

Chapter 165

SEWERS

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[HISTORY: Adopted by the Borough Council of the Borough of Edgewood as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Plumbing — See Ch. 156.

Subdivision and land development — See Ch. 180.

ARTICLE I Sewer Connections [Adopted as Ch. XVIII, Part 2, of the 1972 Code]

§ 165-1. Definitions; word usage.

A. As used in this article, the following terms shall have the meanings indicated:

PERSON — Means and includes any natural person, partnership, association or corporation.

B. In this article, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine and the neuter.

§ 165-2. Lateral connections.

Whenever hereafter any sanitary sewer shall be laid or constructed along any street in the Borough of Edgewood, lateral connections extending from such sanitary sewer to the inner curb line of the sidewalks adjacent thereto shall also be made and laid at the same time as the main sewer shall be laid or constructed, at intervals of 25 feet on each side of the street, and shall be paid for as part of the cost and expense of construction of such main sanitary sewer.

§ 165-3. Location for connection; permit required.

Whenever any person shall desire to connect any building owned by him with the sanitary sewer, such connection shall be made to the nearest available lateral sewer from such sewer system extending to the inside curb line of the property where such connection is desired to be made. The person desiring to make such connection shall, before doing so, obtain a sewer connection permit therefor or, and, at the time of obtaining such permit, pay for the cost of the laying and construction of all sewer connections in front of such property extending from the inside curblines to such main sanitary sewer in such street.

§ 165-4. Issuance of permit. [Amended 1-15-1979 by Ord. No. 818]

The permit to make connection with the sanitary sewer, referred to in § 165-3 of this article, shall be issued by the Borough Manager, but not until:

- A. The applicant shall have paid the cost referred to in § 165-3 of this article, and a permit fee as set forth in Chapter 118, Fees, which shall be for the use of the Borough.¹
- B. The Plumbing Inspector shall have ascertained and certified on the permit application that the plumbing in the building to be connected with the sewer under such permit shall be in strict accordance with the Allegheny County Health Department Plumbing Code, as adopted by the Borough of Edgewood.²

§ 165-5. Supervision of work; conformity to requirements. ³

Work of connecting with the Borough sewer system, as required by this article, shall be done under supervision of the Borough's Plumbing Inspector and shall conform in every respect to the provisions in the said Plumbing Code as amended and adapted for the Borough of Edgewood as set forth in Chapter 156, Plumbing, and the connections with such sewer system, and the uses made thereof through such connections, shall conform to the provisions of Article II, Sewer Use, of this Chapter 165, Sewers. No connection shall be put into use until the Plumbing Inspector shall have ascertained that all requirements of this section shall have been met.

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

2. Editor's Note: See Ch. 156, Plumbing.

3. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

§ 165-6. Violations and penalties. ⁴

Any person who shall violate any provision of this article shall, for each and every such violation, upon conviction thereof, be sentenced to pay a fine of not more than \$600 and costs of prosecution, and, in default of payment of such fine and costs, to imprisonment for not more than 30 days. Provided that each day's violation of any provision of this article shall constitute a separate violation.

ARTICLE II**Sewer Use**

[Adopted 7-17-1995 by Ord. No. 929]

§ 165-7. Definitions.

For the purposes of this article, the following terms shall have the meanings hereafter designated:

ACT or THE ACT — The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 USC § 1251 et seq.

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:

- A. It is aqueous and has a pH of less than or equal to 5.0 or greater than or equal to 10.0, as determined by pH meter.
- B. It is a liquid and corrodes steel (SAE1020) at a rate greater than 6.35 mm (0.250 inch) 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:

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

4. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

INTERFERENCE — A discharge originating in the Borough which, alone or in conjunction with a discharge or discharges from other sources, both:

- A. Inhibits or disrupts the ALCOSAN facilities, its treatment processes or operations or its sludge processes, use or disposal; and
- B. 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 the 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 — 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, copartnership, 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 explosive hazard in the sewage collection system or the ALCOSAN treatment facility; which has any of but is not limited to the following properties:

- A. It is normally unstable and readily undergoes violent change without detonating.
- B. It reacts violently with water.
- C. It forms potentially explosive mixtures with water.
- D. 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.

- E. 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.
- F. It is capable of detonation or explosive reaction if it is subjected to a strong initiating source or if heated under confinement.
- G. It is readily capable of detonation, explosive decomposition or reaction at standard temperature and pressure.
- H. 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.

