

**CHADDS FORD TOWNSHIP  
DELAWARE COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 84B - 2007**

**AN ORDINANCE REPEALING AND SUBSTANTIALLY REENACTING ORDINANCE NO. 84 OF 2001, AS AMENDED, PROVIDING FOR THE CONNECTION TO AND USE OF THE CHADDS FORD TOWNSHIP SEWER AUTHORITY SEWER SYSTEM (PUBLIC SEWER) AND REGULATING THE USE OF OTHER INTERIM SEWAGE SYSTEMS; PROVIDING DESIGN PARAMETERS FOR SUCH SEWER AND SEWAGE SYSTEMS; PROVIDING FOR THE REGISTRATION, REGULATION, MAINTENANCE AND REPLACEMENT OF ON-LOT SEWAGE DISPOSAL SYSTEMS; REQUIRING AND REGULATING THE USE AND MAINTENANCE OF GREASE TRAPS AND SEPARATORS; PROVIDING FOR THE LICENSING OF SEPTAGE TRANSPORTERS; AND PROVIDING FOR PENALTIES FOR THE VIOLATION OF SAID ORDINANCE.**

**WHEREAS**, the Board of Supervisors of Chadds Ford Township, Delaware County, Pennsylvania deems it to be in the best interest and general welfare of the citizens and the residents of the Township to provide for residences and businesses located in the Township to be connected to the Chadds Ford Township Sewer Authority's sewer system; and

**WHEREAS**, the Board of Supervisors of Chadds Ford Township, Delaware County, Pennsylvania deems it to be in the best interest and general welfare of the citizens and the residents of the Township to provide certain time frames within which such connections must be made; to provide procedures for such connections; to regulate private sewage disposal systems and provide for their eventual discontinuance; and to provide requirements for the installation, maintenance, design and inspection of the sewer system, and other private sewage systems; and

**WHEREAS**, the Board of Supervisors of Chadds Ford Township, Delaware County, Pennsylvania desires to protect and believes it is in the best interest of the citizens of Chadds Ford Township to protect the Township Sewer Authority's sewer system from damage as a result of the introduction of oil, grease, sand or other detrimental materials into the sanitary sewer system, and to set forth procedures dealing with grease traps and separators and to provide requirements for the installation, maintenance, and inspection of said grease traps and separators; and

**WHEREAS**, the Board of Supervisors of Chadds Ford Delaware County, Pennsylvania, deems it to be in the best interest and general welfare of the citizens and residents of the Township to protect the public health and welfare by ensuring the long term proper operation and maintenance of all on-lot sewage disposal systems in the Township so as to the protect the surface and ground waters of the Township by identifying marginal and failing on-lot sewage disposal systems and facilitating their replacement, and by providing for the licensing and registration of all septage transporters operating in the Township; and

**WHEREAS**, Section 1506 of the Second Class Township Code, Act of May 1, 1933, P.L. 103, No. 69, as amended, 53 P.S. Section 66506, "General Powers", authorizes the Board of Township Supervisors to make and adopt ordinances necessary for the proper management, care and control of the Township and the maintenance of the health and welfare of the Township and its citizens; and

**WHEREAS**, Section 1522 of the said Second Class Township Code, 53 P.S. Section 66522, "Sewage Treatment Facilities Regulations", authorizes the Board of Supervisors by Ordinance to make regulations respecting individual and community sewage treatment facilities under the Act of January 24, 1966, P.L. 1535, No. 537, known as the "Pennsylvania Sewage Facilities Act", 35 P.S. Sections 750.1 et seq.; and

**WHEREAS**, Section 1527 of the said Second Class Township Code, 53 P.S. Section 66527, "Public Safety", authorizes the Board of Supervisors to adopt ordinances to secure the safety of persons or property within the Township;

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Board of Supervisors of Chadds Ford Township, Delaware County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same, to wit, former Ordinance of , as amended, is repealed and replaced by the following:

## **ARTICLE I Operation and Maintenance of Sanitary Sewers**

### **136-1. Definitions; word usage.**

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

A.

**ABSORPTION AREA** — A component of an individual or community sewage disposal system where liquid from a treatment tank seeps into the soil.

**AUTHORITY** — Chadds Ford Township Sewer Authority.

**BAFFLE** — The treatment tank appurtenance serving the purpose of slowing the incoming sewage flow to facilitate solids settling.

**BUILDING SEWER** — The portion of the sewage drainage system of any structure to a point five feet outside the structure.

**BUILDING SEWER CLEANOUT** — A cleanout on the building sewer just inside or outside the building wall through which the sewer may be cleaned.

**BUILDING TRAP** — A device, fitting or assembly of fittings installed on the building drain to prevent circulation of air between the drainage system of the building and the building sewer.

**CESSPOOL** — A hole dug or container installed on improved property below the surface of the ground which is designed to collect and to disperse and dispose of all liquids collected by the structure's on-site sewage collection system.

**CLEAN STREAMS LAW** — The Pennsylvania Clean Streams Law, 35 P.S. §§ 691.1 through 691.101.

**CODE ENFORCEMENT OFFICER** — The Township employee(s) charged with the enforcement of all Township ordinances, codes and regulations relating to health, safety and the appearance and maintenance of properties throughout the Township, and the inspection of properties in the Township

for purposes of the issuance of permits, licenses and certificates of occupancy.

