

CHAPTER 18

SEWERS AND SEWAGE DISPOSAL

Part 1

Connections

- §101. Definitions
- §102. Use of Public Sewers Required
- §103. Building Sewers and Connections
- §104. Rules and Regulations Governing Building Sewers and Connections to Sewers
- §105. Enforcement

Part 2

Rentals, Charges and Discharge Regulations

- §201. Definitions
- §202. Sewer Rentals and Charges
- §203. Computation of Sewer Rentals and Charges
- §204. Adjustment of Meter Readings
- §205. Time and Method of Payment
- §206. Liens for and Collection of Sewer Charges
- §207. Measuring Volume of Sewage and Industrial Wastes
- §208. Admission of Industrial Wastes into the Sewer System
- §209. Prohibited Wastes
- §210. Regulations Governing Admission of Industrial Wastes into the Sewer System
- §211. Access
- §212. Adoption of Additional Rules and Regulations
- §213. Declaration of Purpose
- §214. Enforcement

Part 3

Mid-Cameron Authority Pretreatment Ordinance

- §301. Pretreatment Ordinance

Part 1
Connections

§101. Definitions. Unless the context specifically and clearly indicates otherwise, the meaning of terms used in this Part shall be as follows:

AUTHORITY - the Mid-Cameron Authority, a Pennsylvania municipality authority. [Ord. 412]

BOROUGH - the Borough of Emporium, Cameron County, Pennsylvania, a Pennsylvania municipal corporation, acting by and through its Council or, in appropriate cases, acting by and through its authorized representatives.

BUILDING SEWER - the extension from the sewage drainage system of any structure to the lateral or service connection of a sewer.

IMPROVED PROPERTY - any property within this Borough upon which there is erected a structure or structures intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure or structures sewage and/or industrial wastes shall be or may be discharged.

INDUSTRIAL WASTES - any solid, liquid or gaseous substance or form of energy rejected or escaping in the course of any industrial, manufacturing, trade or business process or in the course of the development, recovery or processing of natural resources, as distinct from sewage, including such ground, surface or storm water as may be present.

LATERAL - that part of the sewer system extending from a sewer to the curb line or, if there shall be no curb line, to the property line.

OWNER - any person vested with ownership, legal or equitable, sole or partial, or any improved property located in this Borough.

PERSON - any individual, partnership, company, association, society, corporation or other group or entity.

SEWAGE - normal water-carried household and toilet wastes from any improved property, including such ground, surface or storm water as may be present.

SERVICE CONNECTION - that portion of, or place in, a sewer, in those cases where no lateral is provided, which is provided for connection of any building sewer.

SEWER - any pipe or conduit constituting a part of the sewer system used or usable for sewage collection purposes.

SEWER SYSTEM - all facilities, as of any particular time, for collecting, pumping, transporting, treating and disposing of sewage and industrial wastes, situate in or adjacent to this Borough and owned by the Authority and leased to this Borough for use and operation.

STREET - any street, road, lane, court, alley and public square.

(Ord. 270, 6/1/1961, Art. 1; as amended by Ord. 412, 10/4/1993)

§102. Use of Public Sewers Required.

1. The owner of any improved property abutting on or adjoining any street in which there is a sewer shall connect such improved property therewith, in such manner as this Borough may require, within sixty (60) days after notice to such owner from this Borough to make such connection, for the purpose of discharge of all sewage and, to the extent permitted by this Borough, such industrial wastes from such improved property, subject to such limitations and restrictions as shall be established herein or otherwise shall be established by this Borough, from time to time.

2. All sewage and, to the extent permitted by this Borough, industrial wastes, from such improved property, after connection of such improved property with a sewer shall be required under Subsection (1), shall be conducted into a sewer, subject to such limitations and restrictions as shall be established herein or otherwise shall be established by this Borough, from time to time.

3. No person shall place or deposit or permit to be placed or deposited upon public or private property within this Borough any sewage or industrial wastes in violation of subsection (1).

