

TOWNSHIP OF BRIDGEWATER

Susquehanna County, Pennsylvania

ORDINANCE NO. #1989-A - AMENDED

AN ORDINANCE

OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF BRIDGEWATER, SUSQUEHANNA COUNTY, PENNSYLVANIA, REQUIRING ALL OWNERS OF IMPROVED PROPERTY LOCATED WITHIN THIS TOWNSHIP AND ACCESSIBLE TO AND WHOSE PRINCIPAL BUILDING IS WITHIN 150 FEET FROM THE SEWER SYSTEM TO BE ACQUIRED AND CONSTRUCTED BY BRIDGEWATER TOWNSHIP MUNICIPAL AUTHORITY, SUSQUEHANNA COUNTY, PENNSYLVANIA, TO CONNECT THEREWITH UPON NOTICE BY THIS TOWNSHIP; REGULATING THE MANNER OF MAKING CONNECTIONS; AUTHORIZING THIS TOWNSHIP TO MAKE CONNECTIONS AT THE COST AND EXPENSE OF ANY OWNER OF AN IMPROVED PROPERTY WHO FAILS TO MAKE SUCH CONNECTION; ADOPTING CERTAIN RULES AND REGULATIONS AND PROVIDING FOR ADOPTION OR ADDITIONAL RULES AND REGULATIONS; PROHIBITING THE CONNECTION OF PRIVY VAULTS, CESSPOOLS, SINKHOLES, SEPTIC TANKS AND SIMILAR RECEPTACLES TO ANY SEWER; PROHIBITING THE MAINTENANCE OF CERTAIN RECEPTACLES AND REQUIRING ABANDONMENT THEREOF WHERE A SEWER IS AVAILABLE; SETTING FORTH RELATED MATTERS; AND PRESCRIBING PENALTIES FOR VIOLATION.

The Board of Supervisors of the Township of Bridgewater, Susquehanna County, Pennsylvania, enacts and ordains as follows:

ARTICLE I DEFINITIONS

SECTION 1.01. Unless the context specifically and clearly indicates otherwise, the meaning of terms and phrases used in this Ordinance shall be as follows:

A. "Authority" means Bridgewater Township Municipal Authority, Susquehanna County, Pennsylvania, a Pennsylvania municipality authority.

B. "Building Sewer" means the extension from the sewage drainage system of any structure to the Lateral of a Sewer.

C. "Improved Property" means any property located within this Township upon which there is erected a structure, including any parcels of real estate contiguous with property upon which is erected a structure, intended for continuous or periodic habitation, occupancy or use by human being or animals and from which structure Sanitary Sewage and/or Industrial Wastes shall be or may be discharged.

D. "Industrial Establishment" means any Improved Property located in this Township used wholly or in part for the manufacturing, processing, cleaning, laundering or assembly of any product, commodity or article, or any other Improved Property located in this Township from which wastes, in addition to or other than Sanitary Sewage, are discharged.

E. "Industrial Wastes" means any and all wastes discharged from an Industrial Establishment, other than Sanitary Sewage.

F. "Lateral" means that part of the Sewer System extending from a Sewer to the curb line or, if there shall be no curb line, extending to the property line or, if no such Lateral shall be provided, then "Lateral" shall mean that portion of, or place in, a Sewer which is provided for connection of any Building Sewer.

G. "Owner" means any person vested with ownership, legal or equitable, sole or partial, of any Improved Property.

H. "Person" means any individual, partnership, company, association, society, corporation or other group or entity.

I. "Sanitary Sewage" means normal water-carried household and toilet wastes discharged from any Improved Property.

J. "Sewer" means any pipe or conduit constituting a part of the Sewer System used or usable for sewage collection purposes.

K. "Sewage System" means all facilities, as of any particular time, for collecting, transporting, pumping, treating and/or disposing of Sanitary Sewage and/or Industrial Wastes, situate in the Township, to be constructed, acquired, owned, maintained and operated by the Authority in, adjacent to and for rendering sewage service in adjacent to and for certain portions of this Township.

