

ORDINANCE NO.

WRIGHTSTOWN TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA

**AN ORDINANCE OF WRIGHTSTOWN TOWNSHIP
AMENDING CHAPTER 4 BUILDINGS OF
THE CODIFIED ORDINANCES TO ADD A
CONDITION TO THE ISSUANCE OF
OCCUPANCY PERMITS AND AMENDING
CHAPTER 18 SEWERS AND SEWAGE
DISPOSAL TO ADD A NEW PART 5
REQUIRING INSPECTION OF PRIVATE
SEWER LATERALS**

WHEREAS, Board of Supervisors desires to require the inspection of private sewer laterals upon the resale of properties and/or upon notice from the Township;

NOW, THEREFORE, it is hereby ENACTED and ORDAINED by the Board of Supervisors of Wrightstown Township, Bucks County, Pennsylvania that the Codified Ordinances of the Township are amended as follows:

Section 1. Chapter 4 Buildings of the Codified Ordinances is hereby amended by amending Section 4-101(1) by inserting a new subsection E as follows:

E. Evidence satisfactory to the Code Enforcement Officer that the private sewer lateral has been inspected in accordance with Chapter 18 Part 5.

Section 2. Chapter 18 Sewers and Sewage Disposal is hereby amended by adding a new Part 5 as follows:

Part 5 Sanitary Sewer Testing

18-501 **Definitions**

The following definitions shall apply to this Part 5.

APPLICANT

A person applying for a certificate of compliance or temporary certificate of compliance.

CASH SECURITY

Cash, certified check, or treasurer's check.

DYE TEST

Any commonly accepted method of testing whereby dye is introduced into the storm, surface or subsurface water collection system and downspouts of structures or improvements to real property to determine if surface stormwater is entering into the sanitary sewer system.

IMPROVED AND SEWERED REAL PROPERTY

Real property on which any building, driveway or parking pad, other surface or subsurface structure or improvement has been constructed, installed or erected, where the real property or any improvement on the real property is connected to the sanitary sewer system.

MASTER PLUMBER

A person with a minimum of four (4) years of experience in the installation of drainage, waste, vent and water plumbing systems. Has performed a minimum of 500 feet of CCTV work on sewer mains or sewer lateral. As well as someone who maintains at least \$1,000,000 in general liability insurance.

PERSON

Any natural person, association, partnership, corporation, syndicate, institution, agency, authority, or other entity recognized by law as the subject of rights and duties.

SANITARY SEWER SYSTEM

The sanitary sewer lines and related facilities maintained and operated by the Township of Wrightstown.

SELL OR TRANSFER

The sale, transfer or assignment of any interest in real property, except for transactions solely between spouses and the refinancing of real property without a conveyance.

SEWER LATERAL

The sewer line or lateral that connects a structure to the Township's sanitary sewer collection system, including all necessary fresh air vents, traps and cleanouts.

SURFACE STORMWATER

Surface water and ground water including, but not limited to, roof and driveway drainage, basement seepage, and surface and areaway drainage.

TOWNSHIP

The Township of Wrightstown.

VIDEO INSPECTION

A closed circuit television (CCTV) inspection performed in accordance with the PHCC (Plumbing, Heating, Cooling Contractors Association) standards. A video inspection shall include the cleaning of the Building Sewer prior to videoing the lateral.

18-502 Unlawful Connections.

After the date of this Part, it shall be unlawful for any person to connect any rain leader, roof drain, downspout, gutter, parking lot drain, driveway drain, foundation drain, interior or exterior sump pump, French drain, condensate line, swimming pool drain, garbage disposal, spring or other collector or source of surface stormwater including, but not limited to, the fresh air vent of the improved and sewer property's sanitary sewer, to the sanitary sewer system.

18-503 Proof of Compliance on Sale or Transfer.

After the date of this Part, it shall be unlawful for any person to sell or transfer improved and sewer real property located within the Township without having obtained and delivered to the buyer or transferee, at or prior to closing or transfer, a certificate of compliance or temporary certificate of compliance for the property being sold or transferred. A certificate of compliance issued by the Township subsequent to a dye testing program and/or CCTV inspection shall be sufficient proof of compliance hereunder for a period of two-years from the date of testing.