No person shall discharge or permit to be discharged to any natural outlet within this Borough any sewage or industrial wastes in violation of subsection (1), except where suitable treatment has been provided which is satisfactory to this Borough.

4. 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 subsection (1) 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 the Borough, shall be cleansed and filled under the direction and supervision of this Borough; and any such privy vault, cesspool, sinkhole, septic tank or similar receptacle not so abandoned and, if required by this Borough, 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.

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

6. The notice by this Borough to make a connection to a sewer, referred to in subsection (1), shall consist of a written or printed document requiring the connection and referring to this Part and may be given at any time after a sewer is in place which can receive and convey sewage and, to the extent permitted by this Borough, industrial wastes, for treatment and disposal from the particular improved property.

(Ord. 270, 6/1/1961, Art. 2)

§103. Building Sewers and Connections.

1. Except as otherwise provided in this subsection, each improved property shall be connected separately and independently with a sewer through a building sewer. Grouping of more than one (1) improved property

on one (1) building sewer shall not be permitted, except under special circumstances and for good sanitary reasons or other good cause shown, but then only after special permission of this Borough, in writing, shall have been secured.

2. All costs and expenses of construction of a building sewer and all costs and expenses of connection of a building sewer to a sewer shall be borne by the owner of the improved property to be connected; and such owner shall indemnify and save harmless this Borough 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.

3. A building sewer shall be connected to a sewer at the place designated by this Borough and where the lateral or service connection is provided.

The invert of a building sewer at the point of connection shall be the same or a higher elevation than the invert of the sewer. A smooth, neat joint shall be made and the connection of a building sewer to the lateral or service connection shall be made secure and watertight.

4. If the owner of any improved property abutting on or adjoining a street in which there is a sewer, after sixty (60) days notice from this Borough, in accordance with subsection (1), shall fail to connect such improved property, as required, this Borough may make such connection and may collect from such owner the costs and expenses thereof by a municipal claim, an action in assumpsit or such other legal proceeding as may be permitted by law.

(Ord. 270, 6/1/1961, Art. 3)

§104. Rules and Regulations Governing Building Sewers and Connections to Sewers.

1. 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 structure sewer line may be broken at the structure line of such improved property and attachment may be made, with proper fittings, to continue such structure sewer line as a building sewer.

2. No building sewer shall be covered until it has been inspected and approved by this Borough. If any part of a building sewer is covered before so being inspected and approved, it shall be uncovered for inspection by this Borough at the cost and expense of the owner of the improved property to be connected to a sewer.

3. Every building sewer of any improved property shall be maintained in a sanitary and safe operating condition by the owner of such improved property.

4. 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 Borough.

5. If any person shall fail or refuse, upon receipt of a notice of this Borough, in writing, to remedy any unsatisfactory condition with respect to a building sewer, within sixty (60) days of receipt of such notice, this Borough may refuse to permit such person to discharge sewage and industrial wastes into the sewer system until such unsatisfactory condition shall have been remedied to the satisfaction of this Borough.

6. This Borough 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 Part.

(Ord. 270, 6/1/1961, Art. 4)

§105. Enforcement.

1. Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not exceeding one thousand (\$1,000.00) dollars and costs, or in default of payment thereof, shall be subject to imprisonment for a term not to exceed thirty (30) days. Each day that a violation of this Part continues shall constitute a separate offense. [Ord. 412]

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

(Ord. 270, 6/1/1961, Art. 5; as amended by Ord. 412, 10/4/1993)

Part 2

Rentals, Charges and Discharge Regulations

§201. Definitions. Unless the context specifically and clearly indicates otherwise, the meaning of terms used in this Part shall be as follows:

AUTHORITY - the Mid-Cameron Authority, a Pennsylvania municipality authority. [Ord. 412]

B.O.D. (BIOCHEMICAL OXYGEN DEMAND) - the quantity of oxygen, expressed in ppm by weight, utilized in the biochemical oxidation of organic matter under standard laboratory procedure for five (5) days at twenty (20) degrees Centigrade. The standard laboratory procedure shall be that found in the latest edition of "Standard Methods for the Examination of Water and Sewage," published by the American Public Health Association.