L. "Township" means the Township of Bridgewater, Susquehanna County, Pennsylvania, acting by and through its Board of Supervisors, and in appropriate cases, by and through its authorized representatives.

ARTICLE II

USE OF PUBLIC SEWERS REQUIRED

SECTION 2.01. The Owner of any Improved Property located in this Township and accessible to and whose principal building is within 150 feet from the Sewer System, shall connect such Improved Property to the Sewer System, in such manner as this Township and the Authority may require, within 60 days after notice to such Owner from this Township to make such connection, for the purpose of discharge of all Sanitary Sewage and Industrial Wastes from such Improved 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.

SECTION 2.02. All Sanitary Sewage and Industrial Wastes from any Improved Property, after connection of such Improved Property with a Sewer shall be required under Section 2.01, shall be conducted into a Sewer, 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.

SECTION 2.03. No Person shall place or deposit or permit to be placed or deposited upon public or private property within this Township any Sanitary Sewage or Industrial Wastes in violation of Section 2.01.

No person shall discharge or permit to be discharged to any natural outlet within this Township any Sanitary Sewage or Industrial Waste in violation of Section 2.01, except where suitable treatment has been provided which is satisfactory to this Township.

SECTION 2.04. No privy vault, cesspool, sinkhole, septic tank or similar receptacle shall be used and maintained at any time upon any Improved Property which has been connected to a Sewer or which shall be required under Section 2.01 to be connected to a Sewer.

Every such privy vault, cesspool, sinkhole, septic tank or similar receptacle in existence shall be abandoned and, at the discretion of this Township, shall be cleansed and filled at the expense of the Owner of such Improved Property and under the direction and supervision of this Township; and any such privy vault, cesspool, sinkhole, septic tank or similar receptacle not so abandoned and, if required by this Township, cleansed and filled, shall constitute a nuisance and such nuisance may be abated as provided by law, at the expense of the Owner of such Improved Property.

SECTION 2.05. No privy vault, cesspool, sinkhole, septic tank or similar receptacle at any time shall be connected with a Sewer.

SECTION 2.06. The notice by this Township to make a connection to a Sewer, referred to in Section 2.01, shall consist of a copy of this Ordinance, including any amendments at the time in effect, or a brief summary of each section thereof, and a written or printed document requiring such connection in accordance with the provisions of this Ordinance and specifying that such connection shall be made within 60 days from the date such notice is given. Such notice may be given at any time after a Sewer is in place which can receive and convey Sanitary Sewage and Industrial Wastes for treatment and disposal from the particular Improved Property. Such notice shall be served upon the Owner either by personal service or by registered mail or by such other method as at the time may be provided by law.

ARTICLE III

BUILDINGS SEWERS AND CONNECTIONS

SECTION 3.01. No Person shall uncover, connect with, make any opening into or use, alter or disturb, in any manner, any Sewer System without first making application for and securing a permit, in writing, from the Authority.

SECTION 3.02. Except as otherwise provided in this Section 3.02, each Improved Property shall be connected separately and independently with a Sewer through a Building Sewer. Grouping of more than one Improved Property on one Building Sewer shall not be permitted, except under special circumstances and for good sanitary reasons or other good cause shown, and then only after special permission of the Township and the Authority, in writing, shall have been secured.

SECTION 3.03. All costs and expenses of construction of a Building Sewer and all costs and expenses of connection of a Building Sewer to a Lateral shall be borne by the Owner of the Improved Property to be connected; and such Owner shall indemnify and save harmless

this Township and the Authority from all loss or damage that may be occasioned, directly or indirectly, as a result of construction of a Building Sewer or of connection of a Building Sewer to a Sewer.

SECTION 3.04. A Building Sewer shall be connected to a Sewer at the place designated by the Authority and where the Lateral is provided.

The invert of a Building Sewer at the point of connection to a Lateral shall be at the same or a higher elevation than the invert of the Lateral. A smooth, neat joint shall be made and the connection of a Building Sewer to the Lateral shall be made secure and watertight.

