

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

ORDINANCE NO. 2020-246

“Amendments to Public Sanitary Sewage System Ordinance”

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 18-302 (INTERPRETATION; DEFINITIONS), SUBSECTION 2 (SPECIFIC DEFINITIONS) TO AMEND THE DEFINITION OF “TOWNSHIP TECHNICAL SPECIFICATIONS” TO INCLUDE FUTURE AMENDMENTS; TO AMEND SECTION 18-303 (CONNECTION WITH AND USE OF PUBLIC SEWERS), SUBSECTION 3 (NOTICE), PARAGRAPH A TO EXPAND THE METHODS FOR SERVICE OF NOTICE TO INCLUDE FIRST CLASS OR CERTIFIED MAIL; TO AMEND PARAGRAPH B TO PERMIT THE TOWNSHIP TO IMPOSE SIX PERCENT INTEREST AND A FIVE PERCENT PENALTY FOR NONPAYMENT; TO AMEND SECTION 18-306 (BUILDING SEWERS AND CONNECTIONS WITH PUBLIC SEWERS), SUBSECTION 1 (SANITARY SEWER PERMIT), PARAGRAPH B TO REQUIRE APPLICATION BE SUPPLEMENTED BY ANY INFORMATION REQUIRED BY THE TOWNSHIP AND TO ADD NEW PARAGRAPHS “D,” “E” AND “F” ESTABLISHING SEWER PERMIT EXPIRES AFTER ONE YEAR AND REQUIRING PERMIT BE DISPLAYED AT SITE AND INSURANCE CERTIFICATE BE PROVIDED NAMING TOWNSHIP AS ADDITIONAL INSURED; TO AMEND SUBSECTION 2 (PREREQUISITES FOR CONNECTION TO PUBLIC SEWERS), TO REQUIRE SATISFACTORY EVIDENCE FEES PAID AND TO ADD NEW PARAGRAPHS “E” AND “F” REQUIRING COMPLIANCE WITH TOWNSHIP TECHNICAL SPECIFICATIONS AND APPLICABLE REQUIREMENTS OF SECTION 18-307; TO AMEND SUBSECTION 8 (MAINTENANCE, REPAIR AND REPLACEMENT OF BUILDING SEWERS), TO REQUIRE OWNER MAKE REPAIRS UPON RECEIVING NOTICE FROM TOWNSHIP; TO AMEND SUBSECTION 9 (BUILDING SEWER EXCAVATIONS), TO PROHIBIT EXCAVATION FROM REMAINING OPEN TO WATER INFLOW FOR MORE THAN 10 HOURS; TO AMEND AND RESTATE SUBSECTION 10 (UNSATISFACTORY CONDITION OF BUILDING SEWERS) IN ITS ENTIRETY TO IDENTIFY TOWNSHIP REMEDIES WHEN OWNER FAILS TO MAKE REQUIRED REPAIRS; TO ADD NEW SUBSECTION 11 TITLED “CONSTRUCTION, INSPECTION AND MAINTENANCE OF LATERALS” AND NEW SUBSECTION 12 TITLED “ACCEPTANCE OF

LATERALS PREVIOUSLY CONSTRUCTED”; TO AMEND AND RESTATE SECTION 18-307 (EXTENSIONS OF PUBLIC SEWER) IN ITS ENTIRETY AND TO CONTAIN THE FOLLOWING SUBSECTIONS: COMPLIANCE WITH TOWNSHIP TECHNICAL SPECIFICATIONS; COMPLIANCE WITH OTHER APPLICABLE REQUIREMENTS; SUBMISSION OF PLANS; PERMIT FOR SURFACE OPENING; RESTORATION OF SURFACE; DEVELOPMENT AGREEMENT; FINANCIAL SECURITY; ESTABLISHMENT OF ESCROW; SUPERVISION AND INSPECTION BY TOWNSHIP ENGINEER; REQUIREMENTS FOR DEDICATION AND ACCEPTANCE BY TOWNSHIP; AS-BUILT PLANS; MAINTENANCE PERIOD; MAINTENANCE OF SEWER EXTENSIONS; AND REIMBURSEMENT FOR SEWER EXTENSIONS; AND MISCELLANEOUS MINOR TECHNICAL AMENDMENTS.

