

ORDINANCE 2017-11
RADNOR TOWNSHIP

**AN ORDINANCE OF RADNOR TOWNSHIP, DELAWARE COUNTY,
PENNSYLVANIA, AMENDING ITS CODE OF ORDINANCES,
CHAPTER 142, CERTIFICATES OF OCCUPANCY AND CHAPTER 235,
SEWERS TO PROVIDE FOR THE ELIMINATION OF STORMWATER
INTO THE TOWNSHIP'S SANITARY SEWER SYSTEM**

WHEREAS, the discharge, inflow and infiltration of Storm Water into the sanitary sewer system substantially increases the cost of wastewater treatment to Township residents and is causing pollution of area streams and rivers; and

WHEREAS, the Radnor Township Board of Commissioners desires to prohibit the inflow of Storm Water into the Sanitary Sewer System and seeks to take all necessary and appropriate measures to reduce infiltration into the Sanitary Sewer System; and

WHEREAS, upon recommendation of the Radnor/Haverford/Marple Sewer Authority and the Township Engineer, the Radnor Township Board of Commissioners does hereby **ENACT** and **ORDAIN** as follows:

SECTION 1. Chapter 142, Certificates of Occupancy, Article I, Transfer of Property, Section 142-4.B(1)(c), is hereby amended to read as follows:

- (c) Sanitary Sewer Connection. An interior, exterior and lateral inspection shall be required to identify any prohibited stormwater discharges into the sanitary sewer system. The seller or agent of the seller shall contact the Public Works Department of the Township or the Township Engineer to arrange for inspection of the property immediately following the submittal of the application of the Certificate of Occupancy. The determination of prohibited stormwater discharges into the sanitary sewer system and all repairs and corrections shall be made in accordance with Chapter 235, Sewers, Article II, Lateral Connections.

SECTION 2. Chapter 235, Sewers, Article II, Lateral Connections, Section 235-8, maintenance and repair is hereby amended to read as follows:

§235-8.1. Definitions.

When used in this section the following terms shall have the following meaning:

APPLICANT

Any person applying for the Certificate of Occupancy.

PROPERTY

Any real property located within the boundaries of Radnor Township.

SANITARY SEWER SYSTEMS

Shall include piping, lines, pumps and other conveyance facilities of Radnor Township, conveying sanitary sewer for waste water treatment.

SEWER LATERAL

Any pipe, line or sewer, running across or through any public or private property and connecting to a pipe, line or sewer, owned by Radnor Township or any other municipality or municipal authority which has as its purpose the transport of waste water for treatment.

STORM SEWER

Shall include all stormwater, surface water, ground water, roof run-off of subsequent surface drainage.

§235-8.2. Prohibition of stormwater discharge into the sanitary sewer system.

- A. It shall be unlawful for any person to discharge any stormwater into the sanitary sewer system, or permit the inflow of stormwater from any property owned by such person into the sanitary sewer system. Any discharge or inflow of stormwater into the sanitary sewer system shall be deemed to have been permitted by the owner of the property upon which or within which such stormwater enters the sanitary sewer system.
- B. No person who owns any property serviced by the sanitary sewer system shall connect or permit any sump pump, roof drain, foundation drain, or any other surface water drain of any kind to remain connected to the sanitary sewer system.
- C. Each violation of any provision of this Ordinance shall be punishable by a fine of not less than three hundred (\$300.00) dollars, nor more than one thousand (\$1,000.00) dollars. Each day on which a discharge or connection that violates this Ordinance occurs or exists shall constitute a separate violation of this Ordinance.

§235-8.3. Inspection by designated Township Officials.

- A. Radnor Township, by its elected or appointed officials, including the Building Inspector, Code Enforcement Officer and/or any duly authorized agent, may undertake such inspection or tests as deemed necessary and appropriate to determine the condition of any sewer lateral. Any such inspection or test may only take place after notice has been given, in writing, hand delivered or mailed to the owner of the property or to the address of the property in question, at least ten (10) business days in advance.
- B. The owner of the affected property shall make all areas to be tested or inspected available to the designated inspector.
- C. If, in the sole opinion of the inspector, any illegal stormwater inflow connections are found, or the sewer lateral is determined to be in unsatisfactory condition, the owner will

be informed by mail and requested to repair any damaged lateral or remove any prohibited connections. Such repairs, replacements or corrections must be completed within sixty (60) days of the date that the Township provides notice to the owner of the property.

- D. If the owner of the property fails to make such repairs, replacements, or corrections within the sixty (60) day period after the notice, the Township shall issue a citation to the property owner.

§235-8.4. Mandatory Inspection prior to issuance of a Certificate of Occupancy.

- A. A Certificate of Occupancy shall be required upon the sale or transfer of ownership of any property in the Township.
- B. As a mandatory condition prior to the issuance of a Certificate of Occupancy by the Township, the property owner shall arrange for the inspection of the sanitary sewer lateral.
- C. If the results of the inspection indicate any illegal stormwater inflow connection to the sewer lateral and/or if the sewer lateral is found to be in such condition that it needs to be repaired or replaced, then the property owner shall be placed on notice by the Township of the violations and of the need to repair/remove the violations within sixty (60) days.
- D. Nothing in this Ordinance shall amend, reduce or remove any other requirements for a Certificate of Occupancy pursuant to other Ordinances or laws applicable to the use, transfer or sale of real property in the Township.

SECTION 3. Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

SECTION 4. Severability. If any section, paragraph, sub-section, clause or provision of this Ordinance shall be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than that portion specifically declared invalid.

SECTION 5. Effective Date. This Ordinance shall become in accordance with the Radnor Home Rule Charter.

ENACTED AND ORDAINED this _____ day of _____, A.D. 2017.

RADNOR TOWNSHIP

By: _____

Name:

Title:

ATTEST: _____

Robert A. Zienkowski, Secretary