

**CHAPTER 17**  
**SEWERS AND SEWAGE DISPOSAL**

**PART 1**

**Sewer Connections and Uses**

- A. Definitions**
  - §1. Definitions and Interpretations**
  - §§2 to 10. (Reserved to accommodate future ordinances)**
- B. Use of Public Sewers**
  - §11. Owners of Property Improved or Accommodated by Sewer to Connect; Time Limit**
  - §12. Sewage and Wastes to be Conducted and Discharged into Sewer After Connection**
  - §13. Prohibited Means of Disposal of Waste**
  - §14. Sewage Receptacle Construction, User or Maintenance Restricted; Abandonment**
  - §15. Connection of Sewage Receptacle to Sewer Prohibited**
  - §16. Notice to Connect When Sewer Accessible**
  - §17. Contents of Notice**
  - §18. Authority of Borough to Make Collection and Collect Cost Plus 10%**
  - §§19 to 30. (Reserved to accommodate future ordinances)**
- C. Sewer Connection Fees, Tapping Fees, Maintenance Fees, and Inspection Fees**
  - §31. Permit Required**
  - §32. Fees**
  - §33. Connection Fee**
  - §34. Tapping Fee**
  - §35. Maintenance Fee**
  - §36. Inspection Fee**
  - §37. Payment**
  - §38. Municipal Lien**
  - §§39 to 40. (Reserved to accommodate future ordinances)**
- D. Building Sewers and Connections**
  - §41. Permit Required to Open Sewer**
  - §42. Application for Permit**
  - §43. Prerequisites for Connection**

## SEWERS AND SEWAGE DISPOSAL

- §44. **Independent Connection**
- §45. **Costs of Construction to be Bourne by Owner; Nonliability of Borough**
- §46. **Manner of Connection Building Sewer to Sewer**
- §§47 to 50. **(Reserved to accommodate future ordinances)**
  
- E. Building Sewer Construction; Use of Sewers**
  
- §51. **House Sewer Line May be Used as Building Sewer**
- §52. **Inspection of Building Sewer**
- §53. **Maintenance Responsibility**
- §54. **Barricades and Lights Around Excavations; Restoration of Street Surface**
- §55. **Failure to Remedy Unsatisfactory Conditions After Notice**
- §56. **Prohibited Substances**
- §57. **Right of Borough to Refuse Connection to System or to Require Pretreatment**
- §58. **Additional Rules and Regulations Authorized**
- §§59 to 70. **(Reserved to accommodate future ordinances)**
  
- F. Enforcement; Severability; Purpose**
  
- §71. **Penalty for Violation**
- §72. **Recovery of Fines and Costs**
- §73. **Severability**
- §74. **Declaration of Purpose**
- §§75 to 100. **(Reserved to accommodate future ordinances)**

### Part 2

#### Sewer Rental and Charges

- §101. **Definitions**
- §102. **Sewer Rentals and Charges**
- §103. **Amount and Manner of Computation of Sewer Rentals or Charges**
- §104. **Time and Method of Payment**
- §105. **Liens for Sewer Rentals or Charges; Filing and Collection of Liens**
- §106. **Collection of Sewer Rentals or Charges**
- §106. **Prohibited Wastes**
- §107. **Right to Refuse Connection to or Compel Discontinuance of Use of Sewer System or to Compel Pretreatment**
- §108. **Access**
- §109. **Adoption of Additional Rights**
- §110. **Construction and Severability**
- §111. **Penalty for Violation**
- §112. **Collection of Sewer Charges Through Water Utility**
- §113. **Procedure for Collection of Unpaid Bills**

## Part 1

### Sewer Connections and Users

#### A. Definitions

##### §1. Definitions and Interpretations.

Unless the context specifically and clearly indicates otherwise, the meaning of terms used in this ordinance<sup>1</sup> shall be as follows:

- A. “Authority” shall mean the Bloomfield Municipal Authority, a municipality authority of the Commonwealth of Pennsylvania.
- B. “Borough” shall mean the Borough of Bloomfield. Perry County, Pennsylvania, a municipal corporation of the Commonwealth of Pennsylvania, acting by and through its Council or, in appropriate cases, acting by and through its authorized representatives.
- C. “Building sewer” shall mean the extension from the sewage drainage system of any structure to the lateral of a sanitary sewer.
- D. “Council” shall mean the group of elected officials acting as the governing body of this Borough.
- E. “Improved property” shall mean 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.
- F. “Industrial wastes” shall mean any solid, liquid or gaseous substance or form of energy ejected 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.
- G. “Lateral” shall mean that part of the sewer system extending from a sanitary sewer to the curb line or, if there shall be no curb line, to the property line or, if no such lateral shall be provided, then “lateral” shall mean that portion of, or place in, a sanitary sewer which is provided for connection of any building sewer.
- H. “Owner” shall mean any person vested with ownership, legal or equitable, sole or partial, of any property located within this Borough.

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<sup>1</sup> Sections 1 to 74 of this chapter.