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 18-302 (Interpretation; Definitions), Subsection 2 (Specific Definitions), the definition of “Township Technical Specifications” is hereby amended to add the following language before the period at the end of such definition: “, as may be amended from time to time by resolution of the Board of Supervisors”.

SECTION II. – 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 Sewers), Subsection 3 (Notice), Paragraph A, is hereby amended to delete the last sentence of such paragraph and to add the following in its place:

The notice shall be served by personal service, regular first-class mail, certified mail and/or registered mail, whichever of such methods the Township in its discretion deems appropriate, unless a specific method is at the time required by law, in which case such specifically required method shall be used.

SECTION III. – 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 Sewers), Subsection 3 (Notice), Paragraph B, is hereby amended to delete the last sentence of such paragraph and to add the following in its place:

Should the owner fail to so pay the bill, the Township shall have the right to collect the same, together with interest on the amount of such costs at the rate of 6% per annum (or such higher rate as may be permitted by law) plus a penalty of 5% on the amount of such costs, in the manner permitted and pursuant to applicable law including, but not limited to, the filing of a municipal claim and lien therefor.

SECTION IV. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 18 (Sewers and Sewage Disposal), Part 3 (Public Sanitary Sewage Systems), Section 18-306 (Building Sewers and Connections with Public Sewers), Subsection 1 (Sanitary Sewer Permit), Paragraph B, is hereby amended to add the following at the end of such paragraph: “The sanitary sewer permit application shall be supplemented by any plans, specifications or other information considered pertinent by the Township or the Township Engineer.”

SECTION V. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 18 (Sewers and Sewage Disposal), Part 3 (Public Sanitary Sewage Systems), Section 18-306 (Building Sewers and Connections with Public Sewers), Subsection 1 (Sanitary Sewer Permit), is hereby amended to add new Paragraphs D, E and F, as follows:

D. A sanitary sewer permit shall remain valid for a period of one (1) year from the date of its issuance and shall expire automatically on such anniversary date, unless thirty (30) days prior to its expiration, an extension is requested in writing by the permittee for good cause and is granted in writing by the Township. The granting of an extension shall be contingent upon the availability of treatment capacity at the time of the extension request.

E. The sanitary sewer permit shall be displayed prominently on the property to be connected to the public sewer continuously during construction of the building sewer and connection of the building sewer to the public sewer.

F. Prior to issuance of the sanitary sewer permit, the applicant shall provide to the Township a certificate of insurance evidencing coverage of comprehensive general liability insurance, including contractual liability coverage with minimum limits of \$1,000,000 combined single limit for bodily injury and property damage and workers' compensation insurance, as applicable. The foregoing insurance shall be continuously maintained while the sanitary sewer permit remains in effect and shall name East Coventry Township as additional insured.

SECTION VI. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 18 (Sewers and Sewage Disposal), Part 3 (Public Sanitary Sewage Systems), Section 18-306 (Building Sewers and Connections with Public Sewers), Subsection 2 (Prerequisites for Connection to Public Sewer), Paragraph C, is hereby amended to add the following language before the period appearing at the end of such paragraph: “, and shall have furnished satisfactory evidence that such fees have been paid.”

SECTION VII. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 18 (Sewers and Sewage Disposal), Part 3 (Public Sanitary Sewage Systems), Section 18-306 (Building Sewers and Connections with Public Sewers), Subsection 2 (Prerequisites for Connection to Public Sewer), is hereby amended to add new Paragraphs E and F, as follows:

E. All excavation, construction and connection work shall be completed in accordance with the Township Technical Specifications and other applicable rules, regulations and requirements.

F. The developer or owner shall comply with the requirements of §18-307 of this Part to the extent deemed applicable as determined by the Township in its sole discretion.

