

CHAPTER 18
SEWERS AND SEWAGE DISPOSAL

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PART 1

SEWER CONNECTIONS AND USES

§ 18-101. Definitions. [Ord. 916, 9/15/1981, § 1; as amended by Ord. 1005, 11/17/1998, § 1]

Unless the context specifically states otherwise, the following terms, as used in this Part 1, shall have the meanings hereinafter designated:

BOD (denoting **BIOCHEMICAL OXYGEN DEMAND**) — The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20° C., expressed in milligrams per liter.

BOROUGH — The Borough of Mechanicsburg, Cumberland County, Pennsylvania; or the Borough Council of the Borough of Mechanicsburg; or in appropriate cases, the Borough Manager, the Borough Secretary, the Borough Sewage Enforcement Officer, or other persons designated by the Borough Council or the Borough Manager to perform duties under this Part.

BUILDING DRAIN — That part of the lowest horizontal piping of a drainage system which receives the discharge from other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet outside the inner face of the building wall.

BUILDING SEWER — The extension from the building drain to the lateral or other method of disposal.

CAPITAL CHARGES — Connection fees, customer facilities fees and/or tapping fees imposed by the Borough to recover specific costs and equity in the system relative to new connections or existing connections with modifications resulting in additional capacity demand or additional costs incurred by the Borough for the connection of a property to the system. **[Added by Ord. 1147, 10/20/2015]**

DOMESTIC SEWAGE — The normal water-carried household and toilet waste not exceeding the average concentration discharge parameters, collected from residences, commercial establishments, institutions, industries, and other users of the sewer system: **[Amended by Ord. 1147, 10/20/2015]**

- A. BOD: 238 mg/l.
- B. Total suspended solids: 240 mg/l.
- C. Total phosphorus: 6 mg/l.
- D. Total nitrogen: 42 mg/l.

EQUIVALENT DWELLING UNIT (EDU) — A unit of service equivalent to that provided to a single-family home, room, group of rooms, house, trailer, building, accessory structure, or other enclosure occupied or intended for occupancy as separate living quarters by an individual, family or any group of

persons, excluding institutional dormitories. **[Amended by Ord. 1147, 10/20/2015]**

FEES — The fee set by the Borough Council by resolution from time to time and/or by the Pennsylvania Sewage Facilities Act and regulations issued thereunder.

GARBAGE — Solid wastes from the domestic and commercial preparation, cooking, and dispensing of food and from the handling, storage, and sale of produce.

IMPROVED PROPERTY — Any property within the Borough upon which there is erected a structure intended for continuous or periodic habitation, occupancy, or use by human beings or animals and from which structure domestic sewage and/or industrial waste shall be discharged. **[Amended by Ord. 1147, 10/20/2015]**

INDUSTRIAL WASTE — Any solid, liquid or gaseous substance or form of energy rejected, escaping or discharged in the course of any industrial, manufacturing, trade or business process or in the course of the development, recovery or processing of natural resources, as distinct from domestic sewage.

LATERAL — That part of the sewer system extending from a sanitary sewer to the edge of the public cartway or curblin, or if there shall be no edge of the public cartway or curblin, then to the right-of-way line of the public street or alley, or if there shall be no public street or alley, then to the boundary of the area defined within a right-of-way easement granted to and accepted by the Borough of Mechanicsburg. **[Amended by Ord. 1134, 6/4/2013]**

OWNER — Any person vested with ownership, legal or equitable, sole or partial, of any improved property.

PERMIT — Written approval from the Borough.

PERSON — Any individual, partnership, firm, company, association, society, corporation or group.

pH — The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

SANITARY SEWER — A sewer which carries sewage and to which storm-, surface, and groundwaters are not intentionally admitted.

SEWAGE — A combination of water-carried wastes from domestic and industrial waste sources, together with such ground-, surface, and stormwaters as may be present.

SEWAGE TREATMENT PLANT — Any arrangement of devices and structures used for treating sewage.

SEWAGE WORKS — All facilities for collecting, pumping, treating and disposing of sewage.

SEWER SYSTEM — All laterals, wyes, saddles, sanitary sewers, intercepting sewers, pumping stations, and other like equipment and facilities owned or operated by the Borough for the purpose of collecting, transporting, and pumping sewage.