SECTION 3.05. If the Owner of any Improved Property located in this Township and accessible to and whose principal building is within 150 feet from the Sewer System, after 60 days' notice from this Township, in accordance with Section 2.01, shall fail to connect such Improved Property, as required, this Township may make such connection and may collect from such Owner the costs and expenses thereof. In such case, this Township shall forthwith, upon completion of the work, send an itemized bill of the cost of the construction of such connection to the Owner of the Improved Property to which connection has been so made, which bill shall be payable forthwith. In case of neglect or refusal by the Owner of such Improved Property to pay said bill, this Township shall file a municipal lien for said construction within 6 months of the date of the completion of the construction of said connection, the same to be subject in all respects to the general law providing for the filing and recovery of municipal liens.

ARTICLE IV

RULES AND REGULATIONS GOVERNING

BUILDING SEWERS AND CONNECTIONS TO SEWERS

SECTION 4.01. Where an Improved Property, at the time connection to a Sewer is required, shall be served by its own sewage disposal system or device, the existing house sewer line shall be broken on the structure side of such sewage disposal system or device and attachment shall be made, with proper fittings, to continue such house sewer lines, as a Building Sewer.

SECTION 4.02. No Building Sewer shall be covered until it has been inspected and approved by the Authority. If any part of a Building Sewer is covered before so being inspected and approved, it shall be uncovered for inspection at the cost and expense of the Owner of the Improved Property to be connected to a Sewer.

SECTION 4.03. Every Building Sewer of any Improved Property shall be maintained in a sanitary and safe operating condition by the Owner of such Improved Property.

SECTION 4.04. Every excavation for a Building Sewer shall be guarded adequately with barricades and lights to protect all Persons from damage and injury. Streets, sidewalks and other public property disturbed in the course of installation of a Building Sewer shall be restored, at the cost and expense of the Owner of the Improved Property being connected, in a manner satisfactory to this Township.

SECTION 4.05. If any Person shall fail or refuse, upon receipt of a notice of this Township or the Authority, in writing, to remedy any unsatisfactory condition with respect to a Building Sewer, within 60 days of receipt of such notice, this Township or the Authority may refuse to permit such Person to discharge Sanitary Sewage and Industrial Wastes into the Sewer System until such unsatisfactory condition shall have been remedied to the satisfaction of this Township and the Authority.

SECTION 4.06. This Township reserves the right to adopt, from time to time, additional rules and regulations as it shall deem necessary and proper relating to connections with a Sewer and the Sewer System, which additional rules and regulations, to the extent appropriate, shall be and shall be construed as part of this Ordinance.

SECTION 4.07. This Township requires approval from BTMA for the change of use to any existing building served by public sewer such as conversion from residential to commercial, retail to office, storage to commercial or residential. Approval is required for the renovation of the interior of any building into multiple functions such as conversion from retail to offices, adding additional businesses within the existing structure, and/or building of addition to the same. The number of EDU's required to serve these modifications will be determined by BTMA. No building permits will be approved for this activity without the signed approval of BTMA. Requests will be accompanied with a detailed set of plans with the anticipated number of occupants and other sources of sewage effluent to be discharged to the public sewer.

ARTICLE V

ENFORCEMENT

SECTION 5.01. Any person who violates or permits a violation of this article shall, upon conviction in a summary proceeding brought before a Magisterial District Judge under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of not more than \$1,000, plus cost of prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment for a term not exceeding 90 days.

Each day or portion thereof that such violation continues or is permitted to continue shall constitute a separate offense, and each section of this article that is violated shall also constitute a separate offense.

SECTION 5.02. Fines and costs imposed under provisions of this Ordinance shall be enforceable and recoverable in the manner at the time provided by applicable law.

ARTICLE VI

SEVERABILITY

SECTION 6.01. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of this Township that such remainder shall be and shall remain in full force and effect.