## SEWERS AND SEWAGE DISPOSAL

- I. "Person" shall mean any individual, firm, partnership, company, club, association, society, trust, corporation, municipality, municipality authority or other group or entity.
- J. "Sanitary sewage" shall mean the normal water-carried household and toilet wastes from any improved property.
- K. "Sanitary sewer" shall mean any pipe, main or conduit constituting a part of the sewer system and used or usable for collecting and transporting sanitary sewage and industrial wastes.
- L. "Sewer system" shall mean all facilities, as of any particular time, for collecting, transporting, pumping, treating and disposing of sanitary sewage and industrial wastes, situate in this Borough, owned by the Authority and leased to this Borough for operation and use.<sup>2</sup>

(Ord. 1965-2B, 2/23/1965, Art. I, §1.01)

### **B. Use of Public Sewers**

#### **§11. Owners of Property Improved or Accommodated by Sewer to Connect; Time Limit.**

The owner of any improved property benefited, improved and accommodated by a sanitary sewer shall connect such improved property with such sanitary sewer, in such manner as this Borough may require, within 60 days after notice to such owner from this Borough to make such connection, for the purpose of discharge of all sanitary sewage and industrial wastes from such improved property, subject to such rules, regulations, limitations and restrictions as shall be established herein<sup>3</sup> or as otherwise shall be established by this Borough, from time to time. (Ord. 1965-2B, 2/23/1965, Art. II, §2.01)

#### **§12. Sewage and Wastes to be Conducted and Discharged into Sewer After Connection.**

All sanitary sewage and industrial wastes from any improved property, after connection of such improved property with a sanitary sewer, as required under Section 2.01 of this ordinance, <sup>4</sup> shall be conducted and discharged into such sanitary sewer, subject to such rules, regulations, limitations and restrictions as shall be established herein <sup>5</sup> or as otherwise shall be established by this Borough, from time to time. (Ord.1965-2B, 2/23/1965, Art. II. §2.02)

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<sup>2</sup> Section 7.01 of this ordinance stated that the ordinance would be effective immediately; Section 10.01 repealed all inconsistent ordinances and parts of ordinances.

<sup>3</sup> In this ordinance, Sections 1 to 74 of this chapter.

<sup>4</sup> Section 11 of this chapter.

<sup>5</sup> In this ordinance, Sections 1 to 74 of this chapter.

**§13. Prohibited Means of Disposal of Waste.**

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 Section 2.01 of this ordinance.<sup>6</sup>

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 Section 2.01 of this ordinance, except where suitable treatment has been provided which is satisfactory to this Borough.

(Ord. 1965-2B, 2/23/1965, Art. II, §2.03)

**§14. Sewage Receptacle Construction, Use or Maintenance Restricted; Abandonment.**

No privy vault, cesspool, sinkhole, septic tank or similar receptacle shall be used or maintained upon any improved property, after the expiration of the time specified in Section 2.01 of this ordinance,<sup>7</sup> from which improved property connection with a sanitary sewer shall have been made or shall be required to be made; and it shall be unlawful for any owner of such improved property, after the expiration of the time specified in Section 2.01 of this ordinance, to erect, construct, use or maintain thereon any privy vault, cesspool, sinkhole, septic tank or similar receptacle for disposition of sanitary sewage and/or industrial wastes or to discharge sanitary sewage and/or industrial wastes in any manner other than into the sewer system.

Every such privy vault, cesspool, sinkhole, septic tank or similar receptacle 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, 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.

(Ord. 1965-2B, 2/23/1965, Art. II, §2.04)

**§15. Connection of Sewage Receptacles to Sewer Prohibited.**

No privy vault, cesspool, sinkhole, septic tank or similar receptacle at any time shall be connected with a sanitary sewer. (Ord. 1965-2B, 2/23/1965, Art. II, §2.03)

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<sup>6</sup> Section 11 of this chapter.

<sup>7</sup> Section 11 of this chapter.

## SEWERS AND SEWAGE DISPOSAL

### **§16. Notice to Connect When Sewer is Accessible.**

The notice to be given by this Borough to the owner of any improved property benefited, improved and accommodated by any sanitary sewer requiring such owner to connect such improved property to such sanitary sewer, which notice is referred to in Section 2.01 of this ordinance,<sup>8</sup> shall be given by this Borough as soon as a sanitary sewer is in place which can receive sanitary sewage and industrial wastes from the particular improved property and which can transport the same for treatment and disposal. (Ord. 1965-2B, 2/23/1965, Art. II, §2.06)

### **§17. Contents of Notice.**

The notice to be given by this Borough to the owner of any improved property benefited, improved and accommodated by any sanitary sewer requiring such owner to connect such improved property to such sanitary sewer, which notice is referred to in Section 2.01 of this ordinance,<sup>9</sup> shall consist of a written or printed document requiring such connection in accordance with provisions of this ordinance<sup>10</sup> and specifying that such connection shall be made within 60 days from the date such notice is given. Such notice shall be served upon the owner of such improved property either by personal service or by registered mail or by such other method as at the time may be provided by law. (Ord. 1965-2B, 2/23/1965, Art. II, §2.07)

### **§18. Authority of Borough to Make Connection and Collect Cost Plus 10%**

If the owner of any improved property, after 60 days' notice from the Borough to make connection of such property with the sanitary sewerage system in accordance with the provisions of this ordinance,<sup>11</sup> shall fail to make such connection, the Borough may make the connection and collect the cost thereof plus an additional 10% of such cost, from the defaulting property owner by a municipal claim or in an action of assumpsit, as provided by law. (Ord. 1965-2B, 2/23/1965, Art. II, §2.08; as amended by Ord. 108, 7/8/1975, §1)

### **C. Sewer Connection Fees; Tapping Fees, Maintenance Fees and Inspection Fees.**

#### **§31. Permit Required.**

No person shall connect any improved property with any part of the sewer system without first making application for and securing a permit in writing from Bloomfield Borough

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<sup>8</sup> Section 11 of this chapter.