SHALL/MAY — In the context of this Part 1, "shall" will be mandatory, and "may" will be permissive.

SLUG — Any discharge of water, sewage, or industrial waste which, in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than 15 minutes more than five times the average twenty-four-hour concentration or flows during normal operation.

SUSPENDED SOLIDS — The total suspended matter that floats on the surface of or is suspended in water, sewage, or other liquids and which is removable by laboratory filtering.

WATERCOURSE — A channel in which a flow of water occurs either continuously or intermittently.

§ 18-102. Use of Sewer System Required. [Ord. 916, 9/15/1981, § 2]

1. It shall be unlawful to discharge any sewage or other polluted waters to any natural outlet within the Borough, except where suitable treatment has been provided in accordance with subsequent provisions of this Part 1.
2. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.
3. The owner of any property benefited, improved or accommodated by a sanitary sewer shall connect such property with and shall use such sewer system, in such manner as the Borough may require and in accordance with the provisions of this Part, within 45 days after notice to connect.

§ 18-103. Private Sewage Disposal. [Ord. 916, 9/15/1981, § 3]

1. Where a public sanitary sewer is not available, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Part 1.
2. Before commencement of construction of a private sewage disposal system, the owner shall first obtain a permit from the Borough Sewage Enforcement Officer. Prior to the issuance of a permit, the owner shall provide all information deemed necessary by the Sewage Enforcement Officer. A permit

fee and inspection fee shall be paid to the Borough at the time the application is filed.

3. Approval of a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Sewage Enforcement Officer. He shall be allowed to inspect the work at any stage of construction; and, in any event, the owner shall notify the Sewage Enforcement Officer when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within 72 hours of the receipt of notice by the Sewage Enforcement Officer.
4. The type, capacities, location, and layout of a private sewage disposal system shall comply with all requirements of the Pennsylvania Department of Environmental Resources. No approval shall be granted for any private sewage disposal system employing subsurface soil-absorption facilities where the area of the lot is less than that required by the Pennsylvania Sewage Facilities Act. No septic tank or cesspool shall be permitted to discharge to any natural outlet.
5. When a public sanitary sewer becomes available to a property served by a private sewage disposal system, a direct connection shall be made to the public sanitary sewer in compliance with this Part, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned, cleaned and filled with suitable material in accordance with this Part.
6. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner and in accordance with the Pennsylvania Sewage Facilities Act at all times, at no expense to the Borough.
7. When a public sanitary sewer becomes available, the building sewer shall be connected to said public sanitary sewer within 60 days after notice to connect, and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt. **[Amended by Ord. 1147, 10/20/2015]**
8. Upon notice from the Borough to persons maintaining or using private sewage disposal facilities in violation of the provisions of this Part, such persons shall cease such maintenance and use in violation hereof. Each three-month period that such private disposal system is so maintained or used in violation hereof, after notice from the Borough, shall be deemed to be a separate offense under this Part.

§ 18-104. Building Sewers and Connections. [Ord. 916, 9/15/1981, § 4; as amended by Ord. 1005, 11/17/1998, §§ 2-4; and by Ord. 1102, 2/5/2008]

1. No connection of plumbing fixtures shall be made to the sewer system and no unauthorized person shall uncover, open, use, alter, or disturb any public sanitary sewer or appurtenance thereof before the owner of the property in which the work is to be done, or the plumber who is to do the work as the

owner's representative, shall have first obtained a connection permit from the Borough. **[Amended by Ord. 1147, 10/20/2015]**

