

## **Chapter 18**

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**Part 1****Connections****§18-101. Connection Required; Fee; Exemption.**

All dwelling houses and all other buildings from which sewage and/or waste matter is discharged whether now or hereafter erected, if located upon property abutting on or adjoining any street, public way, right-of-way, or other easement, or place in which is a sanitary sewer, shall be connected with and shall use such sewer, such connection to be made in accordance with any rules, regulations, and restrictions that may be prescribed by the Township Engineer, and under the supervision of the Township Building Inspector. Such connection shall be made so as to carry into the sewer all waste water and sewage from such dwelling houses or buildings except roof or stormwater. No such connection shall be made until a connection fee of \$300 has been paid to the Township Secretary. In the event the dwelling house or other building from which sewage and/or waste matter is discharged is located more than 1,000 feet from the nearest available sanitary sewer, said distance being measured from the line of said property to the said sanitary sewer, then the provisions of this Part shall not be applicable thereto.

*(Ord. 8-1960, 9/6/1960, §1)*

**§18-102. Penalties.**

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

*(Ord. 8-1960, 9/6/1960, §2; as amended by Ord. 427, 4/4/2006)*

**§18-103. Rights Reserved by Township.**

In the event any person, partnership, or corporation, after notification as herein provided, fails or neglects to provide for connection with a sewer as hereinbefore set forth in the said Township of Baldwin, in addition to the penalties hereinbefore provided, the Township may make the same, and collect the cost thereof from the owner by municipal claim or in an action in assumpsit as provided by law.

*(Ord. 8-1960, 9/6/1960, §3)*



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**Part 2****Rates and Charges****§18-201. Established Rates and Charges.**

There is hereby imposed and established certain rates or charges for the use of, and services provided by, the sanitary sewer system in the Township of Baldwin, said rates or charges being based upon the quantity of water used. The following rates or charges shall be assessed to each user of the sanitary sewer system on a quarterly basis:

*Basic Service:* \$4.50 per 1,000 gallons of water used.

(*Ord. 362*, 10/4/1994, §1; as amended by *Ord. 385*, 12/29/1997, §1; and by *Ord. 417*, 7/6/2004, §1)

**§18-202. Bills and Payments.**

Charges for the sanitary sewer system service shall be billed monthly, along with the monthly bill issued by the water utility. Payment shall be due and payable within 30 days of the date of the billing statement.

(*Ord. 362*, 10/4/1994, §2; as amended by *Ord. 385*, 12/29/1997, §2; by *Ord. 417*, 7/6/2004, §2; and by *Ord. 427*, 4/4/2006)

**§18-203. Penalties.**

In the event that any 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 late fee in the amount of \$10 shall be imposed on the account and added to the total amount due thereon. An additional \$10 late fee shall be imposed on, added to, and become part of the total account balance for each 30-day period thereafter that the account remains delinquent in whole or in part.

(*Ord. 362*, 10/4/1994, §§3 and 4; as amended by *Ord. 385*, 12/29/1997, §§3 and 4; by *Ord. 417*, 7/6/2004, §3; and by *Ord. 437*, 10/2/2007, §1)



**Part 3****Discharges Into and Protection of Sewers****A. Discharge of Waste Materials.****§18-301. Definitions.**

For the purposes of this Part, the following terms shall have the meanings hereinafter designated:

