

ORDINANCE NO. 239

**EAST VINCENT TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

AN ORDINANCE OF THE TOWNSHIP OF EAST VINCENT, CHESTER COUNTY, PENNSYLVANIA, AMENDING CHAPTER 18, SEWERS AND SEWAGE DISPOSAL, PART 1, PUBLIC SEWERS, §18-101, PURPOSE, TO PROVIDE FINDINGS AND PURPOSE; §18-103, DEFINITIONS, TO ADD THE DEFINITION OF PROHIBITED CONNECTIONS; AND §18-105, BUILDING SEWERS AND CONNECTIONS, TO REQUIRE RESALE INSPECTIONS, REGULATE NEW SEWER CONNECTIONS, AND PROVIDE A DURATION OF CERTIFICATE OF COMPLIANCE.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of East Vincent, Chester County, Pennsylvania, that Chapter 18, Sewers and Sewage Disposal, of the Code of the Township of East Vincent, as amended, be amended as follows:

SECTION 1. Chapter 18, Sewers and Sewage Disposal, Part 1, Public Sewers, §18-101, Purpose, shall be replaced in its entirety, and shall read as follows:

Statement of Findings and Purpose

- A. The Township finds that the discharge of stormwater, surface water, groundwater, roof run-off, subsurface drainage, connections with sump pumps, down spouts, dehumidifiers, condenser units and the like, collectively referred to as infiltration and inflow (I & I), into the public sanitary sewer system that is owned and maintained by the Township causes excessive flows which are detrimental to the operation of the Township's sanitary sewer system.
- B. The Township intends to take all reasonably necessary measures to reduce the volume of I & I in the Township's sanitary sewer system.
- C. The purpose of this Part is to prohibit the discharge of said waters into the sanitary sewer system and establish a program of investigations, inspections, and measures for corrective actions so as to minimize or eliminate the introduction of said I & I into the Township's sanitary sewer system.

SECTION 2. Chapter 18, Sewers and Sewage Disposal, Part 1, Public Sewers, §18-103, Definitions, shall be amended to include the following term and definition:

Prohibited Connections – The connection of sump pumps, roof downspouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to the sewer system. Other connections such as dehumidifiers

and condenser where possible shall not be connected to the sanitary sewer as determined by the Township.

SECTION 3. Chapter 18, Sewers and Sewage Disposal, Part 1, Public Sewers, §18-105, Building Sewers and Connections, shall be amended to include the following subsection:

6. Building Sewer Inspections

A. Resale Inspection Required – Existing Sewer Connections

The owner of an improved property already connected to the public sewer system shall be responsible to notify the Township, in writing, of the proposed sale of the improved property at least 30 days prior to the intended closing date.

- (1) Such owner shall make available to the Township, for inspection and/or televising, all areas of the improved property, including without limitation, all building sewers and all internal sewer connections.
- (2) The owner, at its sole cost and expense, shall arrange for and have such external televising conducted, with the designated Township Official present, and the results certified and presented to the Township in the form required by the Township. The Township retains the right to retelevise or require the retelevising of any building sewer where it deems the televising provided by the owner to be insufficient for the purposes of this section.
- (3) The Township shall inspect, or cause to be inspected, the property owner's building sewer and any connections thereto within the 30-day notice period provided by the owner. In the case where the owner is permitted to televise the building sewer, the owner shall arrange for the inspection to be conducted with the designated Township Official present, and the results shall be provided to the Township within the thirty-day period set forth in this subsection.
- (4) Cost of inspection. The cost of all inspections and reinspections (including the cost of CCTV where commissioned or performed by the Township) shall be determined and established by the Board of Supervisors from time to time by resolution and shall be paid by the owner at the time owner notifies the Township of the sale of the improved property in accordance with this section. The cost of any reinspection shall be paid at the time of the request for reinspection, if applicable.
- (5) Repairs and reinspection. If the inspection determines that an unacceptable condition(s) exists for any reason, including, without limitation, damage, unconnected joints, leakage, prohibited connections with sump pumps, down spouts, and the like, or unapproved connections with dehumidifiers and condenser units, which may have the effect of reducing or restricting

public sewer system capacity available to the residents of the Township, the following shall occur:

- (a) The owner shall be so notified, in writing, and the condition(s) shall be corrected by the owner, in accordance with this article and any applicable rules and regulations of the Township.
 - (b) All costs of correction shall be borne by the owner.
 - (c) The Township shall confirm by reinspection and/or televising, in accordance with this section, that the condition(s) has been satisfactorily corrected once notified by the owner. Upon determination that a satisfactory condition exists, the Township shall issue a Certificate of Compliance indicating the property is in compliance with this Section.
 - (d) The cost of the reinspection shall be paid by the owner at the time the owner notifies the Township that the subject condition(s) has been corrected and is ready for reinspection by the Township.
 - (e) Because of the limitation in capacity available to the Township, no Certificate of Compliance shall be issued and no connection to the public sewer system shall be made or shall continue, unless and until the unsatisfactory condition(s) has been repaired and the repair has been inspected and approved by the Township. Where a Certificate of Compliance has already been issued for an improved property, said certificate may be revoked until the unsatisfactory condition(s) has been repaired and the repair has been inspected and approved by the Township.
- B. New sewer connections. New construction and other properties proposing to make new connection into the sanitary sewer system are subject to the same provisions outlined in Section A above prior to release of flow to the sanitary sewer system.
- C. Duration of Certificate of Compliance. Once the Township issues a Certificate of Compliance for a connected property, the following timeframes for reinspection shall apply:
- (1) Televising. Certificates of Compliance for televising are valid for a period of five (5) years from the date of issuance. Resale of a connected property with a valid Certificate of Compliance within the five-year period is deemed in compliance and need not repeat televising of the building sewer(s). The Township may, at its sole discretion, determine that an extenuating circumstance exists that requires the retelevising of a building sewer within this time frame. In the event the Township determines that an extenuating circumstance exists, the Township shall notify the owner of the property in

writing for the justification of the retelevising and the Township will perform the televising or cause the televising to be conducted at its expense. Upon notice that an unacceptable condition exists, the property owner shall comply with all other provisions of this Section, including bearing any costs for such repairs, to bring the property into compliance.

- (2) Connection Inspection. A Certificate of Compliance is required for each resale of a connected property to inspect for prohibited connections, regardless of time since the last inspection.

SECTION 4. All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed. Any other terms and provisions of the ordinances of the Township that are unaffected by this Ordinance are hereby reaffirmed and ratified.


SECTION 5. Should any section, paragraph, sentence, clause, or phrase in this Ordinance be declared unconstitutional or invalid for any reason, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect, and for this reason the provisions of this Ordinance shall be severable.

SECTION 6. This Ordinance shall become effective five (5) days after enactment.

ENACTED AND ORDAINED THIS 4th DAY OF January, 2021.

**EAST VINCENT TOWNSHIP
BOARD OF SUPERVISORS**

by:


Edmund J. Dracup
Chairman


by:


John D. Funk
Vice Chairman

by:


Christopher D. Canale
Supervisor

ATTEST:


Catherine Ricardo
Secretary