

AN ORDINANCE OF THE BOROUGH OF MONROEVILLE ESTABLISHING CERTAIN REGULATIONS FOR THE OPERATION OF A SANITARY SEWER SYSTEM AND PROVIDING FOR CHARGES FOR THE CONNECTION TO AND USE THEREOF.

WHEREAS the Borough of Monroeville has constructed and acquired various sanitary sewer systems and facilities for the use and advancement of the best interests of the property owners and occupiers of the Borough; and

WHEREAS the Borough of Monroeville is presently engaged through the construction and leasing of additional sewer facilities, in improving and expanding sanitary sewer service throughout the Borough; and

WHEREAS the Borough of Monroeville has, through various contracts and agreements, made arrangements for the total disposition of the Borough's sewer effluent through the transmission lines and treatment plant of the Allegheny County Sanitary Authority; and

WHEREAS the Borough of Monroeville has in the past entered into various agreements providing for sewer service in return for the payment or advancement of certain sums then deemed necessary for the immediate construction of such sewer facilities; and

WHEREAS the Borough of Monroeville has had various engineering studies made to determine a basis for the equitable distribution of the costs of operating its sanitary sewer system and for paying the obligations for the debt incurred in the construction thereof;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Council of the Borough of Monroeville, Allegheny County, Pennsylvania, and it is hereby ordained and enacted by authority of the same:

Section 1. SHORT TITLE. This Ordinance shall hereafter be known and referred to as "Monroeville Borough Sanitary Sewer Code".

Section 2. PURPOSE CLAUSE. The purpose of this Ordinance is to provide certain rules and regulations for the discharge of sewage from any building within the Borough of Monroeville; to provide certain rules and regulations for the use and operation of the Borough of Monroeville sanitary sewer system and the further discharge of sewage into the sanitary sewer system and treatment plant of the Allegheny County Sanitary Authority; to establish and define the sanitary sewer system of the Borough of Monroeville; to establish various charges for the connection to and use of the Borough of Monroeville sanitary sewer system and the sanitary sewer system of the Allegheny County Sanitary Authority.

Section 3. DEFINITION OF TERMS. The following terms, when used in this ordinance, unless the context clearly indicates otherwise, shall have the meaning ascribed to them in this section:

(a) "Accommodated building or property" shall mean a building or property that has a municipal sanitary sewer line available for direct connection without traversing the private property of others except through municipal sewer easements.

(b) "Borough" shall mean the Borough of Monroeville, a political sub-division of the Commonwealth of Pennsylvania.

(c) "Borough Manager" shall mean the Borough Manager of the Borough of Monroeville, or in his absence, the person designated by him to assume his responsibilities. In the event of vacancy in the office of Borough Manager it shall mean the person then acting as Monroeville Borough Secretary.

(d) "Building" shall mean any structure erected and intended for continuous or periodic habitation, occupancy or use by human beings or animals or from which structure sanitary sewage, wastes or waste water is or may be discharged. Where buildings are joined together side by side, such as double or row houses or shopping centers, each with a separate entrance and each with a separate water meter, each such unit shall be considered a separate building for purposes of this ordinance.

(e) "Municipal" or "municipality" shall mean or refer to the Borough of Monroeville.

(f) "Owner" shall mean the person, firm or corporation, whether one or more, having legal or equitable title, wholly or partially, in any premises, which is or is about to be furnished sewer service by the Borough.

(g) "pH" shall mean the logarithm to the base 10 of the reciprocal of the hydrogen ion concentration expressed in moles per liter. It shall be determined by one of the acceptable methods described in the latest edition of Standard Methods for the examination of Water and Sewage published by the American Public Health Association.

(h) "Sewer" or "sewer line" shall mean a pipe or system of pipes for the carrying of sanitary sewage or other wastes as permitted in this ordinance.

"Trunk line" shall mean a sewer line designed and built primarily for the purpose of collecting sewage from lateral sewer lines and conducting such sewage across distances to discharge the same into the sanitary sewer system of the Allegheny County Sanitary Authority. This definition, however, shall not be construed to prohibit the direct sewer connection of buildings into a trunk line, with the approval of the Borough Manager.

"Lateral" or "lateral sewer lines" shall mean sanitary sewer lines designed and built primarily to provide direct service connections to buildings and users of the sanitary sewer system, and to discharge such sewage into a trunk line.

Sewer lines of the Borough of Monroeville sanitary sewer system shall be considered either trunk lines or lateral lines, and as it may be deemed necessary, determination thereof shall be made by resolution of the Council of the Borough of Monroeville.

(i) "Sewer system" shall mean the sanitary sewer system of the Borough of Monroeville.

(j) "Single family residence" shall mean a structure built primarily for the use and occupancy of one family. Two or more such structures adjoining side by side as in double houses or row houses, where each structure has separate exterior entrances and separate water meters, shall each be considered single family residences for purposes of this ordinance.

(k) "Tenant" shall mean any person, firm or corporation occupying premises under a lease, whether oral or written, from an owner, which premises are furnished sewer service by the Borough.

Section 4. ADMINISTRATION. It shall be the duty of the Borough Manager and any other Borough employee under his supervision designated by the Borough Manager to administer and enforce all of the provisions of this ordinance. The Chief of Police and those police officers designated by him shall, upon request of the Borough Manager, cooperate and render such assistance to him as may be necessary for the proper enforcement of this ordinance.