<sup>9</sup> Section 11 of this chapter.

<sup>10</sup> Sections 1 to 74 of this chapter.

<sup>11</sup> Sections 1 to 74 of this chapter.

Such application shall be made on a form to be provided by Bloomfield Borough. (Ord. 1965-2B, 2/23/1965, Art III; as amended by Ord. 208, 12/2/1997, §1)

**§32. Fees.**

Bloomfield Borough shall charge a connection fee, tapping fee, maintenance fee and in-inspection fee against the owner of any improved property whenever such owner shall connect any such improved property to the sewer system. (Ord. 1966-2B, 2/23/1965, Art. III; as amended by Ord. 208, 12/2/1997, §2)

**§33. Connection Fee.**

The connection fee shall be an amount equal to the actual cost of connection of the property extending from the sewer transmission main to the property line or right-of-way where such connection is provided by Bloomfield Borough including, but not limited to, the cost of repairing any street or alley, whether owned by the State or the Borough, and the cost of any occupancy permit required by the Pennsylvania Department of Transportation and/or the Borough to open and close any street or alley for the purpose of connecting to said sewer system. (Ord. 1965-2B, 2/23/1965, Art. III; as amended In Ord. 208, 12/2/1997. §3)

**§34. Tapping Fee.**

The tapping fee for connection of any improved property shall be established annually by Resolution of the Borough of Bloomfield. The tapping fee shall be imposed as follows: [Ord. 220]

- A. Each dwelling unit shall be charged separately even though two or more units may be connected to the sewer system through a single connection.
- B. Where any improved property connected to the sewer system shall be converted, enlarged or remodeled or additional buildings shall be constructed on a property and connected indirectly to the sewer system through an existing lateral so as to create or establish additional uses or dwelling units an additional tapping fee shall be payable to Bloomfield Borough by the owner of the unproved property for each additional use or dwelling unit.
- C. The tapping fee imposed herein shall be in addition to:
  - (1) The connection fee, maintenance fee and inspection fee imposed by Bloomfield Borough.
  - (2) Any rental, reserve rental or other charges fixed, charged or imposed by Bloomfield Borough by reason of the use, or availability for use, of the sewer system by such improved property. (Ord. 1965-2B,

## SEWERS AND SEWAGE DISPOSAL

2/23/1965, Art III; as amended by Ord. 208, 12/2/1997, §4; and by Ord. 220. 8/1/2000, §1; as amended by Ord. 274, 5/5/2009, §8)

### **§35. Maintenance Fee.**

A maintenance fee shall be established annually by Resolution of the Borough of Bloomfield for the connection of the property to the sewer transmission main including, but not limited to, the cost of repairing any street or alley, whether owned by the State or the Borough, and the costs of any occupancy permit required by the Pennsylvania Department of Transportation and/or the Borough to open and close any street or alley for the purpose of maintaining any connection to said sewer system. (Ord. 1965-2B, 2/23/1965, Art III; as amended by Ord. 208, 12/2/1997, §5; as amended by Ord. 274, 5/5/2009, §8)

### **§36. Inspection Fee.**

The inspection fee shall be in accordance with a fee schedule established annually by Resolution of the Borough of Bloomfield and shall be charged for each visit made by a Borough employee to inspect the installation of a service line or its connection to the lateral or the installation of the lateral or its connection to the sewer main, which charge is related to the cost of Bloomfield Borough to inspect such installation or connection. (Ord. 1965-2B, 2/23/1965, Art. III; as amended by Ord. 208, 12/2/1997, §6; as amended by Ord. 274, 5/5/2009, §8)

### **§37. Payment.**

The tapping fee above established shall be due and payable at the time a zoning permit is issued for new construction. The property owner shall pay all inspection fees resulting from the need to conduct inspections by Bloomfield Borough employees. (Ord. 1966-2B, 2/23/1965, Art. III; as amended by Ord. 208, 12/2/1997, §7)

### **§38. Municipal Lien.**

All connection fees, tapping fees, maintenance fees and inspection fees shall be payable to Bloomfield Borough upon demand. On failure to pay any such fees, Bloomfield Borough may enforce payment thereof by municipal lien filed against said property and its owner or reputed owner, or by any other process authorized by law. (Ord. 1965-2B, 2/23/1965, Art. III; as amended by Ord 208, 12/2/1997, §8)



**D. Building Sewers and Connections**

**§41. Permit Required to Open Sewer.**

No person shall uncover, connect with, make any opening into or use, alter or disturb, in any manner, any sanitary sewer or any part of the sewer system without first obtaining a permit, in writing, from this Borough. (Ord. 1965-2B, 2/23/1965, Art IV, §4.01)

**§41. Application for Permit.**

Application for a permit required<sup>12</sup> under Section 4.01 of this ordinance shall be made by the owner of the improved property to be served. (Ord. 1965-2B, 2/23/1965, Art. IV, §4.02)

**§43. Prerequisites to Connection.**

No person shall make or shall cause to be made any connection of any improved property with a sanitary sewer until such person shall have fulfilled each of the following conditions:

- A. Such person shall have notified the Secretary of this Borough of the desire and intention to connect to a sanitary sewer.
- B. Such person shall have applied for and obtained a permit as required by section 4.01 of this ordinance.<sup>13</sup>
- C. Such person shall have given the Secretary of this Borough at least 24 hours' notice of the time when such connection will be made so that this Borough, by its authorized representatives, may supervise and inspect the work performed in making such connection and can supervise the testing thereof, if necessary.
- D. Such person shall have furnished satisfactory evidence to the Secretary of this Borough that any tapping fee charged<sup>14</sup> and imposed by either this Borough or the Authority relative to such connection has been paid.

