

SANITARY  
SEWER SYSTEM  
RULES AND REGULATIONS



8890 Old French Road  
Erie, Pennsylvania 16509-5459  
Phone (814) 868-4495  
Fax (814) 866-5821

FAILURE OF THE OWNER TO COMPLY  
WILL RESULT IN A FINE OF  
ONE-THOUSAND DOLLARS (\$1,000)  
FOR EACH OFFENSE

PRICE: \$10.00

## INDEX

<u>SECTION</u>	<u>TITLE</u>	<u>PAGE</u>
Article I	Definitions	2
Article II	Discharge of Sanitary Sewage to Public Sanitary Sewage System Required	7
Article III	Exclusion of Ground Water and Storm Water Runoff	9
Article IV	General Requirements for Industrial Use of the Public Sanitary Sewerage System	10
Article V	Prohibitions and Limits for Waste Discharge	16
Article VI	Sewage Collection, Transportation, and Treatment Charges	19
Article VII	Surcharge for Certain Compatible Constitutes of Industrial Waste	22
Article VIII	Connections to System	23
Article IX	Proposed Extensions of System by Developers	31
Article X	Delinquencies, Violations, and Remedies	41
Article XI	Public Records Policy	43
Article XII	Validity	52
Appendix I	Water Meter Specifications	53

Revisions:

8/27/98  
12/19/02  
3/12/04  
8/31/06  
2/26/09

Resolution No. 1 of 1982

of

Summit Township Sewer Authority

**A RESOLUTION**

OF THE BOARD OF THIS AUTHORITY IMPOSING REQUIREMENTS FOR USE OF THE SEWER SYSTEM TO BE ACQUIRED AND CONSTRUCTED, MAINTAINED AND OPERATED BY THIS AUTHORITY AND FOR SERVICES RENDERED BY THIS AUTHORITY IN CONNECTION THEREWITH, UPON OWNERS OF IMPROVED PROPERTY WHICH SHALL CONNECT TO AND SHALL BE SERVED BY SUCH SEWER SYSTEM, PROVIDING FOR COLLECTIONS AND FOR FILING OF LIENS, AS APPROPRIATE REGULATING THE DISCHARGE OF SANITARY SEWAGE AND INDUSTRIAL WASTES INTO SUCH SEWER SYSTEM AND ADOPTING CERTAIN RULES AND REGULATIONS AND PROVIDING FOR ADOPTION OF ADDITIONAL RULES AND REGULATIONS. THIS RESOLUTION AMENDS AND FULLY REPLACES AUTHORITY RESOLUTION NO. 2 OF 1972 AS AMENDED ON OCTOBER 29, 1981.

WHEREAS, this Authority, pursuant to Authority vested in it by law, has acquired and operates and maintains a public sanitary sewer collection system, together with appurtenant facilities in and for portions of Summit Township, Erie County Pennsylvania; and

WHEREAS, the Summit Township Board of Supervisors have enacted an ordinance requiring every Owner of any occupied building erected upon property in the Township, accessible to the sewer system to connect the same with the sewer system; and

WHEREAS, this Authority has the power to adopt rules and regulations governing the use of said system and the Authority had originally adopted such rules and

regulations, Resolution No. 2 of 1971, on September 25, 1972 which were amended in October 29, 1981 and which the Authority intends to amend and to fully restate hereafter.

NOW THEREFORE, BE IT RESOLVED BY THE Board of this Authority, as follows:

## **ARTICLE I**

### **DEFINITIONS**

Unless the context specifically indicates otherwise, the following words and terms used in this resolution shall have the following meanings:

**Abnormal Industrial Waste** means any industrial waste having a suspended solid content or BOD appreciably in excess of that normally found in municipal sewage. For the purposes of these regulations any industrial waste containing more than 300 milligrams per liter of suspended solids, or having a BOD in excess of 250 milligrams per liter, shall be considered an abnormal industrial waste regardless of whether or not it contains other substances in concentrations differing appreciably from those normally found in municipal sewage.

**Authority** means Summit Township Sewer Authority as presently or hereafter constituted, as well as the duly qualified and acting members of the Authority thereof.

**BOD of Sewage or Industrial Waste** designates its "Biochemical Oxygen Demand" and shall mean the quantity of oxygen utilized in the biochemical oxidation of the organic matter in said sewage or industrial waste under standard laboratory procedure in five days at 20° C (under aerobic conditions), expressed in milligrams per liter by weight. It shall be determined by one of the acceptable methods described in the latest

edition of "Standard Methods for the Examination of Water and Wastewater", cited on the following page.

**Dwelling Unit** means any room, group of rooms, house trailer or other enclosure occupied or intended for occupancy as separate living quarters by a family or other group of persons living together or by persons living alone.

**Equivalent Dwelling Unit(s)** means a nonresidential property, commercial or industrial person, which is related in value and usage to a Dwelling Unit.

**Garbage** means solid wastes from the preparation, cooking, and dispensing of food and from the handling, storage, and sale of produce.

**Industrial Wastes** means any liquid, gaseous, radioactive, or other waterborne substance, including discharges from pretreatment facilities from any industrial processes or commercial establishments including those recovering or processing natural resources, as distinct from sanitary sewage.

**Occupied Building** means any structure erected and intended for continuous or periodic habitation, occupancy or use by human beings or animals, and from which structure sanitary sewage and industrial wastes, or either thereof, is or may be discharged.

**Person** includes natural persons, partnerships, associations, and corporations, or societies, public or private.

**pH** means the logarithm to the base of 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 Wastewater" published jointly by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation.

**Premises Accessible to the Public Sanitary Sewage System** means any real estate abutting on or adjoining or having access to any street, alley or right-of-way in which a sewer is located which ultimately connects to the public sanitary sewage system.

**Properly Shredded Garbage** means the wastes from the preparation, cooking and dispensing of food and from the handling, storage, and sale of produce that have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch (1/2") in any dimension.

**Public Sanitary Sewage System** (sometimes called the "Sewer System") means all sanitary sewers, all pumping stations, all force mains, all sewage treatment works, and all other sewerage facilities owned or leased and operated through or by the Authority for the collection, transportation, and treatment of sanitary sewage and industrial wastes, together with their appurtenances, and any additions, extensions or improvements thereto. It shall also include sewers within the Authority's service area which serve one or more persons and discharge into the public sanitary sewerage system even though those sewers may not have been constructed by the Authority and are not owned by the Authority. It does not include separate storm sewers or culverts which have been constructed for the sole purpose of carrying storm and surface runoff, the discharge from which is not and does not become tributary to sewage treatment facilities.

**Sanitary Sewage** means the normal water-carried household and toilet wastes from residences, business buildings, institutions, industrial and commercial establishments, exclusive of storm water runoff, surface water or unpolluted ground water.

**Sanitary Sewer** means a sewer which carries sewage and to which storm, surface and unpolluted ground waters are not intentionally admitted.

**Sanitary Lateral** the section of sewer owned and maintained by the customer extending from a connection at the public sanitary sewer main to the house, building and/or other approver facility required or intended to be served by the public sanitary sewer system. The sanitary lateral shall be owned by the sanitary sewer customer who shall be solely responsible for the cost of its installation, repair and maintenance. (5/19/04)

**Sewage** shall mean a combination of water-carried wastes from residences, business buildings, institutions, and industrial and commercial establishments, together with such ground, surface or storm water as may be present.

**Sewer** shall mean a pipe or conduit for carrying sewage.

**"Shall"** is mandatory; **"may"** is permissive.

**Storm Sewer** means a sewer which is intended to carry storm water runoff, surface waters, ground water drainage, etc., but which is not intended to carry any sanitary sewage or polluted industrial waste.

**Storm Water Runoff** means that portion of the rainfall which reaches a channel, trench, sewer, or sink.

**Suspended Solids** means solids that either float on the surface or are in suspension in water, sewage industrial waste or other liquids, and which are removable by laboratory filtration. The quantity of suspended solids shall be determined by one of the acceptable methods described in the latest edition of "Standard Methods for the Examination of Water and Wastewater", cited above.

**Township** means the Township of Summit, Erie County, PA, or the duly constituted and elected municipal authorities thereof.

