

RULES AND REGULATIONS

ARTICLE I

DEFINITIONS

Unless the context specifically indicates otherwise, the following words and terms used in these Rules and Regulations shall have the following meanings:

Section 101. **Authority** shall mean Windber Area Authority.

Section 102. **Board** shall mean the Board of the Authority, as now or hereafter constituted, and its duly authorized agents or representatives.

Section 103. **Sewage** shall mean a combination of water-carried wastes from residences, business buildings, institutions, and industrial and commercial establishments, together with such ground, surface or storm water as may be present, but this definition shall not permit any of said categories of water to be discharged into the Sewer System if otherwise prohibited by ordinance or resolution.

Section 104. **Sanitary Sewage** shall mean the normal water-carried household and toilet wastes from residences, business buildings, institutions, and industrial and commercial establishments, exclusive of storm water runoff, surface water or ground water.

Section 105. **Industrial Wastes** shall mean any liquid, gaseous or water-borne wastes from industrial processes or commercial establishments, as distinct from sanitary sewage.

Section 106. **Garbage** shall mean solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

Section 107. **Properly Shredded Garbage** shall mean the wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce that have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch (1/2") in any dimension.

Section 108. ***Storm Water Runoff*** shall mean that portion of the rainfall which reaches a channel, trench, sewer or sink.

Section 109. ***Sewer*** shall mean a pipe or conduit for carrying sewage.

Section 110. ***Combined Sewer*** shall mean a sewer designed to receive both sewage and storm water runoff which has been approved for such purpose.

Section 111. ***Sanitary Sewer*** shall mean a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

Section 112. ***Storm Sewer*** shall mean a sewer which is intended to carry storm water runoff, surface waters, groundwater drainage, etc., but which is not intended to carry any sanitary sewage or polluted industrial waste.

Section 113. ***Public Sanitary Sewage System*** (sometimes called the "Sewer System") shall mean all sanitary or combined sewers, all pumping stations, all force mains, all sewage treatment works, and all other facilities owned and operated by the Authority (the Authority's Sewage Disposal System), the Township of Paint, and/or, where applicable, other municipalities of the Windber Area Authority system, for the collection, transportation and treatment of sanitary sewage and industrial wastes, together with their appurtenances, and any additions, extensions or improvements thereto. It shall also include sewers within the Township's or the Authority's service area which serve one or more persons and discharge into the public sanitary sewerage system even though those sewers may not have been constructed by the Authority, and/or the Township, and/or the other municipalities, and are not owned or maintained by the Authority, and/or the Township, and/or the other municipalities. It does not include separate storm sewers or culverts which have been constructed for the sole purpose of carrying storm and surface runoff, the discharge from which is not and does not become tributary to the Authority's sewage treatment facilities.

Section 114. ***Occupied Building*** shall mean any structure erected and intended for continuous or periodic habitation, occupancy or use by human beings or animals, and from which structure sanitary sewage and industrial wastes, or either thereof, is or may be discharged.

Section 115. ***Premises Accessible to the Public Sanitary Sewage System*** shall mean any real estate abutting on or adjoining or having access to any street, alley or right-of-way in which a sewer is located which directly or indirectly ultimately connects to the Authority's Sewage Disposal System.

Section 116. ***Person*** shall include natural persons, partnerships, associations and corporations, public or private.

Section 117. ***pH*** shall mean the logarithm to the base 10 of the reciprocal of the hydrogen ion concentration expressed in moles per liter. It shall be determined by one of the acceptable methods described in the latest edition of "Standard Methods for the Examination of Water and Wastewater" published jointly by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation.

Section 118. ***Suspended Solids*** shall mean solids that either float on the surface or are in suspension in water, sewage, industrial waste or other liquids, and which are removable by laboratory filtration. The quantity of suspended solids shall be determined by one of the acceptable methods described in the latest edition of "Standard Methods for the Examination of Water and Wastewater," cited above.

Section 119. ***B.O.D. of Sewage or Industrial Waste*** shall designate its "Biochemical Oxygen Demand" and shall mean the quantity of oxygen utilized in the biochemical oxidation of the organic matter in said sewage or industrial waste under standard laboratory procedure in five days at 20°C, expressed in milligrams per liter by weight. It shall be determined by one of the acceptable methods described in the latest edition of "Standard Methods for the Examination of Water and Wastewater," cited above.

Section 120. ***Abnormal Industrial Waste*** shall mean any industrial waste having a suspended solid content or B.O.D. appreciably in excess of that normally found in municipal sewage. For the purposes of this ordinance, any industrial waste containing more than 350 milligrams per liter of suspended solids, or having a B.O.D. in excess of 300 milligrams per liter, shall be considered an abnormal industrial waste regardless of whether or not it contains other substances in concentrations differing appreciably from those normally found in municipal sewage.

