

CHAPTER 18

SEWERS AND SEWAGE DISPOSAL

PART 1

SEWERS AND FEES

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PART 1
SEWERS AND FEES

§18-101. Definitions.

Unless the context specifically and clearly indicates otherwise, the meanings of the terms and phrases used in this Part shall be as follows:

APPLICANT — the owner of the property to be connected to the sewer system or his duly authorized representative.

AUTHORITY — the Wormleysburg Municipal Authority.

BOROUGH — Borough of Wormleysburg, Cumberland County, Pennsylvania or the duly constituted elected authorities thereof.

BUILDING SEWER — the extension from the building drain to the public sewer.

COMMERCIAL ESTABLISHMENT — a structure or a portion thereof intended to be used wholly or in part for the purpose of carrying on a trade, industry, business or profession or for social amusement, religious, education, charitable or public use.

EASEMENT — an acquired legal right for the specific use of land owned by another.

ENGINEER — the individual or engineering firm duly appointed by the Borough or the Authority or both.

PERSON — an individual, firm, partnership, corporation, company, association, society or group.

PUBLIC SEWER — a common sanitary sewer owned by the Authority.

SERVICE LATERAL — that part of the sewer system from the main or manhole to the curblineline or property line when there is no curblineline.

SEWER CUSTOMER — the person, whether owner or tenant, contracting for service to a property as hereinafter classified:

- A. A building under one roof and occupied by one family or a commercial establishment.
- B. A combination of buildings in one common enclosure, occupied by one family or commercial establishment.

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- C. One side of a double house occupied by one family or commercial establishment even though plumbing fixtures be used in common.
- D. Each apartment unit or dwelling unit in a building having more than one dwelling unit.
- E. Each dwelling unit, apartment, office, commercial establishment in a building containing more than one such unit.
- F. Each mobile home or trailer occupied by one family or commercial establishment.

SEWER RENTAL — quarterly charge for direct or indirect use of the sewer system.

SEWER SYSTEM — main sewers and appurtenances that are constructed by the Authority and under the control of the Borough.

WATER COMPANY — municipal or private water company supplying water service to the sewer customer.

(Ord. 329, 6/10/1980, §1)

§18-102. Building Sewers and Connections.

1. No authorized person or persons shall uncover, make any connections with or openings into, use, alter or disturb any public sewer or appurtenances thereof without first obtaining a written permit from the Borough.
2. The owner or owners or his agent shall make application on a special form furnished by the Borough and shall pay a permit and inspection fee as established by resolution of Borough Council at the time the application is filed. The foregoing fee shall be designated as the tap-on fee.
3. All costs and expense incidental to the installation and connection of the building sewer shall be borne by the owner or owners. The owner or owners shall indemnify the Borough and the Authority from any loss that may directly or indirectly be occasioned by the installation of the building sewer. All building sewers and service laterals shall be maintained by and at the sole expense of the property owner.
4. A separate and independent building sewer shall be provided for every building whether constructed as a detached unit or as one of a pair or row, but a single sewer will be permitted to serve a school, factory, an apartment house or other permanent multi-unit structure whose individual units may not be subject to separate ownership. Where one building stands *in* the rear of another or on interior lots that may in the future be subdivided and no separate building sewer can

be provided to the rear building, the front building sewer may be extended to the rear building provided at an easement at least 15 feet in width with plan attached showing the common building sewer line, is recorded in the Office of the Recorder of Deeds of Cumberland County, listing the property owner of the front parcel as grantor and the property owner of the rear parcel, even though it is the same as the owner of the front parcel, as grantee.

