

Chapter 18

Sewers and Sewage Disposal

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Part 1**Mandatory Connection****§18-101. Definitions.**

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

Authority - Christiana Borough Authority, a Pennsylvania municipal authority.

Borough - the Borough of Christiana, Lancaster County, Pennsylvania, a political subdivision, acting by and through its Council or, in appropriate cases, by and through its authorized representatives.

Building sewer - the extension from the sewage drainage system of any structure to the lateral of a sewer or to a sewer, as appropriate.

Improved property - any property located within this Borough upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure sanitary sewage and/or industrial wastes shall be or may be discharged.

Industrial wastes - any solid, liquid or gaseous substance or form of energy ejected or escaping in the course of any industrial, manufacturing, trade or business process or in the course of the development, recovery or processing of natural resources, as distinct from sanitary sewage.

Lateral - that part of the sewer system extending from a sewer to the curb line, or if there shall be no curb line, to the property line or, if applicable, to a grinder pump unit, or if no such lateral shall be provided, then "lateral" shall mean that portion of or place in a sewer which is provided for connection of any building sewer.

Owner - any person vested with ownership, legal or equitable, sole or partial, of any improved property.

Person - any individual, partnership, company, association, society, corporation or other group or entity.

Sanitary sewage - normal water carried household and toilet wastes from any improved property.

Sewer - any pipe, conduit or grinder pump unit constituting a part of the sewer system, used or usable for sewage collection purposes.

Sewer system - all facilities, as of any particular time, for collecting, pumping, transporting and/or disposing of sanitary sewage and/or industrial wastes, situate in or adjacent to this Borough and owned, maintained and operated by the authority or its agent.

(Ord. 143, 8/2/1988, Art. I, §1.01)

§18-102. Use of Public Sewers Required.

1. The owner of any improved property which is located in this Borough and is accessible to and whose principal building is within 150 feet of the sewer system, shall

connect such improved property therewith, in such manner as this Borough and the authority may require, within 60 days after notice to such owner from this Borough to make such connection, for the purpose of discharge of all sanitary sewage and industrial wastes from such improved property, subject to the limitations and restrictions as shall be established by this Borough or the Authority, from time to time.

2. All sanitary sewage and industrial wastes from any improved property, after connection of such improved property with a sewer shall be required under subsection .1, shall be conducted into a sewer, subject to such limitations and restrictions as shall be established herein or as otherwise shall be established by this Borough and the Authority, from time to time.

3. No person shall place or deposit or permit to be placed or deposited upon public or private property within this Borough any sanitary sewage or industrial wastes in violation of subsection .1. No person shall discharge or permit to be discharged to any natural outlet within this Borough any sanitary sewage or industrial wastes in violation of subsection .1, except where suitable treatment has been provided which is satisfactory to this Borough.

4. No privy vault, cesspool, sinkhole, septic tank or similar receptacle shall be used or maintained at any time upon any improved property which has been connected to a sewer or which shall be required under subsection .1 to be connected to a sewer. Every such privy vault, cesspool, sinkhole, septic tank or similar receptacle in existence shall be abandoned and, at the discretion of this Borough, shall be cleansed and filled at the expense of the owner of such improved property and under the direction and supervision of this Borough; and any such privy vault, cesspool, sinkhole, septic tank or similar receptacle not so abandoned and, if, required by this Borough, cleansed and filled, shall constitute a nuisance and such nuisance may be abated as provided by law, at the expense of the owner of such improved property.

5. No privy vault, cesspool, sinkhole, septic tank or similar receptacle at any time shall be connected with a sewer.

6. The notice by this Borough to make a connection to a sewer, referred to in subsection .1, shall consist of a copy of this Part, including any amendments at the time in effect, and a written or printed document requiring such connection in accordance with the provisions of this Part and specifying that such connection shall be made within 60 days from the date such notice is given. Such notice may be given at any time after a sewer is in place which can receive and convey sanitary sewage and industrial wastes for treatment and disposal from the particular improved property. Such notice shall be served upon the owner either by personal service or by registered mail or by such other method as at the time may be provided by law.