Section 5. APPLICABILITY. This ordinance shall apply to all users and to the owners of all properties served or accommodated by any part of the sanitary sewer system of the Borough of Monroeville, whether or not such users or properties are within or without the Borough, subject, however, to the following limitations:

(a) Where pre-existing agreements have been made with specific users, municipalities, authorities or school districts, such agreements shall be honored to whatever extent they covered.

(b) Where certain sections of the Borough of Monroeville sanitary sewer system, as defined in this ordinance are not wholly owned or wholly leased by the Borough of Monroeville, this ordinance shall in those cases apply only to the users of property served that lie within the Borough of Monroeville.

(c) The owners of buildings or property outside the Borough of Monroeville that are part of the Monroeville sanitary sewer district or that may hereafter request or elect to become part of the Monroeville sanitary sewer district shall, upon such request, be deemed to have accepted and be bound by all of the provisions of this ordinance, including all collection and enforcement provisions hereof.

There shall be no exemptions from this ordinance for other governmental agencies or authorities or eleemosynary institutions.

Section 6. SURFACE WATER DRAINAGE. The drainage of rain or surface water into the sanitary sewer system or into any private sewer which ultimately discharges into the Borough of Monroeville sanitary sewer system is prohibited.

Section 7. DRAINAGE INTO COAL MINES, ETC. The discharge or drainage of sanitary sewage into coal mines, abandoned or otherwise, or in open ditches across public or private property, is prohibited.

Section 8. SEPTIC TANKS AND CESSPOOLS. The use of septic tanks, cesspools or any other private means of treatment or disposition of sanitary sewage, is prohibited unless in those instances where a municipal sanitary sewer system is not available, such private system, septic tank, cesspool or otherwise, is specifically authorized in writing by the Allegheny County Department of Health. It is the intention of this ordinance that all sanitary sewage be discharged into the Borough of Monroeville sanitary sewer system (unless herein otherwise specifically prohibited), except in those instances where sanitary sewers are not directly available.

Section 9. PROHIBITED OCCUPANCY. The occupancy of any building which is not connected through sanitary sewers to the Borough of Monroeville sanitary sewer system or, in the absence of the availability of such system, provided with a septic tank or disposal system approved by the Allegheny County Department of Health, is prohibited.

Section 10. INSPECTION. The Borough Manager or any of his authorized subordinates, or any police officer acting pursuant to this ordinance, shall have authority to enter upon private property, at reasonable hours, for the purpose of inspection of sewer facilities and to determine compliance with any of the provisions of this ordinance.

Section 11. PROHIBITED DISCHARGES. No matter or materials shall be discharged into the sanitary sewer system of the Borough of Monroeville which would in any way be prohibited for discharge into the sanitary sewer system of the Allegheny County Sanitary Authority. No matter or materials, of any nature whatsoever, whether solids, liquids or gases, shall be discharged into the sanitary sewer system of the Borough of Monroeville that would cause or tend to cause unusual wear or damage to sewer pipe or appliances or that would tend to cause clogging in the system. Upon written notification from the Borough Manager or any of his authorized subordinates any person so directed shall forthwith terminate or prevent the discharge of such unlawful materials as the Borough may determine. The following matters are specifically prohibited from discharge into the said sanitary sewer system:

(a) Mineral acids, waste acid pickling or plating liquors from the pickling or plating of iron, steel, brass, copper or chromium, or any other dissolved or solid substances which will endanger health or safety, interfere with the flow in sewers or sewerage structures or equipment, or otherwise interfere with the operation of the sewers or other facilities of the Borough or the Sanitary Authority.

(b) Cyanides or cyanogen compounds capable of liberating hydrocyanic gas on acidification.

(c) Fats, entralls and the like from meat processing plants, rendering plants and similar industries and establishments.

(d) Gas, tar, phenols, residues from petroleum storage, refining or processing, fuel or lubricating oil, gasoline, naphtha, benzene or explosive or inflammable liquids, solids or gases.

(e) Ashes, cinders, sand, mud, lime or acetylene sludges, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, sawdust, paunch manure, hair, hides, dead animals, spent mash and grain, pulp from food processing, water or wastes containing grease in excess of 100 parts per million, or any other solids or viscous substances capable of causing obstruction to the flow in sewers or other interference with the proper operation of the Borough's or the Sanitary Authority's facilities.

(f) Sludges or other materials from septic tanks or similar facilities, or from sewage or industrial waste treatment plants or from water treatment plants.

(g) Garbage, whether ground or not, except properly shredded garbage in a private dwelling, apartment, building, hotel, commercial restaurant or retail food store, resulting from the proper use of a garbage grinder or disposer of a type approved by the Borough, the Allegheny County Health Department and the Sanitary Authority and maintained in good operating condition; provided, however, that no retail food store shall operate more than one grinder or disposer which shall be not greater than three horsepower in size and, when so required by the Allegheny County Health Department, shall be equipped with an approved water meter and limited in use to the consumption of an average of not more than 1,500 gallons of water per day; and provided, further, that the foregoing restrictions shall not apply to any existing installation in a retail food store or a garbage grinder or disposer larger than three horsepower in size until such time as the equipment now in use can no longer be kept in good operating condition by ordinary maintenance and repair, at which time such larger than three horsepower grinder or disposer shall be abandoned and shall not be renewed or replaced.

