

Chapter 18

SEWERS AND SEWAGE DISPOSAL

Part 1
PUBLIC SANITARY SEWER SYSTEMS

§ 18-101. Definitions. [Ord. 76, 11/13/1971, § 1]

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

AUTHORITY — Valley Township Authority as originally organized and as presently or hereafter constituted, which has been created by the Board of Supervisors of the Township and to which has been referred by the Board of Supervisors of the Township the specific project of the sewers.

OCCUPIED BUILDING — Each single dwelling unit, household unit, flat or apartment unit, store, shop, office, business or industrial unit or family unit contained within any structure erected within 150 feet from the sewer system and intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure sanitary sewerage is, or may be, discharged.

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

PROPERTY ACCESSIBLE TO THE SEWER SYSTEM — Improved property which adjoins, abuts on, or is adjacent to the sewer system.

SANITARY SEWAGE — The normal water-carried household and toilet wastes from residences, business buildings, institutions and industrial establishments.

SEWER SYSTEM — The public sanitary sewer collection system, together with appurtenant facilities about to be acquired and constructed for a portion of the Township and any improvements, additions or extensions that hereafter may be made thereto by the Authority or the Township or to any part or parts of any or all thereof.

TOWNSHIP — Valley Township, Chester County, Pennsylvania or the duly constituted and elected municipal officials therefor.

§ 18-102. Occupied Buildings to be Connected to Accessible Sewers. [Ord. 76, 11/13/1971, § 2]

1. All persons owning any occupied building, now erected upon property in the Township accessible to the sewer system shall, at their own expense, connect such building with the sewer system within 60 days after written notice to such persons from the Township.
2. All persons owning any property in the Township accessible to the sewer system upon which an occupied 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.
3. All persons owning any occupied building upon property in the Township which hereafter becomes accessible to the sewer system

shall, at their own expense, connect such building with the sewer system within 60 days after notice to do so from the Township.

4. Where more than one occupied building, as hereinbefore defined, is contained in a separate structure, a single common connection to the lateral of the sewer system may be permitted for accommodating all units contained in such structure, except that separate connections shall be required for each semidetached or row-type house or structure.

§ 18-103. Unlawful Means of Discharge of Sanitary Sewage From Property Accessible to Sanitary Sewer. [Ord. 76, 11/13/1971, § 3]

It shall be unlawful for any person owning any property in the Township 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 sanitary sewage after the expiration of the particular period specified in § 102 or otherwise at any time to erect, construct, use or maintain any pipe, conduit, drain or other facility for the discharge of sanitary sewage into the gutters of the Township, the storm sewers of the Township or upon public or private property or otherwise, except into the sewer system.

§ 18-104. Nuisances Defined; Abatement Thereof. [Ord. 76, 11/13/1974, § 4]

Any person who erects, constructs, uses or maintains a privy, cesspool, sinkhole or septic tank on any property accessible to the sewer system, or otherwise erects, constructs, uses or maintains any pipe, conduit, drain or other facility for the discharge of sanitary sewage in violation of this Part, shall be deemed and shall be declared to be erecting, constructing and maintaining a nuisance, which nuisance the Township is hereby authorized and directed to abate in the manner provided by law.

§ 18-105. Manner of Making Connections. [Ord. 76, 11/13/1971, § 5]

No connections shall be made to the sewer system, except in compliance with the ordinances and resolutions, as well as such rules and regulations as may, from time to time, be enacted, adopted, approved or promulgated by the Township or the Authority.

§ 18-106. Violations and Penalties. [Ord. 76, 11/13/1971, § 7; as amended by Ord. 75-1, 4/17/1975, § 1; by Ord. 96-4, 5/7/1996, § 18; and by Ord. 97-2, 3/18/1997, § 18]

The provisions of this Part are declared to be for the health, safety and welfare of the citizens of the Township and any person or legal entity violating any provision of this Part shall be guilty of a summary offense and subject to a fine not to exceed \$1,000, together with all court costs and reasonable attorney's fees incurred by the Township in such enforcement proceeding, and may further be punished by imprisonment to the extent

allowed by law for summary offenses. Each ten-day period during which such violation shall continue, shall be deemed to be a separate offense. Each occupied building, as hereinbefore defined, whether or not the owners hereof shall be permitted to connect two or more occupied buildings or units by a single common connection to a lateral of the sewer system or shall be required to make separate connections for each occupied building or unit shall constitute a separate and distinct unit under the provisions of this Part and the persons owning occupied buildings, consisting of multiple units contained in the same structure, who violate any of the provisions of this Part, shall be subject to the aforesaid fine for each and every one of such occupied buildings or units which are in violation of the provisions of this Part.

Part 2**SEWER TAPPING OR CONNECTION FEES AND SEWER RENTALS;
SEWER USES****§ 18-201. Definitions. [Ord. 77, 11/13/1971, § 1; as amended by Ord. 86-3, 3/18/1986, § 2; and by Ord. 99-2, 1/4/1999, § 1-3]**

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

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

OWNER — Any person vested with ownership legal or equitable, sole or partial, of any property served, directly or indirectly, by the sewer system.

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

SANITARY SEWAGE — The normal water-carried household and toilet wastes from residences, business buildings, institutions, commercial and industrial establishments.

SEWER SYSTEM — All temporary and permanent facilities at any time, and from time to time, owned and operated by the Township and used or usable for, on in a connection with, the collection, treatment and disposal of sanitary sewage.

TOWNSHIP — Valley Township, Chester County, Pennsylvania, or the duly constituted and elected municipal authorities thereof.

§ 18-202. Calculation of Connection Fee, Customer Facilities Fee, and Tapping Fees. [Ord. 77, 11/13/1971, § 2; as amended by Ord. 77-4, 6/13/1977; by Ord. 85-2, 7/16/1985; by Ord. 86-4, 3/18/1986, § 1; by Ord. 2000-7, 9/5/2000; by Ord. No. 2003-04, 1/21/2003; and by Ord. No. 2005-07, 9/6/2005]

1. Background.

- A. Act 57 of 2003 (House Bill 51, Printers' Number 3049) amends Act 203 of 1990.¹ Act 57 of 2003 governs municipal authorities in the charging of fees and, by reference, fees for other local government units providing water and sewer service. Act 57 continues the imposition of three separate fees for those connecting to the distribution facilities of the Township. The three authorized fees are the connection fee, the customer facilities fee, and the tapping fees. The tapping fees are composed of four parts or components. These components are the capacity part, the distribution part, the special purpose part and the reimbursement part. The fees are

1. Editor's Note: See 53 Pa.C.S.A. § 5607

intended to allow the Township to recoup the expenditure of certain specific capital costs related to building the facilities.