*Interference* - any inhibition or disruption of the ALCOSAN facilities, its treatment processes or operations, its sludge processes, use, or disposal, or of any sewer, pipe, or other conveyance located in the Township, and transmitting substances into the ALCOSAN facilities, which is a cause of and significantly contributes to either a violation of any requirement of ALCOSAN's National Pollution Discharge Elimination System permit (hereinafter called "NPDES permit") including an increase in the magnitude or duration of a violation or to the prevention of sewage sludge use or disposal by ALCOSAN in accordance with the following statutory provisions and rules, regulations, or permits issued thereunder: Pennsylvania Sewage Facilities Act (35 P.S. §750.1 *et seq.*), Pennsylvania Clean Streams Act (35 P.S. §691.1 *et seq.*), Pennsylvania Solid Waste Management Act (35 P.S. §6018.101 *et seq.*), Federal Water Pollution Control Act (42 U.S.C. §6901 *et seq.*), including Title II, more commonly referred to as the Resource Conservation and Recovery Act and including all Commonwealth of Pennsylvania statutes and Pennsylvania Department of Environmental Protection Regulations prepared pursuant to Subtitle D of the Solid Waste Disposal Act, the Clean Air Act (42 U.S.C. §6901 *et seq.*), and the Toxic Substances Control Act (15 U.S.C. §2601 *et seq.*), County of Allegheny Health Code and the Pollution Control Standards of the Ohio River Valley Water Sanitation commission. (All such statutory provisions, rules, regulations, or permits are hereinafter collectively called "laws".) A user significantly contributes to such a permit violation or prevention or sludge use or disposal in accordance with the above-cited Laws whenever such user: [*Ord. 427*]

A. Discharges daily pollutant loading in excess of that allowed by permit or by contract with ALCOSAN or by Federal, Commonwealth of Pennsylvania, County of Allegheny, ALCOSAN or Township Laws, ordinances, rules, or regulations.

B. Discharges wastewater which substantially differs in nature or constituents from the user's average discharge.

C. Knows or has reason to know that its discharge, alone or in conjunction with discharges from other sources, would result in violation of ALCOSAN's NPDES permit or prevent sewage sludge use or disposal in accordance with the above-cited laws as they apply to ALCOSAN's selected method of sludge management.

*Pass through* - the term "pass through" shall mean any discharge of pollutant through the facilities of ALCOSAN into navigable waters or any stream in the Commonwealth of Pennsylvania in quantities or concentrations which are a cause of and significantly contribute to a violation of any rerequirement of ALCOSAN's NPDES

permit (including an increase in the magnitude or duration of a violation). A user significantly contributes to such a permit violation where it:

A. Discharges a daily pollutant loading in excess of that allowed by permit or by contract with ALCOSAN or by Federal, Commonwealth of Pennsylvania, County of Allegheny, ALCOSAN, or the Township laws, ordinances, rules, or regulations.

B. Discharges wastewater which substantially differs in nature or constituents from the user's average discharge.

C. Knows or has reason to know that its discharge, alone or in conjunction with discharges from other sources, would result in a permit violation.

D. Knows or has reason to know that ALCOSAN is, for any reason, violating its final effluent limitations in its permit and that such user's discharge either alone or in conjunction with discharges from other sources, increases the magnitude or duration of ALCOSAN's violations.

(*Ord. 305, 10/2/1984, §1; as amended by Ord. 427, 4/4/2006*)

**§18-302. Substances Not Permitted.**

1. No person, firm, association, or corporation 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 Township and transmitting substances into the facilities of ALCOSAN, any toxic substances, 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.

2. No person, firm, association, or corporation shall introduce, permit, or cause to be introduced, directly or indirectly, into the facilities of ALCOSAN or into any sewer, pipe, or other conveyance located in the Township and transmitting substances into the facilities of ALCOSAN any of the following:

A. Any pollutant or wastewater which will interfere with or substantially adversely affect the operation or performance of the ALCOSAN treatment plant, or pass through said plant into navigable waters or streams of the Commonwealth of Pennsylvania in quantities or concentrations which are a cause of and significantly contributes to a violation of any requirement of the above-cited laws or the ALCOSAN NPDES permit, or adversely affect the use or disposal of ALCOSAN sludge or other residues.

B. 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.

C. Any ignitable, reactive, explosive, or corrosive waste.

D. All wastes that are defined or listed as hazardous under the regulations enacted by agencies of the Federal government or the Commonwealth of Pennsylvania.

E. Any wastewater with a temperature great enough to inhibit biological activity in the ALCOSAN treatment plant.

F. 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.

G. Any solids or viscous substances capable of causing obstruction to the flow in sewers or other interference with the proper operation of ALCOSAN's facilities or facilities discharging into the ALCOSAN's system.