BOROUGH - the Borough of Emporium, Cameron County, Pennsylvania, a Pennsylvania municipal corporation, acting by and through its Council or, in appropriate cases, acting by and through its authorized representatives.

CHLORINE DEMAND - the quantity of chlorine absorbed in water, sewage or other liquids, allowing a residual of 0.1 ppm by weight after fifteen (15) minutes of contact.

COMMERCIAL ESTABLISHMENT - any improved property which shall be used, in whole or in part, for sale or distribution of any product, commodity or article or for performance or rendition of any service, which improved property shall not constitute an industrial establishment, and specifically shall include any improved property used for governmental purposes.

DOMESTIC ESTABLISHMENT - any room, group of rooms, building or enclosure which shall be occupied or intended for occupancy as separate living quarters by one (1) family or other group of people living together or by individuals living alone, upon an improved property.

GARBAGE - solid wastes resulting from preparation, cooking and dispensing of food and from handling, storage and sale of produce.

IMPROVED PROPERTY - any property within this Borough upon which there is erected a structure or structures intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure or structures sewage and/or industrial wastes shall be or may be discharged.

INDUSTRIAL ESTABLISHMENT - any improved property which shall be used, in whole or in part, for manufacturing, processing, cleaning, laundering or assembling any product, commodity or article or from which any process waste, as distinct from sewage, shall be discharged.

INDUSTRIAL WASTES - solid, liquid or gaseous substances or forms of energy rejected or escaping in the course of any industrial, manufacturing, trade or business process or in the course of

development, recovery or processing of natural resources, as distinct from sewage, including such ground, surface or storm water as may be present.

OWNER - any person vested with ownership, legal or equitable, sole or partial, of any improved property.

PERSON - any individual, partnership, company, association, society, corporation or other group or entity.

pH - the logarithm of the reciprocal of the weight of hydrogen ions, expressed in grams per liter of solution, and indicates the degree of acidity or alkalinity of a substance.

ppm - parts per million.

PROPERLY SHREDDED GARBAGE - garbage that has been shredded to such a degree that all its particles will be carried freely under normal flow conditions, with no particle greater than one-half ($\frac{1}{2}$) inch in any dimension.

SEWAGE - normal water-carried household and toilet wastes, including such ground, surface or storm water as may be present.

SEWER - any pipe or conduit in this Borough constituting a part of the sewer system which shall be used or usable for collection of sewage and industrial wastes.

SEWER SYSTEM - all facilities, as of any particular time, for collecting, pumping, transporting, treating and disposing of sewage and industrial wastes, situate in or adjacent to this Borough and owned by the Authority and leased to this Borough for use and operation.

SUSPENDED SOLIDS - solids that either float on the surface of or are in suspension in water, sewage or other liquids and which are removable by laboratory filtration.

TOXIC SUBSTANCE - any poisonous substance, including copper, cyanide and chromium ions.

WATER COMPANY - the Emporium Water Company, a Pennsylvania public utility corporation, which corporation is duly authorized to supply water to the public in this Borough and its successors and assigns in interest.

(Ord. 268, 6/1/1961, §1; as amended by Ord. 412, 10/4/1993)

§202. Sewer Rentals and Charges. Sewer rentals and charges are imposed upon and shall be collected from the owner of each improved property which shall be connected with the sewer system, whether the benefit resulting from such connection shall be direct or indirect, which sewer rentals and charges shall commence and shall be effective as of the June 1, 1961, and shall be payable as provided in this Part. (Ord. 268, 6/1/1961, §2)

§203. Computation of Sewer Rentals and Charges.