Section 121. ***Unpolluted Water or Waste*** shall mean any water or waste containing none of the following: free or emulsified grease or oil; pH less than 6.0 or greater than 9.0; acid or alkali; phenols or other substances imparting taste and odor to receiving waters; toxic or poisonous substances in suspension, colloidal state or solution; obnoxious or odorous gases. It shall contain not more than 1,000 milligrams per liter by weight of dissolved solids of which not more than 250 milligrams per liter shall be as chloride and not more than 10 milligrams per liter each of suspended solids and B.O.D. The color shall not exceed 50 color units. Analyses for any of the above-mentioned substances shall be made in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," cited above.

Section 122. ***Water Company*** shall mean the Authority, and/or any publicly or privately owned duly authorized agency, corporation or organization which is the approved purveyor of the public water supply within the limits of the service area of the Sewage Disposal System of the Authority and/or the Township and/or other municipalities.

Section 123. ***Municipalities*** shall mean the Borough of Windber, the Borough of Paint and the Township of Paint, all located in Somerset County, Pennsylvania, and the Borough of Scalp Level and the Township of Richland, both located in Cambria County, Pennsylvania.

Section 124. ***Highland Authority*** shall mean the Highland Sewer and Water Authority located in Cambria County, Pennsylvania.

Section 125. ***Township*** shall mean the Township of Paint.

Section 126. *Connection Ordinance* shall mean Ordinance No. 80 of the Township of Paint adopted June 19, 1989, as amended from time to time. In the event of any conflict with these Regulations, the provisions of the Connection Ordinance shall control over these Regulations.

Section 127. "Shall" is mandatory; "may" is permissive.

ARTICLE II

DISCHARGE OF SANITARY SEWAGE TO PUBLIC SANITARY SEWAGE SYSTEM REQUIRED

Section 201. All persons owning any occupied building now erected within the service area of the Sewage Disposal System of the Authority or Township upon premises accessible to the public sanitary sewage system shall, at their own expense, make connection with the public sanitary sewage system in accordance with the applicable Connection Ordinance of the Township of Paint, if they are not presently so connected.

Section 202. All persons owning any premises within the service area of the Sewage Disposal System of the Authority or Township accessible to the public sanitary sewage system upon which an occupied building is subsequently erected shall, at the time of erection of such building, and at their own expense, make connection with the public sanitary sewage system in accordance with the applicable Connection Ordinance of the Township of Paint.

Section 203. All persons owning any occupied building within the service area of the Sewage Disposal System of the Authority or Township upon premises which subsequently become accessible to the public sanitary sewage system shall, at their own expense, make connection with the public sanitary sewage system within the time period stipulated after proper notice to do so has been given in accordance with the applicable Connection Ordinance of the Township of Paint.

Section 204. All connections to the public sanitary sewage system shall be made in accordance with Article IX hereof and with the Connection Ordinance of the Township of Paint.

Section 205. No privy vault, cesspool, septic tank, mine hole or similar receptacle for human excrement shall presently or at any time hereafter be connected with the public sanitary sewage system.

ARTICLE III

EXCLUSION OF STORM WATER RUNOFF

Section 301. The discharge of storm water runoff to sanitary sewers is prohibited.

Section 302. All persons connecting to the public sanitary sewage system shall provide adequate means for excluding storm water runoff in the event the connection is made to a sanitary sewer.

Section 303. No person connected to a sanitary sewer shall connect any roof drain or foundation drain thereto or permit any such drains to remain connected thereto, nor shall he permit, allow or cause to enter into any sanitary sewer any spring water or surface water from any other source.

Section 304. The provisions of these Rules and Regulations do not prohibit the present or future discharge of storm water runoff to storm sewers, if any exist, or to natural water courses.

ARTICLE IV

ADMISSION OF INDUSTRIAL WASTES TO PUBLIC SANITARY SEWAGE SYSTEM

Section 401. The economy and desirability of the combined treatment of industrial wastes and sanitary sewage is recognized. The treatment facilities which the Authority has constructed are of a type and design to permit reasonable flexibility in the treatment of various types of industrial wastes. In general, any and all industrial wastes may be discharged to the public sanitary sewage system except those which are deemed harmful to the system or are specifically prohibited by these Rules and Regulations or those of the Authority. However, it is

also recognized that the treatment of abnormal industrial wastes may add to the cost of operating and maintaining the public sanitary sewage system. Such additional cost must therefore be borne by the person or persons receiving the benefit of such treatment.

Section 402. The Authority has reserved and the Township reserves the right to refuse connection to the public sanitary sewage system for deleterious industrial wastes, or to compel discontinuance of the use of the system for such wastes, or to require pretreatment and/or equalization of flow thereof in order to prevent harmful or adverse effects upon the system. The design, construction and operation of such pretreatment and/or flow equalization facilities shall be made at the sole expense of the person discharging said wastes and shall be subject to the approval of the Township and/or the Authority or their respective designated representative(s).