(h) Water or wastes having a pH lower than 5.5 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment or personnel of the Borough or of the Sanitary Authority.

(i) Water or wastes containing any toxic radioactive isotopes.

Section 12. METERING OF SEWAGE.

(a) Where no water meters in use. In cases where any sewer user within the Borough of Monroeville sanitary sewer district has private water sources and for that reason does not have a water meter on the premises, the Borough may, at its own option, install a sewage meter or a water meter to measure sewer usage. Such sewage meter or water meter shall be of such type and shall be located on the premises in such a manner as shall be determined by the Borough Manager. Said meters shall be and at all times remain the property of the Borough of Monroeville. Any adjustment or tampering in any manner with such meters, except by authorized personnel of the Borough of Monroeville, is prohibited.

(b) Where water meters are in use. In all cases where a property or building is served by metered water, the owners of such property may, nevertheless, cause to be installed at their own private expense, a separate meter to measure the flow of sanitary sewage from their property. The make, type, design and location of such sewage meter shall be subject to the approval of the Borough Manager. Upon such approved sewage meter being installed, the Borough Manager shall certify the same, and such meter readings shall be used in lieu of water meter readings for purposes of this ordinance. The Borough Manager may decertify such sewage meter at any time that he determines the same to be in a faulty state of repair or that for any reason it fails to measure accurately the volume of flow of sanitary sewage from the property involved. Upon such decertification readings of the water meter on the premises shall determine sewage volume commencing from the day of the last water meter reading prior to such decertification.

(c) The owner of any such building or property served by metered water may also, at his own expense, cause such water to be metered in such a fashion as will clearly indicate the portion thereof that shall ultimately be discharged into the sanitary sewer system and that which may be disposed of otherwise, such as for lawn watering systems. Such separate meter systems, however, shall be installed only with the approval of the Borough Manager and the water utility or authority servicing such property. Upon the approval of such separate metering installation and subject to its continued approval, only that water so metered and connected so as to indicate discharge into the sanitary sewer system shall be charged for under any of the provisions of this ordinance.

(d) For purposes of this ordinance where no sewage meter is installed, either pursuant to sub-section 12 (a) of 12 (b) above, it shall be conclusively presumed that the volume of sewage flow shall be equal to the flow of water used on the premises as measured by the water meter installed thereon, subject, however, to the limitations of sub-section 12 (c) above.

Section 13. REQUIREMENT TO CONNECT. The owners of any building within the Borough of Monroeville that is served or accommodated by any part of the sewer system are hereby required and directed, within ninety (90) days of the effective date of this ordinance, or where such sewers are not presently available, within ninety (90) days of their availability as determined by the Borough Manager, to take all steps necessary, pay established fees, and cause to be constructed a private connecting sewer on their property, to connect such building with the municipal sewer system. Such connecting sewer shall be constructed pursuant to standards as established by Borough of Monroeville Ordinance No. 349, and as such ordinance may be hereafter amended. If any such building does not have interior plumbing facilities, the owners thereof are hereby required and directed, within ninety (90) days of the effective date of this ordinance, to construct such interior plumbing facilities pursuant to standards established by the Allegheny County Department of Health. No out-houses or other type of outdoor sanitation facilities are permitted.

Section 14. DETERMINATION OF AVAILABILITY. For purposes of this ordinance any property or building within the Borough of Monroeville is deemed to be served and accommodated by municipal sanitary sewers when such property or building abuts upon a street, easement or right-of-way wherein a sanitary sewer line owned, leased or operated, in whole or in part, by the Borough of Monroeville, is located. As additional sanitary sewer lines are constructed by or for the Borough of Monroeville and placed into operation, all properties abutting upon the street, easement or right-of-way wherein such additional sanitary sewer line is located shall be deemed served thereby. If such private property adjoins such right-of-way, easement or street at any point, it shall be construed as an abutting sewer line to such property.

Section 15. EXCEPTION TO CONNECTION REQUIREMENTS. Where a building erected on property with municipal sanitary sewers available to it as defined above, is nevertheless, erected on such property at a point more than two hundred (200) feet from the municipal sewer line as measured by the shortest direct distance from the closest point on the sewer line to the closest point on the building, the owners of such property shall not be required to connect such building to the municipal sewer line; provided, however, that this exception shall no longer apply in cases where the Borough of Monroeville has offered to extend the municipal sewer line into the property to a point less than two hundred (200) feet from such building. Such offer to extend the municipal sewer line shall, furthermore, be subject to the owners of such property granting the necessary rights-of-way for such sewer extension in a form acceptable to the Borough of Monroeville. Should the owners of such property refuse to grant such right-of-way upon the request of the Borough of Monroeville, the exception to connection requirements set forth in this section shall no longer be applicable.

