

Exhibit “F-2”

Chapter 180
SEWERS AND SEWAGE DISPOSAL

GENERAL REFERENCES

Building construction — See Ch. 82.

Stormwater management — See Ch. 200.

Streets and sidewalks — See Ch. 205.

Subdivision and land development — See Ch. 215.

Zoning — See Ch. 250.

ARTICLE I

On-Lot Management

**[Adopted 5-1-2013 by Ord. No. 2013-2¹; amended in its entirety
10-2-2013 by Ord. No. 2013-4]**

§ 180-1. Introduction, purpose and applicability.

A. Introduction.

- (1) Municipalities have an obligation to provide for adequate sewage treatment facilities and protection of the public health by preventing the discharge of untreated or inadequately treated sewage as mandated by municipal codes, the Clean Streams Law, as amended (35 P.S. § 691.1), and the Pennsylvania Sewage Facilities Act, as amended (35 P.S. § 750.1 et seq.).
- (2) The approved Act 537 Official Wastewater Facilities Plan of Jacobus Borough evaluated the need to provide adequate sewage facilities and has found the formation of an on-lot management program for the properties not served by public sanitary sewer in the Borough to be an effective method of preventing and abating water pollution and hazards to the public health.

B. Purpose. The purpose of this article is as follows:

- (1) To bring and keep the Borough within the requirements of the Clean Streams Law, as amended (Act of 1937, P.L. 1987, No. 394), and the Pennsylvania Sewage Facilities Act (Act of 1966, P.L. 1535, No. 537, as amended, known as "Act 537").
- (2) To provide for inspection, pumping, maintenance, and rehabilitation of private and public on-lot sewage disposal systems.
- (3) To establish penalties and appeal procedures necessary for the proper administration of such a management program.

C. Applicability. From the effective date of this article, its provisions shall apply in all portions of Jacobus Borough. The provisions of this article shall apply to all persons and all other entities owning any property serviced by an on-lot disposal system within the Borough.

§ 180-2. Definitions.

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

ACT 537 — The Act of January 24, 1996, P.L. 1535, as amended, 35 P.S. § 750.1 et seq., known as the "Pennsylvania Sewage Facilities Act."

AUTHORIZED AGENT — A certified sewage enforcement officer, code enforcement officer, professional engineer, plumbing inspector, municipal

1. Editor's Note: See 35 P.S. § 691.1 et seq.

secretary, or any other qualified or licensed person who is delegated by the Borough to carry out the provisions of this article within the specified limits.

BOROUGH — Jacobus Borough, York County, Pennsylvania.

BOROUGH COUNCIL — The Borough Council, York County, Pennsylvania.

CODE ENFORCEMENT OFFICER (CEO) — An authorized agent of the Borough to administer and enforce ordinances in the Borough.

COMMUNITY SEWAGE SYSTEM — Any system, whether publicly or privately owned, for the collection of sewage from two or more lots, and the treatment and/or disposal of the sewage on one or more lots or at any other site.

DEPARTMENT — The Department of Environmental Protection of the Commonwealth of Pennsylvania (DEP), or its successor agency.

INDIVIDUAL SEWAGE SYSTEM — A system of piping, tanks, or other facilities serving a single lot and collecting and disposing of sewage in whole or in part into the soil or into any waters of the Commonwealth of Pennsylvania.

MALFUNCTION — The condition occurring when an on-lot system causes pollution to ground or surface waters, contamination of private or public drinking water supplies, nuisance problems or is a hazard to public health. Any septic tank observed to be leaking or any instance where sewage is backing up into a building connected to the system is considered a malfunction. Systems shall be considered to be malfunctioning if any of the conditions noted above occur for any length of time during any period of the year.

OFFICIAL ACT 537 SEWAGE FACILITIES PLAN — A comprehensive plan for the provision of adequate sewage disposal systems, adopted by the Borough and approved by the Pennsylvania Department of Environmental Protection, as described in and required by the Pennsylvania Sewage Facilities Act. Hereinafter called the "plan," it shall mean the Jacobus Borough Act 537 Plan, as amended.

