

ORDINANCE NO. 29
OF THE
BOARD OF SUPERVISORS OF
THE TOWNSHIP OF EAST NORRITON
Montgomery County, Pa.

REQUIRING THAT ALL OCCUPIED BUILDINGS ACCESSIBLE TO THE SEWER SYSTEM IN SEWER DISTRICT NO. 1 OF THE TOWNSHIP OF EAST NORRITON, MONTGOMERY COUNTY, PENNSYLVANIA, BE CONNECTED WITH THE PUBLIC SANITARY SEWER COLLECTION SYSTEM; MAKING IT UNLAWFUL TO CONSTRUCT OR MAINTAIN PRIVIES, CESSPOOLS, SEPTIC TANKS OR OTHER DEVICES FOR RECEIVING SEWAGE OR CONDUITS FOR THE DISCHARGE OF SEWAGE, EXCEPT INTO THE SANITARY SEWERS; PROVIDING FOR RULES AND REGULATIONS; REQUIRING PLUMBING PERMITS; AND PRESCRIBING PENALTIES

WHEREAS, the Board of Supervisors of the Township of East Norriton, Montgomery County, Pa., in order to promote and benefit the people of the Commonwealth of Pennsylvania and of the Township, by Ordinance duly enacted pursuant to the Municipality Authorities Act of 1945, P.L. 382, as amended, caused to be organized East Norriton Township Municipal Authority; and

WHEREAS, in carrying out its corporate powers, the Authority proposes to construct a public sanitary sewer collection system, together with appurtenant facilities in and for East Norriton Sewer District No. 1 and the Authority will lease the same to the Township, pursuant to which lease the Township will operate and maintain such sanitary sewer collection system and appurtenant facilities (all of which are hereinafter defined as "Sewer System"); and

WHEREAS, Board of Supervisors in order to promote the health, safety and welfare of the people of the Township and of the Commonwealth of Pennsylvania and the purity of its water, believing that the use thereof is unsafe and unsanitary, deems it advisable to prohibit certain use of privies, cesspools, septic tanks or similar receptacles for receiving sewage within said East Norriton Sewer District No. 1 of the Township, in that such use encourages the spread of disease and impairs public health and to require connections to be made to the Sewer System by the owners of occupied buildings on property adjoining, abutting on or adjacent to the Sewer System, in accordance with the

Rules and Regulations which may, from time to time, be adopted by the Authority or the Township when construction thereof has been completed by said Authority;

NOW, THEREFORE, the Board of Supervisors of the Township of East Norriton, Montgomery County, Pa., hereby ordains and enacts that:

Section 1. Definitions:

- a] "Authority" means East Norriton Township Municipal Authority as presently or hereafter constituted, which has been created by Board of Supervisors.
- b] "occupied building" means each single dwelling unit, household unit, flat or apartment unit, store, shop, office, business or industrial unit or family unit contained within any structure erected within one hundred and fifty feet from the Sewer System and intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure sanitary sewage is or may be discharged.
- c] "person" means any individual, firm, company, association, society, corporation or group.
- d] "property accessible to the Sewer System" means improved property which adjoins, abuts on, or is adjacent to, the Sewer System or as may be further defined or modified under rules and regulations adopted pursuant to Section 6.
- e] "sanitary sewage" means the normal water carried household and toilet wastes from residences, business buildings, institutions and industrial establishments.
- f] "Sewer District" means East Norriton Sewer District No. 1 as designated and created pursuant to Ordinance No. 28 of the Township, duly enacted on October 5, 1959.
- g] "Sewer System" means and refers to the public sanitary sewer collection system, together with appurtenant facilities about to be constructed for the Sewer District and any improvements, additions or extensions that hereafter may be made thereto by the Authority or the Township or to any part or parts of any or all thereof.
- h] "Township" means the Township of East Norriton, Montgomery County, Pa., or the duly constituted and elected municipal authorities thereof.

Section 2. Whenever the Sewer System is completed and ready for public use, it shall be the duty of the Township to cause notice of the fact to be given by advertisement published once in one newspaper of general circulation in the Township, and such advertisement shall state that the Sewer System may be used by all persons owning occupied buildings on property accessible to the Sewer System, subject to the payment of any connection charges and of annual sewer rentals in amounts as may from time to time be fixed by the Township.

Section 3.

- a] All persons owning any occupied building now erected upon property accessible to the Sewer System shall, at their own expense, connect such building with the Sewer System

within ninety (90) days after the date of publication specified in Section 2.