Section 16. NOTICE TO CONNECT. The Borough Manager shall give written notice to all property owners who have failed to make connection to the municipal sewer system pursuant to Section 13 thereof. Such notice shall direct the owners of such property to make connection to the municipal sewer system within forty-five (45) days from the date of the notice. Any person, firm or corporation that shall have received such notice and that shall have failed to make such sewer connection within the said forty-five (45) day period, shall then be in violation of this ordinance and subject to its penalty provisions, as hereinafter set forth. Upon failure to make such connection upon notice as specified above, the Borough of Monroeville, in addition to all other penalty and enforcement provisions herein set forth, may at its option, cause such connection to be made, and to collect the cost thereof from the property owners by municipal claim or in an action of assumpsit.

Section 17. SEWER DISTRICT. The entire Borough of Monroeville, and in addition any adjacent areas or territories that are served by any part of the Borough of Monroeville sanitary sewer system, shall constitute one sewer district, and all charges for the connection to the sewer system, the use thereof and any other charge appertaining thereto, shall be uniform throughout the Borough of Monroeville and throughout the said sewer district, provided, however, that where the Borough of Monroeville has by agreement provided for the use of part of the Monroeville sanitary sewer system by another municipality for the private property owners thereof, such properties located outside the Borough of Monroeville shall not be part of the Borough of Monroeville sanitary sewer district.

Section 18. USE CHARGES FOR OPERATION AND TREATMENT.

(a) The owners of all properties and buildings which are presently or which may be hereafter served or accommodated by any part of the sanitary sewer system of the Borough of Monroeville, wheresoever located within the Monroeville sanitary sewer district, shall pay rentals for the operation of the Monroeville sanitary sewer system and for the ultimate disposition and treatment of sewage by the Allegheny County Sanitary Authority, according to the following schedule of rates, as measured by water meters installed on the premises by the water authority or utility servicing the same, or where applicable, by sewage or water meters installed, as hereinbefore set forth:

SINGLE FAMILY RESIDENTIAL USERS

SEWER USAGE PER QUARTER YEAR	SEWER CHARGE
For first 100,000 gallons	35 cents per 1,000 gallons
For next 1,000,000 gallons	26 cents per 1,000 gallons
For next 2,500,000 gallons	21 cents per 1,000 gallons
For excess over 3,600,000 gallons	16 cents per 1,000 gallons

Subject to a minimum charge of \$3.15 per quarter year.

ALL OTHER USERS

SEWER USAGE PER MONTH	SEWER CHARGE
For first 33,333 gallons	35 cents per 1,000 gallons
For next 333,333 gallons	26 cents per 1,000 gallons
For next 833,333 gallons	21 cents per 1,000 gallons
For excess over 1,200,000 gallons	16 cents per 1,000 gallons

Subject to a minimum charge of \$1.65 per month

(b) In any case where the wastes of any non-residential user have an unusually high concentration of suspended solids or biochemical oxygen demand, or an unusually high chlorine demand, the sewer charges, as set forth in sub-section (a) above shall be increased according to the following formulae:

1. Suspended solids and biochemical oxygen demand:

$$F = 1 + 0.15 \left[\frac{0.75 (SS - 275) + 0.25 (B.O.D. - 300)}{275 \quad 300} \right]$$

Where:

F = Factor to be applied to basic rate

SS = 275 or the suspended solids of the particular waste expressed in milligrams per liter, whichever is greater

B.O.D. = 300 or the biochemical oxygen demand of the particular waste expressed in milligrams per liter, whichever is greater

2. Chlorine demand

$R_c = 0.00835 PC (C-5)$

Where:

R_c = Surcharge rate for chlorine demand in cents per thousand gallons of wastes

P_c = Contract price of chlorine in cents per pound

$C = 5$, or the chlorine demand of particular waste in parts per million, whichever is greater

The above surcharges shall be ordered and imposed by the Borough Manager only in cases where similar surcharges are imposed upon the Borough of Monroeville by the Allegheny County Sanitary Authority.

(c) Garbage Grinders. For each household garbage grinder in a private dwelling unit there shall be an additional charge of One and 50/100 (\$1.50) Dollars per grinder per quarter year. For garbage grinders other than household grinders in private dwelling units there shall be an additional charge of Twenty-five (\$25.00) Dollars per quarter year per grinder of one (1) horsepower capacity, and a proportionately lower or higher charge per grinder of lesser or greater horsepower capacity. However, all such additional charges for garbage grinders shall be imposed by the Borough Manager only in cases where similar additional charges are imposed upon the Borough of Monroeville by the Allegheny County Sanitary Authority.

(d) Single family residential users shall pay their sewer charges quarterly, and all other users shall pay their sewer charges monthly, in accordance with statements, rendered or caused to be rendered for sewer service by the Borough of Monroeville or its duly authorized collection agency. Charges for sewer service shall be subject to a penalty of five (5%) percent if payment for the same is not received by the Borough of Monroeville or its collection agency within thirty (30) days from date of billing.

(e) Unless sewage or water meters are installed, as herein specifically authorized, it shall be conclusively presumed for purposes of this Ordinance that sewer usage is equal to water usage as measured by water meters installed by the Monroeville Water Authority, the Wilkesburg-Penn Water Authority or any other duly constituted utility or authority supplying water service to the premises involved.

(f) Use of Revenues. The revenues received by the Borough of Monroeville pursuant to this section shall be used for the following purposes:

1. To pay all reasonable and necessary costs of administration and collection thereof.

2. To defray the expenses of the Borough of Monroeville in the operation, maintenance and repair of the Borough of Monroeville sanitary sewer system and related appliances and facilities.