2. The owner or his agent shall make application for a sewer connection permit on a form furnished by the Borough. The application for a permit shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Borough. A tapping fee shall be paid to the Borough at the time the application is filed. **[Amended by Ord. 1147, 10/20/2015]**
3. The owner or his agent shall construct the building sewer and the lateral in accordance with the provisions of this chapter and all other applicable Borough requirements. In lieu of payment of a connection fee, all costs and expenses incident to the installation and connection of the building sewer and the lateral shall be the responsibility of the owner. The owner shall indemnify the Borough from any loss or damage that may result directly or indirectly from the installation of the building sewer or the lateral. **[Amended by Ord. 1147, 10/20/2015]**
4. Separate buildings on one tract or lot of land under single ownership may be connected to the sewer system by one sewer lateral, provided that the following requirements are met: **[Amended by Ord. 1147, 10/20/2015]**
 - A. All building sewers and other connections between buildings, and related infrastructure, must be constructed in accordance with all Borough specifications and must be inspected by the Borough prior to being covered and placed in use.
 - B. The sewer lateral must be of sufficient size to accommodate the total sanitary sewer discharge from the curb to the sewer main. In the event a sewer lateral must be replaced to accommodate an increased flow, the total cost shall be borne by the property owner.
 - C. A tapping fee shall be paid for each equivalent dwelling unit (EDU) to be connected to and serviced by the sewer system.
 - D. Each equivalent dwelling unit, in the case of residential usage, and each separate industrial or commercial establishment, shall be considered a separate connection for purposes of computing and billing sewer rentals established in § 18-201, Sewer Rentals and Sewer Capital charges, of this chapter.
 - E. The owner shall comply with all applicable provisions of this chapter.
 - F. At such time as the lot or tract is subdivided for any purpose, or in the event ownership is severed for purposes of condominiums or otherwise, a separate and independent building sewer and lateral shall be provided for each and every building.

5. Old building sewers and laterals may be used in connection with new buildings only when approved by the Borough. At its discretion, the Borough may require the examination or testing of old building sewers and laterals, at the expense of the owner, prior to approving or disapproving the building sewer use.
6. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code [see Chapter 5, Code Enforcement] or other applicable rules and regulations of the Borough. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.E.F. Manual of Practice No. FD-5 shall apply. The size, slope, alignment, materials of construction of a lateral, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the standard construction and material specifications for sanitary sewer extensions of the Municipal Authority of the Borough of Mechanicsburg and/or the Borough of Mechanicsburg.
7. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sanitary sewer, sanitary sewage or industrial waste carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
8. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to the Borough sewer system, either directly or indirectly.
9. The connection of the building sewer to the lateral or the lateral to the public sanitary sewer shall conform to the requirements of the building and plumbing code [see Chapter 5, Code Enforcement] or other applicable rules and regulations of the Borough and the Standard Construction and Material Specifications for Sanitary Sewer Extensions of the Municipal Authority of the Borough of Mechanicsburg. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Borough before installation.
10. The applicant for the building sewer permit shall notify the Borough when the building sewer is ready for inspection and connection to the sanitary sewer. The connection shall be made under the supervision of the Borough or its representative.
11. All excavations for building sewer or lateral installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Borough

and the Pennsylvania Department of Transportation for work in state highways.

12. If a building sewer, lateral, or building drain becomes clogged, the opening of same shall be the responsibility of the property owner. Should replacement of parts or all of the lateral, building sewer or building drain be necessary for the opening thereof, the Borough shall be responsible for replacement of the lateral; the owner shall be responsible for any replacement necessary from the lateral to the structure served by the building sewer. The property owner shall notify the Borough of all work planned to be done by the owner on the building sewer.
13. Any plumber or other person who shall neglect or refuse to take out a permit or comply with the provisions of this Part, or fail to make the reports herein designated, shall not be deemed competent to perform any work intended to be connected with the sewer system, and no work performed by such plumbers or other persons shall be connected with the sewer system.
14. As a means to further specify limitations already defined herein, excepting separate buildings within one tract or lot of land under single ownership, no sewer lateral or sewer connection may be shared by owners of separate tracts or lots of land. It is and has been the intention of this section to require a separate and distinct permit, building sewer, and lateral for each lot. **[Added by Ord. 1134, 6/4/2013]**

§ 18-105. Use of Public Sewers. [Ord. 916, 9/15/1981, § 5; as amended by Ord. 1005, 11/17/1998, §§ 5-11]

1. No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, swimming pool water or unpolluted industrial process waters to any sanitary sewer.
2. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the appropriate federal or state regulatory agencies. Industrial cooling water or unpolluted process waters may be discharged, on approval of the appropriate federal or state regulatory agencies, to a storm sewer or natural outlet.
3. No person shall discharge or cause to be discharged any of the following described waters or wastes to any sanitary sewer:
 - A. Any substance which creates a fire or explosive hazard in the sanitary sewer or at the treatment plant. At no time shall two successive readings on an explosion hazard meter at the point of discharge into the sewer system be more than 5% nor any single reading over 10% of the lower explosive limit of the meter. At no time shall the closed-cup flashpoint of the discharge be less than 140° F.

