

**ORDINANCE NO. 597**

**AN ORDINANCE OF THE TOWNSHIP OF LOWER SOUTHAMPTON, BUCKS COUNTY, PENNSYLVANIA, ENACTING A PROGRAM TO INSPECT AND REPAIR SANITARY SEWER LATERALS**

WHEREAS, the Township of Lower Southampton desires to eliminate storm and surface waters from entering into the sanitary sewer system owned and operated by the Township of Lower Southampton (Township); and

WHEREAS, the Township of Lower Southampton (Township) has determined that it is in the best interests of the health, safety and general welfare of the residents of the Township to require property owners to demonstrate that the sewer lateral servicing their property is free from inflow and infiltration.

NOW THEREFORE, the Board of Supervisors of the Township of Lower Southampton, Bucks County, Pennsylvania hereby resolves to establish a Sewer Lateral Inspection Program and provide regulations as follows:

**SEWER LATERAL INSPECTION PROGRAM**

**SECTION I – GENERAL**

After the effective date of this Ordinance, it shall be unlawful for any person to sell or transfer real estate within the Township of Lower Southampton on which a building or improvement exists, without first delivering to the Township a Certificate of Lateral Compliance as defined below.

**SECTION II – DEFINITIONS**

Township: Township of Lower Southampton

Certified Contractor: A contractor that is certified by National Association of Sewer Service Companies (NASSCO), Pipeline Assessment Certification Program (PACP), Lateral Assessment Certification Program (LACP), Plumbing-Heating-Cooling Contractors Association of Pennsylvania (PHHC) or Manhole Assessment Certification Program (MACP); or have comparable experience as determined by the Authority Engineer.

Property Owner: Any person, syndicate, associate, partnership, firm, corporation, institution, agency, authority, or other entity recognized by law as the subject of rights and duties.

Certificate of Lateral Compliance: An official statement from the proper officer of the Township stating that there are no known illegal storm or surface water discharge into the sanitary sewer connections on the specific property which is being sold.

Illegal storm or surface waters discharge: The discharge of ground or surface water or the connection of downspouts, roof drainage, surface areaway drainage, or foundation or basement drainage (including sump pumps) into the sanitary sewer system.

Private lateral: The segment of the sanitary sewer system that connects a residence or other building to the Township's sanitary sewer collection system. This includes from the private structure up to the Township's sewer main within a roadway or easement.

### SECTION III – CERTIFICATE OF LATERAL COMPLIANCE - RESIDENTIAL

Prior to the sale or resale of any single-family dwellings located in the Township, each private lateral serving the property shall be inspected in accordance with this Ordinance to demonstrate the private lateral servicing the property is sound and free from inflow and infiltration and that no illegal storm or surface water discharges exist or may exist during rain events as provided herein.

### SECTION IV – CERTIFICATE OF LATERAL COMPLIANCE – MULTI-FAMILY, COMMERCIAL AND INSTITUTIONAL PROPERTIES

Within one (1) year of the adoption of this Ordinance, all multi-family, commercial and institutional properties shall be inspected in accordance with this Ordinance to demonstrate the private lateral servicing the property is sound and free from inflow and infiltration and that no illegal storm or surface water discharges exist or may exist during rain events as provided herein. Thereafter, retesting and certification of the lateral(s) shall occur at five (5)-year intervals or upon sale and/or transfer of property, whichever is earlier.

### SECTION V – APPLICATION AND PROCEDURE FOR INSPECTIONS

- A. Property Owner shall make application on a form furnished by the Township. For the sale of residential properties, Application shall be made at least thirty (30) days before the date of sale. Property Owner shall then have Certified Contractor televise the lateral. The Certified Contractor shall notify the Township at least 48 hours before the scheduled televising, so that the Township may witness and review the results of the televising. The Certified Contractor shall complete the appropriate portions of the form and certify that (1) the private lateral has been televised; (2) the private lateral is free from inflow and infiltration; and (3) no illegal storm or surface water connections exist. A digital copy of the video shall be delivered to the Township. If there are no illegal storm or surface water connections or inflow and infiltration, and the lateral is sound, the designated agent of the Township shall issue a Certificate of Lateral Compliance upon the payment of any established fee.
- B. If an illegal storm or surface water discharge exists or inflow and infiltration is present, or the private lateral is otherwise malfunctioning, no Certificate of Lateral Compliance will be issued until the lateral is repaired, the system re-televised and certification of such removal/repair by a Certified Contractor is received and approved by the Township Engineer.
- C. In addition to the above, the Township shall have the right to rely on the results of any of its own internal televising of the sewer main completed by the Township or the Certified Contractor when determining compliance with the requirements of this section.

SECTION VI – ADDITIONAL STANDARDS FOR CERTIFICATION

- A. As part of the inspection and certification process, the Certified Contractor shall confirm that:
  - 1. All cleanouts and vents are fitted with caps that are manufactured to fit the type and size pipe affixed to the lateral and that will provide a tight seal against inflow of stormwater.
  - 2. All cleanouts and vent caps shall be set at a minimum of four (4) inches above grade, but not less than a height sufficient to preclude the flow of stormwater into the vent.
  - 3. All area drains, foundation drains, roof leaders, sump pumps or other direct connections to the sanitary system do not exist.
  - 4. Appropriate permits shall be obtained from the Township or other entity having jurisdiction if any repairs and replacements are necessary to correct any defects found during the inspection and testing. All repairs and replacement shall comply and conform to all applicable local, state and federal regulations.
- B. Only Certified Contractors that are registered with and approved by the Township may provide private lateral inspection services.
- C. Laterals shall be inspected utilizing closed circuit video. This technique consists of video inspection using a lighted camera designed for inspection and evaluation of sanitary sewers. The closed circuit video equipment used to inspect private laterals shall meet or exceed the minimum technical equipment specifications as determined by the Township Engineer. Video disc image samples shall be provided to the Township for evaluation by the Township Engineer or authorized representative.

SECTION VII – EXEMPT PROPERTIES

Properties meeting any of the following criteria shall be exempt from the foregoing inspection requirements:

- A. Properties serviced by private laterals installed or properties where testing and/or repairs have been performed to Township’s standards within 2 years of the application of a Certificate of Occupancy for Township with documentation of installation date in a form acceptable to the Township Manager.
- B. Properties sold or resold within 90 days after the date of the approval of this Ordinance.

SECTION VIII – REPEAL AND CONFLICT

The provisions of this Ordinance are severable, and if any section, sentence, clause or phrase shall be held by a court of competent jurisdiction to be illegal, invalid or unconstitutional, the remaining portions of this Ordinance shall not be affected or impaired thereby.

SECTION IX – VIOLATIONS AND PENALTIES

Any person, firm or corporation who shall violate any provision of this part, upon conviction thereof in an action brought before a Magisterial District Judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not less than \$100 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this part continues or each section of this part which shall be found to have been violated shall constitute a separate offense.

SECTION X – EFFECTIVE DATE

The requirements of this Ordinance shall become effective on \_\_\_\_\_.

RESOLVED by the Board of Supervisors of the Township of Lower Southampton, Bucks County, Pennsylvania this 9th day of February, 2022.

ATTEST:

LOWER SOUTHAMPTON TOWNSHIP

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson