

ORDINANCE NO. 5-2024

AN ORDINANCE OF THE BOROUGH OF TRAFFORD, COUNTY OF ALLEGHENY AND WESTMORELAND, COMMONWEALTH OF PENNSYLVANIA, AMENDING VARIOUS ARTICLES AND SECTIONS OF CHAPTER 160 OF THE CODIFIED ORDINANCES OF TRAFFORD BOROUGH PERTAINING TO SEWERS, INCLUDING THE CHANGING OF ANY REFERENCE TO DYE TESTING TO SEWER LATERAL INSPECTION AND OTHER NECESSARY AND DESIRED.

WHEREAS, Council for the Borough of Trafford desires to amend various Articles and Sections within Chapter 160 of Codified Ordinances of Trafford, including eliminating references to dye testing and instead referring to sewer lateral inspection and the renaming of Article V Dye Testing to Article V Sewer Line Inspections; and

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Trafford Borough Board of Commissioners, Allegheny County, Pennsylvania as follows:

SECTION 1. AMENDMENTS CHAPTER 160, ARTICLE I.

No changes.

SECTION 2. AMENDMENTS TO CHAPTER 160, ARTICLE II.

§ 160-6 Notice of intent to terminate service is hereby amended to read:

It is further provided by this article that the Borough of Trafford shall give written notice by United States Mail of an intention to shut off or terminate said water supply to the Parcel Owner for the payment of sanitary sewage rentals or charges at least ten-day prior to the shutting off or terminating of said water supply, and in addition thereto, said Borough of Trafford shall cause to be posted a written notice of said intention at a main entrance of the premises against which the delinquent sanitary sewage rentals exist.

SECTION 3. AMENDMENTS TO CHAPTER 160, ARTICLE III.

§ 160-8 Connections required is hereby retitled Connections required; abandonment, and is amended to read as follows:

§ 160-8 Connections required; abandonment.

- A. Each property owner along or through whose property a sanitary sewer is constructed or where the sanitary sewer is connected on the street or alley adjoining said property or through a right-of-way through said property shall use said service and connect into said sanitary sewer within a period of 60 days following the completion of said sewer installation for the proper service of said sanitary sewage for a dwelling house or other building constructed on said property.

B. In the event a property owner abandons the sewer line, the property owner shall cap the sewer line at the clean out, or if no clean out exists, then at the main line.

SECTION 4. AMENDMENTS TO CHAPTER 160, ARTICLE IV.

No changes.

SECTION 5. AMENDMENTS TO CHAPTER 160, ARTICLE V.

Article V Dye Testing is amended to read: Article V Sewer Lateral Inspections

§ 160-20 Title is hereby amended to read:

This article may be known and cited as the "Sewer Lateral Inspections Ordinance."

§ 160-21 Definitions is amended as follows:

To remove the definition of DYE TEST and add the definition of SEWER LATERAL INSPECTION to read:

SEWER LATERAL INSPECTION

Any inspection performed by the Borough, a registered plumber, or other qualified contractor a camera is run through the sewer lateral to identify determine any deficiencies in the line including but not limited to whether basement seepage, groundwater, downspout drainage, roof drainage, driveway drainage, or other surface water drainage is entering the sanitary sewer system.

To amend the definition of ORDINANCE COMPLIANCE OFFICER to read:

ORDINANCE COMPLIANCE OFFICER

Any person(s) designated by the Borough to administer and enforce the laws and ordinances of the Borough.

§ 160-24 Dye testing by the Borough is hereby retitled and amended to read:

§ 160-24 Sewer Lateral Inspections by the Borough.

The Ordinance Compliance Officer shall immediately initiate Sewer Lateral Inspections to identify illegal connections. The Ordinance Compliance Officer is authorized to utilize the Borough's public works department or to retain the services of a qualified contractor to perform the Sewer Lateral Inspections and to cooperate with neighboring municipalities to minimize costs. Persons owning property are required to grant access to the Ordinance Compliance Officer and/or the Sewer Lateral Inspection contractor and to permit the Sewer Lateral Inspection.

§ 160-26 Dye testing upon sale of property is hereby retitled to read: § 160-26 Sewer Line Inspections.

§ 160-27 Certificate of compliance; fee is hereby amended to eliminate paragraph C. in its entirety and to read as follows:

§ 160-27 Certificate of compliance; fee.

- A. At least 21 days prior to the sale of property, the seller (hereinafter, "applicant") shall apply to the Borough for a certificate of compliance and pay the Borough a fee to be determined from time to time by Borough Council and set forth on the Borough Fee Schedule. The Borough may thereafter perform a sewer lateral inspection on the property. If the inspection identifies illegal connections, broken pipes, or infiltration then the Borough shall notify the applicant pursuant to § 160-25 of this article. If the inspection identifies no illegal connections, broken pipes, or infiltration then the Borough shall issue a certificate of compliance to the applicant.

