

ORDINANCE NO. 2086-05

**AN ORDINANCE AMENDING THE CODE OF CHELTENHAM,
BY ADDING A NEW CHAPTER, CHAPTER 211, ENTITLED
"SUMP PUMP AND GROUNDWATER STANDARDS"**

WHEREAS, the Township of Cheltenham ("Township") owns and operates a Wastewater Collection System; and

WHEREAS, the Township must insure sound and safe operations of it's Wastewater Collection System; and

WHEREAS, the Township of Cheltenham finds that the discharge of any clean surface water, including water from roof or cellar drains, springs, basement sump pumps and French drains contributes to the flooding and overloading of the Township's Wastewater Collection System. Such overloading may result in sewage flowing into basements and/or residences, businesses and over land creating hazardous public health conditions and significant damage to properties.

WHEREAS, the Code of Cheltenham prohibits discharging "clean surface water, including water from roof or cellar drains, springs, basement sump pumps and French drains" into the Township sanitary sewer system.

NOW THEREFORE, the Board of Commissioners of the Township of Cheltenham hereby ordains:

Section 1. The Code of the Township Of Cheltenham is hereby amended by adding a new Chapter to be known as Chapter 211, as follows:

**CHAPTER 211
SUMP PUMP AND GROUNDWATER STANDARDS**

§ 211-1. Intent

§ 211-2. Prohibited Water

**§ 211-3. Sump, Pump and Rigid Pipe:
Method of Installation**

§ 211-4. Inspections

§ 211-5. Removal of Connections

§ 211-6. Surcharge

§ 211-1. INTENT

- A. The intent of this chapter is to establish rules and regulations governing the installation, use and discharge of sump pumps or other groundwater conveyance systems and to establish the penalty structures required to enforce said rules and regulations.
- B. The rules and regulations governing the use of sump pumps or other groundwater conveyance systems are being established:

- (1) To set forth uniform requirements for the installation, use and discharge of sump pumps or groundwater conveyance systems.
- (2) To prevent the introduction of clean surface water, including but not limited to, water from roof or cellar drains, springs, basement sump pumps and French drains.

§ 211-2. PROHIBITED WATER

- A. It shall be unlawful for any owner, occupant or user of any premises to direct into or allow any storm water, surface water, ground water, well water or water from industrial or commercial air conditioning systems (residential properties may have a twenty (20) gallon per day maximum discharge from air conditioning systems) to drain into the Wastewater Collection System. No rain spout, or other form of surface drainage and no foundation drainage or sump pump shall be connected or discharged into any Wastewater Collection System.
- B. Any new or existing construction in which a sump and pump have been or will be installed shall be required to install a rigid pipe connection discharge in accordance with §211-3. It shall be unlawful to maintain any connection with the sanitary sewer carrying roof water, ground water, surface water or any other natural precipitation.
- C. Exemptions may be granted in the form of a seasonal waiver, which would allow the property owner to temporarily discharge directly into the Wastewater Collection System between the date of November 30, and March 31. The holder of a seasonal waiver shall allow a Township employee or designated representative to certify that, prior to March 31 of each subsequent year, their discharge water connection has been removed from the Township Wastewater Collection System. Failure to provide such certification shall place the seasonal waiver holder in violation and subject to the surcharge penalty as required under §211.6. Seasonal waiver requests shall be submitted on the official form provided by the Township Engineer.

Exemptions may be granted in the form of non-seasonal waiver for a particular property owner who can demonstrate undo hardship because of unique or extenuating circumstances. A non-seasonal waiver would allow the property owner to discharge directly into the sanitary sewer system without seasonal restrictions. The non-seasonal waiver request shall be submitted to the Township Engineer in writing and, at a minimum, identify the property for which the waiver is being requested, the name of the property owner/applicant, and a detailed description of the circumstances justifying the request. Non-seasonal waiver requests shall be submitted on the official form provided by the Township Engineer.

