

BOROUGH OF SEWICKLEY HILLS
ORDINANCE NO. 4 OF 2004

AN ORDINANCE AUTHORIZING OTSA TO EXTEND ITS SANITARY SEWER SYSTEM INTO PARTS OF THE BOROUGH, PURSUANT TO THE NOVEMBER 7, 2002 AGREEMENT WITH OTSA; REQUIRING ALL RESIDENCES AND BUSINESSES WHOSE PRINCIPAL BUILDING IS WITHIN 250' OF AN OTSA SEWER LINE TO CONNECT TO THE LINE; MANDATING THAT THE RULES AND REGULATIONS AND OTHER PUBLISHED STANDARDS OF OTSA SHALL APPLY TO ALL SEWICKLEY HILLS BOROUGH CUSTOMERS OF OTSA; PROHIBITING STORM WATER, SURFACE WATER AND ALL OTHER NONSEWAGE WATER FROM BEING INTRODUCED INTO THE SEWAGE SYSTEM, AND; REQUIRING PAYMENT OF A SEWERAGE CONNECTION FEE BEFORE THE ISSUANCE OF BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY FOR CERTAIN PROPERTIES DESIGNATED IN THE NOVEMBER 7, 2002 AGREEMENT.

WHEREAS, Sewickley Hills Borough (hereinafter the 'Borough') has entered into an Agreement with the Ohio Township Sanitary Authority (hereinafter "OTSA") dated November 7, 2002 and an Addendum dated December 2, 2002 (hereinafter the "Agreement") for the transfer of the sanitary system in the Borough to OTSA;

WHEREAS, the Agreement requires the Borough to pass an Ordinance or Ordinances relating to the transfer of the sanitary system as a condition precedent to the transfer of the sanitary system; and

WHEREAS, the Borough is desirous of seeing the Agreement satisfied and the sanitary system transferred to OTSA.

NOW, THEREFORE, it is hereby enacted and ordained as follows:

1. The Borough hereby authorizes OTSA to extend its sanitary sewer system into the Borough as designated in the November 7, 2002 Agreement, subject to any and all conditions and requirements set forth in the Agreement, which is attached hereto as Exhibit "A."
2. If the Borough authorizes OTSA to extend its sanitary sewer system into the Borough, and the OTSA system flows to the regional sewage treatment plant referred to in the Agreement, all adjoining residential, commercial and industrial uses in the Borough that do not operate a private sanitary sewage treatment plant and whose principal buildings are within two hundred and fifty (250') feet of the OTSA sanitary sewer line shall be required to connect with and use the sanitary sewer system constructed by or dedicated to OTSA.
3. The Borough hereby authorizes OTSA to collect sewer connection fees directly from those certain Borough residents and businesses referred to in the Agreement, at an amount referred to in the Agreement. The Borough shall not issue building permits or certificates of occupancy for these residents or businesses until they can demonstrate that they have made application for and payment to OTSA for the sewerage connection fee then in effect.
4. Borough residents and businesses connecting to the OTSA sanitary sewer system are customers of OTSA, and are bound by its rules, regulations, schedule of rates and all other materials and policies referenced in the Agreement.
5. All Borough residents and businesses connected to the OTSA sanitary sewer system are prohibited from introducing, directing or diverting water or drainage into the OTSA sanitary sewer system that is not a product of human waste collection and disposal. Prohibited waters and drainage include, but are not limited to: storm water, surface water, roof water, subsurface drainage, foundation and driveway drainage, cooling water or industrial process water. It is illegal to make connections to the OTSA sanitary sewer system that will allow these prohibited waters and drainage to enter the sanitary sewer system, and the Borough hereby authorizes OTSA to institute an inspection program in the Borough, for the reasons and

purposes set forth in the Agreement.

6. Nothing in this Ordinance shall be interpreted to conflict with the November 7, 2002 Agreement between the Borough and OTSA.

7. This ordinance shall be effective five (5) days after enactment.

8. If any section, subsection, sentence, or clause of this Ordinance is held, for any reason, to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this Ordinance.

DULY ENACTED AND ORDAINED this __4TH__ day of _OCTOBER 2004, byTHE
BOROUGH COUNCIL in public session duly assembled.

BOROUGH OF SEWICKLEY HILLS

By: _THOMAS KLIXBULL_____

LuAnn Barna, Secretary

(Borough Seal)