**COMMERCIAL ESTABLISHMENT** — Any structure intended to be used wholly or in part for the purposes of carrying on a trade, business or profession or for social, amusement, religious, educational, charitable or public uses.

**COMMUNITY ON-LOT SEWAGE SYSTEM (COLDS)** — A system of piping, tanks or other facilities, whether publicly or privately owned, serving two or more lots and collecting, treating and disposing of sewage into a soil absorption area or retaining tank.

**COMMUNITY SEWAGE SYSTEM** — A sewage facility, whether publicly or privately owned, for the collection, treatment and/or disposal of sewage from two or more lots or two or more equivalent dwelling units.

**Chadds Ford Township SEWER AUTHORITY - INSTALLED SEWER LINES** — Sewer lines installed by Chadds Ford Township Sewer Authority as distinguished from those sewer lines, mains, laterals, pumps stations, etc., installed by developers and subsequently accepted for dedication by Chadds Ford Township Sewer Authority.

**DOMESTIC STRENGTH WASTE** — Sewage of the strength that is normally discharged from a residence, i.e., toilet wastes and kitchen wastes. All other wastes of any form will be considered "industrial wastes" and are subject to rules and regulations covering industrial waste.

**EATING OR DRINKING PLACE** — Any establishment where food, foodstuff or beverages are served or provided for human consumption, with or without charge, including among others, hotels, restaurants, cafes, cafeterias, clubs, boardinghouses, ice cream parlors, soda water or soft drink fountains, and bars or taverns.

**FOOD OR BEVERAGE MANUFACTURING, PROCESSING AND MERCHANDISING ESTABLISHMENTS** — Any establishment where food, food products and beverages are manufactured, processed, packaged or bottled, or sold for consumption off the premises of the seller, including among others, bakeries, beverage distributors, bottlers, candy and confectionery manufacturers, dairies, frozen-food-locker plants, wholesalers and retailers, and operators of vending machine services.

**FRESH-AIR VENT** — A direct connection leading from the building trap to the outer air.

**GREASE TRAP** — A device installed in a sanitary waste pipe for the purpose of collecting grease and preventing it from continuing to travel in the waste piping system. Grease traps may be installed internally, in the inside of a building at the various grease-producing plumbing fixtures and equipment, or they may be installed externally, outside of the building.

**GRINDER PUMP** — A submersible, electric motor-driven pump capable of macerating all material found in normal domestic sanitary sewage, including reasonable amounts of objects such as plastics, sanitary napkins, disposable diapers and the like, to a fine slurry and pumping this material through a small-diameter discharge pipe. The grinder pump shall be housed in a vented, watertight enclosure.

**IMPROVED PROPERTY** — Any property located within the Township 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.

**INDIVIDUAL ON-LOT SEWAGE DISPOSAL SYSTEM** — A collection of piping, tanks and other facilities privately owned, for collecting, treating and disposing of sewage from one lot. These facilities shall include retaining tanks, soil absorption areas, individual spray fields and individual stream discharge systems and all appurtenances.

**INDIVIDUAL RESIDENTIAL SPRAY IRRIGATION SYSTEM** — An individual sewage system which serves a single dwelling and which treats and disposes of sewage using a system of piping, treatment tanks and soil renovation through spray irrigation.

**INDIVIDUAL SEWAGE SYSTEM** — A system of piping, tanks or other facilities serving a single lot and collecting and disposing of sewage in whole or in part into the soil or into waters of this Commonwealth or by means of conveyance to another site for final disposal.

**INDUSTRIAL ESTABLISHMENT** — Any structure intended to be used wholly or in part for the manufacturing, fabricating, processing, cleaning, laundering or assembly of any product, commodity or article, or from which any process waste, as distinct from domestic strength sewage, shall be discharged.

**INDUSTRIAL WASTE** — Any solid, liquid or gaseous substance or water borne wastes or form of energy rejected or escaping from any industrial, manufacturing, trade or business enterprise or from the development, recovery or processing of natural resources, as distinct from domestic strength sanitary sewage. Industrial sewage must be treated by the owner of the premises to domestic waste strength and composition.

**INSTITUTIONAL ESTABLISHMENT** — Any room, group of rooms, building(s) or other enclosure which does not constitute a commercial establishment, a dwelling unit, or an industrial establishment.

**LATERAL, AUTHORITY-OWNED** — The piping extending from the public sewer to the right-of-way or easement line adjacent to any property. This lateral is owned and maintained by the Authority.

**LATERAL, PRIVATELY OWNED** — That portion of piping extending between the point of connection at the Authority-owned lateral and the building sewer. This lateral is and shall be owned and maintained by the property owner.

**LIQUID WASTE** — Sewage pumped from septic tank cesspools, holding tanks, privies and nontoxic biodegradable industrial waste liquids.

**MALFUNCTION** — The failure of any part, component or appurtenance of a sewage disposal system which results in the backup of sewage into a building or the discharge of untreated or partially treated sewage to the surface of the ground or the waters of the Commonwealth.

**MUNICIPALITY** — The Township of Chadds Ford..

**OFFICIAL PLAN** — The current comprehensive Act 537 Editor's Note: See 35 P.S. 750.1 et seq. sewage facilities plan of Chadds Ford Township as adopted by the Board of Supervisors and as may be amended and revised from time to time.

**OWNER** — Any person vested with ownership, legal or equitable, sole or partial, of any property located in Chadds Ford Township.

**PLUMBING INSPECTOR** — The person or persons appointed or designated by the Township for the purpose of enforcing Township ordinances, codes and regulations as related to plumbing.