ON-LOT DISPOSAL SYSTEM — Any system for disposal of sewage involving pretreatment and subsequent disposal of the clarified sewage into the soil for final treatment and disposal, including both individual sewage systems and community sewage systems.

ON-LOT MANAGEMENT PROGRAM — A comprehensive set of legal and administrative requirements encompassing the requirements of this article and other administrative requirements adopted by the Borough to effectively enforce and administer this article.

PUMPING CERTIFICATION — A properly executed York County solid waste and refuse authority sludge/septage manifest.

QUALIFIED PUMPER/Hauler — A person or organization licensed by the York County Solid Waste Authority to conduct septage pumping and hauling within York County.

REHABILITATION — Work done to modify, alter, repair, enlarge, or replace an existing on-lot disposal system.

SEPTAGE — Any substance pumped out of a septic tank.

SEPTIC SYSTEM REPORT — A Borough form to be completed by the qualified pumper/hauler and forwarded to the Borough after each inspection and/or pumping.

SEWAGE — Any substance that contains any of the waste products or excrement or other discharge from the bodies of human beings or animals and any noxious or deleterious substances being harmful or inimical to the public health, or to animal or aquatic life, or to the use of water for domestic water supply or for recreation or which constitutes pollution under the Act of June 22, 1937 (P.L. 1987, No. 94), known as "the Clean Streams Law," as amended.

SEWAGE ENFORCEMENT OFFICER (SEO) — An agent of the Borough, certified by DEP, to issue and review permit applications and conduct such investigations and inspections as are necessary to implement Act 537 and the rules and regulations promulgated thereunder.

§ 180-3. Maintenance.

- A. Periodic maintenance of on-lot disposal system is required. The Borough shall notify all owners of property served by an on-lot disposal system that the system must be pumped by the end of the calendar year in which the notice is received. The Borough shall follow a schedule whereby all of the owners of properties within the Borough serviced by an on-lot disposal system are notified of the pumping requirements, such that all owners are notified every four years. The property owner must have the on-lot disposal system pumped within the time specified in the letter. Removal of septage or other solids from on-lot disposal systems shall be performed once every four years hereafter.
- B. Pumping of an on-lot disposal system shall be conducted by a qualified pumper/hauler for the purpose of determining a system's functional status. The property owner is responsible to contact and make arrangements directly with the pumper/hauler to conduct the pumping of his/her system, and for payment to the pumper/hauler of all expenses related to the pumping of the on-lot disposal system.
- C. The qualified pumper/hauler shall prepare a written report titled "York County Sludge/Septage Manifest and Report." The report shall be completed in full by the pumper/hauler, including Letters D and E, and two original copies shall be furnished to the property owner, one for the property owner and one for Jacobus Borough. The property owner shall submit Jacobus Borough's copy to the Borough within 30 days of the pump-out. The original report shall be mailed or hand-delivered by the property owner to the Jacobus Borough Municipal Office, 126 North Cherry Lane, Jacobus, PA 17407-1000.

- D. Tanks shall be deemed to be pumped when all organic solids are removed and the total average liquid depth remaining in the tank is less than one inch.
- E. The Borough SEO or authorized agent may require additional maintenance activity as needed, including but not limited to cleaning and unclogging of piping; service and repair of mechanical equipment; leveling of distribution boxes, racks, and lines; removal of obstructing roots or trees; and/or the diversion of surface water away from the absorption area.
- F. The required frequency of pumping may be increased at the discretion of the Borough SEO or authorized agent if:
- (1) A system is found to be malfunctioning;
 - (2) A system is found to be undersized;
 - (3) The treatment tanks are filled with solids in excess of 1/3 of the liquid depth of the tank or with scum in excess of 1/3 of the liquid depth of the tank;
 - (4) The hydraulic load on the system increases significantly above average;
 - (5) A garbage grinder is used in the building; or
 - (6) Other good cause can be shown.
- G. Any person owning a building served by an on-lot disposal system containing an aerobic treatment tank shall follow the operation and maintenance recommendations of the equipment manufacturer. In no case may the service or pumping interval for aerobic treatment tanks exceed that required for septic tanks.
- H. Any person owning a structure served by a cesspool shall have that system pumped according to the schedule prescribed for septic tanks.
- I. Each time a septic tank or other subsurface waste disposal system tank is pumped, the contracted pumper shall provide to the owner of the system a fully completed and signed septic system report.
- J. The owner of the property upon which an on-lot system is constructed shall maintain the area around such system so as to provide convenient access for inspection, maintenance, and pumping, and divert surface water and downspouts away from the absorption area and on-lot system components.
- K. Tanks shall only be pumped from/through the manhole/access port, i.e., the largest tank opening. Tanks shall not be pumped from/through the observation port.
- L. The owner of a property upon which an on-lot system is constructed shall, at all times, operate and maintain the on-lot system in such

