ORDINANCE NO. 36

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE BOROUGH OF SEVEN FIELDS, BUTLER COUNTY, PENNSYLVANIA, REQUIRING ALL OWNERS OF PROPERTY WITHIN THIS MUNICIPALITY AND ACCESSIBLE TO THE PUBLIC SEWER SYSTEM TO CONNECT SUCH PROPERTY TO SUCH SYSTEM MAKING NECESSARY APPLICATIONS AND PAYING NECESSARY FEES; AUTHORIZING THE MUNICIPALITY OR AUTHORITY TO MAKE CONNECTIONS AT THE COST AND EXPENSES OF ANY OWNER FAILING TO MAKE SUCH CONNECTIONS; REQUIRING APPLICATIONS AND PERMITS, PROHIBITING THE CONNECTION OF RECEPTACLES; PROHIBITING THE MAINTENANCE OF RECEPTACLES, PROHIBITING THE INDUCTION OF NON-APPROVED DRAINS AND MATERIALS, REQUIRING COMPLIANCE WITH PLANS AND SPECIFICATIONS, PROVIDING FOR VIOLATIONS AND PENALTIES; AND REPEALING INCONSISTENT ORDINANCES AND RESOLUTIONS.

ARTICLE I

DEFINITIONS

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

ADJOINING OR ADJACENT PROPERTY OWNER - Every owner of property in the Municipality whose property adjoins or is adjacent to any sanitary sewer line of Municipality, the Breakneck Creek Regional Authority, hereinafter "BCRA", or any other authority or legal entity specifically sanctioned by the Municipality and the BCRA to install sanitary sewer lines, including property owners on both sides of a street or highway along which a sewer is installed.

AUTHORITY - The Breakneck Creek Regional Authority or such other municipal authority given jurisdiction over a particular territory in the Municipality by ordinances of the Municipality.

MUNICIPALITY - The Borough of Seven Fields, a municipal subdivision acting by or through its governing body or its authorized representatives.

PERSON - Any natural person, partnership, corporation, syndicate or other legal entity.

PUBLIC SANITARY SEWER (Sometimes called the "Sewer System") shall mean all sanitary sewers, pumping stations, all force mains, all sewage treatment works and all other sewerage facilities owned, leased,operated or otherwise used by or serving the Municipality, including BCRA, for the collection, transportation and treatment of sanitary sewerage and wastes, together with their appurtenances and any additions or improvements thereto.

RECEPTACLE FOR HUMAN EXCREMENT - Any container or system for the storage, deposit or processing of human excrement, including, but not limited to, privy vaults, cesspools, septic tanks and mine holes, but excluding public sanitary sewer lines and systems.

ARTICLE II

CONNECTION TO SEWERS REQUIRED

A. All adjoining and adjacent property owners, at their own expense, shall connect the buildings and other structures, as appropriate, located on their property with the public sanitary sewers for the purpose of disposing of all drainage which is customarily disposed of in a sanitary sewer system. Adjoining and adjacent property and their lessees and occupants shall not use any receptacles for human excrement except the public sanitary sewers.

B. Adjoining and adjacent property owners who presently have receptacles for human excrement on their property which are being used by any person shall be directed, in writing by the Municipality or authorized Authority official, to obtain the necessary permits, pay the required fees, make connections with the public sanitary sewer and disconnect the receptacle for human excrement within (60) days of receipt of such notice. Such notice shall be served personally or by registered mail at the last known address of the adjoining and adjacent property owner.

ARTICLE III

FAILURE TO COMPLY

If the adjoining and adjacent property owners fail to comply with the requirements in Article II within the sixty-day period, the Municipality, or Authority or their agents may enter upon said property and construct and connect the sewage systems with the public sanitary sewer and disconnect the receptacle for human excrement. Upon completion of said work, the Municipality or other persons authorized by law shall immediately send an itemized bill of the cost of such construction and disconnection to the adjoining or adjacent owner, which shall be payable immediately. In the case of neglect or refusal by the adjoining or adjacent property owner to pay said bill forthwith, but not later than ten (10) days after receipt thereof, a municipal lien for said construction and disconnection shall be filed within six (6) months of the date of completion of said construction, and the lien shall have the same status as all other municipal liens.

ARTICLE IV

TAPPING PERMIT

Adjoining and adjacent property owners, who are required to connect to the public sanitary sewer, shall make application on the

appropriate forms for a tapping permit and all other required permits, if any, and shall complete all requested information contained on the forms and shall pay the fees connected with such permits.

ARTICLE V

CONNECTION OF RECEPTACLES TO PUBLIC FACILITIES PROHIBITED

No receptacle for human excrement shall at any time be connected with the public sanitary sewers.

ARTICLE VI

MAINTENANCE OF RECEPTACLES PROHIBITED

No receptacle for human excrement shall hereinafter be maintained on any premises from which connection to the public sanitary sewer has been made. Within thirty (30) days after final enactment of this Ordinance and within thirty (30) days after any future connection with the public sanitary sewer, the Municipality may, at its discretion, require any receptacle for human excrement to be abandoned, cleansed and filled under the conditions set forth in regulations adopted by resolution of the Municipality. Any receptacle for human excrement which is not abandoned, cleansed and filled pursuant to this section and the regulations adopted pursuant hereto shall constitute a public nuisance which may be abated on order of the Municipality or Authority as provided by law at the expense of the adjoining or adjacent property owner.

ARTICLE VII

DRAINAGE FROM OTHER PROPERTY

No roof drain, drain for stormwater, surface water or sewage from any property other than that for which permits were issued or

any other substance except those customarily disposed in a system of public sanitary sewers shall be introduced by any means whatsoever into the public sanitary sewer.

ARTICLE VIII

COMPLIANCE WITH PLANS AND SPECIFICATIONS REQUIRED

The construction of all private sewers, laterals and their connections, building sewer lines, house service sewers and any other sewer connection with the public sanitary sewers shall be constructed in accordance with the plans and specifications established by the Municipality and/or Authority, and said plans and specifications may be amended from time to time by resolution and shall be kept on file by the Municipality, and all said construction shall be inspected and certified by a representative of the Municipality and/or Authority before being covered.

ARTICLE IX

VIOLATIONS AND PENALTIES

In addition to all other legal and equitable remedies available to the Municipality and the Authority, any person found guilty of violating the provisions of this Ordinance shall, upon conviction, for each and every violation, pay a fine of Three Hundred ($300.00) Dollars. Each provision of this Article or rule or regulation adopted pursuant hereto and each day said violation exists shall be deemed a separate violation, punishable upon conviction by the same penalties. In addition, upon conviction, the defendant shall be required to pay all costs of prosecution and enforcement of this Ordinance which were incurred as a result of defendant's action or inaction.

ARTICLE X

All ordinances or parts of ordinances or resolutions or parts of resolutions inconsistent with this Ordinance shall be and the same are expressly repealed.

DULY ORDAINED AND EXECUTED this 6TH day of JULY, 1992, by the Borough Council of Seven Fields Borough.

BOROUGH OF SEVEN FIELDS

By Phyllis A. Callemon
President

ATTEST:

Christine R. Clutter
Secretary

Approved by me this _____ day of _____, 1992.

Michael H. Coleman
Mayor