

**LEMON TOWNSHIP AND TUNKHANNOCK TOWNSHIP JOINT MUNICIPAL SEWER AUTHORITY**

**August 5, 2021**

**RESOLUTION # 2021-08-01**

**USER CHARGE SYSTEM AND RULES AND REGULATIONS FOR SEWER USE**

A RESOLUTION IMPOSING FEES, CHARGES AND SURCHARGES, AND ASSESSMENTS FOR USE AND BENEFITS DERIVED FROM THE AUTHORITY'S SEWER SYSTEM AND FOR TREATMENT OF WASTES DISCHARGED THERETO; PROVIDING FOR ACCESS TO THE SEWER SYSTEM; PROVIDING FOR THE COLLECTION OF SAID SEWER FEES, CHARGES, SURCHARGES AND ASSESSMENTS AND FOR FILING OF LIENS; IMPOSING PENALTIES AND INTEREST ON UNPAID BILLS; REGULATING THE DISCHARGE OF SANITARY SEWAGE AND INDUSTRIAL WASTE INTO THE SEWER SYSTEM; PROVIDING FOR ACCESS TO THE SEWER SYSTEM; ADOPTING CERTAIN RULES AND REGULATIONS AND PROVIDING FOR ADOPTION OF ADDITIONAL RULES AND REGULATIONS.

WHEREAS, the Lemon Township-Tunkhannock Township Joint Municipal Sewer Authority (the "Authority") has undertaken to construct, operate, and maintain a Sanitary Sewage collection and treatment system (the "Sewer System") to serve the Lake Carey area of Lemon Township and Tunkhannock Township, Wyoming County, Pennsylvania; and

WHEREAS, the Board of Supervisors of Lemon Township and the Board of Supervisors of Tunkhannock Township have enacted ordinances requiring mandatory connection to the Sewer System of certain buildings and structures within the service area of the Sewer System; and

WHEREAS it is necessary for the Authority to provide rules and regulations for the manner of connection to, and use of, the Sewer System by the public, and to establish fees, rates, and charges in respect thereof;

NOW THEREFORE BE IT RESOLVED that the Board of the Authority enacts as follows:

**ARTICLE I**

**DEFINITIONS**

Unless the context specifically and clearly indicates otherwise, the meaning of terms and phrases used in this Resolution shall be as follows:

Accessory Structure. A building, supplemental to a one-family dwelling, located on the same lot and used for purposes customarily incidental and subordinate to those of the one family dwelling and for which another grinder pump is not required by the Authority for such building.

Ammonia Nitrogen as N. Ammonia nitrogen as determined pursuant to the procedure set forth in the latest edition of "Standard Methods for the Examination of Water and Wastewaters" published by American Public Health Association, Inc.

Authority. The Lemon Township-Tunkhannock Township Joint Municipal Sewer Authority, a municipal corporation of the Commonwealth of Pennsylvania, acting by and through its Board or, in appropriate cases, acting by and through its authorized representatives.

Assembly Hall. A function hall or building, with a large room used to hold public meetings, meetings of an organization, public gatherings or deliberative assembly; for the purpose of these regulations it may have restroom facilities, but does not have a kitchen for food preparation.

ASTM. The American Society Testing and Materials.

Banquet Hall. A building used for the assembly of persons where private or public social functions are held and where facilities are provided for the preparation and serving of food, not considered a restaurant or other recreational use.

Billing Unit. A Commercial Establishment, Educational Establishment, a Dwelling Unit, an Industrial Establishment, or an Institutional Establishment.

B.O.D. (Biochemical Oxygen Demand). The quantity of Oxygen expressed in parts per million (PPM), utilized in the biochemical oxidation of organic matter under standard laboratory procedure for five (5) days at twenty (20) degrees centigrade. The standard laboratory procedure shall be that found in the latest edition of "Standard Methods for Examination of Water and Wastewater" published by the American Public Health Association, Inc.

Building Sewer. Means the extension from the sewage drainage system of any property and/or structure to the Sewer System.

Camper. Means a vehicular camping unit mounted on wheels and constructed with collapsible sidewalls that fold for towing by another vehicle and unfold at the camping unit site to provide temporary living quarters for recreation, camping, or travel.

Commercial Establishment. Any room, group of rooms, building or enclosure connected, directly or indirectly, to the Sewer System and used or intended for use in the operation of a business enterprise for the sale and distribution of any product, commodity, article, or service.

Connection Permit. A permit issued by the Authority granting authorization for a user to connect to sewage collection facilities of the Authority.

Duplex Residence. Means a building designed, occupied, or intended for occupancy as two separate living quarters, each having individual entrances, cooking, sleeping, and sanitary facilities.

Dwelling Unit. Any room, group of rooms, Travel Trailer, Camper, Mobile Home, building or other enclosure connected, directly or indirectly to the Sewer System and occupied or intended for occupancy as living quarters by an individual, family, or any other group of persons, excluding institutional dormitories.

Educational Establishment. Any room, group of rooms, Travel Trailer, Camper, Mobile Home, building or other enclosure connected, directly or indirectly to the Sewer System and used or intended for use, in whole or in part, for educational purposes, including both public and private schools.

Equivalent Dwelling Unit. A unit of measure which shall be deemed to constitute the estimated equivalent amount of Sanitary Sewage discharge by one typical single-family Dwelling Unit, such that multiple units may be imposed on an Improved Property, occupied by a non-residential user or a multi-family residential user representing a multiple of the daily sewage flow of a typical single-family Dwelling Unit.

Habitable Accessory Structure. An Accessory Structure that contains a bathroom (containing a sink, toilet, bath, or shower), kitchen (containing a sink, refrigerator, and stove), and sleeping quarters.

Improved Property. Any parcel or property upon which there is erected a structure intended for continuous habitation, occupancy or use by human beings or animals, to which structure is provided a potable water supply connection or from which structure Sanitary Sewage and/or Industrial Waste shall be or may be discharged.

Industrial Establishment. Any Improved Property used or intended for use, wholly or in part, for the manufacturing, processing, cleaning, laundering or assembling of any product, commodity or article, or any other Improved Property from which wastes, in addition to or other than Sanitary Sewage, shall or may be discharged.

Industrial Waste. Any and all waste discharged from an Industrial Establishment other than Sanitary Sewage.

Initial Project. The sewer construction project implemented by the Authority for sanitary sewer service to Lake Carey and the surrounding area. The project includes a low pressure sewage collection system with individual grinder pumps and a wastewater treatment plant, financed through the Pennsylvania Infrastructure Investment Authority ("Pennvest"), and the project shall be constructed between 2020 and 2022 and projected to begin operation in 2022.

Institutional Establishment. Any room, group of rooms, building or enclosure connected, directly or indirectly, to the Sewer System, including institutional dormitories and Educational Establishments which do not constitute a Commercial Establishment, a Dwelling Unit or an Industrial Establishment.

Lateral. The part of the Sewer System extending from the Street Sewer to and serving an Improved Property. If there is no improvement on the property then "Lateral" is that part of the Sewer System extending from the Street Sewer to the curb stop providing for future extension to a grinder pump when said property is improved.

Mobile Home. A transportable, single-family dwelling, which may be towed on its own running gear, and which may be temporarily or permanently affixed to real estate, used for non-transient residential purposes and constructed with the same or similar electrical, plumbing and sanitary facilities as immobile homes.

Multiple Use Improved Property. Any Improved Property in which shall be located more than one Billing Unit.

Non-Habitable Accessory Structure. An Accessory Structure with a water supply requiring drainage to the Sewer System as required by the Authority but does not meet the definition of a Habitable Accessory Structure.

Owner. Any Person vested with ownership, equitable or legal, sole or partial of any property.

Person. Any individual, partnership, company, association, society, trust, corporation or other group or entity.

pH. The logarithm of the reciprocal of the concentration of hydrogen ions, expressed in grams per liter of solution, indicating the degree of acidity or alkalinity of substance.

