

**Application of Pennsylvania-American Water Company for Acquisition of
the Wastewater Assets of East Coventry Township
66 Pa. C.S. §1329
Application Filing Checklist – Water/Wastewater**

Docket No. A-2025-3053487

18. Rates.

b. Provide a copy of the seller’s current rules and regulations for service.

RESPONSE: b. Please see **Appendix A-18-b.1** for Rules and Regulations, **Appendix A-18-b.2** for East Coventry’s Rate Resolution No. 2005-12 dated June 20, 2005, for the Establishment of Equivalent Dwelling Unities (“EDUs”) and finally **Appendix A-18-b.3**, East Coventry’s Rate Resolution No. 2010-37 dated October 12, 2010, regarding a sewer rental fee.

**Application of Pennsylvania-American Water Company for Acquisition of
the Wastewater Assets of East Coventry Township
66 Pa. C.S. §1329
Application Filing Checklist – Water/Wastewater**

Docket No. A-2025-3053487

Appendix A-18-b.1

Rules and Regulations for East Coventry

Part 3
PUBLIC SANITARY SEWAGE SYSTEMS

§ 18-301. Short Title; Purpose. [Ord. 134, 6/6/2005, § 301]

1. Short Title. This Part shall be known and may be cited as the "Public Sanitary Sewage System Ordinance of East Coventry Township."
2. Purpose. The purpose of this Part is to promote, protect, preserve, and otherwise provide for the public health, safety and welfare by providing for public sanitary sewage systems within East Coventry Township and related matters, including, but not limited to, requiring or permitting the connection with and use of public sanitary sewage systems by certain improved properties, providing for connections to and extensions and use of public sanitary sewage systems, establishing a sanitary sewer district, and providing for connection charges and sewer rental fees.

§ 18-302. Interpretation; Definitions. [Ord. 134, 6/6/2005, § 302; as amended by Ord. 138, 12/18/2006, § 1; and by Ord. 144, 4/14/2008, § 1]

1. General.
 - A. The captions and headings used in this Part are for convenience only and shall not control or affect the meaning or construction of any provision of this Part.
 - B. Unless otherwise expressly stated, or where the context clearly indicates otherwise, the words and phrases defined in this Part, whether with initial capitalization, full capitalization, or otherwise, shall be construed throughout this Part to have the meanings indicated in this section.
 - C. The present tense of any word or phrase used in this Part includes the future; the singular number includes the plural, and the plural the singular; and the masculine gender includes the feminine and neuter.
 - D. Unless specifically provided otherwise in this Part, any reference in this Part to any other ordinance of the Township, to any federal, state or county law or statute, to any regulation, study, map, survey, report, specifications or other matter issued or prepared by the Township, or any officer of official thereof, and/or by any federal, state or county public body, or any officer or official thereof, shall include such other ordinance, such law or statute, and such regulation, study, map, survey, report, specifications or other matter, with all amendments and supplements thereto, and any new ordinance, law, statute, regulation, study, map, survey, report, specifications or other matter substituted for the same, as in force at the time of application under this Part.
 - E. Unless specifically provided otherwise herein, any reference in this Part to any governmental agency, department, board, commission or other public body, or to any public officer or other public official, shall include an entity or official which or who succeeds to substantially the same functions as those performed by such public body or official at the time of application under this Part.

- F. The provisions of this Part shall be liberally construed to effectively carry out its purposes. In interpreting and applying the provisions of this Part, the provisions shall be held to be the minimum requirements for the promotion of such purposes.
- G. Where the provisions of this Part impose greater restrictions than those of any other applicable ordinance or regulation of the Township, the provisions of this Part shall prevail and control. Where the provisions of any other applicable ordinance or regulation of the Township or any applicable state or federal statute or regulation impose greater restrictions than this Part, the provisions of such other applicable Township ordinance or regulation or such applicable state or federal statute or regulation shall prevail and control.
- H. In the event of any inconsistency or conflict between or among the provisions of this Part, the provision or provisions imposing the greater or greatest restriction shall prevail and control.
2. Specific Definitions. As used in this Part, the following words and phrases shall have the meanings indicated below except where the context specifically and clearly indicates otherwise:

ACCESSIBLE TO A PUBLIC SEWER — With respect to a property, shall mean that the property adjoins, abuts on or is adjacent to (i) a public sewer or (ii) a street or off-street easement in which a public sewer is located.

APPLICABLE RULES, REGULATIONS AND REQUIREMENTS — All Township, Health Department, Commonwealth (including, but not limited, to PaDEP), and/or federal rules, regulations and requirements, which are applicable to a particular construction, installation, maintenance, work or other activity regulated, provided for, required or allowed by, or otherwise subject of or to this Part. Without limiting the generality of the foregoing, **APPLICABLE RULES, REGULATIONS AND REQUIREMENTS** shall include the Township Technical Specifications. In the event of any inconsistency or conflict between or among any such Township, Health Department, Commonwealth and/or federal rules, regulations and requirements, the rule, regulation or requirement, which imposes the greater or greatest restriction, shall prevail and control.

AUTHORITY — The North Coventry Municipal Authority, a Pennsylvania municipality authority, which owns and operates the wastewater treatment plant.

BOARD OF SUPERVISORS — The Board of Supervisors of the Township, the governing body of the Township.

BUILDING SEWER — That part of the drainage system of a structure, extending from the structure to the edge of the public right-of-way or off-street easement where it connects to the lateral, into which part waste from the structure shall or may be discharged. **[Amended by Ord. No. 2023-261, 6/12/2023]**

COMMONWEALTH — The Commonwealth of Pennsylvania.

CONSTRUCTION CODE ACT — The Pennsylvania Construction Code Act, Act of November 10, 1999, P.L. 491, No. 45, as amended, 35 P.S. §§ 7210.101 -- 7210.1103.

EDU — An equivalent dwelling unit, a measure of wastewater flow anticipated to be

received from a single-family dwelling unit or the equivalent.

EDU ALLOCATION RESOLUTION — The resolution adopted from time to time by the Board of Supervisors, establishing and otherwise providing criteria allocating EDUs to improved properties according to use.

HEALTH DEPARTMENT — The Health Department of Chester County, Pennsylvania.

IMPROVED PROPERTY — Any property within the 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 structure sanitary sewage and/or industrial wastes shall or may be discharged.

INDUSTRIAL ESTABLISHMENT — Any improved property located in the Township and used or intended for use, wholly or in part, for the manufacturing, processing, cleaning, laundering or assembling of any product, commodity or article, or any other improved property located in this Township, from which wastes, in addition to or other than sanitary sewage, shall or may be discharged.

INDUSTRIAL WASTES — Any and all wastes discharged from an industrial establishment, other than sanitary sewage.

INTERNATIONAL RESIDENTIAL CODE — The "International Residential Code" as such term is defined and/or used in the Construction Code Act and the regulations promulgated thereunder.

INTERNATIONAL PLUMBING CODE — The "International Plumbing Code" as such term is defined and/or used in the Construction Code Act and the regulations promulgated thereunder.

LATERAL — That part of the public sewer drainage system extending from a sewer main located in the street right-of-way or off-street easement to the edge of the public right-of-way or off-street easement where it connects with the structure-side of the building sewer serving an improved property and connected or to be connected with the building sewer. If there are no present improvements on a property, "lateral" shall mean that part of the public sewer extending from said sewer main to the street right-of-way line or off-street easement line for future connection to the building sewer, if and when the property is improved. **[Amended by Ord. No. 2023-261, 6/12/2023]**

NATURAL OR CREATED OUTLET — Any outlet, whether naturally occurring or created, to a watercourse, ditch, pond, lake or other body of surface or ground water.

OWNER — Any person vested with ownership, legal or equitable, sole or partial, of any improved property.

PADEP — The Department of Environmental Protection of the Commonwealth.

PART — This Part 3 of the Code of Ordinances of the Township of East Coventry, including any appendix to this Part 3 and any resolution adopted pursuant to or referred to in this Part 3.

PERSON — Any individual, partnership, company, association, society, trust, corporation, municipality, municipality authority or other group or entity. Whenever used in any provision of this Part prescribing and imposing a penalty or imposing a fine or imprisonment, 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.

PUBLIC SEWER — Any off-site system, including all parts, facilities and other appurtenances thereof (including laterals), owned and/or operated by the Township, for the collection, conveyance, treatment and/or disposal of sanitary sewage and/or industrial wastes through means approved by PaDEP.

SANITARY SEWAGE — "Sewage" as defined in and by the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. (1965) 1535, as amended, 35 P.S. § 750.1 et seq., and the rules and regulations of PaDEP thereunder.

TOWNSHIP — The Township of East Coventry, Chester County, Pennsylvania, acting by and through the Board of Supervisors or, in appropriate cases, authorized representatives.

TOWNSHIP ENGINEER — The professional engineer, licensed as such in the Commonwealth of Pennsylvania, duly appointed and employed as the engineer for Township or engaged by Township as a consultant thereto.

TOWNSHIP TECHNICAL SPECIFICATIONS — The specifications set forth in the document entitled "Technical Specifications for Construction of Sanitary Sewers and Appurtenances East Coventry Township," revised March 10, 2008, numbered ARRO 5222.01, and prepared by ARRO Consulting, Inc., as may be amended from time to time by resolution of the Board of Supervisors. **[Amended by Ord. No. 2020-246, 10/12/2020]**

WASTEWATER TREATMENT PLANT — The wastewater treatment plant and related facilities in North Coventry Township, Chester County, Pennsylvania, owned and operated by the Authority, to which plant sanitary sewage and/or industrial waste, collected by the public sewer, is conveyed by the public sewer for treatment and disposal.

3. Township Technical Specifications. Without limiting, but in furtherance of, the generality of other applicable requirements of this Part, the Township Technical Specifications, for purposes of § 305 of the Construction Code Act, shall constitute standards containing provisions, which equal or exceed the requirements of the regulations, promulgated under the Construction Code Act, the International Residential Code and/or the International Plumbing Code, for lateral connections located on private property and connecting to the public sewer. For purposes of the foregoing, "lateral connections" shall include a "lateral" and a "building sewer" as those two terms are defined in Subsection 2.

§ 18-303. Connection With and Use of Public Sewers. [Ord. 134, 6/6/2005, § 303]

1. Required Connection with and Use of Public Sewers.
 - A. The owner of any improved property, which is accessible to a public sewer and whose principal structure, or any part thereof, is within 150 feet from the public sewer, shall connect the improved property to the public sewer and shall use the public sewer within 60 days, or such other additional time as may be determined appropriate by the Township, after notice from the Township to make such connection and use is served upon the owner, for the purpose of discharging all sanitary sewage and/or industrial wastes from the improved property. The notice of the Township to connect with and use the public sewer shall be in accordance with Subsection 3.

- B. The owner of any unimproved property, which is accessible to a public sewer and which subsequently becomes an improved property with any part of the principal structure on the property being within 150 feet from the public sewer, shall, at the time of the erection of the structure, install sanitary facilities in the structure and connect the same to the public sewer and use the public sewer for the purpose of discharging all sanitary sewage and/or industrial wastes from the improved property.
 - C. The connection with and use of the public sewer under Subsections 1A and 1B above, as well as the installation of the sanitary facilities in the structure under Subsection 1B above, shall be at the expense of the owner of the improved property, subject to and in accordance with applicable rules, regulations and requirements, and otherwise subject to and in accordance with the provisions of this Part, including, but not limited to, the limitations and restrictions set forth in this Part.
2. Permitted Connection with and Use of Public Sewers.
 - A. The owner of any improved property accessible to a public sewer on which property no part of the principal structure is within 150 feet from the public sewer, who desires to connect with and use the public sewer for the purpose of discharging all sanitary sewage and/or industrial wastes from the improved property, shall be permitted to connect with and use the public sewer for such purpose, provided that the public sewer and wastewater treatment plant has sufficient capacity to accept, treat and dispose of the sanitary sewage and/or industrial wastes to be discharged from the improved property.
 - B. The owner of any improved property not accessible to a public sewer, but who desires to connect with and use the public sewer for the purpose of discharging all sanitary sewage and/or industrial wastes from the improved property, shall be permitted to connect with and use the public sewer for such purpose, provided that (i) the owner, at the owner's expense, is able to arrange for connection to the public sewer through intervening properties, and (ii) the public sewer and wastewater treatment plant has sufficient capacity to accept, treat and dispose of the sanitary sewage and/or industrial wastes to be discharged from the improved property.
 - C. The connection with and use of the public sewer under Subsections 2A and 2B above shall be at the expense of the owner of the improved property, subject and in accordance with applicable rules, regulations and requirements, and otherwise subject to and in accordance with the provisions of this Part, including, but not limited to, the limitations and restrictions set forth in this Part.
 3. Notice. **[Amended by Ord. No. 2020-246, 10/12/2020]**
 - A. The notice to the owner of improved property by the Township to make connection with and use a public sewer, as provided in Subsection 1, shall consist of a written or printed document referring to this Part and requiring the connection within 60 days, or such additional time as may be determined appropriate by the Township, from the date such notice is served upon the owner. The notice may be served at any time after a public sewer is in place that is able to receive and convey sanitary sewer and/or industrial wastes from the improved property to the wastewater treatment plant for treatment and disposal. The notice shall be served by personal service, regular first-class mail,

certified mail and/or registered mail, whichever of such methods the Township in its discretion deems appropriate, unless a specific method is at the time required by law, in which case such specifically required method shall be used.