5. Only persons, firms or corporations who have demonstrated by past performance to the satisfaction of the Borough that they are qualified and capable of performing plumbing work in accordance with good plumbing practice may install building sewers which connect to the sewer mains. All such persons, firms and corporations must register with the Borough giving name, key personnel, address and telephone number. A list of approved persons, firms and corporations shall be maintained by the Borough.
6. The size, slope, line, material of construction and the method to be used in excavating, placing the pipe, jointing and backfilling the trench shall all times conform to the requirements of §18-103 of this Part.
7. Wherever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
8. No person shall make connections of roof down spouts, foundation drains, area way drains or other sources of surface runoff or groundwater to a building sewer or building drain which, in turn, is connected directly or indirectly to a public sanitary sewer. Any person, partnership or corporation who shall allow such connection shall be responsible for damages and costs of repairs, together with legal costs.
9. All excavation for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Borough.
10. The applicant for the building sewer permit shall notify the Borough when the building sewer is ready for inspection and prior to backfill. If the applicant backfills any part or portion of the building sewer before inspection, then the applicant will be required to remove the backfill material. The applicant or plumber must be present for all inspections and shall have their copy of the permit available at that time.
11. Employees and agents of the Borough shall be permitted to enter all properties for the purpose of inspection, observation, measurements, sampling and testing pertinent to discharge to the public system in accordance with the provisions of this Part.

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12. Persons, firms or corporations intending to excavate for construction, repair or reconstruction of building sewers must comply with all requirements of Pennsylvania Act No. 287, as amended.

(Ord. 329, 6/10/1980, §2; as amended by Ord. 361, 4/8/1986)

§18-103. Material and Method of Installation.

1. Building sewer pipe and fittings may be of any of the following materials, not less than nominal four inches in internal diameter.

	ASTM DESIGNATION
A. Cast-iron soil pipe and fittings, service weight or heavier	A-74
B. Asbestos cement nonpressure small diameter sewer pipe and fittings, Class 2400	C-644
C. Polyvinyl Chloride (PVC) Type	
PSP sewer pipe and fittings	D-3033
Type PSM, or PVC	D-3034
Type Grade 1 Schedule 40	D-2241
D. Acrylonitrile-butadiene styrene (ABS) sewer pipe and fittings, SDR-23.5 or ABS Type 1	D-2661
Schedule 40	D-2661

2. Jointing materials for various types of pipe shall be as follows:

A. Cast iron - rubber gaskets or lead and jute properly caulked	C-564
B. Asbestos cement - rubber rings	D-1869
C. Polyvinyl chloride - solvent	D2564
D. ABS - solvent	D2235

3. The pipe shall be installed at a minimum grade of 1.0% with straight alignment and utilizing proper fittings for required bends. Lines shall be properly backfilled

with a minimum of three feet of cover. Surface cleanouts shall be installed as necessary to limit the distance from sewer main to cleanout or cleanout to cleanout, to not more than 70 feet. Cleanouts shall, be constructed by using a "Y" fitting in the run of pipe with a 45° bend and riser to the ground surface. The riser pipe must be provided with a standard four-inch screw-type ferrule. Where connection is made directly to a manhole, the building sewer must enter the manhole on top of the pad and a suitable grout channel must be provided to direct the flow to the manhole channel and towards the outlet.

4. Street, curb, sidewalk and driveway surfaces must be protected from damage by excavating equipment at all times by the use of rubber pads or wood planks. Any damage to the street or curb will be the applicant's responsibility to repair.
5. If any voids are created under the street paving, the excavation shall be extended to the surface to permit proper backfilling and tamping. The base course and surface must be replaced within 24 hours and it shall be the applicant's responsibility to fill and repave any subsequent settling of the street surface.
6. All excess materials on the streets and sidewalks must be removed promptly from the site and the area broomed clean.
7. If, in the opinion of the engineer, the trenching conditions require either a special type of pipe, jointing material or encasement in concrete, such material as may be directed shall be installed to protect the property owner or the Borough, or both.
8. The construction of building sewers shall, at all times, be subject to inspection by the Borough, the engineer or their representatives. Any defects must be corrected before backfilling may proceed.
9. Backfilling to a height of one foot above the top of the pipe may be with either clean earth tamped in layers not exceeding six inches or crushed stone.
10. Connections to mains where no branch fitting has been previously provided shall be made with an approved saddle-type fitting designed for the size and material of the sewer main. Saddle fittings shall be held in place by stainless steel straps firmly supported under the bell to prevent slippage after backfill. All other connections shall be encased in a six-inch envelope of concrete extended completely around the barrel of the pipe.

(Ord. 329, 6/10/1980, §3)

§18-104. Use of the Public Sewers.

1. No person or persons shall discharge or cause to be discharged any unpolluted waters such as storm water, groundwater, roof runoff or subsurface drainage into the public sewers.