- D. Any person granted a seasonal waiver shall be charged an additional monthly fee on their sewer bill to cover the cost of compliance inspections and the cost for treating the extra discharge water during the waiver period. The seasonal waiver amount shall be set by resolution of the Board of Commissioners.

Any person granted a non-seasonal waiver shall be charged an additional monthly fee on their utility bill to cover the cost for treating the extra discharge water on a year round basis. The non-seasonal waiver amount shall be set by resolution of the Board of Commissioners.

- E. If a seasonal waiver is granted, the owner of the property may place a pipe connecting the sump pump to the sanitary sewer, which must have a shut-off valve. Township employees or designated representatives, on or around March 31 of each year, will inspect the system to verify that the valve is closed so no prohibited water is discharged into the sanitary sewer. By applying for the waiver, the owner has granted permission for Township employees or designated representatives to inspect the connection at any time between March 31 and November 30 to verify compliance with this section. Such inspections shall be made between 8:00 a.m. and 4:30 p.m., Monday through Friday, and only when a resident of the premises is on site. Failure to allow such an inspection or to allow Township employees or designated representatives entry for verification of compliance shall result in automatic revocation of the seasonal waiver and imposition of the surcharge penalty pursuant to §211.6.

§ 211-3. SUMP, PUMP AND RIGID PIPE: METHOD OF INSTALLATION

- A. A discharge pipe shall be installed through the outside foundation wall of the building with rigid pipe (plastic, copper or galvanized) one (1") inch inside diameter minimum, without valves or quick connections that would alter the path of discharge. The discharge shall be directed away from the foundation wall.
- B. No discharge shall be directed so as to impact neighboring properties.
- C. Where a sump pit exists in any building it shall have a pump installed with rigid piping as specified in §211-3.A. above.
- D. Where a sump pit exists and the property owner decides not to utilize a pump, the pit shall be permanently filled with concrete.
- E. Any plumber registered in the Township of Cheltenham who knowingly installs a sump, pump or piping that is not in conformance with this ordinance will lose their registration privileges in the Township of Cheltenham for a period of two (2) years.
- F. A Plumbing permit is required for installation or alteration of sump pump plumbing.

§ 211-4. INSPECTIONS

Property owners shall allow a Township employee or a designated representative to inspect the buildings to confirm that there is no sump pump or other prohibited discharge into the Wastewater Collection System. The Township may periodically re-inspect any building or premise to determine compliance with the requirements of this ordinance.

§ 211-5. REMOVAL OF CONNECTIONS

- A. Any property owner who previously made any connection or installation in violation of this ordinance shall immediately remove such connection or correct such an installation. If not removed or corrected within 30 calendar days after notice of the violation has been delivered personally or by certified mail to the owner, the Township shall impose a surcharge in the

amount provided in §211-6. Such a surcharge shall also be imposed upon any property owner, after a 30-calendar day notice has been delivered, if the owner refuses to allow their property to be inspected. The owner of a building or premises found to be not in conformance with this ordinance during periodic re-inspections shall be subjected to a surcharge as provided in §211-6. surcharge starting from the previous date of inspection.

§ 211-6. SURCHARGE

A. A surcharge of One Hundred Dollars (\$100.00) per month is hereby imposed on every sewer bill to property owners for the following conditions:

- (1) Not in compliance with this ordinance
- (2) Refusal of property inspection

Section 2. Nothing in this Ordinance or in the Code of the Township of Cheltenham shall be construed to affect any suit or proceeding in any court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Code prior to the adoption of this amendment.

Section 3. The provisions of the Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any court of competent jurisdiction, such decision of this court shall not affect or impair the remaining sections, sentences, clauses, parts of the provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional section, sentence, clauses, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED into an **Ordinance** this **24th** of **May, A.D., 2005**

TOWNSHIP OF CHELTENHAM
BOARD OF COMMISSIONERS

BY: _____
Paul R Greenwald, President

ATTEST: _____
David G. Kraynik, Township Manager