

**PETERS TOWNSHIP
SANITARY AUTHORITY**

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James J. Miskis, Manager
Mark A. Chucuddy, Asst. Manager
Patricia L. Foote, Financial Controller

RESOLUTION NO. 06-08-09

**ADOPTING REASONABLE TERMS AND CONDITIONS FOR ACCESSING
PROPERTIES SERVICED BY THE AUTHORITY AND PROVIDING FOR
REASONABLE ADVANCE NOTICE AND FOR PROSECUTION FOR PROHIBITED
SEWAGE DISCHARGE AND WHERE ACCESS IS HINDERED, AND REPEALING
RESOLUTION 01-01-05**

WHEREAS, the Peters Township Sanitary Authority (the "Authority") is a municipal organization organized under the Municipal Authority Act of 1945, 53 Pa. C.S. § 561 et seq., as amended, for the purpose of providing a sanitary sewer collection, conveyance, and treatment facilities, and for providing the staffing and financing to operate those facilities; and

WHEREAS, the Authority requires access to private property where building laterals, and appurtenances, that are privately owned require inspection and/or repair so as to comply with the inflow, infiltration and other rules and regulations of the Authority and/or governing municipality or regulatory body; and

WHEREAS, the Authority had enacted Resolution 01-01-05 that is substantially modified by the instant Resolution thereby necessitating its repeal.

NOW, THEREFORE, BE IT RESOLVED, that the Peters Township Sanitary Authority hereby adopts the following Resolution:

1. No property owner, person, or user shall connect to the sanitary sewer any roof drain, area drain, or foundation drain thereto or permit any such drain to remain connected thereto, nor permit, allow, or cause to enter into any sanitary sewer or building sewer connected thereto any surface water, groundwater, or spring water from any source, including broken or defective building sewer pipe or building drain pipe. Furthermore, no person or user shall discharge any grease or oils, or any substance that may cause an obstruction to the sewer or any waste containing liquids, solids, or gases which may cause fire, corrosion, explosion, or be in any way injurious to persons, structures or the Authority's wastewater treatment processes.
2. Upon written notice from the Authority that a prohibited discharge violation exists, the property owner shall correct the violation to the satisfaction of the Authority and in compliance with the Authority's Rules and Regulations within seven calendar days. Failure of the property owner to correct the violation within the prescribed seven days shall cause the property owner to be deemed guilty of a summary offense

from the date of written notice and upon conviction thereof shall be fined an amount not in excess of \$300.00 pursuant to the Pennsylvania Municipal Authority Act, 53 Pa. C.S. § 5607(d)(17). Each day that such violation is committed or permitted to continue, after notice of violation, shall constitute a separate offense and shall be punishable as such hereunder.

3. The Authority Manager, Assistant Manager or Special Projects Manager are hereby authorized to: (a) determine when a violation of the Authority's Rules & Regulations has occurred, (b) issue the required notice, (c) confirm that the violation has been or has not been corrected, (d) issue time extensions to complete correction of the violation when in the opinion of the Authority Manager, Assistant Manager or Special Projects Manager conditions warrant such extensions, and (e) file on behalf of the Authority the necessary documents to begin prosecution of violators.
4. Any Authority employee or contracted employee of the Authority, while in the necessary pursuit of official duties with regard to the sewage disposal system of the Authority, shall have the right of entry onto private property for the inspection and testing of sewer installations and appurtenances connecting to the Authority's collection system at reasonable hours after reasonable advance notice to the owner, tenant, or person in possession, or agent of any of them. Any restraint or hindrance to such entry by any person shall be referred for prosecution as a summary offense pursuant to the Pennsylvania Municipal Authority Act 53 Pa. C.S. § 5607(d)(17).
5. For the purposes of this Resolution, reasonable advance notice shall include, but not be limited to a letter mailed to the owner of record, posting the property with a door hangar or placard, or telephone or personal verbal communication with the owner, occupant or agent of them.
 - a. There will be no advance notification when exterior access only is required under the following circumstances:
 - (i) When the Authority is required to act on an official request from the Pennsylvania One Call System to identify, mark or otherwise verify the location of sewer installations and appurtenances upon the subject property.
 - (ii) When wet weather conditions are such that advance notice to the property owner, tenant, person in possession or agent of any of them is not feasible due to the exigency of the weather conditions for those properties identified by engineering or flow studies as having a reasonable suspicion of being in violation of the Authority's rules and regulations for inflow and infiltration.

- (iii) When there is observation or evidence of exposed sewage on property that has the potential of causing a health hazard or unhealthy condition.
- b. There will be no advance notice when interior access is required under the following circumstances:
 - (i) When the Authority is conducting periodic inspections of Food Service Establishments grease interceptors (traps) pursuant to Peters Township Ordinance No. 219, as amended, by Ordinance No. 232, dated January 26, 1981;
 - (ii) When the Authority is responding to a proper formal request for the issuance of a Document of Certification for the sale, transfer or refinancing of real property;
 - (iii) When the Authority is responding to a customer request to test or inspect their building sewer due to a back up of sewage or as a preventative measure;
 - (iv) When the Authority is reinspecting previously identified defects to assure repairs have been done in accordance with the Authority's Sewer Use Rules and Regulations.

6. By the adoption of this Resolution, the Authority's Resolution 01-01-05 is hereby repealed, as well as all other resolutions and parts thereof which are in conflict with this Resolution.

Enacted this 11th day of August, 2009.

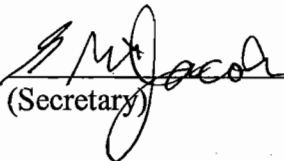
Motion made by John P. Slagle, seconded by

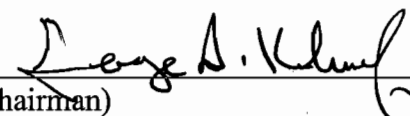
James E. Schafer.

ATTEST:

(SEAL)

Peters Township Sanitary Authority
Washington County, PA


(Secretary)


(Chairman)