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2. No person or persons shall discharge or cause to be discharged any of the following-described waters or waste to any public sewer:
 - A. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
 - B. Any waters containing toxic or poisonous solids, liquids or gases in sufficient quantity either singly or by interaction with other wastes, to injure or interfere with any waste treatment process, constitute a hazard to humans or animals, create a public nuisance, or create a hazard in the receiving waters of wastewater treatment plants.
 - C. Having a pH lower than 6.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment or personnel of the Borough or of the wastewater treatment plant.
 - D. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the wastewater facilities such as but not limited to, ashes, bones, cinders, sand, mud, straw, shavings, metals, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, paper cups and dishes, milk containers, etc., either whole or ground by garbage grinders.
 - E. Having a temperature higher than 150° F.
 - F. Containing iron, chromium, copper, zinc, cyanide or similar objectionable or toxic substances.
 - G. Wastewater containing more than 25 milligrams per liter of petroleum oil, nonbiodegradable cutting oils, or product of mineral oil origin.
 - H. Wastewater from industrial plants or otherwise containing floatable oils, fat or grease.
 - I. Quantities of flow that exceed for any period of duration longer than 15 minutes more than five times the average twenty-four-hour concentration, or flows that would adversely affect the sewer system or performance of the wastewater treatment facilities, or both.
3. If any waters or wastes are discharged or proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Subsection B and which, in the opinion of the engineer, may have a deleterious effect upon the sewers or wastewater treatment facilities or receiving waters or which otherwise create a hazard to life or constitute a public nuisance, the Borough may:
 - A. Reject the waste.

- B. Require pretreatment to an acceptable condition.
- C. Require control over quantities and rates of discharge.
- D. Require payment to cover added cost of handling and treating the wastes not covered by existing sewer charges.

The Borough may require any or all of the above to be done in a given situation. If the Borough permits the pretreatment or equalization of waste flow alternatives, the design of the facility shall be subject to the review and approval of the engineer.

- 4. Grease, oil and sand interceptors shall be provided when, in the opinion of the engineer, they are necessary except that such interceptors shall not be required for private living quarters. All interceptors shall be of a type and capacity approved by the engineer. The owner or owners shall be responsible for the maintenance of these interceptors and the proper removal and disposal of captured material and shall maintain records of the dates and means of disposal which are subject to the review by the Borough or the engineer.
- 5. The Borough may require a user of sewer service to provide information needed to determine compliance with this Part including, but not limited to, wastewater rates of flow, chemical analyses, raw material processing and products affecting wastewater and quantities and disposition of specific liquids and materials important to sewer use control.

(Ord. 329, 6/10/1980, §4)

§18-105. Extensions to Sewer System.

- 1. In cases where an extension of the sewer system is required to serve one or more dwelling units or another building or other buildings to be constructed by an individual or developer, application for such extension must be made to the Borough.
- 2. The completed application, together with plot plan showing proposed construction and appropriate filing fee made payable to the Borough, must then be submitted to the engineer.
- 3. The engineer will prepare a preliminary sewer layout and cost estimate, review these with the developer and submit them to the Borough for approval in concept.
- 4. Upon approval by the Borough, the developer must enter into an extension agreement with the Borough providing for:
 - A. Preparation of plans and specifications by Borough Engineer or developer's engineer with Borough Engineer's review and approval.

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- B. Approval by state and local agencies.
- C. Stakeout and inspection during construction by Borough Engineer.
- D. Escrow deposit by developer to cover costs of Subsection 4A, B and C above, plus legal fees and cost of construction if construction is by contractor engaged by Borough; or 10% of estimated construction costs if construction by developer's contractor or own forces subject to approval by the engineer.
- E. Refund to developer of any unexpended monies after acceptance/of extension or, an additional escrow deposit to cover any actual cost incurred over and above initial deposit.
- F. Transfer of title of public sewer extensions to Authority for operation and maintenance by the Borough.
- G. Other provisions as may be appropriate to protect the Borough's and the Authority's interests.

(Ord. 329, 6/10/1980, §5)

§18-106. Rates and Charges.