(Ord. 1965-2B, 2/23/1965, Art. IV, §4.03)

**§44. Independent Connection.**

Except as otherwise provided in this Section 4.04, each improved property shall be connected separately and independently with a sanitary sewer through a building sewer.

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<sup>12</sup> Section 41 of this chapter.

<sup>13</sup> Section 41 of this chapter.

<sup>14</sup> See section 31 of this chapter.

## SEWERS AND SEWAGE DISPOSAL

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, but then only after special permission of this Borough, in writing, shall have been secured and subject to such rules, regulations and conditions as may be prescribed by this Borough. (Ord. 1965-2B, 2/23/1965, Art. IV, §4.04)

### **§45. Costs of Construction and Connection to be Borne by Owner; Nonliability of Borough**

All costs and expenses of construction of a building sewer and all costs and expenses of connection of a building sewer to a sanitary sewer shall be borne by the owner of the improved property to be connected; and such owner shall indemnify and save harmless this Borough 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 sanitary sewer. (Ord. 1965-2B, 2/23/1965, Art. IV, §4.05)

### **§46. Manner of Connecting Building Sewer to Sewer.**

A building sewer shall be connected to a sanitary sewer at the place designated by this Borough and where the lateral is provided. The invert of a building sewer at the point of connection shall be at the same or a higher elevation than the invert of the sanitary sewer. A smooth, neat joint shall be made and the connection of a building sewer to the lateral shall be made secure and watertight. (Ord. 1965-2B, 2/23/1965, Art. IV, §4.06)

## **E. Building Sewer Construction; Use of Sewers**

### **§51. House Sewer Line May be Used as Building Sewer.**

Where an improved property, at the time connection to a sanitary 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. (Ord. 1965-2B, 2/23/1965, Art. V, §5.01)

### **§52. Inspection of Building Sewer.**

No building sewer shall be covered until it has been inspected and approved by this Borough. 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 sanitary sewer. (Ord. 1965-2B, 2/23/1965, Art. V, §5.02)

**§53. Maintenance Responsibility.**

Every building sewer of any improved property shall be maintained in a sanitary and safe operating condition by the owner. (Ord. 1965-2B, 2/23/1965, Art. V, §5.03)

**§54. Barricades and Lights Around Excavations; Restoration of Street Surface.**

Every excavation for a budding sewer shall be guarded adequately with barricades and lights to protect all persons from damage and injury. 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 this Borough. (Ord. 1965-2B, 2/23/1965, Art. V, §5.04)

**§55. Failure to Remedy Unsatisfactory Conditions After Notice.**

If any person shall fail or refuse, upon receipt of a notice from this Borough, in writing, to remedy any unsatisfactory condition with respect to a building sewer, within 60 days of receipt of such notice, this Borough may refuse to permit such person to discharge sanitary sewage and industrial wastes into the sewer system until such unsatisfactory condition shall have been remedied to the satisfaction of this Borough. (Ord. 1965-2B, 2/23/1965, Art V, §5.05)

**§56. Prohibited Substances.**

No person shall discharge or cause to be discharged into any sanitary sewer, directly or indirectly, any substance which could be detrimental to a sanitary sewer or to the operation of the sewer system. (Ord. 1965-2B, 2/23/1965, Art. V, §5.06)

**§57. Right of Borough to Refuse Connection to System or to Require Pretreatment**

This Borough reserves the right to refuse to any person the privilege of connection of any improved property to the sewer system, or to compel the discontinuance of use of a sanitary sewer by any person, or to compel the pretreatment of industrial wastes, in order to prevent the discharge into the sewer system of any wastes which may be deemed by this Borough to be harmful to the sewer system or to have a deleterious effect on sewage treatment processes. (Ord. 1965-2B, 2/23/1965, Art. V, §5.07)

**§58. Additional Rules and Regulations Authorized.**

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 sanitary

## SEWERS AND SEWAGE DISPOSAL

sewer and the sewer system, which additional rules and regulations, to the extent appropriate, shall be and shall be construed as part of this ordinance.<sup>15</sup> (Ord 1965-2B, 2/23/1965, Art. V, §5.08)

### **F. Enforcement; Severability; Purpose**

#### **§71. Penalty for Violation.**

Any person who shall violate any provision of this ordinance<sup>16</sup> shall, upon conviction thereof, be sentenced to pay a fine of not more than \$300 plus costs of prosecution, and, in default of payment of such fine and costs, to imprisonment for not more than 30 days. Provided: each day that a violation shall be permitted to continue shall constitute a separate offense. (Ord. 1965-2B, 2/23/1965, Art. VI, §6.01; as amended by Ord. 108, 7/8/1975, §2)

#### **§72. Recovery of Fines and Costs.**

Fines and costs imposed under provisions of this ordinance<sup>17</sup> shall be enforceable and recoverable in the manner at the time provided by applicable law. (Ord. 1965-2B, 2/23/1965, Art. VI, §6.01)

#### **§73. Severability.**

In the event any provision, section, sentence, clause or part of this ordinance<sup>18</sup> shall be held invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this ordinance, it being the intent of this Borough that such remainder shall and shall remain in full force and effect. (Ord. 1965-2B, 2/23/1965, Art. VIII)

#### **§74. Declaration of Purpose.**

It is declared that enactment of this ordinance<sup>19</sup> is necessary for the protection, benefit, and preservation of the health, safety, and welfare of the inhabitants of this Borough. (Ord. 1965-2B, 2/23/1965, Art. IX)

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<sup>15</sup> Sections 1 to 74 of this chapter.