3. To pay to the Allegheny County Sanitary Authority such charges as it may impose upon the Borough of Monroeville for the use of its sanitary sewer system and the ultimate treatment and disposition of the sewage from the users of the sewer system of the Borough of Monroeville.

All funds received pursuant to the charges made under this section shall be segregated and kept separate and apart from all other funds of the Borough of Monroeville.

Section 19. TRUNK LINE USE AND TAPPING CHARGE.

(a) In addition to any other charges set forth in this ordinance the owners of all buildings which are presently or which may be hereafter connected to, either directly or indirectly, or accommodated, either directly or indirectly, by any part of the trunk line sanitary sewers of the Borough of Monroeville, wheresoever located within the Monroeville sanitary sewer district, shall pay to the Borough of Monroeville the sum of Two Hundred Fifty (\$250.00) Dollars for tapping and connecting into the municipal sanitary sewer system and the use of said trunk lines to the extent of not more than five thousand (5,000) gallons of sewage per month.

(b) This charge, however, shall not be applicable to the owners of properties or buildings for which fixed sum sewer use charges or tapping fees for such trunk line sewers have been previously paid or credited in full pursuant to any previous ordinance of the Borough of Monroeville or pursuant to previous written agreement with the Borough of Monroeville.

(c) For purposes of this section, the abandonment of a municipally owned sewage treatment plant in favor of a trunk line sewer connected to the sewer system of the Allegheny County Sanitary Authority, shall be considered as a substitution of means of ultimate disposal and no charges under this section shall be made against the owners of those buildings and properties that were previously connected into such treatment plant. Provided, however, that this exception shall not apply to those previously connected to such treatment plant, who, or whose predecessors in title, had not fully paid for such privilege pursuant to prior agreements or ordinances of the Borough of Monroeville.

Section 20. LATERAL USE AND TAPPING CHARGE.

(a) In addition to any other charges set forth in this ordinance the owners of all buildings which are presently or which may be hereafter connected to, either directly or indirectly, or accommodated, either directly or indirectly, by any part of the lateral sanitary sewers of the Borough of Monroeville, wheresoever located within the Monroeville sanitary sewer district, shall pay to the Borough of Monroeville the sum of Three Hundred Twenty-five (\$325.00) Dollars for tapping and connecting into the municipal sanitary sewer system and the use of the said lateral sanitary sewers to the extent of not more than five thousand (5,000) gallons of sewage per month.

(b) This charge, however, shall not be applicable to the owners of properties or buildings for which fixed sum sewer use charges or tapping fees for such lateral sewers have been previously paid or credited in full pursuant to any previous ordinance of the Borough of Monroeville or pursuant to previous written agreement with the Borough of Monroeville.

(c) The charges established under this section shall also be made for the privilege of connecting any building or property directly into what otherwise may be designated as a trunk line sewer.

(d) The charges set forth in sub-section (a) above shall further be inapplicable where all of the system of lateral sewer lines servicing the properties and buildings within a developed area were or are hereafter installed, constructed and paid for by any person, firm or corporation or agency other than the Borough of Monroeville or its lessors. This exception shall not apply, however, where the owners of the property or building involved are not the original installer or such lateral sewer system or a subsequent purchaser from such original installer. This exception shall further be inapplicable unless such private installation of lateral sanitary sewers has been installed with the knowledge and approval of the Borough of Monroeville, and has been dedicated or offered for dedication to the Borough of Monroeville as an additional part of the municipal sanitary sewer system, with the right in the Borough to connect other users into the same system.

Section 21. TRUNK LINE SEWER EXTENDED USE CHARGES.

(a) In addition to any other charges set forth in this ordinance the owners of all buildings which are presently or which may be hereafter connected to, either directly or indirectly, or accommodated, either directly or indirectly, by any part of the trunk line sanitary sewers of the Borough of Monroeville, wheresoever located within the Monroeville sanitary sewer district, shall pay to the Borough of Monroeville an extended use charge for the use of the trunk line sanitary sewer system or any part thereof in excess of five thousand (5,000) gallons of usage per month according to the following schedule of rates, as measured by water meters installed on the

premises by the water authority or utility servicing the same, or where applicable, by sewage or water meters installed, as hereinafter set forth:

For usage in excess of five thousand (5,000) gallons per month:

<u>SEWER USAGE PER MONTH</u>	<u>SEWER CHARGE</u>
For the next 28,333 gallons	26¢ per 1,000 gallons
For the next 333,333 gallons	21¢ per 1,000 gallons
For the next 833,333 gallons	10¢ per 1,000 gallons
For excess over 1,200,000 gallons	5¢ per 1,000 gallons

Charges for sewer usage as set forth in this section shall be subject to a penalty of 5% if payment for the same is not received by the Borough of Monroeville or its collection agency within 30 days from the date of billing.

(b) These charges, however, shall not be applicable to the owners of properties or buildings for which fixed sum sewer use charges or tapping fees for such trunk line sanitary sewers have been previously paid or credited in full pursuant to any previous ordinance of the Borough of Monroeville or pursuant to previous written agreement with the Borough of Monroeville. This subsection, however, shall apply only to the extent of the use of the said sewer system by such properties or buildings at the time such payments or credits were made, and should the use of the sanitary sewer system have been increased or be hereafter increased by additions to such properties or buildings, such properties and additional buildings, and the owners thereof, shall be subject to the charges set forth in sub-section (a) of this section.