1. Domestic Establishments.

A. Except as otherwise provided in this Part, sewer rentals and

charges for sewage discharged into the sewer system from any improved property constituting a domestic establishment, the volume of water usage of which shall be metered by the water company, shall be based upon the volume of water usage, which shall be used as the volume of discharge. Such sewer rentals and charges shall be computed for each quarter annum in accordance with rate schedules as established by the Mid-Cameron Authority. [Ord. 412]

B. Sewer rentals and charges for sewage discharged into the sewer system from any improved property constituting a domestic establishment, the volume of water usage of which shall not be metered by the water company, shall be based upon a flat rate charge for each calendar quarter hereafter. [Ord. 412]

2. Commercial Establishments and Industrial Establishments.

A. Except as otherwise provided in this Part, sewer rentals and charges for sewage and/or industrial wastes discharged into the sewer system from any improved property constituting a commercial establishment or from any improved property constituting an industrial establishment shall be based upon volume of water usage, adjusted, if appropriate, as provided in this Part, where the volume of water usage shall be metered, whether by the water company or otherwise, or upon actual metered volume of discharge, as permitted in this Part.

In any of the foregoing cases, sewer rentals and charges shall be computed in accordance with rate schedules as established monthly by the Mid-Cameron Authority. [Ord. 412]

B. Notwithstanding the provisions of subsection (2)(A) of this Section, in the event the owner of any improved property constituting an industrial establishment and this Borough shall agree, in writing, that the method set forth in the foregoing subsection (2)(A) of this Section of computing sewer rentals and charges for sewage discharged into the sewer system from such improved property constituting an industrial establishment shall be impracticable because of the difficulty of satisfactorily determining volume of water usage, or volume of water usage, as adjusted, or actual metered volume of discharge, as provided for or permitted in this Part, the sewer rentals and charges for sewage discharged into the sewer system shall be computed at the rate of one dollar and eight-eight (\$.88) cents for each calendar quarter hereafter, upon the average number of persons employed per working day during the quarter annum for which the computation shall be made. In any such case, the average number of persons employed per working day shall be furnished to this Borough by the owner of the improved property constituting an industrial establishment and this Borough shall have the right, upon reasonable request, to inspect the appropriate records of such owner to verify the accuracy of the data so furnished. Nothing in this subsection (2)(B) shall prohibit the owner of an improved property constituting an industrial establishment, at any subsequent time, from complying with applicable provisions of this Part so that subsequent sewer rentals and charges can be computed by this Borough in accordance with subsection (2)(A) of this Section.

The foregoing provisions of this subsection (2)(B) shall be subject to the condition that the bill to the owner of any improved property

constituting an industrial establishment for any quarter annum period after the third calendar quarter of 1982 shall not be less than fifty (50) percent of the maximum bill for any of the three (3) immediately preceding quarter annum periods.

(Ord. 268, 6/1/1961, §3; as amended by Ord. 370, 1/1/1980, §1; by Ord. 376, 1/1/1981, §1; by Ord. 387, 9/13/1982, §2; and by Ord. 412, 10/4/1993)

§204. Adjustment of Meter Readings. In the event the water company, at any time or for any reason, shall read the water meter of any domestic establishment, commercial establishment or industrial establishment on a monthly basis, the meter readings for the appropriate three (3) months shall be consolidated and treated as one (1) total for purposes of computing sewer rentals and charges under this Part, as appropriate. (Ord. 268, 6/1/1961, §4)

§205. Time and Method of Payment.

1. Sewer rentals and charges imposed by this Part shall be payable on the dates and shall cover the periods as follows:

A. In the case of the owner of an improved property whose bill, under the provisions of this Part, shall be computed, in whole or in part, upon the basis of volume of water usage metered by the water company and who shall be billed by the water company on a quarter annum basis, the billing date shall be the same date and shall cover the same period as shall be applicable to the billing of the water company.

B. In the case of the owner of an improved property whose bill, under provisions of this Part, shall be computed, in whole or in part, upon the basis of volume of water usage metered by the water company and who shall be billed by the water company on a monthly basis, the initial billing date shall be the date of the third monthly billing by the water company immediately succeeding June 1, 1988, and thereafter the billing date shall be the date of each third monthly billing by the water company and shall be applicable to the current and two (2) preceding monthly billing periods of the water company. [Ord. 412]

C. In the case of the owner of an improved property whose bill, under the provisions of this Part, shall be computed independent of water volume usage metered by the water company, the billing dates shall be cover a quarter annum billing period consisting of the immediately preceding three (3) complete calendar months.