- B. Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant.
 - C. Any waters or wastes having corrosive properties capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
 - D. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works, such as but not limited to ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
4. No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely, in the opinion of the Borough, that such wastes can harm either the sanitary sewers or the sewage treatment process or its equipment; have an adverse effect on the receiving stream; or can otherwise endanger life, limb, or public property, or constitute a nuisance. In forming its opinion as to the acceptability of these wastes, the Borough will give consideration to such factors as the quantities of the wastes in relation to flows and velocities in the sanitary sewers, materials of construction of the sanitary sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of the wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:
- A. Any liquid or vapor having a temperature higher than 150° F. or 65° C.
 - B. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of 100 mg/1 or containing substances which may solidify or become viscous at temperatures between 32° F. and 150° F. (0° and 65° C.).
 - C. Any garbage that has not been properly shredded to less than 1/2 inch length in any direction. The installation and operation of any garbage grinder equipped with a motor of 3/4 horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Borough.
 - D. Any waters or wastes containing strong acid iron pickling wastes or concentrated plating solutions, whether neutralized or not.

- E. Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that the material received in the composite sewage at the sewage treatment plant exceeds the limits established by the Borough for such materials.
- F. Any waters or wastes containing phenols or other taste- or odor-producing substances in concentrations exceeding limits which may be established by the Borough as necessary, after treatment of the composite sewage, to meet the effluent discharge requirements of the state, federal, or other public agencies.
- G. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Borough in compliance with applicable state and federal regulations.
- H. Any waters or wastes having a pH less than 6.0 or greater than 9.0.
- I. Materials which exert or cause:
 - (1) Unusual concentration of inert suspended solids (such as but not limited to Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as but not limited to sodium chloride and sodium sulfate).
 - (2) Excessive discoloration, such as but not limited to dye wastes and vegetable tanning solutions.
 - (3) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment plant.
 - (4) Unusual volume of flow or concentration of wastes constituting slugs as defined herein.
- J. Water or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of regulatory agencies having jurisdiction over discharge to the receiving waters.
- K. Any waste which results in the presence of toxic gases, vapors or fumes within the sewer system in a quantity that may cause acute worker health and safety problems.
- L. Any wastes containing detergents, surface-active agents or other substances which may cause excessive foaming in the treatment plant.
- M. Any sludge, screenings or other residues from the pretreatment of industrial wastes.

- N. Any noxious or malodorous liquids, gases, solids or other wastewater which, whether singly or by interaction with other wastes, are sufficient to create public nuisance, a hazard to life or to prevent entry into the sewers for maintenance and repair.
5. If any waters or wastes are discharged, or are proposed to be discharged, to the public sanitary sewers, which waters contain the substances or possess the characteristics described herein, and which in the judgment of the Borough may have a deleterious effect upon the sewage works, processes, equipment, use of disposal of the sludge, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Borough may:
- A. Reject the wastes;
 - B. Require pretreatment to an acceptable condition for discharge to the public sanitary sewers;
 - C. Require control over the quantities and rates of discharge; and/or
 - D. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of the applicable ordinance [see Part 2 of this chapter].

If the Borough permits the pretreatment or equalization of waste flow, the design and installation of the plants and equipment shall be subject to the review and approval of the Borough sewer engineer and Borough legal counsel, and the costs associated therewith shall be paid by the owner, and subject to the requirements of all applicable codes, ordinances and laws.

6. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained by the owner, at his expense, to the satisfaction of the Borough.
7. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this Part 1 shall be determined in accordance with the procedures established by the EPA pursuant to § 304(g) of the Clean Water Act and contained in 40 CFR, Part 136, as amended, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. The control manhole shall be the same as the special manhole required by § 18-106, Subsection 3, of this Part. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sanitary sewer to the point at which the building sewer or lateral is connected or at such other point as may be determined or approved by the Borough. Duration and frequency of sampling will be determined by the Borough.

8. No statement contained in this Part shall be construed as preventing any special agreement or arrangement between the Borough and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Borough for treatment, subject to payment therefor by the industrial concern.