Section 22. LATERAL SEWER EXTENDED USE CHARGES.

(a) In addition to any other charges set forth in this ordinance the owners of all buildings which are presently or which may be hereafter connected to, either directly or indirectly, or accommodated, either directly or indirectly, by any part of the lateral sanitary sewers of the Borough of Monroeville, wheresoever located within the Monroeville sanitary sewer district, shall pay to the Borough of Monroeville an extended use charge for the use of the lateral sanitary sewer system or any part thereof in excess of five thousand (5,000) gallons of usage per month according to the following schedule of rates, as measured by water meters installed on the premises by the water authority or utility servicing the same, or where applicable, by sewage meters installed, as hereinbefore set forth:

For usage in excess of five thousand (5,000) gallons per month.

<u>SEWER USAGE PER MONTH</u>	<u>SEWER CHARGE</u>
For the next 28,333 gallons	34¢ per 1,000 gallons
For the next 333,333 gallons	27¢ per 1,000 gallons
For the next 833,333 gallons	15¢ per 1,000 gallons
For excess over 1,200,000 gallons	6¢ per 1,000 gallons

Charges for sewer usage as set forth in this section shall be subject to a penalty of 5% if payment for the same is not received by the Borough of Monroeville or its collection agency within 30 days from the date of billing.

(b) These charges, however, shall not be applicable to the owners of properties or buildings for which fixed sum sewer use charges or tapping fees for such lateral sanitary sewers have been previously paid or credited in full pursuant to any previous ordinance of the Borough of Monroeville or pursuant to previous written agreement with the Borough of Monroeville. This sub-section, however, shall apply only to the extent of the use of the said sewer system by such properties or buildings at the time such payments or credits were made, and should the use of the sanitary sewer system have been increased or be hereafter increased by additions to such properties or buildings, such properties and additional buildings, and the owners thereof, shall be subject to the charges set forth in sub-section (a) of this section.

(c) The charges established under this section shall also be made for the privilege of connecting any building or property directly into what otherwise may be designated as a trunk line sewer.

(d) The charges set forth in sub-section (a) above shall further be inapplicable where all of the system of lateral sewer lines servicing the properties and buildings within a developed area were or are hereafter installed, constructed and paid for by any person, firm or corporation or agency other than the Borough of Monroeville or its lessors. This exception shall not apply, however, where the owners of the property or building involved are not the original installer of such lateral sewer system or a subsequent purchaser from such original installer. This exception shall further be inapplicable unless such private installation of lateral sanitary sewers has been installed with the knowledge and approval of the Borough of Monroeville, and has been dedicated or offered for dedication to the Borough of Monroeville as an additional part of the municipal sanitary sewer system, with the right in the Borough to connect other users into the same system.

Section 23. OPTIONAL FIXED SUM TRUNK LINE EXTENDED USE CHARGES.

In lieu of the trunk line extended use charges set forth in Section 21 above, the owners of any property or building subject thereto may elect, at their own option, to pay a fixed sum according to the following schedule of rates:

For usage in excess of 5,000 gallons per month, each additional 5,000 gallons or fraction thereof of usage per month shall be considered a unit of usage.

For the users of 6 or less such units of usage, there shall be a charge of \$250.00 per unit of usage.

For the next 67 units of usage over 6, there shall be a charge of \$200.00 per unit of usage.

For the next 166 units of usage over 73, there shall be a charge of \$100.00 per unit of usage.

For all additional units of usage over 239, there shall be a charge of \$50.00 per unit of usage.

Section 24. OPTIONAL FIXED SUM LATERAL EXTENDED USE CHARGES.

In lieu of the lateral extended use charges set forth in Section 22 above, the owners of any property or building subject thereto may elect, at their own option, to pay a fixed sum according to the following schedule of rates:

For usage in excess of 5,000 gallons per month each additional 5,000 gallons or fraction thereof of usage per month shall be considered a unit of usage.

For the users of 6 or less such units of usage, there shall be a charge of \$325.00 per unit of usage.

For the next 67 units of usage over 6, there shall be a charge of \$260.00 per unit of usage.

For the next 166 units of usage over 73, there shall be a charge of \$140.00 per unit of usage.

For all additional units of usage over 239, there shall be a charge of \$60.00 per unit of usage.

Section 25. SINGLE FAMILY RESIDENCE USAGE. For purposes of Sections 19 through 24, inclusive, of this ordinance it shall be conclusively presumed that the sewer usage of any single family residential building used for residential purposes only by one family, shall not exceed five thousand (5,000) gallons per month.

Section 26. DETERMINATION OF USAGE FOR EXISTING BUILDINGS.

For purposes of Sections 23 and 24 of this ordinance the sanitary sewer usage of any existing building shall be determined by taking the average usage for the twelve (12) previous months prior to the effective date of this ordinance. If such existing building was not in full use for twelve (12) prior months, as determined by the Borough Manager, then such sewer usage shall be determined as for a new building. Furthermore, the owner of any such existing building may request of the Borough Manager a redetermination of usage, in which case such existing building shall be treated as a new building.