**PRIVATE DWELLING OR LIVING UNIT** — A any structure intended to be occupied as a whole by one family or an apartment intended to be occupied by one family or any other one-family living unit.

**PUBLIC SEWER** — All facilities owned and operated by the Authority for the collection, transportation, treatment or disposal of sanitary sewage.

**RETAINING TANK** — A watertight receptacle, whether temporary or permanent, which receives and retains sewage and is designed and constructed to facilitate ultimate disposal of the sewage at another site. The term includes but is not limited to: Editor's Note: See also Art. II, Retaining Tanks.

(1)

**CHEMICAL TOILET** — A permanent or portable nonflushing toilet using chemical treatment in the retaining tank for odor control.

(2)

**HOLDING TANK** — A tank, whether permanent or temporary, to which sewage is conveyed by a water-carrying system.

(3)

**PRIVY** — A tank designed to receive sewage where water under pressure is not available.



(4)  
INCINERATING TOILET — A device capable of reducing waste materials to ashes.

(5)  
COMPOSTING TOILET — A device for holding and processing human and organic kitchen waste, employing the process of biological degradation through the action of microorganisms to produce a stable, humus-like material.

(6)  
RECYCLING TOILET — A device in which the flushing medium is restored to a condition suitable for reuse in flushing.

SANITARY SEWAGE — The liquid carrying domestic-strength household and toilet wastes from residences, business buildings, institutions, and commercial and industrial establishments.

SEPARATOR — A device installed in a sanitary waste pipe for the purpose of separating and collecting oily and/or flammable wastes, sands, heavy solids, glass, rags, feathers and/or other similar materials, which may have a detrimental effect on the operation of the sewer system or sewage treatment facility and preventing them from continuing to travel in the waste piping system.

SEPTAGE TRANSPORTER — An individual, company or corporation licensed to and engaged in the business of removing liquid sewage waste as defined herein and disposing of said waste in an approved manner.

SEWER MANAGER — Any person who may, from time to time, be placed in general charge of the sewer system.

SEWER SYSTEM — All facilities owned and operated by the Authority for the collection, transportation, treatment or disposal of sanitary sewage.

SPRAY IRRIGATION SYSTEM — Any system, whether publicly or privately owned, designed, constructed and operated for the purpose of collecting, treating and disposing of sewage using a system of piping, treatment tanks and soil renovation utilizing spray land application.

STREAM DISCHARGE SYSTEM — Any system designed and permitted to collect and treat sewage and discharge treated effluent to a watercourse, swale or storm sewer.

TOWNSHIP — The Township of Chadds Ford, Delaware County, Pennsylvania.

TREATMENT TANK — A watertight tank designed to retain sewage long enough for satisfactory bacterial decomposition of the solids to take place; the term includes but is not restricted to the following:

(1)  
SEPTIC TANK — A treatment tank that provides for anaerobic decomposition of sewage prior to its discharge to an absorption area.

(2)  
AEROBIC SEWAGE TREATMENT TANK — A mechanically aerated treatment tank that provides aerobic biochemical stabilization of sewage prior to its discharge to a stream or absorption area.

WATERS OF THE COMMONWEALTH — Rivers, streams, creeks, improvements, ditches, watercourses, storm sewers, lakes, dammed water, ponds, springs and other bodies or channels of conveyance of surface and underground water or any of their parts.

B. Word usage. All other words and terms, when used in this chapter, shall have the meanings set forth in the Pennsylvania Code, Title 25, Chapter 73, Standards for Sewage Disposal Facilities, of the

Pennsylvania Department of Environmental Protection (DEP), unless the context clearly indicates otherwise.

**§ 136-2. Sanitary sewer system and appurtenances.**

This section applies to all facilities for collecting, pumping, transporting, treating and/or disposing of sanitary sewage and industrial wastes, situated in or adjacent to the Township of Chadds Ford and owned, maintained and operated by the Township or the Chadds Ford Township Sewer Authority.

- A. Any and all sanitary sewer systems and appurtenances in the Township of Chadds Ford shall be designed, installed, operated and maintained in accordance with and pursuant to rules and regulations adopted, from time to time, by Chadds Ford Township, the Chadds Ford Township Sewer Authority, the Pennsylvania Department of Environmental Protection, and the United States Environmental Protection Agency.
- B. A certified copy of all such rules and regulations adopted by the Chadds Ford Township Sewer Authority shall be filed with the Township for informational purposes within 30 days after their adoption by the Authority and available for review during business hours.

**§ 136-3. Community sewerage systems.**

This section applies to all community sewerage systems located in the Township of Chadds Ford, including systems privately owned and publicly owned and including stream discharge systems and community on-lot systems.

- A. Any and all community sewerage systems located in the Township of Chadds Ford, now existing or hereafter established, shall be designed, installed, operated and maintained in accordance with and pursuant to rules and regulations adopted from time to time by Chadds Ford Township, the Chadds Ford Township Sewer Authority and the Pennsylvania Department of Environmental Protection and the United States Environmental Protection Agency.
- B. A certified copy of all such rules and regulations adopted by the Chadds Ford Township Sewer Authority shall be filed with the Township for informational purposes, within 30 days after their adoption by the Authority and available for review during business hours.