(Ord. 143, 8/2/1988, Art. II, §§2.01 - 2.06)

§18-103. Building Sewers and Connections.

1. Except as otherwise provided in this subsection .1, each improved property shall be connected separately and independently with a sewer through a building sewer. Grouping of more than one improved property on one building sewer shall not be permitted, except under special circumstances and for good sanitary reasons or other good cause shown, and then only after special permission of this Borough and the Authority, in writing, shall have been secured.

2. All costs and expenses of construction of a building sewer and all costs and expenses of connection of a building sewer to a sewer shall be borne by the owner of the improved property to be connected; and such owner shall indemnify and save harmless this Borough and the authority from all loss or damage that may be occasioned, directly or indirectly, as a result of construction of a building sewer or of connection of a building sewer to a sewer.

3. A building sewer shall be connected to a sewer at the place designated by the authority or where the lateral is provided. The invert of a building sewer at the point of connection shall be at the same or a higher elevation than the invert of the sewer. A smooth, neat joint shall be made and the connection of a building sewer to the lateral or a sewer shall be made secure and watertight.

4. If the owner of any improved property located in this Borough and accessible to and whose principal building is within 150 feet of the sewer system, after 60 days notice from this Borough, in accordance with subsection .1, shall fail to connect such improved property, as required, this Borough may make such connection and may collect from such owner the costs and expenses thereof. In such case, this Borough shall forthwith, upon completion of the work, send an itemized bill of the cost of the construction of such connection to the owner of the improved property to which connection has been so made, which bill shall be payable forthwith. In case of neglect or refusal by the owner of such improved property to pay said bill, this Borough shall file a municipal lien for said construction within 6 months of the date of the completion of the construction of said connection, the same to be subject in all respects to the general law provided for the filing and recovery of municipal liens.

(Ord. 143, 8/2/1988, Art. III, §§3.01 - 3.04)

§18-104. Rules and Regulations Governing Building Sewers and Connections to Sewers.

1. Where an improved property, at the time connection to a sewer is required, shall be served by its own sewage disposal system or device, the existing house sewer line shall be broken on the structure side of such sewage disposal system or device and attachment shall be made, with proper fittings, to continue such house sewer line, as a building sewer.

2. No building sewer shall be covered until it has been inspected and approved by this Borough and the authority. If any part of a building sewer is covered before so being inspected and approved, it shall be uncovered for inspection at the cost and expense of the owner of the improved property to be connected to a sewer.

3. Every building sewer of any improved property shall be maintained in a sanitary and safe operating condition by the owner of such improved property.

4. Every excavation for a building sewer shall be guarded adequately with barricades and lights to protect all persons from damage and injury. Streets, sidewalks and all other property disturbed in the course of installation of a building sewer shall be restored, at the cost and expense of the owner of the improved property being connected, in a manner satisfactory to the Borough.

5. If any person shall fail or refuse, upon receipt of a notice from this Borough or the Authority, in writing, to remedy any unsatisfactory condition with respect to a building sewer within 60 days of receipt of such notice, this Borough or the Authority

may refuse to permit such person to discharge sanitary sewage and industrial wastes into the sewer system until such unsatisfactory conditions shall have been remedied to the satisfaction of this Borough and the Authority.

6. This Borough reserves the right to adopt, from time to time, additional rules and regulations as it shall deem necessary and proper relating to connections with a sewer and the sewer system, which additional rules and regulations, to the extent appropriate, shall be and shall be construed as a part of this Part.

(*Ord. 143, 8/2/1988, Art. IV, §§4.01 - 4.06*)

§18-105. Enforcement.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 143, 8/2/1988, Art. V, §§5.01 - 5.02; as amended by Ord. 205, 6/5/2007*)

§18-106. Declaration of Purpose.