Section 403. In general, industrial waste shall be considered harmful to the public sanitary sewage system if it may cause any of the following damaging effects:

- A. Chemical reaction either directly or indirectly with the materials of construction of the public sanitary sewage system in such a manner as to impair the strength or durability of any sewerage structures.
- B. Mechanical action that will destroy any sewerage structures.
- C. Restriction of the hydraulic capacity of any sewerage structures.
- D. Restriction of the normal inspection or maintenance of any sewerage structures.
- E. Danger to public health and safety.
- F. Obnoxious conditions inimical to the public interest.

Section 404. When required by the Township and/or the Authority, any person discharging to the public sanitary sewage system any industrial wastes, or industrial wastes and sanitary sewage together, shall install a suitable manhole or manholes or metering chamber on his

connecting sewer or sewers to facilitate observation, sampling and measurement of the combined flow of wastes from his premises. Such manhole or manholes or metering chamber shall be accessible and safely located and shall be constructed in accordance with plans approved by the Township and/or the Authority or their respective designated representative(s). The manhole or manholes or metering chamber shall be installed by such person at his expense and shall be maintained by him so as to be safe and accessible to the Township and/or the Authority or their respective designated representative(s) at all times. The construction and maintenance of such manholes shall be mandatory for the producers of abnormal industrial wastes, and if deemed necessary by the Township and/or the Authority, flows from such manhole or metering chamber shall be continuously monitored, transmitted and recorded by means of an approved receiving device to be located at the treatment plant or elsewhere as determined by the Township and/or the Authority.

ARTICLE V

UNACCEPTABLE SANITARY SEWAGE AND INDUSTRIAL WASTES

Section 501. The discharge of excessive amounts of unpolluted water or waste to a sanitary sewer is expressly prohibited. The Township and/or the Authority reserve(s) the right to define the amount deemed excessive in each particular instance.

Section 502. The discharge of garbage to the public sanitary sewage system is expressly prohibited unless the garbage is first properly shredded.

Section 503. No sanitary sewage or industrial waste from any property other than that for which a permit has been issued as provided in Article IX hereof shall be discharged to the public sanitary sewage system.

Section 504. No person shall discharge to the public sanitary sewage system any sanitary sewage or industrial wastes having any of the following characteristics:

- A. Wastes containing liquids, solids or gases which by reason of their nature or quality may cause fire, explosions, or be in any other way injurious to

persons, the structures of the public sanitary sewage system or its operation.

- B. Wastes having a temperature in excess of 150°F or less than 32°F.
- C. Wastes having a pH lower than 5.5 or higher than 9.0 or having any corrosive properties capable of causing damage or hazards to structures, equipment or personnel of the public sanitary sewage system. Where the Township and/or the Authority deem(s) it advisable, it may require any person discharging industrial wastes to install and maintain, at his own expense, in a manner approved by the Township and/or the Authority or their respective designated representative(s), a suitable device to continuously measure and record the pH of the wastes so discharged.
- D. Wastes containing any noxious or malodorous gas or substance which either singly or by interaction with sewage or other wastes is, in the opinion of the Township and/or the Authority, likely to create a public nuisance or hazard to life, or prevent entry to sewerage structures for their maintenance and repair.
- E. Wastes containing ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, hair, chemical or paint residues, greases, lime slurry or viscose materials of such character or in such quantity that, in the opinion of the Authority and/or the Township, they may cause an obstruction to the flow in the sewers or otherwise interfere with the proper operations of the public sanitary sewage system. Attention is called to the fact that the maximum permissible concentration will vary throughout the public sanitary sewage system depending upon the size of the particular interceptor sewer receiving the same and the flows therein.
- F. Wastes containing insoluble, non-flocculent substances having a specific gravity in excess of 2.65.

- G. Wastes containing soluble substances in such concentration as to cause the specific gravity of the waste to be greater than 1.1.
- H. Wastes containing any of the following substances in solution or in suspension in concentrations exceeding those shown in the following table:

<u>Substance</u>	<u>Maximum Permissible Concentration</u>
Phenolic compounds as C ₅ H ₆ OH	1.0 mg./L
Cyanides as CN	0 mg./L
Cyanates as CNO	0 mg./L
Iron as Fe	0.3 mg./L
Trivalent Chromium as Cr plus Hexavalent Chromium as Cr	0.5 mg./L
Nickel as Ni	1 mg./L
Copper as CU	0.03 mg./L
Lead as Pb	0.5 mg./L
Zinc as Zn	0.15 mg./L

- I. Wastes containing more than 100 mg./L by weight of fat, oil or grease.
- J. Wastes containing more than 10 mg./L of any of the following gases: Hydrogen sulfide, sulfur dioxide, nitrous oxide, or any of the halogens.
- K. Wastes containing gases or vapors, either free or occluded, in concentrations toxic or dangerous to humans or animals.
- L. Wastes containing toxic substances in quantities sufficient to interfere with the biochemical processes of the sewage treatment works or that will pass through the treatment process and still exceed the state or federal requirements for the receiving stream.
- M. Wastes containing toxic radioactive isotopes without a special permit.