1. Sewer rentals and charges shall be based on actual water usage for a quarter as determined by the water bills issued by the Pennsylvania-American Water Company for the past quarter.
 - A. The following rates are established:
 - (1) For the first 12,000 gallons of water used in the quarter: a flat fee of \$60 per quarter.
 - (2) For usage exceeding the first 12,000 gallons: \$4.67 per 1,000 gallons.
 - B. The rates may be further established and revised from time to time by resolution of the Borough Council.
2. (Reserved)
3. A sewer connection fee or a tap-on fee, as established by resolution of Borough Council, is payable at the time of application for permission to connect with the sanitary sewer system. This connection fee or tap-on fee is the same fee referred to in §18-102, Subsection 2, of this Part.
4. All bills for sewer rentals shall be mailed by the Borough quarterly. All bills shall be due and payable within 30 days after mailing or delivering by or on behalf of

the Borough to the person responsible for payment. If a quarterly bill is not paid within 30 days after such mailing or delivery, it shall become due and payable, and a penalty of 10% shall be added. Payments mailed and postmarked on or before such 30th day shall be deemed to be payments within the period allowed for payment without penalty. If such 30th day shall be a legal holiday or a Sunday, payments on or mailed and postmarked on the next succeeding business day not a legal holiday, shall be deemed to be payment within the period allowed for payment without penalty.

5. The sewer rentals or charges hereby imposed shall be liens of the premises connected to and served by the sewer system for the date said sewer rental or charge becomes due and payable under the provisions of this Part. All sewer rentals or charges hereby imposed which shall not be paid after 30 days, as provided in §18-106, Subsection 4, of this Part, shall be entered as liens against the premises, connected to and served by the sewer system, which liens shall be filed in the Office of the Prothonotary of Cumberland County, Pennsylvania, in the manner provided by law for the filing of municipal claims. All delinquent bills shall be collected by the Borough in any manner permitted and authorized by law.
6. Every owner of property connected to the sewer system shall provide the Borough with and shall thereafter keep the Borough advised of his or her correct address. Failure of any person to receive quarterly bills for sewer rentals or charges shall not be considered an excuse for nonpayment nor such failure result in an extension of the period of time during which such bills shall be payable without penalty. The Borough shall bill the owner of the property connected to the sewer except that the owner may authorize the Borough, in writing, to bill the occupant or tenant. Notwithstanding the foregoing, the owner of the premises shall be and remain responsible for the payment of all charges imposed in accordance with this Part.
7. The sewer rentals or charges herein provided for use of the public sewer are imposed and shall be collected as herein provided irrespective of whether such use of the public sewer or the connection thereto or the benefit resulting therefrom shall be direct or indirect. Such sewer rentals or charges shall commence and shall be effective on the date of connection of each user to the public sewer or 30 days after the tap-on permit is issued, whichever shall first occur.

(Ord. 329, 6/10/1980, §6; as amended by Ord. 331, 6/30/1980, §1; by Ord. 332, 10/--/1980, §1; by Ord. 359, 2/12/1985; by Ord. 361, 4/8/1986; by Ord. 371, 5/10/1988; by Ord. 383, 1/9/1990, §3; by Ord. 448, 10/11/2005, §1; by Ord. 462, 8/8/2006; by Ord. 479, 1/13/2009; and by Ord. 486, 12/18/2009)

§18-107. Exoneration of Charges and Rental.

