveyance located in the Borough and transmitting substances into the facilities of ALCOSAN any of the following:

A. Any substance which will endanger the life, health or safety of the treatment plant sewer maintenance and plant operations personnel or which would preclude safe entry into the sewer system or any portion of the treatment plant.

B. Any ignitable, reactive, explosive, corrosive, or hazardous waste, except as provided for by ALCOSAN's rules and regulations.

C. Any wastewater with a temperature greater than 140°F (60°C).

D. Any waste which exceeds the naturally occurring background levels for either alpha, beta, or gamma radiation and/or any wastewater containing any radioactive wastes or isotopes of such half life or concentration not in compliance with applicable State or Federal regulations.

E. Any solids or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operations of ALCOSAN's facility or facilities discharging into the ALCOSAN system.

F. Any noxious or malodorous liquids, gasses or solids which either singly or by interaction with other wastes may create a public nuisance or adversely affect public health or safety.

G. Pathological wastes from a hospital or other medical establishment.

H. Garbage, whether ground or not, except properly shredded food waste garbage resulting from the proper use of a garbage grinder or disposer type approved by ALCOSAN and maintained in good operating condition.

I. Sludges or other materials from septic tanks or similar facilities or from sewage or industrial waste treatment plants or from water treatment plants: unless the discharge of such sludges and other materials is specifically approved by ALCOSAN.

J. Any pollutant, including oxygen demanding pollutants, released in a discharge at a flow rate and/or pollutant concentration which will cause interfer-

ence with the ALCOSAN facilities.

K. Any substance which will cause ALCOSAN's effluent or any other product of the ALCOSAN facilities such as residues, sludges, or scums, to be unsuitable for reclamation processes, including any substance which will cause the ALCOSAN facility to be in noncompliance with sludge use or disposable criteria, guidelines, or regulations developed under §405 of the Act, any criteria, guidelines, or regulations promulgated pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act or State Laws or regulations applicable to the treatment or disposal of such effluent or such product.

(*Ord. 854, 12/21/1994, §3*)

§18-224. Regional and State Law.

1. No person shall take any action or do or cause to be done anything in violation of any rule or regulation of ALCOSAN.

2. The pretreatment regulations of the Allegheny County Sanitary Authority are incorporated into this Part by reference as though fully set forth herein.

(*Ord. 854, 12/21/1994, §4*)

§18-225. Penalties.

1. Any person, firm or corporation who violates a provision of this Part, or who fails to comply therewith, or with any of the requirements thereof, shall be, upon conviction thereof, sentenced to pay a fine of not less than \$100 nor more than \$1,000 for each violation, plus costs, and in default of payment of said fine and costs, to imprisonment to the extent permitted by law for the punishment of summary offenses. Procedures for collection of fines and penalties for default of payment shall be in accordance with Chapter 1 of this Code.

2. A separate offense shall arise for each day or portion thereof in which a violation is found to exist or for each Section of this Part found to have been violated. All fines and penalties for the violation of this Part shall be paid to the Borough Treasurer.

3. The Borough may also commence appropriate actions in equity or other to prevent, restrain, correct, enjoin, or abate violations of this Part.

4. In addition, any person violating any provision of the ALCOSAN pretreatment regulations may be subject to administrative and civil penalties as provided for by the pretreatment regulations and administered by ALCOSAN. Such penalties may include, but are not limited to, injunctive relief and penalties of up to \$25,000 per day, per violation as provided for by the Publicly Owned Treatment Works Penalty Law, 35 P.S. §752.1 *et seq.* Authority to so enforce the pretreatment regulations is granted to ALCOSAN, and is in addition to but not in place of any other remedy available to the Borough.

(*Ord. 854, 12/21/1994, §5; as amended by Ord. 976, 1/16/2008*)

Part 3**Sewer Accounts****§18-301. Penalties for Delinquent Sewer Accounts; Collection Procedure.**

The following schedule of penalties is hereby imposed upon each delinquent sanitary sewer account, in addition to the amount of the bill as returned by the Allegheny County Sanitary Authority.

A. Charges for the sanitary sewer system service shall be billed quarterly and forwarded by U.S. mail. Payment shall be due and payable within 30 days of the date of the billing statement.

B. In the event the charges for said sanitary sewer system service remain unpaid for a period of 30 days from the date of said statement, such charges are hereby declared to be delinquent and a penalty of \$10 shall be added. For each additional period of 30 days thereafter in which the charges for sewer system service remains unpaid, there shall be an additional penalty of \$10 added.

