

Chapter 118

SEWERS

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[HISTORY: Adopted by the Borough Council of the Borough of Westfield as indicated in Part histories. Amendments noted where applicable.]

Part 1

Rents and Charges

[Adopted 10-12-1987 by Ord. No. 204; last amended 12-28-1994 by Ord. No. 257]

ARTICLE I

Meters and Rates

§ 118-1. Rates. [Amended 3-13-2002 by Ord. No. 281; 6-9-2004 by Ord. No. 292; 12-13-2006 by Ord. No. 301; 12-12-2007 by Ord. No. 303; 12-9-2009 by Ord. No. 309¹; 2-8-2012 by Ord. No. 315; 12-11-2013 by Ord. No. 321; 8-13-2014 by Ord. No. 322; 1-2-2018 by Ord. No. 330; 12-11-2018 by Ord. No. 333; 1-12-2021 by Ord. No. 338]

Utility rates charged by the Borough of Westfield shall be as follows:

Water	
Residential, commercial and industrial charge per month up to 400 cubic feet	\$30
Charge per month per 100 cubic feet over minimum	\$4.25
RV Parks - The greater of one commercial charge per month or 1/30 of the residential charge per day for each vehicle day [\$1 x vehicle days]	\$30
Charge per month per 100 cubic feet over minimum [Minimum = 400 cubic feet x (vehicle days ÷ 30)]	\$4.25
Sewer	

1. Editor's Note: This ordinance provided an effective date of 1-1-2010.

Water	
Residential charge per month, up to 1,000 cubic feet of water usage	\$60
Residential charge per month per 100 cubic feet over minimum	\$5.25
Commercial charge per month up to 1,000 cubic feet of water usage	\$70
Commercial charge per month per 100 cubic feet over minimum	\$5.25
Industrial and school, per person per month	\$5.25
RV Parks - The greater of one commercial charge per month or 1/30 of the residential charge per day for each vehicle day (\$2 x vehicle days)	\$70
Charge per month per 100 cubic feet over minimum [Minimum = 1,000 cubic feet x (vehicle days ÷ 30)]	\$5.25

ARTICLE II

Fees

§ 118-2. Maintenance of meters and connections.

The Westfield Borough Utilities Department shall be responsible for maintaining meters and water connections from the main line to the curblin. The consumer shall be responsible for supply lines from the curblin to the dwelling, including a frost-free area and accessible place for meter reading.

§ 118-3. Deposits.

Where the deposit is made by the property owner and the meter billing is in the owner's name, the deposit shall be returned at the end of one year, provided that all billings have been promptly paid, or at the time service is disconnected, provided that all billings are paid. Where billings are delinquent for a period of 30 days, such deposit shall be retained until such time as all billings are paid promptly for the period of one year. Where a tenant makes the deposit and billings are in the tenant's name, the deposit shall be held until service is discontinued and all billings paid. At the discretion of the Borough, any deposit may be applied upon a delinquent bill unpaid 30 days after the due date. In cases in which the deposit is exhausted, service shall be discontinued until all charges are paid in full and an additional deposit of \$100 is made. If service is discontinued due to a thirty-day delinquency, a service charge shall be added to the billing in the amount of \$25 for each disconnection or reconnections. It is the responsibility of the consumer who requests water service to pay all billings. However, owners of property shall be responsible for payment of service whether or not the service is billed to the tenant. In the event that the owner requests that a tenant's water service be discontinued because of a delinquency on the part of the tenant, water service shall be discontinued to the tenant.

§ 118-4. Late charge.

A late charge of 8% on all water and sewer bills not paid by the 20th day of the month in which the bill is received is hereby ordained.

§ 118-5. Estimates; malfunctioning meters.

In the event of the malfunctioning of any meter determined by the Westfield Borough Utilities Department, the water billing shall be made by estimating the water consumption as shown by the previous billing or at the rate of 1,200 cubic feet per person for the first person and 700 cubic feet per person for each additional person, whichever is less. Upon repair of the meter, the billing shall be resumed upon a metering basis.

