

**TOWNSHIP OF LOWER SOUTHAMPTON
ORDINANCE NO. 597**

**AN ORDINANCE OF THE TOWNSHIP OF LOWER SOUTHAMPTON, COUNTY OF
BUCKS, COMMONWEALTH OF PENNSYLVANIA, ESTABLISHING PROCEDURES
FOR THE INSTALLATION, USE AND MAINTENANCE OF SEWAGE GRINDER
PUMPS AND ANY ASSOCIATED FORCE MAINS OR LOW PRESSURE
LATERALS AND ESTABLISHING PENALTIES FOR THE VIOLATION THEREOF**

WHEREAS, Lower Southampton Township is a township of the second class, organized and operated in accordance with the laws of the Commonwealth of Pennsylvania; and

WHEREAS, pursuant to the Second Class Township Code of the Commonwealth of Pennsylvania, the Board of Supervisors of Lower Southampton Township (“Board”) has the authority to enact and amend provisions of the Lower Southampton Township Code (the “Code”) at any time it deems proper; and

WHEREAS, the Board has determined that it is necessary to establish procedures for the installation, use and maintenance of sewage grinder pumps and any associated force mains or low pressure laterals, and to establish penalties for the violation thereof.

NOW THEREFORE, be it **ORDAINED** and **ENACTED**, by the Board of Supervisors of the Township of Lower Southampton, Bucks County, Pennsylvania, as follows:

SECTION I - Purpose

The purpose of this Ordinance is to establish procedures for the installation, use and maintenance of sewage grinder pumps and any associated force mains or low-pressure laterals. It is hereby declared that the enactment of this article is necessary for the protection, benefit and preservation of the health, safety and welfare of the inhabitants of Lower Southampton Township.

SECTION II - Definitions

Unless the context specifically and clearly indicates otherwise, the meanings of terms used in this article shall be as follows:

ACT 537 PLAN – Lower Southampton Township’s Official Plan as defined in the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535 (1965), No. 537, as amended, 35 P.S. §§ 850.1-750.20a (“Sewage Facilities Act” or “Act 537”).

DEPARTMENT – the Pennsylvania Department of Environmental Protection.

GRINDER PUMP – Any electric-motor-driven, submersible, centrifugal pump capable of macerating all material found in normal domestic sanitary sludge, including reasonable amounts of object such as plastics, sanitary napkins, disposable diapers, rubber and the like, to a fine slurry, and pumping this material through a small diameter discharge.

IMPROVED PROPERTY – Any property within Lower Southampton Township upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which sewage shall or may be discharged.

OFFICIAL PLAN REVISION – A change in Lower Southampton Township’s Act 537 Plan to provide for additional or newly identified future or existing sewage facilities needs, as defined fully in Section 1 of the Sewage Facilities Act, 35 P.S. § 750.1.

PROPERTY OWNER – Any person vested with ownership, legal or equitable, sole or partial, of any property located in Lower Southampton Township.

SEWAGE – Any substance that contains any of the waste products or excrement or other discharge from the bodies of human beings or animals and any noxious or deleterious substance being harmful or inimical to the public health, or to animal or aquatic life or to the use of water for domestic water supply or for recreation or any substance which constitutes pollution under the Clean Stream Law, 35 P.S. §§ 691.1001, as amended.

TOWNSHIP – Lower Southampton Township, Bucks County, Pennsylvania.

SECTION III – Planning Requirements

The connection of existing properties or proposed new land development to an existing or proposed sewerage system through the use of sewage grinder pumps, their associated force mains, or low-pressure laterals shall occur only after an official plan revision to the Township’s Act 537 Plan, approved by both the Township and Department, designates that the proposed properties be served by such a connection.

SECTION IV – Powers of the Township

A. The Township is hereby authorized and empowered to adopt such rules and regulations concerning sewage which it may deem necessary from time to time to affect the purposes herein.