ARTICLE VII

DECLARATION OF PURPOSE

SECTION 7.01. It is declared that enactment of this Ordinance is necessary for the protection, benefit, and preservation of the health, safety and welfare of inhabitants of this Township.

ARTICLE VIII

REPEALER

SECTION 8.01. All ordinances or parts of ordinances inconsistent with this Ordinance shall be and the same expressly are repealed.

ARTICLE IX

EFFECTIVE DATE

SECTION 9.01. This Ordinance shall become effective 5 days after enactment, as provided by law.

DULY ENACTED AND ORDAINED this 6th day of March, 2017, by the Board of Supervisors of the Township of Bridgewater, Susquehanna County, Pennsylvania, in lawful session duly assembled.

ATTEST:

Conne J Ely
Secretary

TOWNSHIP OF BRIDGEWATER,
Susquehanna County, Pennsylvania

By: Charles Mead
Chairman of Board of Supervisors

Kenneth Mead 3-6-17

Kid Hefner 3-6-17

CERTIFICATE

I, the undersigned, Secretary of the Township of BRIDGEWATER, Susquehanna County, Pennsylvania, (the "Township"), certify that the foregoing is a true and correct copy of an Ordinance of the Board of Supervisors of the Township which was duly enacted by the affirmative vote of a majority of the members of the Board of Supervisors of the Township at a meeting duly held on March 6, 2017; that said Ordinance has been duly recorded in the Ordinance Book of the Township; that said Ordinance was duly published as required by law in a newspaper of general circulation in the Township; and that said Ordinance remains in effect, unaltered and unamended, as of the date of this Certificate.

I further certify that the meeting at which the Board of Supervisors of the Township enacted said Ordinance was a public meeting duly held after giving public notice of the date, time and place of such meeting by publishing and posting such notice at the time and in the manner required by Act No. 175 of the General Assembly of the Commonwealth of Pennsylvania, approved July 19, 1974.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Township, this 6 day of March, 2017.


Secretary

GIANGRIECO LAW, PC

MICHAEL J. GIANGRIECO
ROBERT J. HOLLISTER
BRIANNA STROPE VAUGHAN

60 PUBLIC AVENUE
P.O. BOX 126
MONTROSE, PA 18801-0126
WEBSITE
GIANGRIECOLAW.COM

TELEPHONE
570-278-4026
FACSIMILE
570-278-4662

June 28, 2017

Cathy Hawley, Court Administrator
Susquehanna County Courthouse
Maple Street
Montrose, PA 18801

Re: Bridgewater Township Ordinance Amendments.

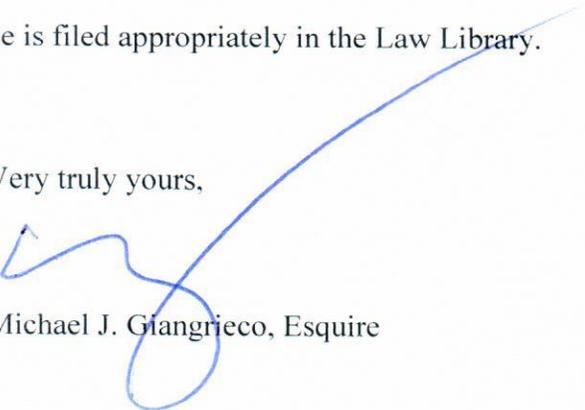
Dear Cathy:

Enclosed please find copies of two Bridgewater Township Ordinances; namely, Bridgewater Township Ordinance No. 1989-A – Amended (sewer ordinance) duly enacted on March 6, 2017, and Ordinance No. 21-2016 (flood plain/permits) duly enacted on December 19, 2016 by the Board of Supervisors of Bridgewater Township.

Please see that a copy of this Ordinance is filed appropriately in the Law Library.

Thank you.

Very truly yours,


Michael J. Giangrieco, Esquire

MJG/jw

Enclosure

cc: Bridgewater Township Supervisors
(without enclosure)