- B. Act 57 has no bearing or affect on sewer bills. Sewer bills are for operating and maintaining the sewer system and to pay off related sewer revenue bonds.

Schedule Reference	
Title	Reference
Connection Fee	Schedule A
Customer Facilities Fee	Schedule B
Tapping Fee Capacity Part	Schedule C
Tapping Fee Collection Part	Schedule D
Tapping Fee Special Purpose Part	Schedule E
Tapping Fee Reimbursement Part	Schedule F

2. Schedule A: Calculation of the Connection Fee.

- A. The connection fee covers the actual cost of the facilities installed between the Township's sewer main and the property or right-of-way line of the building to be connected to the Township sanitary sewer system.
- B. Valley Township requires that this installation be performed by an approved pipe line contractor at the property owner's cost. The Township's cost to open an account, explain the regulations and issue a permit is chargeable to the property owner. The Township Engineer inspects the work and this cost is also the responsibility of the property owner.

C. Costs are broken down as follows:

Administrative costs (50 minutes at \$30 per hour)	\$25
Township Engineer	
Connection inspection (1 hour at \$65 per hour)	\$65
Surface repair inspection (1 hour at \$65 per hour)	\$65
Maximum allowable connection fee	\$155

- D. Any conditions that result in extra work by Township Administration or Township Engineer shall be charged at the cost of time and materials in addition to the above fee. This shall include PennDOT and Township road opening permits when required.

3. Schedule B: Calculation of Customer Facilities Fee.

A. The customer facilities fee covers the actual cost of the facilities installed between the right-of-way line of the property and the property owner's building to be connected to the Township sewer system.

B. Valley Township requires that this work be performed by an approved contractor and at owner's cost. The property owner must first obtain a permit as described in Schedule A. The Township Building/Plumbing Inspector inspects the work and this cost is also the responsibility of the property owner.

C. Costs are broken down as follows:

Township Building/Plumbing Inspector (1 hour at \$30 per hour)	\$30
Maximum allowable customer facilities fee	\$30

D. Any conditions that result in extra work by Township Administration or Township Inspectors shall be charged at the cost of Time and materials in addition to the above fee.

4. Schedule C: Calculation of Sanitary Sewer System Capacity Part Fee.

Valley Township average household size from 2000 census	2.66 persons
Sewer capacity required per person from Act 57 of 2003	90 GPCD
Flow per connection per day (90 GPCD X 2.66 persons)	239.40 GPD
Capacity by contract with CCA (now PAWC) December 14, 2004 ¹	1.140 MGD
Total allowable cost	\$0.917 million dollars
Unit cost (\$0.917M/1.140MGD)	\$0.804 per GPD
Maximum allowable capacity facilities tapping fee (239.40 GPD X \$0.702/GPD)	\$192.57 per connection

Note 1: CCA is the City of Coatesville Authority. PAWC is the Pennsylvania American Water Company which took over CCA.

5. Schedule D: Calculation of Collection Facilities Tapping Fee.

Valley Township average household size from 2000 census	2.66 Persons
Allowable sewage flow per person from Act 57 of 2003	90 GPCD

Flow per connection per day (90 GPCD X 2.66 persons)	239.40 GPD
Capacity by contract with CCA (now PAWC) December 14, 2004 ¹	1.140 MGD
Total allowable cost	\$2.835 Million dollars
Unit cost (\$2.835M/1.140 MGD)	\$2.487 per GPD
Maximum allowable collection facilities tapping fee (239.40 GPD X \$2.487/GPD)	\$595.35 per connection

Note 1: CCA is the City of Coatesville Authority. PAWC is the Pennsylvania American Water Company which took over CCA.

6. Schedule E: Sewer System Special Purpose Part Fee.

- A. The special purpose part is for special purpose facilities and is applicable only to a particular group of customers or for serving a particular purpose or a specific area based upon the cost of the facilities, including, but not limited to, booster pump stations, fire service facilities, water or sewer mains, pumping stations and industrial wastewater treatment facilities. Such facilities may include only those that provide existing service.
- B. This component of the tapping Fee is computed for each particular special purpose or group or area. The ultimate cost will depend on the cost elements of the special purpose component. The special purpose part tapping fee may not be collected after the cost of the special purpose part has been paid by the original design capacity number of units.
- C. The special purpose part is applicable to existing facilities only and may not be used for future facilities.
- D. There are no special purpose part tapping fees in the sanitary sewer system of Valley Township at this time. They may be included when the need arises. Calculations of the special purpose part shall be in accordance with Act 57.

Maximum allowable special purpose fees	\$0
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7. Schedule F: Sewer System Reimbursement Part Fee.

- A. The reimbursement part shall only be applicable to the users of certain specific facilities when a fee required to be collected from such users will be reimbursed to the person at whose expense the facilities were constructed as set forth in a written agreement between the Township and such person at whose expense such facilities were constructed.

- B. The reimbursement fee can only be charged to those who will have a direct use of the facilities. Total reimbursement may not exceed the actual cost of construction.
- C. There is no reimbursement part in Valley Township at this time.

Maximum allowable reimbursement fee	\$0
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8. Summary of Maximum Allowable Fees.

Connection fee (new lateral within the public right-of-way)	\$155
Customer facilities fee (lateral from right-of-way to structure)	\$30
Capacity fee	\$192.57
Collection fee	\$595.35
Special purpose part	\$0
Total maximum allowable fee	\$972.92
Reimbursement (as of 8/2005)	\$0

§ 18-203. Connection Inspection Fees. [Ord. 77, 11/13/1971, § 2; as amended by Ord. 77-4, 6/13/1977; and by Ord. 99-5, 11/3/1999]

There is hereby imposed upon each owner of each property connecting to the sewer system a sewer connection inspection fee in an amount as established, from time to time, by resolution of the Board of Supervisors for each connection made to the sewer system.

§ 18-204. Imposition of Sewer Rent or Charge. [Ord. 77, 11/13/1971, § 3; as amended by Ord. 78-14, 4/26/1979; by Ord. 86-6, 5/27/1986; by Ord. 88-5, 11/15/1988; and by Ord. 99-2, 1/4/1999, § 4]

There is hereby imposed upon each owner of each property served by the sewer system and having the use thereof, an annual sewer rent or charge, payable quarterly as hereinafter provided, for the use, whether direct or indirect, of the sewer system, based on the schedules of classifications and rates or charges hereinafter set forth.