**§ 136-4. Water conservation.**

- A. No water shall be provided for internal or external use to any residential, commercial, industrial, agricultural, recreational, governmental or public building or structure of any kind which is constructed or remodeled, and in which plumbing, water piping or water fixtures are to be installed, extended or altered in any way, and for which construction a permit is required to be obtained from Chadds Ford Township (or would be required but for an exemption from a permit requirement for public or governmental agencies) unless the new, extended or altered plumbing, water piping and other water using fixtures therein conform to the requirements and standards of this article.
- B. All persons shall be encouraged not to permit any water furnished by Chester Water Authority or other purveyor of water to run to waste in any gutter or other impervious surface.
- C. Each resident or property owner of the Township of Chadds Ford not subject to the application of this article is urged to install fixtures which will reduce the quantity of water required to flush toilets and to reduce the flow rates of showers and faucets by employing measures and observing the standards set forth in Subsection D herein.
- D. Buildings or structures which are subject to the application of this article shall be bound by the following specifications:
  - (1) Water closets operated by flush tanks (water-saving water closets) having an average consumption over 6.0 Lpf (1.6 gpf), but not exceeding 13.2 Lpf (3.5 gpf) when tested per the test procedures contained in ASME A112.19.6.

(2)

Water closets and urinals operated by flushometers:

(a)

Low-consumption water closets having an average consumption of 6.0 Lpf (1.6 gpf) or less when tested per the test procedures contained in ASME A112.19.6.

(b)

Low-consumption urinals having an average consumption of 3.8 Lpf (1.0 gpf) or less when tested per the test procedures contained in ASME A112.19.6.

(3)

Showerheads. Showerhead discharge rates shall not exceed 2.5 gpm when tested per the test procedures contained in ASME A112.18.1-2000.

(4)

Sink faucets.

(a)

Kitchen sink faucet discharge rates must comply with the maximum flow rates as indicated within table 4 of ASME A112.18.1-2000 when tested per the test procedures set forth in table 4 of ASME A112.18.1-2000.

(b)

Residential lavatory sink faucet discharge rates must comply with the maximum flow rates as indicated within table 4 of ASME A112.18.12000 when tested per the test procedures set forth in table 4 of ASME A112.18.1-2000.

(c)

Nonresidential lavatory faucets shall be either self-closing or metering faucets as described below:

[1]

Self-closing faucets must comply with the maximum flow rates as indicated within table 4 of ASME A112.18.1-2000 when tested per the test procedures set forth in table 4 of ASME A112.18.1-2000.

[2]

Metering faucets shall be field adjustable and set so that the discharge quantity complies with the maximum flow rates as indicated within table 4 of ASME A112.18.1-2000 when tested per the test procedures set forth in table 4 of ASME A112.18.1-2000.

(5)

Blowout toilets and urinals. Replacement of blowout toilet and urinal fixtures with like-type fixtures may be granted by the Township upon request where adequate justification of special need is provided.

(6) Pressure-reducing valve. Where the service water pressure to a building is expected to exceed 60 psi, a water-pressure-reducing valve with strainer shall be installed just downstream of the building's main valve so as to be accessible. The valve shall provide for pressure adjustment within the range of 40 to 60 psi. The valve shall conform to the requirements of product standard ASSE 1003. Exemptions to this subsection are service lines to sill cocks, outside hydrants and main supply risers to buildings where pressure from the mains does not exceed 60 psi at the fixture branches or at individual fixtures.

E. Any person(s) may apply to the Township of Chadds Ford for an exception from the terms of this subsection, which exception may be granted in the discretion of the Board of Supervisors upon proof

that some other device, system or procedure will save as much or more water as those set forth herein, or that those set forth herein cannot be complied with without undue hardship.

- F. The Board of Supervisors may, from time to time, modify, add to or remove from the standards and restrictions set forth herein.

**§ 136-5. Design and installation of capped sewers.**

All owners of land intended to be improved and developed shall, as part of final approval of the improvement or development, agree to design and install a capped sewer system for connection to and becoming part of the sewer system of the Chadds Ford Township Sewer Authority if the sewer system has not yet been completed in the area of the development.

- A. Capped sewers shall be required to be installed in accordance with all Authority regulations. The sewers shall be installed in their entirety, including capped laterals for each lot extended to the right-of-way or easement line. When capped sewers are provided, on-site sewage facilities shall also be provided. Capped sewers shall be accepted for dedication at such time as the Authority deems practical. Until such time, capped sewers shall remain privately owned by the developer or homeowners' association pursuant to the rules and regulations of the Chadds Ford Township Sewer Authority.
- B. The capped sewer system shall be in accordance with the applicable Township and Sewer Authority specifications and standards. Routing and limits of the sewer to be installed shall be as approved by the Authority. Laterals will be a minimum of four inches in diameter and will be installed to the right-of-way line. All laterals will have a cleanout installed at the end. A manufactured cap of the type intended for use with the type of pipe being installed will be used to seal the end of the lateral. The developer will submit to the Authority a sketch of each lateral showing the location and depth of the end of each lateral.
- C. A certified copy of all specifications and standards for capped sewers adopted by the Chadds Ford Township Sewer Authority shall be filed with the Township for informational purposes and shall be available for review during business hours.