ARTICLE VI

SEWAGE SERVICE CHARGES

Section 601. There is imposed upon the owners of, or the users of water in or on, all properties served by the public sanitary sewage system, service charges for the use of said system, payable in the amounts and as provided (1) in the Sewage Rate Resolution heretofore adopted by the Authority and as it is hereinafter from time to time amended and modified, and (2) in the Connection Ordinance of the Township as amended at the time of adoption of these Regulations and as hereafter from time to time amended and modified. Said owners and users will be jointly and severally liable for the payment of said service charges and the penalties therein prescribed for delinquent payments thereof.

Section 602. All bills for service charges shall be due when rendered and shall be subject to the penalty provisions set forth in the Authority's Sewage Rate Resolution and the Connection Ordinance of the Township, in both cases as the same are from time to time modified or amended. Owners, and where adequate arrangements have been made with the Authority and/or Township, users will be billed periodically for the sewage service charges (other than the initial service charge which must be paid at the time of connection) in accordance with the billing practices adopted or to be adopted by the Authority and/or the Township.

Section 603. The measurement by two or more meters of the quantity of water used in or on one property by one owner or user may be combined and the service charge billed to said owner or user as though the quantity of water was measured by one meter if the Authority and/or Township so elects.

Section 604. In the event an owner or user obtains part or all of the water used in or on a property from sources other than the Windber Area Authority, such owner or user shall, upon written direction from the Township and/or the Authority, at no expense to the Township and/or the Authority, install and maintain a water meter or meters satisfactory to the Township and/or the Authority for measuring all water used other than that obtained from the Authority, and the quantity of water used to determine the sewage service charges shall be the quantity of water measured by all such meters plus the quantity of water obtained from the Authority. In lieu of such additional

meters, the Authority and/or the Township may establish a flat rate charge covering such non-metered water usage.

Section 605. In the event it is established to the satisfaction of the Township and/or the Authority that a portion of the water used in or on any property served by the public sanitary sewage system does not and cannot enter said system, and in the event that the total water used in or on said property exceeds 30,000 gallons per quarter, the Township and/or the Authority may determine, in such manner and by such method as it may deem practical, the percentage of the water entering the public sanitary sewage system, or the Township and/or the Authority may require or permit the installation of additional meters in such manner as to determine either the quantity of water excluded from the public sanitary sewage system or the quantity of water, sewage or industrial waste actually entering the public sanitary sewage system, exclusive of storm water runoff. In such case, the sewage service charge shall be based upon the quantity of water estimated, measured or computed by the Authority to be actually entering the public sanitary sewage system, exclusive of storm water runoff, and shall be subject to the sewage service charges set forth in the Authority's Sewage Rate Resolution and the Township's Connection Ordinance.

Section 606. Any person requesting consideration for a reduction of the amount of the sewage service charges because of water not entering the public sanitary sewage system shall make written application to the Township and/or the Authority for such consideration, giving the name of such person, his address and setting forth supporting data fully describing other sources of water, if any, as well as the disposition of water alleged not to be entering the public sanitary sewage system. The application shall be accompanied by a sketch to approximate scale showing the plan of the property, the water distribution system, sewer layout, existing meters, and proposed meters in the scheme to determine the quantity of flow entering, or not entering, the public sanitary sewage system. The cost of furnishing, installing and maintaining any meters other than those utilized to measure water purchased from the Authority shall be borne by the applicant. The type, size, location, arrangement and maintenance of such meters shall be subject to the approval of the Township and/or the Authority, and, if applicable, the Water Company.

ARTICLE VII

SURCHARGE FOR CERTAIN INDUSTRIAL WASTES

Section 701. Although the proposed sewage treatment works will be capable of treating certain abnormal industrial wastes as heretofore defined in Article I, the actual treatment of such wastes may increase the cost of operating and maintaining the public sanitary sewage system. Therefore, there will be imposed upon each person discharging such industrial waste into the public sanitary sewage system a surcharge, or surcharges, which are intended to cover such additional cost. Such surcharges shall be in addition to the regular sewage service charges set forth in said Sewage Rate Resolution of the Authority, or Connection Ordinance of the Township, and shall be payable as therein provided.

Section 702. The strength of any industrial waste, the discharge of which is to be subject to surcharge, shall be determined at least once annually, or more frequently as the Authority and/or Township shall determine, either (a) by suitable sampling and analyses of the wastes for a three-day period (or other period determined to be reasonable by the Township and/or the Authority) during which time the strength of waste discharged or production is at a maximum; or (b) by relating production and waste strength at the time of sampling to waste strength at maximum production; or (c) from estimates; or (d) from known relationships of products produced to strengths of waste for those establishments where such factors have been established. The frequency and duration of any sampling period shall be such as, in the opinion of the Township and/or the Authority, will permit a reasonably reliable determination of the average composition of such waste, exclusive of storm water runoff. Samples shall be collected or their collection supervised by a representative of the Township and/or the Authority and shall be in proportion to the flow of waste, exclusive of storm water runoff, and composited for analysis in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," cited above. Except as hereinafter provided, the strength of the waste so found by analysis shall be used for establishing the surcharge or surcharges. However, the Township and/or the Authority may, if it so elects, accept the results of routine sampling and analyses by the producer of such wastes (done in accordance with standards acceptable to the Township and/or the Authority) in lieu of making its own samplings and analysis.