C. All accounts which have been delinquent for 60 days or more shall cause the Borough to serve notice on the sanitary sewer service customer that the water to the property shall be terminated within 10 days after the date of the notice. The notice shall be sent by U.S. mail and a copy shall be posted at the front entrance of the subject premises. The notice shall inform the customer that if he has any defense to the failure to make payment then the customer must, within 10 days after the date of the notice, provide the Borough with a written statement under oath setting forth the defense(s), requesting a hearing, and declaring under oath that the written statement is not executed for the purpose of delay. If no such written statement is received, or if full payment is not made, within said 10-day period then water service to the property shall be terminated. If, however, the customer timely submits the written statement referenced above, then the Borough shall file an action with the magistrate seeking collection of the amount then due, which shall be through the date of the hearing. Pending the magistrate's hearing and decision, the Borough shall not cause the customer's water service to be terminated. Upon final judgment in favor of the Borough by a court of competent jurisdiction and the judgment not being then paid, the Borough shall cause the water service to the subject premises to be terminated without any further notice to the customer.

D. Accounts not otherwise collectible shall be made the subject of suits in assumpsit or filed as municipal liens by the Borough Solicitor.

(Ord. 966, 12/20/2006, §1)

§18-302. Charge for Sanitary Sewer Usage.

A charge for sanitary sewer usage is hereby established in the amount of \$3 per 1,000 gallons of water used. This charge shall be assessed to the owners of structures connected to the Borough's sanitary sewer system on a quarterly basis, as either metered or estimated in said quarter.

(Ord. 966, 12/20/2006, §1)

Part 4**Dye Testing****§18-401. Sale or Transfer of Real Property Without Certificate of Compliance Prohibited.**

It is unlawful for any person to sell or transfer real property within the Borough on which a building or improvement exists without first delivering to the purchaser or transferee certificate of compliance or temporary certificate of compliance issued by the Borough.

(*Ord. 872, 8/20/1997, §4*)

§18-402. Certificate of Compliance Application.

1. Any person (hereinafter, “applicant”) selling or transferring real property within the Borough shall make application for a certificate of compliance on a form furnished by the Borough at least 21 days before the date of sale or transfer. The applicant shall then have the Borough perform a dye test on the real property to be sold or transferred. The Borough shall complete the appropriate portions of the form confirming that the property has been dye tested and certifying the results of such test. The Borough will perform the dye test, certify the results and issue a certificate of compliance upon the applicant paying a fee in an amount as established from time to time by resolution of Borough Council. [*Ord. 976*]

2. In lieu of the Borough performing the dye test, the dye test may be performed by a registered plumber, with the plumber delivering a certification of dye testing to the Borough. The Borough will thereupon issue certificate of compliance to the seller or transferor of the real estate upon seller paying a fee in an amount as established from time to time by resolution of Borough Council. [*Ord. 976*]

3. If the dye test reveals the existence of an illegal storm or surface water connection, no certificate of compliance will be issued until the illegal connections are removed and the storm or surface water is discharged in compliance with controlling ordinances of Forest Hills Borough and certification of such is received, reviewed and approved by the Borough Ordinance Compliance Officer.

4. A certificate of compliance issued under this Part shall be valid for a period of 1 year from the date of issuance. [*Ord. 964*]

5. In the event the property has been dye tested and a certificate of compliance has been issued in the preceding 12 months, the ordinance compliance officer, upon receipt of an application for that property, shall inspect the property, and if that inspection does not disclose any objective evidence of improper stormwater drainage, the ordinance compliance officer may waive the dye test and issue a certificate of compliance upon seller or transferor paying a fee to the Borough in an amount as established, from time to time, by resolution of Borough Council. [*Ord. 976*]

(*Ord. 872, 8/20/1997, §4; as amended by Ord. 964, 11/15/2006, §1; and by Ord. 976, 1/16/2008*)

§18-403. Temporary Certificate of Compliance.

1. When an illegal storm or surface water connection is discovered and the necessary remedial activities to correct such condition would require a length of time such as to create a practical hardship for the applicant, the applicant may apply to the Ordinance Compliance Officer for temporary certificate of compliance which may only be issued when the applicant provides the Borough with all of the following:

- A. Written documentation of practical hardship;
- B. Cash security in the amount of \$1,000; and
- C. An agreement by the purchaser/transferee to be responsible for all cost overruns related to the remedial work together with a written license to the Borough to enter upon the property to complete the work in case of default by the applicant.

