

FILE OF COUNCIL

No. # 5 (2023)

MAYOR MICHAEL A. LOMBARDO, IN PLACE

September 20, 2023

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PITTSBURGH,
LUZERNE COUNTY, PENNSYLVANIA, AMENDING PITTSBURGH CITY CODE
CHAPTER 386 SEWERS AND SEWAGE DISPOSAL TO REFLECT
UPDATED REGULATIONS AND OPERATING PRACTICES.**

BE IT ORDAINED AND ENACTED, by the City Council of the City of Pittsburgh and it is hereby Ordained and Enacted by the Authority of the same as follows:

WHEREAS, Pittsburgh City Code Chapter 386 Sewers and Sewage Disposal requires various amendments in order to update the chapter to reflect current regulations and operating practices:

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the City Council of the City of Pittsburgh, as follows:

Section 1. Amendments to Existing Code.

The following amendments are made to Pittsburgh City Code Chapter 386 Sewers and Sewage Disposal. Any provision of the chapter not specifically amended by this ordinance remains unaltered and in effect:

§386-3 Definitions

Sewer Lateral: A pipe from the point of connection to a city sewer main to a structure for the purpose of conveying sanitary sewage from the structure to the public sewer/sewer main, which is the responsibility of the structure owner to install and maintain. The structure owner is responsible to ensure all discharges into their sewer lateral are in compliance with Pittsburgh City Code Chapter 464 Wastewater Collection and Treatment and Chapter 419 Stormwater Management.

Public Sewer/Sewer Main: A conveyance pipe owned by the municipality or sewer authority located in a public right of way or easement for the purpose of collecting and conveying sewage received from sewer laterals.

Plumbing Code: The current plumbing code prescribed by the Commonwealth of Pennsylvania Uniform Construction Code in accordance with Pittston City Code Chapter 191.

Sewage Enforcement Officer: The duly appointed Sewage Enforcement Officer (SEO) for the City of Pittston in accordance with Chapter 7-2(L) of the Pittston City Code.

Building Code Official: The duly appointed Building Code Official (BCO) for the City of Pittston in accordance with Chapter 7-2(B) of the Pittston City Code.

§386-5 Connection Required

D. The Building Code Official and or Sewage Enforcement Officer shall give written notice to the owner of any sewer lateral that is damaged, collapsed or blocked, to repair the same in accordance with applicable provisions of Pittston City Code Chapter 370 Property Maintenance, including information on permits required to be obtained for the said work.

E. No Zoning or Building Permit for a new commercial or residential structure shall be issued by the city until a permit for adequate sewage conveyance as required under this chapter shall be issued. New industrial “significant users” shall demonstrate compliance with §386-14(B)(1) of this chapter before the permit is issued.

§386-6 Privies, Privy Vaults, Cesspools, Septic Tanks or Other Devices

B. The owner of any existing Privy, Privy Vault, Cesspool or Septic Tank shall be required to maintain the same in accordance with all applicable provisions of Pittston City Code Chapter 370 Property Maintenance and Chapter 191 Uniform Construction Code.

C. For situations not provided for in Pittston City Code Chapter 370 and Chapter 191, the City hereby adopts the 2021 International Private Sewage Disposal Code published by the International Codes Council as the standards that will be used by the City and enforced by the Building Code Official and Sewage Enforcement Officer for the management of existing privies, cesspools, and or septic tanks.

D. Any existing privy, cesspool, or septic tank that is accessible within one hundred fifty feet (150ft) of a public sewer main as specified in this chapter shall not be replaced in the event of damage or failure and the owner of the structure shall be required to connect to the municipal sewer main as provided in this chapter.

E. For lots lacking access to a public sewer as defined in this chapter, a permit may be issued for private on-lot sewage systems subject to the following conditions:

- 1) Minimum lot size of one (1) acre or as required by applicable state law or the *2021 International Private Sewage Disposal Code*;
- 2) A satisfactory sanitary septic sewer Perc Test approved by the City Sewage Enforcement Officer;
- 3) Compliance with all city zoning, land development, building code and property maintenance ordinances, codes and regulations as well as all applicable laws and regulations of the Commonwealth of Pennsylvania;
- 4) Any additional requirements imposed by the city Sewage Enforcement Officer at the time of the issuance of the permit.
- 5) The strictest provisions of applicable state law and city building codes shall be applied to on-lot sewerage systems and proposed such systems.

§386-7 Connection Fee; Permits

Remove existing language and replace with:

- A. **Sewer Laterals:** No installation of connection or connection to a city sewer main of a new sewer lateral or replacement of an existing sewer lateral shall be installed or connected to a city sewer main without the property owner first obtaining a Sewer Tap Permit from the City Building Code Official who may consult the City Sewage Enforcement Officer to ensure compliance with all applicable ordinances, laws and regulations. The fee for said permit shall be set by Resolution of the City Council.
- B. **Private on-Lot Sewage System:** No property owner shall install or cause to be installed a private on-lot sewage system without obtaining a permit from the City Building Code Official who may consult the City Sewage Enforcement Officer to ensure compliance with all applicable ordinances, laws and regulations. The fee for said permit shall be set by Resolution of the City Council.

- C. **Other Permits Required.** In addition to the Sewer Tap or On-Lot permit, the Building Code Official may determine additional permits are required pursuant to Chapter 191 Uniform Construction Code and Chapter 424 Streets and Sidewalks.

§386-10 Notice of Violation; Violations and Penalties; Mean of Appeal

Remove existing language and replace with:

- A. **Notice of Violation:** In the event of a violation under any provision of this chapter the Building Code Official or Sewage Enforcement Officer shall issue a written Notice of Violation to the owner of the property stating the nature of the violation and providing a reasonable time for correction given the severity of the violation, and information on the means of appeal.
- B. **Penalty:** In the event the violation is not corrected, the Code Enforcement Officer shall issue a non-traffic citation to the owner of the property. Upon conviction before the District Magisterial Court, a fine of not less than \$300 nor more than \$1000 and all city-incurred legal court costs shall be imposed. Each day the offense continues shall be deemed a separate offense.
- C. **Means of Appeal:** Any property owner issued a Notice of Violation or a denied permit under this Chapter may file an appeal with the City of Pittston Joint Code Appeals Board (Pittston City Code Chapter 7, Article II) in accordance with the procedures set forth by that board.

Section 2. Severability.

The provisions of this Ordinance shall be severable and if any provision shall be deemed to be invalid for any reason, the validity of any of the remaining provisions of this Ordinance shall not affect. It is hereby declared as the intention of the City Council of the City of Pittston that this Ordinance would have been adopted had such invalidity not been included therein.

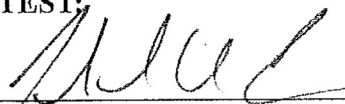
Section 3. Repealer.

All Ordinances or parts of Ordinances or Resolutions in conflict herewith be and the same are hereby repealed.

Section 4. Effective Date.

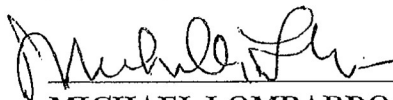
This Ordinance shall become effective immediately upon adoption.

ATTEST:



JOSEPH CHACKE
City Administrator

APPROVED



MICHAEL LOMBARDO
Mayor