- B. In the event that the owner of improved property fails to connect with and use the public sewer within such sixty-day period, or such additional time as may be determined appropriate by the Township, after the notice to connect and use has been served upon the owner, the Township, at its discretion, shall have the right, but not the duty, by itself or agents thereof, to enter upon the improved property and construct the connection. In such case, the Township shall, upon completion of the connection work, send an itemized bill of the cost of connection to the owner, which bill shall be payable in full immediately. Should the owner fail to so pay the bill, the Township shall have the right to collect the same, together with interest on the amount of such costs at the rate of 6% per annum (or such higher rate as may be permitted by law) plus a penalty of 5% on the amount of such costs, in the manner permitted and pursuant to applicable law, including, but not limited to, the filing of a municipal claim and lien therefor.
4. Limitations and Restrictions on Sanitary Sewage and Industrial Wastes to be Discharged into a Public Sewer. All sanitary sewage and industrial wastes from any improved property, after connection of such improved property with a public sewer as may be required or permitted under Subsection 1 or 2, shall be conducted into the public sewer, subject, however, to limitations and restrictions as shall be provided in this Part and/or as otherwise may be established by the Township and/or the Authority from time to time. Such limitations and restrictions shall include, without limitation, the prohibited wastes set forth in Appendix "A" to this Part.
5. Sump Pumps and Other Prohibited Discharges into the Public Sanitary Sewer System. **[Added by Ord. No. 2020-239, 3/9/2020]**
- A. Intent. The intent of this § 18-303(5) is to prohibit the discharge of sump pumps and other groundwater conveyance systems into the public sanitary sewer system, to establish regulations governing the mandatory inspection of properties prior to a change of ownership of real property to ensure compliance, and to establish penalties for violations.
- B. Prohibited Discharges.
- (1) It shall be unlawful for any owner, occupant or user of any premises in the Township to direct or discharge into or allow any stormwater, surface water, groundwater, well water or water from industrial or commercial air-conditioning systems to drain or discharge, either directly or indirectly, into the public sanitary sewer system. No rain spout, or other form of surface drainage, and no foundation drainage or sump pump shall be connected to or discharged, either directly or indirectly, into any public sanitary sewer system.
- (2) It shall be unlawful for any owner, occupant or user of any premises in the Township to maintain any connection with the public sanitary sewer system from sources carrying roof water, groundwater, surface water or any other natural precipitation.

C. Sewage Inspection Certificate.

- (1) A sewage inspection certificate shall be secured from the Township Code Enforcement Officer within 30 days before or after a change in ownership of any residential dwelling connected to the public sewer system. No inspections shall be required for on-lot sewage systems. All applications for a sewage inspection certificate shall be in writing on a form furnished by the Township. An application fee shall accompany the application in an amount determined from time to time by resolution of the Board of Supervisors. A sewage inspection certificate shall not be required on the sale of a newly constructed dwelling to its initial occupant, provided the dwelling was inspected by the Township in the due course of construction prior to the issuance of a certificate of occupancy.
- (2) Prior to the issuance of a sewage inspection certificate, the Code Enforcement Officer shall conduct an inspection of the premises and complete an inspection report and certification, which shall be submitted to the Township, certifying to the Township that there is no sump pump or other prohibited discharge into the public sanitary sewer system.
- (3) The Township, its employees, agents and/or designees, shall be authorized to enter upon any property, at reasonable times and upon reasonable notice to the owner, to conduct the inspections and enforce the requirements of this § 18-303(5).
- (4) If an illegal connection is discovered, whether from the inspection for a sewage inspection certificate or otherwise, a violation notice shall be issued by the Code Enforcement Officer and delivered personally or by certified mail to the property owner. The violation notice shall specify the nature of the violation(s), inform the property owner that the violation(s) must be promptly remedied, and specify the actions required to remedy the violation(s). No sewage inspection certificate shall be issued until such time as the violation is corrected, a satisfactory reinspection is conducted, and the required certification of compliance is provided to the Township.
- (5) Upon satisfactory inspection of a property or upon completion of required remedial action as determined by reinspection of the property, the property owner shall be issued a sewage inspection certificate.

D. Removal of Illegal Connections.

- (1) Any existing connection or installation in violation of this § 18-303(5) shall be immediately removed or corrected to bring the property into compliance.
- (2) A plumbing permit shall be required for the installation, alteration or correction of sump pump plumbing. Any plumber registered with East Coventry Township who knowingly installs a sump pump or piping that is not in conformance with this § 18-303(5) shall, following the opportunity for a hearing before the Board of Supervisors, lose all registration privileges with the Township for a period of three years.
- (3) If the Code Enforcement Officer issues a violation notice, the property owner shall

remove or correct the violation within 30 days from the date of the violation notice. If the violation is not removed or corrected within 30 days after notice of the violation has been delivered personally or by certified mail to the property owner, the Township shall impose a surcharge upon the property owner as provided in § 18-305(5)E below. A surcharge also shall be imposed upon any property owner, after the thirty-day notice has been delivered, if the property owner refuses to allow a reinspection of the property.

E. Surcharge; Municipal Lien.

- (1) Any property owner refusing to allow the property to be inspected to determine compliance as required by this § 18-303(5) shall, within 30 days of the date that admittance to the property is refused or denied, immediately become subject to a quarterly surcharge of \$300, which shall be applied to the sanitary sewer component of the property owner's utility bill.
- (2) Any property owner who receives a notice of violation and fails to remove or correct the violation within 30 days shall, following the expiration of such thirty-day period, immediately become subject to a quarterly surcharge of \$300, which shall be applied to the sanitary sewer component of the property owner's utility bill.
- (3) Any surcharge imposed hereunder shall continue until such time as an inspection satisfactory to the Code Enforcement Officer is permitted to be conducted demonstrating compliance with the requirements of this § 18-303(5).
- (4) In the event the property owner fails to pay the surcharge within 60 days after the date on the sewer rental notice, a lien against the property of the owner shall be charged as provided by law for the filing of municipal claims.

F. Additional Penalties for Violations. Any owner or occupant of a property found to have caused or permitted a discharge in violation of this § 18-303(5) also shall be subject to the fines and penalties set forth in Chapter 5 (Code Enforcement) of the East Coventry Township Code of Ordinances. Each day a violation continues shall be deemed a separate offense. In addition, any person who violates this § 18-303(5) shall be liable to the Township for expense, loss or damage incurred by the Township as a result of the violation.

§ 18-304. Prohibited Placements, Deposits and Discharges of Sanitary Sewage and Industrial Wastes. [Ord. 134, 6/6/2005, § 304]

1. No person shall place or deposit, or permit to be placed or deposited, upon public or private property within the Township any sanitary sewage or industrial wastes in violation of § 18-303, Subsection 1.
2. No person shall discharge, or permit to be discharged, to any natural or created outlet within the Township any sanitary sewage or industrial wastes in violation of § 18-303, Subsection 1, except where suitable treatment has been provided that is satisfactory to the Township, and that is consistent and in compliance with applicable rules, regulations and requirements including, but not limited to, applicable statutes of the Commonwealth, and any applicable

rules, regulations and requirements and/or permits of or issued by the PaDEP and/or the Health Department.

§ 18-305. Privy Vaults, Cesspools, Etc. [Ord. 134, 6/6/2005, § 305]

1. Except and may be otherwise specifically approved and authorized, in writing, by and at the discretion of the Township, no privy vault, cesspool, sinkhole, septic tank or similar receptacle shall be constructed, used or maintained at any time upon any improved property which is connected to the public sewer or which is required to be connected with and use a public sewer under § 18-303, Subsection 1.
2. Except as may be otherwise specifically approved and authorized, in writing, by and at the discretion of the Township, every such privy vault, cesspool, sinkhole, septic tank or similar receptacle in existence shall be abandoned, and upon connection of the improved property to the public sewer, shall be (i) decommissioned and all components thereof removed from the improved property, or (ii) at the discretion of the Township, cleansed and filled. Such abandonment, decommissioning, removal, cleansing and filling shall be at the expense of the owner of the improved property, shall be completed within such time after connection of the improved property to the public sewer as the Township shall direct, shall be under the direction and supervision of the Township, and shall be in accordance with applicable rules, regulations and requirements. Any such privy vault, cesspool, sinkhole, septic tank or similar receptacle not so abandoned, decommissioned, removed, cleansed and/or filled, is hereby declared to be a nuisance, which shall be abated as provided by law at the expense of the owner of the improved property.
3. No such privy vault, cesspool, sinkhole, septic tank or similar receptacle shall, at any time, be connected to or with a public sewer.

§ 18-306. Building Sewers and Connections With Public Sewers. [Ord. 134, 6/6/2005, § 306; as amended by Ord. 170, 8/9/2010, § I]

1. Sanitary Sewer Permit.
 - A. No person shall uncover, connect with, make any opening into, use, alter or disturb, in any manner, any public sewer/building sewer or any part thereof without first obtaining a sanitary sewer permit, in writing, from the Township.
 - B. Application for the sanitary sewer permit shall be made by the owner of the improved property, or by a duly authorized agent of such owner. The form and content of the sanitary sewer permit application shall be established, from time to time, by the Township. The sanitary sewer permit application shall be supplemented by any plans, specifications or other information considered pertinent by the Township or the Township Engineer. **[Amended by Ord. No. 2020-246, 10/12/2020]**
 - C. Fees for application for a sanitary sewer permit shall be paid in accordance with a fee schedule adopted by resolution of the Board of Supervisors from time to time. The fee schedule may be revised, as necessary, by resolution of the Board of Supervisors.
 - D. A sanitary sewer permit shall remain valid for a period of one year from the date of its

- issuance and shall expire automatically on such anniversary date, unless 30 days prior to its expiration, an extension is requested in writing by the permittee for good cause and is granted in writing by the Township. The granting of an extension shall be contingent upon the availability of treatment capacity at the time of the extension request. **[Added by Ord. No. 2020-246, 10/12/2020]**
- E. The sanitary sewer permit shall be displayed prominently on the property to be connected to the public sewer continuously during construction of the building sewer and connection of the building sewer to the public sewer. **[Added by Ord. No. 2020-246, 10/12/2020]**
- F. Prior to issuance of the sanitary sewer permit, the applicant shall provide to the Township a certificate of insurance evidencing coverage of comprehensive general liability insurance, including contractual liability coverage with minimum limits of \$1,000,000 combined single limit for bodily injury and property damage and workers' compensation insurance, as applicable. The foregoing insurance shall be continuously maintained while the sanitary sewer permit remains in effect and shall name East Coventry Township as additional insured. **[Added by Ord. No. 2020-246, 10/12/2020]**
2. Prerequisites for Connection to Public Sewer. No person shall make, or shall cause to be made, any connection of any improved property to a public sewer until such person shall have fulfilled all of the following conditions:
- A. Such person shall have notified the Township of their intention to connect the improved property to a public sewer, such notification to be given to such official or representative of the Township as shall be designated from time to time by the Board of Supervisors to receive such notification.
- B. Such person shall have applied for and obtained a sanitary sewer permit as required by Subsection 1.
- C. Such person shall have paid, in full, the connection charges as provided under and by § 18-309, together with any other applicable fees or charges, and shall have furnished satisfactory evidence that such fees have been paid. **[Amended by Ord. No. 2020-246, 10/12/2020]**
- D. Such person shall have given the Township at least 48 hours' notice prior to the time when such connection will be made so that the Township may supervise and inspect, or may cause to have supervised and inspected, the work of connection and necessary testing, such notification to be given to such official or representative of the Township as shall be designated from time to time by the Board of Supervisors to receive such notification.
- E. All excavation, construction and connection work shall be completed in accordance with the Township Technical Specifications and other applicable rules, regulations and requirements. **[Added by Ord. No. 2020-246, 10/12/2020]**
- F. The developer or owner shall comply with the requirements of § 18-307 of this Part to the extent deemed applicable as determined by the Township in its sole discretion. **[Added by Ord. No. 2020-246, 10/12/2020]**

3. Separate Connections.

- A. Each improved property and each structure on an improved property discharging sanitary sewage and/or industrial wastes, to be connected to a public sewer, shall be connected separately and independently with the public sewer by and through a separate building sewer. The connection of more than one improved property, or more than one structure discharging sanitary sewage and/or industrial wastes on a single improved property, to one building sewer shall not be permitted.
- B. Notwithstanding Subsection 3A above, the connection of more than one structure discharging sanitary sewage and/or industrial wastes on a single improved property to one building sewer (the "common building sewer") may be permitted by special permission of the Township, in writing, but only for good cause shown, and subject to the following conditions and such other conditions as may be prescribed by the Township:
- (1) The minimum nominal diameter of the common building sewer shall be eight inches, the common building sewer shall extend to and connect to the public sewer via a sanitary sewer manhole (as opposed to a tee, wye or saddle connection), and the common building sewer shall be located within an easement, which shall in turn be offered for dedication to the Township along with the common building sewer. Upon acceptance of such dedication, the common building sewer and easement shall become a public sewer, and until such time as the Township accepts dedication thereof, the common building sewer and easement shall be considered an extension of public sewer as provided in § 18-307. For purposes of the remaining provisions of Subsection 3B, all requirements applicable to a public sewer shall apply to the common building sewer.
 - (2) The width of the easement in which the common building sewer is located shall comply with the requirements set forth in the Township technical specifications.
 - (3) The upper reach of the common building sewer shall terminate at a sanitary sewer manhole.
 - (4) Each individual structure on the improved property shall connect to the common building sewer via a building sewer and lateral, each as defined in § 18-302.
 - (5) Common building sewer design, materials and methods of construction and installation, including but not limited to, sanitary sewer manholes, shall comply with the requirements for gravity sewers as set forth in the Township technical specifications.