**Unpolluted Water or Waste** means any water or waste containing none of the following: free of emulsified grease or oil; pH less than 5.5 or greater than 9.0; phenols or other substances imparting taste and odor to receiving waters; hazardous toxic or poisonous substance in suspension, colloidal state or solution; obnoxious or odorous gases. It shall contain not more than 750 milligrams per liter by weight of dissolved solids of which not more than 250 milligrams per liter shall be as chloride and not more than 10 milligrams per liter each of suspended solids and BOD. The color shall not exceed five color units. Analyses for any of the above mentioned substances shall be made in accordance with the latest edition of "Standard Methods of the Examination of Water and Wastewater", cited above.



## **ARTICLE II**

### **DISCHARGE OF SANITARY SEWAGE TO PUBLIC**

#### **SANITARY SEWAGE SYSTEM REQUIRED**

**Section 201.** All persons owning property within the Authority's service area whose existing occupied building is accessible to the public sanitary sewage system shall, at their own expense, make connection with the public sanitary sewage system in accordance with the applicable connection ordinance in effect in the Authority's service area, if they are not presently so connected.

**Section 202.** All persons owning property within the Authority's service area which is accessible to the public sanitary sewage system upon which an occupied building exists or is subsequently erected which lies within one hundred fifty feet of said system shall, at their own expense, make connection with the public sanitary sewage system in accordance with the applicable connection ordinance in effect in the Authority's service area.

**Section 203.** All persons owning any occupied building within the Authority's service area upon premises which subsequently become accessible to the public sanitary sewage system shall, at their own expense, make connection with the public sanitary sewage system within the time period stipulated after proper notice to do so has been given in accordance with applicable law.

**Section 204.** All connections to the public sanitary sewage system shall be made in accordance with Article VIII hereof.

**Section 205.** No privy vault, cesspool, septic tank, mine hole, or similar receptacle for human excrement shall presently or anytime hereafter be connected with the public sanitary sewage system.

### **ARTICLE III**

#### **EXCLUSION OF GROUND WATER AND STORM WATER RUNOFF**

**Section 301.** The discharge of unpolluted ground water and storm water runoff to sanitary sewers is prohibited.

**Section 302.** All persons connecting to the public sanitary sewage system shall provide adequate means for excluding unpolluted ground water and storm water runoff in the event the connection is made to a sanitary sewer.

**Section 303.** No person connected to a sanitary sewer shall connect any roof drain, foundation drain, cellar drain (used solely for storm and/or unpolluted ground water), yard drain, or areaway drain, thereto or permit any such drains to remain connected thereto, nor shall he permit, allow, or cause to enter into any **sanitary** sewer any spring water or surface water from any other source.

**Section 304.** The provisions of these rules and regulations do not prohibit the present or future discharge of unpolluted ground water and storm water runoff to storm sewers or to natural water courses within the Authority's service area.

**ARTICLE IV**  
**GENERAL REQUIREMENTS FOR**  
**INDUSTRIAL USE OF THE PUBLIC SANITARY SEWERAGE SYSTEM**

**Section 401.** The economy and desirability of the combined treatment of industrial wastes and sanitary sewage are recognized. It is the intent of these rules and regulations to accommodate the waste disposal needs of industries within the service area of the Authority to the extent that the industrial discharges do not inhibit or interfere with the public sanitary sewage system's intended and required functions, cause physical damage to the structures of the public sanitary sewage system, or cause hazard to those responsible for the operation and maintenance of the public sanitary sewage system or to the general public. In addition, the industrial discharges must be limited in amounts of specific contaminants of a toxic or polluting nature which may pass through the treatment system in objectionable levels as effluent constituents and/or as a residue constituent of the sludge.

These rules and regulations are intended to provide the basis for this required control and protection of Authority property and responsibility. It should further be understood that the Authority and all industries are subject to applicable State and Federal toxic and pretreatment effluent requirements. The Federal regulations pertaining to Federal requirements were originally developed by U.S. Environmental Protection Agency (EPA) in 40 CF, Part 128. As of the date of approval of these Rules and Regulations, EPA is proposing major revisions to their regulations. The EPA and State regulations on Pretreatment Standards control the prerogatives of the Authority in the

control of industrial discharge, and will always supersede the requirements of these rules and regulations if a conflict exists.

**Section 402.** In general, an industrial waste shall be considered harmful to the public sanitary sewage system if it may cause any of the following damaging effects:

- A. Chemical retraction either directly or indirectly with the materials of construction of the public sanitary sewage system in such a manner as to impair the strength or durability of any sewerage structures.
- B. Mechanical action that will destroy any sewerage structures.
- C. Restriction of the hydraulic capacity of any sewerage structures.
- D. Restriction of normal inspection or maintenance of any sewerage structures.
- E. Danger to public health and safety.
- F. Obnoxious conditions inimical to the public interest.

All such wastes shall be prohibited from discharge to the public sanitary sewage system.

**Section 403.** For all industrial waste constituents which are not compatible with the treatment systems and/or will persist through the treatment systems as a pollutant or toxic substance, pretreatment will be required to the extent the objectionable constituents are reduced to acceptable levels. It is the current intent of EPA to promulgate pretreatment standards for all known toxic and polluting substances, on an industrial classification basis. As these standards are developed, they will become applicable to all industries according to a schedule also to be developed by EPA. Until these pretreatment standards become effective, the prohibition and limits of Section V hereof will govern.

**Section 404.** Whenever necessary, in the opinion of the Authority, the owner, operator, or tenant of any industrial plant or other establishment discharging or proposing

to discharge industrial wastes into the public system shall provide such preliminary treatment or operating facilities as may be necessary to achieve the following aims:

1. To reduce or modify the objectionable characteristics or constituents of the discharges to meet the limits or conditions provided for in the next section of this regulation.
2. To control the quantities and rates of discharge of such industrial wastes for a twenty-four (24) hour per day and seven (7) day per week period. Construction drawings, specifications, and other pertinent information relating to such preliminary treatment facilities shall be prepared by the owner, operator, or tenant at his expense and shall be submitted for the approval of the Authority or its appointed designee. No connection of existing nor construction of proposed facilities shall be commenced until said approvals are obtained in writing from the Authority.

**Section 405.** For waste constituents compatible to the public sanitary sewage treatment system and for which the public sanitary sewage treatment system is to provide specific removal capability, the industrial waste shall be subject to surcharge for such constituent concentration in excess of the average influent value upon which the plant design was based. The constituents to which surcharges are applicable include BOD5, suspended solids, ammonia nitrogen, and phosphorous. The allowable concentrations and surcharge formula are given to Article VII hereof.

**Section 406.** A special industrial waste discharge permit is required for any person discharging industrial wastes to the public sanitary sewage system.

Each application for said permit shall be submitted to the Authority and shall contain the following information.

- A. Name and address of responsible party.
- B. Name and address of Industrial User (if different from A)
- C. Type of industry and standard industrial classification code.

- D. Name and telephone number of responsible contact person(s).
- E. Description of process(es) producing the wastes.
- F. Description of any pretreatment facilities being or to be utilized.
- G. Description of waste to be discharged to the public sanitary sewage system in terms of quantity and quality. Complete information of flow variability and chemical/physical/biological constituency is required.

Upon review of the application, the Authority will advise the applicant in writing of its approval or disapproval. If disapproval is indicated, full explanation of the reason for disapproval will be given, as will be an opportunity for the applicant to have a hearing before the Authority for reconsideration, if so requested by the applicant.

All permits will be granted subject to cancellation by the Authority in the event that the industrial discharge becomes adversely different from the conditions upon which approval was originally granted.

All permittees are required to obtain amended permits for all new or different industrial discharges from those described in the original or last amended permit.

All permits are also subject to amendment by the Authority in the event that pretreatment requirements of State, Local, and/or Federal governments as originally promulgated or amended differ from the requirements upon which the prevailing permit was based.

All permits when granted by the Authority will describe in detail the specific monitoring requirements of the discharge(s).

All new industrial establishments desiring to make physical connection to the public sanitary sewage system shall be required to apply for and obtain a connection

permit as described in Article VIII, in addition to the industrial waste permit described in the Article IV.

**Section 407.** When required by the Authority, any person discharging to the public sanitary sewage system any industrial wastes, or industrial wastes and the sanitary sewage together, shall install a suitable manhole or manholes or metering chamber on his connecting sewer or sewers to facilitate observation, sampling, and measurement of the combined flow or wastes from his premises. Such manhole or manholes or metering chamber shall be accessible and safely located and shall be constructed in accordance with plans approved by the Authority or its designated representative. The manhole or manholes or metering chamber shall be installed by such person at his expense and shall be maintained by him so as to be safe and accessible to the Authority or its designated representative at all times.