SECTION VIII. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 18 (Sewers and Sewage Disposal), Part 3 (Public Sanitary Sewage Systems), Section 18-306 (Building Sewers and Connections with Public Sewers), Subsection 4 (Costs of Construction and Connection of Building Sewers), is hereby amended to delete such subsection in its entirety and to add a new subsection 4 in its place, as follows:

4. Costs of Construction and Connection of Building Sewers. All costs and expenses of construction of a building sewer and lateral, if needed, and all costs and expenses of connection to the public sewer shall be borne by the owner of the improved property to be connected. The owner shall indemnify and shall save harmless the Township from all loss or damage that may be occasioned, directly or indirectly, as a result of the construction of the building sewer and lateral, if needed, and/or the connection to the public sewer.

SECTION IX. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 18 (Sewers and Sewage Disposal), Part 3 (Public Sanitary Sewage Systems), Section 18-306 (Building Sewers and Connections with Public Sewers), Subsection 8 (Maintenance, Repair and/or Replacement of Building Sewers), is hereby amended to identify the text of the existing subsection as Paragraph “A” and to add a new Paragraph B, as follows:

- B. Without limiting the generality of the responsibility of the property owner to maintain, repair and/or replace a building sewer under Paragraph A, the property owner shall perform and complete such maintenance, repair and/or replacement work as the Township may deem necessary as set forth in written notice to the property owner. All maintenance, repair and/or replacement work shall be performed and completed in a proper and timely manner to the satisfaction of the Township and in accordance with all Township Technical Specifications and other applicable rules, regulations and requirements. The property owner shall indemnify the Township from any loss or damage which may, directly or indirectly, result or arise from any such work.

SECTION X. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 18 (Sewers and Sewage Disposal), Part 3 (Public Sanitary Sewage Systems), Section 18-306 (Building Sewers and Connections with Public Sewers), Subsection 9 (Building Sewer Excavations), is hereby amended to add the following at the end of such subsection: “No sanitary sewer excavation shall remain open to inflow of surface water and/or stormwater for more than ten (10) hours.”

SECTION XI. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 18 (Sewers and Sewage Disposal), Part 3 (Public Sanitary Sewage Systems), Section 18-306 (Building Sewers and Connections with Public Sewers), Subsection 10 (Unsatisfactory Condition of Building Sewers), is hereby amended to delete such subsection in its entirety and to add the following new subsection in its place:

10. Unsatisfactory Condition of Building Sewers. 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 inspect the building sewer located on the property to verify that the plumbing system serving the property is functioning properly. If the property owner or other person shall fail or refuse, upon being served with a written notice from the Township, to allow entry upon the property or to remedy any unsatisfactory condition, including but not limited to inflow and infiltration, with respect to a building sewer within 30 days of service of the notice, or such additional time as may be determined appropriate by the Township, the Township shall have the right, at its discretion, but not the obligation, to exercise any one or more of the following remedies:

A. Refuse to permit the property owner and/or such person to discharge, or to continue to discharge, sanitary sewage and/or industrial wastes into the public sewer until such unsatisfactory condition shall have been remedied in a manner satisfactory to the Township and otherwise subject to and in accordance with the Township Technical Specifications and other applicable rules, regulations and requirements. Such right of refusal shall be in addition to such other or further remedies as may be available to the Township to correct the unsatisfactory condition.

B. Enter the property, by its employees, contractors or designees, and perform such maintenance, repair and/or replacement work at the cost and expense of the property owner. Upon completion of the work, the Township shall issue to the property owner an itemized bill for the cost of such work, which shall be due and payable immediately upon presentation of such bill. Should the owner fail to so pay the bill, the Township shall have the right to collect the same, together with interest on the amount of such costs at the rate of 6% per annum (or such higher rate as may be provided or otherwise permitted by law) plus a penalty of 5% on the amount of such costs, in the manner permitted and pursuant to applicable law including, but not limited to, the filing of a municipal claim and lien therefor.

C. The provisions of this Subsection shall not limit any rights or remedies which may be available to the Township at law or in equity against any third person for the recovery of damages to the public sewer, including, without limitation, the recovery of the costs incurred by the Township to maintain, repair and/or replace a lateral.