**§ 136-6. Use of sewers required.**

- A. Connection requirements.
  - (1) The owner of any property, adjoining or adjacent to, or whose principal building is within 150 feet from the sanitary sewer of the Chadds Ford Township Sewer Authority - installed sewer lines shall connect with and use the sewer system in such manner as the Authority may require within 60 days after notice to such owner from the Township and/or Authority, to make such connection, for the purpose of discharge of all normal domestic-strength sanitary waste from such property, subject to such limitations and restrictions as shall be established herein or otherwise shall be established by this Township or the Authority from time to time,
    - (a) Any residential property owner who is directed to connect to the Township sewer system may, within 30 days of receipt of the notice to connect, apply in writing to the Board of Supervisors of Chadds Ford Township for permission to delay the required connection.
    - (b) The Board of Supervisors of Chadds Ford Township will, upon receipt of a timely written request for a delay in connecting to the Chadds Ford Township Sewer Authority sewer system, promptly schedule a public hearing to consider the residential property owner's request.
    - (c) The Board of Supervisors of Chadds Ford Township may, by majority vote at the conclusion of the public hearing, grant a residential property owner's request to delay, for a specified period not to exceed two years, the mandatory connection to the Township sewer system referred to in subsection A(1) above until the happening of one of the following:
      - [1] Sale or voluntary or involuntary transfer of the property or any portion of the property;
      - [2] Failure or malfunction of the property's on-site sewage system, or



[3] The expiration of the extension period granted to the property owner by the Board of Supervisors by majority vote at the public hearing on the extension request.

(d) In considering the request for an extension filed by a residential property owner, the Board of Supervisors shall take into consideration:

[1] Any recent major expenditures to an on-site sewage system;

[2]  
The financial holdings of the residential owners; and

[3] The financial burden an extension would place on the Chadds Ford Township Sewer Authority.

(e) The Board of Township Supervisors may, after a hearing, if the owner of the improved property establishes substantial hardship precluding immediate connection to the sewer system and establishes that the current on-site sewage disposal system is functioning properly, extend the period within which the connection to the sewer system must be made for up to 24 months. Any such extension granted by the Board of Supervisors shall be applicable only to the original applicant and shall be rendered void upon the sale or transfer of the property or any portion thereof.

(2) 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 the sewer system or which is required under this section to be connected to the sewer system. Every such privy vault, cesspool, sinkhole, septic tank or similar receptacle in existence shall be abandoned and shall be cleansed and filled, and any such privy vault, cesspool, sinkhole, septic tank or similar receptacle not so abandoned and cleansed and filled shall constitute a nuisance, and such nuisance may be abated by the Township as provided by law, at the expense of the owner of such improved property, such expense to include the Township's attorney fees.

(3) All such holding vessels or receptacles shall be decommissioned at or before the time that the connection is made to the sewer system and shall be accomplished as follows:

(a) All existing residue shall be pumped out by a licensed septage transporter and be removed for off-site disposal. Under no circumstances may the residue be introduced into the new sewer line.

(b) The vessel or receptacle's bottom shall be broken after all residue has been removed and its lid collapsed into the vessel or receptacle. The volume must then be filled with A-1 type stone mix.

(c) All conduits leading from the vessel or receptacle shall be disconnected and all openings shall be similarly filled.

(d) All existing fields shall then be abandoned, but no structures of any kind, including sheds, garages or other accessory uses, may be erected over the filled vessels or abandoned fields.

(4) No privy vault, cesspool, sinkhole, septic tank or similar receptacle may at any time be connected with the sewer system.

(5) The notice to an owner by the Township and/or Sewer Authority to make a connection to the sewer system shall consist of a written or printed document or letter addressed to the record owner of the improved property requiring connection in accordance with the provisions of this chapter and specifying that such connection shall be made within 60 days from the date such notice is given. Such notice may be issued at any time after a sewer is in place which can receive and convey normal domestic strength waste for treatment and disposal from the particular property. Such notice shall be served upon the

owner either by personal service or by registered mail or by such method as at the time may be provided by state law.

(6) If the owner of any property, adjoining or adjacent to, or whose principal building is within 150 feet from the sanitary sewer, after 60 days notice in accordance with this section, shall fail to connect such property and/or fail to pay the required fees and/or fail to use the sewer system as required, the Township and Sewer Authority may cause such property to be entered upon and connected to the sewer system as provided by law. The Township and Sewer Authority shall collect from such owner the actual costs and expenses incurred in such work.

(7) Where connection to the sewer system is made by the Township and/or Authority after notice to the owner, the Township shall immediately upon completion of the work send an itemized bill for the cost of the construction of such connection to the owner of the improved property to which such connection has been made. Such bill shall be payable within 30 days of receipt. In case of neglect or refusal by the owner of such improved property to pay such bill within such time, or to enter into a written installment agreement with the Township and/or Authority to pay such bill in 12 monthly or four quarterly installment payments, the Township and/or authority shall, within six months of the completion of the sewer connection, file a municipal lien against the property for all costs associated with the sewer connection, the same to be subject in all respects to the general law provided for the filing and recovery of municipal liens.

- B. Any and all connections of improved property to the sewer system pursuant to the requirements of this chapter shall be in accordance with and pursuant to the rules and regulations adopted from time to time by the Authority.
- C. A certified copy of all such rules and regulations adopted by the Authority shall be filed with the Township, for informational purposes, within 30 days after adoption by the Authority, and available for review during business hours.

**§ 136-7. YGrinder pump connections.**

A. General.

(1) The owner of any improved property that will utilize a grinder pump to discharge sanitary sewage to the sewer system as a replacement of an existing grinder pump facility or as an initial installation must receive permission from the Chadds Ford Township Sewer Authority prior to installing the grinder pump.