It is declared that the enactment of this Part is necessary for the protection, benefit and preservation of the health, safety and welfare of the inhabitants of this Borough.

(*Ord. 143, 8/2/1988, Art. VIII, §8.01*)

Part 2**Rates and Charges****§18-201. Sewage Collection and Treatment Charges.**

All owners of property connected to and from which sewage is discharged to the sewer system of the Christiana Borough Authority, which sewer system shall consist of all facilities existing or to be constructed, situated in or adjacent to the Borough of Christiana, and leased and operated by the Borough for collection, treating, and disposing of sewage and suitable industrial wastes, shall pay to the Borough a sewage collection and treatment charge. [Ord. 205]

A. *Residential, Commercial, Municipal Industrial and Religious Establishments.* Sewage collection and treatment charges to residential, commercial, municipal, industrial, and religious establishments shall be paid quarterly and shall be based upon rates as established by resolution of the Christiana Borough Authority. [Ord. 205]

B. *Industrial.* Sewage collection and treatment charges shall be paid quarterly and shall be based upon the actual volume of water consumed per quarter. The volume of water to be used for billing under this paragraph .B shall include metered water purchased from the Christiana Gravity Water Company and in addition all water obtained from other sources (wells, etc.) as determined (1) from meters installed and maintained by the Borough; or (2) from meters installed and maintained by the user; or (3) from estimates or measurements made by the Borough. [Ord. 205]

C. *Water Consumers Who Exclude Waste Waters from the Sewer System.*

(1) Exclusion from the sewer system of noncontaminated waste waters may be required by the Borough or such exclusion may be optional with the user if not required by the Borough. When such waste waters are excluded, the sewage collection and treatment charge shall be based upon total water consumed, less waste waters excluded, at the rates stipulated under paragraph .B above.

(2) Waste waters excluded from the sewer system may be determined from meters installed and maintained by the Water Company, Borough, or user or the user may elect to measure the volume of wastes actually discharged to the sewer system as provided for below.

(3) The Borough may require an industrial establishment, or the industrial establishment may elect, to install, pay for, and maintain a meter approved by the Borough for measuring actual waste volumes discharged to the sewer system in which case sewage collection and treatment charges shall be based upon the actual quarterly volume of wastes so metered; said charges shall be computed on the basis rates stipulated under paragraph .B above.

(4) Any premises used wholly or in part for the manufacture, processing, cleaning, laundering or assembly of any product, commodity or article shall be classified an industrial establishment. With the exception of schools, all other nonresidential establishments shall be classified as commercial establishments

for sewer system regulatory purposes.

D. *Modifications, Changes and Reclassification.* The Christiana Borough Authority from time to time as deemed necessary may modify, change, and/or reclassify the schedule of sewage collection and treatment charges established herein. [Ord. 205]

[Ord. 205]

(Ord. 146, 1/3/1989, §I; as amended by Ord. 205, 6/5/2007)

§18-202. Regulations.

The following regulations for the operation of the sewer system are hereby adopted.

A. Sewage collection and treatment charges shall be billed quarterly for service furnished the preceding quarter; quarterly billings shall be rendered on the first days of January, April, July and October of each year. All billings shall be due and payable upon presentation. If bills are not paid within 30 days after they are due, a penalty of 10 percent shall be added. Whenever sewer service to any property begins after the first day or terminates before the last day of any calendar quarter, the sewage collection and treatment charge for such period shall be prorated for that portion of the quarter during which service was provided; provided, however, that in making any such apportionment, a fraction of a calendar month, amounting to $\frac{1}{2}$ or more of a calendar month, shall be counted a full month and a fraction of a calendar month amounting to less than $\frac{1}{2}$ of a calendar month shall be disregarded.