Section 27. DETERMINATION OF USAGE FOR NEW BUILDING. For purposes of Sections 23 and 24 of this ordinance the sanitary sewer usage of any new buildings shall be determined by the Borough Manager, based upon the experience of similar buildings and uses within the Borough of Monroeville, or in the absence of such similar uses within the Borough of Monroeville, then within the Commonwealth of Pennsylvania. The Borough Manager shall consider the following factors in determining the extent of such usage:

- (a) Size of building in square feet.
- (b) Proportion of total area normally occupied by people.
- (c) Type of building usage.
- (d) Number and type of plumbing facilities.
- (e) Estimated maximum occupancy of building.
- (f) Average occupancy of building.
- (g) Portion of time that building is occupied.
- (h) Portion of occupants that would have access to and occasion to use sanitation facilities.
- (i) Estimates of sanitary sewer usage or water usage, as determined and published by various departments and agencies of the Commonwealth of Pennsylvania or the United States Government.

After 12 full calendar months of experience on actual sewer usage commencing after the building contemplated is completely erected and fully occupied as determined by the Borough Manager, either the Borough or the property owner may request a redetermination of the usage charge based on actual experience. If such experienced usage is less than ninety (90%) percent or greater than one hundred ten (110%) percent of the usage originally determined by the Borough Manager, the charges made pursuant to Sections 23 and 24 shall be reset consistent with such experienced usage and additional charges or rebates shall be made to the property owner consistent therewith. If the Borough Manager should determine that the 12 calendar months experienced usage was not truly indicative of future usage, he may require an additional 12 calendar months of experienced usage before making final redetermination of charges. If it is further determined by the Borough Manager that efforts had been made to affect the experienced usage by temporarily or partially limiting the use of some of the sanitary facilities in the building, the Borough Manager may disregard the experienced usage entirely, and refuse reimbursement from the original charge. In any event, all reimbursements shall be made only with the approval of the Monroeville Borough Council.

Section 28. EFFECT OF CHANGE OF USAGE UNDER SECTIONS 23 AND 24.

- (a) If after final determination of sewer charges under Sections 23 and 24 of this ordinance have been made, should the sewer usage of any building be subsequently reduced, no rebate or reimbursement shall be allowed.
- (b) If after final determination of sewer charges under Sections 23 and 24 of this ordinance have been made, should the sewer usage of any building be increased, with no changes, alterations or additions made to the building, no additional charges shall be made; provided, however, that should such increase in sewer usage be due to the change in type of usage of

the building, as for example from a garage to a restaurant, the Borough Manager shall make a new determination of sewer use, new charges under Sections 23 and 24, and shall treat such new building use the same as in the construction of a new building, giving full credit to such similar fixed sum charges previously paid.

(c) If after final determination of sewer charges under Sections 23 and 24 of this Ordinance have been made, and if such building is subsequently removed or partially removed, no reimbursement or rebate shall be made for such sewer charges, but if a new building is subsequently erected on substantially the same site, full credit shall be given for charges on the new building for all sums previously paid on account of similar sewer charges under Sections 23 and 24 hereof.

(d) All additions to existing buildings shall be treated as new buildings.

Section 29. METHOD OF EXERCISING OPTION UNDER SECTIONS 23 AND 24:

(a) Should an owner of any existing building elect to be charged pursuant to Sections 23 and 24 in lieu of the extended use charges set forth in Sections 21 and 22 of this ordinance, he shall file with the Borough Manager on forms provided by the Borough of Monroeville a notice of such election within thirty (30) days of the effective date of this ordinance. Such election shall then be effective upon payment in full of such fixed sum charges as established hereunder.

(b) For any new construction such election to pay extended use charges under Sections 23 and 24 must be made and charges paid in full at the time or prior to the application for a building permit.

(c) An election to be charged pursuant to Sections 23 and 24 of this ordinance must apply to both sections or shall not be valid, except in the case where only trunk line extended use charges are applicable.

Section 30. CONVERSION OF METHOD OF EXTENDED USE CHARGES.

(a) Upon payment to the Borough of Monroeville of a fee of Fifty (\$50.00) Dollars the owners of any property may elect to convert from fixed sum extended use charges under Sections 23 and 24 to the standard rate extended use charges under Sections 21 and 22. No refund shall be made for any fixed sum use charges previously paid, but such payments shall be applied against such standard charges for sewer usage commencing as of the effective date of this ordinance. It shall be the burden of such property owner applying for conversion to supply sufficient evidence acceptable to the Borough Manager of the extent of sewer usage prior to the application for conversion. If proof of prior usage is inadequate, the privilege of conversion may be denied by the Borough Manager.

(b) Upon payment to the Borough of Monroeville of a fee of Fifty (\$50.00) Dollars the owners of any property may elect to convert from standard rate extended use charges under Sections 21 and 22 to fixed sum extended use charges under Sections 23 and 24. No credit or reimbursement, however, shall be given for any sums previously paid under the standard rate sewer extended use charges under Sections 21 and 22. Fixed sum sewer extended use charges shall then be determined as for an existing building under Section 26 above.

