

**TOWNSHIP OF WASHINGTON
WESTMORELAND COUNTY, PENNSYLVANIA**

ORDINANCE NO. 130

AN ORDINANCE FOR THE TOWNSHIP OF WASHINGTON DIRECTING AND REQUIRING THE CONNECTION OF ALL OCCUPIED BUILDINGS AND CERTAIN STRUCTURES WITH PUBLIC SANITARY SEWERS IN THE TOWNSHIP ON PREMISES ACCESSIBLE THERETO; DIRECTING AND REQUIRING THE ABANDONMENT OF PRIVY VAULTS, CESSPOOLS, SAND MOUNDS AND SEPTIC TANKS ON SUCH PREMISES; PROHIBITING THE ERECTION AND CONSTRUCTION OF PRIVY VAULTS, CESSPOOLS, SAND MOUNDS AND SEPTIC TANKS IN AND UPON SUCH PREMISES; PROVIDING FOR THE METHOD OF CONNECTION BETWEEN OCCUPIED BUILDINGS AND CERTAIN STRUCTURES SAID SANITARY SEWERS AND FOR THE INSPECTION THEREOF; PROVIDING FOR THE ISSUANCE OF PERMITS AND THE PAYMENT OF THE EXPENSES OF THE TOWNSHIP OF WASHINGTON AND THE MUNICIPAL AUTHORITY OF WASHINGTON TOWNSHIP AND THE EXPANSION, CONSTRUCTION, IMPROVEMENT, REPAIR, MAINTENANCE AND OPERATION OF ITS FACILITIES AND PROPERTIES; PROVIDING PENALTIES FOR THE VIOLATION HEREOF.

WHEREAS, certain geographical areas within the jurisdictional boundaries of the Township of Washington, Westmoreland County, Pennsylvania are serviced by public sanitary sewers; and

WHEREAS, the Township of Washington has formed the Municipal Authority of Washington (MAWT) by virtue of Ordinance No. 110 of the Township of Washington; and

WHEREAS, the Township of Washington desires to enact an ordinance directing and requiring the connection of all occupied buildings and certain structures with public sanitary sewers in the Township on premises accessible thereto; directing and requiring the abandonment of privy vaults, cesspools, sand mounds and septic tanks on such premises; providing for the method of connection between occupied buildings and certain structures said sanitary sewers and for the inspection thereof; providing for the issuance of permits and the payment of the expenses of the Township of Washington and of the Municipal Authority of Washington Township;

providing for the construction, improvement, repair, maintenance and operation of its facilities and properties; providing penalties for the violation hereof; and providing for the financing of all the foregoing.

NOW, THEREFORE, be it **ORDAINED AND ENACTED** by the Board of the Supervisors for the Township of Washington, Westmoreland County, Pennsylvania as follows:

SECTION 1. House, building or other structure as used in this Ordinance shall be defined as any house, building or other structure that is occupied or building or structure that has facilities for the discharge of water or other waste considered by law to be such that same must be treated by a sewage treatment facility.

SECTION 2. Every owner of property in the Township of Washington whose property abuts (which shall also include property that has access to any public sanitary sewer presently in existence or to be constructed in the future by virtue of a right-of-way or similar agreement) upon any public sanitary sewer presently in existence or to be constructed in the future shall connect, at its own cost, the house, building or other structures located on such property with the aforementioned public sanitary sewer for the purpose of disposing of all acceptable sanitary sewage emanating from said property.

SECTION 3. It shall be unlawful for any owner, lessee or occupier of any property in the Township of Washington abutting upon any aforementioned public sanitary sewer to employ any means, either by septic tank, cesspool, sand mounds, privy vault, mine hole or otherwise, for the disposal of acceptable sanitary sewage other than into and through said public sanitary sewer.

SECTION 4. Where any house, building or structure in the Township of Washington abutting upon any aforementioned public sanitary sewer is now or hereafter may be using any

method for the disposal of acceptable sanitary sewage other than through said public sanitary sewer, it shall be the duty of the MAWT Secretary to notify the owner, lessee or occupier of said house, building or 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 sewer, as herein provided, upon rules and regulations which may be promulgated and amended by resolution of MAWT from time to time.