B. The Borough reserves the right to refuse connection to the sewer system to any one when such connection would cause an undue burden on any part of the sewer system or be harmful to the sewer system or have a deleterious effect on the sewage treatment facilities, including causing the flow to exceed the capacity of the sewage treatment system, as determined by the Borough Engineer.

C. The Borough's representatives shall have access at all reasonable times to industrial establishments and any meters used for establishing or determining water consumption, water excluded from the sewer system, or sewage and/or waste waters discharged to the sewer system. Industries discharging 15,000 gallons or more of wastes per day and having large variations in the rate of discharging their wastes within a period of 24 hours per day shall install suitable holding tanks for equalizing the rate of discharge uniformly over the entire 24 hours of the day. The average 24 hour rate of discharge shall not be exceeded by more than 50 percent at any time.

D. *Water That Is to Be Discharged into Sewer System.* No person shall discharge or cause to be discharged any stormwater, surface water, spring water, ground water, roof runoff, subsurface drainage, building foundation drainage, cellar drainage or drainage from roof leader connections into any sewer.

E. *Detrimental Wastes to Be Excluded from the Sewer System.* No person shall discharge or cause to be discharged any sewage into the sewer system which shall contain any industrial waste, chemicals or other matter:

- (1) Having a temperature higher than 150 degrees F.
- (2) Containing more than 100 milligrams per liter of fat, oil or grease.

(3) Containing any gasoline, benzine, naphtha, fuel oil, or other flammable or explosive liquids, solids or gas.

(4) Containing any unground garbage.

(5) Containing any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure or any solids or viscous substance capable of causing obstruction to the flow of any sanitary Sewer or other interference with the sewage treatment plant into which the sewage is discharged; or having a pH lower than 6.0 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to structures or equipment in the sewer system or structures, equipment, bacterial action or personnel of the sewage treatment plant into which the sewage is discharged.

(6) Containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, to constitute a hazard to humans or animals or to create any hazard in the receiving water of the sewage treatment plant into which the sewage is discharged (toxic wastes shall include wastes containing cyanide or copper, chromium, nickel, zinc or other metallic ions).

(7) Containing total solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.

(8) Containing noxious, malodorous gas or substance capable of creating a public nuisance.

G. *Pretreatment Facilities for Detrimental Wastes.* The admission into the sewer system of any polluted water or industrial waste containing any quantity of the substances mentioned under paragraph .E shall be subject to the review and approval of the Borough. Where necessary, the owner of the property or premises producing such waters or wastes shall provide, at his own expense, such preliminary treatment as may be necessary to reduce objectionable characteristics or constituents to within the maximum limitations listed or to control the quantities or rates of discharge of such waters or wastes. Construction drawings, specifications and other pertinent information relating to the proposed preliminary treatment facilities shall be prepared by the owner, at his expense, and shall be submitted for the approval of the Borough, and no construction of such facilities shall be commenced until said approval is obtained in writing. Where preliminary treatment facilities are provided, the same shall be maintained continuously in satisfactory and effective operation by the owner, at his expenses. In lieu of introducing untreated or partly treated polluted waters or industrial waste into the sewer system, the owner of the premises producing such wastes may construct and operate, at his own expense, private waste treatment facilities with the effluent discharged to a natural outlet, provided such facilities are constructed and operated in compliance with all requirements of the Department of Environmental Protection of the Commonwealth of Pennsylvania. Where private waste treatment facilities are provided, they shall be maintained continuously in satisfactory and effective operation by the owner, at his expense. [Ord. 205]

H. All connections made to existing Borough sewers after February 15, 1983,

are required to pay a connecting fee and a tapping fee prior to any such connection being made, as follows:

(1) *Connecting Fee.*

per unit connection \$1,500

(2) *Tapping Fee.*

As determined by resolution of the Christiana Borough Authority

These fees to be paid at the time a building permit is issued.