PPM. Parts per million parts water, by weight.

Reserve Tap. A sewer connection tap constructed to serve a property at a future time, consisting of a connection to the sewer main, sewer lateral extending from the sewer main to the approximate property line or road right-of-way as applicable, a shutoff valve (curb stop), and capped.



Sanitary Sewage. Normal water-carried household and/or toilet wastes from an Improved Property.

Sewer. Any pipe or conduit constituting a part of the Sewer System or usable for sewage collection purposes.

Sewer System. All facilities at any particular time for collecting, grinding, pumping, transporting, treating and disposing of Sanitary Sewage and/or Industrial Waste acquired, constructed, operated and/or owned by the Authority.

Street. Any street, road, lane, court, cul-de-sac, alley, public way or public square, including such streets as are dedicated to public use and such streets as are owned by private property Owner(s) for common use and benefit.

Street Sewer. The portion of the Sewer System which consists of piping and related facilities designed for the collection and transmission of sewage from improved properties to the system for treatment or disposal and which is designed for connection to the system for discharge from improved properties. A sewer is a Street Sewer whether located in a public street or roadway or in an easement or right-of way for the purpose.

Suspended Solids. Suspended solids as determined pursuant to the procedure set forth in the latest edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association, Inc.

Total Phosphorus as P. Total phosphorus as determined pursuant to the procedure set forth in the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, Inc.

Travel Trailer. A trailer towed behind a truck or automobile equipped as a mobile living space while traveling, with room for sleeping and may contain a kitchen, living area and bathroom; for the purpose of these regulations not intended as permanent housing or occupancy.

## **ARTICLE II**

### **CHARGES, SURCHARGES, FEES, AND ASSESSMENTS**

#### **Section 201. General**

Charges, surcharges, and fees as provided for herein shall be imposed upon and collected from the Owner of each Improved Property or unimproved property benefited, improved or accommodated by the Sewer System.

#### Section 202. Sewer Service Permit Applications and Inspection Fees

In accordance with the requirements of Article IV, an inspection fee, as set by separate resolution of the Authority, shall be imposed upon any Person seeking a permit to use, uncover, connect with, extend, make any opening to, alter or disturb in any manner, any part of the Sewer System. Inspection fees include the administrative costs, engineering and Authority inspection costs, and legal costs involved in permitting a connection to the Sewer System provided by the Authority.

#### Section 203. Impact Fees (Lateral Construction Fees)

As appropriate to the particular installation, one or more impact fees may be imposed upon the Owner of each Improved Property prior to the connection of the property to the Sewer System, except as otherwise provided by special agreement under Article V herein.

The Authority will provide and construct the Lateral connection from the Sewer System main to the property line, right-of-way line or easement line, as applicable of the property to be connected. Fees shall be based on actual costs incurred by the Authority to include labor costs (direct and indirect), material, equipment, permit fees, and any other costs incurred by the Authority.

#### Section 204. Reserve Tap Charge

Except as set forth below, a reserve tap charge shall be imposed upon all unimproved properties that are provided with a Reserve Tap effective from the completion of the Lateral-installation or commencement of Sewer System operations, whichever is later.

The initial reserve tap charge amount shall be \$35.00 per month. The Authority may change such amount from time-to-time by resolution subject to escalation based on the Consumer Price Index or another escalation factor determined by the Authority.

The reserve tap charge shall be waived for a period of ten (10) years for any Reserve Taps awarded prior to the adoption of this Resolution. At the point that capacity has been reserved for 10 years, a monthly fee, as determined by the Authority, shall be charged to continue reserving capacity for any unconnected reserve tap, and shall be billed and collected at the same time and in the same manner as those charges imposed upon connected users of the Sewer System.

For the avoidance of doubt, the reserve tap charge shall not be waived for any Reserve Taps awarded after the adoption of this Resolution.

If a Reserve Tap is installed by the Authority during the Initial Project, the installation fee shall be \$800. The Authority may change such amount from time-to-time by resolution subject to

escalation based on the Consumer Price Index or another escalation factor determined by the Authority.

#### Section 205. Tapping Fees

A tapping fee shall be imposed upon and collected for each connection to be made and for access by each Equivalent Dwelling Unit, as determined by the classification of property in Section 206, to the Sewer System. The tapping fee shall be payable upon approval of application for the permit to make the connection. Such tapping fee shall be for each Equivalent Dwelling Unit served by the connection as set by separate resolution of the Authority. Connection to the Sewer System shall be carried out in accordance with Article VIII herein.

#### Section 206. User Fees

A user fee shall be imposed upon and collected from the Owner of each Improved Property connected to the Sewer System, effective as of the date of connection. The user charge amount shall be applicable to the type of establishment involved on a flat rate basis.

User fees for any Improved Property constituting a Dwelling Unit, Commercial Establishment, Industrial Establishment, or Institutional Establishment shall be on a flat rate basis per EDU for the following user classifications at the user rate as set by separate resolution of the Authority.

CLASSIFICATION OF PROPERTY	EQUIVALENT DWELLING UNIT
1. Single Family Dwelling	1
2. Two Family Dwelling	2
3. Mobile Home or Trailer	1
4. Travel Trailer, per site	1
5. Duplex Dwelling Unit	2
6. Dwelling Unit and Camper on same parcel	2
7. Dwelling Unit and Camper on adjacent lots under same Owner	2
8. Two campers on one parcel	2
9. Two Dwelling Units on one parcel	2
10. Dwelling Unit with a Habitable Accessory Structure	1, <sup>1</sup> / <sub>3</sub>
a. Dwelling Unit with a Habitable Accessory Structure and such Habitable Accessory Structure is rented to a person or persons outside of the family occupying the main dwelling	2

11. Dwelling Unit with a Non-Habitable Accessory Structure 1
12. Apartment House, per rental unit 1
13. Hotel, Motel, Boarding House:
  - a. Each room containing kitchen 1
  - b. Each room not containing kitchen  $\frac{1}{3}$
  - c. Minimum 1
14. Nursing home, per bed  $\frac{1}{3}$
15. Restaurant, Club, Tavern:
  - a. First 25 seats or stools or Fraction thereof 1
  - b. Each additional 10 seats or stools or fraction thereof  $\frac{1}{4}$
16. Banquet Hall, per 100 seats 1
17. Club Locker Room Facility with Showers
  - a. Men or women 1 per 5 showers
18. Church or Fire Company 1
19. Assembly Hall, per 200 seats or Fraction thereof 1
20. School or Day Care Center 1
21. Summer camp, per 20 persons 1
22. Service station or Repair garage
  - a. 2 Bays or fewer 1
  - b. Each additional bay more than 2  $\frac{1}{2}$
23. Barber or Beauty shop, not attached to Owner's residence
  - a. Two chairs or fewer  $\frac{1}{2}$
  - b. Each additional chair  $\frac{1}{4}$
24. Barber or Beauty shop, attached to and forming a part of Owner's residence  $\frac{1}{2}$ 
  - a. Each additional chair  $\frac{1}{4}$
25. Professional Offices:



a. Physicians, per exam room	1
b. Dentist Office, per chair	$\frac{3}{4}$
c. Veterinary Office, per exam room	$\frac{1}{2}$
d. Minimum	1
26. Laundromat: First washer	1
a. Each additional washer	$\frac{1}{2}$
27. Car Wash: First Bay	2, $\frac{1}{2}$
a. Each Additional Bay	1, $\frac{1}{4}$
28. Bowling Alley, per 10 lanes or Fraction thereof	1
29. Retail Store, Office, Business or Industry Not Otherwise Specified (Domestic Sewage Only)	
a. 8 Employees or Less	1
b. Each additional 4 employees or Fraction thereof	$\frac{1}{2}$

A separate grinder pump shall be required for each separately owned Dwelling Unit, Commercial Establishment, Industrial Establishment, or Institutional Establishment, except for the conditions specified in Section 802 herein, or as otherwise approved on a case-by-case basis at the Authority's sole discretion.