Section 31. INSPECTION FEE. In addition to any other charges set forth in this ordinance an inspection fee of Fifty (\$50.00) Dollars shall be charged for the connection of a private sewer into the municipal sanitary sewer system. This charge shall apply to all such connections made on or after May 9, 1961, the date of the original enactment of such charge. Where two or more buildings have common sanitary waste lines connected in such a manner that only one sanitary sewer line leaves the combined buildings to join with the municipal sanitary sewer system, only one such inspection fee shall be charged. If, however, such group of two or more buildings have separate private sewer lines leaving each building and joining together prior to connecting with the municipal sanitary sewer system, a separate inspection fee shall be charged for each private sanitary sewer line leaving such buildings.

Section 32. CHARGES TO BE EFFECTIVE. All charges of any nature made under the terms of this ordinance are effective as of the effective date of this ordinance, except as otherwise specifically indicated below. Where a determination of usage is to be made by the Borough Manager under Sections 23 and 24 hereof, such charges under those sections shall be effective and become due and payable upon notice of the same mailed to the owners or the occupiers of the property involved. For extended use charges under Sections 21 and 22 such charges shall be applied on water meter readings read on or after November 1, 1964 for the one month period preceding such meter reading; provided, however, that in any event all sewer usage chargeable under Sections 21 and 22 hereof shall be made and applied not later than November 1, 1964. For all new buildings and additions to existing buildings, and for change of type of occupancy within existing buildings, the prepayment of all charges under Sections 19, 20, 23 and, where applicable, Sections 23 and 24, of this ordinance shall be a condition precedent to the issuance of any building permit for the construction thereof or any occupancy permit for change of type of occupancy.

Section 33. COLLECTIONS AND LIENS. It shall be the duty of the Borough Manager to collect all sums, charges and rents, of any nature, imposed by this ordinance, except for such collections which have been or may be hereafter specifically delegated to the Monroeville Water Authority by Monroeville Borough Council. The Borough Manager, however, shall be responsible for the collection of all delinquent accounts until liens therefor are entered by the Borough Solicitor. If the Borough Manager shall have failed to collect any charge or account established under this ordinance after having held such claim for a period of not more than one (1) year, he shall thereupon give thirty (30) days notice to the owner of the

property where the delinquency exists, either by certified or registered mail or by posting the premises, advising such owner that a municipal claim shall be filed if such charges are not paid. At the end of such thirty (30) day period of notice, such accounts, with the names of the record owners, amount of charges and description of the premises, shall be referred to the Borough Solicitor for the filing of a municipal lien therefor. Upon the filing of such municipal lien an additional penalty of five (5%) percent of the face amount of the claim shall be added thereto, and interest on the face amount of such claim shall be further charged at the rate of six (6%) percent per annum.

Section 34. RULES AND REGULATIONS. The Borough Manager shall establish such rules and regulations not inconsistent with this ordinance as he may deem necessary for the proper and efficient administration of the provisions of this ordinance.

Section 35. BUILDINGS SERVED BUT NOT CONNECTED. The owners of all buildings that are served or accommodated by any part of the sanitary sewer system of the Borough of Monroeville but for any reason are not connected thereto and in use thereof, are, nevertheless, subject to the payment of charges under Sections 18, 19 and 20 hereof and for the enforcement and collection thereof as hereinabove set forth.

Section 36. SEVERABILITY. If any provision, section, clause or part of this ordinance or the application thereof shall, for any reason, be held invalid, illegal or unconstitutional, such holding shall not affect or impair the remainder of this ordinance, it being the express intention of the Borough of Monroeville that such remainder shall be and remain in full force and effect.

Section 37. PENALTIES. Any person, firm or the officers of any corporation who shall violate any of the provisions of this ordinance, except as may be otherwise limited by law, shall upon conviction thereof before the Mayor or any justice of the peace of the Borough of Monroeville be fined a sum not to exceed One Hundred (\$100.00) Dollars, together with costs of prosecution, and upon default of payment of such fine and costs, may be committed to imprisonment for a period not exceeding thirty (30) days. Each day that a violation shall be permitted to continue shall constitute a separate offense, and may be punishable as such.

Section 38. REPEALER. Any ordinance or part of ordinance in conflict with any of the provisions of this ordinance is hereby repealed to the extent of such conflict. Ordinances No. 349 and No. 354 of the Borough of Monroeville, pertaining to standards of construction of sanitary sewers, are specifically saved and excepted from repeal and are incorporated herein by reference thereto as part of this ordinance. So much of Ordinance No. 135 of the Borough of Monroeville, enacted June 10, 1958, as imposes a tapping fee of Five Hundred (\$500.00) Dollars for connecting residential swimming pools into the sanitary sewer system, is repealed. Furthermore, nothing herein contained shall be construed to in any way diminish the rights of the Borough of Monroeville to collect various charges for the use of the Borough of Monroeville sanitary sewer system imposed by prior ordinances.

Section 39. EFFECTIVE DATE. This ordinance shall become effective the 15th day of October, 1964.

ORDAINED AND ENACTED this 8 day of October, 1964.

Attest:

BOROUGH OF MONROEVILLE

S/Carrol F. Pickens
Secretary

By S/Frank A. Witt
President of Council

EXAMINED AND APPROVED this 8 day of October, 1964.

S/John J. Duncan
Mayor