SECTION 5. No privy vault, cesspool, septic tank, sand mound, mine hole or similar receptacle for human excrement shall at the present time or at any time hereafter be connected with the aforesaid public sanitary sewer.

SECTION 6. It shall be unlawful for any person, firm or corporation connected to any public sanitary sewer 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 sewer any storm water, foundation drain water, spring water, surface water, or any sewage or industrial waste from any property other than that for which a permit is issued.

SECTION 7. MAWT, from time to time, shall, by resolution, adopt procedures and methods to be followed by property owners in connection with connecting to any public sanitary sewer; methods and manner of disconnecting from the house, building or structure the pre-public sanitary sewage disposal method; the various fees, rates and charges, without limitation, that can be implemented by MAWT pursuant to the laws of the Commonwealth of Pennsylvania including, but not limited to, the Municipal Authorities Act of 2001 and any amendments thereto; to make determinations from time to time with regard to the method of calculating the

rates and other charges legally permissible by law to fix, alter, charge, impose and collect; to enter into financing arrangements, if necessary, for the construction, improvement, repair, maintenance and operation of its facilities and properties; and to otherwise do and perform any act permissible by law.

SECTION 8. If the owner, lessee, or occupier of any house, building or structure in the Township of Washington shall neglect or refuse to comply with the provisions of this Ordinance or any resolution of MAWT, MAWT 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 Ordinance or any resolution at the cost and expense of such owner, lessee or occupier, together with ten percent (10%) additional thereof and all charges and expenses incidental thereto, plus interest at the maximum rate on any unpaid sum as permitted by law, which sums shall be collected from said owner, lessee or occupier for the use of MAWT as debts are by law collectable or MAWT may file a municipal claim or lien there or against said premises as provided by law, or MAWT may pursue any other legal avenue available to it, whether at law or in equity to collect said sums or to enjoin violations of this Ordinance or any MAWT resolution.

SECTION 9. Unacceptable sanitary sewage shall have the same definitions as those which are set forth in the rules and regulations of MAWT or any other governmental entity having jurisdiction over the same.

SECTION 10. Any person, syndicate, associate, partnership, firm, corporation, institution, agency, authority or other entity recognized by law as the subject of rights and duties who shall fail, neglect or refuse to comply with any of the terms or provisions of this Ordinance

or any resolution of MAWT shall, upon conviction before any district justice, be sentenced to pay a fine of One Thousand and 00/100 (\$1,000.00) Dollars per day for each violation and costs of prosecution, and in default of payment thereof, to imprisonment for a term not to exceed ninety (90) days.

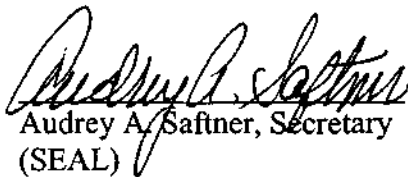
SECTION 11. The provisions of this Ordinance are severable, and if any section, sentence, clause or phrase shall be held by a court of competent jurisdiction to be illegal, invalid or unconstitutional, the remaining portions of this Ordinance shall not be effected or impaired thereby.

SECTION 12. All resolutions heretofore adopted by MAWT are hereby ratified and confirmed. Any resolution heretofore adopted by MAWT that is ratified and confirmed hereby shall be modifiable by future resolution(s).

SECTION 13. This Ordinance shall become effective immediately.


ORDAINED and ENACTED into law by the Board of Supervisors of the Township of Washington, Westmoreland County, Pennsylvania in lawful session assembled this 12th day of June, 2003.


ATTEST:


Audrey A. Saftner, Secretary
(SEAL)

WASHINGTON TOWNSHIP
BOARD OF SUPERVISORS

By 
Richard C. Gardner, Chairman

By 
John D. Turack, Vice-Chairman

By 
Joseph M. Dalsass, Member