2. The Ordinance Compliance Officer shall determine in good faith based upon all the circumstances when such temporary certificate of compliance shall expire. The applicant and the purchaser shall be advised of the expiration date. Upon expiration of the Temporary certificate of compliance, without all work having been completed, the security shall be forfeited to the Borough and the Borough may use the security to have the necessary remedial work completed. If the remedial work is completed prior to the expiration date, the Borough shall return the security to the applicant or to his/her designee.

(*Ord. 872, 8/20/1997, §4*)

§18-404. Borough Lien Letters.

1. Request for a Borough lien letter or property tax certification letter must be accompanied by a valid certificate of compliance issued by the Borough and the lien letter fee, all of which shall be delivered to the Borough at least 7 business days prior to the day said letter is to be provided.

2. When requested by a property owner or his/her agent, and subject to time availability as determined solely by the Borough, made in good faith based upon all the circumstances, The Borough may issue an expedited Borough lien letter on 2 business days notice upon the payment of an expedition fee in an amount as established from time to time by resolution of Borough Council in addition to the fee for the lien letter. [*Ord. 976*]

(*Ord. 872, 8/20/1997, §4; as amended by Ord. 976, 1/16/2008*)

§18-405. Adjustment of Fees.

The fees set forth in this Part may be changed from time to time by resolution of the Borough.

(*Ord. 872, 8/20/1997, §4*)

§18-406. No Conflict with General Police Powers.

Nothing in this Part shall limit in any fashion whatsoever the Borough's right to enforce its ordinances or the laws of the Commonwealth. Nothing in this Part shall be a defense to any citation issued by any municipal corporation or the Commonwealth pursuant to any law or ordinance.

(*Ord. 872, 8/20/1997, §4*)

§18-407. Violations and Penalties.

1. Any person, firm or corporation who violates a provision of this Part, or who fails to comply therewith, or with any of the requirements thereof, shall be, upon conviction thereof, sentenced to pay a fine of not less than \$100 nor more than \$1,000 for each violation, plus court costs and costs of prosecution incurred by the Borough, and in default of payment of said fine and costs, to imprisonment to the extent permitted by law for the punishment of summary offenses. Procedures for collection of fines and penalties for default of payment shall be in accordance with Chapter 1 of this Code.

2. A separate offense shall arise for each day or portion thereof in which a violation is found to exist or for each Section of this Part found to have been violated. All fines and penalties for the violation of this Part shall be paid to the Borough Treasurer.

3. The Borough may also commence appropriate actions in equity or other to prevent, restrain, correct, enjoin, or abate violations of this Part.

(*Ord. 872, 8/20/1997, §4; as amended by Ord. 976, 1/16/2008*)

Part 5**Grease Traps****§18-501. Definitions.**

Food preparation facility - any food establishment in any building, room or place or any portion thereof or appurtenance where human food or drink is mixed, cooked, or otherwise prepared, offered for sale, sold, served or given with or without charge to patrons, customers or guests for consumption on or off the premises; provided, however, that this does not include the mixing, cooking or other preparation and serving of food in single-family units for the resident family or their guests, or to buildings designated in Use Group A-4 by the Building Code.

Grease trap - a trap whose flow rate is 35 gallons per minute (gpm) or less and which is located inside the building. Grease traps shall be rated for a minimum 22.5 gpm.

Grease interceptor - an interceptor whose rated flow exceeds 35 gpm and which is located underground outside the building.

Restaurant - means and includes any public eating place where regular meals are prepared, offered for sale, sold and served to patrons, customers or guests for compensation based on the prices charged for and generally paid at the conclusion of each meal. The words "regular meals" as used herein mean meals generally consisting of courses embracing some kind of meat or its equivalent, vegetables, bread, pastry, beverage and accompaniments, served at more or less regular intervals.

(Ord. 895, 9/15/1999, §1)

§18-502. Plumbing to Be in Good Repair.

Every building or room occupied or used as a food preparation facility or restaurant shall be well drained. All soil pipes, waste pipes, drains or other plumbing fixtures shall be of adequate size to enable the passage of any waste intended to pass through it to the main public sewer. All drains, sewers, waste and soil pipes, traps and water in gas pipes shall, at all times, be kept in good repair and order so that no gases or odor shall escape therefrom and so that the same shall not leak, and all vent pipes shall be kept in good order and repair and free from obstruction.

(Ord. 895, 9/15/1999, §2)

§18-503. Installation of Grease Interceptors and Grease Traps.