2. Sewer rentals and charges shall be payable upon the applicable date set forth in Subsection (1) of this Section and the appropriate amount, computed in accordance with this Part, shall constitute the bill. If sewer rentals and charges shall not be paid within fifteen (15) calendar days after the billing date, as set forth in subsection (1) of this Section, an additional sum of ten (10) percent shall be added to such net bill, which net bill, plus such additional sum, shall constitute the gross bill. Payment made or mailed and postmarked on or before the last day of such fifteen (15) calendar day period shall constitute payment within such period. If the end of such fifteen (15) calendar day period shall fall on a legal holiday or a Sunday, payment which shall be made on or mailed and

postmarked on the next succeeding week day which is not a legal holiday shall constitute payment within such period. [Ord. 412]

In the event sewer rentals and charges imposed under provisions of this Part shall become applicable to any improved property constituting a domestic establishment, commercial establishment or industrial establishment during a billing period, as set forth in subsection (1) of this Section, or in the event service to any improved property constituting a domestic establishment, commercial establishment or industrial establishment shall begin after the first day or shall terminate before the last day of any billing period, as set forth in subsection (1) of this Section, sewer rentals and charges for such billing period shall be pro-rated equitably, as appropriate, for the applicable portion of the billing period.

3. Every owner of an improved property which is connected to the sewer system initially shall provide the Authority with and thereafter shall keep the Authority advised of his correct address. Failure of any person to receive appropriate bills for sewer rentals and charges shall not be considered an excuse for nonpayment nor shall such failure result in an extension of the period of time during which the net bill shall be payable. [Ord. 412]

(Ord. 268, 6/1/1961, §5; as amended by Ord. 412, 10/4/1993)

§206. Liens for and Collection of Sewer Charges.

1. Liens. Sewer rentals and charges imposed by this Part shall be a lien on the improved property connected to and served by the sewer system; and such sewer rentals and charges which shall be delinquent shall be filed as a lien against the improved property so connected to and served by the sewer system, which lien shall be filed in the manner provided by law in the office of the Prothonotary of Cameron County, Pennsylvania, and shall be collected in the manner provided by law for collection of municipal claims.

2. Distrain. Sewer rentals which are delinquent may also be collected by distress of personal property on the improved property. The Borough Manager is authorized and empowered to issue the warrant of this Borough for such distress to the Sheriff or any constable of this Borough.

3. Shutting Off Water. With the approval of the Borough Council of this Borough by motion, sewer rentals which are sufficiently delinquent may also be collected by shutting off the supply of water to the premises which are so delinquent, in accordance with the provisions of the Act of April 14, 1949, P.L. 482, as amended, 53 P.S. §2261 et seq., as amended. After such approval the Borough manager is authorized and empowered to take such action on behalf of this Borough as may be necessary to effect such collection by such means.

(Ord. 268, 6/1/1961, §6; as amended by Ord. 370, 9/10/1979, §2)

§207. Measuring Volume of Sewage and Industrial Wastes.

1. Methods of Measuring Volume.

A. Except as otherwise permitted in this Part, whenever the entire water supply of an improved property constituting a commercial

establishment or industrial establishment which shall discharge sewage and/or industrial wastes into the sewer system shall be supplied by the water company, the volume of water furnished, as determined from meter readings of the water company, shall be used as the measure of discharge of sewage and/or industrial wastes in computing sewer rentals and charges, subject to adjustment, if appropriate, as provided in this Part.

B. Except as otherwise permitted in this Part, whenever an improved property constituting a commercial establishment or industrial establishment which shall discharge sewage and/or industrial wastes into the sewer system shall have a source or sources of water supply in addition to or other than the water company, the owner of such improved property shall provide a meter on such additional or other source or sources of water supply. The total volume of water consumed, as determined from the meter readings of the water company and the meter readings of the meter or meters on such additional or other source or sources of water supply, as appropriate, shall be used as the measure of discharge of sewage and/or industrial wastes in computing the sewer rentals and charges, subject to adjustment, if appropriate, as provided in this Part.