Section 703. In the event any industrial waste is found by the Authority or Township to have a B.O.D. in excess of 300 milligrams per liter, the producer of said waste shall be surcharged an amount equal to the product of the actual volume of wastes in thousand gallons per billing period, exclusive of storm water runoff, discharged to the public sanitary sewage system and the "B.O.D. surcharge rate." The "B.O.D. surcharge rate" shall be determined by the following formula:

$$R_c = 0.00834 P (C - 300)$$

Where R_c = the B.O.D. surcharge rate in cents per 1,000 gallons of waste discharged.

P = the average annual fixed, operating and maintenance cost of secondary treatment processes per pound of B.O.D. received at the treatment works.

C = the average B.O.D. of the industrial waste expressed in milligrams per liter as determined in accordance with Section 702 of this Article.

The figure 300 appearing in the above formula corresponds to the maximum B.O.D. permissible without surcharge. The figure 0.00834 is the factor to convert milligrams per liter to pounds per 1,000 gallons. No discount will be permitted for sewage or industrial wastes having a B.O.D. less than 300 milligrams per liter.

Section 704. In the event any industrial waste is found by the Authority or Township to have an average suspended solids concentration in excess of 350 milligrams per liter, the producer of such waste shall be surcharged an amount equal to the product of the actual volume of wastes in thousand gallons per billing period, exclusive of storm runoff, discharged to the public sanitary sewage system and the "suspended solids surcharge rate." The "suspended solids surcharge rate" shall be determined by the following formula:

R_s	=	$0.00834 \times B (S - 350)$
Where R_s	=	the suspended solids surcharge rate in cents per 1,000 gallons of waste discharged.
B	=	the average annual fixed, operating and maintenance cost of the sludge digestion, sludge drying and sludge disposal operations per pound of suspended solids received at the treatment works.
S	=	the average suspended solids concentration of the abnormal industrial waste expressed in milligrams per liter as determined in accordance with Section 702 of this Article.

The figure 350 appearing in the above formula corresponds to the maximum suspended solids concentration permissible without surcharge. The figure 0.00834 is the factor to convert milligrams per liter to pounds per 1,000 gallons. No discount will be permitted for sewage or industrial wastes having a suspended solids concentration less than 350 milligrams per liter.

Section 705. The surcharges provided for in this Article shall be added to the sewage transportation and treatment charges imposed by the Authority under its Sewage Rate Resolution and by the Township under its Connection Ordinance.

ARTICLE VIII

BILLING AND COLLECTION

Section 801. Bills and notices relating to the sewage service charges and surcharges will be mailed or delivered to the property owner's last address or, where proper arrangements have been made with the Authority, to the user's last address as shown on the billing books of the Authority. The Authority shall do the billing for the Township unless and until the Township decides to do the billing itself, except that the Township will collect directly the initial service charge.

Section 906. Connections to sanitary sewers shall be completed within sixty (60) calendar days after receipt of proper notice as set forth in the Connection Ordinance of the Township.

Section 907. All connections to the sanitary sewers shall be subject to certain restrictions as to unacceptable sanitary sewage which are described in the Connection Ordinance of the Township and as set forth herein.

Section 908. The designated Inspector of the Township (and, in appropriate cases, the Authority) shall be given at least forty-eight (48) hours notice of the time when such connection shall be made in order that said Inspector can be present to inspect and approve the work of connection. The Inspector shall signify his approval of the connection by endorsing his name and the date of approval on the aforementioned connection permit in the possession of the permittees.

Section 909. At the time of inspection of the connection, the owner or owners of properties shall permit the Inspector full and complete access to all sanitary and drainage arrangements and facilities in each building and in and about all parts of the property. No building sewer line shall be covered over, or in any manner concealed, until after it is inspected and approved by said Inspector.

Section 910. It is the intention of these Rules and Regulations that the entire connection be inspected at one time; however, if the property owner feels that special conditions warrant more than one inspection, he may request the same subject to such additional inspection fees as the Township or Authority shall determine.

ARTICLE IX

CONNECTIONS TO SYSTEM

Section 901. Applications for connection to the public sanitary sewage system shall be made to the Authority or the Township as directed by the Township, or both if so directed by the Township, upon the permit form to be formulated and furnished by the Authority or Township, or both, as the case may be.

Section 902. All information requested on said form shall be furnished by the applicant including the character and use of each structure located upon the property.