**Section 408.** Although the specific monitoring requirements will be established for each permit at the time of application review, the general guidelines for establishing these requirements, based on EPA's presently proposed rules for "Pretreatment Standards for Existing and New Sources of Pollution" published February 2, 1977 in the Federal Register, are as follows:

- A. All major contributory industries subject to EPA categorical pretreatment standards shall be required to report quarterly, and minor contributing industries semiannually on their discharges. For industries not subject to EPA categorical pretreatment standards, reporting requirements will vary depending upon the Board's concern for the potential risk of the discharge.

EPA defines the term "categorical pretreatment standard" as any pretreatment standard issued by the EPA Administrator pursuant to Sections 307(b) and (c) of the PL 92-500 Act which applies to a particular category or classification of indirect industrial discharges. Major and minor contributing industries will be defined by EPA in these standards for each industrial category.



- B. Where reports are required, the initial report shall include analyses based on composite samples for three successive operating days for a minor contributing industry and for each day of an operating week for a major contributing industry. All subsequent reports will be based on composite samples for one operating day during the month preceding the report's required submission.
- C. A composite sample is considered to be a sample composed of equal parts taken during one-hour intervals during an operating day. All samples shall be taken in a manner and at a location which reasonably characterizes the discharge of the monitored pollutants.

## ARTICLE V

### PROHIBITIONS AND LIMITS FOR WASTE DISCHARGES

**Section 501.** The discharge of unpolluted water or waste into sanitary sewer is expressly prohibited.

**Section 502.** The discharge of garbage to the public sanitary sewage system is expressly prohibited unless the garbage is first properly shredded.

**Section 503.** No sanitary sewage or industrial waste from any property other than that for which a connection permit has been issued as provide in Article VIII hereof shall be discharged to the public sanitary sewage system. No industrial waste shall be discharged to the public sanitary sewage system by an industry without a special industrial waste discharge permit obtained in accordance with Article IV hereof.

**Section 504.** No person shall discharge to the public sanitary sewage system any sanitary sewage or industrial wastes having any of the following characteristics:

- A. Wastes containing liquids, solids, or gases which by reason of their nature or quality may cause fire, explosions, or be in any other way injurious to persons, the structures of the public sanitary sewage system or its operation.
- B. Waste having a BOD in excess of 400 parts per million by weight or suspended solids in excess of 400 parts per million by weight without written exception from the Sewer Authority.
- C. Wastes having a temperature in excess of 150°F or less than 32°F.
- D. Wastes having a pH lower than 5.5 or higher than 9.0 or having any corrosive properties capable or causing damage or hazards to structures, equipment or personnel of the public sanitary sewage system. Where the Authority deems it advisable, it may require any person discharging industrial wastes to install and maintain, at his own expense, in a manner approved by the Authority or its designated representative, a suitable device to continuously measure and record the pH of the wastes so discharged.

- E. Wastes containing any noxious or malodorous gas or substance which either singly or by interaction with sewage or other wastes is, in the opinion of the Authority, likely to create a public nuisance or hazard to life, or prevent entry to sewerage structures for their maintenance and repair.
- F. Wastes containing ashes, cinders, sands, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, hair, chemical or paint residues, greases, lime slurry or viscose materials of such character or in such quantity that, in the opinion of the Authority, they may cause an obstruction to the flow in the sewers or otherwise interfere with the proper operations of the public sanitary sewage system. Attention is called to the fact that the maximum permissible concentration will vary throughout the public sanitary sewage system depending upon the size of the particular interceptor sewer receiving the same and the flows therein.
- G. Wastes containing insoluble, non-flocculent substances having a specific gravity in excess of 2.65.
- H. Wastes containing soluble substances in such concentration as to cause the specific gravity to the waste to be greater than 1.1.
- I. Wastes containing any of the following substances in solution or in suspension in concentrations exceeding those shown in the following table:

Arsenic	0.1 mg/L
Boron	1.0 mg/L
Cadmium	0.2 mg/L
Mercury	0.01 mg/L
Silver	0.2 mg/L
Aluminum	25 mg/L
Phosphorous as P	15 mg/L
Phenolic compounds	1.0 mg/L
Cyanides as CN	1.0 mg/L
Cyanates as CNO	5.0 mg/L
Iron as FE	25 mg/L
Trivalent Chromium as Cr. plus	
Hexavalent chromium as CR	0.5 mg/L
Nickel as Ni	1 mg/L
Copper as Cu	2.0 mg/L
Lead as Pb	1.0 mg/L
Zinc as Zn	2.0 mg/L
Manganese as Ms	10.0 mg/L

- J. Wastes containing grease, oil or other substances that will solidify or will become viscous at temperatures greater than 32°F and less than 150°F.

- K. Wastes containing more than 100 mg/L by weight of fat, oil, or grease.
- L. Wastes containing more than 10 mg/L of any of the following gases:  
Hydrogen sulfide, sulfur dioxide, nitrous oxide, or any of the halogens.
- M. Wastes containing gases or vapors, either free or occluded, in concentrations toxic or dangerous to humans or animals.
- N. Wastes containing toxic substances in quantities sufficient to interfere with the biochemical processes of the sewage treatment works or that will pass through the treatment process and still exceed the state and federal requirements for the receiving stream.
- O. Wastes containing toxic radioactive isotopes without a special permit.
- P. Wastes at a flow rate and/or pollutant discharge rate which is excessive over relatively short time periods.
- Q. Sludges resulting from the treatment of concentrated solutions that are not acceptable for discharge to the sewers.
- R. Limitations on waste strength presented in the preceding paragraphs of this article may be supplemented with more stringent limitations if: (1) the Authority determines that such limitations may not be sufficient to protect the operation of down stream treatment works, or (2) the Authority determines that the limitations are not sufficient to enable such treatment works to comply with water quality standards or effluent limitations specified in the applicable National Pollutant Discharge Elimination System permit (NPDES) or the Pennsylvania Department of Environmental Resources permit (DER).

## ARTICLE VI

### SEWAGE COLLECTION, TRANSPORTATION, AND TREATMENT CHARGES

**Section 601.** There is imposed upon the Owners of, or the users of water in or on, all properties served by the public sanitary sewage system, sewage collection, transportation, and treatment charges for the use of said system, payable in the amounts and as provided in the Sewer Rate Resolution heretofore adopted by the Authority and as it is hereinafter from time to time amended and modified. Said Owners and users will be jointly and severally liable for the payment of said sewage collection, transportation, and treatment charges and the penalties therein prescribed for delinquent payments thereof.

**Section 602.** All bills for sewage collection, transportation, and treatment charges shall be due when rendered and shall be subject to the penalty provisions set forth in the Authority's Sewer Rate Resolution. Owners and, where adequate arrangements have been made with the Authority, users will be billed periodically for the sewage collection, transportation, and treatment charges in accordance with the billing practices of the Authority.

**Section 603.** The Authority's initial sewage collection, transportation, and treatment charges shall be on a water usage and flat rate basis in accordance with its Sewer Rate Resolution. The Authority may, if it deems it advisable, elect at some time in the future to impose, in whole or in part, the sewage collection, transportation, and treatment charges on such other basis as it may determine. When water usage is used as the basis for said charges, the volume of water to be used for billing purposes shall be

based upon water meter readings in the absence of such readings, upon estimates made by the Authority or flat rate charges.

**Section 604.** The Authority may require, at its sole discretion, that a user provide a meter at their own expense to determine the amount of sewage being discharged in the sanitary sewer system. The meter must be approved by the Authority or its designee and shall be maintained by the user. In the event the user fails to maintain the meter, the Authority will calculate the sewer rental rate. The Authority specifically intends to require that all nonresidential users, commercial and industrial, presently or hereinafter existing, not otherwise accounted for in its Sewer Rate Resolution, shall provide such meters.

**Section 605.** When water usage is used as the basis of charges, then if it is established to the satisfaction of the Authority that a portion of the water used in or on any property served by the public sanitary sewage system does not and cannot enter said system, and in the event that the total water used in or on said property exceeds 100,000 gallons per quarter, the Authority may determine, in such manner and by such method as it may deem practical, the percentage of the water entering the public sanitary sewage system, or the Authority may require permit the installation of additional meters in such manner as to determine either the quantity of water excluded from the public sanitary sewage system or the quantity of water, sewage, or industrial waste actually entering the public sanitary sewage system. In such case, the sewage collection, transportation, and treatment charge shall be based upon the quantity of water estimated, measure, or computed by the Authority to be actually entering the public sanitary sewage system.