User fees for Commercial Establishments which are dependent upon the number of bays, washers, chairs, etc. under the foregoing schedule shall be computed on the basis of the average number of such bays, washers, chairs, etc. for the preceding year.

Billing Units allocated on businesses, retail stores, and industries shall be computed on a basis of the average number of full and part time employees (including individual Owners and employers) for the calendar year preceding the date of billing.

If the use or classification of any Improved Property changes during the applicable billing period, the user charge shall be changed for the subsequent billing period.

User fees shall also be imposed upon all Improved Properties that are required to connect to the Sewer System, but have failed to do so within sixty (60) days after notification in accordance with the mandatory connection ordinances of Lemon Township and Tunkhannock Township. User fees for said unconnected properties shall be billed and collected at the same time and in the same manner as those charges imposed upon connected users of the Sewer System.

The Authority reserves the right to, from time to time, establish additional flat rate classifications and to establish rates therefore; and further, from time to time, to alter, modify, revise and/or amend flat rate classifications and the rates applicable thereto.

Section 207. Estimated Rate Basis for Certain Commercial, Institutional and Industrial Establishments

When the volume of potable water usage or wastewater discharge is not metered and/or flat rate charges are deemed inappropriate, user charges for Sanitary Sewage and/or Industrial Wastes discharged to the Sewer System from any Improved Property constituting a Commercial Establishment, Institutional Establishment, or Industrial Establishment, may be based upon flow according to a water meter or an Authority estimate of potable water consumption of said Improved Property and billed accordingly.

Section 208. Multiple Use Improved Properties

A Multiple Use Improved Property exists where two or more Billing Units, i.e., Dwelling Units or Commercial Establishment, Institutional Establishment, or Industrial Establishment, or combinations thereof, share a common connection to the Sewer System or a common structure. In such cases, each such Billing Unit shall pay separate user fees, as though it was housed in a separate structure and had a direct and separate connection to the Sewer System, computed in accordance with Section 206 of this Ordinance. Owners of multiple use dwellings will be individually billed per Dwelling Unit.

Section 209. Constituent Surcharge.

The Owner of any Improved Property which shall discharge Sanitary Sewage and/or Industrial Waste to the Sewer System having a B.O.D. greater than 220ppm, a Suspended Solids content greater than 220ppm, a Total Phosphorus as P content greater than 10 ppm or an Ammonia Nitrogen as N content greater than 25ppm, shall pay a strength of waste surcharge, in addition to any applicable volume charges in effect at the time. Surcharges shall be paid in addition to all user charges computed in accordance with the provisions of this Article II. The strength of Sanitary Sewage and/or Industrial Wastes to be used for establishing the amount of the surcharge shall be determined periodically at the discretion of the Authority by suitable sampling and analysis by the Owner of such wastes for a consecutive three-day period during a time of normal plant operation. In establishing such waste strengths for surcharge purposes by analysis, analyses shall be made in accordance with procedures outlined in the latest edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association, Inc. The surcharge rate is to be directly proportional to the consumption

charge for the amount any parameter listed above is exceeded. In the event more than one parameter is exceeded, then the larger relationship shall be used.

Section 210. Owner Supplied Information

The Owner of any Improved Property discharging Sanitary Sewage and/or Industrial Waste to the Sewer System shall furnish to the Authority, upon written request, all information deemed essential by the Authority for the determination of applicable fees, charges and surcharges. The costs of obtaining such information shall be borne by the Owner of the Improved Property.

Upon failure of the Owner to provide adequate information within thirty (30) days of receipt of the Authority's written request, the Authority may estimate applicable fees, charges and surcharges based upon available information or until such time as actual adequate information is received. There shall be no rebate of past Owner payments if actual information reveals that the payments were overestimated. In the event payments were underestimated, the Owner shall be responsible for payment of the difference.

**ARTICLE III**

**AGREEMENTS**

Section 301. Agreement to Construct Sewer Lateral

In addition to the fee and the obligations of the Owner as set forth in Section 202 and 203, each Owner who does not have a Lateral provided, and desires connection to the Sewer System, shall be required to enter into an agreement with the Authority to construct a sewer Lateral. This agreement shall set forth other obligations and requirements for the connection to the Sewer System, and each Owner shall be required to comply with all said requirements, financial and otherwise, as more fully set forth in the agreement.

Section 302. Owner to Finance Extension for Development

If a property is to be served by a sewer main extension, all costs and expenses of the extension shall be borne by the Owner of the Improved Property to be connected. All work shall be in accordance with state and federal law and in accordance with the Authority's construction specifications. The Owner shall comply with all applicable Sewage Facilities Act ("Act 537") planning requirements, provide any required easement agreements, enter into an "Agreement to Construct Sewer Extension" with the Authority using the form prescribed and pay all impact, inspection and other fees applicable to the sewer extension.

## ARTICLE IV

### TIME AND METHOD OF PAYMENT

#### Section 401. User Fee Payments

Flat rate sewer user fees imposed by Section 206 and ready to serve charges and surcharges imposed by Section 204 shall be payable in advance, and the user fee or charge per Billing Unit, as set by separate resolution of the Authority, shall be billed and payable in accordance with said resolution.

The entire annual sewer user fee may be paid in one installment, discounted five percent (5%) if paid in advance more than thirty (30) days prior to January 31st.

Sewer user fees, charges, assessments and surcharges for the billing period in which a property first becomes liable for any such charges shall be prorated, and shall be billed in conjunction with the next regular billing or by special billing as the Authority may elect.

Inspection fees, impact fees and tapping fees shall be billed on a one-time payment basis unless arrangements for installment payments are specifically approved by the Authority.

#### Section 402. Late Payments

Billings for tapping fees, user fees, ready to serve charges, surcharges and or permit application fees shall be due and payable upon the applicable billing date, at the office of the Authority, and the appropriate amount, computed in accordance with this Resolution, shall constitute the net bill. If the billings are not paid within thirty (30) calendar days after each billing date, an additional sum of ten percent (10%) shall be added to the net bill. If the net bill plus penalty is not paid within sixty (60) days after the date of the bill, the aggregate amount thereof shall bear interest from the penalty date at the rate of one percent (1%) per month or fraction thereof. The net bill plus the additional sums shall constitute the gross bill. Payment made or mailed and postmarked on or before the last day of such thirty (30) calendar day period shall constitute payment within such period. If the end of such thirty (30) calendar day period shall fall on a legal holiday or Sunday, then payment made on or mailed and postmarked on the next succeeding regular day shall constitute payment within such period.

#### Section 403. Billing Name and Address

The Owner of an Improved Property or the Owner of an unimproved property that is required to obtain or that desires to obtain a service connection, prior to connection to the Sewer System or installation of the Lateral, shall provide the Authority with and thereafter keep the Authority advised of the correct address of the Owner. Failure of any person to receive bills shall not be

considered as excuse for nonpayment, nor shall the failure result in an extension of the time period during which the net bill shall be payable.

#### Section 404. Supplemental Rules and Regulations

Supplemental rules and regulations regarding the payment and collection of the sewer fees, charges and surcharges imposed hereunder and the use of the Sewer System may be enacted by the Authority from time to time, in consultation with Lemon Township and Tunkhannock Township.

#### Section 405. Fees are part of Contract

Those fees, charges, surcharges, and assessments herein specified and other requirements herein imposed on Owners of property improved, benefited or accommodated by the Sewer System are part of a contract and every such Owner shall be bound by the provisions of this Resolution.

#### Section 406. Vary Fees by Authority Action

No officer or employee of the Authority is authorized to vary fees, charges, surcharges or assessments imposed herein or other provisions of this Ordinance without formal action by the Authority.