18-504 Inspection required when the Township identifies problem laterals during inspection of the sanitary sewer system

1. The Township intends to inspect all of the portions of the sanitary sewer system owned by the Township. If the Township inspection identifies potential issues related to a private sewer lateral, the Township will notify the owner of the private sewer lateral that an inspection of the private sewer lateral is required. The owner shall, within thirty (30) days of receipt of said notice, arrange to have the private sewer lateral inspected in accordance with the inspection requirements in Section 18-515 below.
2. If the lateral is found to be defective, it shall be replaced in accordance with Section 18-515 below.
3. If the sewer lateral is found to have any unlawful connections, said unlawful connections shall be immediately removed upon notification from the Township as set forth in Section below.
4. The purpose of this inspection is to locate any inflow and infiltration into the private sewer lateral; to make sure that there are not any holes or damage in or to the private sewer lateral; to verify that all clean-outs and/or vents are properly capped and not damaged.

18-505 Inspection Required Upon Transfer of Properties.

1. At least 45 days prior to the date of closing or sale or transfer of any improved real property located within the Township, the seller or transferor or their agent shall submit to the Township Code Enforcement Officer/other designated Township representative an application for a certificate of compliance, completed as required by Subsection 2 below. The certificate of compliance form shall be available upon request from the Township. The fee for filing the completed application for certificate of compliance shall be established by Resolution of the Board of Supervisors of the Township from time to time by resolution.
2. Prior to the sale or transfer of any improved real property located within the Township, the seller or transferor shall have a dye test of the property performed if the private sewer lateral includes a grinder pump or a televised video inspection of the sewer lateral if the lateral is connected via gravity performed by a Master Plumber. The Master Plumber shall notify Wrightstown Township a minimum of 72 hours prior to the scheduled testing so that the Township may witness and review the results of the testing. Upon completion of the dye test and/or televised video inspection, the Master Plumber who performed the test and inspection shall complete the appropriate section of the application for a certificate of compliance, confirming that the lateral has been tested and the sewer lateral inspected and

certifying the results of the test and inspection.

18-506 Issuance of Certificate of Compliance

1. All testing shall be on a pass-fail basis. If the lateral fails, then the lateral shall be repaired or replaced in accordance with National Association of Sewer Service Companies("NASSCO"). All deficiencies and violations discovered by the inspections shall be corrected within sixty (60) days of discovering such deficiencies and/or violations or prior to settlement on the sale and/or transfer of the property. If a spot repair of the lateral pipe is performed, the lateral must be retested and must pass.
2. If the application for a certificate of compliance, properly completed and filed with the Township, with the designated filing fee, indicates that there are no connections of surface stormwater or subsurface water to the sanitary sewer system and that the sewer lateral passed inspection, then the Township Code Enforcement Officer or other Township designee shall issue the certificate of compliance within 10 days of application therefor.
3. If the testing reveals the existence of one or more connections of surface stormwater or subsurface water to the sanitary sewer system, or if the sewer lateral inspection reveals defects, the Township Code Enforcement Officer shall not issue the certificate of compliance until the illegal or improper connections have been removed and/or lateral defects corrected and a Master Plumber approved by the Township to do so has certified that there are no connections of surface stormwater to the sanitary sewer system and/or that any sewer lateral defects have been corrected.

18-507 Temporary Certificate of Compliance.

1. When a surface stormwater or subsurface water connection to the sanitary sewer system or a sewer lateral defect is discovered and the necessary work to remove the connection or correct the sewer lateral defect would require a length of time such as to create a hardship for the seller or buyer, the buyer may apply to the Township Code Enforcement Officer for a temporary certificate of compliance. The buyer must submit the following with the properly completed application:
 - A. A bona fide executed contract with a certified master plumber requiring the plumber to complete the remedial work necessary for the removal of the connections of surface stormwater or subsurface water to the sanitary sewer system, or necessary to correct any sewer lateral defect.
 - B. Cash security shall be posted by the Buyer in an amount equal to 120% of the price of the contract described in Subsection **1A** above.
 - C. The agreement of the buyer or transferee to be responsible for all cost overruns related to the remedial work, together with a license from the purchaser or transferee to the Township, its agents, contractors, and employees, to enter upon the property to complete the remedial work in case of default by the contractor or the buyer.
 - D. The filing fee, which shall be established in the Fee Schedule adopted by the Board of Supervisors of the Township from time to time by resolution.