C. Except as otherwise permitted in this Part, whenever an improved property constituting a commercial establishment or industrial establishment shall use water from the water company or water from the water company and/or water from a source or sources of supply in addition to or other than the water company, and all or part of the water so used shall not be discharged into the sewer system, the volume used as the measure of discharge of sewage and/or industrial wastes in computing sewer rentals and charges may be adjusted by one (1) of the following methods:

(1) By installing a meter or other measuring device on the connection to the sewer system. The readings from such meter or measuring device shall be used as the measure of discharge of sewage and/or industrial wastes in computing sewer rentals and charges.

(2) By installing a meter or other measuring device to measure the volume not being discharged into the sewer system. The readings from such meter or measuring device shall be deducted from the total water meter readings and the remainder shall be used as the measure of discharge of sewage and/or industrial wastes in computing sewer rentals and charges.

(3) If it is not practical, in the opinion of this Borough, to install a meter or other measuring device to determine continuously the volume not discharged into the sewer system, this Borough shall determine, in such manner and by such method as it may prescribe, the percentage of metered water which is being discharged into the sewer system. The quantity of water used as the measure of discharge of sewage and/or industrial wastes in computing sewer rentals and charges shall be the percentage so determined of the quantity measured by the water meter or meters. Any dispute as to such estimated percentage shall be submitted to

this Borough, after notice of such estimate. The decision of this Borough with respect to the matter shall be final for the then current calendar year.

2. Measuring Devices. Meters or other measuring devices which shall be required or permitted under this Section, other than meters of the water company, shall be furnished and installed by the owner of the improved property, at his expense, shall be under the control of this Borough and may be tested, inspected or repaired by this Borough whenever necessary. The owner of the improved property shall be responsible for the maintenance and safekeeping of such meter or other measuring device; and all repairs thereto shall be made at the expense of the owner, whether such repairs shall be made necessary by ordinary wear and tear or other cause. Bills for such repairs, if made by this Borough, shall be due and payable immediately upon completion of such repairs and shall be collected in the same manner as quarter annum bills for sewer rentals and charges.

3. Meter Readings. This Borough shall be responsible for the reading of all meters or other measuring devices required or permitted under this Section, other than those owned and read by the water company, and the same shall be available to this Borough for such purpose at all reasonable times.

(Ord. 268, 6/1/1961, §7)

§208. Admission of Industrial Wastes into the Sewer System.

1. Approval Required for Industrial Wastes. Discharge into the sewer system of industrial wastes having:

- A. A five (5)-day B.O.D. greater than three hundred (300) ppm by weight; or
- B. A suspended solids content greater than three hundred (300) ppm by weight; or
- C. A chlorine demand greater than five (5) ppm; or
- D. An average daily flow greater than five (5) percent of the average daily sewage flow at the sewerage treatment works of the sewer system; or
- E. Any quantity of substances possessing characteristics described in subsection (2) of §209

shall be subject to prior review and approval of this Borough.

2. Preliminary Treatment and Handling of Industrial Wastes.

A. Whenever necessary, in the opinion of this Borough, the owner of the improved property shall provide, at his expense, such facilities for preliminary treatment and handling of industrial wastes as may be necessary to:

- (1) Reduce B.O.D. to three hundred (300) ppm by weight; or
- (2) Reduce objectionable characteristics or constituents to come within the maximum limits permitted in this Part; or
- (3) Control the quantities and rates of discharge over a twenty-four (24)-hour day and a seven (7)-day week.

B. Plans, specifications and any other pertinent information relating to proposed facilities for preliminary treatment and handling of industrial wastes shall be submitted to this Borough and no construction of any such facility shall be commenced until such plans, specifications and other pertinent information first shall have been submitted to this Borough and until approval thereof first shall have been obtained from any governmental regulatory body having jurisdiction.