### **ARTICLE V**

#### SPECIAL AGREEMENTS

Notwithstanding any provision of this Resolution to the contrary, the Authority shall have the right to enter into special agreements with the Owner of any Improved Property with respect to terms and conditions upon which Sanitary Sewage and/or Industrial Wastes may be discharged to the Sewer System and with respect to payments to be made to the Authority in connection therewith. In such event, such service and payments shall be governed by the terms and conditions of such special agreements.

### **ARTICLE VI**

#### FILING AND COLLECTION OF LIENS

Billings for user fees, charges, surcharges, penalties and/or assessments imposed by this Resolution shall be a lien upon the property connected to and/or improved, benefited or accommodated by the Sewer System and any billings which are not paid within one hundred eighty (180) days after each billing date, at the discretion of the Authority, shall be filed as a lien against the property connected to or otherwise improved, benefited or accommodated by the



Sewer System, which lien shall be filed in the appropriate office of the County of Wyoming, as provided by law, and shall be collected in the manner provided by law for the filing and collecting of municipal claims. In addition, the Authority may commence and pursue any legal remedy in law or in equity to compel compliance with the provisions of this Resolution. Nothing herein shall be construed to limit the ability of the Authority to enforce this or any other resolution.

## **ARTICLE VII**

### **APPLICATIONS AND PERMITS**

#### **Section 701. Connection Permit Required**

No work on a Building Sewer for the purpose of connecting the sewer drainage system of any structure to the Sewer System and no work on installation of a Lateral shall begin before the Owner of the property on which the work is to be done shall have made application to the Authority for a Connection Permit and shall have been issued the Connection Permit. The application for the Connection Permit shall be in the form prescribed by the Authority and filed with the Authority.

#### **Section 702. Notify Authority of Repairs**

No permit shall be required for repair of leaks or clearance of blockages of a Building Sewer. However, the property Owner shall provide the Authority with notice of the problem prior to making any repair.

#### **Section 703. Application Approval Required**

The application for sewer service permit required under Section 701 shall be approved by the Authority before any work is begun for which a permit is required. The application shall be made by the Owner of the property served or to be served, or by the duly authorized agent of the Owner, upon forms provided by the Authority.

The approval or rejection of the application shall be issued by the Authority's authorized representative within thirty (30) working days after the filing of the application. Approval will be expressed in the form of a permit issued to the applicant.

If a permit application is rejected, written notice of the reasons therefore shall be provided to the applicant who may submit revised plans and specifications as are necessary to obtain approval by an authorized person as designated by the Authority.

#### Section 704. Inspection Fees

The Authority shall require the payment of an inspection fee, and may require the payment of one or more impact fees as appropriate to the particular installation in such amounts as shall be designated by Authority resolution from time to time.

No permit for sewer service installation shall be issued to an applicant until such time as the inspection and tapping fees have been paid.

#### Section 705. Plan(s) Required

The application for sewer service permit shall include a plan illustrating the nature and location of the work to be done. The location of the Building Sewer, its direction and slope; the location of the proposed connection with the grinder pump or service tap serving the property, or with the Sewer System main, if no service tap has been provided; the depth of the connection below finished grade; the location of the grinder pump unit and associated electrical control panel; and any cleanouts, traps and/or adapters are to be shown. The points of discharge of all roof drains, downspouts, floor drains and sump pumps must also be shown, not to be connected to the Sewer System.

If, in the course of the work, it is found necessary to make any change from the approved plan and description on which a permit has been issued, amended plans and descriptions shall be submitted and, if approved, a supplementary permit shall be issued to cover the change after the same conditions required to secure the original permit have been satisfied.

#### Section 706. Inspection Required

After construction of the piping and wiring is completed, but before backfilling the respective trenches, the work shall be inspected by the agency engaged by the Authority within where the work is located, and a certificate of inspection issued by that agency.

Upon completion of the work and after the Authority's representative has accepted the work as conforming with these regulations and construction standards established by the Authority, and a copy of the inspection certificate is provided to the Authority, the Connection Permit will be issued by the Authority to the applicant.

## ARTICLE VIII

### BUILDING SEWERS AND CONNECTIONS - GENERAL

#### Section 801. Multiple Buildings on One Building Sewer

Except as otherwise provided in this Article, each Improved Property shall be connected separately and independently with a sewer through a Building Sewer.

Grouping of two or more Improved Properties on one Building Sewer shall not be permitted, except under special circumstances and for good sanitary reasons, or other good cause shown, but only then in accordance with special written permission of the Authority and only subject to such rules, regulations and conditions as may be prescribed the Authority. The Authority assumes no obligation or responsibility for damage caused by or resulting from a single Building Sewer which serves more than one Improved Property.

#### Section 802. Separate Grinder Pump

A separate grinder pump shall be required for each separately owned Billing Unit, as set forth in Article II herein. For purposes of clarification, set forth below are grinder pump requirements for certain types of property classifications:

- Mobile Home = 1 grinder pump
- Duplex Dwelling Unit = 1 grinder pump
- Dwelling Unit + Camper on same parcel = 1 grinder pump
- Dwelling Unit + Camper on adjacent lots under the same ownership of both parcels = 1 grinder pump.<sup>1</sup>
- Two campers on one parcel = 1 grinder pump
- Parcel has Two Dwelling Units = 1 grinder pump
- Parcel with One Dwelling Unit + a Habitable Accessory Structure = 1 grinder pump

A Non-Habitable Accessory Structure does not require a separate grinder pump.

A single grinder pump may be permitted to serve an educational, institutional or Industrial Establishment, apartment house or other permanent multiple unit structure whose individual apartments or units may not be subject to separate Ownership. However, the grinder pump may

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<sup>1</sup> This scenario is allowable at the discretion of the Authority and will be evaluated on a case-by-case basis.



need to be of greater capacity or duplex pumps in a specially fabricated fiberglass basin, depending on expected flow and required depth. The property Owner shall be required to provide the design information, and at the discretion of the Authority may require design by a professional engineer.

#### Section 803. Trench Protection

The holder of a permit shall, while excavating any trench, furnish, place and maintain shoring, bracing and sheeting in compliance with OSHA and the Pennsylvania Department of Labor and Industry regulations. The open trench shall be barricaded and covered at night. Lights shall be placed at night to warn the public of danger. Streets, sidewalks and 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 the Authority.

#### Section 804. Oil and Grease Interceptors

Grease, oil, and sand/grit interceptors shall be provided by the applicant when required by the Authority for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, grit or other harmful ingredients. All such interceptors shall be of a type and capacity approved by the Authority and shall be located as to be readily and easily accessible for cleaning and inspection. Where any such required facilities or interceptors are constructed, they shall be maintained continuously in satisfactory and effective operation by the property Owner at Owner's expense.

Gas stations and repair shops may be required to provide oil interceptors of a type acceptable to the Authority, in the proper location, where the dangerous liquids are to be intercepted.

Restaurants or other Commercial Establishments as directed may be required to provide grease interceptors of a type acceptable to the Authority. Carwashes may be required to provide sand/grit interceptors of a type acceptable to the Authority.

#### Section 805. Building Sewer, Grinder Pump Cost

All costs and expenses of construction of a Building Sewer and installation of the grinder pump, grinder pump electrical control panel and related appurtenances are the responsibility of the Owner of the Improved Property to be connected, except that the cost of the grinder pump and Lateral to the street shall be part of the Initial Project and partly paid for with the tap fee charged under the Initial Project.

Such Owner shall indemnify and save harmless the Authority from all loss or damage that may be occasioned, directly or indirectly, as a result of construction of the Building Sewer, the grinder pump and Lateral, or of connection of Building Sewer to a Lateral.