Section 903. The initial service charge imposed by the Township in its Connection Ordinance shall be paid at the time of making application for permission to make a connection.

Section 904. No work shall commence before the payment of the aforementioned initial service charge and issuance of the aforementioned connection permit.

Section 905. Unless written permission is obtained from the Township and, when required, the Authority, separate connections, permits, inspections and fees and charges shall be required for each separate or individual occupied building whether constructed as a detached unit or as one of a pair or row, but a single connection will be permitted to serve a school, factory, apartment house or other permanent multiple unit structure whose individual apartments or units may not be subject to separate ownership. Even in such a case, multiple service charges, both initial and periodic, may be imposed for separate units even though one connection is allowed to be made.

Section 911. All pipe installed in connection with the connection of a building to the Sewer System shall be plastic pipe with sealed joints or couplings to conform to the standards of the manufacturer of the pipe with which the joints or couplings will be used, which plastic pipe shall be ASTM D 3034 plastic pipe, ASTM D 3032 plastic pipe, or Schedule 40 plastic pipe.

All pipe shall be stamped with the manufacturer's certification that the pipe meets the appropriate standard indicated. The pipe used must meet applicable ASTM specifications for the conditions encountered in installation and, where appropriate, the Township may authorize the use of different pipe where circumstances and conditions require.

Section 912. All building connections as aforementioned shall be constructed of six-inch (6") diameter pipe (or larger size where circumstances require) laid on a minimum grade of one-fourth inch (1/4") per foot or four-inch (4") diameter pipe (or larger size where circumstances require) laid on a minimum grade of three-eighth inch (3/8") per foot. All joints shall be permanently sealed and water and gas tight. The pipe shall have a minimum cover of at least two and one-half feet (2-1/2') tamped in layers not to exceed six inches (6") unless otherwise approved because of special circumstances. All pipe shall be laid to an even grade and straight alignment to the public sanitary sewer. All pipe shall be laid with full and even bearing and no block supports will be allowed. Where required, bell holes shall be dug to allow sufficient space to properly make each joint. All work shall be done in a workmanlike manner and shall provide a durable installation. Where a rock trench foundation exists, a four-inch (4") gravel cradle shall be provided under the pipe. In all other circumstances, all pipe shall be laid with at least six inches (6") of natural ground or tamped earth between pipe and any boulder or rock strata. All pipe must be installed in strict accordance with manufacturers' recommendations. Special protection must be given pipe laid under driveways to avoid cracking or crushing. Under driveways, pipe shall be laid on a six-inch (6") crushed slag base and backfilled with crushed slag to at least six inches (6") above the top of the pipe. Each building, sewer or drain must have an approved trap and cleanout, either just outside or inside the building foundation wall, and an outside vent not more than five feet (5') from the building shall be installed and be so situated as not to allow the discharge of any

surface water into the sanitary sewer. If the property owner can demonstrate that the existing plumbing is adequately vented and/or has an appropriate trap and cleanout, these requirements or portions thereof as appropriate may be waived. Neither the Township, its engineers, supervisors or inspectors, shall be responsible to the owner or any tenants or users of the building for the adequacy of any trap or cleanout or venting. The owner shall be fully responsible for determining what will be a safe and adequate installation. Where the owner seeks a waiver of the trap, cleanout or venting requirement because of existing plumbing, neither the Township, its supervisors, engineers or inspectors, shall be responsible for determining if the information provided as to the existing plumbing system is correct and the sole risk with respect to any problems that may develop shall be on the owner.

Section 913. Every installation shall have a stand pipe of four or six inches (4" or 6") in diameter, of the same size and material as the lateral line from the building, with a removable watertight cap, and such stand pipe shall be located, except where the Township authorizes otherwise, at or near the point of connection to the Sewer System.

Section 914. No repairs, alterations or additions to any building connection of the Sewer System shall be made unless the person desiring to make same shall first apply to and receive permission from the Township.

Section 915. No owner or tenant of any premises connected with the Sewer System shall allow or permit any other person or premises to use or connect with his service line, except upon written permission from the Township.

Section 916. Commercial installations, in addition to the foregoing, must also comply with all local construction codes, requirements and regulations.

Section 917. The Authority is responsible for trunk lines, transportation to the treatment plant, treatment, and the like. The Township is responsible only for its collector lines in the Township not owned by the Authority. The Township shall not be responsible for the installation or maintenance of the connection between the Township's collector lines and buildings, and sole responsibility for installation and maintenance from the point of connection to the

Township lines and the buildings shall be upon the building owner or tenant and at their expense. Inspection by the Township is required as herein otherwise provided.

Section 918. As used in this Article, the word "Township" also includes, in the appropriate cases, the Authority. Exceptions to the standards and requirements set forth in this section may be granted by the Township and/or the Authority in exceptional circumstances.