4. Costs of Construction and Connection of Building Sewers. All costs and expenses of construction of a building sewer and lateral, if needed, and all costs and expenses of connection to the public sewer, shall be borne by the owner of the improved property to be connected. The owner shall indemnify and shall save harmless the Township from all loss or damage that may be occasioned, directly or indirectly, as a result of the construction of the building sewer and lateral, if needed, and/or the connection to the public sewer. **[Amended by Ord. No. 2020-246, 10/12/2020]**

5. Location of Connection of Building Sewers. A building sewer shall be connected to a public sewer at the place designated by the Township and where, if applicable, the lateral is provided, subject to and in accordance with the Township technical specifications and other applicable rules, regulations and requirements.
6. Existing House Sewer Line as a Building Sewer. Where an improved property, at the time its connection to a public sewer is to be made, is served by its own sewage disposal system or sewage disposal device, the existing house sewer line shall be disconnected on the structure side of such sewage disposal system or sewage disposal device and connection shall be made, with proper fittings, to continue such house sewer line as a building sewer, subject to and in accordance with the Township technical specifications and other applicable rules, regulations and requirements.
7. Inspection and Approval of Building Sewers.
 - A. No building sewer connection, maintenance, repair and/or replacement shall be covered until it has been inspected and approved by the Township, as provided in and by the Township technical specifications and other applicable rules, regulations and requirements. If any part of a building sewer is covered before being so inspected and approved, it shall be uncovered, at the cost and expense of the owner of the improved property, for such inspection and approval.
 - B. All such inspections and approval by the Township shall be at the cost and expense of the owner of the improved property.
 - C. All such inspections by the Township shall be undertaken by the Township Engineer, and shall be completed not less than 48 hours to 72 hours after the Township is given notice by the owner of the improved property that the uncovered building sewer is ready for inspection.
 - D. Unless otherwise directed by the Board of Supervisors, all such approvals by the Township shall be given by the Township Engineer.
8. Maintenance, Repair and/or Replacement of Building Sewers. **[Amended by Ord. No. 2020-246, 10/12/2020]**
 - A. It shall be the responsibility of the owner of improved property, at the expense of the property owner, to maintain every building sewer on the improved property at all times in a sanitary and safe operating condition, and to repair and replace the same as shall be necessary. Such maintenance, repair and replacement shall be in accordance with and comply with all Township technical specifications and other applicable rules, regulations and requirements.
 - B. Without limiting the generality of the responsibility of the property owner to maintain, repair and/or replace a building sewer under Subsection A, the property owner shall perform and complete such maintenance, repair and/or replacement work as the Township may deem necessary as set forth in written notice to the property owner. All maintenance, repair and/or replacement work shall be performed and completed in a proper and timely manner to the satisfaction of the Township and in accordance with all Township Technical Specifications and other applicable rules, regulations and

requirements. The property owner shall indemnify the Township from any loss or damage which may, directly or indirectly, result or arise from any such work.

9. **Building Sewer Excavations.** Every excavation for a building sewer shall be guarded adequately with barricades and lights to protect all persons from damage and injury, and any street, sidewalk and other property disturbed in the course of the connection, maintenance, repair and/or replacement of a building sewer shall be restored. Such guarding, excavation and restoration shall be at the cost and expense of the owner of the improved property, and in a manner satisfactory to the Township and otherwise subject to and in accordance with the Township technical specifications and other applicable rules, regulations and requirements. No sanitary sewer excavation shall remain open to inflow of surface water and/or stormwater for more than 10 hours. **[Amended by Ord. No. 2020-246, 10/12/2020]**
10. **Unsatisfactory Condition of Building Sewers.** The Township, its employees, agents and/or designees, shall be authorized to enter upon any property, at reasonable times and upon reasonable notice to the owner, to inspect the building sewer located on the property to verify that the plumbing system serving the property is functioning properly. If the property owner or other person shall fail or refuse, upon being served with a written notice from the Township, to allow entry upon the property or to remedy any unsatisfactory condition, including but not limited to inflow and infiltration, with respect to a building sewer within 30 days of service of the notice, or such additional time as may be determined appropriate by the Township, the Township shall have the right, at its discretion, but not the obligation, to exercise any one or more of the following remedies: **[Amended by Ord. No. 2020-246, 10/12/2020]**
 - A. Refuse to permit the property owner and/or such person to discharge, or to continue to discharge, sanitary sewage and/or industrial wastes into the public sewer until such unsatisfactory condition shall have been remedied in a manner satisfactory to the Township and otherwise subject to and in accordance with the Township Technical Specifications and other applicable rules, regulations and requirements. Such right of refusal shall be in addition to such other or further remedies as may be available to the Township to correct the unsatisfactory condition.
 - B. Enter the property, by its employees, contractors or designees, and perform such maintenance, repair and/or replacement work at the cost and expense of the property owner. Upon completion of the work, the Township shall issue to the property owner an itemized bill for the cost of such work, which shall be due and payable immediately upon presentation of such bill. Should the owner fail to so pay the bill, the Township shall have the right to collect the same, together with interest on the amount of such costs at the rate of 6% per annum (or such higher rate as may be provided or otherwise permitted by law) plus a penalty of 5% on the amount of such costs, in the manner permitted and pursuant to applicable law, including, but not limited to, the filing of a municipal claim and lien therefor.
 - C. The provisions of this subsection shall not limit any rights or remedies which may be available to the Township at law or in equity against any third person for the recovery of damages to the public sewer, including, without limitation, the recovery of the costs incurred by the Township to maintain, repair and/or replace a lateral.

11. **Construction, Inspection and Maintenance of Laterals. [Added by Ord. No. 2020-246, 10/12/2020]**
 - A. All laterals shall be constructed and installed in accordance with the Township Technical Specifications and other applicable rules, regulations and requirements. Following completion, no lateral shall be covered until it has been inspected and approved by the Township Engineer at the sole cost and expense of the owner of the improved property.
 - B. All completed improvements connecting a building sewer to the public sewer shall become the property of the Township upon final inspection and approval of such improvements by the Township Engineer.
 - C. Following final inspection and approval by the Township Engineer, the Township shall be responsible, at its sole cost and expense, for the maintenance, repair and replacement of the laterals; provided, however, the Township shall not be responsible for the maintenance, repair or replacement of a lateral when such maintenance, repair or replacement is required as a result of, directly or indirectly, any use of or with respect to the lateral by the owner of the property served by the lateral (other than the proper use of the building sewer connected to the lateral) or by any other act or conduct of the property owner. In such case, the cost and expense for the maintenance, repair or replacement of the lateral shall be borne by the property owner. All work relating to the maintenance, repair or replacement of a lateral shall be performed by the Township.
12. **Acceptance of Laterals Previously Constructed.** All laterals constructed and connected to the public sewer prior to the date of enactment of this section shall be deemed Township property, whether or not specifically dedicated to and accepted by the Township, provided such laterals have been constructed within a Township or other public right-of-way and the construction and connection of such laterals to the public sewer were inspected and approved by the Township Engineer. **[Added by Ord. No. 2020-246, 10/12/2020]**

§ 18-307. Extensions of Public Sewer. [Ord. 134, 6/6/2005, § 307; as amended by Ord. No. 2020-246, 10/12/2020]

1. **Compliance with Township Technical Specifications.** All extensions of a public sewer shall be constructed, installed and/or otherwise completed in accordance with the Township Technical Specifications and other applicable rules, regulations and requirements. For purposes of this section, the term "public sewer" shall mean such term as defined in § 18-302, Subsection 2, as well as any "public sewer" as so defined but which is not, at the particular time, owned or operated by the Township but is intended to be ultimately owned and operated by the Township.
2. **Compliance with Other Applicable Requirements.** Any developer or property owner who desires to construct an extension of the public sewer shall, in addition to complying with the provisions of this section, comply with the requirements of § 18-306 to the extent applicable. In the event of a conflict between the provisions of § 18-306 and this section, the provisions of this section shall control.
3. **Submission of Plans.** The developer or property owner shall submit sewer design plans for

the proposed sewer extension to the Township for review and approval of the Township Engineer. If the proposed sewer extension is to be constructed as part of a land development project subject to Chapter 22 [Subdivision and Land Development Ordinance] of the Code of Ordinances of the Township of East Coventry, then the process for review of the sewer design plans shall be in accordance with the procedures for preliminary and final plan review set forth in Chapter 22, Part 3. The sewer design plans shall contain an estimated construction schedule for installation of the sewer improvements. No construction work shall be commenced until a permit for such work and written authorization to proceed have been issued by the Township. All costs relating to the review of sewer design plans shall be paid by the developer or owner.

4. Permit for Surface Opening; Restoration of Surface. Whenever the surface of any street or sidewalk is disturbed by construction of a sewer extension, lateral or other required connection, it shall be the responsibility of the developer or property owner to obtain the permit required for opening or disturbing the surface of the street or sidewalk and restoring the surfacing material in kind. The developer and/or owner shall be responsible, jointly and severally, for any damage done to the public sewer system by rain, flooding or any other cause resulting from the developer's or owner's failure to take proper precautions during the construction and connection process to prevent damage to the public sewer system.
5. Development Agreement. Prior to the Township issuing written authorization to the developer or property owner to proceed with construction of a sewer extension, the developer or property owner shall execute an agreement with the Township, prepared by the Township Solicitor, setting forth the obligations of the parties as determined by the Township regarding construction of the sewer extension. If the proposed sewer extension is to be constructed as part of a land development project subject to Chapter 22 [Subdivision and Land Development Ordinance] of the Code of Ordinances of the Township of East Coventry, then the obligations of the parties relating to the sewer improvements shall be incorporated into the land development agreement required by Chapter 22. All costs relating to the preparation of said agreement shall be paid by the developer or owner.
6. Financial Security.
 - A. Prior to the Township issuing written authorization to the developer or property owner to proceed with construction of a sewer extension, the Township shall receive financial security in the form of an irrevocable letter of credit from a federal or commonwealth chartered lending institution, a cash escrow account in such lending institution deposited in an interest-bearing account in the name of the Township, or a performance bond in an amount equal to 110% of the estimated cost of construction as determined by the developer or owner and approved by the Township Engineer. If the financial security consists of an irrevocable letter of credit or performance bond, the terms shall be satisfactory in form and substance to the Township Solicitor.
 - B. Such financial security shall serve as security for the proper performance of the sewer work and for any repairs to streets, sidewalks and or public facilities that the Township deems necessary or appropriate as a result of said work. Partial releases of the financial security during the period of construction shall be authorized upon compliance with the procedures set forth in § 22-310 of Chapter 22 [Subdivision and Land Development

Ordinance] of the Code of Ordinances of the Township of East Coventry.

- C. The Township shall hold back 10% of the financial security until the developer or owner has posted a maintenance guarantee with the Township as required by Subsection 11 and the as-built plans required by Subsection 10 are verified and accepted by the Township.
7. Establishment of Escrow. Prior to the commencement of the sewer work, the developer or property owner shall, in addition to the posting of financial security, if applicable, deposit a cash escrow with the Township in an amount to be determined by the Township for payment of the estimated costs of reviewing the sewer design plans, performing construction inspections, and other administrative, legal and engineering services.
 8. Supervision and Inspection by Township Engineer. Construction of the sewer extension shall be subject to the supervision of and inspection by the Township Engineer. The sewer extension shall not be covered until authorized by the Township Engineer, and all backfilling of trenches shall be under his supervision. All inspections shall be made and scheduled during regular business hours of the Township.
 9. Requirements for Dedication and Acceptance by Township.
 - A. The sewer extension to be dedicated to the Township shall be designed, constructed and inspected in strict accordance with the final approved sewer design plans, the Township Technical Specifications and all other applicable rules, regulations and requirements, and any approved subdivision or land development plan for which the sewer extension was required.
 - B. The Township Engineer shall conduct a final inspection of the sewer extension prior to dedication. The inspection shall include a visual inspection, a televised inspection and/or such other tests of all sewer pipes as the Township Engineer deems necessary. The cost of these inspections shall be borne by the developer or property owner. The developer or owner shall correct any deficiencies identified by the visual or televised inspection or other testing to the satisfaction of the Township Engineer. All corrections shall be made at the developer's or owner's expense regardless of the type or nature of the deficiency. The Township Engineer shall advise the Township when all deficiencies have been corrected and the sewer extension is ready for dedication by issuance of the Township Engineer's certificate of completion for the improvements. No sewer extension shall be approved for use and acceptance by the Township until said sewer extension is formally approved by the Township Engineer.
 - C. All construction, connection and inspection fees shall be paid, and the Township shall be reimbursed in full, for all engineering, inspection, legal and other costs incurred relating to the review of plans, inspections during construction, testing and approval, and drafting of legal agreements and other documentation.
 - D. The sewer extension and related improvements shall be dedicated to the Township, free and clear of all encumbrances, by bill of sale or other documentation satisfactory to the Township Solicitor. Easements for the sewer improvements shall be recorded in the name of the Township for all sewers to be constructed outside of street rights-of-way

dedicated or to be dedicated to the Township.

- E. The developer shall deliver the as-built plans required by Subsection 10 and execute the maintenance agreement required by Subsection 11.
10. **As-Built Plans.** Within 60 days after completion and Township approval and final inspection of the sewer improvements, and prior to acceptance of dedication of the sewer extension by the Township, the developer shall submit to the Township as-built plans for the sewer improvements that conform to the Township's Standard Public Improvement Specifications. The developer also shall provide to the Township a copy of any operator manuals, parts lists, warranties or other documentation as appropriate prior to dedication.
 11. **Maintenance Period.** As a condition of accepting dedication of the sewer extension and related improvements, the developer or property owner shall enter into a maintenance agreement with the Township, which shall be prepared by the Township Solicitor, guaranteeing the structural integrity and functioning of the dedicated improvements in accordance with the Township Technical Specifications and approved sewer design plans for a period of 18 months from the date of acceptance of dedication by the Township. The maintenance agreement shall require the posting by the developer or owner of financial security with the Township of the same type as provided in Subsection 6 in an amount equal to 15% of the actual cost of installation of the improvements.
 12. **Maintenance of Sewer Extensions.** Following acceptance of dedication by the Township, the Township shall be responsible, at its sole cost and expense, for the maintenance, repair and replacement of the sewer extension.
 13. **Reimbursement for Sewer Extensions.** Where a developer or property owner constructs or causes to be constructed an extension of the public sewer at its expense, the developer or owner shall enter into a written reimbursement agreement with the Township in form and substance satisfactory to the Township Solicitor. The reimbursement agreement shall provide for reimbursement to the developer or owner in accordance with applicable Township and other legal requirements when the owner of another property not in the development for which the extension was constructed connects a building sewer directly to the extension within 10 years of the date of the dedication of the extension to the Township. The Township shall be permitted to deduct from each reimbursement payment an amount equal to 5% thereof for administrative expenses for calculating, collecting, monitoring and disbursing the reimbursement payment.

§ 18-308. Sanitary Sewer District. [Ord. 134, 6/6/2005, § 308]

A single sanitary sewer district is hereby established, which shall comprise that portion of the Township north of Pigeon Creek and north of Bickels Run as more particularly shown and identified as the "Sanitary Sewer District" on the Sanitary Sewer District Map, dated May 17, 2005, appearing as Appendix "B" to this Part.

§ 18-309. Connection Charges. [Ord. 134, 6/6/2005, § 309]

1. The Township hereby imposes connection charges against and to be paid by the owner of any improved property required or permitted to be connected with and use a public sewer

under and in accordance with this Part.