2. When dye testing or sewer lateral inspection cannot be performed because of weather conditions, the buyer may apply to the Township Code Enforcement Officer/other designated Township representative for a temporary certificate of compliance. The buyer must submit the following with the properly completed application:
 - A. Cash security in the amount of \$2,000, or such other amount as is established in the Fee Resolution adopted by the Board of Supervisors of the Township. To the extent that the security is not used by the Township, it will be refunded to the depositor.
 - B. The written, signed agreement of the buyer to correct, at the buyer's sole expense, any surface stormwater or subsurface stormwater connections to the sanitary sewer system disclosed by the subsequent dye test, or to correct any defects in the sewer lateral revealed by the subsequent televised lateral inspection, together with a license from the buyer to the Township, its agents, contractors, and employees, to enter upon the property to conduct the dye testing, and to conduct televised lateral inspection, should the applicant fail to do so. Nothing in this Subsection **2** shall prohibit any buyer from requiring the applicant to reimburse the buyer for any costs incurred in connection with such remedial work; provided, however, that primary responsibility for the remedial work and all costs thereof shall run with the land, and no such agreement shall affect the Township's enforcement powers or excuse the current owner of the property from performance.
 - C. The filing fee, which shall be established in the Fee Resolution adopted by the Board of Supervisors of the Township from time to time by resolution.
3. The Township Code Enforcement Officer or other designated Township representative may reject the application for a temporary certificate of compliance whenever, in his or her sole judgment, the conditions defined by this section do not exist or the submissions required by this section have not been made.
4. The temporary certificate of compliance shall be effective for 60 days, and the expiration date of the temporary certificate of compliance shall be noted on the certificate. If, upon the expiration of the temporary certificate of compliance, the current owner of the property has not applied for and received a certificate of compliance, as provided for in §§ **18-505** and **18-506** of this Part, the cash security will be forfeited, and the Township may use the funds to complete the dye testing or the televised lateral inspection and any required remedial work.
5. In the event that dye testing or televising of the sewer lateral reveals the existence of improper connections to the sanitary sewer system or defects in the sewer lateral, the owner of the property shall be required to perform the necessary remedial work. To the extent that the cost of completion of the dye testing, lateral inspection or remedial work exceeds the cash security, the Township may file a municipal claim against the property for the cost of completion of the dye testing, lateral inspection or remedial work and any professional consultant fees incurred in connection with such completion, 6% interest per annum, plus a penalty of 5% of the amount due, plus attorneys' fees and costs related to filing and prosecuting the municipal claim.

6. The application for a temporary certificate of compliance form shall be available upon request from the Township.

18-508 Municipal Lien and Tax Verification Letters.

A request to the Township for a municipal lien letter or tax verification letter must be accompanied by a valid certificate of compliance or temporary certificate of compliance and by the appropriate fee, which shall be established in the Fee Resolution adopted by the Township Board of Supervisors from time to time. The Township shall issue the municipal lien letter or tax verification letter within seven days of receipt of the appropriately documented request and the applicable fee.

18-509 Expiration of Certificate of Compliance.

A certificate of compliance issued under this Part shall be valid for:

1. As to dye testing, a period of two years from the date of issuance;
2. As to sewer lateral video inspection, for a period of two years from the date of issuance.

18-510 Regulations.

The Board of Supervisors is hereby empowered to make reasonable rules and regulations by ordinance or resolution for the operation and enforcement of this Part, including, but not limited to: establishing the form of applications, acknowledgements and certifications, establishing testing procedures and criteria for passing or failing dye testing or lateral inspections, and limiting the time of year in which a temporary certificate of compliance is available for reasons of weather.

18-511 Conflict with General Police Powers.

Nothing in this Part shall limit in any fashion whatsoever the Township's right to enforce its ordinances or the laws of the Commonwealth. Nothing in this Part shall be a defense to any citation issued by any municipal corporation or the Commonwealth pursuant to any other law or ordinance.

18-512 Appeals.

1. Any person aggrieved by the decision to grant or deny a certificate of compliance or temporary certificate of compliance may appeal to the Township Uniform Construction Code Board of Appeals, by filing a written application for appeal with the Township Secretary within 30 days after the date of the decision appealed from. Such application shall state the grounds for the appeal and shall be accompanied by an appeal fee to be fixed and changed from time to time in the Fee Resolution adopted by the Township Board of Supervisors.
2. Appeals shall be conducted in accordance with the Local Agency Law, 2 Pa.C.S.A. §§ 551 et seq., 751 et seq., and the rules of procedure and operation of the construction code board of appeals. The said rules of procedure and operation shall be applied as nearly as may be in accordance with this Part and shall be applied such that references in said rules to the Uniform Construction Code shall be read as references to this Part.

