

**BOROUGH OF FOREST CITY  
SUSQUEHANNA COUNTY, PENNSYLVANIA  
ORDINANCE NO. 485 of 2011**

AN ORDINANCE OF THE BOROUGH OF FOREST CITY REQUIRING THE TESTING OF PRIVATE SEWER LATERALS FOR REAL PROPERTIES LOCATED IN THE BOROUGH OF FOREST CITY, SUSQUEHANNA COUNTY, PENNSYLVANIA.

**WHEREAS**, the Borough of Forest City (hereinafter the "Borough") located in Susquehanna County, Commonwealth of Pennsylvania is required by a Consent Order and Agreement In The Middle District of Pennsylvania, Civil Action Number 3: 04-CV-0941, executed on or about February 25, 2008, to construct a new sewer collection system for the collection and conveyance of sanitary sewerage and other wastewaters within the Borough; and

**WHEREAS**, the Borough will be constructing and operating a sewer system consisting of facilities for the collection and conveyance of sanitary sewerage and other wastewaters within the Borough; and

**WHEREAS**, the Borough Code of Pennsylvania, 53 P.S. §47051 provides for mandatory connections to and use of a sewer system in any Borough; and

**WHEREAS**, to ensure the functionality and efficiency of the sanitary sewer system, it is important to ensure that all private sewer laterals channeling sewage into the system are in good shape. Laterals that are broken, cracked, worn, or damaged in some way may allow effluent (sewage) to leak out into the surrounding soil or allow influent (rain water, lake water, lawn irrigation, etc.) to enter the system, including improperly attached pipes such as downspouts, all which add to the sewer system flow and decrease capacity at the Lackawanna River Basin Sewer Authority's Clinton sewer treatment plant. Single family houses, duplexes and apartment complexes make up the majority of sewer lateral connections within the Borough's service area. Most of these homes are 50 years to a 100 years old or more. In most cases, the sewer lateral for each unit is just as old and, depending on the material of the lateral, may be deteriorating or succumbing to the effects of root intrusion. Roots penetrating into sewer laterals are a primary cause for inflow and infiltration, otherwise known as I&I. Other causes of I&I are broken, cracked, fractured, offset, sagging, change in material or out of round sewer laterals.

**WHEREAS**, to promote the general health and welfare of residents of the Borough, it is advisable to require owners of property, benefited, improved or accommodated by a sanitary sewer to certify the integrity of the existing private sanitary sewer laterals of real properties located in the Borough as a condition precedent for allowance to connect to the new sanitary collection lines; and

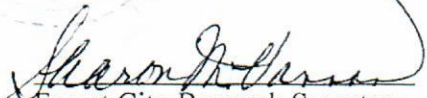
**WHEREAS**, the Borough desires to establish Rules and Regulations for the certification of private sewer laterals of real properties located in the Borough.


**NOW THEREFORE**, Borough Council of the Borough of Forest City, Susquehanna County and Commonwealth of Pennsylvania hereby ordains and enacts that:

1. All structures in the Borough of Forest City currently connected to the sanitary sewer are hereby required to obtain a Certificate of Compliance evidencing the sewer has successfully passed the testing procedures as set forth in the requirements and standards of the Borough of Forest City which requirements of same are outlined in Exhibit A attached hereto and incorporated herein. Any person, firm, or corporation who fails to comply with the replacement of their sewer laterals shall not be allowed to connect to the Borough's new collection system until compliance is obtained.
2. Testing shall be by closed circuit television (CCTV) performed by the Borough of Forest City via a plumber, contractor, or other person who possesses any license required by law, if any, to perform the test, and who is determined by the Borough's Code Enforcement Officer or Borough Engineers or other recognized Borough Agent to be qualified to perform the test based on training and experience.
3. Testing may be witnessed by the Borough's Code Enforcement Officer or Borough Engineers or other qualified Borough Agent and a land owner or authorized agent shall allow access to said Borough Agent to a structure's sanitary line for such inspection. Failure of the land owner or authorized agent to allow said Borough Agent access to a structure's sanitary line for such inspection, shall deny the structure's connection to the Borough's new collection system until compliance is obtained.
4. If requested by the Borough's qualified agent, access to the sewer lines to be tested and conditions necessary to conduct the test shall be made ready by the land owner or authorized agent prior to scheduling a sewer lateral test. Failure of the land owner or authorized agent to make access to a structure's sanitary line available for a sewer lateral test to be conducted or make ready conditions necessary to conduct the test shall deny the structure's connection to the Borough's new collection system until compliance is obtained.
5. It shall be the responsibility of the property owner to repair and/or replace any sewer lateral which has been found through testing and/or inspection to exhibit conditions which would permit infiltration to enter the sewer system or which may allow effluent to leak out. Upon completion of the repair and/or replacement of the sewer lateral, re-inspections shall be conducted until the sewer lateral passes the required test.
6. Where existing private sewer laterals are connected to an adjacent land owner's lateral before connecting into the existing collection system, all land owners affected must provide a Certificate of Compliance for the entire lateral before any of the affected dwellings will be allowed to connect to the Borough's new collection system. If a land owner cannot provide a Certificate of Compliance by way of easements or other permission by adjacent land owners the effected property owner may attach a new private lateral to the new collection system by way of grinder pump or other available means.

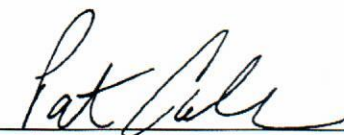
7. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.
8. This Ordinance will take effect within thirty (30) days of the date of enactment.

**ORDAINED AND ENACTED** this 5<sup>th</sup> day of December, 2011.

  
Forest City Borough Secretary

  
Forest City Borough Council President

The foregoing Ordinance is approved on the 5<sup>th</sup> day of December, 2011.

  
Forest City Borough Mayor