2. The connection charges imposed against and payable by the owner of improved property shall be established from time to time by resolution of the Board of Supervisors. The connection charges shall include, without limitation, a connection fee, customer facilities fee and/or a tapping fee as enumerated and defined in and by the Municipality Authorities Act, 53 Pa.C.S.A. § 5601 et seq. Connection charges in the nature of tapping fees, as established by said resolution, shall be imposed on the basis of EDUs allocated to the improved property pursuant to the EDU Allocation Resolution. **[Amended by Ord. No. 2020-246, 10/12/2020]**
3. The connection charges shall be due and payable in full either at the time the application is made to the Township for a permit to connect to the public sewer, as provided in § 18-306, Subsection 1, or in the case an owner of improved property fails to make connection to the public sewer as required by the Township pursuant to § 18-303, Subsection 1, on the date when the Township connects the property to the public sewer at the cost and expense of the owner.
4. All connection charges shall be payable to the Township. Payments of connection charges shall be tendered to such official or representative of the Township as shall be designated and authorized from time to time by the Board of Supervisors to accept payment.
5. Payment of connection charges shall be enforced and recovered by the Township in such manner as provided or permitted by law then in effect.

§ 18-310. Sewer Rental Fee. [Ord. 134, 6/6/2005, § 310]

1. The owner of any improved property connected, or required to be connected, to a public sewer, shall pay a monthly, quarterly, semi-annual or annual sewer rental fee, as shall be adopted from time to time by resolution of the Board of Supervisors. The sewer rental fee, as adopted by said resolution, shall be imposed on the basis of EDUs allocated to the improved property pursuant to the EDU Allocation Resolution. The obligation to pay sewer rental fee shall commence on the earlier of the following two dates: (i) the date on which the improved property is connected to the public sewer; or (ii) in the case the owner of improved property does not connect the improved property to the public sewer within the time required by the Township pursuant to § 18-303, Subsection 1, the last date when owner should have connected the improved property to the public sewer as so required by the Township.
2. The sewer rental fee shall be in addition to (i) all costs and expenses of constructing the building sewer by which the improved property is connected, or required to be connected, to the public sewer, (ii) all costs and expenses in connecting such building sewer to the public sewer, and (iii) the connection charges provided under § 18-309.
3. The amount of the sewer rental fee shall constitute a lien until paid against the improved property connected, or required to be connected, to the public sewer, and, if not timely paid, may be recovered by the Township in such manner as provided or permitted by law then in effect.
4. All sewer rental fees shall be payable to the Township. Payments of sewer rental fees shall be tendered to such official or representative of the Township as shall be designated and

authorized from time to time by the Board of Supervisors to accept payment.

5. All sewer rental fees shall be deposited in a special fund to be used only for payment of the cost of construction, reconstruction, repair, operation and maintenance of the public sewer.
6. Should the number of EDUs allocated to an improved property be adjusted in a manner prescribed in the EDU Allocation Resolution, the owner of the improved property shall pay the then current sewer rental fee based on the adjusted EDU allocation. Until such time of adjustment, the owner of the improved property shall continue to pay the sewer rental fee based on the current EDU allocation. In no case shall a retroactive reimbursement of sewer rental fees be made from Township to owner or from owner to Township for adjustment of EDU allocation to an improved property.

§ 18-310.1. Reservation of Public Sanitary Sewage System and Treatment Plant Capacity. [Ord. 134, 6/6/2005, § 310.1; as added by Ord. 155, 4/13/2009, § I]

1. Authority. The fees for reservation of public sanitary sewage system and treatment plant capacity are imposed hereby under the authority of Article XXV (Sanitary Sewers) (53 P.S. § 67501-67517) of the Second Class Township Code (53 P.S. §§ 65101 — 68701).
2. Purpose. East Coventry Township has determined that allocation to and reservation of sanitary sewage system capacity for future use creates an unreasonable and inequitable economic burden upon the Township and the existing users connected to the public sanitary sewage system within the Township. Until such time as landowners who have been granted capacity choose to make use of such capacity, the Township and the existing users of the public sanitary sewage system are required to amortize the costs of the reserved facilities. Moreover, such reserved capacity remains unavailable to other persons who may have an immediate need for capacity. Therefore, it is determined to be in the best interest of the Township, the existing users of the public sanitary sewage system, and potential users without reserved capacity, that landowners desiring or required to reserve public sanitary sewage system capacity pay the full amount of the tapping fee plus charges designated and calculated to amortize the cost of the current debt service in proportion to the existing users of the system. The purpose of this section is to establish procedures for the imposition and collection of the tapping fee plus quarterly charges to be known as sewer reservation fees.

3. Additional Definitions. As used in this section, the following terms shall have the meanings indicated.

RESERVED CAPACITY — The allocated sanitary sewage capacity reserved for by an applicant after full payment of all applicable tapping fees and payment of quarterly sewer reservation fees.

SEWER RESERVATION FEE — The quarterly charges imposed upon a applicant for the allocated sanitary sewage capacity reserved.

TAPPING FEES — The approved tapping fee by the East Coventry Township Board of Supervisors pursuant to resolution or ordinance as calculated by the Township Engineer in accordance with Pennsylvania Act 57 of 2003 ("Act 57").

4. Reserved Capacity. Sewage treatment capacity is available only on a first-come, first-serve

basis and shall not be deemed to be reserved for any subdivision, new development or existing improved property by virtue of approval of any Pennsylvania DEP Planning Module or Planning Module Exemption by the East Coventry Township Board of Supervisors. Sewage treatment capacity shall only be reserved upon payment of the full amount of the current tapping fee for each EDU being reserved, as established from time to time by resolution or ordinance of the Board of Supervisors which payment shall be made via cash or certified check payable to the "East Coventry Township." Upon Township's receipt of such payment, capacity shall be reserved for the number of EDUs for which the full amount of tapping fees are paid for a particular unimproved or undeveloped tract of land for which the application was submitted. No additional capacity will be reserved for unpaid EDUs. Reserved capacity may not be transferred or exchanged between parcels without the written approval of the Board of Supervisors. Reserved capacity may not be sold as a commodity.

5. Sewer Reservation Fee.

A. In addition to full payment of tapping fees as set forth above, a quarterly fee for the reservation of sanitary sewage capacity is hereby imposed upon an applicant for any connections not made within six months from the date of Township's receipt of tapping fees. The quarterly fees shall be calculated as set forth below in Subsection 5B pertaining to rates.

B. Rates.

(1) The reservation of capacity fee shall be equal to 60% of the average sanitary sewer bill for a residential customer of the Township, during the last billing cycle multiplied by the number of EDU's being reserved.

(2) Reservation of capacity fees shall be paid by the applicant reserving capacity on a quarterly basis as billed by the Township. The face amount of each quarterly bill shall be due and payable in full within 30 days from its date. If full payment of the face amount is not received within 30 days from its date, a penalty of 10% of the face amount of the bill shall be added thereto, and interest on the unpaid amount, including penalty, shall accrue at the rate of 9% per annum commencing from the 30th day until paid. The penalty and interest provided in this subsection shall be in addition to such other and further penalties, interest or other remedies which may be available to the Township should it proceed to collect such bill, penalty and interest by way of municipal claim and lien or other appropriate legal or equitable action.

(3) Adjustment to Rates. Any applicant who has reserved sewer capacity may apply to the Township to have the reserve capacity charges adjusted to reflect capacity utilized by connection to the sanitary sewage system during the preceding quarter following applicable Township procedures.

C. The annual reservation of capacity fee shall be applicable and continue in effect until any of the following events occur:

(1) The reserved capacity has been utilized or consumed by hooking up to the sewer system and regular sewer rental bills are being issued for the use.

- (2) Any unused reserve capacity has been cancelled by the applicant for whom it was reserved, or by the Township as hereinafter provided.
- (3) A period of five years shall have expired from the date of final approval by the Township of the development or project, or application. If after five years from the date of final approval by the Township, an applicant is still in need of all or a portion of the sanitary sewage capacity originally reserved, the applicant shall make application to the Township for continued reserve capacity which shall be processed as a new application for sewer capacity.

6. Adjustments to Capacity; Cancellation.

- A. In the event that reserve capacity of any applicant shall be determined to be insufficient during the term of any permit, an applicant shall request additional reserve capacity. Such request shall be processed as a new application in accordance with all Township requirements.
- B. Reserved capacity shall not be canceled and the corresponding piece of unimproved or undeveloped land shall be deemed to have reserved capacity in the amount of EDUs purchased from the date the tapping fees are paid in full. Such reserved capacity shall inure to the benefit of all successors, assigns and subsequent property owners. Any unpaid quarterly sewer reservation fees shall be collectable by the Township in the manner as unpaid sewer rents. No building permits shall be issued until all quarterly sewer reservation fees including all outstanding interest and/or all other delinquent amounts are paid in full. In the event excess EDUs have been purchased for a land development or subdivision, the property owner may request that the Township buy back excess EDUs if the property has been fully occupied and used for a minimal period of two years and records consistently reveal the number of excess units being offered for re-purchase by the Township at the original purchase price without interest, reimbursement of sewer reservation fees paid to Township or any other additional consideration. Such a request shall not obligate Township to re-purchase excess EDUs.

§ 18-311. Violations and Penalties. [Ord. 134, 6/6/2005, § 311]

1. Fines and Penalties.

- A. Any person, who fails or refuses to comply with any provision of this Part, shall be in violation of this Part, which violation shall be enforced by action brought before a district justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure.
- B. Upon conviction, such person shall pay a fine of not less than \$100 and not more than \$1,000 (or such other maximum fine as then may be provided or permitted by applicable law) per violation, together with costs of prosecution including, but not limited to, reasonable attorney's fees, in each case. Upon default in payment of the fine and costs, such person shall be subject to imprisonment to the maximum extent allowed by law for the punishment of summary offenses.
- C. Each day, or portion thereof, that a violation is found to exist, and each provision of this

Part that is found to have been violated, shall constitute a separate offense each punishable by the aforesaid fine and imprisonment.

- D. All fines and costs collected for the violation of this Part shall be paid to the Township.
2. Other Remedies. The provisions of Subsection 1 (including, but not limited to, the manner of enforcement of a violation of this Part and the fine and the penalty for such violation) shall not be in limitation of, but shall be in addition to:
- A. Such other or further remedies or enforcement actions as may be available to the Township under other provisions of this Part or under other law (including, but not limited to, other applicable local, state or federal law) or in equity (including, but not limited injunctive relief) for any actions or inactions which violate of any provision of this Part. Nothing in this section or other provision of this Part shall be deemed to preclude the Township from pursuing such other or further remedies concurrently.
 - B. Such other or further remedies or enforcement actions as may be available to any governmental entity, other than Township, having jurisdiction, under any applicable local, state, or federal law, or in equity (including, but not limited injunctive relief), for any actions or inactions which violate any provision of this Part.

**Application of Pennsylvania-American Water Company for Acquisition of
the Wastewater Assets of East Coventry Township
66 Pa. C.S. §1329
Application Filing Checklist – Water/Wastewater**

Docket No. A-2025-3053487

Appendix A-18-b.2

Rate Resolution No. 2005-12 – Establishment of Equivalent Dwelling Units (“EDUs”)

Dated June 20, 2005

RESOLUTION NO. 2005-12

A RESOLUTION

ESTABLISHING AND OTHERWISE PROVIDING CRITERIA FOR ALLOCATING EQUIVALENT DWELLING UNITS (EDUS) TO IMPROVED PROPERTIES ACCORDING TO USE UNDER AND FOR PURPOSES OF THE PUBLIC SANITARY SEWAGE SYSTEM ORDINANCE OF EAST COVENTRY TOWNSHIP.

WHEREAS, Part 3, entitled “Public Sanitary Sewage System Ordinance of East Coventry Township,” of Chapter 18 of the Township of East Coventry Code of Ordinances, provides for the connection with and use of public sanitary sewage systems by certain improved properties within the Township; and

WHEREAS, Sections 309 and 310 of Part 3 provide for the imposition of connection charges, in the nature of tapping fees, and a sewer rental fee on the basis of Equivalent Dwelling Units (EDUs) allocated to improved properties pursuant to EDU allocation criteria adopted by resolution of the Board of Supervisors of the Township, defined and referred to in said Part 3 as the “EDU Allocation Resolution”; and

WHEREAS, the Board of Supervisors of the Township hereby desires to provide for said EDU Allocation Resolution.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors of East Coventry Township, Chester County, Pennsylvania, as follows:

SECTION 1. Authority; Short Title.

A. This Resolution is adopted pursuant to and in accordance with the Public Sanitary Sewage System Ordinance, and is intended to be the EDU Allocation Resolution defined and referred to in said Ordinance.

B. This Resolution shall be known and may be cited as the “EDU Allocation Resolution of East Coventry Township.”

SECTION 2. Definitions.

A. The following words and phrases (including the singular and plural forms thereof) appearing in this Resolution shall have the meanings indicated in this Subsection, except where the context specifically and clearly indicates otherwise:

IMPROVED PROPERTY shall mean “Improved Property” as defined in Section 302.2 of the Public Sanitary Sewage System Ordinance.

MAXIMUM MONTH shall mean the calendar month with the greatest amount of water consumption for an Improved Property, or for similar type facilities of similar size as the Improved Property in the case of water consumption records, during a period of twenty-four (24) consecutive months.

NON-RESIDENTIAL UNIT shall mean any use other than a Residential Dwelling as defined herein, including but not necessarily limited to, commercial, institutional and industrial facilities.

PUBLIC SANITARY SEWAGE SYSTEM ORDINANCE shall mean Part 3, entitled “Public Sanitary Sewage System Ordinance of East Coventry Township,” of Chapter 18 of the Township of East Coventry Code of Ordinances.

RESIDENTIAL DWELLING shall mean any of the following uses, as each of the following uses is defined in the Zoning Ordinance: Single-Family Dwelling (Detached and Semi-Detached); Townhouse Dwelling; each individual Dwelling Unit of a Two-Family (Detached and Semi-Detached), Multi-Family, Garden Apartment, and Single-Family Attached (Adult Community) Dwelling; and an Independent Mobile-Home Dwelling.

ZONING ORDINANCE shall mean The East Coventry Township Zoning Ordinance of 1985, being Chapter 27 of the Township of East Coventry Code of Ordinances, including all amendments and supplements thereto, and any new ordinance substituted therefor, as in force at the time of application under this Resolution.