(2) Installation shall be performed only by qualified personnel who shall be named in the Chadds Ford Township Sewer Authority application for the connection permit.

(3) The owner of the improved property that will utilize a grinder pump shall obtain a plumbing permit from Chadds Ford Township and shall provide evidence that the following information has been supplied to the Sewer Authority for review and approval:

(a)

The manufacturer's detail sheet for the proposed grinder pump;

(b) A pump curve for the proposed grinder pump;

(c) A copy of the manufacturer's installation instructions; and

(d) A plan of the proposed connection, which depicts all information that would be required for the Sewer Authority to determine if the grinder pump would function as it is intended, including but not limited to the location of the building or structure that is being connected, the elevation of the existing building sewer and the lateral and the proposed routing of the discharge piping.

(4) The design, installation, repair and maintenance of the grinder pump shall be in accordance with the

requirements prescribed by the Chadds Ford Township Sewer Authority.

- B. Maintenance of grinder pump. The property owner shall be responsible for maintenance and repair of the grinder pump system from the pump to the cleanout at the Authority-owned lateral.

**§ 136-8. Separators and grease traps.**

- A. Application to existing and future owners.
  - (1) The provisions of this section are intended to apply to all existing and future users of the sewer system. Existing users shall have 90 days from the adoption of this article to construct such facilities and take such measures as may be necessary to bring their establishments in conformance with this article.
  - (2) Future users of the sewer system shall be in compliance with this article at the time connection is allowed to the system.
- B. Separators and grease traps not required. Neither separators nor grease traps are required for residences. If, however, groups of residences utilize a common kitchen facility or dining facility, then the provisions of this section shall be applied.
- C. Information. All users currently connected to the sewer system and all future users who apply for connection to the sewer system in the future are required to provide information and documentation to the Authority sufficient so that the Authority may determine whether a separator or grease trap is required.
- D. Prohibited wastes. The following wastes are prohibited from being deposited into any sewer system:
  - (1) Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to, grease, garbage with particles greater than 1/2 inch in any dimension, animal guts or tissues, paunch, manure, bones, hair, hides, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, solvents, gasoline, antifreeze, oil-based paints, tar, asphalt, residues, residues from refining or processing of fuel, lubricating oil, mud, glass grindings, polishing wastes, fur, ashes, incinerator residue, dredged spoil, solid waste, construction materials, rock, sand, cellar dirt, feathers, wood, tar, cinders, medical waste or any other harmful chemicals.
  - (2) No residential, commercial or industrial property which is connected to the sewer system may discharge any surface water from sump pumps, gutters, drains, downspouts, air-conditioning condensate lines, or any other similar source into the sewer system. All privately owned laterals must be maintained so as to minimize the infiltration of groundwater into the sewer system.
- E. Grease trap.
  - (1) Grease traps shall be provided pursuant to the Authority's specification rules and regulations when, in the opinion of the Authority, they are necessary for the proper handling of liquid wastes containing floatable grease in such amounts as to cause obstruction to the flow in a sewer or other interference with the operation of any public or private wastewater treatment facilities. In general, grease traps shall be required at all eating and drinking places and food or beverage manufacturing, processing and merchandising establishments.
  - (2) All interceptors shall be of a type and capacity approved by the Authority and shall be located as to be readily and easily accessible for cleaning and inspection. All systems shall be designed, constructed and operated in accordance with the manufacturer's specifications.
  - (3) Grease traps shall be equipped with devices to control the rate of water flow so that the manufacturer's rating is not exceeded. The minimum capacity of a grease trap shall be such that the

grease retention capacity measured in pounds of grease shall be at least two times the total flow-through rating measured in gallons per minute.

(4) All grease traps shall be from a manufacturer with a minimum of five years of experience in the manufacturing of grease traps and/or shall conform to the Plumbing and Drainage Institute (PDI) standard G101.

F. Separators.

(1) Separators shall be provided when, in the opinion of the Authority, they are necessary for the proper handling of liquid wastes containing oil, sand, any flammable wastes, or any other harmful ingredients in such amounts as to cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities.

(2) At separators shall be of a type and capacity approved by the Authority and shall be located as to be readily and easily accessible for cleaning and inspection. All systems shall be designed, constructed and operated in accordance with the manufacturer's specifications.

(3) Separators required. At repair garages, gasoline stations with grease racks, grease pits, or work racks, and at factories where oily and flammable liquid wastes are produced, separators shall be installed into which all oil-bearing, grease-bearing, or flammable wastes shall be discharged before emptying in the building drainage system or other point of disposal.

(4) Separation of liquids. A mixture of treated or untreated light and heavy liquids having various specific gravities shall be separated in an approved receptacle.

(5) Design of oil and liquid separators. Separators shall be designed as provided below:

(a) Overall requirements. Oil separators shall have a depth of not less than two feet below the invert of the discharge drain. The outlet opening of the separator shall have not less than an eighteen-inch water seal.

(b) Garages and service stations. Where automobiles are serviced, greased, repaired, washed or where gasoline is dispensed, separators shall have a minimum capacity of six cubic feet for the first 100 square feet of area to be drained into the separator. Parking garages in which servicing, repairing, or washing is not done, and in which gasoline is not dispensed, shall not require a separator. Areas of commercial garages which are used for storage of automobiles only are not required to be drained through a separator.