1. Every building, room or space or part thereof used as a food preparation facility or restaurant, whether new or existing, shall install or cause to be installed, if not already installed, a grease interceptor or grease trap. The type of installation shall be determined by the total fixture flow through rate of potential grease laden fixtures discharging through the building sewage lines as determined by the Allegheny County Health Department Plumbing Division. For flow through rates, 35 gpm or less, an internal grease trap may be installed in certain existing structures used as food preparation facilities and restaurants. For flow through rates exceeding 35 gpm, an external, underground grease interceptor must be installed in all new structures, major

re-modeling or renovation of existing structures, or changes of use involving food preparation facilities or restaurants.

2. Said grease trap or grease interceptor shall be installed at an appropriate location along the sewer line between the food preparation facility or restaurant and the line's entry in the main public sewer line. An inspection site tee shall be installed between the interceptor discharge and connect to the public sewer system. All installations shall be in accordance with Article 1 of the Allegheny County Health Department Plumbing Code and Regulations. No solid waste devices, such as waste grinders, disposals, potato peelers, etc., shall discharge through the grease trap or grease interceptor. Only potential grease laden fixtures may discharge through the trap or interceptor.

3. All new food preparation facilities and restaurants shall be required to install an exterior, underground grease interceptor of a minimum 1,000 gallon capacity, regardless of the flow through rate.

4. In all existing food preparation facilities and restaurants there shall be installed a grease interceptor or grease trap as determined by the flow through rate, as detailed above, if not already installed. In existing facilities where it is determined by the Borough that a grease trap is not sufficient, the Borough may require that a grease interceptor (as detailed above) be installed. Such insufficiency shall be evidenced by excessive amounts of grease being discharged into the public sewer system by a facility. All existing food preparation facilities and restaurants shall, at a change of ownership or remodeling or renovations thereof, install an exterior, underground grease interceptor of a minimum 1,000 gallon capacity. In all existing structures, buildings or parts thereof in which there is a change of use or occupancy to that of a food preparation facility or restaurant there shall be installed a grease interceptor of a minimum 1,000 gallon capacity, regardless of the flow through rate.

(Ord. 895, 9/15/1999, §3)

§18-504. Maintenance of Grease Interceptors and Grease Traps.

1. All grease interceptors and grease traps shall be maintained and kept in good working order at all times. The interceptor or trap shall limit the amount of grease discharge into the public sewer system to levels not exceeding those permitted by the Allegheny County Sanitary Sewer Authority (ALCOSAN). Oil/grease discharges shall not exceed 200 ppm downstream of the interceptor or trap.

2. It shall be the duty and responsibility of all owners, lessees or agents of all food preparation facilities and restaurants to, at a minimum of annually, inspect the grease interceptor or trap. A written record shall be kept of all inspections. The inspection record shall, at a minimum, list the name (inspector and company), address and phone number of the inspection/disposal company, the method and frequency of cleaning schedule and the date of the cleaning/inspection. Such records shall be immediately presented to the Borough upon request. A more frequent cleaning/inspection schedule may be ordered to be performed by the facility when it is determined by the Borough that the facility is discharging excessive amounts of grease to the public sewer system.

(Ord. 895, 9/15/1999, §4)

§18-505. Penalties.

1. Any person, firm or corporation who violates a provision of this Part, or who fails to comply therewith, or with any of the requirements thereof, shall be, upon conviction thereof, sentenced to pay a fine of not less than \$100 nor more than \$1,000 for each violation, plus court costs and costs of prosecution incurred by the Borough, and in default of payment of said fine and costs, to imprisonment to the extent permitted by law for the punishment of summary offenses. Procedures for collection of fines and penalties for default of payment shall be in accordance with Chapter 1 of this Code.

2. A separate offense shall arise for each day or portion thereof in which a violation is found to exist or for each Section of this Part found to have been violated. All fines and penalties for the violation of this Part shall be paid to the Borough Treasurer.

3. The Borough may also commence appropriate actions in equity or other to prevent, restrain, correct, enjoin, or abate violations of this Part.

(Ord. 895, 9/15/1999, §5; as amended by Ord. 976, 1/16/2008)

§18-506. Right of Entry.

In the discharge of duties, the Borough Code Enforcement Officer or authorized representative shall have the authority to enter, at any reasonable hour, food preparation facility and/or restaurant in the jurisdiction to enforce the provisions of this Part.

(Ord. 895, 9/15/1999, §6)