B. Except as may be otherwise provided herein and/or if the context clearly indicates otherwise, all words and phrases appearing in this Resolution, which also appear in the Public Sanitary Sewage System Ordinance, shall have the same meanings in this Resolution as in said Ordinance.

SECTION 3. EDU Allocation Criteria.

A. The following criteria for allocating EDUs to Improved Properties according to use is hereby established for purposes of imposing tapping fees and the sewer rental fee under and pursuant to Sections 309 and 310 of the Public Sanitary Sewage System Ordinance:

1. The value of one (1) EDU shall be two hundred sixty-two and one half (262.5) U.S. gallons per day (gpd) of sewage as measured at or downstream of the Township's pumping station that discharges directly into North Coventry Municipal Authority's Wastewater Treatment Plant.

2. Each Residential Dwelling shall require one (1) EDU, and each Non-Residential Unit shall require a minimum of one (1) EDU. In the event a calculation results in a fractional EDU, the result of the calculation shall be rounded to the next highest whole EDU.

3. Where public water service is available to a Non-Residential Unit, the number of EDUs required for the Non-Residential Unit shall be determined based upon water consumption, as measured at the point of water consumption (i.e., water meter) on the Improved Property for the Maximum Month in a twenty-four (24) consecutive month period. One (1) EDU of water consumption shall be considered 200 gpd of consumed water, which shall equate to one (1) EDU (262.5 gpd) of sewage, where the difference between an EDU based on water consumption and an EDU based on sewage of 62.5 gpd represents an allowance for inflow and infiltration of surface water and ground water, respectively, into the Public Sewer.

4. To determine required EDUs for Non-Residential Units based on water consumption, the Owner of the Improved Property shall furnish the Township with water consumption records for similar type facilities of similar size, the acceptability of which shall be at the sole discretion of the Township upon advice of the Township Engineer. Water consumption records shall cover a minimum period of twenty-four (24) consecutive months.

5. In the case where public water service is not available or water consumption records for similar type facilities of similar size are not available for Non-Residential Units, required EDUs shall be calculated based upon the figures established in the following documents, listed in order of priority: (i) PaDEP's Wastewater Facilities Manual, latest revision, Section 43.51 (excluding figures pertaining to Residential Dwellings); or (ii) 25 Pa. Code Chapter 73, Section 73.17(b). However, the Township may require EDUs that differ from said figures as established in either of the aforementioned documents upon advice of the Township Engineer based on the Township Engineer's professional opinion and sound engineering practice. Initial EDUs allocated to an Improved Property in this manner may be subsequently adjusted in accordance with the following methodology.

a. The Owner of an Improved Property may install a water meter, at the sole expense of the Owner, on the water supply to the Improved Property. The Owner shall compile the monthly water meter readings and water consumption data obtained from the installed water meter for a period of twenty-four (24) consecutive months. The Owner shall provide the collected data to the Township for analysis by the Township Engineer. The Maximum Month water consumption for the 24-month period shall be evaluated as described in Sections 3 A.1 through 4 above. Should the required number of EDUs based on water consumption data be greater than the initial number of EDUs purchased by the Owner, the Owner shall purchase the necessary number of EDUs in order for the total purchased EDUs to equal the amount required based on water consumption data. In such case, additional tapping fees, at the then current rate, shall be assessed and payable by the Owner to the Township for the additional EDUs, and

sewer rental shall be assessed and payable on the increased EDU allocation. Conversely, if the required number of EDUs based on water consumption data are less than the amount of EDUs initially allocated to the Improved Property, then the Township shall refund the Tapping Fee paid for each excess EDU such that the total purchased EDUs equal or exceed the required number of EDUs based on water consumption data. In any event, EDUs ultimately allocated to the Improved Property shall represent the required number of EDUs based on water consumption data, should this method be selected by the Owner of the Improved Property.

6. If, at any time after an Improved Property begins discharging sewer into the Public Sewer, the water consumption for any one (1) month period for said Improved Property, as measured by the water meter reading for said Improved Property, exceeds its water consumption-based allocated EDU capacity of 200 gpd/EDU by 20 gpd or more up to 200 gpd, an additional EDU allocation to the Improved Property shall be made. In such case, additional tapping fees, at the then current rate, shall be assessed and payable by the Owner to the Township for the additional EDUs, and sewer rental shall be assessed and payable on the increased EDU allocation. The additional tapping fees shall be due and payable within ninety (90) days after the date of the Township's bill for the same.

7. Sewage capacity, in the form of EDUs, is allocated specifically to the Improved Property. EDUs shall be automatically transferred in conjunction with any ownership transfer of the Improved Property, unless the Township agrees, in writing, to not have the EDUs transferred in conjunction with the transfer of ownership of the Improved Property.

8. When requesting sewer capacity (i.e., submitting a request to purchase EDUs), the Owner of an Improved Property shall certify in writing that all water usage on the Improved Property shall be supplied by a public water system, and that there are and will be no water wells on the Improved Property, unless otherwise approved by the Township, in which case a water meter of a type deemed acceptable by the Township shall

be required, at the Owner's expense, to measure water conveyed from each such well to satisfaction of Township.

9. Where two (2) or more buildings located on an Improved Property are or will be connected to a Public Sewer, EDUs shall be allocated separately to each individual building based on the use of the building in accordance with the allocation methodology established in this Resolution, regardless of the manner in which said buildings are physically connected to the Public Sewer.

10. Where two (2) or more uses are or will be made of the same Improved Property as may be permitted by the Zoning Ordinance, EDUs shall be allocated separately for each such use in accordance with the allocation methodology established in this Resolution.

11. When any building connected to a Public Sewer is converted from single to multiple use, enlarged or remodeled, or when any additional building on an Improved Property is connected to a Public Sewer either through an existing Lateral or through a new Lateral, so as to create or establish a more extensive use or additional uses as may be permitted by the Zoning Ordinance, EDUs shall be allocated separately for each such use in accordance with the allocation methodology established in this Resolution. In such case, additional tapping fees, at the then current rate, shall be assessed and payable by the Owner to the Township for the additional EDUs, and sewer rental shall be assessed and payable on the increased EDU allocation. The additional tapping fees shall be due and payable within ninety (90) days after the date of the Township's bill for the same.

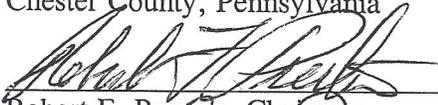
12. The Township may, at any time, secure public water records from the public water system franchisee or other provider when available, and may review the public water records to compare EDUs allocated to an Improved Property against actual water consumption for said Improved Property. If, based on the methodology established in this Resolution, the required number of EDUs based on water consumption for an Improved Property is greater than the number of EDUs previously allocated to the Improved Property, the Owner shall purchase the necessary number of EDUs in order for

the total purchased EDUs to equal the amount required based on water consumption data. In such case, additional tapping fees, at the then current rate, shall be assessed and payable by the Owner to the Township for the additional EDUs, and sewer rental shall be assessed and payable on the increased EDU allocation. The additional tapping fees shall be due and payable within ninety (90) days after the date of the Township's bill for the same.

SECTION 4. Effective Date. This Resolution shall be effective immediately upon the adoption hereof.

ADOPTED this 20th day of June, A.D. 2005.

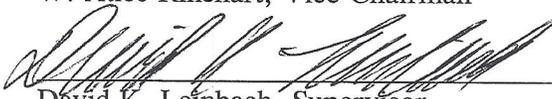
BOARD OF SUPERVISORS OF
EAST COVENTRY TOWNSHIP
Chester County, Pennsylvania



Robert F. Preston, Chairman



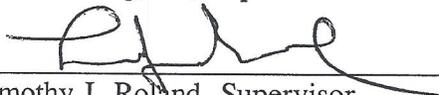
W. Atlee Rinehart, Vice Chairman



David K. Leinbach, Supervisor

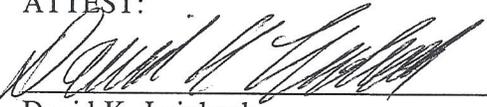
ABSENT

John Doering, Jr., Supervisor



Timothy J. Roland, Supervisor

ATTEST:



David K. Leinbach
Township Secretary

**Application of Pennsylvania-American Water Company for Acquisition of
the Wastewater Assets of East Coventry Township
66 Pa. C.S. §1329
Application Filing Checklist – Water/Wastewater**

Docket No. A-2025-3053487

Appendix A-18-b.3

Rate Resolution No. 2010-37 –Regarding a Sewer Rental Fee

Dated October 12, 2010

EAST COVENTRY TOWNSHIP
BOARD OF SUPERVISORS

CHESTER COUNTY, COMMONWEALTH OF PENNSYLVANIA

RESOLUTION NO. 2010-37

A RESOLUTION ESTABLISHING AND OTHERWISE PROVIDING FOR A SEWER RENTAL FEE TO BE PAID BY THE OWNER OF ANY IMPROVED PROPERTY CONNECTED, OR REQUIRED TO BE CONNECTED, TO PUBLIC SANITARY SEWAGE SYSTEMS WITHIN EAST COVENTRY TOWNSHIP.

WHEREAS, Part 3, entitled "Public Sanitary Sewage System Ordinance of East Coventry Township," of Chapter 18 of the Township of East Coventry Code of Ordinances, provides for the required or permitted connection with and use of public sanitary sewage systems by certain improved properties within the Township; and

WHEREAS, Section 310 of said Part 3 provides for the payment of a monthly, quarterly, semi-annual or annual sewer rental fee, as shall be adopted from time to time by resolution of the Board of Supervisors of the Township, by the owner of any improved property connected, or required to be connected, to public sanitary sewage systems; and

WHEREAS, Section 2511 of The Second Class Township Code, 52 P.S. §67511, as well as Sections 1 and 2 of the Sewer Rental Act, 53 P.S. §§2231 & 2232, authorizes the Board of Supervisors of the Township to charge the said sewer rental fee; and

WHEREAS, the Board of Supervisors of the Township desires, by this Resolution, to establish and otherwise provide for the said sewer rental fee.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors of East Coventry Township, Chester County, Pennsylvania, as follows:

SECTION 1. Authority; Short Title.

A. This Resolution is adopted pursuant to and in accordance with: Section 310 of the Public Sanitary Sewage System Ordinance; Section 2511 of The Second Class Township Code, 52 P.S. §67511; and Sections 1 and 2 of the Sewer Rental Act, 53 P.S. §§2231 & 2232.

B. This Resolution shall be known and may be cited as the “Sewer Rental Fee Resolution of East Coventry Township.”

SECTION 2. Definitions.

A. The following phrase appearing in this Resolution shall have the meaning indicated in this Subsection, except where the context specifically and clearly indicates otherwise:

PUBLIC SANITARY SEWAGE SYSTEM ORDINANCE shall mean Part 3, entitled “Public Sanitary Sewage System Ordinance of East Coventry Township,” of Chapter 18 of the Township of East Coventry Code of Ordinances.

B. Except as may be otherwise provided herein and/or if the context clearly indicates otherwise, all words and phrases appearing in this Resolution, which also appear in the Public Sanitary Sewage Ordinance, shall have the same meanings in this Resolution as in said Ordinance.

SECTION 3. Sewer Rental Fee.

A. A sewer rental fee, to be paid by the Owner of any Improved Property connected, or required to be connected under the Public Sanitary Sewage Ordinance, to the Public Sewer, is hereby established at the quarterly rate of One Hundred Seventy-Five Dollars (\$175.00) per EDU allocated to the Improved Property pursuant to the EDU Allocation Resolution.

B. The sewer rental fee shall be billed quarterly in arrears. The face amount of the bill shall be payable in full within thirty (30) days from its date.

SECTION 4. Effective Date. This Resolution shall be effective immediately upon the adoption hereof.

SECTION 5. Repealer. All other ordinances and resolutions or parts thereof as they are inconsistent with this Resolution are hereby deleted, rescinded and repealed.

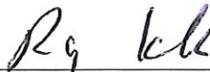
(Signatures continued on following page)

ADOPTED this 13th day of December, A.D. 2010.

BOARD OF SUPERVISORS OF
EAST COVENTRY TOWNSHIP
Chester County, Pennsylvania



Timothy J. Roland, Chairman



Ray Kolb, Vice Chairman



W. Atlee Rinehart, Supervisor



Maria Geho, Supervisor

ATTEST:



Bernard A. Rodgers
Township Secretary



Michael Albert Moyer, Supervisor

EAST COVENTRY TOWNSHIP
BOARD OF SUPERVISORS
CHESTER COUNTY, COMMONWEALTH OF PENNSYLVANIA

RESOLUTION NO. 2020-19

A RESOLUTION ESTABLISHING A NEW SEWER RENTAL FEE TO BE PAID BY THE OWNER OF ANY IMPROVED PROPERTY CONNECTED, OR REQUIRED TO BE CONNECTED, TO PUBLIC SANITARY SEWAGE SYSTEMS WITHIN EAST COVENTRY TOWNSHIP BEGINNING IN THE 2021 CALENDAR YEAR AND CONTINUING THEREAFTER UNTIL THE BOARD OF SUPERVISORS TAKES SUBSEQUENT ACTION.

WHEREAS, Part 3, entitled "Public Sanitary Sewage System Ordinance of East Coventry Township," of Chapter 18 of the Township of East Coventry Code of Ordinances, provides for the required or permitted connection with and use of public sanitary sewage systems by certain improved properties within the Township; and

WHEREAS, Section 310 of said Part 3 provides for the payment of a monthly, quarterly, semi-annual or annual sewer rental fee, as shall be adopted from time to time by resolution of the Board of Supervisors of the Township, by the owner of any improved property connected, or required to be connected, to public sanitary sewage systems; and

WHEREAS, Section 2511 of The Second Class Township Code, 52 P.S. §67511, as well as Sections 1 and 2 of the Sewer Rental Act, 53 P.S. §§2231 & 2232, authorizes the Board of Supervisors of the Township to charge the said sewer rental fee; and

WHEREAS, on or about December 13, 2010, the Board of Supervisors adopted Resolution No. 2010-37 establishing a quarterly sewer rental fee in the amount of \$175; and

WHEREAS, a recent analysis of revenues and expenses associated with the maintenance and operation of the sewer system has resulted in a recommendation to increase the quarterly sewer rental fee from \$175 to \$185; and

WHEREAS, the Board of Supervisors of the Township desires, by this Resolution, to establish a new sewer rental fee in the amount of \$185 per quarter beginning in the 2021 calendar year and continuing thereafter until the Board of Supervisors takes subsequent action.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors of East Coventry Township, Chester County, Pennsylvania, as follows:

SECTION I Authority; Short Title.