condition as will permit it to function in the manner in which it was designed and to prevent the unlawful discharge of sewage.

§ 180-4. Inspections.

- A. Inspection of the sewage collection system shall be conducted when an on-lot disposal system is pumped. All inspections shall be performed by an authorized agent of the Borough subsequent to the pumping evolution.
- (1) An authorized agent of the Borough may inspect any on-lot sewage disposal system at any time given reasonable notice.
 - (2) An authorized agent of the Borough shall have the right to enter upon land for the purpose of inspections as described above.
 - (3) Inspections by an authorized agent of the Borough may include a physical tour of the property, the taking of samples from surface water, wells or other groundwater sources, the sampling of contents of the sewage disposal system itself and/or the introduction of a traceable substance into the interior plumbing of the structure served to ascertain the path and ultimate destination of wastewater generated in the structure.
- B. Inspection fees must be submitted to the Jacobus Borough Municipal Office, 126 N. Cherry Lane, Jacobus, PA 17407-1000, and inspections must be scheduled, in accordance to instructions in the maintenance notification letter received by the property owner from Jacobus Borough.
- C. Should inspection of the sewage collection system by the Borough's authorized agent reveal that the system is malfunctioning, the Borough's authorized agent shall take action to require the correction of the malfunction.

§ 180-5. Operation.

- A. Only sewage and normal domestic wastes shall be discharged into any on-lot sewage system. The following shall not be discharged into the system:
- (1) Industrial wastes.
 - (2) Automobile oil and other petroleum products.
 - (3) Fats and grease.
 - (4) Toxic or hazardous substances or chemicals, including, but not limited to, pesticides, herbicides, acids, paints (including latex or water-based paints), paint thinners, gasoline, and other solvents.

- (5) Clean surface- or groundwater, including spring water, water from roof or cellar drains, water from basement sump pumps, and water from french drains.
- B. All water used within a residence, including kitchen and laundry wastes and water softener backwash, and all sewage shall be discharged into an on-lot disposal system treatment tank.

§ 180-6. Rehabilitation.

- A. Any on-lot sewage disposal system or component thereof found to be malfunctioning shall be repaired, modified or replaced pursuant to direction of the Borough or its authorized agent and to correct the conditions causing the malfunction. Rehabilitation shall be performed in accordance with Chapter 73, Standards for Sewage Disposal Facilities of Title 25, Rules and Regulations, Department of Environmental Protection, as amended or replaced.² The Borough SEO shall inspect the rehabilitated on-lot sewage disposal system and certify its compliance with local and state standards.
- B. A permit exemption declaration must be filed with the Borough's SEO a minimum of 48 hours prior to any soil fracturing or use of the terralift procedure to an on-lot disposal system.

§ 180-7. Liens.

When an imminent health hazard exists due to failure of a property owner to maintain, repair, or replace an on-lot sewage disposal system as provided under the terms of this article, the Borough shall have the authority, but not the obligation, to perform, or contract to have performed, the work required to abate the health hazard, pollution, or nuisance. The owner shall be charged for the work performed plus an administrative fee of 10%, and, if said amount remains unpaid for a period of 30 days following the invoice for such amounts, a lien may be entered therefor in accordance with law. The Borough reserves the right to pursue all other lawful remedies.

§ 180-8. Disposal of septage.

- A. All septage originating within the Borough shall be disposed of at sites or facilities approved by the Department for the acceptance of septage.
- B. Only pumpers/haulers licensed to operate within York County shall be utilized.