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

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

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

K. 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.

L. Any substance which violates discharge regulations as established by authorized agencies of the Federal Government, the Commonwealth of Pennsylvania, the Ohio River Valley Water Sanitation Commission, Allegheny County, or ALCOSAN.

3. No person, firm, association, or corporation 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 Township and transmitting substances into the facilities of the Sanitary Authority, any toxic substance, pollutant, or other wastewater, in violation of a National Categorical or General Pretreatment Standards promulgated by the U.S. Environmental Protection Agency pursuant to §§307(b) and (c) of the Federal Water Pollution Control Act (33 U.S.C. §1317 (b) and (c)).

(*Ord. 305, 10/2/1984, §§2, 3 and 4*)

### **§18-303. Violations.**

1. No person, firm, association, or corporation shall take any action or do or cause to be done any thing in violation of any provision of the Federal Water Pollution Control Act or of any regulation promulgated by the U.S. Environmental Protection Agency pursuant thereto.

2. No person, firm, association, or corporation shall take any action or do or cause to be done any thing in violation of any rule or regulation of ALCOSAN or of laws, ordinances, rules, or regulations of the Commonwealth of Pennsylvania, the County of Allegheny, the Ohio River Valley Water Sanitation Commission, or the Township pertaining to sewage discharge, introduction, or treatment.

(*Ord. 305, 10/2/1984, §§5 and 6*)

### **§18-304. Penalties.**

Any person, firm or corporation who shall violate any provision of this Part, upon

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conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(*Ord. 305*, 10/2/1984, §7; as amended by *Ord. 427*, 4/4/2006)

**B. Prohibiting Introduction of Storm and Surface Water.****§18-311. Definitions.**

*Certification of compliance* - an official, written statement from the Township stating that it has on file a written statement from a registered licensed plumber that there are no illegal storm or surface water connections into the sanitary sewer system relevant to particular real property to be sold.

*Dye test* - any commonly accepted plumbing test wherein dye is introduced into a stormwater or collection system of real property to determine if stormwater or surface water is entering any sanitary sewer system.

*Inspector* - the person appointed by the Township of Baldwin to inspect sewage works, including both public and semipublic sewers, and including also inspections of building sewers and all other connections between occupied homes and other buildings and the public sewers.

*Person* - any person, partnership, association, syndicate, firm, corporation, institution, agency, or authority.

*Public sewer* - a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

*Sanitary sewer* - a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

*Sewage* - a combination of water-carried wastes from the residences, business, and commercial buildings, apartments, institutions, and industrial establishments.

*Sewer* - a pipe or conduit for carrying sewage.

*Shall* - is mandatory; *May* - is permissive

*Storm sewer or storm drain* - shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.

(Ord. 361, 10/4/1994, §1)

**§18-312. Unlawful Discharge or Connection.**

1. It shall be unlawful for any person to discharge basement seepage, ground water, surface water, or other extraneous liquid, or to connect or maintain a connection of roof drainage or surface or area way drainage into any sanitary sewer in the Township of Baldwin.

2. No cross connection shall be made between the sanitary sewage system and the potable water system, whereby vacuums or back siphoning could permit sanitary wastes to enter the potable water system. No cross-connections shall be made between the sanitary sewage system and storm drains or storm sewers.

(Ord. 361, 10/4/1994, §2)

**§18-313. Dye Tests - Notification.**

In order to comply with the Township's Corrective Action Plan and the Pennsylvania Department of Environmental Protection regulations and requirements, residents shall, within 6 months of notice from the Township, perform a dye test of the rain conductors, drains, and vent pipes in order to identify sources of illegal connections.

Said dye tests shall be done by a registered, licensed plumber and the results shall be reported to the Township on a form provided by the Township.

(*Ord. 361, 10/4/1994, §3; as amended by Ord. 427, 4/4/2006*)

**§18-314. Entry of Premises - Dye Tests.**

The inspector shall have the power to enter at any time, upon which there is suspected any unlawful discharge or connection as set forth in §18-312 hereof, for the purpose of inspection, observation, investigating, sampling, testing and re-testing, and performing dye tests.