B. The Township is hereby authorized and empowered to take such other actions as are necessary; including, but not limited to, entering into agreements with property owners that assure proper operation and maintenance of sewage facilities with the Township’s border; including, but not limited to, sewage grinder pumps and any associated force mains or low-pressure laterals.

SECTION V – Duties and Responsibilities of the Township

A. The Township shall exercise its powers and legal authority set forth herein, and under all applicable statutes, ordinances, and other laws to affect the purposes of this article.

B. The Township may enter into an agreement with each property owner proposing to install or who has installed a sewage grinder pump or low-pressure sewage system to assure the short and long-term operation and maintenance, use, service, repair or replacement of such systems.

C. All grinder pumps and low-pressure sewer systems (and the installation, use, operation, maintenance, service, repair and replacement thereof) shall comply with the rules and regulations of the Township in effect from time to time.

D. All grinder pumps and low-pressure sewer systems shall be connected to the sewage collection and conveyance system in full compliance with the rules and regulations of the Township in effect from time to time.

E. The Township shall establish minimum standards for the type of grinder pumps to be utilized within the Township. The standards shall include specific models and manufacturers in order to maintain a consistency of equipment so that maintenance and replacement parts will be easily obtainable.

F. The Township shall bear no responsibility for the purchase, installation, use, operation, maintenance, service, repair, or replacement of the grinder pump and/or its low-pressure force main or lateral, except as otherwise set forth herein.

SECTION VI – Duties and Responsibilities of Others

A. Each property owner served by a grinder pump shall bear full responsibility of providing, installing, using, operating, maintaining, servicing, repairing and replacing his/her grinder pump and/or its low-pressure force main or lateral, unless otherwise set forth herein.

B. Each property owner served by a grinder pump shall have full responsibility for using the pump consistent with the manufacturer's instructions and shall avoid introducing into the sewerage system materials that may damage the impellers or the pump; including, but not limited to, items designated as biodegradable in septic tanks.

C. Each property owner served by a grinder pump shall cease operations during any period when the grinder pump and/or low-pressure system serving a property is inoperable for more than 24 hours. Ceasing operations shall mean stopping all internal activities which would generate water flows to the grinder pump, including any activities which would utilize water. This includes, but is not limited to, showering, washing of clothes and flushing toilets.

D. Where the low-pressure force main or lateral is shared between property owners, they shall submit to the Township a declaration of easements, covenants and restrictions in recordable form setting forth the agreement of each benefited property owner with respect to the installation, use, operation, maintenance, service, repair and replacement of the low-pressure sewer system, which agreement shall bind all future property owners. Following the approval of the low-pressure system by all applicable agencies, the Township will not issue a permit for its installation until evidence is presented that the agreement has been recorded in the Recorder of Deed's Office of Bucks County, Pennsylvania.

SECTION VII – 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. 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 VIII – Abatement of Nuisances

In addition to any other remedies provided in this article, any violation of Section 5 and Section 6 of this article shall constitute a nuisance and shall be abated by the Township by either seeking mitigation of the nuisance or appropriate equitable or legal relief from a court of competent jurisdiction.

SECTION IX – Repealer

Any and all other Ordinances or parts of Ordinances in violation or in conflict with the terms, conditions and provisions of this Ordinance are hereby repealed to the extent of such irreconcilable conflict.

SECTION X - Severability

The terms, conditions and provisions of this Ordinance are hereby declared to be severable, and should any portion, part or provision of this Ordinance be found by a court of competent jurisdiction to be invalid, enforceable or unconstitutional, the Board of Supervisors, hereby declares its intent that the Ordinance shall have been enacted without regard to the invalid, enforceable, or unconstitutional portion, part, or provision of this Ordinance.

SECTION XI - Effective Date

This Ordinance shall become effective five (5) days following enactment by the Board of Supervisors.

ORDAINED and **ENACTED** an ordinance of the Township of Lower Southampton this 23rd day of March, 2022.

BOARD OF SUPERVISORS

Attest:

Township Manager