§ 18-106. Industrial Waste Discharges. [Ord. 916, 9/15/1981, § 6; as amended by Ord. 1005, 11/17/1998, § 12]

1. No industrial waste, dangerous or toxic substances, or other materials incompatible with the sewage works or sewage treatment process shall be discharged into the sewer system until an application for an industrial waste permit has been approved by the Borough. Applications shall be submitted not less than three months prior to the proposed discharge and shall include:
 - A. Name and address of proposed discharger;
 - B. Type of industry or other use of the property from which the industrial waste is to be discharged;
 - C. Description of process or processes which produce the industrial waste or other material;
 - D. Description of types and characteristics of the industrial waste or other material, volume and rates of flow and methods of measuring the same, time of discharge, whether the waste will contain any matter or characteristic prohibited under this Part 1, and of any pretreatment facilities, whether existing or proposed;
 - E. Such additional information as may be required by the Borough or its Engineer; and
 - F. An agreement that all costs associated therewith shall be paid by the owner/applicant.
2. The Borough shall have access at all reasonable times to industrial establishments and any meters used for establishing or determining water consumption, water excluded from the sewer system and sewage discharged to the sewer system.
3. When directed by the Borough, industrial establishments shall install, pay for and maintain a special manhole and other devices as may be required by the Borough to facilitate observation, measurement and sampling of sewage discharged to the sewer system. The manhole shall be safe and accessible at all times.
4. Any person, firm, or corporation that plans to change operations so as to materially alter the characteristics and volumes of industrial wastes

discharged to the sewer system shall file an application for the approval of an industrial water permit in accordance with this Part.

5. The Borough reserves the right to require, as necessary, any industrial discharge to comply with pretreatment regulations and requirements which may now be in effect or which may later be established by state or federal regulatory agencies.

§ 18-107. Penalty. [Ord. 916, 9/15/1981, § 7; as amended by Ord. 925, 4/19/1983]

Any person who shall violate any of the provisions of this Part 1 or who shall fail to comply therewith, or who shall violate or fail to comply with any order issued hereunder, shall be guilty of a violation of this Part 1 and, upon conviction thereof, shall be sentenced to pay a fine not exceeding \$300 and costs of prosecution or to undergo imprisonment in the county jail for not more than 30 days.

§ 18-108. Savings Clause. [Ord. 916, 9/15/1981, § 8]

In the event any provision, section, sentence, clause, or part of this Part 1 shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Part 1, it being the intent of the Borough that such remainder shall be and shall remain in full force and effect.

PART 2

SEWER CAPITAL CHARGES AND SEWER RENTALS

§ 18-201. Sewer Rentals and Sewer Capital Charges. [Ord. 917, 9/15/1981, § 1; as amended by Ord. 1005, 11/17/1998, §§ 13-25; by Ord. 1046, 1/21/2003, § 1; by Ord. 1068, 3/1/2005, § 1; by Ord. 1069, 5/16/2005, §§ 1, 2; by Ord. 1081, 6/20/2006, §§ 1, 2; by Ord. 1091, 1/16/2007, § 1; by Ord. 1102, 2/5/2008; by Ord. 1107, 6/16/2009; by Ord. 1117, 9/17/2010; by Ord. 1128, 12/20/2011; by Ord. 1147, 10/20/2015¹; and by Ord. 1155, 8/16/2016]

1. Effective October 1, 2016, all owners of property connected with the sewers, sewerage system and sewage treatment works of the Borough of Mechanicsburg, Pennsylvania, and all the owners of property who may thereafter connect and have the use of said sewerage system, shall pay connection charges, tapping fees and rentals or charges, payable quarterly, as hereinafter provided, for the use, whether directly or indirectly, of such sewage facilities, based on the following schedule of rates, and in accordance with the following classifications:

Rate per 1,000 gallons	Beginning Usage	Ending Usage
Base rate: \$100 per unit or use	0 gallons	6,000 gallons
\$6 per 1,000 gallons or pro rata portion	6,001 gallons	No limit portion

All discharges into the sewers, sewerage system and sewage treatment works occurring prior to October 1, 2016, shall be charged at the rates theretofore in effect.