(*Ord. 361, 10/4/1994, §4*)

**§18-315. Cessation of Unlawful Discharges.**

Any person violating §18-312 of this Part shall cease and correct such unlawful discharge and/or connection within 60 days of notification by the Township.

(*Ord. 361, 10/4/1994, §5*)

**§18-316. Sale Without Certification of Compliance Prohibited.**

It shall be unlawful for any person to sell real property within the Township of Baldwin on which a building or improvement exists, without first delivering to the purchaser of said real property a certificate of compliance issued by the Township.

(*Ord. 361, 10/4/1994, §6*)

**§18-317. Application for Certificate of Compliance.**

1. Any person (hereinafter referred to as “applicant”) selling real property upon which a building or improvement exists, shall make application for a certificate of compliance. Said application must be on a form furnished by the Township at least 21 days prior to the date of closing said sale. The applicant shall then secure performance of a dye test on the real property to be sold, which test shall be conducted by a registered, licensed plumber. Said plumber shall complete the appropriate portions of the application form confirming that said property has been dye tested and certifying the results of said tests. If there are found no illegal stormwater, surface water, or other connections, upon presentation of the completed application with acceptable test results and findings to the Township, the Township Secretary shall issue a certificate of compliance upon payment by the applicant of a fee in an amount as established from time to time by resolution of the Board of Commissioners. [*Ord. 427*]

2. If the dye test, or other information reveals the existence of an illegal storm water, surface water, or other connection, then no certificate of compliance will be issued until the illegal connections are removed and certification of such removal by a registered, licensed plumber is received and an application is submitted to the Township Secretary.

(*Ord. 361, 10/4/1994, §7; as amended by Ord. 427, 4/4/2006*)

**§18-318. Violations and Penalties.**

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 plus costs

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and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(*Ord. 361*, 10/4/1994, §8; as amended by *Ord. 427*, 4/4/2006)



**C. Obstruction of Sewers.****§18-321. Unlawful Deposit and Obstruction of Sewers.**

It shall be unlawful for any person or persons, firm, or corporation to deposit, dump, or place in any storm or sanitary sewer within the limits of the Township of Baldwin, any refuse, debris, garbage, grass clippings, or any other kind or character of foreign matter or obstruction.

(*Ord. 237, 7/2/1974, §1*)

**§18-322. Penalties.**

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(*Ord. 237, 7/2/1974, §2; as amended by Ord. 427, 4/4/2006*)



**D. Grading Work Near Sewers.****§18-331. Unlawful Disturbance of Storm or Sanitary Sewers.**

No person, firm, or corporation, partnership, contractor or owner of lands within the Township of Baldwin, shall in any way disturb the contour of the land over and above any storm or sanitary sewer maintained by the Township of Baldwin, either by adding earth or fill, or removing earth or fill unless he or they shall first have received written permission from the Secretary of the Township of Baldwin, which permission shall not be granted unless and until the Township Engineer shall have first examined the plan of the proposed change in the contour of the land over the sewer and determined that said change will not be detrimental to the sewer installation or maintenance of said sewer, or sewers.

*(Ord. 2-1958, 3/10/1958, §1)*

**§18-332. Restoration of Sewer Sites; Rights Reserved by Township.**

Any person, firm, or corporation or owner of land who shall violate or fail to conform to any of the provisions of this Part, insofar as it relates to the placing or removal of earth on storm or sanitary sewers, shall forthwith replace the land to its original condition at his or their sole cost and expense, and if said condition is not corrected within 10 days after notification so to do by the Township Secretary, the Township of Baldwin may enter upon and restore the land over the storm or sanitary sewer to its original condition and the cost and expense thereof, with a penalty of 10 percent, shall be collected from the owner or the person or persons violating this Part in the manner provided by law. Provided; the recovery of such cost an expense, together with the penalty, may be in addition to the penalty imposed as provided in §18-333.

*(Ord. 2-1958, 3/10/1958, §2)*

**§18-333. Penalties.**

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

*(Ord. 2-1958, 3/10/1958, §3; as amended by Ord. 427, 4/4/2006)*

