

## **Chapter 195**

### **SEWERS**

**[HISTORY: Adopted by the Borough Council of the Borough of Port Carbon 4-5-1973 by Ord. No. 219. Amendments noted where applicable.]**

#### **GENERAL REFERENCES**

**Greater Pottsville Area Sewer Authority — See Ch. 9, Art. I. Plumbing — See Ch. 178.**

**Code enforcement — See Ch. 102.**



ARTICLE I  
**Definitions**

**§ 195-1. Definitions.**

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

**AUTHORITY** — Greater Pottsville Area Sewer Authority, a Pennsylvania municipality authority.

**BOROUGH** — The Borough of Port Carbon, Schuylkill County, Pennsylvania, a municipality of the Commonwealth of Pennsylvania, acting by and through its Council or, in appropriate cases, acting by and through its authorized representatives.

**BUILDING SEWER** — The extension from the sewage drainage system of any structure to the lateral of a sewer.

**IMPROVED PROPERTY** — Any property located within this Borough upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure sanitary sewage and/or industrial wastes shall be or may be discharged.

**INDUSTRIAL ESTABLISHMENT** — Any room, group of rooms, building or other enclosure used or intended for use, in whole or in part, in the operation of a business enterprise for the manufacturing, fabricating, processing, cleaning, laundering or assembling of any product, commodity or article, or from which any process waste, as distinct from sanitary sewage, shall be discharged.

**INDUSTRIAL WASTES** — Any solid, liquid or gaseous substance or waterborne wastes or form of energy rejected or escaping in the course of any industrial, manufacturing, trade or business process or in the course of the development, recovery or processing of natural resources, as distinct from sanitary sewage.

**LATERAL** — That part of the sewer system extending from a sewer to the curblineline or, if there shall be no curblineline, to the property line or, if no such lateral shall be provided, then "lateral" shall mean that portion of or place in a sewer which is provided for connection of any building sewer.

**OWNER** — Any person vested with ownership, legal or equitable, sole or partial, of any improved property.

**PERSON** — Any individual, partnership, company, association, society, trust, corporation or other group or entity.

**SANITARY SEWAGE** — Normal water-carried household and toilet wastes discharged from any improved property.

**SEWER** — Any pipe, main or conduit constituting a part of the sewer system used or usable for sewage collection purposes.

**SEWER SYSTEM** — All facilities, as of any particular time, for collecting, transporting, pumping, treating and disposing of sanitary sewage and industrial wastes, situate in or adjacent to this Borough and owned by the Authority.



ARTICLE II  
**Use of Public Sewers Required**

**§ 195-2. Notice to connect.**

The owner of any improved property benefited, improved or accommodated by a sewer shall connect such improved property with such sewer, in such manner as this Borough may require, within 45 days after notice to such owner from this Borough to make such connection, for the purposes of discharge of all sanitary sewage and industrial wastes from such improved property, subject to such limitations and restrictions as shall be established herein or as otherwise shall be established by this Borough or the Authority from time to time.

**§ 195-3. Limitations and restrictions authorized.**

All sanitary sewage and industrial wastes from any improved property, after connection of such improved property with a sewer shall be required under § 195-2, shall be conducted into a sewer, subject to such limitations and restrictions as shall be established herein or as otherwise shall be established by this Borough or the Authority from time to time.

**§ 195-4. Prohibited disposal.**

- A. No person shall place or deposit or permit to be placed or deposited upon public or private property within this Borough any sanitary sewage or industrial wastes in violation of § 195-2.
- B. No person shall discharge or permit to be discharged to any natural outlet within this Borough any sanitary sewage or industrial wastes in violation of § 195-2, except where suitable treatment has been provided which is satisfactory to this Borough.

**§ 195-5. Prohibited use of privy vault or septic tank.**

- A. No privy vault, cesspool, sinkhole, septic tank or similar receptacle shall be used or maintained at any time upon any improved property which has been connected to a sewer or which shall be required under § 195-2 to be connected to a sewer.
- B. Every such privy vault, cesspool, sinkhole, septic tank or similar receptacle in existence shall be abandoned and, at the discretion of this Borough, shall be cleansed and filled at the expense of the owner of such improved property and under the direction and supervision of this Borough, and any such privy vault, cesspool, sinkhole, septic tank or similar receptacle not so abandoned and, if required by this Borough, cleansed and filled, shall constitute a nuisance, and such nuisance may be abated as provided by law at the expense of the owner of such improved property.

