

Ordinance No. 163

AN ORDINANCE OF

THE TOWNSHIP OF EAST LAMPETER, LANCASTER COUNTY, PENNSYLVANIA PROVIDING FOR THE INSTALLATION, MAINTENANCE, INSPECTION AND REPAIR OF LOW PRESSURE SEWAGE SYSTEM PUMPS, CREATING AN ENFORCEMENT OFFICER FOR SAID ORDINANCE PROVIDING FOR THE ADOPTION OF RULES AND REGULATIONS PURSUANT TO SAID ORDINANCE, AND PROVIDING FINES AND PENALTIES FOR THE VIOLATION OF ANY TERMS AND CONDITIONS OF SAID ORDINANCE.

WHEREAS, East Lampeter Township (hereinafter "Township") has leased from the East Lampeter Sewer Authority (hereinafter "Authority") a municipal sewerage system which includes, in part, low pressure sewerage system facilities and will be enlarged, expanded and improved in the future by additional low pressure sewer facilities connected to the sewerage system;

WHEREAS, the Township, pursuant to Article VII, §702 of the Second Class Township Code, Act of May 1, 1933, Pamphlet Law 103, Article VII, §702, as amended from time to time, and other applicable laws and statutes, desires to regulate the ownership, installation, maintenance, repair and replacement of sewerage system Grinder pumps attached to said system in East Lampeter Township, Lancaster County, Pennsylvania.

NOW THEREFORE, be it hereby ordained and enacted as follows:

1. All grinder pumps supplied to homeowners by the Authority or Township as part of the original construction of any sewerage project, shall remain the property of the Authority, or Township, as the case may be, but the property owner shall be responsible for

the proper installation of the sewerage grinder pump in accordance with all rules and regulations adopted by East Lampeter Township pursuant to the authority granted by this Ordinance. When used in this Ordinance, the term "grinder pump" shall include the pump, the pump tank, the electrical control panel and the wires between the control panel and the pump.

2. Upon installation, East Lampeter Township will thereafter provide all maintenance, repair and replacement of all grinder pumps of a type approved by the Township and installed in accordance with the provisions of this Ordinance and all regulations of the Township adopted pursuant thereto, except as hereinafter set forth.

3. East Lampeter Township will hereinafter provide maintenance, replacement and repair of all existing previously installed sewerage grinder pumps, connected to the East Lampeter Township Sewer System, if said sewerage grinder pumps meet the standards of this Ordinance, and all regulations adopted pursuant to it, or are brought up to such standards by the property owner.

4. East Lampeter Township shall not be responsible for and will not service, repair, maintain or replace any sewerage grinder pump on any property or premises unless all owners of said property have executed, acknowledged and delivered to East Lampeter Township a Right-of-Way Agreement in a form satisfactory to the Township and East Lampeter Sewer Authority, granting to East Lampeter Township, East Lampeter Sewer Authority and its agents, workmen and employees



the right to enter the premises for the purposes set forth in Paragraphs 2 and 3 of this Ordinance.

5. East Lampeter Township will not provide maintenance, replacement or repair of any commercial or industrial sewerage grinder pumps nor any residential sewerage grinder pumps servicing properties containing more than four (4) equivalent dwelling units of sewerage discharge nor shall it be responsible for sewerage grinder pumps in non-approved locations or otherwise not meeting the terms, conditions and provisions of this Ordinance and the regulations adopted pursuant thereto. Excluded grinder pumps, as defined in this paragraph, shall remain the responsibility of the property owner who shall be responsible for the installation, thereof and all future service, maintenance, repair and replacement of said pumps. All replacements shall be of a type approved by, and installed in accordance with the provisions of this Ordinance and all regulations of the Township adopted pursuant thereto.

6. The Township Sewer Superintendent is hereby designated as the enforcement officer for the enforcement of the terms, conditions and restrictions of this Ordinance, is hereby clothed with police power when acting in such regard, and is authorized to bring prosecutions for any violations of this Ordinance on behalf of the supervisors of the Township and to bring in the name of the Township any action at law or equity to compel compliance with this Ordinance, and to enjoin or abate any prohibited conduct under this Ordinance.

7. The Sewer Superintendent shall have the following additional authority and responsibility:

A. To inspect the installation of all sewerage grinder pumps to be installed, reinstalled or otherwise attached to low pressure sewerage systems in East Lampeter Township, Lancaster County, Pennsylvania.

B. To prosecute any violations of the terms and conditions of this Ordinance or any rules and regulations adopted pursuant to this Ordinance.

C. To promulgate rules and regulations for the maintenance and operation of sewerage grinder pumps under this Ordinance which rules and regulations shall become effective when presented to and approved by motion of the Supervisors of the Township at any regularly scheduled meeting.

D. To enter, from time to time, any premises containing a sewerage grinder pump connected to the Township sewerage system, with or without a warrant to insure compliance with this Ordinance.

E. To prepare and maintain a list of sewerage grinder pumps which meet or exceed design standards of the Township and are deemed acceptable for use and attachment to the Township sewerage system to be referred to as "approved pump list".

F. To maintain a regular supply of approved pumps and spare parts for approved pumps for the emergency use of sewerage system customers in the event of pump failure.

8. All homeowners who have a grinder pump or other sewerage

pump which is excluded in Paragraph 4 of this Ordinance which is connected to and discharges sewage into the Township and all property owners who failed to execute and deliver to the Township a Right-of-Way Agreement as set forth in Paragraph 3 which is connected to and discharges sewage into the Township sewerage system shall be fully and totally responsible for the maintenance, upkeep, repair, replacement and operation of said sewerage pumping system and shall keep the same in good operation and repair and shall be responsible or liable for any loss or damage occurring from any failure to operate, maintain and replace when needed, said sewerage grinder pumps.

9. Any owner/s of property failing to comply with any provision of this Ordinance shall be guilty of a summary offense and shall be subject to a fine or penalty not exceeding Three Hundred Dollars (\$300.00) which fine may be collected by suit or by summary proceedings brought in the name of the Township before any district justice or by such other civil action in law or equity as may be deemed advisable by the Township Sewer Superintendent or the Township.

10. All fines and penalties collected for the violation of



this Ordinance shall be paid over to the Township treasury.

11. Any ordinance/s inconsistent with this Ordinance are hereby deemed repealed.

ORDAINED AND ENACTED this 22<sup>nd</sup> day of March,  
1994.

BOARD OF SUPERVISORS OF  
EAST LAMPETER TOWNSHIP

By: James C. Holt

Attest:

R. - Kitchin