SECTION XII. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 18 (Sewers and Sewage Disposal), Part 3 (Public Sanitary Sewage Systems), Section 18-306 (Building Sewers and Connections with Public Sewers), is hereby amended to add new Subsection 11 entitled “Construction, Inspection and Maintenance of Laterals” and new Subsection 12, entitled “Acceptance of Laterals Previously Constructed”, as follows:

11. Construction, Inspection and Maintenance of Laterals.

A. All laterals shall be constructed and installed in accordance with the Township Technical Specifications and other applicable rules, regulations and requirements. Following completion, no lateral shall be covered until it has been inspected and approved by the Township Engineer at the sole cost and expense of the owner of the improved property.

B. All completed improvements connecting a building sewer to the public sewer shall become the property of the Township upon final inspection and approval of such improvements by the Township Engineer.

C. Following final inspection and approval by the Township Engineer, the Township shall be responsible, at its sole cost and expense, for the maintenance, repair and replacement of the laterals; provided, however, the Township shall not be responsible for the maintenance, repair or replacement of a lateral when such maintenance, repair or replacement is required as a result of, directly or indirectly,

any use of or with respect to the lateral by the owner of the property served by the lateral (other than the proper use of the building sewer connected to the lateral) or by any other act or conduct of the property owner. In such case, the cost and expense for the maintenance, repair or replacement of the lateral shall be borne by the property owner. All work relating to the maintenance, repair or replacement of a lateral shall be performed by the Township.

12. Acceptance of Laterals Previously Constructed. All laterals constructed and connected to the public sewer prior to the date of enactment of this Ordinance shall be deemed Township property, whether or not specifically dedicated to and accepted by the Township, provided such laterals have been constructed within a Township or other public right-of-way and the construction and connection of such laterals to the public sewer were inspected and approved by the Township Engineer.

SECTION XIII. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 18 (Sewers and Sewage Disposal), Part 3 (Public Sanitary Sewage Systems), Section 18-307 (Extensions of Public Sewer), is hereby amended to delete such section in its entirety and to add a new Section 18-307 entitled “Extensions of Public Sewer” in its place, as follows:

§18-307. Extensions of Public Sewer.

1. Compliance with Township Technical Specifications. All extensions of a public sewer shall be constructed, installed and/or otherwise completed in accordance with the Township Technical Specifications and other applicable rules, regulations and requirements. For purposes of this section, the term "public sewer" shall mean such term as defined in §18-302, Subsection 2, as well as any "public sewer" as so defined but which is not, at the particular time, owned or operated by the Township but is intended to be ultimately owned and operated by the Township.

2. Compliance with Other Applicable Requirements. Any developer or property owner who desires to construct an extension of the public sewer shall, in addition to complying with the provisions of this section, comply with the requirements of §18-306 to the extent applicable. In the event of a conflict between the provisions of §18-306 and this section, the provisions of this section shall control.

3. Submission of Plans. The developer or property owner shall submit sewer design plans for the proposed sewer extension to the Township for review and approval of the Township Engineer. If the proposed sewer extension is to be constructed as part of a land development project subject to Chapter 22

[Subdivision and Land Development Ordinance] of the Code of Ordinances of the Township of East Coventry, then the process for review of the sewer design plans shall be in accordance with the procedures for preliminary and final plan review set forth in Chapter 22, Part 3. The sewer design plans shall contain an estimated construction schedule for installation of the sewer improvements. No construction work shall be commenced until a permit for such work and written authorization to proceed have been issued by the Township. All costs relating to the review of sewer design plans shall be paid by the developer or owner.

4. Permit for Surface Opening; Restoration of Surface. Whenever the surface of any street or sidewalk is disturbed by construction of a sewer extension, lateral or other required connection, it shall be the responsibility of the developer or property owner to obtain the permit required for opening or disturbing the surface of the street or sidewalk and restoring the surfacing material in kind. The developer and/or owner shall be responsible, jointly and severally, for any damage done to the public sewer system by rain, flooding or any other cause resulting from the developer's or owner's failure to take proper precautions during the construction and connection process to prevent damage to the public sewer system.

5. Development Agreement. Prior to the Township issuing written authorization to the developer or property owner to proceed with construction of a sewer extension, the developer or property owner shall execute an agreement with the Township, prepared by the Township Solicitor, setting forth the obligations of the parties as determined by the Township regarding construction of the sewer extension. If the proposed sewer extension is to be constructed as part of a land development project subject to Chapter 22 [Subdivision and Land Development Ordinance] of the Code of Ordinances of the Township of East Coventry, then the obligations of the parties relating to the sewer improvements shall be incorporated into the land development agreement required by Chapter 22. All costs relating to the preparation of said agreement shall be paid by the developer or owner.