<sup>16</sup> Sections 1 to 74 of this chapter.

<sup>17</sup> Sections 1 to 74 of this chapter.

<sup>18</sup> Sections 1 to 74 of this chapter.

<sup>19</sup> Sections 1 to 74 of this chapter.

**Part 2**

**Sewer Rental and Charges**

**§101. Definitions.** <sup>20</sup>

Unless the context clearly and specifically indicates otherwise, the meaning of terms used in this ordinance<sup>21</sup> shall be as follows:

- A. “Authority” shall mean the Bloomfield Municipal Authority, a municipality authority of the Commonwealth of Pennsylvania.
- B. “Billing unit” shall include, as applicable, each of the following: a “commercial establishment,” a “dwelling unit,” an “industrial establishment” and an “institutional establishment.”
- C. “Borough” shall mean the Borough of Bloomfield, Perry County, Pennsylvania, a municipality of the Commonwealth of Pennsylvania.
- D. “Commercial establishment” shall mean each room, group of rooms, building or other enclosure connected directly or indirectly to the sewer system and used or intended for use in the operation of one business enterprise for the sale and/or distribution of any product, commodity, article or service.
- E. “Council” shall mean the group of elected officials acting as the governing body of the Borough.
- F. “Dwelling unit” shall mean each room, group of rooms, house trailer, building or other enclosure connected directly or indirectly to the sewer system and occupied or intended for occupancy as separate living quarters by a family or other group of persons living together or by a person living alone, and shall include “Improved Property” as hereinafter defined. [Ord. 185]
- G. “Improved property” shall mean any property upon which there is erected a structure or structures intended for continuous or periodic habitation, occupancy or use by human being or animals and from which structure sanitary sewage and/or industrial wastes shall be or may be discharged.
- H. “Industrial establishment” shall mean any room, group of rooms, building or other enclosure connected directly or indirectly to the sewer system and used or intended for use in the operation of one business enterprise for manufacturing, processing, cleaning, laundering or assembling any product, commodity or article.

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<sup>19</sup> This heading and the heading of sections 102 to 111 of this chapter are part of this ordinance as enacted or amended.

<sup>20</sup> Sections 101 to 111 of this chapter.

## SEWERS AND SEWAGE DISPOSAL

- I. “Industrial wastes” shall mean any solid, liquid or gaseous substance or form of energy ejected 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, and shall be considered distinct from sanitary sewage.
- J. “Institutional establishment” shall mean any room, group of rooms, building or other enclosure connected directly or indirectly to the sewer system which does not constitute a commercial establishment, dwelling unit or industrial establishment.
- K. “Owner” shall mean any person vested with ownership, legal or equitable, sole or partial, of any improved property.
- L. “Person” shall mean any individual, firm, partnership, company, club, association, society, trust, corporation, municipality, municipality authority or other group or entity.
- M. “pH” shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution and is an indication of acidity or alkalinity of a solution.
- N. “Sanitary sewage” shall mean the normal, water-carried household and toilet wastes discharged into the sewer system from an improved property.
- O. “Sewage” shall mean both sanitary sewage and industrial wastes.
- P. “Sewer” shall mean any pipe, main or conduit constituting a part of the sewer system used or usable for sewage collection purposes.
- Q. “Sewer system” shall mean all facilities, as of any particular time, for collecting, transporting, pumping, treating and disposing of sanitary sewage and industrial wastes situate in the Borough, owned by the Authority and leased to the Borough for operation and use.
- R. “Total solids” shall mean solids that either float on the surface of or are in suspension or dissolved in water, sewage or other liquids and which shall be determined by laboratory analysis.<sup>22</sup>

(Ord. 1965-2C, 2/23/1965, §1; as amended by Ord. 185, 5/1/1990, §1)

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<sup>22</sup> Section 10 of this ordinance stated that the ordinance would be effective March 1, 1965; §12 repealed Ord. 1963-8 and all inconsistent ordinances and parts of ordinances.

**§102. Sewer Rentals and Charges.**

Annual sewer rentals or charges for use of the sewers and sewer system hereby are fixed and imposed upon and shall be collected from the owner of each improved property located within this Borough which shall be connected to and served by such sewers and sewer system.

Such sewer rentals or charges shall commence and shall be effective on March 1, 1965, and shall be payable quarterly as hereinafter in this ordinance provided.

Each billing unit, located on one improved property or in one building, shall be billed and considered as a separate billing unit, irrespective of the fact that each such room, group of rooms or enclosure on such improved property or in such building shall be owned by the same person and irrespective of the fact that each such billing unit is not connected separately and independently with the sewer system.