§ 118-6. Quarterly readings.

All meters shall be read on a quarterly basis, and meter reading personnel shall not enter a residence unless the lessee or other is at home, except where an outside basement entrance is available.

§ 118-7. Separate meters required.

A separate water meter shall be installed for each dwelling unit or business unit.

Part 2**Sewer Use**

[Adopted 3-24-1993 by Ord. No. 254]

ARTICLE III**Title; Definitions; Word Usage****§ 118-8. Short title.**

For brevity and ease of communication, this Part 2 may be cited as the "Borough of Westfield Sewer Use Ordinance."

§ 118-9. Definitions.

Unless the context specifically and clearly indicates otherwise, the meanings of terms and phrases used in this Part 2 shall be as follows:

BOROUGH — The Borough of Westfield, Tioga County, Pennsylvania, a municipality of the Commonwealth of Pennsylvania, acting by and through its Council or, in appropriate cases, acting by and through its authorized representatives.

BUILDING SEWER — The extension from the sewage drainage system of any structure or RV park to the main of a sewer. [Amended 2-8-2012 by Ord. No. 315]

COMMERCIAL USER — Improved property used or able to be used by a nonresidential user and not within the definition of an industrial user.

IMPROVED PROPERTY — Any property located within this Borough, owned by a person, 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 sanitary sewage shall be or may be discharged. Improved property shall include residential, commercial, industrial property or any RV park. **[Amended 2-8-2012 by Ord. No. 315]**

INDUSTRIAL USER — Any improved property used or able to be used by a nonresidential or noncommercial user and shall also mean any use discharging toxic, hazardous or poisonous substances or any other sanitary sewage containing substances which cause interference in the sewer system.

NPDES — National Pollutant Discharge Elimination System.

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

PERSON — Any individual, partnership, company, association, society, trust, corporation, government, government agency or other group or entity.

POTW — A publicly owned treatment works. A treatment works, as defined in Section 212 of the Act (the Act being the Federal Water Pollution Control Act), which is owned, in this instance, by the Borough of Westfield. This definition includes any sewers and appurtenances that transport wastewater to the POTW treatment plant, but does not include pipes, sewers or other conveyances not connected, directly or indirectly, to a facility providing treatment.

RESIDENTIAL USER — Any improved property used or able to use solely for human habitation.

RV PARK — Any improved property equipped to serve recreational vehicles. **[Added 2-8-2012 by Ord. No. 315]**

SANITARY SEWAGE — Wastewater from the sanitary conveniences of any improved property.

SEWER — Any pipe, main or conduit constituting a part of the sewer system used or usable for sewage collection purposes.

SEWER SYSTEM — All facilities as of any particular time for collecting, transporting, pumping and disposing of sanitary sewage, situate in or adjacent to this Borough and owned by the Authority or by the Borough.

SUPERINTENDENT OF PUBLIC WORKS — The foreman of the Borough work crew or other person as appointed by the Borough Council.

USER — A person using or capable of using any improved property as a residential user, commercial user or industrial user connected to the sewer system.

§ 118-10. General purpose.

The general purpose of this Part 2 is to provide for efficient, environmentally safe and legal operation of the Borough of Westfield POTW.

§ 118-11. Specific purposes.

The specific purposes of this Part 2 are as follows:

- A. To prevent the introduction of substances into the POTW that will:
 - (1) Interfere with the POTW in any way.
 - (2) Pass through the POTW to the state's waters and cause violation of the POTW's NPDES permit.
 - (3) Increase the cost or otherwise hamper the disposal of POTW sludge and/or residuals.
 - (4) Endanger municipal employees.
 - (5) Cause air pollution or groundwater pollution, directly or indirectly.
 - (6) Cause, directly or indirectly, any public nuisance condition.
- B. To prevent new sources of infiltration and inflow and, as much as possible, eliminate existing sources of infiltration and inflow.
- C. To assure that new sewers and connections are properly connected.
- D. To provide for equitable distribution to all users of the POTW of all costs associated with sewage transmission, treatment and residuals disposal and to provide for the collection of such costs.

