

**TOWNSHIP OF EAST NORRITON
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 544

**AN ORDINANCE OF THE TOWNSHIP OF EAST NORRITON, MONTGOMERY COUNTY,
PENNSYLVANIA, ESTABLISHING THE PROCEDURES FOR THE INSTALLATION, USE
AND MAINTENANCE OF SEWAGE GRINDER PUMPS AND ANY ASSOCIATED FORCE
MAINS OR LOW-PRESSURE LATERALS; REPEALING PRIOR INCONSISTENT
ORDINANCES AND PARTS OF ORDINANCES; PROVIDING FOR A SAVINGS CLAUSE;
AND CONTAINING AN EFFECTIVE DATE**

WHEREAS, the Township of East Norriton is a second class township governed by the East Norriton Code and the Second Class Township Code, 53 P.S. § 65101 et seq. and;

WHEREAS, the Second Class Township Code authorizes the Township to enact ordinances for the purpose of protecting the public health, safety and welfare; and

WHEREAS, the Board of Supervisors has determined that it is necessary for the protection, benefit and preservation of the health, safety and welfare of the inhabitants of this municipality to establish procedures for installation, use and maintenance of sewage grinder pumps and any associated force mains or low-pressure laterals.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED and it is hereby ordained and enacted as follows:

SECTION 1. DEFINITIONS.

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

ACT 537 PLAN — East Norriton Township's Official Plan as defined in the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535 (1965), No. 537, as amended, 35 P.S. §§ 750.1 to 750.20a ("Sewage Facilities Act" or "Act 537").

DEPARTMENT — The Pennsylvania Department of Environmental Protection.

TOWNSHIP — East Norriton Township, Montgomery County, Pennsylvania, a second class township having an address of 2501 Stanbridge Street, East Norriton, Pennsylvania 19401.

GRINDER PUMP — Any electric motor driven, submersible pump used in the conveyance of sanitary sewage capable of macerating all material found in normal domestic sanitary sewage, including reasonable amounts of objects, such as plastics, sanitary napkins, disposable diapers, rubber and the like, to a fine slurry, and pumping this material through a small diameter discharge.

IMPROVED PROPERTY — Any parcel of real estate located within the Township subject to the regulations of 25 Pa. Code 71.01 et seq, and 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 sewage shall or may be discharged.

OFFICIAL PLAN REVISION — A change in the Township Act 537 Plan to provide for additional or newly identified future or existing sewage facilities needs, as defined fully in Section One (1) of the Sewage Facilities Act, 35 P.S. § 750.1.

- A. **UPDATE REVISION** — A comprehensive revision to the Act 537 Plan required when the Department or Township determines the official plan or one or more of its parts is inadequate for the existing or future sewage facilities needs of the Township, its residents or landowners.
- B. **SPECIAL STUDY** — A study, survey, investigation, inquiry, research report or analysis which is directly related to an update revision. The studies provide documentation or other support necessary to solve specific problems identified in the update revision.
- C. **REVISION FOR NEW LAND DEVELOPMENT** — A revision to the Act 537 Plan resulting from a proposed subdivision as defined in the Act 537 Plan.

PROPERTY OWNER — Any person vested with ownership, legal or equitable, sole or partial, of any property located within the Township.

SEWAGE — Any substance that contains any of the waste products or excrement or other discharge from the bodies of human beings or animals and any noxious or deleterious substance being harmful or inimical to the public health, to the life of animals or aquatic life, and to the use of water for domestic and/or recreational purposes, and any substance which constitutes pollution under the Clean Streams Law, 35 P.S. §§ 691.1 to 691.1001, as amended.

SECTION 2. PLANNING REQUIREMENTS.

The connection of proposed new land development or a proposed new improved property to an existing or proposed sewage system through the use of sewage grinder pumps, their associated force mains, or low-pressure laterals, shall occur only after an official plan revision to the Act 537 Plan, approved by both the Township and the Department, designates that the proposed properties be served by such a connection. All existing improved properties containing a grinder pump prior to the passage of this Ordinance are exempt from the provisions contained herein.

SECTION 3. DUTIES AND RESPONSIBILITIES OF TOWNSHIP.

- A. The Township shall exercise its powers and legal authority set forth herein, and under all applicable statutes, ordinances, and other laws to make effective the purposes of this Ordinance.
- B. The Township shall require an agreement with each property owner proposing to install a sewage grinder pump or low-pressure sewage system to ensure the short and long-term operation and maintenance, use, service, repair or replacement of such systems.
- C. The Township shall require that all grinder pumps and low-pressure sewer systems (and the installation, use, operation, maintenance, service, repair and replacement thereof) shall comply with the rules and regulations of the Township.

- D. The Township shall require that all grinder pumps and low-pressure sewer systems be connected to the Township's sewage collection and conveyance system in full compliance with the rules and regulations of the Township.
- E. The Township shall review the type of grinder pump used and ensure that the property owner has provided documentation that full service capacity is available locally, on short notice, in the event of malfunction.
- F. The Township shall bear no responsibility for the purchase, installation, use, operation, maintenance, service, repair, or replacement of the grinder pump and/or its low-pressure force main or lateral, except as otherwise set forth herein.