§ 18-205. Amount and Manner of Computation of Sewer Rentals or Charges. [Ord. 77, 11/13/1971, § 4; as amended by Ord. 77-2, 6/13/1977; by Res. 80-4, 1/1/1980; by Ord. 82-2, 3/10/1982, § 1; by Ord. 84-5, 12/18/1984; by Res. 84-9, 7/17/1984; and by Res. 86-4, 2/18/1986; by Res. 90-10, 8/21/1990; by Res. 92-2, 1/21/1992; by Ord. 92-2, 6/2/1992, §§ 1, 2; and by Ord. 99-2, 1/4/1999, §§ 5, 6]

- 1. The annual sewer rental or charge imposed hereby upon the owner of each property served by the sewer system, except as specified in Subsection 2 hereof, shall be \$176 per quarter per equivalent dwelling

unit according to the following schedule: **[Amended by Ord. No. 2009-04, 9/24/2009; by Ord. No. 2011-3, 1/18/2011; and by Ord. No. 2011-09, 12/20/2011]**

Unit Schedule for Sewer Rental	
Category	Sewer Rental Units
Single-family dwelling	1
Each family apartment or business suite in a multiple dwelling or office building	1
Each additional apartment or business suite	1
Each half of a double house	1
Each beauty parlor, food market, service station, garage, funeral parlor, doctor's or dentist's office	1
Each church or fire company or similar charitable organization	1
Each restaurant or tavern - 20 seats or less	2
Each additional 10 seats or portion thereof	1
Each hotel or motel - 3 rental units or less	1
Each additional 5 rooms or portion thereof	1
Each nursing home, group home, institution or hospital housing 4 beds or less	2
Each additional 2 beds or portion thereof	1
Each commercial and industrial establishment or professional office not otherwise classified which does not discharge an industrial waste, regularly occupied during business hours by less than 8 persons and for each 5 additional persons or portion thereof in regular occupancy during business hours	1
Each school regularly occupied during school hours by 10 persons or less and for each additional 10 persons or portion thereof	1
For the purpose of computing school occupancy the number of pupils to be included for each year shall be the number enrolled in the school on October 1 of each year	

2. The quarterly sewer rental or charge imposed upon users, owners and occupiers of land and buildings that are serviced by the sewer system

and either by the Valley Township or the City of Coatesville Authority water systems shall be \$143 for the first 10,000 gallons of metered water usage and \$8.60 for each additional 1,000 gallons, or fraction thereof. **[Amended by Ord. No. 2009-04, 9/24/2009; by Ord. No. 2011-3, 1/18/2011; and by Ord. No. 2011-09, 12/20/2011]**

3. Sewer rentals imposed upon owners of property served by the sewer system and discharging industrial wastes are determined by the following formula:

"Equivalent Dwelling Unit" shall be the quotient obtained by dividing the total gallons per quarter of wastewater being discharged to the sewer system by 15,000 gallons, and such wastewater shall mean equivalent sewage flow with an average of five-day BOD of 250 milligrams per liter (mg/L), an average suspended solids (SS) content of 250 mg/L and an average chlorine demand (Cld) of 10 mg/L and if samples of such industrial wastes indicate values higher than the above listed values for BOD, suspended solids or chlorine demand, then the "equivalent dwelling units" for said waste shall be adjusted for values or factors higher than those listed (without credit or reduction for lower values or factors) in accordance with the following formula:

$$EDU = \frac{\text{Flow} \times 1}{15,000} + \frac{(\text{BOD} - 250) \times 0.8}{250} + \frac{(\text{SS} - 250) \times 0.5}{250} + \frac{(\text{Cld} - 10) \times 0.2}{10}$$

4. If two or more dwellings, stores, industrial units, etc., are connected through a single lateral or if two or more types of uses are made of the same property, the sewer rent payable under the foregoing schedule shall be computed as though each such dwelling, store, industrial unit, etc., and each such type of use were a separate property or user with a separate connection to the sewer.
5. In the event that the Township is not provided, upon request, with accurate information, including supporting documentation, to determine the number of employees or pupils using any property or such other data as may be necessary to determine a user classification or rate, the Township's estimate or determination thereof shall be conclusive.
6. The Township reserves the right to change rental unit values from time to time, to add or delete property classifications and, in cases of dispute, to contract a rate or to determine the proper classification of a given property serviced by an unmetered supply of water.

§ 18-206. Commercial and Industrial Connections. [Ord. 77, 11/13/1971; as added by Ord. 92-2, 6/2/1992]

1. Effective June 1, 1992, any commercial and industrial customer that makes connection to the sewer system shall install water meter(s) on his/her/its water supply system, which meter(s) shall comply with the Valley Township water specifications.

2. Any such commercial or industrial owner or other person responsible for the payment of the sewer rental or charges for the property shall be billed on a monthly basis by the Township based on the flow of water through the meter(s) as read by the Township. The sewer charge based upon the water flow shall be as follows:

0 to 6,000 gallons	\$24
6,001 gallons to 60,000 gallons	\$1.53 per 1,000 gallons
60,001 gallons or more	\$1.35 per 1,000 gallons

§ 18-207. Exclusion of Harmful Waste. [Ord. 77, 11/13/1971, § 5; as amended by Ord. 99-2, 1/4/1999, § 7]

1. The Township reserves the right to refuse permission to connect to the sewerage system, to compel discontinuance of use of the sewer system or to compel pretreatment of wastewaters in order to prevent discharges deemed harmful or to have a deleterious effect upon any portion of the sewerage system. No waste shall be discharged to the sewerage system:
- A. Having a temperature higher than 110° F.
 - B. Containing more than 100 ppm by weight of fats, oils and grease.
 - C. Containing any gasoline, benzine, naphtha, fuel oil or other inflammable or explosive liquids, solids or gases.
 - D. Containing any garbage that has not been ground by household-type or other suitable garbage grinders.
 - E. Containing any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar plastics, wood, paunch manure or any other solid or viscous substances capable of causing obstructions or other interference with proper operation of the sewerage system.
 - F. Having a pH lower than 6 1/2 or higher than 9.0 or having any other corrosive property capable of causing damage or hazards to structures, equipment or personnel of the sewerage system.
 - G. Containing toxic or poisonous substances in sufficient quantity to injure or interfere with any sewage treatment process or constitute hazards to humans or animals or to create any hazard in waters which receive treated effluent from the City of Coatesville sewage treatment plant. Toxic wastes shall include, but not by way of limitation, wastes containing cyanide, chromium, copper and nickel ions.
 - H. Containing noxious or malodorous gases or substances capable of creating public nuisance.