ARTICLE IV
Connections

§ 118-12. Connection to public sewers required.

- A. The owner of any improved property shall connect such improved property with the sewer system, in such manner as this Borough may require, within 45 days after such notice to such owner from this Borough to make such connection, for the purpose of discharge of all sanitary sewage from such improved property, subject to such limitations and restrictions as shall be established herein or as otherwise shall be established by this Borough from time to time.
- B. All sanitary sewage from any improved property, after connection of such improved property with a sewer as required under Subsection A, shall be conducted into a sewer, subject to such limitations and restrictions as shall be established herein or as otherwise shall be established by this Borough from time to time.

- C. No person shall place or deposit or permit to be placed or deposited, upon public or private property within this Borough, any sanitary sewage in violation of § 118-13A. No person shall discharge or permit to be discharged to any natural outlet within this Borough any sanitary sewage in violation of Subsection A (except where suitable treatment has been provided which is satisfactory to this Borough).
- D. No privy vault, cesspool, sinkhole, septic tank or similar receptacle shall be used or maintained at any time upon any improved property which has been connected to a sewer or which shall be required under § 118-13A to be connected to a sewer. Every such privy vault, cesspool, sinkhole, septic tank or similar receptacle in existence shall be abandoned and, at the discretion of this Borough, shall be cleansed and filled at the expense of the owner of such improved property and under the direction and supervision of this Borough; and any such privy vault, cesspool, sinkhole, septic tank or similar receptacle not so abandoned and, if required by this Borough, cleansed and filled, shall constitute a nuisance, and such nuisance may be abated as provided by law, at the expense of the owner of such improved property.
- E. No privy vault, cesspool, sinkhole, septic tank or similar receptacle at any time shall be connected with a sewer.
- F. The notice by this Borough to make a connection to a sewer, referred to in § 118-13A, shall consist of a written or printed document requiring the connection in accordance with the provision of this Part 2, referring the owner to this Part 2, including any amendments or supplements, and specifying that such connection shall be made within 45 days from the date such notice is given. Such notice may be given at any time after a sewer is in place which can receive and convey sanitary sewage for treatment and disposal from the particular improved property. Such notice shall be served upon the owner either by personal service or by registered mail or by such other method as at the time may be provided by law.

§ 118-13. Building sewers and connections.

- A. No person shall uncover, connect with and/or make any opening into or use, alter or disturb in any manner any sewer or any part of the sewer system without first obtaining a permit, in writing, from this Borough.
- B. Application for a permit required under § 118-13A shall be made by the owner of the improved property served or to be served.
- C. No person shall make or cause to be made a connection of any improved property with a sewer until such person shall have fulfilled each of the following conditions:
- (1) Such person shall have notified the Secretary of this Borough of the desire and intention to connect such improved property to a sewer.
 - (2) Such person shall have applied for and obtained a permit as required by § 118-13A.
 - (3) Such person shall have given the Secretary of this Borough not less than three working days' notice of the time when such connection will be made so that this Borough may supervise and inspect the work of connection and necessary testing.

- (4) Such person shall have furnished satisfactory evidence to the Secretary of this Borough that any tapping fee charged and imposed against the owner of each improved property who connects such improved property to a sewer has been paid.
- D. Except as otherwise provided in § 118-14D, each improved property shall be connected separately and independently with a sewer through a building sewer. Grouping of more than one improved property on one building sewer shall not be permitted except under special circumstances and for good sanitary reasons or other good cause shown, and then only after special permission of this Borough, in writing, shall have been secured and subject to such rules, regulations and conditions as may be prescribed by this Borough.
- E. All costs and expenses of construction of a building sewer and all costs and expenses of connection of a building sewer to a sewer, including testing, shall be borne by the owner of the improved property to be connected; and such owner shall indemnify and save harmless this Borough from all loss or damage that may be occasioned, directly or indirectly, as a result of construction of a building sewer or of connection of a building sewer to a sewer.
- F. A building sewer shall be connected to a sewer at the place designated by this Borough and where the lateral is provided. The invert of a building sewer at the point of connection shall be at the same or a higher elevation than the invert of the sewer. A smooth, neat joint shall be made, and the connection of a building sewer to the lateral shall be made secure and watertight.
- G. If the owner of any improved property, after 45 days' notice from this Borough requiring the connection of such improved property with a sewer, in accordance with § 118-13A, shall fail to connect with such sewer, as required, this Borough may make such connection and may collect from such owner the costs and expenses thereof by a municipal claim, an action in assumpsit or such other legal proceeding as may be permitted by law.

