

OFFICIAL

BOROUGH OF AVALON

ORDINANCE NO. 1248

AN ORDINANCE OF THE BOROUGH OF AVALON,
ALLEGHENY COUNTY REQUIRING THAT ALL
RESIDENCES TAPPED INTO THE AVALON BOROUGH
SANITARY SEWER SYSTEM BE REQUIRED TO
UNDERGO SMOKE AND DYE TESTING.

WHEREAS, the Borough of Avalon is the owner of the sewer system situate within the Borough of Avalon; and

WHEREAS, certain conditions throughout the years have caused a hydraulic overload of the interceptor sewer line as defined by 25 PA Code 94.1; and

WHEREAS, at a joint meeting of communities and sewer authorities involved in said interceptor system, it was determined that the United States Environmental Protection Agency was reviewing said hydraulic overloads and that corrective action would be required; and,

WHEREAS, the Borough of Avalon has agreed to adopt any resolutions, ordinances or agreements that may become necessary for the purpose of implementing the terms of any said Corrective Action Plan relating to hydraulic overloads; and

WHEREAS, to correct hydraulic overloads it is necessary to test for the purposes of locating storm water infiltration; and

WHEREAS, property owners or property users within the Borough of Avalon are prohibited from discharging, or permitting the discharge of, any storm weather, surface water, roof runoff, subsurface drainage, cooling water or unpolluted industrial process water into the sanitary sewer system; and

WHEREAS, because of the infiltration of water into the sewer lines of the interceptor sewer, the Borough of Avalon desires to supplement its ordinances by requiring the testing of properties connected to the Borough of Avalon Sanitary Sewer System prior to the time of sale of such properties.

NOW THEREFORE, be it ordained and enacted by the Borough of Avalon and it is hereby ordained and enacted by the Authority of the same as follows:

1. No property owner or property user in the Borough of Avalon Sanitary Sewer System shall discharge, or permit the discharge of, any storm water, surface water, roof

runoff, subsurface drainage, cooling water or unpolluted industrial process waters into said sanitary sewer system.

2. The Borough of Avalon is hereby authorized to conduct periodic smoke and/or dye tests and any other appropriate test or inspection, without cost to the residents of Avalon Borough, of all existing sewer systems and structures in Avalon Borough for compliance with this ordinance and other laws pertaining to sewer systems and structures.

3. Every owner, lessee or occupier of land within the territory serviced by the Borough of Avalon shall submit to a smoke and/or dye testing by the Borough of Avalon. The owner, lessee or occupier of the land shall permit said testing upon request of Avalon Borough to conduct such testing. Testing will not be required when the owner, lessee or occupier of the land produces a valid Document of Certification issued by the Borough Building Inspector in accordance with Ordinance No. 1246 which Document of Certification shall be sufficient proof of compliance for purposes of this Ordinance No. 1246 for a period of one (1) year from the date of issuance.

4. When illegal storm water or surface water connections have been discovered, all necessary remedial work to correct such connection shall be completed by the owner, lessee or occupier of the premises, weather permitting, within two (2) months of the date they receive notification of the illegal connections.

In the event the necessary remedial work would create severe economic hardship for the owner, lessee or occupier of the premises, application may be made to the Borough of Avalon for an extension of up to an additional six (6) months to complete said remedial work.

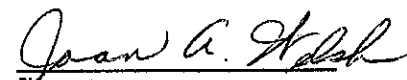
In the event the owner, lessee, or occupier of the premises who has established severe economic hardship is unable to effect the necessary remedial work within the time permitted, including any extension thereof, the Borough of Avalon may undertake to have the necessary remedial work completed at the expense of the owner, lessee or occupier of the premises, and to make any necessary arrangements for the payment of said work by the owner, lessee or occupier of the premises on an installment basis, which arrangements shall be mutually satisfactory to the owner, lessee or occupier. Under such circumstances, in the event satisfactory arrangements are not agreed upon by the Borough of Avalon and the owner, lessee or occupier, the Borough of Avalon may file a lien against such property, which lien shall remain in effect until payment in full or sale of the property occurs.

5. Any person violating any of the provisions of this ordinance, and any person refusing to permit the smoke and/or dye testing as required herein, shall, upon conviction thereof before any District Justice or other issuing Authority, be sentenced to pay a fine of not more than One Thousand (\$1,000.00) Dollars for each and every offense, and costs, and in default of payment of said fine and costs, to be imprisoned in the Allegheny County Jail for a period not exceeding ninety (90) days. Whenever such person shall have been notified in writing by certified mail, return receipt requested, by the Borough of Avalon that such person is violating this ordinance, each full day that he shall continue such violation after receipt of such notification shall constitute a separate offense punishable by a like fine hereunder upon conviction thereof.

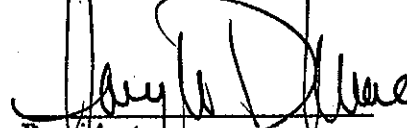
6. All ordinances and resolutions, or parts thereof, which are inconsistent herewith, hereby are repealed to the extent of such inconsistency.
7. The invalidity of any part of this ordinance shall not affect the validity of any other part of this ordinance.
8. This ordinance shall become effective immediately upon its adoption.

ORDAINED AND ENACTED INTO LAW, this 16th day of March, 1999.


ATTEST:


Secretary

BOROUGH OF AVALON


President

This Ordinance examined and approved by me
this 16th day of March, 1999.


Mayor