

BILL NUMBER	16-17
DATE ADOPTED	9/5/17
ORDINANCE NO.	2175

TOWNSHIP OF UPPER ST. CLAIR

AN ORDINANCE OF THE TOWNSHIP OF UPPER ST. CLAIR, A HOME RULE MUNICIPALITY OF THE COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 106 OF THE TOWNSHIP CODE ENTITLED "SEWERS AND DRAINS" IN ORDER TO SET REQUIREMENTS FOR SANITARY SEWER LATERAL INSPECTIONS.

WHEREAS, Chapter 106 of the Code of the Township entitled "Sewers and Drains," has been reviewed by the Township Manager, the Director of Community Development, and the Director of Public Works and it has been determined that it needs to be revised in order to set requirements for sanitary sewer lateral inspections; and

WHEREAS, the Township desires to amend Chapter 106 of the Code of the Township entitled "Sewers and Drains" to accomplish the above; and

WHEREAS, the Board of Commissioners has given careful consideration to all public comments and has determined that adoption of this Amendment is beneficial to the health and welfare of the vast majority of the citizens of the Township.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF UPPER ST. CLAIR, and it is hereby ordained and enacted by the authority of the same that:

SECTION 1. Section 106.1. Definition of Terms, is hereby amended by the following deletions shown in ~~strikeout~~ text and insertions shown in **highlighted** text:

CLOSED CIRCUIT TELEVISIONING INSPECTION (CCTVI): A process whereby a camera is placed into, run through and video records the inside of a SEWER LATERAL for the purpose of detecting leaks or other deficiencies.

CONNECTION: A physical change to a sewer which permits flow to enter the sewer; or any change, whether physical or not, which would result in an increase in sanitary sewage flow into a sewer as estimated in accordance with regulations published by the Pennsylvania Department of Environmental Resources Protection and which would require approval of a Planning Module by the Pennsylvania Department of Environmental Resources Protection.

SEWER LATERAL: Any pipe, line or sewer running across or through any property and connecting to a pipe, line or SEWER owned by the Township or municipal authority for the purpose of transporting WASTEWATER for treatment.

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SECTION 2. ARTICLE XII, Evidence of Compliance Prior to Sale or Conveyance of Real Property, is amended by the following deletions shown in strikeout text and insertions shown in highlighted text:

106.47. Procedure of EVIDENCE OF COMPLIANCE. Any PERSON ("hereinafter applicant") selling or conveying real property within the Township shall make application for EVIDENCE OF COMPLIANCE on a form furnished by the Township at least fourteen (14) days before the date of sale or conveyance with the appropriate fee as provided for in Chapter 57, "Fees". The applicant shall then have a plumber who is registered and licensed by the Allegheny Health Department perform a DYE TEST and CLOSED CIRCUIT TELEVISION INSPECTION of the sanitary SEWER LATERAL on the real property to be sold or conveyed. ~~Should the Township duly appoint a plumber to perform all dye tests within the Township pursuant to this Article, then that plumber shall be allowed by the applicant to conduct the dye test. The plumber shall complete the appropriate portions of the Township form confirming that the property has been dye tested and certifying the results of such test. Said test shall include a visual inspection of the interior of the structure confirming no illegal STORM OR SURFACE WATER CONNECTIONS exist. In the event that there are no illegal STORM OR SURFACE WATER CONNECTIONS, the Township Manager or his designated representative shall issue EVIDENCE OF COMPLIANCE upon application and payment of a fee as provided for in Chapter 57, "Fees," and set forth by the Board of Commissioners. If the DYE TEST reveals the existence of an ILLEGAL STORM OR SURFACE WATER CONNECTION, no EVIDENCE OF COMPLIANCE will be issued until the illegal connections are removed and certification of such removal by a registered licensed plumber is received.~~

106.47.1. DYE TEST. Should the Township duly appoint a plumber to perform all dye tests within the Township pursuant to this Article, then that plumber shall be allowed by the applicant to conduct the dye test. The plumber shall complete the appropriate portions of the Township form confirming that the property has been dye tested and certifying the results of such test. Said test shall include a visual inspection of the interior of the structure confirming no illegal STORM OR SURFACE WATER CONNECTIONS exist. In the event that there are no illegal STORM OR SURFACE WATER CONNECTIONS, the Township Manager or his designated representative shall issue EVIDENCE OF COMPLIANCE

upon application and payment of a fee as provided for in Chapter 57, "Fees," and set forth by the Board of Commissioners and upon successful completion of the required CLOSED CIRCUIT TELEVISION INSPECTION (CCTVI) and of the sanitary SEWER LATERAL as set forth in Section 106.47.2. If the DYE TEST reveals the existence of an ILLEGAL STORM OR SURFACE WATER CONNECTION, no EVIDENCE OF COMPLIANCE will be issued until the illegal connections are removed and certification of such removal by a registered licensed plumber is received.