(Ord. 1965-2C, 2/23/1965, §2)

**§103. Amount and Manner of Computation of Sewer Rental and Charges.**

1. Sewer rentals or charges are imposed upon and shall be collected from the owner of improved property which shall be connected to the sewer system, for use of the sewer system, as of the date of connection of each such improved property to the sewer system, and shall be payable in accordance with the rates and classifications hereinafter set forth.
2. Residential sewer rentals and charges shall be calculated as follows:
  - A. Each private dwelling unit shall pay an annual fee, payable in quarterly installments, in accordance with a fee schedule adopted or amended by ordinance of Bloomfield Borough from time to time.
  - B. Each dwelling unit in a double house, in a row of connecting houses or in an apartment building shall be billed as a separate entity. If two or more families use separate cooking or toilet facilities in an improved property, the sewer rental or charge payable there-under shall be computed as though each such family was a separate user with a separate connection to the sewer system.
  - C. Each unit shall be established annually by Resolution of the Borough of Bloomfield.
3. All owners of nonresidential improved properties connected to the sewer system shall pay sewer rentals or charges, except as hereinafter noted, in accordance with a fee schedule adopted or amended by ordinance of Bloomfield Borough from time to time at the rate per quarter annum per unit on the basis of equivalent dwelling units (EDU'S) as set forth in the following schedule:

## SEWERS AND SEWAGE DISPOSAL

- A. Each unit shall be established annually by Resolution of the Borough of Bloomfield.
- (1) Each retail store (except grocery stores), business, industry, professional office or governmental entity not providing showers for employees, having 20 or less employees, except residents within home occupations [Ord. 225]: one unit
    - (a) Each additional employee: 1/2 unit
  - (2) Each business, industrial or governmental entity providing showers for employees, having 15 or less employees: one unit
    - (a) Each additional employee: 3/4 unit
  - (3) Each restaurant, tavern and club per 15 seats or fraction thereof: one unit
  - (4) Each drive-in or quick service restaurant (no seating) per eight car spaces or fraction thereof: 1/2 unit
  - (5) Each drive-in or quick service restaurant (seating) per 15 seats or fraction thereof: 1/2 unit
  - (6) Each self-service station, no service facilities; 1/2 unit
  - (7) Each service station, garage or automobile repair shop: one unit
  - (8) Each service station, garage or automobile repair shop with 450 sq. ft. of wash area or any fraction thereof: two units
  - (9) Self-service or automatic car wash per day 1 1/4
  - (10) Each laundromat, per five washers or fraction thereof: two units
  - (11) Each barber shop and beauty shop not attached to or forming part owner's residence, per chair
    - Barber shop: one unit
    - Beauty shop: 1 1/2 unit
    - Each additional chair/operator
    - Barber shop: 1/4 unit
    - Beauty shop: 3/4 unit



- (12) Each barber shop and beauty shop attached to or forming part of the owner's residence, per chair utilized
- Barber shop: 1/4 unit
- Beauty shop: 3/4 unit
- Each additional chair/operator
- Barbershop: 1/4 unit
- Beauty shop: 3/4 unit
- (13) Each bed and breakfast, hotel and boarding house per four rental rooms or fraction thereof: one unit
- (14) Each church, fire company, nonprofit social club that excludes regular food service: one unit
- (15) Each trailer or mobile home: one unit
- (16) Each shopping center or mini-mall for each 450 sq. ft. of total sales area, or fraction thereof: one unit
- (17) Each school, public or private, having day students
- (a) Toilet facilities only, per 35 pupils: one unit
- (b) Toilet facilities and kitchen, per 27 pupils: one unit
- (c) Toilet facilities and gymnasium per 23 pupils: one unit
- (d) Toilet facilities, kitchens and gymnasium, per 19 pupils: one unit
- (18) Each fitness center, recreation or racquet club, per 25 active memberships: one unit
- (19) Each group home, nursing home, private or public boarding school having full facilities, per bed space available: 1/2 unit
- (20) Any Federal, State, County and local prison having full facilities, per bed space available. Employees to be charged, under (1) governmental entity: 1/2 unit
- (21) Each funeral home: two units

## SEWERS AND SEWAGE DISPOSAL

- (22) PennDOT facilities for permanent and transient employees and current wash facilities: 13 units
- (23) Nonprofit social clubs to include regular food service: 2 ½ units
- (24) Residents within home occupation not included in any of the above to include professional/nonprofessional full-time employment: 1 ¼ units
- (25) Each community swimming pool (second and third quarters only): one unit
- (26) Each bowling alley (20 lanes or less): two units
- (27) Each grocery store with the following number of employees:
  - (a) Having one to five employees: one unit
  - (b) Having six to 15 employees: two units
  - (c) Having 16 to 25 employees: three units
  - (d) For every 10 employees over 25: one additional unit
- (28) Each medical facility per unit: One and ½ units  
(Excluding nursing homes and physician offices)

(Ord. 225, as amended by Ord 302, 2/7/2012, §1)

- 4. Sewer rentals and charges for public schools payable herein, shall be computed on the basis of the average number of pupils enrolled during the school term preceding the date of the quarterly billing.
- 5. Sewer rentals and charges for commercial establishments or industrial establishments payable herein shall be computed on the basis of the average number of employees (including owners and employers) for the calendar quarter preceding the date of the quarterly billing.
- 6. If sewer service is not disconnected from the main and the property is vacant, a quarterly user fee will be charged.
- 7. To revert a multiple unit back to a single unit, all existing spigots must be removed and sealed.