1. Procedure for Exoneration.

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- A. Any owner of real estate located within the Borough may apply for exoneration of sewer charges or rentals imposed upon a commercial or industrial establishment or residential dwelling, provided that the commercial or industrial establishment or residential dwelling is vacant and the water meter servicing said commercial or industrial establishment or residential dwelling has been disconnected by the Pennsylvania-American Water Company or its successor. In the event that the water meter servicing said commercial or industrial establishment or residential dwelling is used in common with another use or user which is not to be exonerated, then the applicant shall, in the case of a residential user, remove the kitchen sink or, in the case of a commercial or industrial establishment, remove all commodes and sinks and all plumbing associated therewith. After removal of the kitchen sink or commodes and sinks, as applicable, the plumbing shall be capped.
 - B. The request for exoneration shall be in writing and shall be submitted to the Borough Manager no later than the second Tuesday of the month preceding the calendar quarter for which the exoneration is requested. Upon receipt of said application, the Borough Manager shall verify that the commercial or industrial establishment or residential dwelling is vacant and that the water meter has been disconnected or that the kitchen sink or sinks and commodes, as applicable, have been removed and all plumbing associated therewith capped.
 - C. If the Borough Manager verifies that the commercial or industrial establishment or residential dwelling is vacant and the water meter has been disconnected, the Borough Council hereby authorizes the Borough Manager to approve such request. Within 15 days of receipt of the request, the Borough Manager shall notify the applicant that the request is approved or, if denied, of the procedure for appeal. The notice of denial shall be by certified mail.
 - D. If the request is denied by the Borough Manager, the applicant may appeal to the Borough Council. The appeal shall be in writing and shall provide a brief statement of the basis for the appeal. The appeal shall be filed with the Borough within 15 days after receipt of the denial notice. Upon timely receipt of an appeal, the Borough Manager shall set a hearing on the appeal during the Council's next regularly scheduled meeting and shall notify the appellant thereof in writing.
2. Charges Upon Exoneration. The applicant shall be required to pay the prorated sewer rental for the quarter from the beginning of the quarter until the date of approval by the Borough Manager of the exoneration request. If the applicant is delinquent on account of sewer rental for the commercial or industrial establishment or residential dwelling requested to be exonerated, then the exoneration shall be approved conditionally by the Borough Manager and shall not be effective until all sewer rentals, to include penalties, have been paid in full. If the applicant has previously paid the sewer rental for the quarter, then the applicant shall receive a credit, pro rata, for future sewer rentals.

3. Resumption of Sewer Services. Sanitary sewer service shall be resumed upon written application to the Borough Manager and payment of the pro-rata sewer rental for the quarter from the date of the application or the date that the water meter servicing the premises was reconnected or the plumbing has been reinstalled, whichever shall first occur, to the end of the quarter. If the application for resumption of sanitary sewer services is for a commercial or industrial user, the payment of the pro-rata charge for the balance of the quarter shall be based on the minimum quarterly charge for this category of user. The applicant shall pay any additional sewer charges for the quarter based on actual water used in the quarter if the charge is in excess of the minimum quarterly charge. No resumption of sanitary sewer services shall be permitted until all requirements of the Code of Ordinances are fulfilled.
4. Procedure for Adjustment of Water Consumption.
 - A. Where a customer has a leak in his/her or its water lines or facilities that results in a quantity of water being used that is greater than the customer's usual usage, a customer may request relief for a portion of the sewer charges if the leaking water did not enter the sewer system.
 - B. The request shall be in writing to the Borough Council's Streets, Highways and Sanitary Affairs Committee. This request shall provide information about the time and nature of the leak and a statement that the leaking water did not enter the sewer system.
 - C. For a request to be considered, the customer's account for sewer charges must be current.
 - D. The amount of sewer charges to be forgiven will be determined based on an estimate of the customer's ordinary usage using the usage for the past four quarters

(Res. 84-3, 2/14/1984; as amended by Ord. 370, §2, 4/12/1988; by Ord. 466, 1/9/2007; and by Ord. 486, 12/18/2009)

§18-108. Violations and Penalties.

1. No person, partnership or corporation shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any pipeline, structure, appurtenance or equipment of the sewer system.
2. No person, partnership or corporation shall connect the drain or pipe with any public sewer without having first received a permit and paid the tap-on fee.
3. No person, partnership or corporation or occupier of premises within the Borough connected to the sewer system shall permit any person, partnership or corporation to make an attachment to or connect with his, her or its drain or sewer leading

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into the sewer system so as to drain any other property and for which a permit was granted.

4. No person, partnership or corporation shall violate any other terms or conditions of this Part.
5. Any person, firm or corporation who shall violate any provision of this Part 1 shall, upon conviction thereof, be sentenced to pay a fine of not more than \$300 and/or to imprisonment for a term not to exceed 90 days. Each 30 days that a violation of this Part 1 continues shall constitute a separate offense.
6. The Borough shall have the right, in addition to prosecution, to close up or disconnect from the sewer system any building sewer used for carrying rainwater, surface water, groundwater or objectionable matter or whenever any violation of this Part is permitted.
7. The Borough reserves the right to restrict the use of the sewer service whenever the public welfare may require.

(Ord. 329, 6/10/1980, §7; as amended by Ord. 361, 4/8/1986)