A. This Resolution is adopted pursuant to and in accordance with: Section 310 of the Public Sanitary Sewage System Ordinance; Section 2511 of The Second Class Township Code, 52 P.S. §67511; and Sections 1 and 2 of the Sewer Rental Act, 53 P.S. §§2231 & 2232.

B. This Resolution shall be known and may be cited as the "Sewer Rental Fee Resolution of East Coventry Township."

SECTION II Definitions.

A. The following phrase appearing in this Resolution shall have the meaning indicated in this Subsection, except where the context specifically and clearly indicates otherwise:

PUBLIC SANITARY SEWAGE SYSTEM ORDINANCE
shall mean Part 3, entitled "Public Sanitary Sewage System Ordinance of East Coventry Township," of Chapter 18 of the Township of East Coventry Code of Ordinances.

B. Except as may be otherwise provided herein and/or if the context clearly indicates otherwise, all words and phrases appearing in this Resolution, which also appear in the Public

Sanitary Sewage Ordinance, shall have the same meanings in this Resolution as in said Ordinance

SECTION III. Sewer Rental Fee.

A. Beginning in the calendar year 2021, a sewer rental fee, to be paid by the Owner of any Improved Property connected, or required to be connected under the Public Sanitary Sewage Ordinance, to the Public Sewer, is hereby established at the quarterly rate of One Hundred Eighty-Five Dollars (\$185.00) per EDU allocated to the Improved Property pursuant to the EDU Allocation Resolution.

B. The sewer rental fee shall be billed quarterly in arrears. The face amount of the bill shall be payable in full within thirty (30) days from its date.

SECTION 4. Effective Date.

This Resolution shall be effective January 1, 2021 and continue in full force and effect until such time as the Board of Supervisors takes subsequent action.

SECTION 5. Repealer.

All other ordinances and resolutions or parts thereof as they are inconsistent with this Resolution are hereby deleted, rescinded and repealed.

ADOPTED this 14th day of December, 2020.

BOARD OF SUPERVISORS OF
EAST COVENTRY TOWNSHIP
Chester County, Pennsylvania

ATTEST:


David G. Kraynik
Township Secretary

By:


Anthony Duffy, Chairman

**EAST COVENTRY TOWNSHIP
BOARD OF SUPERVISORS
CHESTER COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2020-246

“Amendments to Public Sanitary Sewage System Ordinance”

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF EAST COVENTRY TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, CHAPTER 18 (SEWERS AND SEWAGE DISPOSAL), PART 3 (PUBLIC SANITARY SEWAGE SYSTEMS), SECTION 18-302 (INTERPRETATION; DEFINITIONS), SUBSECTION 2 (SPECIFIC DEFINITIONS) TO AMEND THE DEFINITION OF “TOWNSHIP TECHNICAL SPECIFICATIONS” TO INCLUDE FUTURE AMENDMENTS; TO AMEND SECTION 18-303 (CONNECTION WITH AND USE OF PUBLIC SEWERS), SUBSECTION 3 (NOTICE), PARAGRAPH A TO EXPAND THE METHODS FOR SERVICE OF NOTICE TO INCLUDE FIRST CLASS OR CERTIFIED MAIL; TO AMEND PARAGRAPH B TO PERMIT THE TOWNSHIP TO IMPOSE SIX PERCENT INTEREST AND A FIVE PERCENT PENALTY FOR NONPAYMENT; TO AMEND SECTION 18-306 (BUILDING SEWERS AND CONNECTIONS WITH PUBLIC SEWERS), SUBSECTION 1 (SANITARY SEWER PERMIT), PARAGRAPH B TO REQUIRE APPLICATION BE SUPPLEMENTED BY ANY INFORMATION REQUIRED BY THE TOWNSHIP AND TO ADD NEW PARAGRAPHS “D,” “E” AND “F” ESTABLISHING SEWER PERMIT EXPIRES AFTER ONE YEAR AND REQUIRING PERMIT BE DISPLAYED AT SITE AND INSURANCE CERTIFICATE BE PROVIDED NAMING TOWNSHIP AS ADDITIONAL INSURED; TO AMEND SUBSECTION 2 (PREREQUISITES FOR CONNECTION TO PUBLIC SEWERS), TO REQUIRE SATISFACTORY EVIDENCE FEES PAID AND TO ADD NEW PARAGRAPHS “E” AND “F” REQUIRING COMPLIANCE WITH TOWNSHIP TECHNICAL SPECIFICATIONS AND APPLICABLE REQUIREMENTS OF SECTION 18-307; TO AMEND SUBSECTION 8 (MAINTENANCE, REPAIR AND REPLACEMENT OF BUILDING SEWERS), TO REQUIRE OWNER MAKE REPAIRS UPON RECEIVING NOTICE FROM TOWNSHIP; TO AMEND SUBSECTION 9 (BUILDING SEWER EXCAVATIONS), TO PROHIBIT EXCAVATION FROM REMAINING OPEN TO WATER INFLOW FOR MORE THAN 10 HOURS; TO AMEND AND RESTATE SUBSECTION 10 (UNSATISFACTORY CONDITION OF BUILDING SEWERS) IN ITS ENTIRETY TO IDENTIFY TOWNSHIP REMEDIES WHEN OWNER FAILS TO MAKE REQUIRED REPAIRS; TO ADD NEW SUBSECTION 11 TITLED “CONSTRUCTION, INSPECTION AND MAINTENANCE OF LATERALS” AND NEW SUBSECTION 12 TITLED “ACCEPTANCE OF

LATERALS PREVIOUSLY CONSTRUCTED”; TO AMEND AND RESTATE SECTION 18-307 (EXTENSIONS OF PUBLIC SEWER) IN ITS ENTIRETY AND TO CONTAIN THE FOLLOWING SUBSECTIONS: COMPLIANCE WITH TOWNSHIP TECHNICAL SPECIFICATIONS; COMPLIANCE WITH OTHER APPLICABLE REQUIREMENTS; SUBMISSION OF PLANS; PERMIT FOR SURFACE OPENING; RESTORATION OF SURFACE; DEVELOPMENT AGREEMENT; FINANCIAL SECURITY; ESTABLISHMENT OF ESCROW; SUPERVISION AND INSPECTION BY TOWNSHIP ENGINEER; REQUIREMENTS FOR DEDICATION AND ACCEPTANCE BY TOWNSHIP; AS-BUILT PLANS; MAINTENANCE PERIOD; MAINTENANCE OF SEWER EXTENSIONS; AND REIMBURSEMENT FOR SEWER EXTENSIONS; AND MISCELLANEOUS MINOR TECHNICAL AMENDMENTS.

The Board of Supervisors of East Coventry Township does hereby **ENACT** and **ORDAIN** as follows:

SECTION I. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 18 (Sewers and Sewage Disposal), Part 3 (Public Sanitary Sewage Systems), Section 18-302 (Interpretation; Definitions), Subsection 2 (Specific Definitions), the definition of “Township Technical Specifications” is hereby amended to add the following language before the period at the end of such definition: “, as may be amended from time to time by resolution of the Board of Supervisors”.

SECTION II. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 18 (Sewers and Sewage Disposal), Part 3 (Public Sanitary Sewage Systems), Section 18-303 (Connection With and Use of Public Sewers), Subsection 3 (Notice), Paragraph A, is hereby amended to delete the last sentence of such paragraph and to add the following in its place:

The notice shall be served by personal service, regular first-class mail, certified mail and/or registered mail, whichever of such methods the Township in its discretion deems appropriate, unless a specific method is at the time required by law, in which case such specifically required method shall be used.

SECTION III. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 18 (Sewers and Sewage Disposal), Part 3 (Public Sanitary Sewage Systems), Section 18-303 (Connection With and Use of Public Sewers), Subsection 3 (Notice), Paragraph B, is hereby amended to delete the last sentence of such paragraph and to add the following in its place:

Should the owner fail to so pay the bill, the Township shall have the right to collect the same, together with interest on the amount of such costs at the rate of 6% per annum (or such higher rate as may be permitted by law) plus a penalty of 5% on the amount of such costs, in the manner permitted and pursuant to applicable law including, but not limited to, the filing of a municipal claim and lien therefor.

SECTION IV. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 18 (Sewers and Sewage Disposal), Part 3 (Public Sanitary Sewage Systems), Section 18-306 (Building Sewers and Connections with Public Sewers), Subsection 1 (Sanitary Sewer Permit), Paragraph B, is hereby amended to add the following at the end of such paragraph: “The sanitary sewer permit application shall be supplemented by any plans, specifications or other information considered pertinent by the Township or the Township Engineer.”

SECTION V. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 18 (Sewers and Sewage Disposal), Part 3 (Public Sanitary Sewage Systems), Section 18-306 (Building Sewers and Connections with Public Sewers), Subsection 1 (Sanitary Sewer Permit), is hereby amended to add new Paragraphs D, E and F, as follows:

D. A sanitary sewer permit shall remain valid for a period of one (1) year from the date of its issuance and shall expire automatically on such anniversary date, unless thirty (30) days prior to its expiration, an extension is requested in writing by the permittee for good cause and is granted in writing by the Township. The granting of an extension shall be contingent upon the availability of treatment capacity at the time of the extension request.

E. The sanitary sewer permit shall be displayed prominently on the property to be connected to the public sewer continuously during construction of the building sewer and connection of the building sewer to the public sewer.

F. Prior to issuance of the sanitary sewer permit, the applicant shall provide to the Township a certificate of insurance evidencing coverage of comprehensive general liability insurance, including contractual liability coverage with minimum limits of \$1,000,000 combined single limit for bodily injury and property damage and workers' compensation insurance, as applicable. The foregoing insurance shall be continuously maintained while the sanitary sewer permit remains in effect and shall name East Coventry Township as additional insured.

SECTION VI. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 18 (Sewers and Sewage Disposal), Part 3 (Public Sanitary Sewage Systems), Section 18-306 (Building Sewers and Connections with Public Sewers), Subsection 2 (Prerequisites for Connection to Public Sewer), Paragraph C, is hereby amended to add the following language before the period appearing at the end of such paragraph: “, and shall have furnished satisfactory evidence that such fees have been paid.”

SECTION VII. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 18 (Sewers and Sewage Disposal), Part 3 (Public Sanitary Sewage Systems), Section 18-306 (Building Sewers and Connections with Public Sewers), Subsection 2 (Prerequisites for Connection to Public Sewer), is hereby amended to add new Paragraphs E and F, as follows:

E. All excavation, construction and connection work shall be completed in accordance with the Township Technical Specifications and other applicable rules, regulations and requirements.

F. The developer or owner shall comply with the requirements of §18-307 of this Part to the extent deemed applicable as determined by the Township in its sole discretion.

SECTION VIII. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 18 (Sewers and Sewage Disposal), Part 3 (Public Sanitary Sewage Systems), Section 18-306 (Building Sewers and Connections with Public Sewers), Subsection 4 (Costs of Construction and Connection of Building Sewers), is hereby amended to delete such subsection in its entirety and to add a new subsection 4 in its place, as follows:

4. Costs of Construction and Connection of Building Sewers. All costs and expenses of construction of a building sewer and lateral, if needed, and all costs and expenses of connection to the public sewer shall be borne by the owner of the improved property to be connected. The owner shall indemnify and shall save harmless the Township from all loss or damage that may be occasioned, directly or indirectly, as a result of the construction of the building sewer and lateral, if needed, and/or the connection to the public sewer.

SECTION IX. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 18 (Sewers and Sewage Disposal), Part 3 (Public Sanitary Sewage Systems), Section 18-306 (Building Sewers and Connections with Public Sewers), Subsection 8 (Maintenance, Repair and/or Replacement of Building Sewers), is hereby amended to identify the text of the existing subsection as Paragraph “A” and to add a new Paragraph B, as follows:

B. Without limiting the generality of the responsibility of the property owner to maintain, repair and/or replace a building sewer under Paragraph A, the property owner shall perform and complete such maintenance, repair and/or replacement work as the Township may deem necessary as set forth in written notice to the property owner. All maintenance, repair and/or replacement work shall be performed and completed in a proper and timely manner to the satisfaction of the Township and in accordance with all Township Technical Specifications and other applicable rules, regulations and requirements. The property owner shall indemnify the Township from any loss or damage which may, directly or indirectly, result or arise from any such work.

SECTION X. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 18 (Sewers and Sewage Disposal), Part 3 (Public Sanitary Sewage Systems), Section 18-306 (Building Sewers and Connections with Public Sewers), Subsection 9 (Building Sewer Excavations), is hereby amended to add the following at the end of such subsection: “No sanitary sewer excavation shall remain open to inflow of surface water and/or stormwater for more than ten (10) hours.”

SECTION XI. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 18 (Sewers and Sewage Disposal), Part 3 (Public Sanitary Sewage Systems), Section 18-306 (Building Sewers and Connections with Public Sewers), Subsection 10 (Unsatisfactory Condition of Building Sewers), is hereby amended to delete such subsection in its entirety and to add the following new subsection in its place:

10. Unsatisfactory Condition of Building Sewers. The Township, its employees, agents and/or designees, shall be authorized to enter upon any property, at reasonable times and upon reasonable notice to the owner, to inspect the building sewer located on the property to verify that the plumbing system serving the property is functioning properly. If the property owner or other person shall fail or refuse, upon being served with a written notice from the Township, to allow entry upon the property or to remedy any unsatisfactory condition, including but not limited to inflow and infiltration, with respect to a building sewer within 30 days of service of the notice, or such additional time as may be determined appropriate by the Township, the Township shall have the right, at its discretion, but not the obligation, to exercise any one or more of the following remedies:

A. Refuse to permit the property owner and/or such person to discharge, or to continue to discharge, sanitary sewage and/or industrial wastes into the public sewer until such unsatisfactory condition shall have been remedied in a manner satisfactory to the Township and otherwise subject to and in accordance with the Township Technical Specifications and other applicable rules, regulations and requirements. Such right of refusal shall be in addition to such other or further remedies as may be available to the Township to correct the unsatisfactory condition.