SECTION 4. DUTIES AND RESPONSIBILITIES OF OTHERS.

- A. Each property owner served by a grinder pump shall bear full responsibility for providing, installing, using, operating, maintaining, servicing, repairing and replacing his/her grinder pump and/or its low-pressure force main or lateral, unless otherwise set forth herein.
- B. If the low-pressure force main is shared between property owners, each property owner shall submit to the Township a declaration of easements, covenants and restrictions in recordable form, setting forth the agreement of each benefited property owner with respect to the installation, use, operation, maintenance, service, repair and replacement of the low-pressure sewer system; said agreement shall bind all future property owners. Following the approval of the low-pressure system by all necessary parties, the Township will not issue a permit for the system's installation until evidence is presented that the agreement as defined in this subsection has been recorded in the Office of the Recorder of Deeds, Montgomery County, Pennsylvania.
- C. Each property owner shall, at his/her own expense, contract with either a plumber or a private, independent contractor who has specialized training by the manufacturer of the original equipment to service the grinder pump and all of its appurtenances. Property owner shall annually renew and provide a copy of this maintenance contract to the Township for the life of the grinder pump.
- D. Each property owner shall ensure the contractor inspects the grinder pump at least once every three (3) years and that an inspection report is generated from each inspection. Property owner shall provide the Township with copies of the inspection report, signed by the contractor. The inspection report shall certify that the grinder pump is operational, indicate resolution of any deficiencies noted in the contractor's inspection, as well as any service or alarm calls which occurred in the period between inspections. Should property owner wish to make a revision or modification to the grinder pump, property owner is responsible for obtaining any required permits from the Township prior to modification or revision as well as providing an amended and revised drawing detailing the revision or modification to the Township. All costs associated with inspections, modifications and amendments of and to the grinder pump shall be borne solely by the property owner.

SECTION 5. REIMBURSEMENT OF COSTS.

In the event the Township performs the property owner's obligations as outlined in this Ordinance or any agreements resulting herefrom, the Township shall charge the property owner the cost incurred by the Township to perform the property owner's obligations and property owner shall reimburse the Township for all such costs. The Township shall also collect an administrative fee from the property owner in the amount of 10% of the actual total costs.

SECTION 6. REMEDIES OF TOWNSHIP.

In the event of property owner's failure to perform under or comply with this Ordinance or any agreements resulting herefrom, the Township shall have the right to pursue whatever legal or equitable remedy it deem appropriate, including, but not limited to, an action for specific performance against the property owner and filing a lien against the property.

SECTION 7. ABATEMENT OF NUISANCES.

In addition to any other remedies provided in this Ordinance, any violation of Section Four 4 or Section 5 contained herein shall constitute a nuisance and shall be abated by the Township by seeking mitigation of the nuisance or other appropriate equitable or legal relief from a court of competent jurisdiction.

SECTION 8. RULES AND REGULATIONS TO BE IN ACCORDANCE WITH APPLICABLE LAW.

All such rules and regulations adopted by the Township to effectuate this Ordinance shall be in conformity with the provisions herein, all other ordinances of the Township, and all applicable laws, and applicable rules and regulations of administrative agencies of the Commonwealth of Pennsylvania.

SECTION 9. REPEALER.

All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

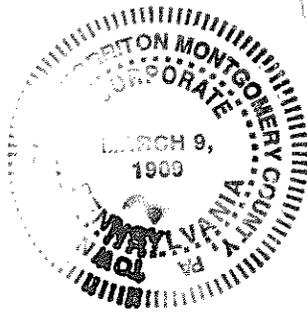
SECTION 10. SEVERABILITY.

If any section or clause of this Ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the remaining provisions of this Ordinance which shall be deemed severable therefrom.

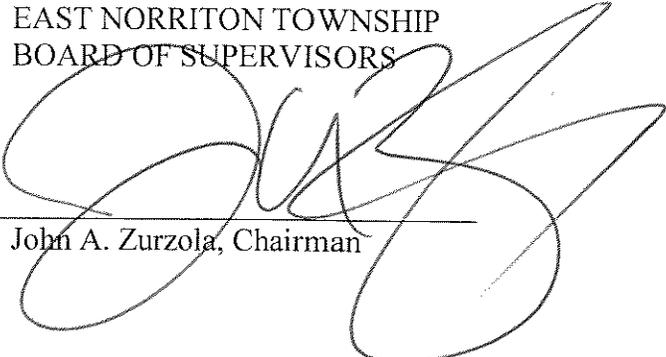
SECTION 11. EFFECTIVE DATE.

This Ordinance shall become effective at the earliest possible date permitted by the provisions of the East Norriton Code.

DULY ORDAINED and ENACTED by the Board of Supervisors of the Township of East Norriton this 18th day of September, 2012.



EAST NORRITON TOWNSHIP
BOARD OF SUPERVISORS



John A. Zurzola, Chairman

ATTEST:



Donald D. Delamater, Secretary