§ 118-14. Rules and regulations.

- A. Where an improved property, at the time connection to a sewer is required, shall be served by its own sewage disposal system or device, the existing house sewer line shall be broken on the structure side of such sewage disposal system or device and attachment shall be made, with proper fittings, to continue such house sewer line as a building sewer.
- B. No building sewer shall be covered until it has been inspected and approved by this Borough. If any part of a building sewer is covered before so being inspected and approved, it shall be uncovered for inspection at the cost and expense of the owner of the improved property to be connected to a sewer.
- C. Every building sewer of any improved property shall be maintained in a sanitary and safe operating condition by the owner of such improved property.
- D. Every excavation for a building sewer shall be guarded adequately with barricades and lights to protect all persons from damage and injury. Streets, sidewalks and all other

- public property disturbed in the course of installation of a building sewer shall be restored, at the cost and expense of the owner of the improved property being connected, in a manner satisfactory to this Borough.
- E. If any person shall fail or refuse, upon receipt of a notice from this Borough, in writing, to remedy any unsatisfactory conditions with respect to a building sewer, within 45 days of receipt of such notice, this Borough may refuse to permit such person to discharge sanitary sewage into the sewer system until such unsatisfactory condition shall have been remedied to the satisfaction of the Borough.
- F. This Borough reserves the right to adopt, from time to time, additional rules and regulations as it shall deem necessary and proper relating to connections with a sewer and the sewer system, which additional rules and regulations, to the extent appropriate, shall be and shall be construed as a part of this Part 2.

§ 118-15. Violations and penalties; enforcement.

- A. Any person who shall violate this article shall be liable, upon summary conviction for a first offense and upon summary conviction of each subsequent offense, to a fine of not more than \$600 per day, together with costs of prosecution in each case, and, in default of payment of such fines and costs, shall be subject to imprisonment for a period of not more than 30 days. Each day that a violation shall continue shall be deemed and shall be taken to be a separate offense and shall be punishable as such. **[Amended 8-13-2003 by Ord. No. 289]**
- B. Fines and costs imposed under provisions of this Part 2 shall be enforceable and recoverable in the manner at the time provided by applicable law.

ARTICLE V
Conditions of Use

§ 118-16. Special uses; discharges.

All discharges of stormwater, surface water, groundwater, roof runoff, subsurface drainage or other waters not intended to be treated in the treatment facility shall be made to storm sewers or natural outlets designed for such discharges, except as otherwise authorized. Any connection, drain or arrangement which will permit any such waters to enter to any sewer system, except as authorized, shall be deemed to be a violation of this section and this Part 2.

§ 118-17. Restricted discharges.

- A. No person shall discharge or cause to be discharged to any of the Borough's wastewater facilities any substances, materials, waters or wastes in such quantities or concentrations which will:
- (1) Create a fire or explosion hazard, including but not limited to gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.