**Section 606.** When water usage is used as the basis of charges, then any person requesting consideration for a reduction of the amount of the sewage collection, transportation, and treatment charges because of water not entering the public sanitary sewage system shall make written application to the Authority for such consideration, giving the name of such person, his address and setting forth supporting data fully describing other sources of water, if any, as well as the disposition of water alleged not to be entering the public sanitary sewage system. The application shall be accompanied by a sketch to approximate scale showing the plan of the property, the water distribution system, sewer layout, existing meters, and proposed meters in the scheme to determine the quantity of flow entering, or not entering, the public sanitary sewage system. The cost of furnishing, installing, and maintaining any meters shall be borne by the applicant. The type, size, location, arrangement, and maintenance of such meters shall be subject to the approval of the Authority.

**ARTICLE VII**  
**SURCHARGE FOR CERTAIN COMPATIBLE CONSTITUENTS**  
**OF INDUSTRIAL WASTES**

(To be developed in the future when required).



## ARTICLE VIII

### CONNECTIONS TO SYSTEM

**Section 801.** An application for connection to the public sanitary sewage system shall be made by all persons to the authority upon the permit form to be formulated and furnished by the Authority, and in consideration of approval and granting of this permit, we/I agree to construct said sanitary sewer lateral in accordance with the Rules and Regulations. Failure to comply with the Rules and Regulations of the Summit Township Sewer Authority, receipt of which is hereby acknowledged, may result in the imposition of a fine of up to One-Thousand Dollars (\$1,000) plus costs. Permit is effective for one (1) year from date of issue. The contractor shall notify the Sewer Authority at 868-4495 TWENTY-FOUR (24) HOURS in advance for final inspection before back-filling any part of the installation. Permittee agrees to pay all Authority expenses incurred on behalf of this proposed connection.

**Section 802.** All information requested on said form shall be furnished by the applicant, including the character and use of each structure located upon the property.

**Section 803.** An inspection/permit fee and a connection fee shall both be paid at the time the permit is granted.

**Section 804.** No work shall commence before the payment of any aforementioned tap connection and inspection fee and issuance of the aforementioned connection permit.

**Section 805.** No connection to the public sanitary sewage system shall serve more than one house or building except to serve a school, factory, apartment house, or

other permanent multiple unit structure where individual apartments or units are not subject to separate ownership. In addition, this section shall not apply to multiple unit condominium structures, in which each unit is actually separately owned. In the case of condominium units or other multiple unit structures, the sewer lateral shall be governed by a condominium association or other single legal entity that is designated as solely responsible for the maintenance of the sewer lateral serving the multiple unit structure.

(Revised 12/19/02)

**Section 806.** Connections to sanitary sewers shall be completed within sixty(60) calendar days after receipt of proper notice.

**Section 807.** All connections to the sanitary sewers shall be subject to certain restrictions as to unacceptable sanitary sewage which are set forth herein in Article V.

**Section 808.** The Inspector, designated by the Authority, shall be given at least 24-hour notice before any connection is made to the system so that the Inspector can be present to inspect and approve the work of building the sewer and connection. The Inspector shall signify his approval to the connection by endorsing his name and the date of approval on the aforementioned connection permit in the possession of the permittee. The Inspector shall be permitted to enter upon all properties receiving sewer service for the purpose of inspection, observation, measurement, sampling, and testing; such entries to be made only during reasonable daylight hours with prior notification to the customer.

**Section 809.** At the time of inspection of the connection, the owner or owners of properties shall permit the Inspector full and complete access to all sanitary and drainage arrangements and facilities in each building and in and about all parts of the property. No

building sewer line shall be covered over, or in any manner concealed, until after it is inspected and approved by said Inspector.

**Section 810.** It is the intention of these rules and regulations that the entire connection be inspected at one time; however, if the property owner/installer feels that special conditions warrant additional inspections, he may request up to three visits at no additional cost. If more than three additional visits are required, due to a large scope project or by owner request, these visits shall be subject to additional inspection fees as the Authority shall determine. The inspection fees shall be based on the current salary of the inspector plus overhead and will be billed per hour or fraction of an hour. The hourly rate plus overhead is subject to change with no advance notice. (REVISED 8/27/98)

**Section 811.** The Authority may require, at its sole discretion, a bond payable to the Summit Township Sewer Authority in the amount of Five Hundred Dollars to assure that all resolutions, ordinances, rules, and regulations adopted by the Authority to govern the making of branch sewer connections will be observed; and that the Authority will be indemnified against damages caused by said construction; and that applicable assessment(s) for said connections will be paid.

**Section 812.** All work shall be done by a competent plumber or sewer jobber whose qualifications have been approved by the Authority.

**Section 813.** All pipe installed shall be either:

1. PVC-ASTM 3034 or ABS-ASTM 2751 equivalent to SDR-35 or Schedule 40 with joint material to be rubber ring or solvent cement or equal type material.
2. Cast iron soil pipe with cast iron slip or mechanical joint (ASA-A40.1).
3. Other equivalent sanitary sewer piping materials may be used provide written approval is received from the Sewer Authority. Requests for substitution must

include sufficient technical data to assure piping integrity and must be submitted to the Authority for review at least 45 days prior to purchase date.

All pipe installed shall be at least 4 or 6 inches in diameter. Each section of pipe shall be stamped with the manufacturer's certification. Where connections between different types of pipe are required, proper transition fittings shall be utilized, and in no case will concrete encasement be permitted in lieu of such fittings.

**Section 814.** All sewer pipe shall be installed in strict accord with the manufacturer's recommendations. Where rock trench foundation exists, a 4-inch gravel cradle shall be provided under the pipe.

**Section 815.** All pipe shall be installed with a minimum slope of 1/8 inch per foot and a minimum cover of three and one-half feet (3 1/2') unless otherwise approved. All pipe shall be laid to an even grade and straight alignment to the public sanitary sewer. The inside of every branch sewer connection, after it is laid, shall be left smooth and perfectly clean throughout its entire length. All pipe shall be laid with full and even bearing and no block supports will be allowed. Bell holes shall be dug to allow sufficient space to properly make each joint. Backfill shall be tamped uniformly around the pipe. The ends of all pipes not immediately connected for branch use shall be securely closed with a vitrified lid set in cement, mortar, or other suitable material approved by the Authority. All work shall be done in a workmanlike manner and shall provide a durable installation.

**Section 816.** A horizontal trap with a 4-inch vent and cover shall be installed a maximum of five (5) feet from the building. The trap shall be provided with a "Y" ahead of the horizontal trap for the purpose of connection a cleanout to the lateral. The cleanout

cap shall be made water and airtight.. The vent shall be installed so that no surface water enters the sanitary sewer. Cleanouts are intended for the ease of maintenance of the private sewer lateral. In the construction of house or building connections of more than 75 feet in length, additional cleanouts may be installed at 75-foot intervals. However, cleanouts shall not be installed closer than seventy-five (75) foot intervals. Cleanouts shall not be located in any paved, drive or concrete walk surfaces unless the installation conforms to the construction standards available at the time of the permit application, or otherwise meets with the approval of the Summit Township Sewer Authority. Cleanouts located in paved, drive or concrete walk surfaces shall be protected by a thirty inch (30") diameter Class "C" concrete grade ring and a nine inch (9") high minimum by sixteen inch (16") in diameter minimum cast iron lamp hole frame and cover, (Allegheny Foundry Company frame pattern number 174 and cover pattern number 175, or approved equal). The preferred location of a standard cleanout is in planted or landscaped areas and is protected from plow, mower or other potential damage. All cleanout caps shall be made water and air tight. Burying the cleanout is not allowed. If burying the cleanout is unavoidable then a iron marker is required for future locating by magnetic detection.

**Section 817.** Nonresidential, i.e., commercial and industrial installations must also comply with all local construction regulations.

**Section 818.** A State Highway Occupancy permit or its Township equivalent, as applicable, shall be obtained whenever any excavating is to be performed within the limits of State and/or Township controlled right-of-way. Copies of all required roadway occupancy permits and the permit application must provided to the Authority when the

CONTRACTOR applies for the Summit Township Sewer Authority Permit to Construct Sewer Facilities. .

**Section 819.** Notice of completion of construction for each connection shall be given to the Authority immediately upon completion of said construction.