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- I. Containing solids of such character and quantity that special and unusual attention is required for their handling.
 - J. Containing substances having characteristics, etc., which violate provisions of any agreement by the Township and the City of Coatesville or the City of Coatesville Authority for the treatment of sanitary sewage or industrial wastes now existing, or subsequently concluded.
2. Where required, in the opinion of the consulting engineers, the user shall provide at his expense such preliminary treatment or handling as may be necessary to modify the objectionable characteristics or control the quantities and rates of discharge of such water or wastes as necessary.

§ 18-208. Changes in Classification, Additional Classifications and Modifications. [Ord. 77, 11/13/1971, § 6; as amended by Ord. 86-6, 5/27/1986]

If the use or classification of any property should change, the difference in sewer rental, if any, will be changed or credited, as the case may be, on the bill for the succeeding month. Additional classifications and additional sewer rentals may be established by the Township from time to time.

§ 18-209. Time of Payment; Computation of Amount; Initial Billing. [Ord. 77, 11/13/1971, § 7; as amended by Ord. 77-5, 9/27/1977; and by Ord. 86-6, 5/27/1986]

1. The tapping fee or connection charge shall be due and payable at the time application is made to the Authority to make any connection to the sewer system, as provided herein, or upon the date when the Township shall connect any improved property to the sewer system at the cost and expense of the owner if such owner shall have failed to make such connection as required in the ordinance of the Township then in effect requiring such connection.
2. All sewer rental billings shall be due and payable on the first day of each month for the service provided in the month preceding. Rent for any billing period in which a connection is made shall be prorated and shall be billed in conjunction with the next regular billing or by special billing as the officials responsible for billing may elect. A 5% discount on the gross bill for sewer service will be allowed if paid within 15 days after billing date.

§ 18-210. Penalties; Delinquent Sewer Rentals and Liens. [Ord. 77, 11/13/1971, § 8; as amended by Ord. 78-14, 4/26/1979; by Ord. 86-6, 5/27/1986; by Ord. 88-5, 11/15/1988; by Ord. 92-1, 1/21/1992 §§ 1, 2; and by Ord. 99-5, 11/3/1999]

1. The charges for sewer service shall be subject to a 10% penalty if not paid within 30 days after the date of the bill. If not paid within 60 days

after the date of the bill, the bill plus the penalty shall bear interest from the due date at the rate of 10% per annum until paid and the Township shall have the right to cut off sewer service from the delinquent premises and not to restore the same until all delinquent bills against the same are paid, together with the cost of cutting off and restoring the service.

2. Payments made, as evidenced by the United States Post Office mark, on or previous to the end of the period during which the bills are payable at face, will be deemed to be a payment within such period.
3. All sewer rentals, together with all penalties and interest thereof, not paid on or before the end of six months from the date of each bill shall be deemed to be delinquent. All delinquent sewer rentals and all penalties and interest thereon, together with the Township's attorney's fees and costs incurred in connection therewith, shall be a lien on the property served and shall be entered as a lien against such property in the office of the Prothonotary of Chester County where they shall bear interest at the rate of 10% per annum, until paid.
4. The Township's attorney's fees referenced in Subsection 3, above, shall be according to a schedule as established from time to time by resolution of the Board of Supervisors, which the Board of Supervisors determines to be fair and reasonable for the service being performed.

§ 18-211. Segregation of Sewer Revenues. [Ord. 77, 11/13/1971, § 9]

The funds received by the Township from the collection of the sewer rentals and charges and all penalties and interest thereon, as herein provided for, shall be segregated and kept separate and apart from all other funds of the Township in the operation, maintenance, repair, alteration, inspection, depreciation or other expenses in relation to such sewer system and for such payments as the Township may be required to make under any lease or agreement it may enter into in connection with, or the financing of, the sewer system, in accordance with the provisions of the Act of May 2, 1945, P.L. 382, as amended.²

§ 18-212. Rules and Regulations; Violations and Penalties. [Ord. 77, 11/13/1971, § 10; as amended by Ord. 96-4, 5/7/1996, § 18; and by Ord. 97-2, 3/18/1997, § 18]

The Township reserves the right to and may, from time to time, adopt, revise, amend and readopt such rules and regulations as it deems necessary and proper for the use and operation of the sewer system and all such rules and regulations shall be and become a part of this Part. Any person, firm or corporation who shall violate any provision of this Part, including any violation of the said rules and regulations, shall be guilty of a summary

2. Editor's Note: The Municipality Authorities Act of 1945 (53 P.S. § 301 et seq.) was repealed by Act 22 of 2001 (June 19, 2001, P.L. 287, No. 22). See now the Municipality Authorities Act, 53 Pa.C.S.A. § 5601 et seq.

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offense and subject to a fine not to exceed \$1,000, together with all court costs and reasonable attorney's fees incurred by the Township in such enforcement proceeding. Each day that such violation continues shall be considered a separate offense.

§ 18-213. When Effective. [Ord. 77, 11/13/1971, § 11]

This Part and any rules and regulations hereunder shall become effective immediately and shall be applicable to all properties as soon as they become connected with and have the right to use, the sewer system. The Township reserves the right to make such changes from time to time as, in its opinion, may be desirable or beneficial and to amend this Part or to change the rates or charges in such manner and at such times, as in its opinion, may be advisable.

Part 3
PROHIBITED SEWAGE DISPOSAL FACILITIES

§ 18-301. Construction of Certain Facilities Prohibited. [Ord. 72-2, 2/9/1972, § 1]

It shall be unlawful for any person owning or occupying a property on which there is a building required to be connected to a public sewer in the Township of Valley to construct or use on such property any privy, privy vault, cesspool, septic tank or other device for the disposal of sanitary sewage and any such prohibited devices shall be filled in with clean bankrun gravel or dirt within one year following the date on which the aforesaid connection is required to be made if, after inspection by the Plumbing Inspector, said prohibited device presents a hazard or is likely to present a safety hazard in the foreseeable future.