- (2) Cause corrosive damage or hazard to structures, equipment or personnel of the sewer system facilities, but in no case discharges with the following properties (NOTE: These requirements may be modified for facilities designed to accommodate greater ranges.):
 - (a) Having a pH lower than 5.0 or greater than 10.0 for more than 10% of the time in a twenty-four-hour period.
 - (b) Having a pH lower than 3.5 or greater than 12.0 for any period exceeding 15 minutes.
 - (3) Cause obstruction to the flow in sewers or other interference with the operation of sewer system facilities due to accumulation of solid or viscous materials.
 - (4) Constitute a rate of discharge or substantial deviation from normal rates of discharge (slug discharge) sufficient to cause interference in the operation and performance of the sewer system facilities.
 - (5) Contain heat in amounts which will accelerate the biodegradation of wastes, causing the formation of excessive amounts of hydrogen sulfide in the sewer system, or inhibit biological activity in the treatment facilities in the Borough's sewer system to exceed 58° C. (150° F.) or the temperature of the influent to the treatment facilities to exceed 40° C. (104° F.) unless the facilities can accommodate such heat.
 - (6) Contain more than 100 milligrams per liter of nonbiodegradable oils of mineral or petroleum origin.
 - (7) Contain floatable oils, fat or grease.
 - (8) Contain noxious, malodorous gas or substances which are present in quantities that create a public nuisance or a hazard to life.
 - (9) Contain radioactive wastes in harmful quantities as defined by applicable state and federal regulations.
 - (10) Contain any garbage that has not been properly shredded.
 - (11) Contain any odor- or color-producing substances exceeding concentration limits which may be established by the Borough for purposes of meeting the Borough's NPDES permit.
- B. If, in establishing discharge restrictions, discharge limits or pretreatment standards pursuant to this article, the Borough establishes concentration limits to be met by an industrial user, the Borough, in lieu of concentration limits, shall establish mass limits of comparable stringency for an individual industrial user at the request of such user.

§ 118-18. Federal standards.

- A. No person shall discharge or cause to be discharged to any wastewater facilities wastewaters containing substances subject to an applicable Federal Categorical Pretreatment Standard promulgated by the Environmental Protection Agency (EPA) in

excess of the quantity prescribed in such applicable pretreatment standards except as otherwise provided in this section. Compliance with such applicable pretreatment standards shall be within three years of the date the standard is promulgated; provided, however, that compliance with a categorical pretreatment standard for new sources shall be required upon promulgation.

- B. Upon application by an industrial user, the Borough shall revise any limitations on substances specified in the applicable pretreatment standards to reflect removal of the substances by the wastewater treatment facility. The revised discharge limit for specified substances shall be derived in accordance with federal law.
- C. Upon application by an industrial user, the Borough shall adjust any limitation on substances specified in the applicable pretreatment standards to consider factors relating to such user which are fundamentally different from the factors considered by the EPA during the development of the pretreatment standard. Requests for and determination of a fundamentally different adjustment shall be in accordance with federal law.
- D. The Borough shall notify any industrial user affected by the provisions of this section and establish an enforceable compliance schedule for each.

§ 118-19. Special agreements.

Nothing in this article shall be construed as preventing any special agreement or arrangement between the Borough and any user of the wastewater facilities whereby wastewater of unusual strength or character is accepted into the system and specially treated subject to any payments or user charges as may be applicable.

§ 118-20. Water and energy conservation.

The conservation of water and energy shall be encouraged by the Borough. In establishing discharge restrictions upon industrial users, the Borough shall take into account already-implemented or planned conservation steps revealed by the industrial user. Upon request of the Borough, each industrial user will provide the Borough with pertinent information showing that the quantities of substances or pollutants have not been nor will be increased as a result of the conservation steps. Upon such a showing to the satisfaction of the Borough, the Borough shall make adjustments to discharge restrictions, which have been based on concentrations, to reflect the conservation steps.

ARTICLE VI **Industrial Users**

§ 118-21. Information requirements.

- A. All industrial users shall file with the Borough wastewater information deemed necessary by the Borough for determination of compliance with this Part 2, the Borough's National Pollutant Discharge Elimination System permit conditions and state and federal law. Such information shall be provided by completion of a questionnaire designed and supplied by the Borough and by supplements thereto as may be necessary.

Information requested in the questionnaire and designated by the industrial user as confidential shall be held as such, but not to the extent of circumventing this Part 2 or other applicable law.

