

## CHAPTER 52: CONNECTION TO PUBLIC SEWERS

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### **§ 52.01 REQUIRED CONNECTION.**

Every owner of property in the borough whose property abuts upon any public sanitary sewer presently in existence or to be constructed in the future by the borough or the Derry Township Municipal Authority shall connect, at its own cost, each house, building or other structure located on said property which is within 250 feet of said public sanitary sewers with the aforementioned public sanitary sewers for the purpose of disposing of all acceptable sanitary sewage emanating from said property.  
(Ord. 147, passed 12-13-2006)

### **§ 52.02 PUBLIC SANITARY SEWER USE REQUIRED.**

It shall be unlawful for any one owner, lessee or occupier of any property in the borough abutting upon any aforementioned public sanitary sewer lines to employ any means, either by septic tank, cesspool, privy vault, mine hole or otherwise, for the disposal of acceptable sanitary sewage other than into and through said public sanitary sewers.  
(Ord. 147, passed 12-13-2006) Penalty, see § 52.99

### **§ 52.03 DEFINITIONS.**

Unacceptable sanitary sewage and other terms used herein for purposes of this chapter shall have the same definitions as those which are set forth in the sewer system rules and regulations, said rules and regulations to be applicable to all users of the aforementioned public sanitary sewers.  
(Ord. 147, passed 12-13-2006)

**§ 52.04 GENERAL REGULATIONS.**

(A) Where any house, building or other applicable structure in the borough abutting upon any aforementioned public sanitary sewer lines is now or, hereafter may be using any method for the disposal of acceptable sanitary sewage other than through said public sanitary sewer system, it shall be the duty of the authorized representative of the borough or the Derry Township Municipal Authority (hereinafter called the "Authority") to notify the owners, lessee or occupier of such structure in writing, either by personal service, certified mail or registered mail, to disconnect the same and make proper connection for the discharge and disposal of all acceptable sanitary sewage through the said public sanitary sewers, as herein provided, within 60 days after receipt of such notice. Any owner or lessee or occupier of a structure who cannot comply with the provisions of this section as to connection within the 60-day period stipulated above due to causes beyond the owner's, lessee's or occupier's control shall apply to the borough or the Authority within said 60-day period for a time extension of up to six months in duration. Said application shall be made on a form to be furnished by the borough or the Authority and shall contain a voluntary agreement on the part of the applicant under which the applicant shall agree to commence paying the regular monthly sewer rates immediately even though actual connection to the public sanitary sewers will not be accomplished until some stated later date within the said six months' extension period.

(B) No privy vault, cesspool, septic tank, mine hole or similar receptacle for human excrement or other acceptable sanitary sewage shall at the present time or at any time hereafter be connected with the aforesaid public sanitary sewer system.

(C) It shall be unlawful for any person, firm or corporation whether connected to or not connected to any aforementioned public sanitary sewers to connect any roof drain thereto or permit any roof drain to remain connected thereto, or to permit, allow or cause to enter into said public sanitary sewers any storm water, foundation drain water, spring water or surface water, or any sewage or industrial waste from any property other than that for which a permit is issued.

(D) No person, firm or corporation or other owner, lessee or occupier of any applicable structure shall make or cause to be made any connection with any of the aforementioned public sanitary sewers until said party has fulfilled all of the following conditions:

(1) Application to the borough or the Authority, as the borough's agent, upon a permit form to be formulated and supplied by the borough or the Authority for permission to connect to the aforementioned public sanitary sewers. Among other things, the applicant must state the character and use of each structure located upon the subject property;

(2) Pay to the borough or the Authority, as directed, the required tap connection fee for each building unit on each property connected to the aforementioned public sanitary sewers at the time of making application for permission to make such connection or connections. The Authority and the borough reserve the right to alter the amount of the tap connection fee required from time to time in the

future in order to comply with all requirements of the Federal Environmental Protection Agency under the EPA Grant Agreement and with all requirements of the Farmers Home Administration under the Farmers Home Administration Loan Agreement;

(3) No work shall commence before the payment of the aforesaid tap connection fee and issuance of the aforementioned connection permit;

(4) Give the designated inspector of the borough or the Authority at least 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 or her approval of the connection by endorsing his or her name and the date of approval on the aforementioned connection permit in the possession of the permittees; and

(5) 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 part 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.

(E) The construction and number and size of all building sewer lines or house service sewer shall be done in accordance with the specifications, plans and procedures established by the borough or Authority in the sewer systems rules and regulations, as the same may be from time to time published and amended, copies of which, upon adoption, shall be maintained on file with the Borough Secretary/Treasurer and the Authority.

(F) If the owner or owners of any occupied houses, buildings or other applicable structures in the borough shall neglect or refuse to comply with the provisions of this chapter or the written notice as prescribed in division (A) above, the borough or the Authority may perform or cause to be performed such work and labor and furnish or cause to be furnished such material as may be necessary to comply with the provisions of this chapter at the cost and expense of such owner or owners together with 10% additional thereof and all charges and expenses incidental thereto, which sum shall be collected from said owner or owners for the use of the borough of the Authority as debts are by law collectable, or the borough or the Authority, as its agent, may, by its proper officer, file a municipal claim or lien therefor against said premises as provided by law.

(Ord. 147, passed 12-13-2006)

**§ 52.05 APPLICABILITY.**

This chapter shall be applicable to all owners or users of property to which it refers without discrimination as to race, color, religion, sex or national origin.

(Ord. 147, passed 12-13-2006)

**§ 52.99 PENALTY.**

In addition to any penalty hereinabove prescribed, any person, firm or corporation failing to make a proper connection within the time specified after receipt of proper notice as provided in § 52.04(A) shall, upon conviction thereof before a District Justice or other court having jurisdiction, pay a fine or penalty of \$50 for each day in violation hereof, and violating any of the other provisions of this chapter shall pay a fine or penalty of not less than \$5 nor more than \$100, and in default of payment of either thereof, be sentenced to undergo and imprisonment of not less than five days nor more than 30 days in the county jail.

(Ord. 147, passed 12-13-2006)