§ 18-302. Violations and Penalties. [Ord. 72-2, 2/9/1972, § 2; as amended by Ord. 75-1, 4/17/1975, § 3; by Ord. 96-4, 5/7/1996, § 18; and by Ord. 97-2, 3/18/1997, § 18]

The provisions of this Part are declared to be for the health, safety and welfare of the citizens of the Township and any person or legal entity violating any provision of this Part shall be guilty of a summary offense and subject to a fine not to exceed \$1,000, together with all court costs and reasonable attorney's fees incurred by the Township in such enforcement proceeding, and may further be punished by imprisonment to the extent allowed by law for summary offenses. Each ten-day period during which such violation of such provisions shall continue shall be deemed to be a separate offense. Each occupied building, whether or not the owners thereof shall be permitted to connect two or more occupied buildings or units by a single common connection to a lateral of the sewer system or shall be required to make separate connections for each occupied building or unit, shall constitute a separate and distinct unit under the provisions of this Part and the persons owning occupied buildings, consisting of multiple units contained in the same structure, who violate any of the provisions of this Part, shall be subject to the aforesaid fine for each and every one of such occupied buildings or units which are in violation of the provisions of this Part.

Part 4
SEWAGE GRINDER PUMPS AND LATERALS

§ 18-401. Purpose. [Ord. No. 2007-03, 5/16/2007]

The purpose of this Part is to establish procedures for the installation, use and maintenance of sewage grinder pumps and any associated gravity or low-pressure laterals. It is hereby declared that the enactment of this Part is necessary for the protection, benefit and preservation of the health, safety and welfare of the inhabitants of Valley Township.

§ 18-402. Definitions. [Ord. No. 2007-03, 5/16/2007]

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

ACT 537 PLAN — A municipality's official plan as defined in the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535 (1965), No. 537, as amended, 35 P.S. §§ 750.1 through 750.20a ("Sewage Facilities Act" or "Act 537").

DEPARTMENT — The Pennsylvania Department of Environmental Protection.

GRINDER PUMP — Any electric motor driven, submersible, pump capable of macerating all material found in normal domestic sanitary sewage, including reasonable amounts of objects, such as plastics, sanitary napkins, disposable diapers, rubber and the like, to a fine slurry, and pumping this material through a small diameter discharge.

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

LATERAL — The gravity and/or pressure service sewer line that discharges wastewater from a dwelling or use permitted by the Township to the Township's collection sewer system and has no other common sewer tributary to it.

OFFICIAL PLAN REVISION — A change in the municipality's Act 537 plan to provide for additional or newly identified future or existing sewage facilities needs, as defined fully in Section 2 of the Sewage Facilities Act, 35 P.S. § 750.2.

PROPERTY OWNER — Any person vested with ownership, legal or equitable, sole or partial, of any property located in Valley Township.

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 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 or any substance which constitutes

pollution under the Clean Stream Law, 35 P.S. §§ 691.1 through 691.1001, as amended.

TOWNSHIP — Valley Township, Chester County, Pennsylvania.

§ 18-403. Planning Requirements. [Ord. No. 2007-03, 5/16/2007]

The connection of existing properties or proposed new land development to an existing or proposed sewerage system through the use of sewage grinder pumps and their associated gravity or low-pressure laterals shall occur only after an official plan revision to the municipality's Act 537 Plan, as approved by both the Township and the Department, designates that the proposed properties be served by such a connection.

§ 18-404. Powers of Township. [Ord. No. 2007-03, 5/16/2007]

1. Township 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.
2. The Township Board of Supervisors is hereby authorized and empowered to take such other actions as are necessary, including, but not limited to, entering into agreements with property owners that assure proper operation and maintenance of sewage facilities within the Township borders, including, but not limited to, sewage grinder pumps and any associated gravity or low-pressure laterals. Exhibit A which is attached hereto is a copy of the Grinder Pump Station Operation and Maintenance Agreement to be entered into by the property owner and Township.³

§ 18-405. Duties and Responsibilities of Township. [Ord. No. 2007-03, 5/16/2007]

1. The Township shall exercise its powers and legal authority set forth herein, and under all applicable statutes, ordinances, and other laws to affect the purposes of this Part.
2. The Township will enter into an agreement with each property owner proposing to install or who has installed a sewage grinder pump or low-pressure sewage system to assure the short- and long-term operation and maintenance, use, service, repair or replacement of such systems.
3. All grinder pumps and low-pressure sewer systems (and the installation, use, operation, maintenance, service, repair and replacement thereof) shall comply with the rules and regulations of the Township in effect from time to time. Exhibit B is the sewage grinder pump installation requirements for both low-pressure sewers and gravity sewers with which the property owner shall comply.⁴

3. Editor's Note: Exhibit A is included as an attachment to this chapter.

4. Editor's Note: Exhibit B is included as an attachment to this chapter.

4. All grinder pumps and low-pressure sewer systems shall be connected to the sewage collection and conveyance system in full compliance with the rules and regulations of the Township in effect from time to time.
5. The Township shall maintain control over the type of grinder pumps used and maintain a list of licensed plumbers that have full service capability and service the Township area.
6. Township shall bear no responsibility for the purchase, installation, use, operation, maintenance, service, repair, or replacement of the grinder pump and its associated gravity or low-pressure lateral, except as otherwise set forth herein.
7. The Township will be responsible for the operation and maintenance of gravity or low- pressure collection systems that are constructed by property owners or land developers for the purpose of connecting grinder pump systems. The Township's operation and maintenance responsibilities will begin upon the collection systems being accepted for dedication.

§ 18-406. Duties and Responsibilities of Property Owner. [Ord. No. 2007-03, 5/16/2007]

1. Each property owner served by a grinder pump shall bear full responsibility for providing, installing, using, operating, maintaining, servicing, repairing and replacing his/her grinder pump and associated gravity or low-pressure lateral, unless otherwise set forth herein.
2. Each property owner served by a grinder pump shall be responsible for using the pump consistent with the manufacturer's instructions and shall avoid introducing into the sewerage system materials that may damage the impellers on the pump, including, but not limited to, items designated as biodegradable in septic tanks.
3. Each property owner served by a grinder pump shall close the sewage system and cease operations during any period when the grinder pump and/or low-pressure system serving a property is inoperable for more than one day.

§ 18-407. Abatement of Nuisances. [Ord. No. 2007-03, 5/16/2007]

In addition to any other remedies provided in this Part, any violation of §§ 18-405 and 18-406 above shall constitute a nuisance and shall be abated by the Township either seeking mitigation of the nuisance or appropriate equitable or legal relief from a court of competent jurisdiction.