§ 180-9. Administration.

- A. The Borough shall fully utilize those powers it possesses through enabling statutes and ordinances to effect the purposes of this article.

2. Editor's Note: See 25 Pa. Code Ch. 73, Standards for Onlot Sewage Treatment Facilities.

- B. The Borough shall employ qualified individuals to carry out the provisions of the article. Those employees may include a sewage enforcement officer, a codes enforcement officer, a secretary, an administrator, or other persons as required. The Borough may also contract with other private qualified persons or firms as necessary to carry out the provisions of this article.
- C. All permits, records, reports, files and other written material relating to the installation, operation, maintenance, and malfunction of on-lot sewage disposal systems in the Borough shall become the property of the Borough. All records pertaining to sewage permits and all other aspects of the Borough's sewage management program shall be made available according to procedures set forth in the Pennsylvania Right-to-Know Law, as amended and supplemented from time to time.³ A fee for copying may be charged.
- D. The Borough may establish all administrative procedures necessary to properly carry out the provisions of this article.
- E. The Borough may establish a fee schedule and subsequently collect fees to cover the cost of administering the on-lot maintenance program. The Borough can set fees by properly enacting a resolution from time to time.

§ 180-10. Appeals.

- A. Appeals from decisions made under this article shall be made to the Borough Council in writing within 30 days from the date of the decision in question.
- B. The appellant shall be entitled to a hearing before the Borough Council at its next regularly scheduled meeting if the appeal is received at least 14 days prior to that meeting. If the appeal is received within 14 days of the next regularly scheduled meeting, the appeal shall be heard at the subsequent meeting. The Borough shall thereafter affirm, modify, or reverse the aforesaid decision. The hearing may be postponed for a good cause shown by the appellant or the Borough. Evidence may be introduced at the hearing, provided that it is submitted with the written notice of appeal.
- C. A decision shall be rendered in writing within 60 days of the date of the hearing. If a decision is not rendered within 60 days, the relief sought by the appellant shall be deemed granted.

§ 180-11. Violations and penalties.

- A. Any person who shall violate or fail to comply with any provision of this article shall, upon conviction thereof by a summary proceeding action brought before a District Justice in the same manner provided for

3. **Editor's Note: See 65 P.S. § 67.101 et seq.**

the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, be sentenced to pay a fine of not less than \$300 nor more than \$1,000, plus all court costs, or imprisonment, all pursuant to the purpose and mandate of Act No. 172 of 1996, as amended. Each day's continuance of a violation of this article shall constitute a separate offense.

- B. The discharge by the Borough of its obligations as set forth in this article shall create no liability upon the Borough, its officials, employees or agents.

§ 180-12. Reports, records, etc.

All reports, inspections, appraisals, certification or records required or produced by the Borough, its officials, employees or agents, as required by this article, shall be for the use and benefit of the Borough only and shall not be accepted, utilized or relied upon by any other person or party by way of certification or otherwise.

§ 180-13. through § 180-16. (Reserved)

ARTICLE II
Holding Tanks

[Adopted 6-13-1994 by Ord. No. 115 (Ch. 18, Part 2, of the 1984 Code of Ordinances)]

§ 180-17. Purpose.

The purpose of this article is to establish procedures for the use and maintenance of existing and new holding tanks designed to receive and retain sewage, whether from residential or commercial uses, and it is hereby declared that the enactment of this article is necessary for the protection, benefit and preservation of the health, safety and welfare of the inhabitants of this Borough.

§ 180-18. Definitions.

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

AUTHORITY — The Jacobus Borough Sewer Authority, York County, Pennsylvania.

BOROUGH — Jacobus Borough, York County, Pennsylvania.

HOLDING TANK — A watertight receptacle, whether permanent or temporary, which receives and retains sewage conveyed by a water-carrying system and is designed and constructed to facilitate the ultimate disposal of the sewage at another site.

IMPROVED PROPERTY — Any property within the Borough upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals, and from which structure sewage shall or may be discharged.

OWNER — Any person vested with ownership, legal or equitable, sole or partial, of any property located in the Borough.

