

TOWNSHIP OF EAST LAMPETER,  
Lancaster County, Pennsylvania

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ORDINANCE NO. 102

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AN ORDINANCE

OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF EAST LAMPETER, LANCASTER COUNTY, PENNSYLVANIA, REQUIRING ALL OWNERS OF IMPROVED PROPERTY LOCATED WITHIN THIS TOWNSHIP AND ACCESSIBLE TO AND WHOSE PRINCIPAL BUILDING IS WITHIN ONE HUNDRED FIFTY FEET FROM THE SEWER SYSTEM CONSTRUCTED AND ACQUIRED BY EAST LAMPETER SEWER AUTHORITY AND LEASED TO THIS TOWNSHIP FOR MAINTENANCE AND OPERATION, 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 IMPROVED PROPERTY FAILING TO MAKE SUCH CONNECTION; ADOPTING CERTAIN RULES AND REGULATIONS AND PROVIDING FOR ADOPTION OF 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.

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The Board of Supervisors of the Township of East Lampeter, Lancaster 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" shall mean East Lampeter Sewer Authority, a Pennsylvania municipality authority.

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

C. "Improved Property" shall mean any property located within this Township 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 Sanitary Sewage and/or Industrial Wastes shall be or may be discharged.

D. "Industrial Wastes" shall mean any solid, liquid or gaseous substance or form of energy ejected 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 Sanitary Sewage.

E. "Lateral" shall mean 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 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.

F. "Owner" shall mean any Person vested with ownership, legal or equitable, sole or partial, of any Improved Property.

G. "Person" shall mean any individual, partnership, company, association, society, corporation or other group or entity.



H. "Sanitary Sewage" shall mean normal water-carried household and toilet wastes from any Improved Property.

I. "Sewer" shall mean any pipe or conduit constituting a part of the Sewer System, used or usable for sewage collection purposes.

J. "Sewer System" shall mean all facilities, as of any particular time, for collecting, pumping, transporting and/or disposing of Sanitary Sewage and/or Industrial Wastes, situate in this Township, owned by the Authority and leased to this Township for operation and use.

K. "Township" shall mean the Township of East Lampeter, Lancaster County, Pennsylvania, a political subdivision, acting by and through its Board of Supervisors or, 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 which is located in this Township and is accessible to and whose principal building is within one hundred fifty feet of the Sewer System shall connect such Improved Property therewith, in such manner as this Township may require, within sixty 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 by this Township, 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 as otherwise shall be established by this Township, 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 Wastes 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 or 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, sink-hole, 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, 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  
BUILDING 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 or the Sewer System without first making application for and securing a permit, in writing, from this Township.

Section 3.02. Application for a permit required under Section 3.01 shall be made by the Owner of the Improved Property to be served or his duly authorized agent.

Section 3.03. No Person shall make or cause to be made a connection of any Improved Property with a Sewer until such Person shall have fulfilled each of the following conditions:

A. Such Person shall have notified the Secretary of this Township of the desire and intention to connect such Improved Property to a Sewer.



B. Such Person shall have applied for and obtained a permit as required by Section 3.01.

C. Such Person shall have given the Secretary of this Township at least 24 hours' notice of the time when such connection will be made so that this Township may supervise and inspect the work of connection and necessary testing.

D. Such Person shall have furnished satisfactory evidence to the Secretary of this Township that any tapping fee charged and imposed by the Authority against the Owner of each Improved Property who connects such Improved Property to a Sewer has been paid.

Section 3.04. Except as otherwise provided in this Section 3.04, 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 this Township, in writing, shall have been

secured and subject to such rules, regulations and conditions as may be prescribed by this Township.

Section 3.05. 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 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 3.06. A Building Sewer shall be connected to a Sewer at the place designated by this Township or the Authority and where the Lateral is provided.

The invert of a Building Sewer at the point of connection shall be at 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 shall be made secure and water-tight.

Section 3.07. If the Owner of any Improved Property located in this Township and accessible to and whose principal

building is within one hundred fifty feet of the Sewer System, after sixty 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 six 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 provided 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 line, as a Building Sewer.

Section 4.02. No Building Sewer shall be covered until it has been inspected and approved by this Township or 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 all 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 from this Township or the Authority, in writing, to remedy any unsatisfactory conditions with respect to a

Building Sewer, within sixty days of receipt of such notice, this Township may refuse to permit such Person to discharge Sanitary Sewage and Industrial Wastes into the Sewer System until such unsatisfactory conditions shall have been remedied to the satisfaction of this Township.

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 a part of this Ordinance.

#### ARTICLE V

#### ENFORCEMENT

Section 5.01. Any Person who shall violate this Ordinance shall be liable, upon summary conviction for a first offense and upon summary conviction for each subsequent offense, to a fine of not less than \$15 nor more than \$25, together with costs of prosecution in each case. Each day that a violation shall continue shall be deemed and shall be taken to be a separate offense and shall be punishable as such.

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

##### EFFECTIVE DATE

Section 6.01. This Ordinance shall become effective as provided by law.

#### ARTICLE VII

##### SEVERABILITY

Section 7.01. In the event that 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 provisions, 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 VIII

##### DECLARATION OF PURPOSE

Section 8.01. It is declared that the enactment of this Ordinance is necessary for the protection, benefit and



preservation of the health, safety and welfare of the inhabitants of this Township.

ARTICLE IX

REPEALER

Section 9.01. All ordinances or resolutions or parts of ordinances or resolutions inconsistent herewith shall be and the same expressly are repealed.

DULY ENACTED AND ORDAINED this 16th day of April, 1985, by the Board of Supervisors of the Township of East Lampeter, Lancaster County, Pennsylvania, in lawful session duly assembled.

ATTEST:

TOWNSHIP OF EAST LAMPETER,  
Lancaster County, Pennsylvania

James C. Miller  
Secretary

By: Richard D. Reese  
Chairman of Board  
of Supervisors

(SEAL)