[*Ord. 205*]

I. *Extensions to the Sewer System by Others.* Any person desiring to install sewer lines, service laterals, or service lines beyond the areas served by the Borough sewer system may do so only after having made proper written application and meeting all the conditions of the rules and regulations of the authority and the Borough, including paragraph .B adopted by this Part, dealing with the capacity of the sewage treatment system. Plans showing the location of all sewer lines must be submitted to the Borough for approval prior to construction of sewers. All necessary approvals from any State or other agencies having control over the system shall be obtained by the applicant. All extensions shall be constructed by and at the expense of the applicant under the supervision and inspection of the Borough. After inspection and approval of the extension is made by the Borough, the applicant shall convey the extension, free of encumbrances, to the Borough to operate and maintain as part of the sewer system.

(*Ord. 146, 1/3/1989, §II; as amended by Ord. 205, 6/5/2007*)

§18-203. Connection to Sewer System Required.

Every owner of an improved property in the Borough abutting on and adjoining any street, alley, lane or other public highway in which there is a sewer, which property is not connected with the sewer system, shall upon receipt of written notice from the Borough ordering connection be required to connect his or her property with the sewer system without delay. Each dwelling unit (other than individual apartments in an apartment house or separate rooms in a rooming house) but including each side of a double house having a solid vertical partition wall, shall be considered a separate property requiring individual sewer connections.

(*Ord. 146, 1/3/1989, §III*)

§18-204. Notice to Connect, Connection by Borough upon Default of Owner.

The Borough may give any such owner whose property is not connected with the sewer system written notice to connect with the sewer system within 45 days, pursuant to §18-203 of this Part by personal service or by registered mail sent to the last known address of such owner, and upon failure of such owner to make the required connection within said 45-day period, the Borough may make such connection and collect the cost thereof from the owner by a municipal claim or action in assumpsit.

(*Ord. 146, 1/3/1989, §IV*)

§18-205. Penalty for Failure to Connect.

Failure to connect with the sewer system within 45 days after notice to connect pursuant to §18-204 of this Part is hereby declared a violation of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 146, 1/3/1989, §V; as amended by Ord. 205, 6/5/2007*)

§18-206. Other Sewage Facilities Forbidden.

It shall be unlawful for any person, firm, or corporation to maintain, operate or use within the Borough a privy, cesspool, vault, septic tank, or similar receptacle for the disposal of sewage upon any property now or hereafter improved which abuts on or adjoins any highway, street or alley in which a sewer is located, to connect any such privy, cesspool, vault, septic tank or similar receptacle with any such sewer, to discharge sewage into any storm sewer or other sewer or outlet other than the sewer system. All persons, firms, or corporations violating this Section, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 146, 1/3/1989, §VI; as amended by Ord. 205, 6/5/2007*)

§18-207. Repairs to Sewer Line.

Repairs necessary to the sewer line main shall be at the expense of the Borough. Repairs necessary to the users line and prior to connection to the main line shall be at the expense of the property owner.

(*Ord. 146, 1/3/1989, §VII*)

Part 3**Management Agreement Between Borough and
Christiana Borough Authority****§18-301. Entry into Management Agreement with Christiana Borough Authority.**

The management agreement with the Christiana Borough Authority, in the form attached to this Part¹ is hereby approved and the Borough of Christiana shall manage and operate the sewer system owned by the Christiana Borough Authority serving the Borough of Christiana. In accordance with the terms of the management agreement, the Borough of Christiana will collect all rentals and other charges on behalf of the Christiana Borough Authority and will pay all expenses for the management and operation of the sewer system. The net profit derived from the sewer system (except for \$10,000 per year to be invested in an interest bearing Capital Improvement Account) shall inure to the Borough of Christiana. The President and Secretary of Borough Council are hereby specifically authorized to execute the management agreement on behalf of the Borough of Christiana and to affix the seal of the Borough to the agreement.

(Ord. 142, 8/2/1988, §1)

¹Editor's Note: The management agreement is on file in the Borough office.