PERSON — Any individual, partnership, company, association, corporation or other group or entity.

SEWAGE — Any substance that contains any of the waste product or excrement or other discharge from the bodies of human beings or animals and any noxious or deleterious substance being harmful or inimical to the public health or to animal or aquatic life or to the use of water for domestic water supply or for recreation.

§ 180-19. Rights and privileges granted.

The Authority is hereby authorized and empowered to undertake within the Borough the control and methods of holding tank use, sewage disposal and sewage collection and transportation thereof.

§ 180-20. Rules and regulations.

- A. The Authority is hereby authorized and empowered to adopt such rules and regulations concerning sewage which it may deem necessary from time to time to effect the purposes herein.
- B. All such rules and regulations adopted by the Authority shall be in conformity with the provisions herein, all other ordinances of the Borough, and all applicable laws and applicable rules and regulations of administrative agencies of the Commonwealth of Pennsylvania.

§ 180-21. Rates and charges.

The Authority shall have the right and power to fix, alter, charge and collect rates, assessments and other charges in the area served by its facilities at reasonable and uniform rates as authorized by applicable law.

§ 180-22. Collection, transportation and disposal; pumping receipts; inspection reports.

- A. The collection and transportation of all sewage from any improved property utilizing a holding tank shall be done solely by or under the direction and control of the Authority or its designated representative, and the disposal thereof shall be made only at such site or sites as may be approved by the Department of Environmental Protection of the Commonwealth of Pennsylvania.
- B. The Authority will receive, review and retain pumping receipts from permitted holding tanks.
- C. The Authority will complete and retain annual inspection reports for each permitted holding tank.

§ 180-23. Duties of improved property owner.

The owner of an improved property that utilizes a holding tank shall:

- A. Maintain the holding tank in conformance with this article or any ordinance of the Borough, the provisions of any applicable law, and the rules and regulations of the Authority and any administrative agency of the Commonwealth of Pennsylvania.
- B. Permit only the Authority or its agent to inspect holding tanks on an annual basis.
- C. Permit only an approved hauler to collect, transport and dispose of the contents therein.

§ 180-24. Violations and penalties. [Amended 7-3-2013 by Ord. No. 2013-3]

Any owner of real property who does not comply with the provisions of this article shall be subject to a summary criminal proceeding before the Magisterial District Justice as provided by the Pennsylvania Rules of

Criminal Procedure, as may be amended from time to time. Upon a finding of a violation, a fine of not less than \$450 nor more than \$1,000, plus costs of prosecution, including court costs and reasonable attorney fees incurred by the Borough to prosecute the violation, shall be imposed, and such person may be subject to imprisonment of up to 15 days in the event such fines and costs are unpaid. Each day that such violation(s) continues shall be a separate violation of this article.

§ 180-25. Abatement of nuisances.

In addition to any other remedies provided in this article, any violation of § 180-23 above shall constitute a nuisance and shall be abated by the Authority by either seeking mitigation of the nuisance or appropriate equitable or legal relief from a court of competent jurisdiction.

ARTICLE III

Sewer Connections

[Adopted 4-16-1997 by Ord. No. 97-131 (Ch. 18, Part 3, of the 1984 Code of Ordinances)]

§ 180-26. Definitions.

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

AUTHORITY — Jacobus Borough Sewer Authority, as presently or hereafter constituted, which has been created by the Borough Council of Jacobus Borough.

BOROUGH — The Borough of Jacobus, York County, Pennsylvania, a municipality existing under the laws of the Commonwealth of Pennsylvania, acting by and through its Council or its authorized representatives.

HOUSE DRAIN — That part of the main horizontal drain and its branches inside the walls of the building, vault or area, extending to and connecting with the house sewer.

HOUSE SEWER — That part of a sewer line extending from a point five feet outside of the inner face of the outer walls of a building, vault or area to its connection with the lateral.

INDUSTRIAL WASTE — Any solid, liquid, gaseous or waterborne substance or form of energy rejected or escaping in the course of any industrial, manufacturing, trade or business process or in the course of the development, recovering or processing of natural resources, as distinct from sewage.