- B. Where a person owns, operates or occupies properties designated as an industrial user at more than one location, separate information submittals shall be made for each location as may be required by the Borough.

§ 118-22. Provisions for monitoring.

- A. When required by the Borough, the owner of any property serviced by a building sewer carrying wastewater discharges from an industrial user shall provide suitable access and such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastewater. Such access shall be in a readily and safely accessible location and shall be provided in accordance with plans approved by the Borough. The access shall be provided and maintained at the owner's expense so as to be safe and accessible at reasonable times.
- B. The Borough shall consider such factors as the volume and strength of discharge, rate of discharge, quantities of toxic materials in the discharge, wastewater treatment facility removal capabilities and cost effectiveness in determining whether or not access and equipment for monitoring industrial user wastewater discharges shall be required.
- C. Where the Borough determines access and equipment for monitoring or measuring industrial user wastewater discharges is not practicable, reliable or cost effective, the Borough may specify alternative methods of determining the characteristics of the wastewaters discharge which will, in the Borough's judgment, provide an equitable measurement of such characteristics.

§ 118-23. Determination of wastewater characteristics.

- A. Measurements, tests and analyses of the characteristics of wastewater to which reference is made in this Part 2 shall be determined in accordance with the latest edition of Standard Methods for Examination of Water and Wastewater, published by the American Public Health Association, or such alternate methods approved by the Borough and which comply with state and federal law. Sampling methods, locations, times, durations and frequencies are to be determined on an individual basis, subject to approval by the Borough. The industrial user shall have the option to use, at his or her own expense, more complete sampling methods, locations, times, durations and frequencies than specified by the Borough.
- B. Measurements, tests and analyses of the characteristics of wastewater required by this Part 2 shall be performed by a qualified laboratory. When such analyses are required of a discharger, the industrial user may, in lieu of using the Borough's laboratory, make arrangements with any qualified laboratory, including that of the industrial user, to perform such analyses.
- C. Monitoring of wastewater characteristics necessary for determination of compliance with applicable pretreatment standards shall be conducted on the basis of the following schedule, unless more frequent monitoring is required by authority other than this Part

2, or if the Borough, in its judgment, determines that the characteristics of the specific discharge warrant a different frequency monitoring:

Average Actual Daily User Discharge (gallons per day)	Monitoring Frequency
Less than 100,000	Semiannually
100,000 to 999,999	Quarterly
More than 999,999	Monthly

- D. Monitoring of wastewater characteristics for any purpose other than the determination of compliance with pretreatment standards shall be conducted on a frequency deemed necessary by the Borough.
- E. Upon demonstration by any person that the characteristics of the wastewater discharged by that person are consistent, the Borough may reduce the frequency as may be required by authority other than this Part 2, except in no case shall the frequency of monitoring be less than semiannual for the determination of compliance with pretreatment standards.
- F. In determining the discharge characteristics, factors such as continuous or batch operation and seasonal operation and the information requirements of other provisions of this Part 2 shall be considered by the Borough. The Borough may obtain wastewater samples as required to verify the consistency of discharge characteristics.
- G. Fees for any given measurement, test or analyses of wastewater required by this Part 2 and performed by the Borough shall be the same for all industrial users, regardless of the quantity or quality of the discharge, and shall reflect only direct cost. Costs of analyses performed by an independent laboratory at the option of the industrial user shall be borne directly by it. The Borough is authorized to publish a fee schedule for services provided under this article.

§ 118-24. Costs of damage.

If the drainage or discharge from any industrial user causes a deposit, obstruction or damage to any of the Borough's wastewater facilities, the Borough shall cause the deposit or obstruction to be promptly removed or cause the damage to be promptly repaired. The cost for such work, including materials, labor and supervision shall be borne by the user causing such deposit, obstruction or damage.

**ARTICLE VII
Pretreatment**

§ 118-25. Wastewaters with special characteristics.

