

**SOUTH LONDONDERRY TOWNSHIP
LEBANON COUNTY, PENNSYLVANIA**

ORDINANCE NO. 204

**AN ORDINANCE OF THE TOWNSHIP OF SOUTH
LONDONDERRY, LEBANON COUNTY PENNSYLVANIA
PROHIBITING DISCHARGES INTO THE SANITARY SEWER
SYSTEM AND TO PROVIDE FOR INSPECTION OF PROPERTY
TO DETERMINE ILLEGAL CONNECTIONS TO THE
SANITARY SEWER SYSTEM AND TO PROVIDE A
SURCHARGE FOR NON-COMPLIANCE WITH INSPECTION
AND CONNECTION REQUIREMENTS.**

BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of South Londonderry, Lebanon County, Pennsylvania, as follows:

WHEREAS, the Board of Supervisors of South Londonderry Township, Lebanon County Pennsylvania finds that the discharge of water from any surface, groundwater sump pump, roofs, yards, lawns, streets, alleys, footing tile, or other natural precipitation into the sanitary sewer contributes to the flooding and overloading of the sanitary sewer system. Such overloading of the sanitary sewer system may result in sewage flowing into basements and/or residences and businesses, creating hazardous public health conditions and significant damage to properties. The Township may also be subject to fines and penalties from the Department of Environmental Protection for exceeding permitted levels of processing at its treatment facilities. The Township, therefore, determines that this ordinance is necessary to protect the health, safety, and welfare of its citizens through the regulation of connections to the sanitary sewer system.

NOW THEREFORE, BE IT IS HEREBY RESOLVED as follows:

SECTION I -- DEFINITIONS

- 1). "Township" is the Township of South Londonderry and/or its Municipal Authority, which is located within the confines of Lebanon County, Pennsylvania.
- 2). "Board of Supervisors" is the Board of Supervisors of South Londonderry Township, Lebanon County.
- 3). "Code Enforcement Officer" is the duly constituted municipal official designated to administer and enforce the Ordinance in accordance with its literal terms.
- 4). "Owner" is a person owning, leasing, occupying or having charge of any premises within the Township.
- 5). "Person" is any natural person, firm, partnership, association, corporation, company, club, co-partnership, society, or any organization of any kind.
- 6). "Improved or Sewered Real Property" is any real property on which any building, driveway, or parking pad, or other surface or subsurface structure or improvement has been constructed, installed, erected, where the real property or any improvement on the real property is connected to the municipal sewer system.
- 7). "Sanitary Sewer System" is the sanitary sewer lines and related facilities maintained by the Township and operated by the Township's designated sewer service provider.
- 8). "Surface Storm Water" is surface and ground water, including but not limited to roof and driveway drainage, basement seepage.

SECTION II – DISCHARGE PROHIBITED.

Except as otherwise expressly authorized in this Section, no ponds, water fountains, water from any roof, surface, groundwater sump pump, swimming pool, or other natural precipitation shall be discharged into the sanitary sewer system. Dwellings and other buildings and structures which require, because of infiltration of water into basements, crawl spaces, and the like, a sump pump discharge system shall have a permanently installed discharge line which shall not at any time discharge water into a sanitary sewer system. A permanent installation shall be one which provides for year round discharge capability to either the outside of the dwelling, building, or structure, or is connected to a storm sewer or discharge through the curb and gutter to the street. Within the home or business, the sump pump discharge pipe shall consist of a rigid discharge line, without valves or quick connections that would alter the path of discharge. However, if the line is directly connected to a storm sewer line or catch basin, a check valve and an air gap are required. The Township will attempt to utilize sewer pipe cameras to identify properties where prohibited discharges are occurring and provide written notice to the owner of a suspected violation.

SECTION III – INSPECTIONS.

Every person owning improved real estate that discharges into the Township's sanitary sewer system shall, within 30 days after written notice from the Township, allow the Township employee(s) to inspect the buildings and property to confirm that there is no sump pump or other prohibited discharge into the sanitary sewer system. Any person refusing to allow their property or buildings to be inspected shall immediately become subject to the surcharge hereinafter provided for. Any property found to violate this subdivision shall make the necessary changes to comply with this subdivision and such changes shall be verified by Township employee(s).

In lieu of having an inspection by a Township employee, the property owner shall furnish a certificate from a licensed and insured plumber, in a form acceptable to the Township, certifying that the property has no prohibited discharge into the Township sanitary sewer system. Failure to provide such certificate of compliance within the above time shall make the property immediately subject to the surcharge provided for in this Ordinance until the property is inspected and/or compliance is met, including any penalties and remedies that the Township has provided in its policies and codes, by way of assessments, and administrative expenses in achieving compliance.

SECTION IV – REMOVAL OF CONNECTIONS.

Any property owner who previously made any connection or installation in violation of this ordinance shall immediately remove such connection or correct such an installation. If not removed or corrected within 30 calendar days after notice of the violation has been delivered personally or by certified mail to the owner, the Township may impose a surcharge and/or penalty in the amount provided in Section VI and VIII of this Ordinance. Such a surcharge and/or penalty may also be imposed upon any property owner, after a 30 calendar day notice has been delivered, and if the owner refuses to allow their property to be inspected. The owner of a building or premises found to be not in conformance with this ordinance during periodic re-inspections may be subjected to a surcharge and/or penalty as provided in Section V and VIII of this Ordinance.

SECTION V-FOUNDATION DRAIN TILE

No owner or person shall permit groundwater from foundation drain tile for all homes and businesses to discharge to the sanitary sewer system. The groundwater shall flow through the tile and drain to a sump basket and shall then be pumped and discharged to the exterior of the structure with the use of a sump pump.

SECTION VI – SURCHARGE.

A surcharge of One Thousand and 00/100 Dollars (\$1,000.00) per month is hereby imposed on every sewer bill to property owners for refusal of property inspection

SECTION VII-NON-PAYMENT OF SURCHARGE.

If the surcharge is not received by the Township of South Londonderry or its designee, the Township or its designee reserves the right to assess the property owner the unpaid balance and record a lien against the property.

SECTION VIII – PENALTIES.

If after thirty (30) days of receiving a notice of violation, any person who shall fail, neglect or refuse to comply with any of the terms or provisions of this Ordinance, shall be subject to a penalty of not more than One Thousand (\$1,000.00) dollars for each violation. Once a person is notified of a violation of this Ordinance, each day that such violation occurs or continues shall constitute a separate violation. In addition to and not in lieu of the foregoing, the Township or the public sewage provider may seek equitable relief to compel compliance with this Ordinance.

SECTION IX – SEVERABILITY.

The provisions of this Ordinance are severable and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors that this Ordinance would have been enacted if such illegal, invalid or unconstitutional section, sentence, clause, part of provision had not been included herein.

SECTION X – EFFECTIVE DATE.

This Ordinance shall take effect and be in force five (5) days after its enactment by the Board of Supervisors of the Township of South Londonderry as provided by law.

DULY ORDAINED AND ENACTED, this 23rd day of May, 2014 by the Board of Supervisors of the Township of South Londonderry, Lebanon County, Pennsylvania, in lawful session duly assembled.

BOARD OF SUPERVISORS
SOUTH LONDONDERRY TOWNSHIP

Rugh A. Henderson
Rugh A. Henderson, Chairman

Cliff F. Orley
Cliff F. Orley

Doug Cheyney
Doug Cheyney

ATTEST:

[Signature]
Secretary