ARTICLE X

PROPOSED EXTENSIONS OF SYSTEM BY DEVELOPERS

Section 1001. A Developer shall be entitled to obtain preliminary review, in accordance with the provisions of this section. In order to obtain such preliminary review, a Developer shall submit the following: Name of Developer; name of property owner (if different than Developer); the location of the property; size of the overall property owned by the property owner or Developer; a general sketch drawn to scale with dimensions indicated thereon showing the location of the property and the general layout of the intended development (that is to say, the location of all houses to be constructed by Developer). There shall be included on such sketch the location of roads, lot layouts, the approximate location of existing utilities, including gas, electric, water, sewers, and any other utilities, and the approximate location of new utilities. (Developer shall submit such information (including the sketch required hereunder) in triplicate) (After receipt of such information in writing, the Township and/or the Authority shall advise Developer and indicate whether or not the existing system has sufficient capacity to accommodate the development, the location of existing sanitary sewage facilities, the depth and location of existing manholes in the approximate area of the development and any other preliminary comments as the Township and/or the Authority may wish to make. This review by the Township and/or the Authority shall not in any way constitute authority for the Developer, owner or anyone else to proceed with construction or to connect to any existing lines or to the sanitary sewage system. Furthermore, this review is preliminary for the purpose of facilitating extensions of the Sewer System but shall not in any way replace the applicable requirements of State law and the rules and regulations of the Department of Environmental Resources and other proper authorities, all of which must be complied with in full, and nothing done under this section shall in any way be a substitute for, or a replacement for, or constitute compliance with, any said laws, rules or regulations.

Section 1002. Five (5) copies of plans for proposed extensions shall be submitted to the Board on 24" x 36" sheets showing plan views to a scale of 1" = 50', and profiles to a scale of 1" = 10' vertically, and 1" = 50' horizontally, a north point, a suitable title block, date, and the name of the engineer or surveyor and imprint of his registration seal.

Section 1003. All sewers shall be designed in accordance with the Sewerage Manual of the Pennsylvania Department of Environmental Resources, Division of Sanitary Engineering, all regulations of the Department of Environmental Resources and other proper authorities, and these Rules and Regulations, and the Rules and Regulations of the Authority.

Section 1004. Construction of sewers will not be permitted until the proper State permits have been obtained.

Section 1005. Prior to final acceptance of any sewer extensions by the Township and/or the Authority, it will be necessary for the Developer to furnish to the Township and/or the Authority "as built plans" showing the angle and distance between manholes, the top and invert elevation of each manhole and the exact location of all house sewer connections relative to the nearest manhole, both downstream and upstream.

Section 1006. Easements shall be in a form acceptable to the Township and shall be recorded in the name of the Township for all sewers to be constructed outside of dedicated street rights-of-way.

Section 1007. All sewer pipe shall meet current engineering and industry standards for new sewer pipe. Pipe to be used shall be certified by Developer's registered professional engineer to meet such standards and shall be subject to approval by the Township and/or the Authority. Consistency with existing piping may be required where appropriate.

Section 1008. All sewer pipe shall be a minimum of eight inches (8") in diameter and have a minimum laying length of not less than five feet (5').

Section 1009. Jointing connections shall conform to manufacturers' recommendations and be water and gas tight. The details of any jointing connection which is proposed for use must be submitted to the Township and/or the Authority for prior approval.

Section 1010. The installation of sewers shall start at the lower end of the line and proceed upstream so that the spigot ends point in the direction of flow. The pipe shall be carefully laid to line and grade. The handling, placing and jointing of pipe shall be in strict accordance with the pipe manufacturer's recommendations.

Section 1011. All manholes shall be constructed in accordance with the standards established by the Township and/or the Authority. Frames and covers for all manholes shall be fabricated of cast iron and shall conform to the standards established by the Township and/or the Authority. Vented covers shall be furnished at the ends of lines.

X Section 1012. Sewers shall be hydrostatically, pneumatically, and/or smoke tested for leakage at the discretion of, and in the manner required by, the Township and/or the Authority.

Section 1013. The Developer shall file all necessary connection permits and pay the applicable initial service charge and inspection fee for each house or building to the Township which shall become due and payable prior to inspection and approval by the Inspector for each respective house service sewer.

Section 1014. The Developer shall also reimburse the Township and/or the Authority in full for all costs of inspection of construction of all sanitary sewers. The amount and type of inspection required shall be determined by the Township and/or the Authority during construction.

Section 1015. No sewer extensions constructed by a Developer will be approved for use and acceptance by the Township and/or the Authority until said sewers are formally approved by the Township and/or the Authority, all initial service charges and inspection fees have been paid for each building connected to the system, and the Township and/or the Authority has been reimbursed in full for all inspection costs incurred by the Inspector during construction, testing and approval.

Section 1016. The cost and expense of any such extensions, subject to the approval and compliance with the Rules and Regulations hereunder, shall be borne by the Developer, and costs shall include, but shall not necessarily be limited to the cost of acquisition of rights-of-way (whether as compensation for the right-of-way expenses or other expenses in connection therewith) or for the construction and extension of the system, and shall further include a charge in the amount of the actual costs of review and examination by the Township's and/or the Authority's engineer payable to the Township and/or the Authority as compensation for the review and examination of plans to be submitted hereunder.