C. Whenever facilities for preliminary treatment and handling of industrial wastes shall have been provided by the owner of the improved property, which shall be satisfactory to this Borough, such facilities continuously shall be maintained, at the expense of the owner of the improved property, in satisfactory operating condition; and this Borough shall have access to such facilities at reasonable times for purposes of inspection and testing.

(Ord. 268, 6/1/1961, §8)

§209. Prohibited Wastes.

1. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff or subsurface drainage into any sewer, except with the consent and approval of this Borough.

2. Except as otherwise provided in this Part, no person shall discharge or cause to be discharged any of the following described wastes or waters into the sewage system:

A. Any liquid or vapor having a temperature higher than two hundred (200) degrees Fahrenheit.

B. Any water or waste containing more than one hundred (100) ppm by weight of fats, oils or greases.

C. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquids, solid or gas which, by reason of its nature or quality, may cause fire or explosion or which may be injurious to any person or to the sewer system.

D. Any noxious or malodorous gas or substance which, either singly or by interaction with other wastes, shall be capable of creating a public nuisance or hazard to life or of preventing entry into any sewer or into the sewerage treatment works of the sewer system for maintenance and repair.

E. Any garbage, except properly shredded garbage.

F. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, bones, feathers, tar, plastic, wood, paunch manure, butchers' offal or any other solid or viscous substance which shall be capable of causing obstruction to the flow in any sewer or other interference with the proper operation of the sewer system.

G. Any water or waste having a pH lower than 6.0 or higher than 9.0 or having any corrosive property capable of causing damage or hazard to structures or equipment of the sewer system or to personnel engaged in operation and maintenance thereof.

H. Any water or waste containing toxic substances in quantity sufficient to constitute a hazard to humans or animals or to interfere with the biochemical processes of the sewerage treatment works of the sewer system or that will pass through the sewerage treatment works of the sewer system in such condition so that it will exceed State, Federal or other validly existing requirements for the receiving stream.

I. Any water or waste containing suspended solids of such character and quantity that unusual attention or expense shall be required to handle such water or waste at the sewerage treatment works of the sewer system.

J. Any toxic radioactive isotopes.

K. Any drainage from building construction.

3. Nothing contained in this Section shall be construed as prohibiting any special agreement or arrangement between this Borough and any person whereby industrial wastes of unusual strength or character may be admitted into the sewer system by this Borough, either before or after preliminary treatment.

(Ord. 268, 6/1/1961, §9)

§210. Regulations Governing Admission of Industrial Wastes into the Sewer System.

1. Required Survey Data. Any person desiring to make a connection to the sewer system through which industrial wastes shall be discharged into the sewer system shall file with this Borough an industrial wastes questionnaire, to be furnished by this Borough, which shall supply pertinent data, including estimated quantity of flow, to this Borough with respect to industrial wastes proposed to be discharged into the sewer system.

2. Control Manholes.

A. Any person who shall discharge industrial wastes into the sewer system, when required by this Borough, shall construct and thereafter properly shall maintain, at his own expense, a suitable control manhole to facilitate observation, measurement and sampling by this Borough.

B. Any such control manhole, when required by this Borough, shall be constructed at an accessible, safe, suitable and satisfactory location in accordance with plans approved by this Borough prior to commencement of construction.

3. Sewage Sampling. Industrial wastes being discharged into the sewer system shall be subject to periodic sampling, inspection and determination of character and concentration. Such sampling, inspection and determination shall be made by this Borough as frequently as may be deemed necessary. Representative samples for a full working day shall be obtained by taking hourly samples and compositing them in accordance with the flow at the time of sampling. Sewage sampling facilities shall be accessible to this Borough at all times. Due care shall be exercised in the collection and preservation of all samples to insure preservation thereof in as nearly the natural state as possible, including refrigeration of all samples which are intended for analysis by biochemical methods.

4. Analysis.

A. This Borough shall be responsible for analysis of samples of industrial wastes.

B. Laboratory methods used in the analysis of samples of industrial wastes shall be those set forth in the latest edition of "Standard Methods for the Examination of Water and Sewage," as published by the American Public Health Association; provided, however, that alternate methods for the analysis of industrial wastes may be used, subject to mutual agreement between this Borough and the person discharging such industrial wastes into the sewer system.