B. Enter the property, by its employees, contractors or designees, and perform such maintenance, repair and/or replacement work at the cost and expense of the property owner. Upon completion of the work, the Township shall issue to the property owner an itemized bill for the cost of such work, which shall be due and payable immediately upon presentation of such bill. Should the owner fail to so pay the bill, the Township shall have the right to collect the same, together with interest on the amount of such costs at the rate of 6% per annum (or such higher rate as may be provided or otherwise permitted by law) plus a penalty of 5% on the amount of such costs, in the manner permitted and pursuant to applicable law including, but not limited to, the filing of a municipal claim and lien therefor.

C. The provisions of this Subsection shall not limit any rights or remedies which may be available to the Township at law or in equity against any third person for the recovery of damages to the public sewer, including, without limitation, the recovery of the costs incurred by the Township to maintain, repair and/or replace a lateral.

SECTION XII. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 18 (Sewers and Sewage Disposal), Part 3 (Public Sanitary Sewage Systems), Section 18-306 (Building Sewers and Connections with Public Sewers), is hereby amended to add new Subsection 11 entitled “Construction, Inspection and Maintenance of Laterals” and new Subsection 12, entitled “Acceptance of Laterals Previously Constructed”, as follows:

11. Construction, Inspection and Maintenance of Laterals.

A. All laterals shall be constructed and installed in accordance with the Township Technical Specifications and other applicable rules, regulations and requirements. Following completion, no lateral shall be covered until it has been inspected and approved by the Township Engineer at the sole cost and expense of the owner of the improved property.

B. All completed improvements connecting a building sewer to the public sewer shall become the property of the Township upon final inspection and approval of such improvements by the Township Engineer.

C. Following final inspection and approval by the Township Engineer, the Township shall be responsible, at its sole cost and expense, for the maintenance, repair and replacement of the laterals; provided, however, the Township shall not be responsible for the maintenance, repair or replacement of a lateral when such maintenance, repair or replacement is required as a result of, directly or indirectly,

any use of or with respect to the lateral by the owner of the property served by the lateral (other than the proper use of the building sewer connected to the lateral) or by any other act or conduct of the property owner. In such case, the cost and expense for the maintenance, repair or replacement of the lateral shall be borne by the property owner. All work relating to the maintenance, repair or replacement of a lateral shall be performed by the Township.

12. Acceptance of Laterals Previously Constructed. All laterals constructed and connected to the public sewer prior to the date of enactment of this Ordinance shall be deemed Township property, whether or not specifically dedicated to and accepted by the Township, provided such laterals have been constructed within a Township or other public right-of-way and the construction and connection of such laterals to the public sewer were inspected and approved by the Township Engineer.

SECTION XIII. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 18 (Sewers and Sewage Disposal), Part 3 (Public Sanitary Sewage Systems), Section 18-307 (Extensions of Public Sewer), is hereby amended to delete such section in its entirety and to add a new Section 18-307 entitled "Extensions of Public Sewer" in its place, as follows:

§18-307. Extensions of Public Sewer.

1. Compliance with Township Technical Specifications. All extensions of a public sewer shall be constructed, installed and/or otherwise completed in accordance with the Township Technical Specifications and other applicable rules, regulations and requirements. For purposes of this section, the term "public sewer" shall mean such term as defined in §18-302, Subsection 2, as well as any "public sewer" as so defined but which is not, at the particular time, owned or operated by the Township but is intended to be ultimately owned and operated by the Township.
2. Compliance with Other Applicable Requirements. Any developer or property owner who desires to construct an extension of the public sewer shall, in addition to complying with the provisions of this section, comply with the requirements of §18-306 to the extent applicable. In the event of a conflict between the provisions of §18-306 and this section, the provisions of this section shall control.
3. Submission of Plans. The developer or property owner shall submit sewer design plans for the proposed sewer extension to the Township for review and approval of the Township Engineer. If the proposed sewer extension is to be constructed as part of a land development project subject to Chapter 22

[Subdivision and Land Development Ordinance] of the Code of Ordinances of the Township of East Coventry, then the process for review of the sewer design plans shall be in accordance with the procedures for preliminary and final plan review set forth in Chapter 22, Part 3. The sewer design plans shall contain an estimated construction schedule for installation of the sewer improvements. No construction work shall be commenced until a permit for such work and written authorization to proceed have been issued by the Township. All costs relating to the review of sewer design plans shall be paid by the developer or owner.

4. Permit for Surface Opening; Restoration of Surface. Whenever the surface of any street or sidewalk is disturbed by construction of a sewer extension, lateral or other required connection, it shall be the responsibility of the developer or property owner to obtain the permit required for opening or disturbing the surface of the street or sidewalk and restoring the surfacing material in kind. The developer and/or owner shall be responsible, jointly and severally, for any damage done to the public sewer system by rain, flooding or any other cause resulting from the developer's or owner's failure to take proper precautions during the construction and connection process to prevent damage to the public sewer system.

5. Development Agreement. Prior to the Township issuing written authorization to the developer or property owner to proceed with construction of a sewer extension, the developer or property owner shall execute an agreement with the Township, prepared by the Township Solicitor, setting forth the obligations of the parties as determined by the Township regarding construction of the sewer extension. If the proposed sewer extension is to be constructed as part of a land development project subject to Chapter 22 [Subdivision and Land Development Ordinance] of the Code of Ordinances of the Township of East Coventry, then the obligations of the parties relating to the sewer improvements shall be incorporated into the land development agreement required by Chapter 22. All costs relating to the preparation of said agreement shall be paid by the developer or owner.

6. Financial Security.

A. Prior to the Township issuing written authorization to the developer or property owner to proceed with construction of a sewer extension, the Township shall receive financial security in the form of an irrevocable letter of credit from a Federal or Commonwealth chartered lending institution, a cash escrow account in such lending institution deposited in an interest bearing account in the name of the Township, or a performance bond in an amount equal to 110% of the estimated cost of construction as determined by the developer or owner and approved by the Township Engineer. If the financial security consists of an irrevocable letter of credit or performance bond, the terms shall be satisfactory in form and substance to the Township Solicitor.

B. Such financial security shall serve as security for the proper performance of the sewer work and for any repairs to streets, sidewalks and or public facilities that the Township deems necessary or appropriate as a result of said work. Partial releases of the financial security during the period of construction shall be authorized upon compliance with the procedures set forth in §22-310 of Chapter 22 [Subdivision and Land Development Ordinance] of the Code of Ordinances of the Township of East Coventry.

C. The Township shall hold back 10% of the financial security until the developer or owner has posted a maintenance guarantee with the Township as required by §18-307.11 and the as-built plans required by §18-307.10 are verified and accepted by the Township.

7. Establishment of Escrow. Prior to the commencement of the sewer work, the developer or property owner shall, in addition to the posting of financial security, if applicable, deposit a cash escrow with the Township in an amount to be determined by the Township for payment of the estimated costs of reviewing the sewer design plans, performing construction inspections, and other administrative, legal and engineering services.

8. Supervision and Inspection by Township Engineer. Construction of the sewer extension shall be subject to the supervision of and inspection by the Township Engineer. The sewer extension shall not be covered until authorized by the Township Engineer and all backfilling of trenches shall be under his supervision. All inspections shall be made and scheduled during regular business hours of the Township.

9. Requirements for Dedication and Acceptance by Township.

A. The sewer extension to be dedicated to the Township shall be designed, constructed and inspected in strict accordance with the final approved sewer design plans, the Township Technical Specifications and all other applicable rules, regulations and requirements, and any approved subdivision or land development plan for which the sewer extension was required.

B. The Township Engineer shall conduct a final inspection of the sewer extension prior to dedication. The inspection shall include a visual inspection, a televised inspection and/or such other tests of all sewer pipes as the Township Engineer deems necessary. The cost of these inspections shall be borne by the developer or property owner. The developer or owner shall correct any deficiencies identified by the visual or televised inspection or other testing to the satisfaction of the Township Engineer. All corrections shall be made at the developer's or owner's expense regardless of the type or nature of the deficiency. The Township Engineer shall advise the Township when all deficiencies have been corrected and the sewer extension is ready for dedication by issuance of the Township Engineer's Certificate of Completion for the improvements. No sewer

extension shall be approved for use and acceptance by the Township until said sewer extension is formally approved by the Township Engineer.

C. All construction, connection and inspection fees shall be paid and the Township shall be reimbursed in full for all engineering, inspection, legal and other costs incurred relating to the review of plans, inspections during construction, testing and approval, and drafting of legal agreements and other documentation.

D. The sewer extension and related improvements shall be dedicated to the Township, free and clear of all encumbrances, by bill of sale or other documentation satisfactory to the Township Solicitor. Easements for the sewer improvements shall be recorded in the name of the Township for all sewers to be constructed outside of street rights-of-way dedicated or to be dedicated to the Township.

E. The developer shall deliver the as-built plans required by §18-307.10 and execute the maintenance agreement required by §18-307.11.

10. As-Built Plans. Within 60 days after completion and Township approval and final inspection of the sewer improvements, and prior to acceptance of dedication of the sewer extension by the Township, the developer shall submit to the Township "as built plans" for the sewer improvements that conform to the Township's Standard Public Improvement Specifications. The developer also shall provide to the Township a copy of any operator manuals, parts lists, warranties or other documentation as appropriate prior to dedication.

11. Maintenance Period. As a condition of accepting dedication of the sewer extension and related improvements, the developer or property owner shall enter into a maintenance agreement with the Township, which shall be prepared by the Township Solicitor, guaranteeing the structural integrity and functioning of the dedicated improvements in accordance with the Township Technical Specifications and approved sewer design plans for a period of 18 months from the date of acceptance of dedication by the Township. The maintenance agreement shall require the posting by the developer or owner of financial security with the Township of the same type as provided in §18-307.6 in an amount equal to 15% of the actual cost of installation of the improvements.

12. Maintenance of Sewer Extensions. Following acceptance of dedication by the Township, the Township shall be responsible, at its sole cost and expense, for the maintenance, repair and replacement of the sewer extension.

13. Reimbursement for Sewer Extensions. Where a developer or property owner constructs or causes to be constructed an extension of the public sewer at its expense, the developer or owner shall enter into a written reimbursement agreement with the Township in form and substance satisfactory to the Township

Solicitor. The reimbursement agreement shall provide for reimbursement to the developer or owner in accordance with applicable Township and other legal requirements when the owner of another property not in the development for which the extension was constructed connects a building sewer directly to the extension within ten (10) years of the date of the dedication of the extension to the Township. The Township shall be permitted to deduct from each reimbursement payment an amount equal to five percent (5%) thereof for administrative expenses for calculating, collecting, monitoring and disbursing the reimbursement payment.

SECTION XIV. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 18 (Sewers and Sewage Disposal), Part 3 (Public Sanitary Sewage Systems), Section 18-309 (Connection Charges), Subsection 2, is here amended to delete the reference to “52 Pa.C.S.A. §5601” appearing in such subsection and to add “53 Pa.C.S.A. §561” in its place.

SECTION XV. – Severability.

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

SECTION XVI. – Failure to Enforce not a Waiver.

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

SECTION XVII. – Effective Date.

This Ordinance shall take effect and be in force from and after its approval as required by the law.

SECTION XVIII. – Repealer.

All other ordinances and resolutions or parts thereof insofar as they are inconsistent with this Ordinance are hereby repealed.

ORDAINED AND ENACTED by the Board of Supervisors of East Coventry Township, Chester County, Pennsylvania, this 12th day of October 2020.

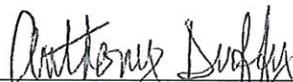
EAST COVENTRY TOWNSHIP

Attest:



David G. Kraynik, Secretary

By:



Anthony Duffy, Chairman

NOTICE

NOTICE is hereby given that the Board of Supervisors of East Coventry Township, at its public meeting on October 12, 2020 at the Township Building, 855 Ellis Woods Road, Pottstown, Pennsylvania, will consider and could vote to adopt an Ordinance amending the Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 18 (Sewers and Sewage Disposal), Part 3 (Public Sanitary Sewage Systems), Section 18-302 (Interpretation; Definitions), Subsection 2 (Specific Definitions) to amend the definition of "Township Technical Specifications" to include future amendments; to amend Section 18-303 (Connection With and Use of Public Sewers), Subsection 3 (Notice), Paragraph A to expand the methods for service of notice to include first class or certified mail; to amend Paragraph B to permit Township to impose six percent interest and a five percent penalty for nonpayment; to amend Section 18-306 (Building Sewers and Connections with Public Sewers), Subsection 1 (Sanitary Sewer Permit), Paragraph B to require application be supplemented by any information required by Township and to add new paragraphs "D", "E" and "F" establishing sewer permit expires after one year, requiring permit be displayed at site and insurance certificate be provided naming Township as additional insured; to amend Subsection 2 (Prerequisites for Connection to Public Sewers), to require satisfactory evidence fees paid and to add new Paragraphs "E" and "F" requiring compliance with Township Technical Specifications and applicable requirements of Section 18-307; to amend Subsection 8 (Maintenance, Repair and Replacement of Building Sewers) to require owner make repairs upon receiving notice from Township; to amend Subsection 9 (Building Sewer Excavations) to prohibit excavation from remaining open to water inflow for more than 10 hours; to amend and restate Subsection 10 (Unsatisfactory Condition of Building Sewers) in its entirety to identify Township remedies when owner fails to make required repairs;

to add new Subsection 11 titled “Construction, Inspection and Maintenance of Laterals” and new Subsection 12 titled “Acceptance of Laterals Previously Constructed”; to amend and restate Section 18-307 (Extensions of Public Sewer) in its entirety and to contain the following subsections: Compliance with Township Technical Specifications; Compliance with Other Applicable Requirements; Submission of Plans; Permit for Surface Opening; Restoration of Surface; Development Agreement; Financial Security; Establishment of Escrow; Supervision and Inspection by Township Engineer; Requirements for Dedication and Acceptance by Township; As-Built Plans; Maintenance Period; Maintenance of Sewer Extensions; and Reimbursement for Sewer Extensions; and Miscellaneous Minor Technical Amendments.