§ 18-408. Rules and Regulations to be in Conformity with Applicable Law. [Ord. No. 2007-03, 5/16/2007]

All such rules and regulations adopted by the Township to effectuate this Part shall be in conformity with the provisions herein, all other ordinances

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of the Township and all applicable laws, rules and regulations of administrative agencies of the Commonwealth of Pennsylvania.

§ 18-409. Repealer. [Ord. No. 2007-03, 5/16/2007]

All ordinances or resolutions or parts of ordinances or resolutions, insofar as they are inconsistent herewith, are hereby repealed.

§ 18-410. Violations and Penalties. [Ord. No. 2007-03, 5/16/2007]

Any property owner who shall violate any provision of this Part shall be subject to prosecution enforced through an action brought before a District Justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, and punishable by a fine not to exceed \$1,000 and/or a term of imprisonment not to exceed 90 days. A separate offense shall arise for each day or portion thereof in which a violation is found to exist or for each section of this Part which is found to have been violated.

§ 18-411. Severability. [Ord. No. 2007-03, 5/16/2007]

If any sentence, clause, section or part of this Part is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Part, it being the intent of the Board of Supervisors that such remainder shall be and remain in full force and effect.

§ 18-412. When Effective. [Ord. No. 2007-03, 5/16/2007]

This Part shall become effective five days after enactment.

Part 5
INSPECTION AND REQUIRED MAINTENANCE OF ON-LOT
SUBSURFACE SEWAGE DISPOSAL FACILITIES

§ 18-501. Short Title; Introduction; Purpose. [Ord. No. 2008-01, 2/5/2008]

1. This Part shall be known and may be cited as "An Ordinance Providing for a Sewage Management Program for Valley Township."
2. In accordance with municipal codes, the Clean Streams Law (Act of June 27, 1937, P.L. 1937, No. 394, as amended, 35 P.S. §§ 691.1 to 691.1001), and the Pennsylvania Sewage Facilities Act (Act of January 24, 1966, P.L. 1535, as amended, 35 P.S. § 750.1 et seq., known as "Act 537"), it is the power and the duty of Valley Township to provide for adequate sewage treatment facilities and for the protection of the public health by preventing the discharge of untreated or inadequately treated sewage. The official sewage facilities plan for Valley Township indicates that it is necessary to formulate and implement a sewage management program to effectively prevent and abate water pollution and hazards to the public health caused by improper treatment and disposal of sewage.
3. The purpose of this Part is to provide for the regulation, inspection, maintenance and rehabilitation of on-lot sewage disposal systems; and to provide for intervention in situations which may constitute a public nuisance or hazard to the public health; and to establish penalties and appeal procedures necessary for the proper administration of a sewage management program.

§ 18-502. Definitions. [Ord. No. 2008-01, 2/5/2008]

1. As used in this Part, the following terms shall have the meanings indicated:

AUTHORIZED AGENT — A qualified or licensed person who is authorized to function within specified limits as an agent of Valley Township to administer or enforce the provisions of this Part.

BOARD — The Board of Supervisors, Valley Township, Chester County, Pennsylvania.

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).

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 this commonwealth.

LOCAL AGENCY — A municipality, county, county department of health or joint county department of health. Where used or referred to in this Part, the local agency shall be the Chester County Department of Health.

MALFUNCTION — A condition which occurs when an on-lot sewage disposal system discharges sewage onto the surface of the ground, into groundwaters of this commonwealth, into surface waters of this commonwealth, backs up into a building connected to the system or in any manner causes a nuisance or hazard to the public health or pollution of groundwater or surface water or contamination of public or private drinking water wells. Systems shall be considered to be malfunctioning if any condition noted above occurs for any length of time during any period of the year.

OFFICIAL SEWAGE FACILITIES PLAN — A comprehensive plan for the provision of adequate sewage disposal systems, adopted by the Board and approved by the Pennsylvania Department of Environmental Protection (DEP), pursuant to the Pennsylvania Sewage Facilities Act.

ON-LOT SEWAGE DISPOSAL SYSTEM — Any system for disposal of domestic sewage involving pretreatment and subsequent disposal of the clarified sewage into a subsurface soil absorption area or retaining tank; this term includes both individual sewage systems and community sewage systems.

PERSON — Any individual, association, public or private corporation for profit or not for profit, partnership, firm, trust, estate, department, board, bureau or agency of the commonwealth, political subdivision, municipality, district, authority, or any other legal entity whatsoever which is recognized by law as the subject of rights and duties. Whenever used in any clause prescribing and imposing a penalty or imposing a fine or imprisonment, the term "person" shall include the members of an association, partnership or firm and the officers of any local agency or municipal, public or private corporation for profit or not for profit.

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

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. 394), known as "The Clean Streams Law," as amended.

SEWAGE ENFORCEMENT OFFICER (SEO) — A person certified by DEP who is employed by Chester County Health Department. Such person authorized to conduct investigations and inspections, review permit applications, issue or deny permits and do all other activities as may be provided for such person in the Sewage Facilities Act, the

rules and regulations promulgated thereunder and this or any other ordinance adopted by Valley Township.

SEWAGE MANAGEMENT DISTRICT — Any area or areas of Valley Township designated in the official sewage facilities plan adopted by Valley Township as an area for which a sewage management program is to be implemented.

SEWAGE MANAGEMENT PROGRAM — A comprehensive set of legal and administrative requirements encompassing the requirements of this Part, the Sewage Facilities Act, the Clean Streams Law, the regulations promulgated thereunder and such other requirements adopted by the Board of Supervisors to effectively enforce and administer this Part.

SUBDIVISION — The division or redivision of a lot, tract or other parcel of land into two or more lots, tracts, parcels or other divisions of land, including changes in existing lot lines. The enumerating of lots shall include as a lot that portion of the original tract or tracts remaining after other lots have been subdivided therefrom.

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2. For the purposes of this Part, any term which is not defined herein shall have that meaning attributed to it under the Sewage Facilities Act and the regulations promulgated thereto.

§ 18-503. Applicability. [Ord. No. 2008-01, 2/5/2008]

From the effective date of this Part, its provisions shall apply in any portion of Valley Township identified in the official sewage facilities plan as a sewage management district. Within such an area or areas, the provisions of this Part shall apply to all persons owning any property serviced by an on-lot sewage disposal system and to all persons installing or rehabilitating on-lot sewage disposal systems.