5. Changes in Type of Wastes. Any owner of an improved property who is discharging industrial wastes into the sewer system and who contemplates a change in the method of operation which will alter the type of industrial wastes at the time being discharged into the sewer system shall notify this Borough, in writing, at least ten (10) days prior to consummation of such change.

(Ord. 268, 6/1/1961, §10)

§211. Access. This Borough shall have the right of access at reasonable times to any part of any improved property served by the sewer system as shall be required for purposes of inspection, measurement, sampling and testing and for performance of other functions relating to service rendered by this Borough through the sewer system. (Ord. 268, 6/1/1961, §11)

§212. Adoption of Additional Rules and Regulations. This Borough reserves the right to adopt, from time to time such additional rules and regulations as it shall deem necessary and proper in connection with use and operation of the sewer system, which rules and regulations shall be, shall become and shall be construed as part of this Part. (Ord. 268, 6/1/1961, §12)

§213. Declaration of Purpose. It is declared that enactment of this Part is necessary for the protection, benefit and preservation of the health, safety and welfare of inhabitants of this Borough. (Ord. 268, 6/1/1961, §15)

§214. Enforcement.

1. Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not exceeding one thousand (\$1,000.00) dollars and costs, or in default of payment thereof, shall be subject to imprisonment for a term not to exceed thirty (30) days. Each day that a violation of this Part continues shall constitute a separate offense.

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

(Ord. 268, 6/1/1961; as added by Ord. 412, 10/4/1993)

Part 3

Mid-Cameron Authority Pretreatment Ordinance

§301. Pretreatment Ordinance.

1. Whereas Federal and State law mandates the implementation and enforcement of a pretreatment program to control industrial waste; and Mid-Cameron Authority, an existing Pennsylvania municipal authority, owns and operates a wastewater treatment system which is utilized by industrial and other private users located within the Borough of Emporium.

2. Whereas, in order to comply with Federal and State law, the Borough of Emporium entered into an interjurisdictional agreement with Mid-Cameron Authority on May 16, 1994, providing, inter alia, that the Borough will enact an ordinance which incorporates the uniform requirements and all other provisions contained in a certain Mid-Cameron Authority Pretreatment Resolution prepared by Brockway Analytical, Inc., and further authorizing Mid-Cameron Authority to enforce and administer the provisions of said ordinance.

3. In accordance with said agreement, the aforesaid interjurisdictional agreement is hereby ratified and incorporated in its entirety by reference as though fully set forth, (the same being attached hereto and made a part hereof)¹; and further, that the certain aforesaid Mid-Cameron Authority Pretreatment resolution is hereby adopted and incorporated in its entirety by reference as though fully set forth, (the same being attached hereto and made a part hereof); and further, that Mid-Cameron Authority is hereby authorized to utilize the police powers possessed by of the Borough of Emporium to administer and enforce this Part.

4. With the exception of prior agreements and/or municipal legislation then specifically addressing the pretreatment of wastewater and pollutants within the publicly owned treatment works, neither this Part nor the aforesaid interjurisdictional agreement or resolution shall affect any prior agreements entered into by the Borough and/or Mid-Cameron Authority; nor shall any other existing ordinance and/or resolution of the Borough be affected; nor shall the executive and legislative powers of Mid-Cameron Authority be expanded or increased other than those powers necessary to accomplish the specific policy goals outlined in Section 1 - General Provisions, Subsection 1.1 of the aforesaid Mid-Cameron Authority Pretreatment resolution. Only to the extent that any provision of any existing Borough ordinance, (and specifically, #412 Chapter 18, Part 1, §§101 through 105; and Part 2, §§201 through 214), conflicts with this newly enacted Part, said existing provisions are hereby repealed and/or amended.

(Ord. 415, 6/6/1994)

¹Editors Note: The interjurisdictional agreement is on file in the Borough office.

()

()