Copies of the full text of the proposed ordinance are available for examination during normal business hours without charge at the offices of *The Pottstown Mercury*, 307 Derstine Avenue, Lansdale, Pennsylvania 19446, the Chester County Law Library, 201 West Market Street, Suite 2400, West Chester, Pennsylvania 19380-0989 and the East Coventry Township Building, 855 Ellis Woods Road, Pottstown, Pennsylvania 19465, where a copy of the proposed ordinance may be obtained for a charge not greater than the cost thereof.

MARK A. HOSTERMAN, ESQUIRE
WISLER PEARLSTINE, LLP

Solicitor for East Coventry Township

Robert F. Preston
2013 East Cedarville Road
Pottstown, PA 19465-8209
610-715-2653
February 8, 2022

To: East Coventry Township Board of Supervisors
David G Kraynik, Manager
Mark A. Hosterman, Solicitor
Brady Flaharty, Engineer
Ray Kolb, Public Works

Subject: East Coventry Township (ECT) Wastewater flow Analysis for 2021 (*Revised 1).

The East Coventry Township Public Works Department under Ray Kolb is doing an excellent job as exemplified by the statics presented below.

The Township's sewerage system delivered **48,079,000** gallons of wastewater in 2020 verses **49,310,000** gallons of wastewater in 2021 to North Coventry Municipal Authority. The year 2021 maximum EDUs **1115** versa the maximum EDU was **1109** in 2020. The statistics are presented below in tabular form for the **Towpath Pump Station (PS – 1)**. This pump station pumped all wastewater to North Coventry Municipal Authority (NCMA).

Towpath Pump Station (PS – 1) *				
Rated Firm Capacity 594 gpm or 855,360 gpd (1)				
	2021	2020	Percentage Increase or Decrease (-)	2021 Q/EDU
Avg. Flow – Qa in gpd	135,097	131,300	2.89 %	121.57 gpd/EDU
Min Flow – Qm in gpd	97,600	96,000	1.67 %	87.92 gpd/EDU
Max Flow – Qp in gpd	437,600	334,000	31.02 %	393.17 gpd/EDU
Design Avg. Flow – Qa gpd				262.50 gpd/EDU
Design Max Flow – Qp gpd				440.23 gpd/EDU(1)
Days in year	365	365		
EDUs	1115	1109		

The ECT collection system appears to be functioning better than accepted parameters with no exceptions during 2021. The Qa or average flow per EDU, the Qm or minimum flow per EDU and the maximum flow Qmax appears to better than accepted values and are based upon flows pumped by the Towpath Pump Station PS – 1. Noted in 2017 through 2021 there was one significant rainfall event recorder on September 1, 2021, of 0.9 inches of rain affecting the wastewater flow on September 2, 2020. The rain on September 1, 2021, had a recorded daily flow of 437,600 gallons per day which resulted in a Flow per EDU of 393.17 gpd per EDU. The maximum Flow per EDU 2021 is less than the 538.55 Flow per EDU during the of May 14,2014 Hurricane

(1) Design Maximum Flow Qp is based upon the Firm Pump Station Capacity 594 gpm x 60 minutes per hour x 24 hours equals 855,360 gpd divided by 1943 EDUs. The Design Maximum Flow does not consider any future upgrade of the Towpath Pump Station.

A projection for anticipated average daily flow based upon the last five years of data for EDUs and flow per EDU information in the attached graph titled "Projected Daily Flow – gpd with Max Allowable Flow Value." If the flow per EDU remains as currently projected based upon existing Average Flow per EDU, the allowable number of connections can be increased from **1943 EDUs** to **2060** to **2080** single family connections or its equivalent. This graph presents North Coventry Municipal Authority's maximum flow value ratio of 2.5 times the Average Flow value. This criterion of peak daily flow, Maximum 7-day average flow, and Maximum 30-day average flow will come into play when East Coventry Township flows on an annual average basis approximate the purchased capacity from North Coventry Municipal Authority of 0.51 MGD or 510,000 gpd.

In 2021 the Peak Daily, Maximum 7 Day Average, Maximum 30-Day Average flow ratios are as follows compared to NCMA allowable ratios are shown below.

	NCMA Allowable Ratios	East Coventry Actual Ratios
Peak Daily	2.5	3.24 (2)
Maximum 7 Day Average	1.5	1.45
Maximum 30-day average	1.2	1.10

Attached are the 2021 flows for each pump station and the gravity flow information presented graphically. Also included a graphical presentation of the daily flows for **Towpath Pump Station PS – 1** for the five-year evaluation period January 1, 2017, through and including December 31, 2021.

Of interesting note is the **Five-year Average of all Daily Flows** and **Five-year Average of the Maximum Day Flow** per connected Single Family Attached Unit (PS – 3) Verses Single Family Detached Unit (PS – 2) shown below:

Single Family Attached Unit Average Daily Average Flow = 137 gpd/EDU
Single Family Attached Unit Maximum Day Average Flow = 328 gpd/EDU Peak Day Factor = 2.40 *

Single Family Detached Unit Average Daily Average Flow = 185 gpd/EDU
Single Family Detached Unit Maximum Daily Average Flow = 429 gpd/EDU Peak Day Factor = 2.32 *

The average of the above four values (**270 gpd/EDU**) approximate the Design Average Flow per Unit of **262.5 gpd/EDU** selected by the Board of Supervisors during the design phase of the sewer system to address all types of housing. This design value continues to be utilized for future expansion of the East Coventry Township Sewer System. *(This analysis is based upon daily (24 hour) total flows per EDU.)*

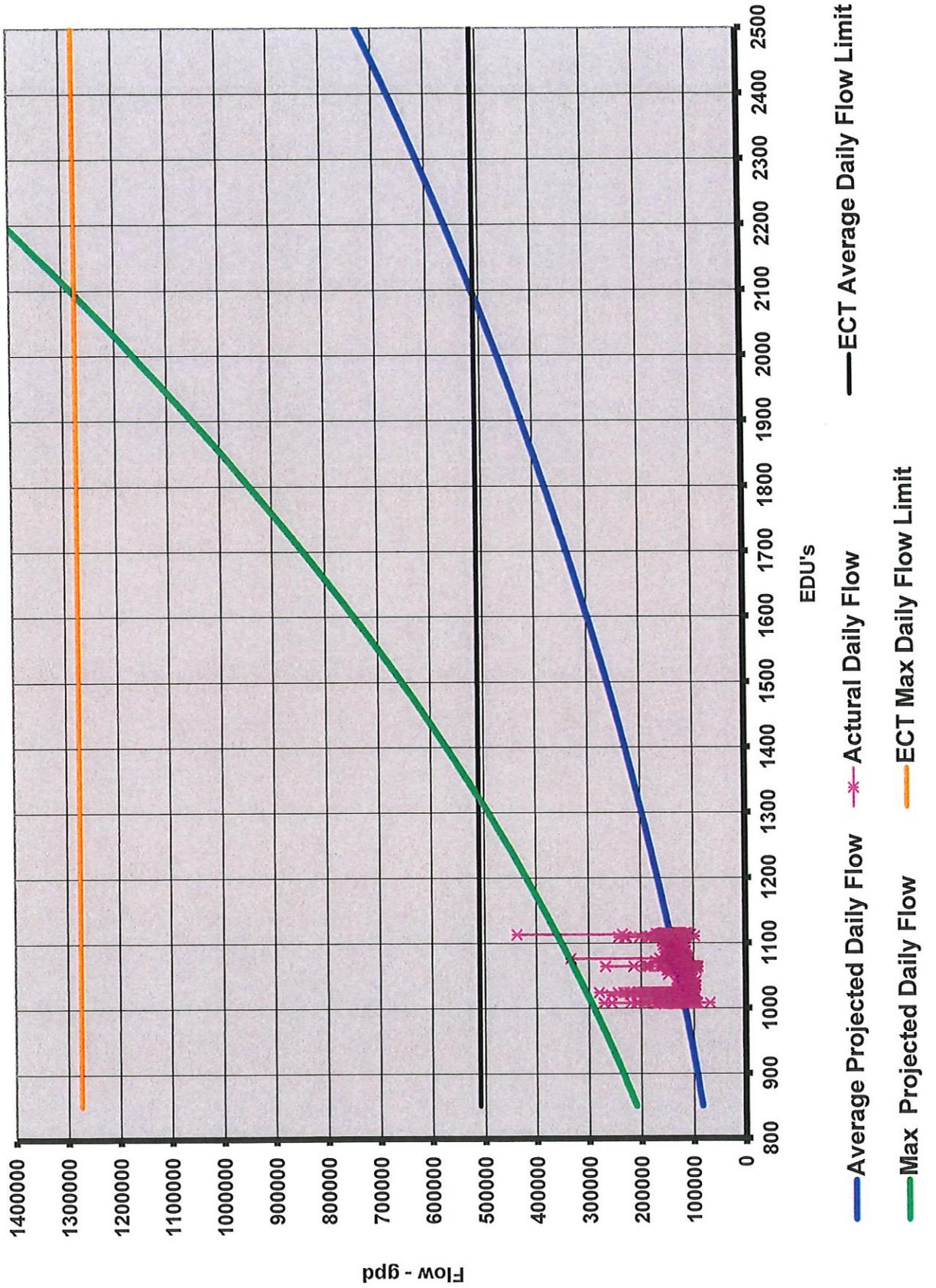
It was noticed that the increased wastewater flows following the rain recorded on September 1, 2021, with the high wastewater recorded and beginning on September 2, 2021, took two days from the initial event to approximate the annual average wastewater flows for all pump stations except pump station number 2. This indicates inflow issue verses an infiltration issue or sump pumps, roof drains or area drains, broken cleanout, and vent pipes connected to the system. It is my understanding the Township has and is conducting inspections for such connections. The rain recorded of 0,9 inches on September 8,2021 reacted as the rain of September 1, 2021, including the exception for pump station number 2. This pump station did record higher flows but recovered within the next day. The total wastewater pumped by Pump Station 1 on September 1, 2021, was 437,000 gallons*. The maximum wastewater Pumped by pump station 1 on September 7, 2021, was 153,800 gallons*.

The background data is available and will be provided to East Coventry Township upon request.
 Respectively Submitted

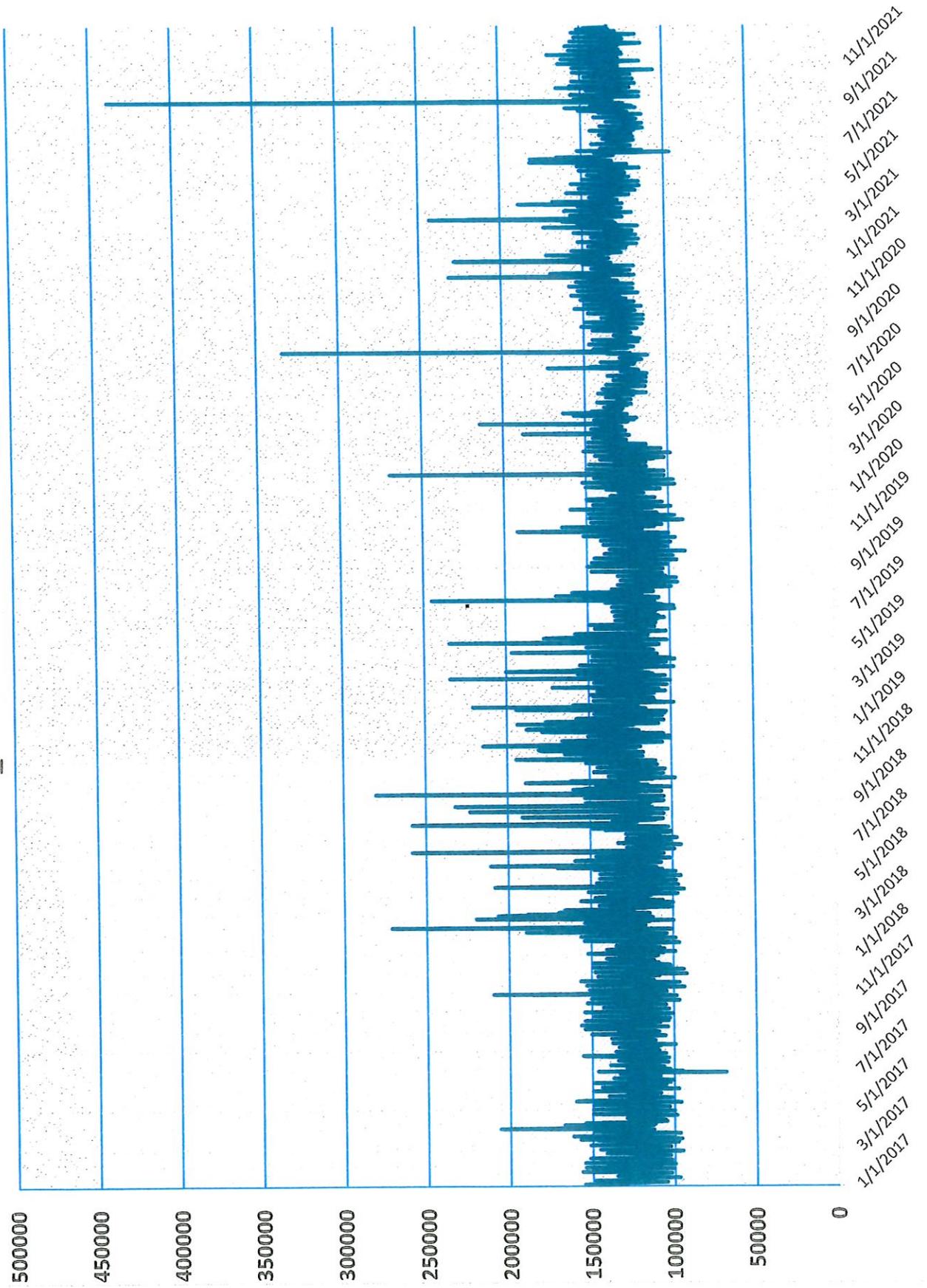
Robert F. Preston

- (2) Even though the Peak Daily Factor shown is above NCMA's standard of 2.5 the total volume of wastewater treated by NCMA was less than 0.51 MGD Purchased Capacity, therefore no problem.

Projected Daily Flow - gpd with Max Allowable Flow Values
(Probable Most Accurate 1/1/2017 to 12/31/2021) (EDU=2080)



Towpath P. S. in gpd



East Coventry Township 2021 Flow Q