**Section 820.** The Authority shall have the right to make inspection of the connections to the public sanitary sewage system. The purpose of such inspections shall be limited to determination of proper connections and compliance with the resolutions and rules and regulations of the Authority, to make scheduled or periodic system inspections, to conduct tests to determine the sources of any inflow or infiltration into the sanitary sewage system, and to maintain and enforce health and safety regulations to the benefit of all system users. The property owner shall permit authorized representatives of the Summit Township Sewer Authority upon the premises after the presentation of his/her credentials.

Where applicable, the inspector may:

1. Ask the property owner to show him/her the different parts of the facility and explain how they work.
2. Inspect and/or make copies of the records the property owner is required to maintain.
3. Inspect monitoring and control equipment.
4. Take samples of the effluent to determine compliance with the Industrial Pretreatment Ordinance.
5. Make a determination as to the number of dwelling units on the premises.
6. Determine the existence of any illegal connections of ground or storm water to the sanitary sewage system.
7. Verify the proper operation and connection of the water meter.

8. Photograph and/or videotape the property, facilities and equipment, including taking underground videotapes of the in-ground pipes connected to the sanitary sewage system.

No penalties will be applied in the case of any violations discovered during a consensual inspection. However, the property owner will be given a deadline for correction of any violations. Penalties may subsequently be imposed for failure to remedy violations in a timely manner. In the event it is necessary for the inspector to obtain a warrant for the inspection of the property, any violations discovered would be subject to any and all applicable fines, penalties, and costs.

In the event that Authority representatives suspect illegal connection of ground or storm water to the sanitary sewage system, the representatives may use any and all means available in the sewerage transportation and treatment industry to determine the same. If individualized suspicion exists to believe there is an illegal connection, it is the policy of the Authority to seek a warrant for any inspection of private property. This shall not prevent the Authority from informing a property owner of a violation for illegal connection upon scheduled or periodic inspection and requiring correction of the same.

It is the policy of the Authority to prohibit forcible entry onto private property of a property owner if objection is made. In the event right of entry for scheduled or periodic inspection is denied, Authority representatives shall determine whether a request for a warrant for entry shall be pursued, on a case-by-case basis.

Notice shall be given to property owners of all properties subject to a scheduled or periodic inspection, within a reasonable time prior to the inspection. (Revised 12/19/02)

**Section 821.** Maintenance and repair of all building sewers shall be the responsibility of the proper owner.

**Section 822.** Old building sewers may be used to connect existing buildings to the sewer system only when the Authority's representative determines that the old sewer has the required trap and cleanout facilities and is in an acceptable condition. Under no circumstances, unless specifically reviewed, approved, and authorized by the Authority will connections from septic tanks or similar individual treatment systems be discharged into the sanitary sewer. Only that portion of existing sewers, as determined acceptable, which precedes the septic tank, may be used for connection purposes. Abandonment of all existing private individual treatment facilities is required and is the property owner's responsibility. If the existing building sewer is not acceptable under this section, the owner of the property shall install a new building sewer to comply with these rules and regulations.

**Section 823.** Provisions of these rules and regulations are not intended to prevent the use of any material, device, method of assemblage, or installation, fixture or appurtenance not specifically authorized, provided such alternate is submitted by the owner and is approved by the Authority prior to issuance of a connection permit.



## ARTICLE IX

### PROPOSED EXTENSIONS OF SYSTEM BY DEVELOPERS

**Section 901.** All developers will execute an agreement with the Authority for any proposed extension to the public sanitary sewage system. The provisions of this agreement will stipulate responsibilities for such things as planning, design, construction, insurance, bonds, as well as legal, technical, and administrative support services.

**Section 902.** Five (5) copies of plans for proposed extension shall be submitted to the Authority on 24" x 36" sheets showing plan views to a scale of 1" = 50' and profiles to a scale of 1" = 10' vertically and 1" = 50' horizontally, a north point, a suitable title block, date and the name of the engineer or surveyor and imprint of his registration seal.

**Section 903.** All sewers shall be designed in accordance with the Sewerage Manual of the Pennsylvania Department of Environmental Resources, Division of Sanitary Engineering, and these rules and regulations. In addition, unless specifically waived in writing and at the discretion of the Authority, all extensions shall be designed to terminate at a manhole, cleanout, or other approved type terminal facility. Said terminal point shall be located on the lot line of the extension thereto between the last property served by the proposed extension and the adjacent property which may be served by subsequent extensions.

**Section 904.** Construction of sewers will not be permitted until the proper Federal, State, and Local Permits have been obtained. Such construction shall be subject to inspection and approval by the Authority or any accredited agents or representatives.

**Section 905.** Prior to final acceptance of any sewer extensions by the Authority, it will be necessary for the developer to furnish to the Authority "As-Built-Plans" depicting

both plan view and profile views. Engineering detail sheets shall be included as necessary. The Developer shall furnish the Authority with As-Built-Plans showing actual locations of all facilities constructed hereunder, including lateral connections. The top rim and invert elevation of each manhole and the exact location of all house laterals shall be included. The distance between manholes and slope of pipe shall be verified. The "As Built" plans must be similar or equal to a double-matted Mylar film to allow subsequent drawings by the Authority. The As-Built-Plans **shall** be twenty-four inches by thirty-six inches (24" x 36") **only**. One paper copy is also required. Additionally, one copy shall be provided in ACAD digital format and stored on a CD-ROM. The As-Built-Plans **shall** become property of the Authority. All revision dates shall be noted on the plans and the reason for the plan change.

All sewer extensions must pass low pressure air testing to be completed on each section of sewer installed. Such testing shall be conducted as prescribed in the Authority's standard specifications for sewer installation or as directed by the Authority's representative in the field. All leakage testing shall be witnessed by an Authority representative, be tabulated in report form by section, and be certified as true and correct by a representative of the Developer. At its discretion the Authority will accept Developers testing efforts based upon field procedures, equipment used, and measured results. Upon the failure of any section to pass the leakage test, the Developer will locate and correct all deficiencies and re-test. Where excessive numbers of sections, as determined by the Authority, fail to pass the leakage test, replacement of the defective sections may be required. (REVISED 3/12/04)

**Section 906.** Easements shall be recorded in the name of the Authority for all sewers to be constructed outside of dedicated street rights-of-way.

**Section 907.** All sewer pipe shall be extra strength vitrified clay pipe conforming to ASTM Specification C-700 or PVC pipe conforming to ASTM Specification D-3034 (SDR-35), unless otherwise specified for extraordinary ground conditions by the Authority.

**Section 908.** All sewer pipe shall be a minimum of 8 inches in diameter and have a minimum of laying length of not less than five feet.

**Section 909.** Jointing connections for clay pipe shall be premium or Class III meeting or exceeding the requirements of ASTM Specification C-425. Jointing connections for PVC pipe shall be "push on" type meeting or exceeding the requirements of ASTM Specification D-3212. Both the bell and the spigot of the pipe shall be especially prepared for the jointing connection selected. The details of any jointing connection which is proposed for use must be submitted to the Authority for prior approval.

**Section 910.** The installation of sewers shall start at the lower end of the line and proceed upstream so that the spigot ends point in the direction of flow. The pipe shall be carefully laid to line and grade. Then handling, placing, and jointing of pipe shall be in strict accordance with the pipe manufacturer's recommendations.

**Section 911.** Frames and covers for all manholes shall be fabricated of cast iron and shall conform to the standards established by the Authority. Vented covers shall be furnished at the ends of lines.

**Section 912.** Sewers shall be hydrostatically, pneumatically, and/or smoke tested for leakage at the discretion of, and in the manner required by, the Authority.

**Section 913.** The developer shall file all necessary connection permits and pay the applicable tap connection and inspection fee for each house or building to the Authority which shall become due and payable prior to inspection and approval by the Inspector for each respective house service sewer.

**Section 914.** The developer shall also reimburse the Authority in full for all costs legal, technical and administrative associated with the construction proposed by the developer.

**Section 915.** No sewer extensions constructed by a developer will be approved for use and acceptance by the Authority until said sewers are formally approved by the Authority, all building tap connection and inspection fees have been paid for each building connected to the system, and the Authority has be reimburse in full for all inspection costs incurred by the Inspector during construction, testing, and approval.

**Section 916 - Performance Bond:** The Developer will provide to the Authority financial security equal to 110% of the cost of completion of all public sanitary sewer system improvements as contemplated by the Developer Agreement. The performance security will be in the form of cash, irrevocable letter of credit, escrow account or bonds from a bonding company or lending institution authorized to conduct business in the Commonwealth of Pennsylvania, naming the Summit Township Sewer Authority, its officers, agents and employees as obligees.