- A. While the Borough shall initially rely upon the Federal Categorical Pretreatment Standards promulgated by the Environmental Protection Agency to protect the sewer system or receiving waters, if any wastewater which contains substances or possesses

characteristics shown to have deleterious effect upon the sewer system, processes, equipment or receiving waters or constitutes a public nuisance or hazard is discharged or is proposed for discharge to the sewer system, the Borough may:

- (1) Require pretreatment to a condition acceptable for discharge to the sewer system.
 - (2) Require control over the quantities and rates of discharge.
 - (3) Require payment to cover the added cost of handling and treating the wastewaters not covered by existing fees or charges.
 - (4) Require the development of compliance schedules to meet any applicable pretreatment requirements.
 - (5) Require the submission of reports necessary to assure compliance with applicable pretreatment requirements.
 - (6) Carry out all inspection, surveillance and monitoring necessary to determine compliance with applicable pretreatment requirements.
 - (7) Obtain remedies for noncompliance by any user. Such remedies may include injunctive relief, civil penalties of this Part 2, or appropriate criminal penalties.
 - (8) Reject the wastewater if scientific evidence discloses that discharge will create unreasonable hazards or have unreasonable deleterious effects on the wastewater facilities.
- B. When considering the above alternatives, the Borough shall assure that conditions of the Borough's NPDES permit are met. The Borough shall also take into consideration cost effectiveness and the economic impact of the alternatives on the discharger. If the Borough allows the pretreatment or equalization of wastewater flows, the installation of the necessary facilities shall be subject to review. The Borough shall review and recommend any appropriate changes to the program within 90 days of submittal.
- C. Where pretreatment or flow-equalizing facilities are provided or required for any wastewater, they shall be maintained continuously in satisfactory and effective operation at the expense of the owner.

§ 118-26. Compliance with pretreatment requirements.

- A. Persons required to pretreat wastewater in accordance with § 118-25 above shall provide a statement, reviewed by an authorized representative of the user and certified to by a qualified person, indicating whether applicable pretreatment requirements are being met on a consistent basis and, if not, describe the additional operation and maintenance or additional pretreatment required for the user to meet the pretreatment requirements. If additional pretreatment or operation and maintenance will be required to meet the pretreatment requirements, the user shall submit a plan (including schedules) to the Borough. The plan (including schedules) shall be consistent with applicable conditions of the Borough's NPDES permit or other local, state or federal laws.

- B. Discharges of wastewater to the Borough's sewer system from the facilities of any user shall be monitored in accordance with the provisions of Article VI of this Part 2.
- C. In the event that the federal government pronounces a regulation for a given new or existing user in a specific industrial subcategory that establishes pretreatment standards or establishes that such a user is exempt from pretreatment standards, such federal regulations shall immediately supersede § 118-25 of this Part 2.
- D. The Borough shall promptly apply for and obtain authorization from the Environmental Protection Agency to revise discharge limitations for those substances listed in the Federal Categorical Pretreatment Standards for which consistent removal occurs in the wastewater sewer system of the Borough. The Borough shall not adopt or enforce discharge limitations more stringent than the requested limitations until the state or Environmental Protection Agency acts on the application.

ARTICLE VIII

Tapping Fee

§ 118-27. Fees; rates.

- A. This Authority does charge a tapping fee, in the amount set forth in § 118-27B, against the owner of any improved property whenever such owner hereafter shall connect any such property with a sewer main constructed by the Borough and constituting a part of the sewer system, such charge being authorized under law. Such tapping fee is charged for connection of each property to the sewer system by the owner of such property.
- B. The amount of the tapping fee for each connection of an improved property to the sewer system shall be as set forth from time to time by resolution of the Borough Council.² [Amended 8-13-2003 by Ord. No. 289]

§ 118-28. Fee collection.

- A. The tapping fee shall be due and payable from the owner at the time application, as required by § 118-13A, is made to the Borough to make any such connection to the sewer system, or upon the date when the Borough or the Authority shall connect any such property to the sewer system, at the cost and expense of the owner, when such owner shall have failed to make such connection as required by the Borough in this Part 2. Any tapping fee may be paid, at the option of the owner or owners of any such property, prior to the time required under the foregoing provisions of this section.
- B. All tapping fees shall be payable to the Borough.
- C. Payment of the tapping fee charged by the Borough pursuant to this Part 2 shall be enforced by the Borough in any manner appropriate under laws at the time in effect.