**§ 195-6. Prohibited connections to sewers.**

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

**§ 195-7. Form of notice.**

The notice by this Borough to make a connection to a sewer, referred to in § 195-2, shall consist of a copy of this chapter, including any amendments and/or supplements at the time in effect, or a summary of each section hereof, and a written or printed document requiring the connection in accordance with the provisions of this chapter and specifying that such connection shall be made within 45 days from the date such notice is given. Such notice may be given at any time after a sewer is in place which can receive and convey sanitary sewage and industrial wastes for treatment and disposal from the particular improved property. Such notice shall be served upon the owner either by personal service or by registered mail or by such other method as at the time may be provided by law.

ARTICLE III  
**Building Sewers and Connections**

**§ 195-8. Separate connection for each property; exception.**

Except as otherwise provided in this section, each improved property shall be connected separately and independently with a sewer through a building sewer. Grouping of more than one improved property on one building sewer shall not be permitted except under special circumstances and for good sanitary reasons or other good cause shown, and then only after special permission of this Borough and the Authority, in writing, shall have been secured, and subject to such rules, regulations and conditions as may be prescribed by the Authority.

**§ 195-9. Costs of connection.**

All costs and expenses of construction of a building sewer and all costs and expenses of connection of a building sewer to a sewer, including testing, shall be borne by the owner of the improved property to be connected, and such owner shall indemnify and save harmless this Borough and the Authority from all loss or damage that may be occasioned, directly or indirectly, as a result of construction of a building sewer or of connection of a building sewer to a sewer.

**§ 195-10. Manner of making connection.**

A building sewer shall be connected to a sewer at the place designated by the Authority and where the lateral is provided. The invert of a building sewer at the point of connection shall be at the same elevation as or a higher elevation than the invert of the sewer. A smooth, neat joint shall be made, and the connection of a building sewer to the lateral shall be made secure and watertight.

**§ 195-11. Connections by Borough; costs.**

If the owner of any improved property benefited, improved or accommodated by a sewer, after 45 days' notice from this Borough requiring the connection of such improved property with a sewer in accordance with § 195-2, shall fail to connect such improved property as required, this Borough may make such connection and may collect from such owner the costs and expenses thereof by a municipal claim, an action in assumpsit or such other legal proceeding as may be permitted by law.



ARTICLE IV  
**Rules and Regulations**

**§ 195-12. Changing connection from septic tank to sewer.**

Where an improved property at the time connection to a sewer is required shall be served by its own sewage disposal system or device, the existing house sewer line shall be broken on the structure side of such sewage disposal system or device and attachment shall be made, with proper fittings, to continue such house sewer line as a building sewer.

**§ 195-13. Inspection of building sewers.**

No building sewer shall be covered until it has been inspected and approved by this Borough and the Authority. If any part of a building sewer is covered before so being inspected and approved, it shall be uncovered for inspection at the cost and expense of the owner of the improved property to be connected to a sewer.

**§ 195-14. Maintenance of building sewers.**

Every building sewer of any improved property shall be maintained in a sanitary and safe operating condition by the owner of such improved property.

**§ 195-15. Guarding excavations; restoring sidewalks.**

Every excavation for a building sewer shall be guarded adequately with barricades and lights to protect all persons from damage and injury. Streets, sidewalks and all 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 Borough.

**§ 195-16. Remedying unsatisfactory conditions.**

If any person shall fail or refuse, upon receipt of a notice from this Borough or the Authority in writing to remedy any unsatisfactory conditions with respect to a building sewer within 45 days of receipt of such notice, this Borough or the Authority may refuse to permit such person to discharge sanitary sewage and industrial wastes into the sewer system until such unsatisfactory conditions shall have been remedied to the satisfaction of this Borough and the Authority.

**§ 195-17. Additional rules and regulations.**

This Borough reserves the right to adopt, from time to time, additional rules and regulations as it shall deem necessary and proper relating to connections with a sewer and the sewer system, which additional rules and regulations, to the extent appropriate, shall be and shall be construed as a part of this chapter.



ARTICLE V  
**Enforcement**

**§ 195-18. Violations and penalties. [Amended 4-8-2008 by Ord. No. 1-2008]**

Any person violating any of the provisions of this chapter shall, upon conviction, be punishable as set forth in Chapter 1, General Provisions, Article I, General Penalty, of this Code.



ARTICLE VI

**Purpose**

**§ 195-19. Declaration of purpose.**

It is declared that the enactment of this chapter is necessary for the protection, benefit and preservation of the health, safety and welfare of the inhabitants of this Borough.