LATERAL — That part of the sewer system extending from a public or private main sewer to the curblineline or property line.

OCCUPIED BUILDING — Any structure erected and intended for continuous or periodic habitation, occupancy or use by human beings or animals, and from which structure sewage and industrial waste, or either thereof, is or may be discharged.

PERSON — Individuals or natural persons, or artificial persons existing only in contemplation of law, and shall be construed to include associations, partnerships, limited partnerships, joint-stock companies and corporations.

PREMISES ACCESSIBLE TO THE SEWER SYSTEM — Real estate which adjoins, abuts or is adjacent to the sewer system having an occupied building no more than 250 feet distant, measured on a horizontal plane, between the nearest point of the occupied building, including unenclosed covered portions thereof, and any part of the sewer system, regardless of the length of the house sewer.

SANITARY SEWAGE — The normal water-carried household and toilet wastes from any improved property.

SEWAGE — Both sanitary sewage and industrial waste.

SEWER SYSTEM — All facilities, as of any particular time, for collecting, transporting, pumping, treating and disposing of sewage, owned by the Authority, leased to the Borough, or contracted for by the Authority or the Borough.

TREATING MUNICIPALITY — The municipality in which the wastewater treatment facility treating the sewage in question is located.

§ 180-27. Creation of district.

There is hereby designated and created a sewer district in Jacobus Borough, to be known as the "Jacobus Borough Sewer District," consisting of the entire Borough of Jacobus.

§ 180-28. Connection requirements. [Amended 7-2-1997 by Ord. No. 97-132]

- A. All persons owning any occupied building not erected upon premises accessible to the sewer system shall, at their own expense, connect such building with the sewer system within 90 days after notice to such person from the Borough to make such connection.
- B. All persons owning any premises accessible to the sewer system upon which a building is hereafter erected shall, at the time of the erection of such building, and at their own expense, connect the same with the sewer system.
- C. All persons owning any occupied building upon premises which hereafter become accessible to the sewer system shall, at their own expense, connect such building with the sewer system within the time frame established by the Jacobus Borough Council after notice to such person from the Borough to make such connection.
- D. All persons shall indemnify and save harmless this Borough, the Authority, and the treating municipality from all loss or damage that may be occasioned, directly or indirectly, as a result of construction of a lateral, house sewer or connection of a house sewer to the sewer system.
- E. Authority for Borough to make connection and collect costs and expenses. If the owner of any premises accessible to the sewer system, given 90 days' notice from this Borough, in accordance with Subsection A, shall fail to connect such improved property, as required, this Borough may make such connection and may collect from such owner the costs and expenses thereof by a municipal lien, an action in assumpsit or such other legal proceeding as to be permitted by law.

§ 180-29. Privies, cesspools, sinkholes and septic tanks.

- A. It shall be unlawful for any person owning any premises accessible to the sewer system to erect, construct or use or maintain, or cause to be erected, constructed, used or maintained, any privy, cesspool, sinkhole,

septic tank or other receptacle on such premises for receiving sewage after the expiration of the period specified in § 180-28 hereof or to connect any of the above to the sewer system or otherwise at any time to erect, construct, use or maintain any pipe, conduit, drain or other facility for the discharge of sewage except into the sewer system.

- B. Any person who erects, constructs or maintains a privy, cesspool, sinkhole or septic tank on any premises accessible to the sewer system or otherwise erects, constructs, uses or maintains any privy, cesspool, sinkhole, septic tank or other receptacle on such premises for receiving sewage in violation of this article shall be deemed and shall be declared to be erecting, constructing and maintaining a nuisance, which nuisance the Borough is hereby authorized and directed to abate in the manner provided by law.

§ 180-30. Compliance with other provisions.

No connection shall be made to the sewer system except in compliance with the ordinances, resolutions, rules and regulations of the Borough Council, the Authority, or as may be otherwise required by law.

§ 180-31. Rules and regulations.