2. Editor's Note: For current fees, see Ch. A137.

ARTICLE IX
Annual Sewer Rentals

§ 118-29. Imposition and collection of rentals.

- A. Charges for the use of the sewer system shall be based upon annual sewer charges set by the Borough. Property value may be used to collect the amount due as permitted by federal law. Sewer rents are fixed annually by the Borough.
- B. Collection of sewer rents, interests, and discounts. All bills for sewer rents shall be rendered monthly on the first day of each month. A penalty of 8% shall be added to all bills unpaid 20 days after the bill is rendered. Owners of properties connected during any quarter shall pay a prorated charge for sewer service for the balance of the month.

ARTICLE X
Scavenger Wastes

§ 118-30. Licenses and application. [Amended 8-13-2003 by Ord. No. 289]

The discharge of scavenger wastes into the Borough of Westfield sewer system and public sewers tributary thereto will be permitted only with the written approval, in the form of a license, of the Superintendent of Public Works. Applications for such license shall apply on a form provided by the Superintendent of Public Works. These forms may require information such as vehicle specifications, vehicle license number, vehicle color, Pennsylvania DEP permits, approximate annual septage volume expected, service area and any other information that the Superintendent may require to determine whether the scavenger wastes could adversely impact the POTW. The application shall be accompanied by a fee prescribed by the Superintendent.³ The scavenger licensee will also be charged a fee for each dumping, in accordance with this article. The dumping fee shall be paid prior to dumping.

§ 118-31. Compliance with other provisions.

The applicant for a license shall be the owner of the vehicle or vehicles to be used for such discharge. Any false or misleading statement in any license application shall be grounds for invalidating the license. All licenses issued by the Superintendent for this purpose shall be for one year. The licensee shall also be duly permitted by the Pennsylvania DEP. If, for any reason, the Pennsylvania DEP permit is revoked, lapses or becomes invalid, then the license issued under this article shall become invalid immediately. All acts performed in connection with the license shall be subject to the inspection and regulations, as established by the Superintendent, the terms and conditions of the license and all local and general laws, ordinances and regulations which are now or may come into effect, and such license may be suspended or revoked at any time by the Superintendent for willful, continued or persistent violation thereof.

3. Editor's Note: See Ch. A137, Fees.

§ 118-32. Dumping; location and timing.

The Superintendent may require discharging at only certain locations within the POTW and only at certain times and on only certain days of the week or seasons of the year as shall be stated in said license or as may be relocated by the Superintendent. The time and conditions for permissible discharge shall be set forth on the license or as may be revised by the Superintendent.

§ 118-33. Notification of dumping.

Each discharge of scavenger wastes shall be made only with the approval of the Superintendent. The Superintendent may require inspection, sampling and analyses of each load prior to the discharge of a load. Any extra costs associated with such inspection, sampling and analysis shall be paid by the licensee.

§ 118-34. Dumping fees.

The dumping fee shall be set annually with the sewer charges.⁴

ARTICLE XI

RV Parks

[Added 2-8-2012 by Ord. No. 315; amended 12-11-2013 by Ord. No. 321]

§ 118-35. RV parks.

The park shall be served by one sewer tap-in and one water tap-in (one water meter). The monthly water and sewer fees for the park shall be one commercial charge for the month or a daily charge for each site occupied or rented equal to 1/30 of the residential monthly charge, rounded to the nearest cent, whichever is greater. The operator of the park shall certify to the Borough on or before the 25th day of each month the number of sites rented/occupied and the number of days each site was rented/occupied through the 20th day of the month from and including the 21st day of the prior month. For calculating the charge for water and sewer usage over the minimum, the minimum shall be the residential minimum times vehicle days divided by 30.

4. Editor's Note: For current fees, see Ch. A137.