18-513 Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

18-514 Subsequent Dye Testing Program.

This Part shall not preclude the Township from conducting dye testing, televising laterals or conducting other testing or inspection, or implementing a general program of dye testing or inspection, within the Township for purposes of discovering or locating the sources of surface stormwater or subsurface water to the sanitary sewer system.

18-515 Sewer Lateral Inspection and Lateral Replacement/Relining Standards.

1. NASSCO (National Association of Sewer Service Companies) pipe assessment standards will be used to determine the presence of pipe defects. Any defect found to have a Level 3 or higher shall be deemed to fail inspection. Multiple Level 2 defects in a lateral may also be deemed a failure, if there are more than two such defects.
2. All third-party registered plumbers must comply with the requirements of the Lateral Testing Ordinance. The plumber shall provide personnel certified through the NASSCO Lateral Assessment and Certification Program and thoroughly knowledgeable with the NASSCO Condition Grading System. All defects found in the laterals shall be rated in accordance with the NASSCO Condition Rating System.
3. It is recommended that inspections be conducted in the following manner:
 - A. A property inspection shall include, but not necessarily be limited to, inspection of roof leaders, driveway drains, stairwell drains, all other area drains and interior sump pumps. If the discharge point of these facilities is not evident, the plumber shall insert dye into the drain, roof leader or sump pump to determine the ultimate discharge point. Should an illegal connection to the lateral be confirmed, the test shall be deemed as a fail, and the illegal connection(s) must be removed and rerouted in a matter satisfactory to the Township.
 - B. Sump pumps will be operated with dye-colored water to verify discharge location. The test shall be considered a failure if the water enters the sanitary sewer system, and the discharge pipe must be removed and rerouted in a matter satisfactory to the Township.
 - C. The general location of the lateral pipe on the ground surface shall be determined by means of site investigation or televising and locating. Once the location is determined, the ground surface over the lateral shall be injected with dye-colored water in order to saturate the earth. Following the dye-injection process, a camera shall be inserted into the lateral through a cleanout, interior floor drain, or excavation. The pipe shall be evaluated per the NASSCO Condition Grading System. Any lateral that has a structural defect rating of three or higher, shows signs of any infiltration, or has roots present shall require repair, replacement or relining. Other deficiencies observed but not listed herein, as determined by the Township and at its discretion, may also constitute a failure.

D. If it is necessary to excavate an access point for the camera insertion, the plumber shall install a cleanout at this location to facilitate future maintenance of the lateral. The cleanout shall be provided with a cast-iron frame and cover in paved areas and other areas subject to vehicular traffic.

E. The Township reserves the right to reject any tests or test results which it has reason to believe are inconclusive or inaccurate. In such cases, the Township may require further testing at the property owner's expense.

F. Foundation drains connected into the sanitary sewer lateral are illegal connections. The Township reserves the right to require further testing if it is suspected that the building foundation drain is connected to the lateral.

4. Lateral Repair/Replacement Standards.

A. All work must be completed within 60 days of notification of failure, unless otherwise extended by the Township. Prior to commencing any work, owner or contractor must obtain a building permit from the Township.

18-516 Exempt Properties

Properties meeting any of the following criteria shall be exempt from the foregoing inspection requirements:

A. Properties serviced by private laterals installed on properties where testing and/or repairs have been performed to Township's standards within 2 years of the application of a Certificate of Occupancy for Township with documentation of installation date in a form acceptable to the Zoning Officer.

B. Properties sold or resold within 90 days after the date of the approval of this Ordinance.

Section 2. Repealer. This Ordinance hereby repeals any provision inconsistent with this Ordinance now in effect or of other Ordinances, to the extent of such inconsistency. All other provisions of the Ordinances of Wrightstown Township, not inconsistent herewith, shall remain in full force and effect.

Section 3. Severability. The provisions of this Ordinance are declared to be severable. If any provision of this Ordinance is determined by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Ordinance.

Section 4. Effective Date. This Ordinance shall take effect five (5) days after adoption.

ENACTED AND ORDAINED into law, this ____ day of _____, 2025, by the Board of Supervisors of Wrightstown Township, Bucks County, Pennsylvania.

ATTEST:

**BOARD OF SUPERVISORS
WRIGHTSTOWN TOWNSHIP**

Stacy Crandell, Manager

Chester Pogonowski, Chairman

Jane Magne, Vice Chairman

Robert Lloyd, Member