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.

WASTEWATER — The liquid- and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with any groundwater, surface water, and stormwater 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, watercourses, waterways, 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.

§ 165-8. Prohibited pollutants and wastewater.

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

§ 165-9. Prohibited discharges.

No person shall introduce, permit or cause to be introduced, directly or 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 the 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 interference 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 Section 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.

§ 165-10. Compliance required; adoption of pretreatment regulations by reference.

- A. No person shall take any action or do or cause to be done anything in violation of any rule or regulation of ALCOSAN.
- B. The Pretreatment Regulations of the Allegheny County Sanitary Authority are incorporated into this article by reference as though fully set forth herein.

§ 165-11. Violations and penalties.

Any person violating any provision of this article shall, upon conviction, be punished by a fine not to exceed the sum of \$1,000 for each offense, recoverable with costs, and in default

of payment of the fine and costs, shall be subject to imprisonment in the Allegheny County Jail for a period not exceeding 30 days. Each day a violation is continued shall constitute separate offense. 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 PS § 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.

§ 165-12. Amendment of pretreatment regulations.

This article empowers Borough Council to update pretreatment regulations by resolution.

ARTICLE III
Sewer Rates and Charges
[Adopted 7-21-1997 by Ord. No. 944]

§ 165-13. Establishment.

This article hereby imposes and establishes rates or charges for the use of, and services provided by, the sewer system in Edgewood, 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 sewer system on a quarterly basis:

- A. Basic service: rate set forth in Chapter 118, Fees, per 1,000 gallons of water used and for any collection costs applicable to the Borough of Edgewood.⁵ **[Amended 1-19-1999 by Ord. No. 953⁶]**

§ 165-14. Billing and payment procedures.

Charges for the sewer system service shall be billed quarterly, with all bills rendered as of the first day of the month following the quarter for which service was provided. Payment shall be due and payable within 30 days of the date of the billing statement.

§ 165-15. Penalty for delinquent accounts.

In the event the charges for said 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 the 10% of the amount of said statement shall be added.

5. Editor's Note: See also § 165-19.

6. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

§ 165-16. Service charge on delinquent accounts.

For each delinquent sewage account remaining unpaid 90 days after the date of said statement, a service charge of 3% percent of the gross delinquent charge shall be added. For each succeeding 90 days or part thereof that the account remains delinquent, an additional service charge of 3% percent shall be assessed, based upon the gross delinquent charges, or outstanding portion thereof.

§ 165-17. Pursuit of delinquent accounts.

The Borough of Edgewood shall pursue the collection of delinquent sewer accounts by all means available pursuant to applicable law.

§ 165-18. Collection procedure. [Added 7-21-1997 by Ord. No. 945]

- A. Adoption of collection procedure. All the powers and provisions of the said Act of 1957, P.L. 622, and its amendments,⁷ are herewith adopted and to be used for the purpose of collecting the said delinquent sewerage accounts in accordance with the procedure therein provided.
- B. Notice of delinquent account; authority to shut off water. The proper officer or designated employee of the Borough of Edgewood is herewith directed to send the notices as provided for in said Act to all said delinquent accounts; the proper officer or designated employee is herewith directed and authorized to request and direct the Wilkinsburg - Penn Joint Water Authority to shut off the supply of water to such premises until all such over due rentals, rates, charges and shut-off costs, together with any penalties and interest thereon, shall be paid.
- C. Payment to Water Authority. The Borough hereby authorizes and agrees to pay to the Wilkinsburg - Penn Joint Water Authority a reasonable sum for shut-off and turn-on services in an amount to be agreed upon between the Borough of Edgewood and said Authority.
- D. Nonliability of Water Authority. The Borough of Edgewood also agrees to indemnify and hold harmless the Wilkinsburg - Penn Joint Water Authority from any claims arising out of the shutting off or turning on of water on the properties affected in the operation of this section.

§ 165-19. Permissible method for amendments. [Added 1-19-1999 by Ord. No. 953]

At a public meeting of Council, upon public notice as required by law, Council may, by resolution, increase or decrease and change the billing of all accounts, establish penalties for the failure of users to pay said rates or charges and establish an effective date for said rates or charges.

7. Editor's Note: See 53 P.S. § 2261.