#### Section 806. Connections

All connections to the public Sewer System are made upon the express understanding of the property Owner that:

- (a) Neither the Authority nor the Members of its Board nor any other agency operating the Sewer System shall be liable for any damage or expense resulting from leaks, stoppages, or defective plumbing or from any other cause occurring to any premises or within any house or structure when such damage or expense is found to have resulted from stoppages, damage or defects in any house connection, nor shall the Authority be liable for a deficiency or failure of service when occasioned by an emergency, required repairs, or failure from any cause beyond its control;
- (b) The Authority reserves the right to restrict the use of sewer service whenever the public welfare may require it;
- (c) The Authority and its duly authorized agents shall have the right of access at all reasonable hours to all parts of any premises connected with the Sewer System for the purpose of examining and inspecting connections and fixtures, or for disconnecting service or for any proper cause; and
- (d) The permit applicant must give written notice to the Authority upon any change in Ownership of any Improved Property.

#### Section 807. Privy, Septic Tanks

No privy, vault, cesspool, sinkhole, septic tank or similar receptacle shall be used or shall be maintained at any time upon any Improved Property which has been connected to the sewer. Every privy, vault, cesspool, sinkhole, septic tank, or similar receptacle in existence must be abandoned and must be rendered unusable at the expense of the Owner of such property. All septic tanks being removed from service shall be pumped dry. The contents of the septic tank shall be disposed of in a manner acceptable to the Pennsylvania Department of Environmental Protection and in accordance with all local rules, regulations, and ordinances.

The Authority requires that all abandoned septic tanks, cesspools, and seepage pits be completely filled with sand, crushed stone, or gravel to prevent said facilities from caving in or from in any other way becoming an environmental, health or safety hazard in the future. Any



such privy, vault, cesspool, sinkhole, septic tank or similar receptacle not so abandoned, and not filled if required, shall constitute a nuisance which may be abated, as required by law, at the expense of the Owner. A certified form signed by the contractor shall be provided to the Authority that the septic tank has been abandoned and filled in accordance with these regulations.

Section 808. No Connection to Sewer System

No privy, vault, cesspool, sinkhole, septic tank or similar receptacle shall, at any time, be connected with a sewer.

**ARTICLE IX**

**BUILDING SEWER CONSTRUCTION REQUIREMENTS**

Section 901. General

Building Sewers and their connections must be provided with adequate cover to protect the pipe from crushing or frost action. Each building connection from the grinder pump to the building structure must be provided with a clean-out and vent. The property owner is in all cases responsible for the continued maintenance of the building connection.

All sanitary drains from the building must be connected into one four (4) inch diameter PVC plastic line. This line shall be connected to the inlet hub on the grinder pump unit. A Building Sewer shall be connected only to an approved grinder pump unit, and a grinder pump shall be connected to a street sewer only at a lateral. No person shall make a connection directly to or tamper with a street sewer in any manner.

Section 902. Building Sewer Inspection Required

Every Building Sewer connection to the grinder pump unit must be inspected and approved by the Authority or its delegated inspector before the trench is backfilled.

The Authority may, at its discretion, permit the utilization of existing piping between the building and the grinder pump unit, providing an inspection by the Authority discloses that it is reasonably true to grade and alignment and that the pipe is in good condition with no infiltration. In the case of any such existing piping, the Authority shall have the right to require the owner to uncover the full extent of such piping to determine its condition and require its replacement with approved pipe if the inspection discloses the existing pipe to be inadequate, crushed, or damaged in any manner. The cost of such an inspection, including the cost of uncovering and replacing the pipe where necessary, shall be the sole responsibility of the Owner.

#### Section 903. Sewer Pipe Material

All Building Sewers and underground pipes leading into the Building Sewers shall be constructed of polyvinyl-chloride (PVC) SDR-35 sewer pipe and fittings conforming to ASTM 3034.

#### Section 904. Pipe Size

All Building Sewers shall be four (4) inches internal diameter or greater. When connected to an existing Building Sewer, the new section shall be at least as large as the existing line.

#### Section 905. Pipe Gasketed Joints

Joints and jointing materials for the PVC sewer pipe shall have permanently installed neoprene rubber gaskets in compliance with ASTM 3212.

#### Section 906. Pipe Fittings

All fittings in a Building Sewer shall be of the same material and wall thickness as the pipe used in construction. Any fitting or connection which has an enlargement, chamber, or recess with a ledge, shoulder or reduction of pipe area that offers an obstruction of flow through the pipe is prohibited.

Connections between different types of pipe materials or different diameters shall be made by adapter fittings or by means of an acceptable prefabricated sealing ring or sleeve specifically approved by the Authority's sewer inspector, such that the connection will be free from infiltration. No concrete mortar joints shall be permitted.

#### Section 907. Bends

Changes in direction shall be made by the use of "Y" branches, one-quarter long- sweep bends, or by the use of one-eighth (1/8) or one-sixteenth (1/16) bends.

#### Section 908. Minimum Slope

The slope, or grade, of a Building Sewer shall be no less than one-quarter (1/4) inch per foot of length and sloping downward in the direction the waste material is to flow.

#### Section 909. Depth

The minimum depth of a Building Sewer measured from finished grade to the top of the pipe shall be eighteen (18) inches. A minimum depth of three (3) feet is recommended to provide maximum protection from freezing or crushing.

#### Section 910. Pipe Excavation, Laying, Bedding and Backfilling

All excavations required for the installation of a Building Sewer shall be open trench work unless otherwise approved by the Authority. Pipe laying and backfill shall be performed in accordance with OSHA and Pennsylvania Department of Labor and Industry regulations, as applicable.

The pipe shall be laid on a bed of four (4) inches of sand, AASHTO No. 8 coarse aggregate or 2A material, which shall also be placed and compacted around the sides. The entire length of pipe as well as all joints must have uniform bearing. All couplings, joints, or bells must fit into depressions hollowed out of the bottom of the trench to avoid beam action on the pipe. No pipe shall be supported on cinder blocks, bricks, or other such material.

The pipe shall be inspected by the Authority or its delegated inspector prior to being covered with bedding and backfill. Upon inspection and approval, the bedding shall be completed over the pipe to a minimum height of six (6) inches above the top of the pipe.

The remainder of trench above the pipe shall be backfilled with suitable excavated material not containing rocks, boulders, chunks of frozen earth or other such unsuitable materials. If excavated material is unsuitable, or if trench is under driveway, patio or area that would be subject to damage from settling, then use 2A material. Backfill material shall be thoroughly compacted by tamping in six (6) inch layers up to the subgrade elevation of topsoil or other surfacing to be placed.

#### Section 911. Traps and Cleanouts

The Building Sewer may be provided with a horizontal trap no less than four (4) inches inside diameter, and with vent (fresh air inlet) and cleanout openings, brought to finished grade level. Lines from the Building Sewer to finished grade level must be of the same size, weight and material as the trap and the Building Sewer itself.

Cleanout fittings shall be installed no more than one hundred (100) feet apart in gravity Building Sewer lines. The top of cleanout shall be extended to finished grade and sealed with threaded cap.

### **ARTICLE X**

#### GRINDER PUMP CONSTRUCTION REQUIREMENTS

##### Section 1001. General

The collection system is a low pressure grinder pump system. Being a pressurized system, a standard residential grinder pump unit, or high capacity or duplex grinder pump depending on

flow requirements, must be provided at each Improved Property between the building and the point of connection with the Street Sewer.

The grinder pump consists of a cylindrical high-density polyethylene basin (or fiberglass basin where special order required), within which are contained the grinder pump with motor, wiring and level controls.

The Building Sewer connects the house to the grinder pump, constructed with a slope to permit gravity flow, as described in Article IX above.

Discharge piping from the grinder pump to the point of connection to the Street Sewer, or Lateral if already provided, must be compatible with the Street Sewer and must accommodate flow under pressure generated by the grinder pump and the pressure in the Sewer System generated by all the other grinder pumps in the system.

#### Section 1002. Responsibilities - Ownership and Operation and Maintenance

The property Owner is required to install the grinder pump provided by the Authority, except under the Initial Project where the grinder pumps are to be installed under the construction project, or if otherwise provided under future projects or under special agreement with the Authority.