- A. Application for service line. Any property owner desiring the introduction of a new service line from the sewer system to his premises must first make written application on forms furnished by the Authority. The application must be signed by the property owner or his duly authorized representative. No owner or tenant of any premises connected with the sewer system shall permit another person or premises to use or connect with his service line, except upon written permission from the Authority.
- B. Permit for connection. It will be necessary to have a permit from the Authority and the treating municipality, if required, before making any connection to the sewer system. After proper application for service has been received and upon payment of any fee required by the treating municipality, the Authority and, if required, the treating municipality will issue permits authorizing the attachment of the lateral or the applicant's house sewer to the sewer system.
- C. Service connections. No sewer connection or disconnection shall be made, nor any lateral or house sewer line installed, except in the manner and of a type approved by the representatives of the Borough, the Authority and, if required, the treating municipality, who shall have supervision and control over the same. Maintenance, installation and use of plumbing fixtures and appliances shall also be subject to appraisal of said representatives. The lateral and house sewer line shall be at the applicant's expense. After all pipe is laid and before the ditch is closed, all work must be inspected and approved by the representative of the Authority and, if required, the treating municipality.

- D. Grease traps and oil separators. All hotels, restaurants, boardinghouses and public eating places shall install grease traps and all automotive service and repair stations and body shops shall install grease traps and oil separators on the house drains before draining into the sewer system. The grease traps and oil separators shall be of such character as may be approved by the Authority and, if required, the treating municipality or its representatives. Any existing vent pipe from a trap which permits surface water to enter the sewer system shall be repaired so that the top of said vent pipe is at least six inches above the top of the adjacent ground level.
- E. Inspections. The Authority and the treating municipality or their respective authorized representatives shall have the right of access at all reasonable times to all parts of any premises connected with the sewer system and to examine and inspect the connections thereto and the plumbing fixtures and appliances and use thereof and to compel the discontinuance of any improper connection, installation, maintenance or use. The Authority and the treating municipality may make reasonable charges for such inspections to users of the sewer system.
- F. Release of liability. Neither the Borough, the Authority nor the treating municipality shall be liable for any damage or expense resulting from leaks, stoppages or defective plumbing or from any other cause occurring to any premises or within any house or building, and it is hereby expressly stipulated by all persons that no claims shall be made against either the Borough or the treating municipality on account of the breaking or stoppage of or any damage or expense to any lateral, house sewer or house drain when the cause thereof is found to be in such lateral, house sewer or house drain. The Borough, the Authority and the treating municipality shall not be liable for a deficiency or failure of service when occasioned by an emergency, required repairs or failure for any cause beyond control.
- G. Prohibited discharges. No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff or substance drainage into any sanitary sewer.
- H. Maintenance. The owner of any sewer lines which are discharging sewage into the public sewer system shall keep such lines free of roots, grit, soil, stones, building materials, built-up solids and all other objects not limited by the foregoing which are not intended for disposal in a sewer line or which are likely to impede the flow of sewage in a sewer line. Such lines shall be maintained by the owner, free of deflection, cracks or other openings which contribute to or are likely to contribute to infiltration or inflow.
- I. Changing rules and regulations. The Borough and the Authority reserve the right to change or amend, from time to time, these as well as other applicable rules and regulations in accordance with law and subject to any required consent of the treating municipality.

§ 180-32. Confirmation and ratification of prior contracts.

The contracts between this Borough, the Authority and various municipalities prior hereto are hereby confirmed and ratified.

§ 180-33. Violations and penalties. [Amended 7-3-2013 by Ord. No. 2013-3]

Any owner of real property who does not comply with the provisions of this article shall be subject to a summary criminal proceeding before the Magisterial District Justice as provided by the Pennsylvania Rules of Criminal Procedure, as may be amended from time to time. Upon a finding of a violation, a fine of not less than \$450 nor more than \$1,000, plus costs of prosecution, including court costs and reasonable attorney fees incurred by the Borough to prosecute the violation, shall be imposed, and such person may be subject to imprisonment of up to 15 days in the event such fines and costs are unpaid. In the event the property on which the violation occurs is owned by a partnership or limited liability company, then the partners or members thereof, or if owned by a corporation or association, then the officers thereof, in default of payment of such fines and costs imposed hereunder, may be imprisoned for such time periods as provided herein. Each day that such violation(s) continues shall be a separate violation of this article.