(Ord. 156, 9/6/1983, §1; as amended by Ord. 158, 2/7/1984, §1; by Ord. 165, 12/28/1984, §1; by Ord. 175, 12/1/1987; by Ord. 179, 12/6/1988; §1; and by Ord. 192, 6/2/1992; by Ord. 194, 12/1/1992; by Ord. 209, 12/2/1997, §1; by Ord. 225, 2/5/2002, §§1, 2; and by Ord. 257, 12/5//2006, §1; as amended by Ord. 274, 5/5/2009, §8; as amended by Ord. 291, 12/7/10, §1)

**§104. Time and Method of Payment.**

- A. All bills with respect to billing units shall be rendered each calendar quarter on the first days of January, April, July and October of each year for service during the preceding quarter-annum.
- B. All bills shall be due and payable without penalty one day after mailing or delivery by or on behalf of this Borough to the person responsible for payment thereof.

If quarterly bills shall not be paid within 15 days after such shall become due and payable, a penalty of 10% shall be added. Payments mailed and postmarked on or before such 15th day shall be deemed to be payments within the period allowed for payment without penalty. If such 15th day shall be a legal holiday or a Sunday, payments made on or mailed and postmarked on the next succeeding business day not a legal holiday shall be deemed to be payments within the period allowed for payment without penalty.

- C. Every owner of improved property which is connected to the sewer system initially shall provide this Borough with and thereafter shall keep this Borough advised of his correct address. Failure of any person to receive bills for sewer rentals or charges shall not be considered an excuse for nonpayment nor shall such failure result in an extension of the period of time during which such bills shall be payable without penalty.

(Ord 1965-2C, 2/23/1965, §4; as amended by Ord. 1967-12B, 12/18/1967, §2)

**§105. Liens for Sewer Rentals or Charges; Filing and Collection of Liens; Collection of Sewer Rentals and Charges.**

The sewer rentals or charges hereby imposed<sup>23</sup> shall be a lien on the premises connected to and served by the sewer system from the date such sewer rental or charge becomes due and payable under provisions of this ordinance.<sup>24</sup> All sewer rentals or charges hereby imposed which shall not be paid after 15 days, as provided in Section 4(B) of this ordinance,<sup>25</sup> shall be entered as a lien against the premises connected to and served by the sewer system, which lien shall be filed in the office of the Prothonotary of Perry County, Pennsylvania, in the manner provided by law for the filing of municipal claims. All delinquent bills shall be collected by this Borough in any manner permitted and authorized by law. (Ord. 1965-2C, 2/23/1965, §5; as amended by Ord, 1967-12B, 12/18/1967, §3)

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<sup>23</sup> By Section 103 of this chapter.

<sup>24</sup> See Section 104 of this chapter.

<sup>25</sup> Section 104(B) of this chapter.

## SEWERS AND SEWAGE DISPOSAL

### §106. Prohibited Wastes.

No person shall discharge or cause to be discharged into the sewer system any storm water, surface water, ground water, roof runoff or subsurface drainage, or any sanitary sewage or industrial wastes:

- A. Having a temperature higher than 150° F
- B. Containing more than 100 parts per million by weight of fat, oil or grease
- C. Containing any gasoline, benzine, naphtha, fuel oil or other inflammable or explosive liquid, solid or gas
- D. Containing any unground garbage
- E. Containing any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure or any other solid or viscous substance capable of causing obstruction or other interference with the proper operation of the sewer system, including the sewage treatment plant where such wastes are to be treated
- F. Having a pH (as determined by consulting engineers for this Borough) lower than 4.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to the sewer system or to structures, equipment or personnel of the sewage treatment plant where such wastes are to be treated
- G. 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 water of the sewage treatment plant where such wastes are to be treated. Toxic wastes shall include wastes containing cyanide, copper and/or chromium ions.
- H. Containing total solids of such character and quantity that unusual attention or expense is required to handle such materials for sewage treatment processes, or
- I. Containing noxious or malodorous gas or substance capable of creating a public nuisance, unless otherwise specifically permitted, authorized or approved by this Borough, the Commonwealth of Pennsylvania or any duly constituted board, commission or department thereof having jurisdiction in the premises. (Ord. 1965-2C, 2/23/1965, §6)

**§107. Might to Refuse Connection to or Compel Discontinuance of Use of Sewer System or to Compel Pretreatment.**

This Borough reserves the right to refuse to any person the privilege of connection to the sewers and sewer system, or to disconnect physically from such sewers and sewer system, or to compel pretreatment of industrial wastes, in order to prevent the discharge into the sewers and sewer system of any wastes deemed harmful or to have a deleterious effect upon sewage treatment process. (Ord. 1965-2C, 2/23/1965, §7)

**§108. Access.**

This Borough shall have the right of access at reasonable times to any part of any improved property served by the sewer system as shall be required for purposes of inspection, measurement, sampling and testing and for performance of other functions relating to service rendered by this Borough through the sewer system. (Ord. 1965-2C, 2/23/1965, §8)

**§109. Adoption of Additional Rules and Regulations Authorized.**

This Borough reserves the right to adopt and, from time to time, this Borough may adopt such additional rules and regulations as it shall deem necessary and proper for use and operation of the sewer system, which rule and regulations shall be and shall be construed as a part of this ordinance.<sup>26</sup> (Ord. 1965-2C, 2/23/1965, §9)

**§110. Construction and Severability.**

In the event any provision, section, sentence, clause or part of this ordinance<sup>27</sup> shall be held to be invalid, such invalidity shall not affect or impair any remaining provisions, section, sentence, clause or part of this ordinance, it being the intent of this Borough that such remainder shall be and shall remain in full force and effect. (Ord. 1965-2C, 2/23/1965, §10)

**§111. Penalty for Violation.**

Any person who shall violate any provision of this ordinance<sup>28</sup> shall upon conviction thereof, be sentenced to pay a fine of not more than \$300 and costs of prosecution, and, in default of payment of such fine and costs, to imprisonment for not more than 30 days. (Ord. 1963-2C, 2/23/1965, §13)

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<sup>26</sup> Sections 101 to 111 of this chapter.

