

TOWNSHIP OF WASHINGTON  
NORTHAMPTON COUNTY, PENNSYLVANIA

ORDINANCE NO. 268

AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON PROVIDING FOR THE REQUIRMENT OF CONNECTION TO PUBLIC SANITARY SEWER AND PUBLIC WATER SUPPLY WITHIN THE TOWNSHIP OF WASHINGTON, NORTHAMPTON COUNTY, PENNSYLVANIA, AS AUTHORIZED BY ARTICLE XXV AND ARTICLE XXVI OF THE SECOND CLASS TOWNSHIP CODE, AND PRESCRIBING PENALTIES FOR VIOLATION.

SECTION 1: This Ordinance shall be known as and may be cited as the Public Sanitary Sewer and Public Water Connection Ordinance.

SECTION 2: The water distribution and drainage system of any building or premises where plumbing fixtures are installed, shall be connected to the public sanitary sewer and/or the public water supply system, respectively, when the premises is within one hundred and fifty feet of a public sanitary sewer and/or public water supply system. When a public sanitary sewer and/or public water supply system, or both, are not available, or connection thereto is not feasible, an individual water supply and/or individual sewage disposal system, or both, shall be provided.

SECTION 3: **SANITARY SEWER CONNECTION REQUIRED:** Any properties within the Township of Washington adjoining or adjacent to an existing or newly constructed public sanitary sewer which have a principal building within one hundred and fifty feet of the public sanitary sewer shall connect and use the public sanitary sewer, whether constructed by the Township, Public Utility, a municipal authority or a joint board.

SECTION 4: **EXEMPTION TO SANITARY SEWER CONNECTION:** The board of supervisors shall not require any commercial or industrial business to connect to the public sanitary sewer system when the commercial or industrial business is operating a private sanitary sewage treatment plant under mandate of any agency of the Federal or State Government. This exemption shall last as long as the private sanitary sewage treatment plant continues to meet the specifications and standards mandated by the Federal or State agency and for forty-five days after a malfunction of the sewage treatment plant. If, during the days immediately after the day of business' private sanitary sewage treatment plant is determined to be below Federal or State mandates, repairs cannot be made to bring the private sewage treatment system back up to satisfactory condition, the board or supervisors may require the business to connect to the public sanitary sewer system. The full costs of connection to and any necessary refurbishing of the public sanitary sewer system shall be paid by the business.

This exemption is not available in any situation where the business seeking to use the exemption has had notice, either actual or constructive, before construction of its sewage treatment plant, of the Township's intention to construct a sanitary sewer system and to require that business to connect with the system.

**SECTION 5: FAILURE TO CONNECT TO THE SANITARY SEWER**

**SYSTEM:** Any owner of property adjoining or adjacent to or whose principal building is within one hundred and fifty feet of the public sanitary sewer system fails to connect with and use the public sanitary sewer system for a period of sixty days after notice to do so has been served by the board or supervisors to the owner or their agents the Township may enter the property and construct the connection. The board of supervisors shall send an itemized bill of the cost of construction to the owner or agent of the property to which the connection has been made, which bill is payable immediately. If the owner fails to pay the bill, the board of supervisors shall file a municipal lien for the cost of the construction within six months of the date of completion of the connection.

**SECTION 6: PUBLIC WATER SUPPLY CONNECTION REQUIRED:** Any properties within the Township of Washington adjoining or adjacent to an existing or newly constructed public water supply system which have a principal building within one hundred and fifty feet of the public water supply system shall connect and use the public water supply system, whether constructed by the Township, Public Utility, a municipal authority or a joint board.

**SECTION 7: EXEMPTIONS TO PUBLIC WATER SUPPLY CONNECTION:**

(a) If all of the following conditions exist:

1. The water supply system that is within one hundred fifty feet of the principal building was in existence on the effective date of this Ordinance.
2. The principal building has its own supply of water which is safe for human consumption.
3. Prior to the effective date of this Ordinance, the property owner was not required to connect to the existing system.

(b) Those industries and farms which have their own supply of water for uses other than human consumption may continue to use their own water for that purpose, but are required to use the public water system to provide water for human consumption.

**SECTION 8: FAILURE TO CONNECT TO THE PUBLIC WATER SUPPLY**

**SYSTEM:** Any owner of property adjoining or adjacent to or whose principal building is within one hundred and fifty feet of the public water supply system fails to connect with and use the public water system for a period of ninety days after notice to do so has been served by the board or supervisors to the owner or their agents the Township may enter the property and construct the connection. The board of supervisors shall send an itemized bill of the cost of construction to the owner or agent of the property to which the connection has been made, which bill is payable immediately, or the board of supervisors may authorize the payment of the cost of construction of connection in equal installments.

If the owner fails to pay the bill, the board of supervisors shall file a municipal lien for the cost of the construction within six months of the date of completion of the connection.

SECTION 9: VIOLATIONS AND PENALTY. Any person who shall violate any of the provisions of this ordinance shall, upon conviction before a District Magistrate, be sentenced to pay a fine of not more than THREE HUNDRED (\$300.00) DOLLARS, plus cost of prosecution and, in default of payment of such fine and costs, to imprisonment for not more than thirty (30) days.

SECTION 10: PUBLIC UTILITY LAW SAVED. Nothing contained in this Ordinance shall be construed to repeal or to supersede any provisions of 66 Pa.C.S. (relating to public utilities).

SECTION 11: SEVERABILITY. The provisions of this ordinance are severable, and if any provisions thereof shall be held to be unconstitutional, invalid or illegal by any court of competent jurisdiction, such decision shall not affect the validity of any of the remaining provisions of this ordinance. It is hereby declared as the legislative intent that this ordinance would have been enacted had such unconstitutional, invalid or illegal provision not been included therein

SECTION 12: INCONSISTENT ORDINANCES REPEALED. That Ordinance 224 amending Ordinance 216 Building Code Ordinance of Township of Washington, and all other Ordinances or parts of Ordinances in conflict herewith are repealed.

SECTION 13. DATE OF EFFECT. This Ordinance shall be placed into effect five (5) days after adoption thereof.

ORDAINED AND ENACTED by the Supervisors of the Township of Washington, County of Northampton and Commonwealth of Pennsylvania, into an Ordinance this 8<sup>th</sup> day of July, 2009.

ATTEST:

By: Gail Putvinski  
Gail Putvinski, Secretary

Approved and certified  
this 8<sup>th</sup> day of July, 2009

ATTEST:

By: Gail Putvinski  
Gail Putvinski, Secretary

WASHINGTON TOWNSHIP  
BOARD OF SUPERVISORS

By: David Renaldo  
David Renaldo, Chairman

By: David Hess  
David Hess

By: Daniel Crafa  
Daniel Crafa

David Renaldo  
David Renaldo, Chairman