The amount of performance security required will be based upon an estimate of the cost of completion of the public sanitary sewer system improvements prepared by a

professional engineer licensed in the Commonwealth of Pennsylvania and retained by the Developer, certified by such engineer to be a fair and reasonable estimate of such costs and acknowledged as such by the Authority's engineer. However, irrespective of the above, the Authority may establish the amount of financial security required based upon an amount recommended by the Authority's engineer to reflect the cost incurred by the Authority to undertake such public sanitary sewer system improvements. There may be additional costs in engineering, advertising and in prevailing wages that the Developer might not.

The performance security shall also include the cost of preparing As-Built drawings for the project. Should the Developer fail to order the submission of the As-built drawings, the Authority could contact the Engineer of Record for the project or retain the Authority's Engineer and request that the As-built drawings be prepared. The cost of the As-built drawings could be claimed against the project's financial security.

In addition, any expenses incurred by the Authority on behalf of the Developer that remain unpaid, may be claimed against the project's financial security. The performance security may be released only upon written request from the developer and upon completion of the improvements, as certified by the Authority's engineer as complete.

The Developer may from time to time request a reduction in the amount of the bond as work progresses and is completed and certified as complete by the Authority's Engineer. The reduction in the bond amount shall be made only by Board action at a regularly scheduled business meeting of the Summit Township Sewer Authority.

(New 8/31/06)

**SECTION 917 - Warranty Bond:** Upon completion of the construction of the Project, a semi-final construction inspection shall be scheduled with representatives of the Authority after all sewers have passed tests in accordance with the Applicable Standards of construction. Said inspection shall be at a mutually agreeable time. Any outstanding items of construction shall be compiled in a punch list. The Punch List items shall be completed by the Developer prior to the acceptance of the System by the Authority, and prior to commencement of the one (1) year warranty period.

Upon completion or resolution of the Punch List items, the Developer shall submit a signed and dated Certificate of Completion. The Certificate shall state that the sewer is built to the Summit Township Sewer Authority's Standards of Construction, and Rules and Regulations. The Certificate of Completion shall identify the scope of the project in linear feet and size of pipe, number of manholes and other related appurtenances, and shall state that the Project is built in accordance with the Specifications and the Project Plans.

The Developer shall submit the Certificate of Completion along with the testing results after all sewers have passed the all required tests in accordance with the Summit Township Sewer Authority's standards of construction. This certificate shall state that the sewer is built to the Summit Township Sewer Authority's standard of construction and Rules and Regulations. The final inspection will be scheduled after the Developer submits the certificate. The Authority shall acknowledge that all testing and construction is satisfactory to the Authority, following the final inspection and testing. Upon satisfaction of any Punch List items, the warranty period of twelve (12) months shall begin and the Authority shall accept ownership of the System. The acceptability of the

System is determined exclusively by the Authority and shall be done by resolution at a regularly scheduled Authority Business Meeting.

The Authority will accept the public sanitary sewer improvements only after the Developer posts with the Authority warranty security to insure that the structural integrity of said improvements, as well as the functioning of said improvements in accordance with their design and specifications, for a period of twelve (12) months from the date of the acceptance of dedication. Such warranty security shall be in the form of cash, irrevocable letter of credit, escrow account or bonds from a bonding company or lending institution authorized to conduct business within the Commonwealth of Pennsylvania, naming Summit Township Sewer Authority, its officers, agents and employees as obligees. Such warranty security shall be in the amounts equal to 100% of the cost of construction of the public sanitary sewer system improvements as certified by the Developer's engineer. The warranty security is for the purpose of protecting and holding harmless the Authority of and from any and all costs and expenses occasioned by the repair or replacement of any defective components of the system. The developer shall provide sixty (60) days advance written notice of the termination of any maintenance security to the Authority. Sewer connection permits may be withheld until the appropriate warranty security is accepted by the Authority.

In lieu of such warranty security, the Authority may accept, in its sole discretion, the transfer or assignment without recourse of the one (1) year construction warranty, if any, provided to the developer from any contractor for the project.

Developer hereby agrees, covenants and promises to make such replacements, repairs and maintenance within a reasonable time after notice from the Authority to the

Developer. Failure to make such replacements, repairs and maintenance within a reasonable time after such notice shall be a default upon which the Authority may proceed to claim the Developer's maintenance security and to make such replacement, repair and maintenance from said security.

Notwithstanding any of the foregoing, in the event of an emergency, as determined by the Authority in its sole discretion, the Authority may perform such repair, replacement and maintenance required to correct an emergency situation. The Authority shall notify the Developer of such emergency as soon as practicable. The Developer shall reimburse the Authority for all costs incurred for such repair, replacement, and/or maintenance within fifteen (15) business days following invoicing. The Authority is authorized to seize the Developer's maintenance security as reimbursement, therefore, if the developer fails to reimburse the Authority within fifteen (15) business days after written notification from the Authority of its intention to seize the security. (New 8/31/06)

**SECTION 918 - Maintenance Bond:** In order to ensure satisfactory restoration of both public and private lands, grading around manholes, differential settlement of pipe, trench settling, leaks and/or other types of defects, the Developer also agrees that they will post or cause to be posted with the Authority at the time of the termination of the warranty security maintenance security to safeguard the Authority from any damage to the public dedicated system that might arise from on-going construction activities. The amount of maintenance security shall be established by the Summit Township Sewer Authority, at a Regular Business Meeting, in an amount as deemed appropriate exclusively by the Authority for the duration of the development construction. The



maintenance bond shall remain in force until the entire project is complete and the escrow account closed.

The Authority may make a claim on the maintenance security for expenses incurred by the Authority on behalf of the development that remain unpaid, due to insufficient funds in the developers escrow account. The Authority may make a claim on the maintenance security to offset the cost of preparing as-built drawings, if said drawings are not submitted during the warranty period.

The maintenance security shall be in the form of cash, irrevocable letter of credit, escrow account or bonds from a bonding company or lending institution authorized to conduct business within the Commonwealth of Pennsylvania, naming Summit Township Sewer Authority, its officers, agents and employees as obligees. The maintenance security shall be in favor of the Authority and shall be effective until the construction of the last residential unit or last outlot is completed but under no circumstances shall the maintenance security be released until any outstanding balance to the escrow account is paid in full. This bond is for the purpose of protecting and holding harmless the Authority from any and all costs and expenses occasioned by the repair or replacement of any defective components of the System. The Developer shall provide sixty (60) days advance written notice of the termination of the maintenance security to the Authority. The Authority shall perform an inspection of the construction and advise the developer of any deficiencies in construction within thirty (30) days. The Developer shall correct any deficiencies prior to the termination of the maintenance bond or shall have established a schedule acceptable to the Authority to have the corrective work completed.

The Authority may withhold sanitary sewer connection permits for failure to comply with this regulation. (New 8/31/06)

## ARTICLE X

### DELINQUENCIES, VIOLATIONS, AND REMEDIES

**Section 1001.** Each sewage collection, transportation, and treatment charge, surcharge, and penalty imposed by the Sewer Rate Resolution of the Authority shall be a debt due the Authority and shall be a lien on the property served, and if not paid within the period prescribed in the Sewer Rate Resolution after the date of the bill shall be deemed delinquent. In such an event, the Authority shall proceed to file a lien in the office of the Prothonatary of Erie County and collect the same in the manner provided by law for the filing and collection of municipal claims. In the event of failure to pay the sewage collection, transportation, and treatment charge or surcharge or penalty after they become delinquent, the Authority may also authorize the appropriate personnel to shut off water service to said property, if possible, or to remove or close the sewer connection and to take such steps as may be necessary to accomplish such shut off or removal or closing. The expense of such shut off or removal or closing, as well as the expense of restoring any such service, shall likewise be a debt due the Authority and a lien on the property served and may be filed and collected as herein above provided. Such sewage service shall not be restored until all sewage collection, transportation, and treatment charges, surcharges, and penalties, including the expense of removal, closing, and restoration shall have been paid or adequate provisions for their payment shall have been made.

**Section 1002.** Any person found to be violating any provision of these rules and regulations shall be served by the Authority with written notice stating the nature of the violation. Each violation of these regulations is subject to a fine of \$1,000.00 plus any costs incurred by the Summit Township Sewer Authority due to the violation. Each day

in which the violation continues, shall be deemed a separate offense. The Authority may, at their sole discretion, waive the imposition of a fine and/or costs associated with a violation. (REVISED 8/27/98)

**Section 1003.** The offender shall, after permanently ceasing all violations, provide proof of the satisfactory correction thereof to the Authority within five (5) consecutive working days. (REVISED 8/27/98)

**Section 1004.** Any person violating any of the provisions of these rules and regulations shall become liable to the Authority for any expense, loss or damage occasioned the Authority by reason of such violation.