§ 18-504. Permit Requirements. [Ord. No. 2008-01, 2/5/2008]

1. No person shall install, construct, or alter an individual sewage system or a community sewage system, or install or occupy any building or structure for which an individual sewage system or community sewage system is to be installed without first obtaining a permit from the Chester County Health Department (local agency). The properly issued permit shall indicate that the site, and the plans and specifications of such system are in compliance with the provisions of the Clean Streams Law and the Pennsylvania Sewage Facilities Act and the regulations adopted pursuant to those Acts.
2. No system or structure designed to provide individual or community sewage disposal shall be covered from view until approval to cover the same has been given by a sewage enforcement officer employed by and authorized by the local agency. If 72 hours have elapsed, excepting Sundays and holidays, since the sewage enforcement officer issuing the

permit received notification of completion of construction, the applicant may cover said system or structure unless permission has been specifically refused by the sewage enforcement officer.

3. Applicant with a valid on-lot sewage permit is required to notify, in writing, the local agency and Valley Township of the schedule for construction of the permitted on-lot sewage disposal system. This notification must be made so that inspection(s), in addition to the final inspection required by the Sewage Facilities Act, may be scheduled and performed by a sewage enforcement officer from the local agency.
4. No building permit shall be issued for a new building which will contain sewage-generating facilities until a valid sewage permit has been obtained. No occupancy permit shall be issued for a new building being served by an on-lot sewage disposal system until the system has been installed and approved by the local agency.
5. No building or occupancy permits shall be issued and no work shall begin on any alteration or conversion of any existing structure if said alteration or conversion will result in the increase or potential increase in sewage flows from the structure, until either the structure's owner receives a permit for alteration or replacement of the existing sewage disposal system or until the structure's owner and the appropriate officials of the Township receive written notification from a sewage enforcement officer that such a permit will not be required. The local agency shall determine whether the proposed alteration or conversion of the structure will result in increased sewage flows. The municipality shall verify that the information supplied to the local agency SEO, for the purpose of making an addition or alteration to a property, is correct.
6. Sewage permits may be issued only by the Chester County Health Department.

§ 18-505. Inspections by Valley Township. [Ord. No. 2008-01, 2/5/2008]

1. Any on-lot sewage disposal system may be inspected by an authorized agent of Valley Township at any reasonable time.
2. Such inspection may include a physical tour of the property, the taking of samples from surface water, wells, other groundwater sources, the sampling of the 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.
3. An authorized agent shall have the right to enter upon land for the purposes of inspections described in this section.
4. An initial inspection shall be conducted by an authorized agent within one year of the effective date of this Part for the purpose of determining the type and functional status of each sewage disposal system in the

sewage management district. A written report shall be furnished to the owner of each property inspected and a copy of said report shall be maintained in the Township records.

5. A schedule of routine inspections shall be established to assure the proper functioning of the sewage systems in the sewage management district.
6. An authorized agent shall inspect systems known to be, or alleged to be, malfunctioning. Should said inspections reveal that the system is indeed malfunctioning, the authorized agent shall contact the Chester County Health Department to order action to be taken to correct the malfunction. If total correction cannot be done in accordance with the regulations of DEP, including, but not limited to, those outlined in Chapter 73 of Title 25 of the Pennsylvania Code or is not technically or financially feasible in the opinion of the authorized agent and a representative of DEP, then action by the property owner to mitigate the malfunction shall be required.
7. There may arise geographic areas where numerous on-lot sewage disposal systems are malfunctioning. A resolution of these area-wide problems may necessitate detailed planning and a revision to the portion of the sewage facilities plan pertaining to areas affected by such malfunctions. When a DEP authorized official sewage facilities plan revision has been undertaken, mandatory repair or replacement of individual malfunctioning sewage disposal systems within the area affected by the revision may be delayed, pending the outcome of the plan revision process. However, immediate corrective action may be compelled whenever a malfunction, as determined by Valley Township officials, Chester County Health Department and/or the Department, represents a serious public health or environmental threat.

§ 18-506. Operation. [Ord. No. 2008-01, 2/5/2008]

1. Only normal domestic wastes shall be discharged into any on-lot sewage disposal system. The following shall not be discharged into the system.
 - A. Industrial waste.
 - B. Automobile oil and other nondomestic oil.
 - C. Toxic or hazardous substances or chemicals, including, but not limited to, pesticides, disinfectants (excluding household cleaners), acids, paints, paint thinners, herbicides, gasoline and other solvents.
 - D. Clean surface water or groundwater, including water from roof or cellar drains, springs, basement sump pumps and french drains.

§ 18-507. Maintenance. [Ord. No. 2008-01, 2/5/2008]

1. Each person owning a building served by an on-lot sewage disposal system which contains a septic tank shall have the septic tank pumped by a qualified pumper/hauler within six months of the effective date of this Part. Thereafter that person shall have the tank pumped at least once every three years or whenever an inspection reveals that the septic tank is filled with solids or with scum in excess of 1/3 of the liquid depth of the tank. Receipts from the pumper/hauler shall be submitted to the Township within the prescribed six months and three-year pumping periods.
2. The required pumping frequency may be increased at the discretion of an authorized agent if the septic tank is undersized, if solids buildup in the tank is above average, if the hydraulic load on the system increases significantly above average, if a garbage grinder is used in the building, if the system malfunctions or for other good cause shown. If any person can prove that such person's septic tank had been pumped within three years of the six-month anniversary of the effective date of this Part, then that person's initial required pumping may be delayed to conform to the general three-year frequency requirement except where an inspection reveals a need for more frequent pumping frequency.
3. Any person owning a property served by a septic tank shall submit, with each required pumping receipt, a written statement, from the pumper/hauler or from any other qualified individual acceptable to the Township, that the baffles in the septic tank have been inspected and found to be in good working order. Any person whose septic tank baffles are determined to require repair or replacement shall first contact the local agency for approval of the necessary repair.
4. Any person owning a building served by an on-lot sewage disposal system, which contains an aerobic treatment tank, shall follow the operation and maintenance recommendations of the equipment manufacturer. A copy of the manufacturer's recommendations and a copy of the service agreement shall be submitted to the Township within six months of the effective date of this Part. Thereafter, service receipts shall be submitted to the Township at the intervals specified by the manufacturer's recommendations. In no case may the service or pumping intervals for aerobic treatment tanks exceed those required for septic tanks.
5. Any person owning a building served by a cesspool or dry well in an area of numerous malfunctions or in an area where a repair is not technically feasible shall have that system pumped according to the schedule prescribed for septic tanks to mitigate potential pollution. As an alternative to this scheduled pumping of the cesspool or dry well, and pending any scheduled replacement of the substandard system as identified in the official sewage facilities plan, the owner may apply for a sewage permit from the Chester County Health Department for a septic tank to be installed preceding the cesspool or dry well. For this interim repair system consisting of a cesspool or dry well proceeded by

an approved septic tank, only the septic tank must be pumped at the prescribed interval.