6. Financial Security.

A. Prior to the Township issuing written authorization to the developer or property owner to proceed with construction of a sewer extension, the Township shall receive financial security in the form of an irrevocable letter of credit from a Federal or Commonwealth chartered lending institution, a cash escrow account in such lending institution deposited in an interest bearing account in the name of the Township, or a performance bond in an amount equal to 110% of the estimated cost of construction as determined by the developer or owner and approved by the Township Engineer. If the financial security consists of an irrevocable letter of credit or performance bond, the terms shall be satisfactory in form and substance to the Township Solicitor.

B. Such financial security shall serve as security for the proper performance of the sewer work and for any repairs to streets, sidewalks and or public facilities that the Township deems necessary or appropriate as a result of said work. Partial releases of the financial security during the period of construction shall be authorized upon compliance with the procedures set forth in §22-310 of Chapter 22 [Subdivision and Land Development Ordinance] of the Code of Ordinances of the Township of East Coventry.

C. The Township shall hold back 10% of the financial security until the developer or owner has posted a maintenance guarantee with the Township as required by §18-307.11 and the as-built plans required by §18-307.10 are verified and accepted by the Township.

7. Establishment of Escrow. Prior to the commencement of the sewer work, the developer or property owner shall, in addition to the posting of financial security, if applicable, deposit a cash escrow with the Township in an amount to be determined by the Township for payment of the estimated costs of reviewing the sewer design plans, performing construction inspections, and other administrative, legal and engineering services.

8. Supervision and Inspection by Township Engineer. Construction of the sewer extension shall be subject to the supervision of and inspection by the Township Engineer. The sewer extension shall not be covered until authorized by the Township Engineer and all backfilling of trenches shall be under his supervision. All inspections shall be made and scheduled during regular business hours of the Township.

9. Requirements for Dedication and Acceptance by Township.

A. The sewer extension to be dedicated to the Township shall be designed, constructed and inspected in strict accordance with the final approved sewer design plans, the Township Technical Specifications and all other applicable rules, regulations and requirements, and any approved subdivision or land development plan for which the sewer extension was required.

B. The Township Engineer shall conduct a final inspection of the sewer extension prior to dedication. The inspection shall include a visual inspection, a televised inspection and/or such other tests of all sewer pipes as the Township Engineer deems necessary. The cost of these inspections shall be borne by the developer or property owner. The developer or owner shall correct any deficiencies identified by the visual or televised inspection or other testing to the satisfaction of the Township Engineer. All corrections shall be made at the developer's or owner's expense regardless of the type or nature of the deficiency. The Township Engineer shall advise the Township when all deficiencies have been corrected and the sewer extension is ready for dedication by issuance of the Township Engineer's Certificate of Completion for the improvements. No sewer

extension shall be approved for use and acceptance by the Township until said sewer extension is formally approved by the Township Engineer.

C. All construction, connection and inspection fees shall be paid and the Township shall be reimbursed in full for all engineering, inspection, legal and other costs incurred relating to the review of plans, inspections during construction, testing and approval, and drafting of legal agreements and other documentation.

D. The sewer extension and related improvements shall be dedicated to the Township, free and clear of all encumbrances, by bill of sale or other documentation satisfactory to the Township Solicitor. Easements for the sewer improvements shall be recorded in the name of the Township for all sewers to be constructed outside of street rights-of-way dedicated or to be dedicated to the Township.

E. The developer shall deliver the as-built plans required by §18-307.10 and execute the maintenance agreement required by §18-307.11.

10. As-Built Plans. Within 60 days after completion and Township approval and final inspection of the sewer improvements, and prior to acceptance of dedication of the sewer extension by the Township, the developer shall submit to the Township "as built plans" for the sewer improvements that conform to the Township's Standard Public Improvement Specifications. The developer also shall provide to the Township a copy of any operator manuals, parts lists, warranties or other documentation as appropriate prior to dedication.