<sup>27</sup> Sections 101 to 111 of this chapter.

<sup>28</sup> Sections 101 to 111 of this chapter.

## SEWERS AND SEWAGE DISPOSAL

### **§112. Collection of Sewer Charges Through Water Utility.**

If the owner or occupant of premises served by Bloomfield Borough Water Authority shall neglect or fail to pay, for a period of 30 days from the due date thereof, any rental rate or charge for sewer service imposed by the Borough of Bloomfield, such Water Authority is hereby authorized and required, at the request and the detection of the Borough, to shut off the supply of water to such premises until all such overdue rentals, rates and charges, together with any penalties and interest thereon, shall be paid, as authorized by the Act of 1978, September 28, P.L. 827, No 162, 53 P.S. §2261. (Ord. 1965-2C, 2/23/1965; as amended by Ord. 209, 12/2/1997, §2)

### **§113. Procedure for Collection of Unpaid Bills**

#### **1. Preparation of Bills.**

Bills shall be prepared by personnel of the Borough as of the end of each quarter (March 31<sup>st</sup>, June 30<sup>th</sup>, September 30<sup>th</sup> and December 31<sup>st</sup>) and will be mailed on or about the 25<sup>th</sup> of the quarter ending month. Bills shall be due on the 30<sup>th</sup> day of the following month (January, April, July or October) and the due date shall be stated on the bill.

#### **2. Initial Warning.**

Fifteen (15) days after the due date, a written reminder shall be sent to all customers who have not paid by that date notifying them that they are delinquent and requesting payment in full be made within ten (10) days.

#### **3. Follow-Up Warning.**

Ten (10) days after the Initial Warning is sent and no payment is received from the delinquent customer, a formal letter is written by a member of Borough Council and is mailed notifying the delinquent customer that if the Bloomfield Borough Council does not receive payment within ten (10) days of the warning, the collection shall be referred to the Solicitor for action, including possible shut-off of services.

#### **4. Turn Over to Solicitor.**

Immediately after the follow-up warning stated in Step 3 has passed, Bloomfield Borough Council shall prepare a list of customers (name, mailing address, service address if different) who are still delinquent and forward the list to the Solicitor.

#### **5. Formal Notice of Termination.**

Upon receipt of the list prepared in Step 4, the Solicitor shall determine a due date that is at least ten (10) days after the date on the letter to the delinquent customer. Using that date, the Solicitor shall generate form letters and mail them to all the customers on this list by Certified Mail, Return Receipt Requested, and by regular mail. The Solicitor shall also send a copy of the letters to the Bloomfield Borough Council. The letter from the Solicitor shall indicate there is a \$50.00 legal fee due in addition to all past due sewer and garbage.

**6. Payment Arrangements.**

If a customer cannot pay the amount in full by the due date stated in the follow-up letter, the customer can make a deferred payment arrangement by appearing in person and proposing a schedule of payment with at least two members of Borough Council and the Borough Secretary. If the customer's proposed schedule of payment is agreed to, service will not be terminated as long as the customer meets all the terms of the deferred payment schedule. If the customer fails to make the scheduled payments, sewer service shall be terminated and a municipal lien shall be entered forthwith.

**7. Insufficient Funds, Closed Account, Etc.**

Insufficient funds, closed account, etc. will be considered non-payment. All bank fees as well as a \$20.00 fee will be charged back to your account. Illegally post-dated checks are not an acceptable form of payment.

**8. Posting of Notice.**

Two (2) days prior to the planned termination date and only if all previous efforts to warn the customer have failed, Bloomfield Borough and/or Bloomfield Borough Water Authority shall post a notice on the property. The posted notice shall state that service will be terminated on a particular date at least two (2) days after the date it is posted unless payment is received prior to 8:00 a.m. on that date.

**9. Termination.**

On the scheduled termination date, Borough personnel shall again make an effort to notify anyone residing at the property in person or by phone that water/sewer service is about to be terminated. However, whether or not the communication succeeds, the service shall be terminated on the scheduled date or as soon thereafter as practical unless either (a) the customer provided to the Council a written certification from a licensed physician or nurse practitioner that termination of service would unduly threaten the health of an occupant or (b) the Borough has entered into a deferred payment arrangement with the customer and the customer has not defaulted on the terms of that deferred payment arrangement.

**10. Lien.**

In the event any bills remain unpaid on the scheduled termination date, the Borough Solicitor, will prepare and file a Municipal Lien.

(Ord. 1965-2C, 2/23/1965; as amended by Ord. 297, 10/13/2011, §1; as amended by Ord. 320, 4/5/2016, §1)