6. Additional maintenance activity may be required as needed, including, but not necessarily limited to, cleaning and unclogging of piping, servicing and the repair of mechanical equipment, leveling of distribution boxes, tanks and lines, removal of obstructing roots or trees, the diversion of surface water away from the disposal area, etc.
7. All septage originating within Valley Township shall be disposed of in accordance with the requirements of the Solid Waste Management Act (Act 97 of 1980, 35 P.S. §§ 6018.101 et seq.), the regulations of the Chester County Health Department and all other applicable laws and at sites or facilities approved by DEP. Approved sites or facilities shall include septage treatment facilities, wastewater treatment pollutant composting sites, and approved farmlands.
8. Pumper/haulers of septage operating within the sewage management district shall operate in a manner consistent with the provisions of the Pennsylvania Solid Waste Management Act (Act 97 of 1980, 35 P.S. §§ 6018.101 to 6018.1003) and all other applicable laws.

§ 18-508. System Rehabilitation. [Ord. No. 2008-01, 2/5/2008]

1. No person shall maintain or operate a sewage disposal system in a manner inconsistent with the original design. All liquid wastes, including kitchen and laundry wastes and water softener backwash, shall be discharged to a treatment tank. No sewage system shall discharge untreated or partially treated sewage to the surface of the ground or into the waters of the commonwealth unless a permit for such discharge has been obtained from DEP. Any system modification must be preapproved by the Chester County Health Department.
2. A written notice of violation shall be issued by the Chester County Health Department to any person who is the owner of any property which is found to be served by a malfunctioning on-lot sewage disposal system or a system that was constructed without obtaining a permit from the Chester County Health Department.
3. Within seven days of notification by the Chester County Health Department that a malfunction has been identified, the property owner shall make application to the sewage enforcement officer for a permit to repair or replace the malfunctioning system. Within 30 days of initial notification, construction of the permitted repair or replacement shall commence. Within 60 days of the original notification, the construction shall be completed unless seasonal or unique conditions mandate a longer period, in which case an extended completion date may be established.
4. A sewage enforcement officer shall have the authority to require the repair of any malfunction by the following methods: cleaning, repair or

replacement of components of the existing system, adding capacity or otherwise altering or replacing the system's treatment tank, expanding the existing disposal area, replacing the existing disposal area, replacing a gravity distribution system with a pressurized system, replacing the system with a holding tank, or any other alternative appropriate for the specific site.

5. In lieu of, or in combination with, the remedies described in Subsection 4 above, a sewage enforcement officer, in cooperation with the municipality, may require the installation of water conservation equipment and the institution of water conservation practices in structures served. Water-using devices and appliances in the structure may be required to be retrofitted with water-saving appurtenances or they may be required to be replaced by water-conserving devices in accordance with Pennsylvania Statewide Building Codes adopted in 1999.
6. In the event that the rehabilitation measures in Subsections 1 through 5 above are not feasible or effective, the owner may be required to apply to the Chester County Health Department for a permit to install a holding tank. Upon receipt of said permit, the owner shall complete construction of the system within 30 days, unless seasonal or unique conditions mandate a longer period, in which case the sewage enforcement officer shall set an extended completion date.
7. Should none of the remedies described in this section be totally effective in eliminating the malfunction of an existing on-lot sewage disposal system, the property owner is not absolved of responsibility for that malfunction. The Township may require whatever action is necessary to lessen or mitigate the malfunction to the extent necessary.

§ 18-509. Administration. [Ord. No. 2008-01, 2/5/2008]

1. The Township shall fully utilize those powers it possesses through enabling statutes and ordinances to effect the purposes of this Part.
2. The Township shall employ qualified individuals to carry out the provisions of this Part. Those employees may include a knowledgeable inspector and may include an administrator and such other persons as may be necessary. The Township may also contract with private qualified persons or firms as necessary to carry out the provisions of this Part.
3. All permits, records, reports, files and other written material relating to the installation, operation and maintenance and malfunction of on-lot sewage disposal systems in the sewage management district shall be maintained by the Township. These files shall be available for public inspection during regular business hours at the official office of the Township, with prior written request addressed to the Township Secretary.

4. The Township Board of Supervisors shall establish all administrative procedures necessary to properly carry out the provisions of this Part.
5. The Township Board of Supervisors may establish a fee schedule, and authorize the collection of fees, to cover the cost to the Township of administering this program.

§ 18-510. Violations and Penalties. [Ord. No. 2008-01, 2/5/2008]

Any person failing to comply with any provision of this Part shall be subject to a fine of not more than \$1,000 together with court costs and reasonable attorney's fees.

§ 18-511. Liens. [Ord. No. 2008-01, 2/5/2008]

The Township, upon written notice from a sewage enforcement officer that 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 Part, shall have the authority to perform, or contract to have performed, the work required by the sewage enforcement officer. The owner shall be charged for the work performed and, if necessary, a lien shall be entered therefor in accordance with law.

§ 18-512. Appeals. [Ord. No. 2008-01, 2/5/2008]

1. Appeals from final decisions of the Township or any of its authorized agents under this Part shall be made to the Township Board of Supervisors in writing within 30 days from the date of written notification of the decision in question.
2. The appellant shall, upon payment of the required fees, be entitled to a hearing before the Township Board of Supervisors at its next regularly scheduled meetings if a written appeal is received at least 14 days prior to that meeting. The municipality shall thereafter affirm, modify, or reverse the aforesaid decision. The hearing may be postponed for a good cause shown by the appellant or the Township. Additional evidence may be introduced at the hearing, provided that it is submitted with the written notice of appeal. Fees for appeal hearings shall be as adopted from time to time by the Board of Supervisors.
3. A decision shall be rendered in writing within 30 days of the date of the hearing.

§ 18-513. Repealer. [Ord. No. 2008-01, 2/5/2008]

All ordinances or parts of ordinances inconsistent with the provisions of this Part are hereby repealed to the extent of such inconsistency.

§ 18-514. Severability. [Ord. No. 2008-01, 2/5/2008]

If any section or clause of this Part shall be adjudged invalid, such adjudication shall not affect the validity of the remaining provisions which shall be deemed severable therefrom.