Section 1017. In the event a Developer shall wish to extend a house service line to service an individual house (which service line may under applicable Rules and Regulations of the Township and/or the Authority be constructed of sewer pipe of a minimum of eight inches (8") in diameter), the Township and/or the Authority may require the Developer to construct and establish a sewer line meeting all the requirements of this Article X if the Township and/or the Authority shall determine that there shall exist the possibilities that there may be further extensions of this system in the area of such house service line. In such event, the Township and/or the Authority shall compensate the Developer for the difference of cost only as between sewer pipe six inches (6") in diameter and sewer pipe eight inches (8") in diameter. All other expenses shall be and remain the sole and complete obligation of the Developer.

ARTICLE XI

DELINQUENCIES, VIOLATIONS AND REMEDIES

Section 1101. Each sewage collection, transportation, treatment or service charge, including initial service charge, and each surcharge and penalty imposed by the Sewage Rate Resolution, or the Township's Connection Ordinance, shall be a debt due the Township or the Authority, as the case may be, and shall be a lien on the property served, and if not paid within the period prescribed in the Sewage Rate Resolution or Township Connection Ordinance after the date of the bill shall be deemed delinquent. In such event, the Township and/or the Authority, as the case may be, shall proceed to file a lien in the office of the Prothonotary of the County in which the delinquent property is situated and collect the same in the manner provided by law for the filing and collection of municipal claims. In the event of failure to pay the sewage collection, transportation,

treatment, service or initial service charges or surcharge or penalty after the same becomes delinquent, the Township and/or the Authority may also authorize the appropriate personnel or agency to shut off water service to said property or to remove or close the sewer connection and to take such steps as may be necessary to accomplish such shut off or removal or closing. The expense of such shut off or removal or closing, as well as the expense of restoring any such service, shall likewise be a debt due the Township and/or the Authority and a lien on the property served and may be filed and collected as hereinabove provided. Such sewage service shall not be restored until all charges, surcharges and penalties as aforesaid, including the expense of removal, closing and restoration, shall have been paid or adequate provisions for their payment shall have been made.

Section 1102. All persons violating any provisions of these Rules and Regulations shall be given notice of such violation either personally or by means of the United States mails, and if no action to correct said violation is taken within thirty (30) days of the date of such notice, water to said premises may be shut off or the sewer connection may be removed or closed. Reconnection will not be made until after correction of the violation has been accomplished. The expense of such shut off or removal or closing and the expense of restoring the water or sewage service shall be a debt due the Township and/or the Authority and a lien upon the property served and may be filed and collected as provided in Section 1101 hereof.

ARTICLE XII

VALIDITY

Section 1201. If any one or more of the provisions of this set of Rules and Regulations shall for any reason be held to be illegal or invalid or otherwise contrary to law or the Constitution, then such provision shall be null and void and shall be deemed separable from the remaining provisions hereof but shall not in any other way affect the validity of these Rules and Regulations or the remaining Rules and Regulations.


Section 1202. These Rules and Regulations refer in many cases to the Township and/or the Authority. The Township's sewers run into sewers operated by the Authority and into a treatment plant operated by the Authority. Therefore, it is intended that either the Township or the Authority or both shall be the operative agency for purposes of any particular rule depending upon

the circumstances involved. Anyone seeking to comply with these Rules and Regulations shall first contact the Township and follow the instructions of the Township with respect to the necessity for involvement of the Authority. It shall also be necessary, however, for all persons to comply with all applicable Rules and Regulations of the Authority which exist independent of these Rules and Regulations. The Rules and Regulations of the Authority were adopted by the Township in its Connection Ordinance and with respect to the Township sewers. Those Rules and Regulations are now modified by the adoption of these Rules and Regulations. In all cases, the statutes of the Commonwealth and the rules and regulations of the Pennsylvania Department of Environmental Resources, or other appropriate agency, or statutes or regulations of the United States, shall control in the first instance, the Township ordinances shall control in the second instance, and these Rules and Regulations and the Rules and Regulations of the Authority shall control in the final instance. Where both these Rules and Regulations and the Rules and Regulations of the Authority are applicable, the more stringent or exacting rule shall control.

Section 1203. These Rules and Regulations were adopted pursuant to and in accordance with an ordinance of the Township adopted August 6, 1990. The signature of the Secretary of the Board of Supervisors shall be sufficient evidence that these Rules and Regulations are the ones referred to in the said ordinance and that they have been adopted.

CERTIFICATION

Now, this 6th day of August, 1990, I hereby certify that the foregoing Sewage Disposal System Rules and Regulations dated July 23, 1990, were duly adopted by Ordinance of the Township of Paint, which Ordinance was also duly adopted.



Bruce Statler, Secretary