2. Adjustment of Sewer Rentals and Charges for Nondischarge.
 - A. Whenever all or part of the water entering a property from any source is used but not discharged into the sewer system, the volume used as the measure of discharge of sanitary sewage and/or industrial wastes in computing sewer rentals and charges may be adjusted by one of the following methods:
 - (1) By installing a meter or other measuring device on the connection to the sewer system. The readings from such meter or measuring device shall be used as the measure of discharge of sanitary sewage and/or industrial wastes in computing sewer rentals and charges.

¹Editor's Note: This ordinance changed the title of § 18-201 from "Sewer Rentals and Sewer Connection Charges" to "Sewer Rentals and Sewer Capital Charges." It also changed the title of Part 2 of this chapter from "Sewer Connection Charges and Sewer Rentals" to "Sewer Capital Charges and Sewer Rentals."

- (2) By installing a meter or other measuring device to measure the volume of water not being discharged into the sewer system. The readings from such meter or measuring device shall be deducted from the total water meter readings, and the remainder shall be used as the measure of discharge of sanitary sewage and/or industrial wastes in computing sewer rentals and charges.
 - (3) By another meter arrangement approved by the Borough in its sole discretion.
 - B. The installation and use of any meter arrangement shall be subject to the approval of the Borough as to appropriateness under the circumstances, accessibility and similar matters.
 - C. The owner of the improved property upon which such meter arrangement shall be installed shall be responsible for its installation, maintenance and safekeeping, and the expense and cost thereof shall be borne by the owner under all circumstances. All meter arrangements shall be under the control of the Borough and may be tested, inspected or repaired by the Borough whenever necessary. Bills for such repairs, testing or inspections, if made by the Borough, shall be due and payable immediately upon completion and shall be collected in the same manner as bills for sewer rentals and charges. The Borough may order the disconnection or discontinuance of use of any malfunctioning meter arrangement at any time.
 - D. The Borough shall be responsible for the reading of all meter arrangements, and the same shall be available to the Borough at all reasonable times.
 - E. The owner shall pay a fee to the Borough for the reading of meter arrangements in the amount of \$100 per quarter. This fee shall be added to the quarterly sewer billing and shall be collectible in the same manner as sewer rentals and charges.
- 3. **Surcharge Schedule. [Amended by Ord. 1147, 10/20/2015]**
 - A. The owner of an establishment discharging wastes to the sewer system having an average five-day BOD greater than the domestic sewage concentration of 238 milligrams per liter, and/or a suspended solids content greater than 240 milligrams per liter, and/or a total phosphorus content greater than six milligrams per liter, and/or a total nitrogen content greater than 42 milligrams per liter shall pay a quarterly strength-of-waste surcharge in addition to applicable volume charges, equal to in accordance with the following strength-of-waste surcharge equation:

Quarterly surcharge = (OMP) (M/4) [(discharge concentration — domestic concentration) 8.34 Q/B] + (CCP)(ACF/4) [(discharge concentration — surcharge concentration) 8.34 Q/B]

Where:

- OMP = Operation and maintenance cost percentage, taken as the percentage of total facility O&M costs attributed to the treatment of the specific pollutant of concern.
- M = Annual Mechanicsburg sewerage operation facilities operation and maintenance budget.
- Q = Average daily flow, expressed in million gallons per day, of the wastewater discharge which is subject to the payment of a surcharge.
- B = Average loading of the specific pollutant of concern to the Mechanicsburg WWTP over a calendar quarter, expressed in pounds per day.
- CCP = Capital cost percentage, taken as the percentage of the total facility capital costs attributed to the treatment of the specific pollutant of concern.
- ACF = Total facility amortized cost.

- B. Surcharges shall be applicable to all sewer rental billings. The strength of industrial wastes to be used for establishing the amount of surcharges shall be determined at least once quarterly either: 1) by suitable sampling and analysis of the industrial waste for three consecutive days during a period of normal plant operation; or 2) from estimates made by the Borough; or 3) from known relationships of products produced to strengths of wastes for those customers where such factors have been established. In establishing waste strengths for surcharge purposes by analysis, analyses shall be made in accordance with procedures established by the EPA pursuant to § 304(g) of the Clean Water Act and contained in 40 CFR, Part 136, as amended. Owners of establishments discharging sewage and/or extra-strength waste to the sewer system shall furnish the Borough, upon request, all information deemed essential by the Borough for the determination of applicable sewer rental surcharges for excess-strength wastes. The cost of obtaining such information shall be borne by the owner of the establishment.
- C. Each user of the sewerage system operated by this Borough who discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge of the sewage treatment plant operated by this Borough shall pay for such increased costs, which payment shall be in addition to all other sewer rentals or charges imposed for use of said sewerage system.