11. Maintenance Period. As a condition of accepting dedication of the sewer extension and related improvements, the developer or property owner shall enter into a maintenance agreement with the Township, which shall be prepared by the Township Solicitor, guaranteeing the structural integrity and functioning of the dedicated improvements in accordance with the Township Technical Specifications and approved sewer design plans for a period of 18 months from the date of acceptance of dedication by the Township. The maintenance agreement shall require the posting by the developer or owner of financial security with the Township of the same type as provided in §18-307.6 in an amount equal to 15% of the actual cost of installation of the improvements.

12. Maintenance of Sewer Extensions. Following acceptance of dedication by the Township, the Township shall be responsible, at its sole cost and expense, for the maintenance, repair and replacement of the sewer extension.

13. Reimbursement for Sewer Extensions. Where a developer or property owner constructs or causes to be constructed an extension of the public sewer at its expense, the developer or owner shall enter into a written reimbursement agreement with the Township in form and substance satisfactory to the Township

Solicitor. The reimbursement agreement shall provide for reimbursement to the developer or owner in accordance with applicable Township and other legal requirements when the owner of another property not in the development for which the extension was constructed connects a building sewer directly to the extension within ten (10) years of the date of the dedication of the extension to the Township. The Township shall be permitted to deduct from each reimbursement payment an amount equal to five percent (5%) thereof for administrative expenses for calculating, collecting, monitoring and disbursing the reimbursement payment.

SECTION XIV. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 18 (Sewers and Sewage Disposal), Part 3 (Public Sanitary Sewage Systems), Section 18-309 (Connection Charges), Subsection 2, is here amended to delete the reference to “52 Pa.C.S.A. §5601” appearing in such subsection and to add “53 Pa.C.S.A. §561” in its place.

SECTION XV. – 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 XVI. – 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 XVII. – Effective Date.

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

SECTION XVIII. – 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 12th day of October 2020.

EAST COVENTRY TOWNSHIP

Attest:



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 October 12, 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 18-302 (Interpretation; Definitions), Subsection 2 (Specific Definitions) to amend the definition of “Township Technical Specifications” to include future amendments; to amend Section 18-303 (Connection With and Use of Public Sewers), Subsection 3 (Notice), Paragraph A to expand the methods for service of notice to include first class or certified mail; to amend Paragraph B to permit Township to impose six percent interest and a five percent penalty for nonpayment; to amend Section 18-306 (Building Sewers and Connections with Public Sewers), Subsection 1 (Sanitary Sewer Permit), Paragraph B to require application be supplemented by any information required by Township and to add new paragraphs “D”, “E” and “F” establishing sewer permit expires after one year, requiring permit be displayed at site and insurance certificate be provided naming Township as additional insured; to amend Subsection 2 (Prerequisites for Connection to Public Sewers), to require satisfactory evidence fees paid and to add new Paragraphs “E” and “F” requiring compliance with Township Technical Specifications and applicable requirements of Section 18-307; to amend Subsection 8 (Maintenance, Repair and Replacement of Building Sewers) to require owner make repairs upon receiving notice from Township; to amend Subsection 9 (Building Sewer Excavations) to prohibit excavation from remaining open to water inflow for more than 10 hours; to amend and restate Subsection 10 (Unsatisfactory Condition of Building Sewers) in its entirety to identify Township remedies when owner fails to make required repairs;

to add new Subsection 11 titled “Construction, Inspection and Maintenance of Laterals” and new Subsection 12 titled “Acceptance of Laterals Previously Constructed”; to amend and restate Section 18-307 (Extensions of Public Sewer) in its entirety and to contain the following subsections: Compliance with Township Technical Specifications; Compliance with Other Applicable Requirements; Submission of Plans; Permit for Surface Opening; Restoration of Surface; Development Agreement; Financial Security; Establishment of Escrow; Supervision and Inspection by Township Engineer; Requirements for Dedication and Acceptance by Township; As-Built Plans; Maintenance Period; Maintenance of Sewer Extensions; and Reimbursement for Sewer Extensions; and Miscellaneous Minor Technical Amendments.

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*, 307 Derstine Avenue, Lansdale, Pennsylvania 19446, 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