(6) Sand separators. Separators for sand, grit, and similar heavy solids shall be so designed and located as to be readily accessible for cleaning and shall have a water seal of not less than six inches. Sand and grit separators shall be required at all locations where cars or trucks are washed and shall have a minimum capacity of 500 gallons at such locations.

7) Laundries. Commercial laundries shall be equipped with separators having a wire basket or similar device, removable for cleaning, that will prevent passage into the drainage system of solids 1/2 inch or larger in size, string, rags, buttons, or other materials detrimental to the public sewage system.



(8)

Bottling establishments. Bottling plants shall discharge their process wastes into a separator which will provide for the separation of sugar, broken glass or other solids, before discharging waste into the drainage system.

(9)

Slaughterhouses. Slaughtering room and dressing room drains shall be equipped with approved separators. The separator shall prevent the discharge into the drainage system of feathers, entrails, and any other materials that could potentially cause clogging.

(10)

Venting of separators. Separators shall be so designed that they will not become air bound if tight covers are used. Each interceptor or separator shall be vented when subject to loss of trap seal.

G. Costs.

(1)

The owner of each improved property shall be responsible for all costs associated with the installation, operation, maintenance and replacement of separators and/or grease traps. These costs shall include the cost of properly disposing of the accumulated material.

(2)

If a separator or grease trap at an improved property was not installed or malfunctions due to lack of maintenance, lack of cleaning or for any other reason and such lack of installation or failure shall cause blockages, sewage back-ups, sewage overflows or in any other manner damages or interferes with the operation of the sewer system, then the owner of the improved property shall be responsible to pay for all costs required to repair and clean the Authority's sewer system. Such costs shall include, but shall not be limited to cleaning costs, pumping costs, engineering costs, legal fees and administrative costs.

H. Inspection.

(1)

The Authority shall have the right to inspect the grease traps and/or separators to ensure that the systems are in working order and that the systems are being properly maintained and cleaned. The Authority shall have the right to inspect the cleaning records at the time the inspection occurs.

- I. Maintenance and records. The owner of an improved property which utilizes a grease trap and/or separator shall at all times keep the system in good working condition. The traps or separators shall be cleaned periodically to keep them in good working order. All traps and separators shall be cleaned at least once every three months. The records shall include the date of disposal, the means of disposal, the name and signature of the person responsible for supervising the cleaning of the separators and grease traps and the proper disposal of the accumulated material. Annually the owner shall transmit a copy of the cleaning records to the Authority. Records of each cleaning shall be maintained by the establishment for a period of three years.
- J. Disposal of accumulated material. All materials which are accumulated by the separators and/or grease traps shall be properly disposed of by the owner. Under no circumstances shall accumulated material be allowed to enter into the sewer system. Any removal and hauling of the collected materials not performed by owner's (owners') personnel must be performed by currently licensed waste disposal firms.

**§ 136-9. Maintenance of individual on-lot sewage disposal systems.**

In accordance with and pursuant to the requirements of the Pennsylvania Sewage Facilities Act, as amended, 35 P.S. § 750.1 et seq., the Pennsylvania Solid Waste Management Act, as amended, 35 P.S. § 6018.101 et seq., and Title 25, Chapter 73, of the Pennsylvania Code, "Standards for On-Lot Sewage Treatment Facilities, and regulations of the Pennsylvania Department of Environmental Protection, the Township of Chadds Ford has determined that registration and regular maintenance of individual on-site sewage disposal systems will help prevent malfunctions, extend the life of such system(s), reduce the necessity for installation of community sewer systems thus saving expense to the homeowner and the Township, and protect the waters of the Commonwealth.

- A. All owners of individual on-site sewage disposal systems with a stream discharge, now in existence or hereafter installed, shall, within 60 days of the effective date of this article, register with Chadds Ford Township and secure a permit. No such permit shall be issued except upon receipt by the Township from the owner of evidence that the owner possesses a valid permit from the Pennsylvania Department of Environmental Protection for a stream discharge and copies of all sewage tests conducted of the system during the preceding year.
- B. All owners of existing individual on-site sewage disposal systems with no stream discharge shall register with Chadds Ford Township within six months of the effective date of this article on forms to be provided by the Township, registering as a minimum the precise location on the lot of all elements of the sewer system and the name and address of the last septage transporter used by the owner to pump the sewer system.
- C. All owners of individual on-site sewage disposal systems with no stream discharge installed after the effective date of this article shall obtain a valid permit from the Township prior to and as a requirement for the issuance of a certificate of occupancy.
- D. All owners of single-family residences utilizing an individual on-lot sewage disposal system shall have the septic tank(s) pumped at least once every two years. This service must be performed only by a septage transporter licensed by Chadds Ford Township.
- E. All owners of multifamily residences utilizing an on-lot sewage disposal system shall have the septic tank pumped at least once every year. This service must be performed only by a septage transporter licensed by Chadds Ford Township.
- F. All other property owners utilizing an on-lot sewage disposal system shall have the septic tank(s) pumped at least once a year or on a schedule approved in writing by the Chadds Ford Township Sewage Enforcement Officer. The service must be performed only by a septage transporter licensed by Chadds Ford Township.
- G. Where an on-lot sewage disposal system, in the opinion of the Township Sewage Enforcement Officer, exhibits signs of malfunction, the owner shall cause the septic tank(s) to be immediately pumped by a licensed septage transporter. The property owner shall contact the Chadds Ford Township Sewage Enforcement Officer to coordinate the repair, if possible, of the malfunction or the replacement of the system with a new, on-lot sewage disposal system if repair is not feasible. Failure of a property owner to promptly have a septic tank(s) pumped after notice by the Township Sewage Enforcement Officer shall constitute a violation of this article.