- b] All persons owning any property accessible to the Sewer System upon which an occupied building is hereafter erected shall, at the time of the erection of such building and at their own expense, connect the same with the Sewer System.
- c] All persons owning any occupied building upon property which hereafter becomes accessible to the Sewer System shall, at their own expense, connect such building with the Sewer System within ninety (90) days after notice to do so from the Township.

Where more than one occupied building, as hereinbefore defined, is contained in a separate structure, a single common connection to the lateral of the Sewer System shall be permitted for accommodating all units contained in such structure, except that separate connections shall be required for each semi-detached or row-type house or structure.

Section 4. It shall be unlawful for any person owning any property accessible to the Sewer System to erect, construct or use or maintain or cause to be erected, constructed, used or maintained, any privy, cesspool, sinkhole, septic tank or other receptacle on such premises or otherwise for receiving sanitary sewage after the expiration of the particular period specified in Section 3 hereof, or otherwise at any time to erect, construct, use or maintain any pipe, conduit, drain or other facility for the discharge of sanitary sewage into the gutters of the Township, the storm sewers of the Township or upon public or private property or otherwise, except into the Sewer System.

Section 5. Any person who erects, constructs, uses or maintains a privy, cesspool, sinkhole or septic tank on any property accessible to the Sewer System, or otherwise erects, constructs, uses or maintains any pipe, conduit, drain or other facility for the discharge of sanitary sewage in violation of this Ordinance, shall be deemed and shall be declared to be erecting, constructing and maintaining a nuisance, which nuisance the Township is hereby authorized and directed to abate in the manner provided by law.

Section 6. No connection shall be made to the Sewer System, except in compliance with the ordinances and resolutions, as well as such Rules and Regulations as may, from time to time, be enacted, adopted, approved or promulgated by the Township or the Authority.

Section 7. After the expiration of the particular periods specified in Section 3 of this Ordinance, if any owner of an occupied building on property accessible to the Sewer System shall have failed to connect such property with the Sewer System as required by said Section 3, the Township shall cause to be served on the owner of such property so failing to connect to said Sewer System, and also upon the occupants of the building in question, a copy of this Ordinance and a written or printed notice requiring such connection to be made, and such notice shall further state that its requirements shall be complied with within thirty (30) days from the date thereof.

Section 8. Persons, firms and corporations desiring to do plumbing intended to be connected to the Sewer System shall obtain from the Secretary of the Township, in the form to be provided, a permit entitling the applicant to engage in regular or particular work during the calendar year in which the permit is granted, for which permit a fee of Five (\$5.00) Dollars shall be charged. The permit thus granted is revocable at the will of the Township and the permit is renewable

from year to year by endorsement or by exchange for a new permit at the discretion of the Secretary of the Township. No plumbing or connections shall be made without this permit.

Section 9. Any person, firm or corporation which, for a period of at least one year previous to the passage of this Ordinance has been regularly engaged in the plumbing business in the Township, shall be deemed competent to initially obtain a permit; and all other persons, firms or corporations desiring to do plumbing business in the Township or to do a particular piece of work to be connected with the Sewer System, shall exhibit such evidence of competency as said Township from time to time may require.

Section 10. Any plumber or other person who shall neglect or refuse to take out a permit or comply with the provisions of this Ordinance shall not be deemed competent to perform any work intended to be connected with the sewers, and no work performed by such plumbers or other persons shall be connected with any sewers.

Section 11. The provisions of this Ordinance are declared to be for the health, safety and welfare of the citizens of the Township and persons violating any provisions of this Ordinance, upon conviction before any Justice of the Peace of Montgomery County, shall be fined Twenty-five (\$25.00) Dollars and costs. Each 90-day period during which such violation of such provisions shall continue shall be deemed to be a separate offense. Each occupied building, as hereinbefore defined, whether or not the owners thereof shall be permitted to connect two or more occupied buildings or units by a single common connection to a lateral of the Sewer System or shall be required to make separate connections for each occupied building or unit, shall constitute a separate and distinct unit under the provisions of this Ordinance and the persons owning occupied buildings, consisting of multiple units contained in the same structure, who violate any of the provisions of this Ordinance, shall be subject to the aforesaid fine for each and every one of such occupied buildings or units which are in violation of the provisions of this Ordinance.

Section 12. If any provision, sentence, clause, section or part of this Ordinance or the application of any provision hereof is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been enacted had such unconstitutional, illegal or invalid provision, sentence, clause, section or part not been included herein.

Section 13. All ordinances or parts of ordinances in conflict, or inconsistent herewith, be and the same are hereby repealed absolutely.

DULY ENACTED AND ORDAINED this 4th day of January, 1959.60

J. H. Standhage
Chairman - Board of Supervisors

[TOWNSHIP SEAL]

Attest:

Charles H. H. H.
Secretary