4. Schedule of Connection Charges. All owners of property connecting with the sewers, sewerage system and sewage treatment works of the Borough of Mechanicsburg, Pennsylvania, shall pay an additional connection charge to the Borough of Mechanicsburg in an amount equal to the Borough's actual cost related to facilities installed between the sewer main and property line to connect a property to the Borough's system, including installing the lateral for said connection; provided, however, that this additional connection charge shall not be paid to the Borough by the owner of a land subdivision or a developer who has been required to install sewers and laterals as a condition to the approval of the subdivision or development plan or where the facilities are constructed and dedicated by the property owner who requested the connection. **[Amended by Ord. 1147, 10/20/2015]**
5. Schedule of Tapping Fees. **[Amended by Ord. 1147, 10/20/2015]**
 - A. For new connections to the Borough's system:
 - (1) Residential properties: The calculation of residential EDUs shall be as outlined in Exhibit 1.² For the first dwelling unit or EDU connected to the system the fee is \$5,337:
 - (a) Capacity part: \$2,982.
 - (b) Collection part: \$2,355.
 - (c) The fee for each additional dwelling unit or EDU is \$5,337.
 - (2) Commercial properties: The amount of the tapping fee will be based on the amount of capacity required by the connection as measured by the higher of actual or estimated sewage flow or water usage computed at the rate of \$25.06 per gallon.
 - (a) Capacity part: \$14 per daily gallon.
 - (b) Collection part: \$11.06 per daily gallon.
 - (c) There is a minimum tapping fee of \$5,337. Where a commercial property is composed of multiple individual units, a tapping fee will be determined for each unit based on its intended use and computed using the higher of actual or estimated sewage flow or water usage. Multiple minimum fees may be charged.
 - (d) For properties in which flow is unknown, the schedule included in Exhibit 1 will be used. The fee may be adjusted up, if necessary, based upon a future evaluation of 12 months' water consumption of said property.

²Editor's Note: Exhibit 1 is included as an attachment to this chapter.

- (3) Industrial/institutional properties: The amount of the tapping fee will be based on the amount of capacity required by the connection as measured by the higher of actual or estimated sewage flow or water usage computed at the rate of \$25.06 per gallon.
 - (a) Capacity part: \$14 per daily gallon.
 - (b) Collection part: \$11.06 per daily gallon.
 - (c) Where an industrial property is composed of multiple individual units, a tapping fee will be determined for each unit based on its intended use and computed using the higher of actual or estimated sewage flow or water usage computed at the rate of \$25.06 per gallon.
 - (d) For properties in which flow is unknown, the schedule included in Exhibit 1 will be used. The fee may be adjusted up, if necessary, based upon a future evaluation of 12 months' water consumption of said property.
 - B. For modification of existing connections: Where any property connected to said sewer line shall be converted, enlarged or remodeled or an additional building shall be constructed on a property and connected directly or indirectly to said collection line through an existing lateral, the property owner is responsible for providing detailed information to the Borough regarding the improvements to be made to the property. The Borough will calculate the appropriate tapping fee charge based upon the information provided by the property owner documenting the additional capacity needs. Said calculation will be based upon the additional estimated flow to be discharged from a nonresidential establishment. For residential establishments, or those for which additional flow is unknown, the schedule included as Exhibit 1 will be used. This additional tapping fee shall be payable to the Borough by the owner of said property. The fee may be adjusted up, if necessary, based upon a future evaluation of 12 months' water consumption following modification of said property.
6. Military reimbursement of payment for sewer rentals. Any owner-occupier of a residential dwelling unit connected to the sewers, sewage system and sewage treatment works of the Borough who shall be absent from such premises for a continuous period of not less than three consecutive months solely by reason of service on active duty in the Armed Services of the United States shall be reimbursed his payments for sewer rentals for such period of absence, provided that such unit shall remain unoccupied during such period; and provided, further, that he shall submit to the Borough Manager prior written notice of his scheduled absence together with proof of such service orders and, upon his return, proof of nonoccupancy of such unit

during the period of service. Nonoccupancy shall be proven by the presentation of accurate water meter readings for the unit.