## ARTICLE XI

### PUBLIC RECORDS POLICY

**Section 1101.** Purpose: The Right to Know Law permits any citizen in the Commonwealth of Pennsylvania to access, inspect, and duplicate the public records of the Summit Township Sewer Authority. The Right to Know Law requires each public agency to establish written policies to implement the Act.

**Section 1101.1** Definitions: All terms not otherwise defined within this policy are to be defined in accordance with Act 3 of 2008.

“Financial record” shall mean any account, voucher or contract dealing with the receipt or disbursement of funds or acquisition, use or disposal of services, supplies, materials, equipment or property; or the salary or other payments or expenses paid to an officer or employee, including the individual’s name and title; and a financial audit report, excluding the audit’s underlying work papers.

“Public record” shall mean a record, including a financial record, that is not protected by a defined privilege or is not exempt from being disclosed under one of the exemptions in Pennsylvania’s Right-to-Know Law or under other federal or state law or regulation, or judicial decree or order.

“Record” shall mean information, regardless of physical form or characteristics, that documents a Authority transaction or activity and is created, received or retained pursuant to law or in connection with a Authority transaction, business or activity, including: a document; paper; letter; map; book; tape; photograph; film or sound recording; information stored or maintained electronically; and a data-processed or image-processed document.

“Response” shall mean the Authority’s notice informing a requester of a granting of access to a record or the Authority’s written notice to a requester granting, denying, or partially granting and partially denying access to a requested record.

“Requester” shall mean a legal resident of the United States, or an agency, who requests access to a record.

“Trade secret” is defined as information, including a formula; drawing; pattern; compilation such as a customer list; program; device; method; technique; or process that derives independent economic value, actual or potential, from not being generally known to and not being readily ascertainable by proper means by other persons who can obtain economic value from its disclosure or use and is the subject of efforts that are reasonable

under the circumstances to maintain its secrecy. The term includes data processing software obtained by the Authority under a licensing agreement prohibiting disclosure.

“Confidential proprietary information” is defined as commercial or financial information that is privileged or confidential and the disclosure of which would cause substantial harm to the competitive position of the individual that submitted the information.

**Section 1102.** Procedure for Access to Public Records: Public records will be available for inspection and copying at the Summit Township Sewer Authority Building during normal business hours. Requests shall be made in writing and directed to the Authority Manager at the Summit Township Sewer Authority, 8890 Old French Road, Erie, Pennsylvania 16509. Requests should identify the name and address of the requester and a clear description of the records sought. The Authority Manager is hereby appointed as the Open Records Officer, who shall be responsible to:

1. Receive written requests for access to records submitted to the Authority.
2. Review and respond to written requests in accordance with law, Authority rules and regulations.
3. Direct requests to other appropriate individuals within the Authority or in another agency.
4. Track the Authority's progress in responding to requests.
5. Issue interim and final responses to submitted requests.
6. Maintain a log of all record requests and their disposition.
7. Ensure Authority staff is trained to perform assigned job functions relative to requests for access to records.

Upon receiving a request for access to a record, the Open Records Officer shall:

1. Note the date of receipt on the written request.
2. Compute and note on the written request the day on which the five-day period for response will expire.
3. Maintain an electronic or paper copy of the written request, including all documents submitted with the request, until the request has been fulfilled.
4. If the written request is denied, maintain the written request for thirty (30) days or, if an appeal is filed, until a final determination is issued or the appeal is deemed denied.

A requester's right of access does not include the right to remove a record from

the control or supervision of the Open Records Officer. The Authority shall not limit the number of records requested.

#### Request For Access

A written request for access to a public record shall be submitted to the Open Records Officer. Written requests may be submitted to the Authority in person, by mail, to a designated facsimile machine, and to a designated e-mail address. Each request must include the following information:

1. Identification or description of the requested record, in sufficient detail.
2. Medium in which the record is requested.
3. Name and address of the individual to receive the Authority's response.

The Authority shall not require an explanation of the reason for the request or the intended use of the requested record, unless otherwise required by law.

#### Posting

The Authority shall post at the Authority Office the following information:

1. Contact information for the Open Records Officer.
2. Contact information for the state's Office of Open Records or other applicable appeals officer.
3. The form to be used to file a request, with a notation that the state Office of Open Records form may also be used if the Authority decides to create its own form.
4. Authority policy, administrative regulations and procedures governing requests for access to the Authority's public records.

**Section 1103.** Response by the Authority: Authority employees shall be directed to forward requests for access to public records to the Open Records Officer. Upon receipt of a written request for access to a record, the Open Records Officer shall determine if the requested record is a public record and if the Authority has possession, custody or control of that record.

The Open Records Officer shall compute the five (5) business day initial response period and shall respond as promptly as possible under the existing circumstances. The initial response time shall not exceed five (5) business days from the date the written request is received by the Open Records Officer. The initial response shall grant access to the requested record, deny access to the requested record, partially grant and partially deny access to the requested record, or notify the requester of the need for an extension of time to fully respond. If the Authority fails to respond to a request within five (5) business days of receipt, the request for access shall be deemed denied.

#### Extension Of Time

If the Open Records Officer determines that an extension of time is required to respond to a request, in accordance with the factors stated in law, written notice shall be sent within five (5) business days of receipt of request. The notice shall indicate that the request for access is being reviewed, the reason that the review requires an extension, a reasonable date when the response is expected, and an estimate of applicable fees owed when the record becomes available.

Upon receipt of a written request for access, the Open Records Officer will determine if any one (1) of the following applies:

1. Redaction - the request for access requires redaction of a record.
2. Retrieval Time/Remote Storage - the request for access requires retrieval of a record stored in a remote location.
3. Staffing Limitations - a timely response to the request for access cannot be accomplished due to bona fide and specified staffing limitations.
4. Legal Review - a legal review is necessary to determine whether the requested record is a public record subject to access.
5. Lack of Policy Compliance - the requester has not complied with the Authority policy governing access to public records.
6. Failure to Pay Fees - the requester refuses to pay applicable, established fees.
7. Nature of Request - the extent or nature of the request precludes a response



within the required time period.

If the Open Records Officer determines that an extension of time is required to respond to a records request, the requester will be notified in writing. Up to a thirty (30) day extension for one (1) of the listed reasons does not require the consent of the requester. If the response is not given by the specified date, it shall be deemed denied on the day following that date. A requester may consent in writing to an extension that exceeds thirty (30) days, in which case the request shall be deemed denied on the day following the date specified in the notice if the Open Records Officer has not provided a response by that date.

#### Granting Of Request

If the Open Records Officer determines that the request will be granted, the response shall inform the requester that access is granted and either include information on the regular business hours of the administration office, provide electronic access, or state where the requester may go to inspect the records or information electronically at a publicly accessible site. The response shall include a copy of the fee schedule in effect, a statement that prepayment of fees is required in a specified amount if access to the records will cost in excess of one hundred dollars (\$100.00), and the medium in which the records will be provided.

The Authority shall not be required to create a public record, which does not currently exist, or to compile, maintain, format or organize the public record in a manner in which it does not currently do so. A public record shall be provided to the requester in the medium requested if it exists in that form; otherwise, it shall be provided in its existing medium.

Some public records may contain information, which is subject to access, as well as information, which is not subject to access. In responding to a request for access to information, the Authority shall redact from the public records the information, which is not subject to access, and the response shall grant access to the information, which is subject to access. The Authority will not deny access to public records if the information, which is not subject to access, can be redacted.

#### Notification To Third Parties

When the Authority produces a record that is not a public record in response to a request, the Open Records Officer shall notify any third party that provided the record to the Authority, the person that is the subject of the record, and the requester. The Open Records Officer shall notify a third party of a record request if the requested record contains a trade secret or confidential proprietary information, in accordance with law.

When a third party provides a record to the Authority and includes a written statement signed by its representative that the record contains a trade secret or confidential proprietary information, the Open Records Officer will notify that third party of a request for access to that record. The Open Records Officer will provide notice within five (5) business days of receipt of the request. The third party will have five (5) business days from receipt of the Open Records Officer's notice to provide input on the release of the requested record. The Open Records Officer will provide access to the record or will deny the request for access within ten (10) business days of providing notice to the third party and will notify the third party of the Open Records Officer's decision.

