

**EAST COVENTRY TOWNSHIP  
BOARD OF SUPERVISORS  
CHESTER COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2020-239**

**“Ordinance re: Sump Pumps and Other Prohibited Discharges  
into Public Sanitary Sewer System”**

**AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF EAST COVENTRY TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, CHAPTER 18 (SEWERS AND SEWAGE DISPOSAL), PART 3 (PUBLIC SANITARY SEWAGE SYSTEMS), SECTION 18-303 (CONNECTION WITH AND USE OF PUBLIC SEWERS), TO ADD A NEW SUBSECTION 5 ENTITLED “SUMP PUMPS AND OTHER PROHIBITED DISCHARGES INTO THE PUBLIC SANITARY SEWER SYSTEM” IN ORDER TO ENSURE THAT GROUNDWATER IS NOT IMPROPERLY DEPOSITED INTO THE EAST COVENTRY TOWNSHIP PUBLIC SANITARY SEWER SYSTEM, TO REAFFIRM THAT THE DISCHARGE OF SUMP PUMPS INTO THE TOWNSHIP PUBLIC SANITARY SEWER SYSTEM IS PROHIBITED, TO ESTABLISH ENFORCEMENT PROCEDURES INCLUDING MANDATORY INSPECTIONS UPON RESALE OF THE PROPERTY AND THE ISSUANCE OF VIOLATION NOTICES, AND TO ESTABLISH PENALTIES FOR VIOLATIONS.**

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The Board of Supervisors of East Coventry Township does hereby **ENACT** and **ORDAIN** as follows:

**SECTION I. – Amendment to Code.**

The Code of Ordinances of East Coventry Township, Chapter 18 (Sewers and Sewage Disposal), Part 3 (Public Sanitary Sewage Systems), Section 18-303 (Connection With and Use of Public Sewer) is hereby amended to add a new Subsection 5 entitled “Sump Pumps and Other Prohibited Discharges into the Public Sanitary Sewer System”, as follows:

**5. Sump Pumps and Other Prohibited Discharges into the Public Sanitary Sewer System.**

**A. Intent.**

The intent of this §18-303.5 is to prohibit the discharge of sump pumps and other groundwater conveyance systems into the public sanitary sewer system, to

establish regulations governing the mandatory inspection of properties prior to a change of ownership of real property to ensure compliance, and to establish penalties for violations.

#### **B. Prohibited Discharges.**

- (1) It shall be unlawful for any owner, occupant or user of any premises in the Township to direct or discharge into or allow any stormwater, surface water, groundwater, well water or water from industrial or commercial air-conditioning systems to drain or discharge, either directly or indirectly, into the public sanitary sewer system. No rainspout, or other form of surface drainage and no foundation drainage or sump pump shall be connected to or discharged, either directly or indirectly, into any public sanitary sewer system.
- (2) It shall be unlawful for any owner, occupant or user of any premises in the Township to maintain any connection with the public sanitary sewer system from sources carrying roof water, groundwater, surface water or any other natural precipitation.

#### **C. Sewage Inspection Certificate.**

- (1) A Sewage Inspection Certificate shall be secured from the Township Code Enforcement Officer within 30 days before or after a change in ownership of any residential dwelling connected to the public sewer system. No inspections shall be required for on-lot sewage systems. All applications for a Sewage Inspection Certificate shall be in writing on a form furnished by the Township. An application fee shall accompany the application in an amount determined from time to time by resolution of the Board of Supervisors. A Sewage Inspection Certificate shall not be required on the sale of a newly construction dwelling to its initial occupant, provided the dwelling was inspected by the Township in the due course of construction prior to the issuance of a certificate of occupancy.
- (2) Prior to the issuance of a Sewage Inspection Certificate, the Code Enforcement Officer shall conduct an inspection of the premises and complete an inspection report and certification, which shall be submitted to the Township, certifying to the Township that there is no sump pump or other prohibited discharge into the public sanitary sewer system.
- (3) The Township, its employees, agents and/or designees, shall be authorized to enter upon any property, at reasonable times and upon reasonable notice to the owner, to conduct the inspections and enforce the requirements of this §18-303.5.
- (4) If an illegal connection is discovered, whether from the inspection for a Sewage Inspection Certificate or otherwise, a violation notice shall be issued by the Code Enforcement Officer and delivered personally or by certified mail to the property owner. The violation notice shall specify the nature of the violation(s), inform the property owner that the violation(s) must be promptly remedied, and specify the actions required to remedy the violation(s). No Sewage Inspection

Certificate shall be issued until such time as the violation is corrected, a satisfactory re-inspection is conducted, and the required certification of compliance is provided to the Township.

(5) Upon satisfactory inspection of a property or upon completion of required remedial action as determined by reinspection of the property, the property owner shall be issued a Sewage Inspection Certificate.