§ 18-202. Billing and Payment; Due Dates; Delinquent Sewer Rentals. [Ord. 917, 9/15/1981, § 2; as amended by Ord. 1005, 11/17/1998, § 26; and by Ord. 1147, 10/20/2015]

The above capital charges shall be payable upon application for permit to make such connection. The above rental charges shall be paid quarterly, in advance, and quarterly billings for sewage service shall be made as of the first days of January, April, July and October of each year. The above surcharge payments shall be applied to the then-current quarterly rentals and to all subsequent quarterly rentals until the BOD, and/or suspended solids, and/or phosphorus, and/or total nitrogen concentrations no longer exceed the limits set forth in this Part 2. The first bills will be sent out for the first quarterly period or portion thereof during which the sewage system operates. The owners of properties connecting during any such quarterly period shall pay a pro-rata charge for service for the balance of said period. Quarterly charges for sewage service shall be subject to a penalty of 10% if not paid within 30 days of the first day of each quarter. The Borough shall have the right to cut off sewage service from the delinquent premises and not to restore the same until all delinquent bills against the same and the cost of cutting off and restoring service shall have been paid.

§ 18-203. (Reserved) [Ord. 917, 9/15/1981, § 3; as repealed by Ord. 1005, 11/17/1998, § 27]

§ 18-204. Unpaid Sewer Rent or Charges. [Ord. 917, 9/15/1981, § 4; as amended by Ord. 1022, 11/12/2000, § 1]

In the event that an owner of improved property connected to and served by the sewer system does not pay quarterly rentals or charges on or before the applicable billing due dates, the Borough, at its discretion, may exercise any or all of the following remedies:

- A. Refer delinquent rentals or charge accounts to an approved agency for collection, with all costs to the Borough therefor to be borne by the owner of the improved property.
- B. Initiate civil proceedings, the cost of which shall be borne by the owner of the improved property.
- C. File a municipal lien against the improved property so connected to and served by the sewer system, which lien shall be filed with the office of the Prothonotary of Cumberland County, Pennsylvania, and shall be collected in the manner provided by law for the filing and collecting of municipal claims.
- D. Immediately cease sewer service by severing the connection of the improved property to the sewer system.

- E. Utilize any new remedy hereinafter adopted by the Borough Council relative to the collection of delinquent sewer rentals or charges.

§ 18-205. When Charges Become Effective. [Ord. 917, 9/15/1981, § 5; as amended by Ord. 1005, 11/17/1998, § 28]

The rentals and connection charges hereby imposed shall become effective as of the date of adoption of this Part 2, and the tapping fees hereby imposed shall become effective on the date this Part 2 is adopted for all connections made from and after the date of this Part 2 is adopted.

§ 18-206. Apportionment of Sewer Rental for Part of Year. [Ord. 917, 9/15/1981, § 6]

Whenever sewer service to any property begins after the first day or terminates before the last day of any year, the sewer rental for such property, for such year, shall be for that portion of the year during which the said property is served; provided, however, that in making such apportionment, a fraction of a month, amounting to 1/2 or more of a month shall be counted a full month, and a fraction of a month amounting to less than 1/2 of a month shall be disregarded.

§ 18-207. Penalty. [Ord. 917, 9/15/1981, § 7; as amended by Ord. 925, 4/19/1983]

Any person who shall violate any of the provisions of this Part 2 or who shall fail to comply therewith, or who shall violate or fail to comply with any order issued hereunder, shall be guilty of a violation of this Part and, upon conviction thereof shall be sentenced to pay a fine not exceeding \$300 and costs of prosecution or to undergo imprisonment in the county jail for not more than 30 days.

§ 18-208. Severability. [Ord. 917, 9/15/1981, § 8]

In the event any provision, section, sentence, clause or part of this Part 2 shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Part 2, it being the intent of this Borough that such remainder shall be and shall remain in full force and effect.

PART 3
(RESERVED)

§ 18-301. (Reserved)