106.47.2. CLOSED CIRCUIT TELEVISION INSPECTION (CCTVI) of Sanitary SEWER LATERAL. All SEWER LATERALS shall be tested by CCTVI method in accordance with all requirements imposed by the Township. A CCTVI shall be completed on a property at the time of sale/conveyance or for property improvements requiring a Township building permit that also requires an Allegheny County plumbing permit. Such inspection must be completed by a National Association of Sewer Service Companies (NASSCO) certified contractor in accordance with NASSCO pipeline assessment standards and approved by the Township. Any defects found to have a Level 3 or higher shall be deemed a failure. More than two Level 2 defects in a given SEWER LATERAL shall also be deemed a failure. If the CCTVI reveals the existence of an ILLEGAL STORM OR SURFACE WATER CONNECTION, no EVIDENCE OF COMPLIANCE will be issued until the illegal connections are removed and certification of such removal by a registered licensed plumber is received. In the event that the inspection does not yield a failure, the Township Manager or his designated representative shall issue EVIDENCE OF COMPLIANCE upon application and payment of a fee as provided for in Chapter 57, "Fees," and set forth by the Board of Commissioners.

106.47.2.1. A CLOSED CIRCUIT TELEVISION INSPECTION is not required for property in connection with a refinancing where there is no change in ownership or newly constructed homes that have not yet been occupied.

106.47.2.2 A CLOSED CIRCUIT TELEVISION INSPECTION of a sanitary SEWER LATERAL is valid for three (3) years from the date of the inspection. Video recordings of the inspection shall be submitted to the Township for verification of the condition of the SEWER LATERAL.

106.47.2.3. When an existing SEWER LATERAL fails

to comply with the provisions of this Chapter, the Property Owner shall cause all repairs necessary to bring the SEWER LATERAL into compliance to be made to the satisfaction of the Township, or if necessary to comply with this Chapter, to replace the SEWER LATERAL in accordance with all Township requirements. All costs of repair or replacement of the SEWER LATERAL shall be borne by the Property Owner.

106.47.2.4. The repairs or replacement of SEWER LATERALS that result from the testing required as a result of the sale or transfer of property shall be completed prior to the close of escrow of the sale or, if there is no escrow, prior to recording the deed or other document transferring title. Inspection of any work required hereunder will be made by the Allegheny County Health Department.

106.47.2.5. Appeal Procedures. In the event the property owner wishes to appeal a determination that the SEWER LATERAL has failed the CLOSED CIRCUIT TELEVISION INSPECTION, the following shall apply:

106.47.2.5.1. The sole issue on appeal of a CLOSED CIRCUIT TELEVISION INSPECTION shall be whether the amount and type of work ordered to be completed is appropriate. Financial concerns or a homeowner's ability to pay for any indicated repairs shall not be grounds for an appeal.

106.47.2.5.2. Any appeal will be reviewed by a committee comprised of the TOWNSHIP ENGINEER, Director of Public Works and Director of Planning and Community Development. The decision of the committee shall be final. A written summary of the decision of the committee will be provided to the property owner.

SECTION 3. Section 106.48. TEMPORARY EVIDENCE OF COMPLIANCE; Security, is amended by the following deletions shown in strikeout text and insertions shown in highlighted text:

106.48.1. The applicant proves that dye testing and/or CLOSED CIRCUIT TELEVISION INSPECTION cannot be performed because of weather conditions. In this case, the applicant shall provide the Township with security in the name of the Township in an amount

established by Chapter 57, "Fees," to guarantee that the DYE TEST and/or CLOSED CIRCUIT TELEVISION INSPECTION of the sanitary SEWER LATERAL will be performed. The applicant will cause the DYE TEST and/or CLOSED CIRCUIT TELEVISION INSPECTION of the sanitary SEWER LATERAL to be performed within fourteen (14) days of written notification from the Township which will be given at such time as weather conditions make the DYE TEST and/or CLOSED CIRCUIT TELEVISION INSPECTION of the sanitary SEWER LATERAL possible. In addition, the applicant shall provide the Township with a signed, written acknowledgement from the purchaser agreeing to correct, at the purchaser's sole expense, any violations discovered as a result of a subsequent DYE TEST and/or CLOSED CIRCUIT TELEVISION INSPECTION of the sanitary SEWER LATERAL. Nothing in this subsection shall prohibit any purchaser from requiring the applicant to reimburse the purchaser for any costs incurred; provided, however, that primary liability for correction of any illegal connection or failure of a CLOSED CIRCUIT TELEVISION INSPECTION shall run with the land, and no agreement between the applicant and the purchasers shall affect the Township's enforcement powers or excuse the current owner from performance; or

SECTION 4. Section 106.50. Regulations, is amended by the following deletions shown in strikeout text and insertions shown in highlighted text:

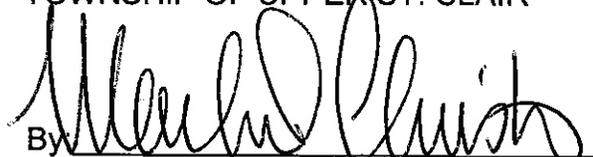
106.50.5. The CLOSED CIRCUIT TELEVISION INSPECTION of the sanitary SEWER LATERAL is valid for three (3) years from the date of the inspection.

SECTION 5. This Ordinance shall take effect and be in force on January 1, 2018.

SECTION 6. ALL ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

ORDAINED AND ENACTED THIS 5th DAY OF SEPTEMBER, 2017.

TOWNSHIP OF UPPER ST. CLAIR

By 
President, Board of Commissioners

ATTEST:


Township Manager/Secretary