The Authority shall provide the grinder pump to the property Owner for installation. The Authority will determine the brand and model of grinder pump throughout the Sewer System, so that there will be consistency in the model of pump and replacement parts. The Authority will own the grinder pump, the pump discharge line (service line) and Lateral (extending from main to property line) and shall provide maintenance of the grinder pump and discharge line, unless otherwise provided by agreement with the Owner.

When notified by the Authority, the property Owner shall obtain a Connection Permit and pay the applicable connection fees prior to installation. The property Owner shall install the Building Sewer extending from the house to the grinder pump, and the discharge pipe from the grinder pump to the Lateral if previously provided, or to the main in the street including connection. The property Owner shall make electrical connection to the building electrical panel. The work shall be inspected as described in these regulations.

If a property owner is required to install or to have installed a grinder pump and discharge line under the mandatory connection ordinance, and is notified by the Authority of such, the property owner shall take the necessary action to be connected within 120 days of notification.

If a property Owner is notified by the Authority to connect and refuses to connect or to allow the connection to take place within the time required, the Authority may take actions to remedy such as invoice for connection fee, initiate sewer billing, magistrate order, lien on property, and other such actions.

#### Section 1003. Installation of Residential Grinder Pump, Piping and Electrical

The Authority shall provide a residential grinder pump to the property owner upon issuance of a sewer service permit and payment of tapping fees and/or impact fees, as appropriate.

The grinder pump, Building Sewer, discharge piping from the grinder pump to the Street Sewer, or Lateral if already provided, electrical controls and wiring must be installed, connected and powered by the Owner at the Owner's expense, except under the Initial Project.

Under the Initial Project, the grinder pump, the service Lateral from the street sewer to the shutoff valve at the property line including connection to the main, and the first 50 feet of discharge piping, shall be installed as part of the project, and the grinder pump control panel shall be mounted on the house. Any discharge piping beyond the first 50 feet required to reach the grinder pump shall be installed by the contractor under the Initial Project but paid for by the property Owner at the bid price in the Initial Project. The property Owner shall be responsible to connect the electrical controls and wiring into the owner's house panel, and shall construct the Building Sewer from the house to the grinder pump.

For more detailed requirements of installation, refer to Sections 1004 through 1014. Installation shall be performed only by qualified and experienced contractors, who shall be named in the Connection Permit application.

#### Section 1004. High-Capacity Grinder Pump

If the projected wastewater flow from the property exceeds the capacity of a standard grinder pump (based on total flow, required pumping rate or required pumping head), the Authority shall have manufactured by the Authority's approved vendor a wastewater grinder pump unit suitable to the application. Data may be requested of the property Owner to allow Authority's vendor to specially design a grinder pump station that can deliver the required peak flow at a pressure appropriate to its location within the Sewer System. The special design high-capacity grinder pump may require a duplex unit with two grinder pumps and a larger diameter and/or deeper fiberglass basin.

Upon approval by the Authority and by any other regulatory agencies or governments having jurisdiction, the property Owner shall, at their expense, install said pumping station in accordance with the approved design drawings and shall transfer to the Authority title to the pumping station



as well as provide access to the Authority for future maintenance of the unit and for the piping between it and the street sewer.

#### Section 1005. Location of Grinder Pump

The Owner, subject to the approval of the Authority, may locate the grinder pump where convenient for connection of the Building Sewer, but not where, in the opinion of the Authority, there could be damage to the structure, other appurtenances or utilities when accessed by the Authority for maintenance or repairs. The Authority shall have access to the portion of the property between the grinder pump and the Street Sewer for maintenance or repair of the grinder pump and discharge piping.

#### Section 1006. Grinder Pump Installation and Maintenance Responsibilities

The installation of the grinder pump, the connecting pipe and related facilities from the building to the unit and of the pipe and related facilities from the unit to the Street Sewer shall be made in accordance with the detailed specifications hereinafter set forth in Sections 1009 through 1014. Should any aspect of such specifications be unclear to the property Owner, further instruction or guidance should be sought from the Authority.

Following installation and startup, the Authority will periodically inspect and maintain the grinder pump unit at the Authority's expense, provided, however, that any damage caused to the unit as a result of the discharge into the unit of prohibited substances, or other misuse by the property Owner, or caused by physical collision or impact with the unit, shall be repaired by the Authority at the Owner's expense.

The property Owner shall in all events be responsible for the maintenance and repair of all Building Sewer piping between the building structure, the grinder pump and the electric power service between the grinder pump control panel and the Owner's main house panel.

#### Section 1007. Grinder Pump Discharge Line Construction

Grinder pump discharge piping (service line from grinder pump to the collection system in the Street, or to the Lateral if provided), shall be one and one-fourth (1 -1/4) inch or one and one-half (1 ½) inch diameter HDPE pipe, depending on location within the system, length of service line from grinder pump to system and system pressures. In the case of commercial or other non-residential user, required diameter may also be dependent on required flowrate.

Where a Lateral has been provided, the end of the Lateral shall first be uncovered and inspected before trenching operations are begun. The approximate location of the Lateral may be obtained from the sewer plans on file with the Authority.

Where a Lateral has not been provided and must be tied into the main, the connection will have to be wet-tapped (live-tapped under pressure) by an approved company engaged in that type of service. The property Owner or applicant must obtain all occupancy permits from either Lemon Township or Tunkhannock Township, as applicable, or from the Pennsylvania Department Of Transportation ("PennDOT") as applicable. A direct connection to the main shall be approved by the Authority, which shall require submittal of connection application, supporting documentation required by and subject to approval of the Authority, and payment of applicable fees and costs.

Where a Lateral must be connected to the main, the Lateral shall be extended to the property line and approved curb stop (shutoff valve), curb box and check valve constructed. The Lateral line shall be the same diameter as the service line to the grinder pump discharge. All construction within a road right-of-way shall require traffic control and signing acceptable to Lemon Township or Tunkhannock Township, as applicable, or PennDOT, as applicable. Upon completion the road and shoulder shall be restored to original condition or as required by Lemon Township or Tunkhannock Township, as applicable, or PennDOT, as applicable.

The Lateral and service line shall be buried a minimum of forty-eight (48) inches deep. If constructed by open trench excavation, the pipe shall be laid in a four (4) inch bed of sand or AASHTO No. 8 coarse aggregate and covered with six (6) inches of sand or AASHTO No. 8 coarse aggregate.

#### Section 1008. Grinder Pump Installation

Excavation for the grinder pump shall be of sufficient depth to provide for the aggregate bedding and concrete base for the unit, with the top of the unit one and one-half (1 ½) inch above finished grade. The minimum diameter of the base of the excavation shall be the outside diameter of the grinder pump basin plus twelve (12) inches. A six (6) inch layer of AASHTO No. 2A or No. 8 coarse aggregate shall be placed in the bottom of the excavation, leveled and shaped to accommodate the basin.

The grinder pump shall be placed on the leveled aggregate and rotated into proper alignment with the Building Sewer and discharge line. The inlet hub for the Building Sewer shall be installed per the manufacturer's instructions.

A minimum of three-fourths (3/4) cubic yard of concrete shall be poured over the bottom flange of the basin for anti-floatation. The concrete shall be a minimum of one (1) foot in width and two (2) feet in height.

Backfill material for the basin shall be clean, free flowing gravel or aggregate meeting gradation of bedding material described above.

#### Section 1009. Electrical Service - General

Electrical service shall be provided for the grinder pump by the home owner. Electrical installations shall meet the requirements of all local, state and national electric codes.

Each grinder pump shall be provided with a two hundred thirty (230) volt, two (2) conductor, twenty five (25) amp power circuit. The circuit shall be direct from the load center and shall include neutral and mechanical ground wires. Two-pole circuit breakers or two dual fuses are required to protect the power circuit. Control voltage shall be one hundred twenty (120) VAC and be accomplished by the means of a transformer or available line voltage.

Wiring methods must be included in the latest edition of the National Electrical Code.