- B. In the event the Borough deems it necessary, the applicant may have the inspection performed by a registered plumber, who shall certify the inspection results to the Borough. If the inspection identifies illegal connections, broken pipes, or infiltration then the Borough shall notify the applicant pursuant to § 160-25 of this article. If the inspection identifies no illegal connections, broken pipes or infiltration then the Borough shall issue a certificate of compliance to the applicant upon payment of a fee to the Borough to be determined from time to time by Borough Council and set forth on the Borough Fee Schedule.

§ 160-28 Temporary certificate of compliance. Subsection A.(2) is hereby amended to read as follows:

- (2). Certified or cashiers check in the estimated cost of the repairs.

§ 160-29 Borough lien letters is hereby amended to read:

§ 160-29 Borough lien letters.

A request for lien letter must be accompanied by a valid certificate of compliance and the lien letter fee, all of which shall be delivered to the Borough Solicitor at least seven business days prior to the day the lien letter is to be provided.

§ 160-32 Violations and penalties is hereby amended to read:

§ 160-32 Violations and penalties.

It is unlawful for any person to refuse access to property for purposes of performing a sewer lateral inspection, to issue or obtain false inspection results, or to procure a certificate of compliance under false pretenses. Any person violating these, or any other provisions of this article shall, upon conviction, be subject to a fine of not less than \$100 nor more than \$1,000, together with costs of prosecution. Once a person is notified of a violation of this article, each day that such violation occurs or continues shall constitute a separate violation. In addition to and not in lieu of the foregoing, the Borough may seek equitable and legal relief to compel compliance with this article.

SECTION 6. AMENDMENTS TO CHAPTER 160, ARTICLE VI.

§ 160-35 Metering of sewage, subsection C. is hereby amended to add an additional sentence at the end to read: The Borough has the right to access the premises and installed meter for periodic readings.

SECTION 7. AMENDMENTS TO CHAPTER 160, ARTICLE VII.

§ 160-43 Inspection at time of sale or refinance, subsection A. is hereby amended to read:

- A. Prior to the sale or refinance of property that contains any structure with a building sewer line, the owner shall have the building sewer line tested for infiltration and inflow. This requirement shall be waived for refinances that occur within three (3) years of the most recent sewer line inspection.

§ 160-44 Inspection at time of major remodel is hereby amended to read:

§ 160-44 Inspection at time of major remodel.

- A. Whenever a person applies for a building and/or plumbing permit for a construction valuation that exceeds either \$20,000, or \$10,000 when involving two or more plumbing fixtures, the property owner shall have the building sewer line tested for infiltration and inflow.
- B. The Borough of Trafford Code Enforcement Officer is hereby authorized to implement this section.

§ 160-46 Sewer lateral certificates is hereby amended to eliminate sections C and amend sections A & B to read as follows:

§ 160-46 Sewer lateral certificates.

- A. All properties within the Borough in which the title is to be transferred whether by sale, gift or otherwise are required to obtain sewer lateral certificates prior to such transfer of title of the property.
- B. All properties within the Borough in which a refinancing is to occur are required to obtain sewer lateral certificates unless the refinancing is within three years of the issuance of the most recently issued sewer lateral certificate for the property.

SECTION 8. SEVERABILITY. IF any provision of this ordinance is held invalid, said invalidity shall not affect any other provision or application of this ordinance.

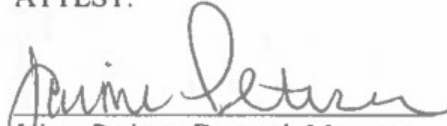
SECTION 9. AMENDMENT TO BOROUGH CODE. The Articles adopted shall be deemed to be incorporated into the Codified Ordinances of the Borough of Trafford so that reference shall be understood and intended to include such changes.

SECTION 10. REPEALER. All Ordinances or parts of Ordinances, in conflict with the provisions of this Ordinance, are hereby repealed to the extent of such conflict.

SECTION 11. EFFECTIVE DATE. This ordinance shall take effect immediately upon its approval in accordance with the Borough Code.

ORDAINED AND ENACTED at a regular meeting of the Borough of Trafford, County of Allegheny and Westmoreland, Commonwealth of Pennsylvania, a full quorum being present, the 3rd day of Sept, 2024.

ATTEST:

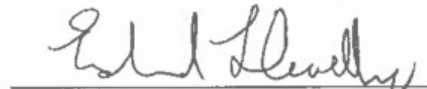

Jaime Peticca, Borough Manager

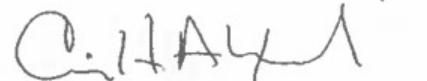
BOROUGH OF TRAFFORD:


Kristopher Cardiff, President,

Examined and approved this 3rd day of September, 2024.

APPROVED AS TO FORM:


Edward Llewellyn, Mayor


Craig H. Alexander, Esquire
Solicitor.