**D. Removal of Illegal Connections.**

(1) Any existing connection or installation in violation of this §18-303.5 shall be immediately removed or corrected to bring the property into compliance.

(2) A plumbing permit shall be required for the installation, alteration or correction of sump pump plumbing. Any plumber registered with East Coventry Township who knowingly installs a sump pump or piping that is not in conformance with this §18-303.5 shall, following the opportunity for a hearing before the Board of Supervisors, lose all registration privileges with the Township for a period of [three (3)][two (2)] years.

(3) If the Code Enforcement Officer issues a violation notice, the property owner shall remove or correct the violation within 30 days from the date of the violation notice. If the violation is not removed or corrected within 30 days after notice of the violation has been delivered personally or by certified mail to the property owner, the Township shall impose a surcharge upon the property owner as provided in §18-305.5.E below. A surcharge also shall be imposed upon any property owner, after the 30-day notice has been delivered, if the property owner refuses to allow a reinspection of the property.

**E. Surcharge; Municipal Lien.**

(1) Any property owner refusing to allow the property to be inspected to determine compliance as required by this §18-305.5 shall, within 30 days of the date that admittance to the property is refused or denied, immediately become subject to a quarterly surcharge of \$300.00, which shall be applied to the sanitary sewer component of the property owner's utility bill.

(2) Any property owner who receives a Notice of Violation and fails to remove or correct the violation within 30 days shall, following the expiration of such 30-day period, immediately become subject to a quarterly surcharge of \$300.00, which shall be applied to the sanitary sewer component of the property owner's utility bill.

(3) Any surcharge imposed hereunder shall continue until such time as an inspection satisfactory to the Code Enforcement Officer is permitted to be conducted demonstrating compliance with the requirements of this §18-305.5.

(4) In the event the property owner fails to pay the surcharge within 60 days after the date on the sewer rental notice, a lien against the property of the owner shall be charged as provided by law for the filing of municipal claims.

**F. Additional Penalties for Violations.** Any owner or occupant of a property found to have caused or permitted a discharge in violation of this §18-305.5 also shall be subject to the fines and penalties set forth in Chapter 5 [Code Enforcement] of the East Coventry Township Code of Ordinances. Each day a violation continues shall be deemed a separate offense. In addition, any person who violates this §18-305.5 shall be liable to the Township for expense, loss or damage incurred by the Township as a result of the violation.

**SECTION II. – Severability.**

The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted even if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

**SECTION III. – Failure to Enforce not a Waiver.**

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

**SECTION IV. – Effective Date.**

This Ordinance shall take effect and be in force from and after its approval as required by the law.

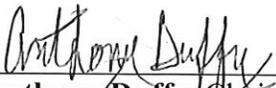
**SECTION V. – Repealer.**

All other ordinances and resolutions or parts thereof insofar as they are inconsistent with this Ordinance are hereby repealed.

**ORDAINED AND ENACTED** by the Board of Supervisors of East Coventry Township,  
Chester County, Pennsylvania, this 9th day of March 2020.

**EAST COVENTRY TOWNSHIP**

Attest:   
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**David G. Kraynik**, Secretary

By:   
\_\_\_\_\_  
**Anthony Duffy**, Chairman

## NOTICE

**NOTICE** is hereby given that the Board of Supervisors of East Coventry Township, at its public meeting on March 9, 2020 at the Township Building, 855 Ellis Woods Road, Pottstown, Pennsylvania, will consider and could vote to adopt an Ordinance amending the Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 18 (Sewers and Sewage Disposal), Part 3 (Public Sanitary Sewage Systems), Section 18-303 (Connection With and Use of Public Sewers), to add a new Subsection 5 entitled “Sump Pumps and Other Prohibited Discharges into the Public Sanitary Sewer System” in order to ensure that groundwater is not improperly deposited into the East Coventry Township public sanitary sewer system, to reaffirm that the discharge of sump pumps into the Township public sanitary sewer system is prohibited, to establish enforcement procedures including mandatory inspections upon resale of the property and the issuance of violation notices, and to establish penalties for violations.

Copies of the full text of the proposed ordinance are available for examination during normal business hours without charge at the offices of *The Pottstown Mercury*, 24 North Hanover Street, Pottstown, Pennsylvania 19464, the Chester County Law Library, 201 West Market Street, Suite 2400, West Chester, Pennsylvania 19380-0989 and the East Coventry Township Building, 855 Ellis Woods Road, Pottstown, Pennsylvania 19465, where a copy of the proposed ordinance may be obtained for a charge not greater than the cost thereof.

**MARK A. HOSTERMAN, ESQUIRE  
WISLER PEARLSTINE, LLP**

Solicitor for East Coventry Township