#### Section 1010. Grinder Pump Control Panel Installation

Each grinder pump as provided by the manufacturer shall contain a control panel with integrated circuit breaker, as a disconnect for the pump from the incoming power. The control panel shall be located on the outside the building at a height of four (4) feet from the bottom of the enclosure to the ground. The control panel shall be located not more than fifty (50) feet from, and in the sight of, the grinder pump. Easy access to the control panel shall be maintained at all times.

#### Section 1011. Wiring

Wiring materials and methods from the source of the power supply to the grinder pump controls and the grinder pump unit shall be in strict conformity with the latest edition of the National Electric Code. Wiring shall be type THHN wire in conduit.

The homeowner shall provide information so that the grinder pump manufacturer can provide power wiring with the grinder pump sized so that the voltage drop to the grinder pump motor does not exceed ten percent (10 %).

#### Section 1012. Conduit

Power wiring from main control panel (house panel) to the pump control panel shall be enclosed in a conduit having a minimum diameter of one (1) inch. Power and control wiring from the pump control panel to the pump basin shall be enclosed in PVC Schedule 80 electrical conduit having a minimum diameter of two (2) inches. All connections into control panels and junction boxes must be made with watertight fittings. Conduit at connection to basin must be sealed.

Care shall be exercised in pulling wire through conduits so as not to damage the insulation. Only approved wire pulling compounds shall be used. Conduits shall be run as straight and direct as possible to reduce the number of bends.

All conduits and fittings shall conform to the requirements of the National Electric Code.

#### Section 1013. Underground Wiring Installation

All underground wiring/conduit shall be buried a minimum of eighteen (18) inches deep except if bedrock is encountered. Wiring/conduit buried less than six (6) inches deep shall be encased in three (3) inches of concrete. All underground wiring/conduit shall be marked with yellow marking tape, minimum two (2) inches wide, installed six (6) inches above the wire.

#### Section 1014. Grinder Pump Start-up Procedure

Initial Startup - The following items shall be thoroughly checked prior to start-up:

1. Incoming voltage shall be within the range recommended by the pump manufacturer.
2. Verify that all float terminals are wired properly as recommended by the pump manufacturer.
3. Control voltage shall be within the range as recommended by the pump manufacturer.

The following items shall be checked during initial start-up:

1. The grinder pump shall operate with run and start amperage as recommended by the pump manufacturer.
2. Using floats, test on, off and alarm functions and levels in accordance with manufacturer's start up guidelines.
3. Verify alarm by activating highest float.

For more detailed start up instructions, refer to manufacturer's written instructions.

### **ARTICLE XI**

#### PROHIBITED WASTES

##### Section 1101. Prohibited Discharges

The user fees imposed by Section 206 cover the discharge into the Sewer System of Sanitary Sewage only and all persons are hereby prohibited from discharging into the Sewer System, whether directly or through intervening Sewer System, any wastes, substances or matter other than Sanitary Sewage, except in accordance with Section 1103. Without limiting the generality of the foregoing, no person shall discharge or shall cause to be discharged any storm water, surface

water, spring water, groundwater, roof runoff, subsurface drainage, building foundation drainage, cellar drainage or drainage from roof leader connections into the Sewer System.

#### Section 1102. Reservation of Certain Rights

The Authority reserves the right to refuse permission to connect to the Sewer System, to compel discontinuance of use of the Sewer System or to compel pretreatment of Industrial Wastes by any Industrial Establishment in order to prevent discharges deemed to be harmful or to have a deleterious effect upon any part of the Sewer System.

#### Section 1103. Concentration or Mass Discharge Limits

The Authority reserves the right to set concentration or mass discharge limits to any person discharging to the Sewer System. In general, and except as otherwise provided otherwise no person shall discharge or cause to be discharged to the Sewer System any matter or substance:

1. having a temperature higher than one hundred fifty (150) degrees Fahrenheit or less than thirty two (32) degrees Fahrenheit;
2. containing more than one hundred (100) milligrams per liter of fats, oils or greases;
3. containing any gasoline, benzene, naphtha, fuel oil, paint products, acid, base or other flammable or explosive liquids, solids or gases;
4. containing any noxious or malodorous-gas or substance which, wither singly or by interaction with other wastes, is capable of creating a public nuisance or hazard to life or preventing safe entry into sewers for their maintenance and repair;
5. containing unground garbage;
6. containing any ashes, cinders, sand, mud, straw, shavings, metal, glass, bones, rags, disposable diapers, feminine hygiene products, feathers, tar, plastic, wood, paunch manure, butchers offal, whole blood, bentonite, lye, building materials, rubber, hair, leather, porcelain, china, ceramic wastes or any other solids or viscous substances capable of causing obstruction to the flow in the Sewer System or other interference with the proper operation of such Sewer System or the treatment facility;
7. having a pH, stabilized, lower than 6.0 or higher than 9.0 or having any corrosive or scale forming property capable of causing damage or hazards to structures, equipment, bacterial action or personnel of the Sewer System or the treatment facility;
8. containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, to constitute a hazard to humans or animals or to create any hazard in the receiving stream of the treatment facility; limiting the concentration in milligrams per liter of the following ions in the discharges into the Sewer System: cyanide,



- arsenic, phenol 0.5 mg/l, lead and mercury 1.0 mg/l, chromium trivalent and chromium hexavalent 2.0 mg/l, cadmium, copper, nickel, silver, tin and zinc 2.0 mg/l, iron 5.0 mg/l;
9. containing total solids of such character and quantity that unusual attention or expense is required to handle such materials at the treatment facility , except as otherwise provided herein;
  10. containing any toxic radioactive isotopes;
  11. containing color from any source that, when diluted 1:10, will have luminescence of ninety percent (90%) and a purity of ten percent (10%) or more, at its dominant wave length by the tristimulus method;
  12. having a chlorine demand in excess of 12 mg/l;
  13. prohibited by any permit issued by the Commonwealth of Pennsylvania or the United States of America or any of their respective agencies;
  14. containing wastes which are not amenable to biological treatment or reduction in the treatment facility, specifically non-biodegradable complex carbon compounds; or
  15. at a flow rate and/or pollutant discharge rate which is excessive over relatively short time periods so that there is a treatment process; upset and subsequent loss of treatment efficiency at the treatment facility.

None of the substances listed below shall be discharged into the Sewer System if such discharge exceeds the guidelines of the United States Environmental Protection Agency:

#### **METALS AND INORGANICS**

- |              |              |
|--------------|--------------|
| 1. Antimony  | 9. Lead      |
| 2. Arsenic   | 10. Mercury  |
| 3. Asbestos  | 11. Nickel   |
| 4. Beryllium | 12. Selenium |
| 5. Cadmium   | 13. Silver   |
| 6. Chromium  | 14. Thallium |
| 7. Copper    | 15. Zinc     |
| 8. Cyanide   |              |

#### **PHENOLS AND CRESOLS**

- |                            |                        |
|----------------------------|------------------------|
| 1. Phenol(s)               | 5. Phenol, pentachloro |
| 2. Phenol, 2-chloro        | 6. Phenol, 2-nitro     |
| 3. Phenol, 2,4-dichloro    | 7. Phenol, 4-nitro     |
| 4. Phenol, 2,4,6-trichloro | 8. Phenol, 2,4-dinitro |

9. Phenol, 2,4-dimethyl
10. m-Cresol, p-chlor

11. o-Cresol, 4,6-dinitro

#### MONOCYCLIC AROMATICS (EXCLUDING PHENOLS, CRESOLS, AND PHTHALATES )

- |                             |                          |
|-----------------------------|--------------------------|
| 1. Benzene                  | 7. Benzene, hexachloro   |
| 2. Benzene, chloro          | 8. Benzene, ethyl        |
| 3. Benzene, 1,2-dichloro    | 9. Benzene, nitro        |
| 4. Benzene, 1,3-dichloro    | 10. Toluene              |
| 5. Benzene, 1,4-dichloro    | 11. Toluene, 2,4-dinitro |
| 6. Benzene, 1,2,4-trichloro | 12. Toluene, 2,6-dinitro |