**§ 136-10. Septage transporters.**

All septage transporters serving customers within the boundaries of Chadds Ford Township shall be registered and licensed by the Township of Chadds Ford.

- A. Registration shall consist of annually completing and submitting an application form to the Township together with the required insurance documentation and a check payable to Chadds Ford Township in the amount set forth in the Township fee schedule.
- B. Any septage transporter who fails to file the quarterly reports required by this article shall have 10 days after notice by the Township to cure the failure to file a timely report. If the failure is not cured within the

- ten-day period, the septage transporter's license shall be immediately revoked.
- C. All vehicles used for pumping of liquid waste shall be equipped so as to insure that each tank or receptacle pumped shall be thoroughly cleaned to remove all solids and scum.
  - D. No septage transporter registered as such in Chadds Ford Township shall alter, repair, replace or enlarge any part of any on-lot sewage disposal system without a permit issued by the Chadds Ford Township Sewage Enforcement Officer.
  - E. All septic tanks must be pumped out by a licensed septage transporter through the main tank access. No person shall pump the contents of any tank out through the inspection port nor shall they alter or enlarge the inspection port to create a larger diameter opening.

**§ 136-11. Septage transporter reporting requirements.**

All septage transporters shall maintain written records of all properties serviced in Chadds Ford Township.

- A. The required records shall include the property owner(s) name and address, the site address, the date of service and the amount of gallons pumped.
- B. All registered septage transporters shall file with the Township a quarterly report listing all properties serviced within the Township during the period, which reported shall include the information required by § 136-11A.

**§ 136-11.1. Permits; fees.**

Charges to property owners, who desire to and/or are required to connect to the sewer system, will be imposed by the Township and/or Sewer Authority. Such charges may include a connection fee, a tapping fee and other similar fees and/or permits in an amount established by the Township or the Authority, as applicable, from time to time.

**§ 136-11.2. Retaining tanks.**

The owner of an improved property that is approved to and does utilize a retaining tank shall:

- A. Maintain the retaining tank in conformance with all Township ordinances, the provisions of any applicable laws and the rules and regulations of the Authority and any administrative agency of the Commonwealth of Pennsylvania; and
- B. Permit only licensed septage transporters to collect, transport and dispose of the contents of any retaining tank.

**§ 136-11.3. Violations and penalties.**

- A. Any person who shall violate any provision of this article or who permits the violation of any provision of this article shall be subject to a fine of \$1,000 for each violation.
- B. Each violation for each separate day after notice from the Township and/or Sewer Authority and each violation of any provision of this article shall constitute a separate and distinct violation, subjecting the owner(s) of the property to fines of \$1,000 for each day the violation(s) continues.
- C. Any person who violates or permits the violation of any provision of this article shall, upon being found liable therefor in enforcement proceedings commenced by Chadds Ford Township and Sewer Authority, pay the fines prescribed by this article, plus all court costs, including all reasonable attorney fees, incurred by Chadds Ford Township or the Sewer Authority.
- D. Enforcement of this article shall be the responsibility of the Code Enforcement Officer, Sewage Enforcement Officer, Public Works Director, Fire Marshal, or the designated Township agent as appropriate.
- E. Enforcement of this article may also be accomplished by an action in equity brought in the Court of Common Pleas of Delaware County. The defendant(s) in such an action shall be liable for all court costs, including all reasonable attorney fees incurred by Chadds Ford Township or the Sewer Authority.

**§ 136-11.4. Abatement of nuisances.**

In addition to any other remedies provided in this article, any violation of this article shall constitute a nuisance and may be abated by the Township or the Authority by either seeking appropriate equitable or legal relief from a court of competent jurisdiction. The Township or the Authority shall be entitled to an award of all counsel fees incurred in such civil action to abate the nuisance.

**§ 136-11.5. Severability.**

If any sentence, clause, section or part of this article is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any remaining provisions, sentences, clauses, sections, or parts of this article. It is hereby declared as the intent of the Board of Supervisors that such remainder shall be and shall remain in full force and effect.

**§ 136-11.6. Repealer.**

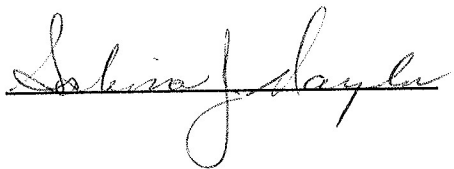
All Township ordinances, including the prior Ordinance No. 166 of 1988, Editor's Note: Said ordinance adopted former Ch. 136, Art. I. as amended, and parts of ordinances inconsistent with the provisions hereof, are hereby repealed and rescinded.

**§ 136-11.7. When effective.**

This article shall take effect five days after the date of its enactment by the Board of Supervisors of Chadds Ford Township.

ENACTED AND ORDAINED, this 16<sup>th</sup> day of August, 2007.

ATTEST:

  
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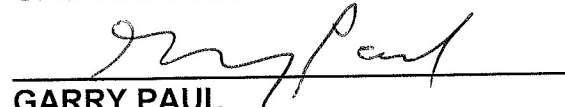
**BOARD OF SUPERVISORS  
CHADDS FOR TOWNSHIP**

  
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**DEBORAH LOVE D'ELIA**

  
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**GEORGE THORPE**

  
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**GARRY PAUL**