#### Denial Of Request

If the Open Records Officer denies a request for access to a record, whether in whole

or in part, a written response shall be sent within five (5) business days of receipt of the request. The response denying the request shall include the following:

1. Description of the record requested.
2. Specific reasons for denial, including a citation of supporting legal authority.
3. Name, title, business address, business telephone number, and signature of the Open Records Officer on whose authority the denial is issued.
4. Date of the response.
5. Procedure for the requester to appeal a denial of access.

The Open Records Officer may deny a request for access to a record if the requester has made repeated requests for that same record and the repeated requests have placed an unreasonable burden on the Authority. The Open Records Officer may deny a request for access to a record when timely access is not possible due to a disaster, or when access may cause physical damage or irreparable harm to the record. To the extent possible, a record's contents shall be made accessible even when the record is physically unavailable.

Information that is not subject to access and is redacted from a public record shall be deemed a denial.

If a written request for access to a record is denied or deemed denied, the requester may file an appeal with the state's Office of Open Records within fifteen (15) business days of the mailing date of the Open Records Officer's response or deemed denial.

The Authority may deny access to a record if one or more of the enumerated record exemptions contained in Act 3 of 2008 apply. The burden is on the Authority to establish, by a preponderance of the evidence, that a record exemption applies. To determine if a requested record is exempt from access, the Open Records Officer will consider and apply each exemption separately.

**Section 1104. Drawings:** The Authority makes no warranty expressed or implied

as to the accuracy or drawings, plans or other engineering renderings in either paper form or electronic form. As-built drawings represent the best available information.

Inaccuracies in the public record shall not be cause for any claim for damages due to actual conditions varying from the conditions indicated in the public record.

**Section 1105. Fees:** The Authority's established list of reasonable fees applicable to records requests will comply with the following restrictions:

1. Postage - Fees will not exceed the actual mailing cost.
2. Duplication - Fees for photocopying, printing from electronic media or microfilm, copying onto electronic media, transmission by facsimile or other electronic means, and other methods of duplication. Duplication fees will be established and reviewed biannually by the Office of Open Records. Paper copies will be charged at \$.25 cents per page per side.
3. Complex and Extensive Data Sets - Fees for copying based on the reasonable market value of the same or closely related sets and include geographic information systems and integrated property assessment lists. If a computer diskette is requested, it will be provided by the Authority at the actual cost per disk. Facsimile copies will be available at actual cost. Standardized drawings (24 inches x 36 inches) will be provided by the Authority at the actual cost per page.
4. Certification - Fees for official certification of copies if the certification is for the purpose of legally verifying a public record and is requested by the requester. If the requester requires certified copies of public records, an additional charge of \$1.00 will be added.
5. Conversion to Paper - Duplication fees for a record maintained only electronically or in other non-paper media will be limited to the lesser of either the fee for duplication on paper or in the original media, unless the requester specifically requests that the record be duplicated in the more expensive medium.
6. Enhanced Electronic Access - Fees for providing enhanced electronic access, but only to the extent that the enhanced electronic access is in addition to making the records accessible for inspection and duplication by a requester. These fees may be a flat-rate fee, a subscription fee for a period of time, per-transaction fee, a fee based on the cumulative time of system access, any other reasonable method, or a combination of these. These fees must be reasonable; may not be established with the intent or effect of excluding individuals from

access to records or their duplicates or of creating a profit for the Authority; and must be approved by the Office of Open Records.

7. The Authority will require prepayment of these fees, when the fees required to fulfill the request are expected to exceed \$100, and copies of documents will not be provided until such payment is made. (2/26/09)

**ARTICLE XII**

**VALIDITY**

**Section 1201.** All resolutions or parts of resolutions which are in conflict with any section of these rules and regulations shall be deemed to be repealed. Further, the invalidity of any section, clause, sentence, or provision of these rules and regulations shall not affect the validity of any other part of them which can be given effect without such invalid part or parts, and if any one or more of the provisions of this set of rules and regulations shall for any reasons be held to be illegal or invalid or otherwise contrary to law, then such provisions shall be null and void and shall be deemed separable from the remaining provisions hereof, but shall in no way otherwise affect the validity of these rules and regulations.

**Section 1202.** These rules and regulations shall take effect immediately.

**Section 1203.** All other rules and regulations affecting the Sewer System not in accordance with these rules and regulations are hereby repealed insofar as they affect these rules and regulations.

DULY ADOPTED, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_ by the Summit Township Sewer Authority.

ATTEST:

SUMMIT TOWNSHIP SEWER AUTHORITY

\_\_\_\_\_  
Secretary

By \_\_\_\_\_  
Chairman

## APPENDIX I

### Water Meter Specifications

#### WATER METER SPECIFICATIONS

- I. General Description: Meters furnished under these specifications shall be the product of a manufacturer with at least five (5) years experience in Meter manufacturing for the American water works market. Meters shall be new and of the latest design, first line quality and of the positive displacement type for cold water service, of split-case design with provision for frost protection, as necessary, as must be either mutating-disc or oscillating-piston type.

Meters shall comply with AWWA Standard C700-77 for accuracy, capacity, pressure loss and dimensions and shall be equal to those meters manufactured by Neptune.

Meters shall be direct drive. Meters with stuffing box, spindle and packing gland will not be acceptable.

Meters for all commercial accounts established after May 27, 1982 shall be installed with remote readout capability. Those accounts predating May 27, 1982, may install remote readout capability at their option. Such commercial accounts electing not to furnish remote readout shall provide access to the meter for purposes of reading by a representative of the Authority during regular business hours (9:00 a.m. - 3:00 p.m.).

Meters shall carry a minimum five (5) year warranty against defective materials and workmanship.

- II. Cases: The body cases shall be of either high quality copper alloy or synthetic polymer with the manufacturer's serial number appearing thereon and have raised markings to indicate the direction of flow and the size.

Thread protectors shall be supplied for the connection ends and the cases shall have provisions for wire sealing the meter body. Cases must be capable of withstanding working pressures of one hundred fifty (150) PSI.

- III. Measuring Chambers: The measuring chamber shall be of the two piece design and be made of synthetic polymer or of a copper alloy containing not less than 85 percent copper. The chamber shall be separate from the outer casing and so secured in the main case that the accuracy of the meter will not be affected by any distortion of the case that might occur when operating under a pressure of one hundred fifty (150) PSI.
- IV. Strainers: All meters either shall be provided with strainer screens installed in the meter or be self-straining by means of an annular space between the measuring chamber and the external case. Strainer screens shall be rigid, fit snugly, be easy to remove, and have an effective straining area at least double that of the main-case inlet.
- V. Registers: Registers shall be straight-reading in U.S. Gallons sealed to prevent fogging and to prevent fluid contact with water being measured with provision for test reading the flow to within 0.1 gallon. The numerals on the number wheels of straight-reading registers shall be not less than 3/16 inch height and should be readable at a 45-degree angle from the vertical.

The maximum indication of digits appearing on the first number wheel and the minimum capacity of the register shall be those given in Table 4 of AWWA Standard C700-77.

A hinged cover bearing the name of the manufacturer in raised letters shall be provided for the register glass except that the cover may be eliminated to accommodate a remote-reader-type register or an encoder-type register.

- VI. Intermediate Gear Trains: Intermediate gear trains may be mounted on the measuring chamber, in the upper main casing or combined with or adjacent to the register gearing. When intermediate gear trains are located in the water compartment of the meter, the gearing must be constructed of a suitable synthetic polymer designed to be water lubricated.
- VII. Pistons and Discs: Pistons and discs shall be smoothly finished. Disc plates, whether flat or conical, shall be either reinforced or equipped with thrust rollers. The piston and disc spindles shall be securely fastened. Pistons and discs shall be made of vulcanized hard rubber or a suitable synthetic polymer with specific gravity approximately equal to that of water. They shall have sufficient dimensional stability to retain operating clearances at working temperatures up to 80°F and not warp or deform when exposed to operating temperatures of 100°F.



VIII. Direct-Reading Remote Indicators: All systems shall provide for visual registration at the meter. Remote registration shall be designed and manufactured for the brand of meter being furnished and shall be synchronized to allow no cumulative error between the meter register reading and the remote indicator. Remote indicator systems shall comply with AWWA Standard C706-80 for workmanship, assembly, and materials.