#### PCBs AND RELATED COMPOUNDS

- |             |                        |
|-------------|------------------------|
| 1. PCB-1016 | 5. PCB-1248            |
| 2. PCB-1221 | 6. PCB-1254            |
| 3. PCB-1232 | 7. PCB-1260            |
| 4. PCB-1242 | 8. 2-Chloronaphthalene |

#### ETHERS

- |                                  |                                  |
|----------------------------------|----------------------------------|
| 1. Ether, bis(chloromethyl )     | 5. Ether, 4-bromophenyl phenyl   |
| 2. Ether, bis(2-chloroethyl)     | 6. Ether, 4- chlorophenyl phenyl |
| 3. Ether, bis(2-chlorosopropyl ) | 7. Bis( 2-chloroethoxy) methane  |
| 4. Ether, 2-chloroethyl vinyl    |                                  |

#### NITROSAMINES AND OTHER NITROGEN-CONTAINING COMPOUNDS

- |                             |                            |
|-----------------------------|----------------------------|
| 1. Nitrosamine, dimethyl    | 5. Benzidine, 3,3-dichloro |
| 2. Nitrosamine, diphenyl    | 6. Hydrazine, 1,2-diphenyl |
| 3. Nitrosamine, di-n-propyl | 7. Acrylonitrile           |
| 4. Benzidine                |                            |

#### HALOGENATED ALIPHATICS

- |                           |                           |
|---------------------------|---------------------------|
| 1. Methane, bromo-        | 5. Methane, dichlorobromo |
| 2. Methane, chloro-       | 6. Methane, tribromo      |
| 3. Methane, dichloro      | 7. Methane, trichloro     |
| 4. Methane, chlorodibromo | 8. Methane, tetrachloro   |

9. Methane, trichlorofluoro
10. Methane, dichlorodifluoro
11. Ethane, 1,1-dichloro
12. Ethane, 1,2-dichloro
13. Ethane, 1,1,1-trichloro
14. Ethane, 1,1,2-trichloro
15. Ethane, 1,1,2,1-tetrachloro
16. Ethane, hexachloro
17. Ethene, chloro

18. Ethene, 1,1-dichloro
19. Ethene, trans-dichloro
20. Ethene, trichloro
21. Ethene, tetrachloro
22. Propane, 1,2-dichloro
23. Propane, 2,4-dichloro
24. Butadiene, hexachloro
25. Cyclopentadiene, hexachloro

#### PHthalate ESTERS

1. Phthalate, di-c-methyl
2. Phthalate, di-n-ethyl
3. Phthalate, di-n-butyl
4. Phthalate, di-n-octyl
5. Phthalate, bis 2-ethylhexyl
6. Phthalate, butyl benzyl

#### POLYCYCLIC AROMATIC HYDROCARBONS

1. Acenaphthene
2. Acenaphthylene
3. Anthracene
4. Benzo (a) anthracene
5. Benzo (b) fluoranthene
6. Benzo (k) fluoranthene
7. Benzo (ghi) perylene
8. Benzo (a) pyrene
9. Chrysene
10. Dibenzo (a,n) anthracene
11. Fluoranthene
12. Fluorene
13. Indeno (1,2,3-cd) pyrene
14. Naphthalene
15. Phenanthrene
16. Pyrene

#### PESTICIDES

1. Acrolein
2. Aldrin
3. BHC (Alpha)
4. BHC (Beta)
5. BHC(Gamma) or Lindane
6. BHC (Delta)
7. Chlordane
8. DDD
9. DDE
10. DDT
11. Dieldrin
12. Endosulfan (Alpha)
13. Endosulfan (Beta)
14. Endosulfan Sulfate
15. Endrin
16. Endrin aldehyde
17. Heptachlor
18. Heptachlor epoxide Isophorone
19. TCDD (or Dioxin)
20. Tozaphene

#### Section 1104. Permission to Discharge

In no circumstances shall a person discharge or cause to be discharged into the Sewer System any of the substance listed in Section 1103 above, without first securing a written permit to do so from the Authority.

#### Section 1105. Continuing Approval

Whenever a person is authorized by the Authority and the appropriate governmental agencies to discharge any Sanitary Sewage or Industrial Waste containing any of the substance or possessing any of the characteristics referred to in Section 1103 of this Resolution, such discharge shall be subject to the continuing approval, inspection and review of the Authority's consulting engineer. If, in the opinion of the Authority's consulting engineer, such discharges are causing or will cause damage to the Sewer System, the Authority shall order the person causing such discharge to cease doing so forthwith, or to take other appropriate action, as may be required by the Authority, to eliminate or, attenuate the harmful discharge.

#### Section 1106. Special Agreement

Nothing contained in this Article shall be constructed as prohibiting any special agreement or arrangement between the Authority and the Owner of an Improved Property from which Industrial Waste of unusual strength or characters may be admitted into the Sewer System.

#### Section 1107. Pretreatment Facilities

Where necessary, in the opinion of the Authority, the Owner of an Improved Property shall provide, at the expense of the Owner, suitable pretreatment facilities in order to comply with Section 1103 of this Article.

Plans, specifications and any other pertinent information relating to proposed facilities for preliminary treatment and handling of Industrial Waste shall be submitted for approval of the Authority. No construction of any such facility shall commence until approval has been obtained, in writing, from the Authority, and until approval has been obtained from any regulatory body having jurisdiction.

Whenever facilities for preliminary treatment and handling of Industrial Waste are provided, such facilities shall be continuously maintained, at the expense of the Owner, in satisfactory operating condition. The Authority shall have access to such facilities at reasonable times for purposes of inspection and sampling.

## **ARTICLE XII**

### **ACCESS**

The Authority shall have the right to access, at all reasonable times, any part of any property served by the Sewer System as necessary for purposes of inspection, observation, measurement construction, repair, sampling and testing and/or for performance of other functions relating to service rendered by the Authority through the Sewer System.

## **ARTICLE XIII**

### **OWNER - TENANT LIABILITY**

The Owner of any property connected to the Sewer System shall be held liable for all acts of tenants or other occupants of the property insofar as such acts shall be governed by the provisions of this and other resolutions adopted by the Authority.

## **ARTICLE XIV**

### **AUTHORITY LIABILITY**

The Authority shall not be liable for a deficiency or failure of service when occasioned by an emergency or required repairs, or failure from a cause beyond its control; the Authority reserves the right to restrict the use of the Sewer System whenever public welfare may require it; and the Authority shall not be responsible for any damage or expense to any Person or to an Improved Property or any Billing Unit resulting from any leak, stoppage or defect in the Sewer System.

## **ARTICLE XV**

### **ADOPTION OF ADDITIONAL RULES AND REGULATIONS**

The Authority reserves the right to adopt, from time to time, such additional rules and regulations as it shall deem necessary and proper in connection with use and operation of the Sewer System, which regulations shall become and shall be construed as part of this Resolution. In accordance with applicable laws, public notice shall be given prior to the adoption of any amendments to this Resolution.

## **ARTICLE XVI**

### **SEVERABILITY**

In the event any provision, section, sentence, clause or part of this Resolution shall be held to be invalid, such invalidity shall not affect or impair any remaining clause or part of this Resolution,



it being the intent of this Authority that such remainder shall be and shall remain in full force and effect.

**ARTICLE XVII**


**EFFECTIVE DATE**

This Resolution shall become effective on the date of its adoption by the Authority.

Resolved by the Board of the Lemon Township and Tunkhannock Township Joint Municipal Sewer Authority, on the 5th day of August 2021.

ATTESTED:

LEMON TOWNSHIP AND TUNKHANNOCK  
TOWNSHIP JOINT MUNICIPAL SEWER AUTHORITY



Rebecca G. Kilmer, Secretary



Veto Barziloski, Jr., Chairman