Chapter 100

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[HISTORY: Adopted by Borough Council as noted; updated through 2015.]

Part 1
Industrial Waste
[Adopted by Ord. No. 95-2, as amended through 2010]

ARTICLE I
Definitions

§ 100-1. Definitions.
The following words and terms used in this Part 1 shall have the following meanings, unless the context clearly requires otherwise:

ABNORMAL INDUSTRIAL WASTE – Any industrial waste having a suspended solids, ammonia nitrogen or phosphorous content or a five-day biochemical oxygen demand (BOD_5) appreciably in excess of that normally found in municipal sewage. Any industrial waste containing more than 240 milligrams per liter of suspended solids, 20 milligrams per liter of ammonia nitrogen, 10 milligrams per liter of phosphorous or having a BOD_5 in excess of 205 milligrams per liter shall be considered an abnormal industrial waste, regardless of whether or not it contains other substances in concentrations differing appreciably from those normally found in municipal sewage.

AGREEMENT – The agreements of record with the Franklin Township Municipal Sanitary Authority and the borough.

AUTHORITY – The Franklin Township Municipal Sanitary Authority.

BOD_5 – Designates the "Biochemical Oxygen Demand" and shall mean the quantity of oxygen utilized in the biochemical oxidation of the organic matter in sewage or industrial waste under standard laboratory procedure in five days at 20° C., expressed in parts per million (ppm) by weight. It shall be determined by one of the acceptable methods described in the latest edition of Standard Methods for the Examination of Water, Sewage and Industrial Wastes, published jointly by the American Public Health Association, the American Water Works Association and the Federation of Sewage and Industrial Wastes Association, hereinafter termed an "acceptable method."

COUNCIL – The Council of the borough and its successors and assigns.

DWELLING UNIT or EQUIVALENT DWELLING UNIT (EDU) – Any room, group of rooms, enclosures, etc., occupied or intended for occupancy as separate living quarters by a family or other group of persons living together or by persons living alone. Each dwelling unit in a double house, row of connecting houses, mobile home park or in an apartment shall be a separate entity or dwelling unit for sewer service charge purposes.

GARBAGE – Solid wastes from food, food products and produce.

INDUSTRIAL WASTES – Any liquids, gaseous or waterborne wastes from industrial manufacturing, commercial or business establishments or processes or from the development, recovery or processing of any natural resources, as distinguished from sanitary sewage.

OCCUPIED BUILDING – Any structure intended for occupancy by persons or animals and from which structure sanitary sewage and/or industrial wastes are discharged.

PERSON – Includes natural persons, partnerships, associations, private and public corporations, clubs, societies, institutions and governments and governmental agencies and subdivisions thereof.

pH – The logarithm to the base 10 of the reciprocal of the hydrogen ion concentration expressed in moles per liter and shall be determined by an acceptable method.

PROPERLY SHREDDED GARBAGE – Garbage that has been shredded so that it will be carried freely under normal flow conditions in the borough sewer system, with no particle greater than 112 inches in any dimension.

SANITARY SEWAGE – The normal water-carried household and toilet wastes from residences, business and other buildings, institutions, schools, churches and industrial and commercial establishments, exclusive of stormwater runoff, surface water or groundwater.

SEWAGE – A combination of water-carried wastes from residences, business and other buildings, institutions, schools, churches and industrial and commercial establishments, together with such groundwater, surface water and stormwater runoff as may be presented.

SEWAGE TREATMENT WORKS – The sewage treatment plant and its appurtenances of the Franklin Township Municipal Sanitary Authority.

SEWER – A sewer which carries sanitary sewage and/or industrial wastes.

SEWER SYSTEM – All sewers at any time constructed or acquired by the borough and/or any municipal authority it may create.

SUSPENDED SOLIDS – Solids that either float on the surface or are in suspension in water, sewage, industrial waste or other liquids and which are removable by laboratory filtration. Quantitative determination of suspended solids shall be made by an acceptable method.
TOTAL SEWER SYSTEM – The sewer system and the sewage treatment works.

USERS – At any particular time and as defined in the agreement, property owners and all persons in the borough (within the borough sewer system as defined in the agreement) using the borough sewer system, directly or indirectly, and their heirs, personal representatives, administrators, successors and assigns.

UNPOLLUTED WATER OR WASTE – Any water or waste containing none of the following: free or emulsified grease or oil; acid or alkali, phenols or other substances imparting taste and odor to receiving waters; toxic or poisonous substances in suspension, colloidal state or solution; or obnoxious or odorous gases. It shall contain not more than 1,000 milligrams per liter by weight of dissolved solids, of which not more than 250 milligrams per liter shall be chloride and not more than 10 milligrams per liter each shall be of suspended solids and BOD_5. The color shall not exceed 50 platinum-cobalt color units. Analysis for any of the above-mentioned substances shall be made by in accordance with the current edition of Standard Methods for the Examination of Water and Wastewater.

VOLUME OF WATER USED – Includes, for sewer service charge and surcharge purposes, metered water purchased from the water utility and all water obtained from wells, springs, streams, etc., as determined by water meters or estimates or measurements made by the water utility, the borough or the Franklin Township Municipal Sanitary Authority, as the case may be.

WATER UTILITY – Any public corporation or utility supplying water within the municipal limits of the borough.

ARTICLE II
Admission of Industrial Wastes and Sanitary Sewage to the Sewer System

§ 100-2. Costs of abnormal wastes.
Any and all industrial wastes and sanitary sewage may be discharged into the sewer system except those which are deemed harmful to the total sewer system, the operation thereof or are specifically prohibited or regulated by this Part 1 or the Franklin Township Municipal Sanitary Authority; however, acceptable but abnormal industrial wastes add to the costs of operating and maintaining the total sewer system and such additional cost should be home by the person adding such abnormal industrial wastes.

§ 100-3. Connection refusal or discontinuance.
Council reserves the right to refuse connection to the sewer system for discharge of deleterious industrial wastes or to compel users of the sewer system to discontinue the use of the sewer system for such wastes or to require pretreatment thereof in order to prevent harmful or adverse effect upon the total sewer system, The design, construction and operation of any such pretreatment facilities shall be subject to the approval of the Board and Franklin Township Municipal Sanitary Authority.

§ 100-4. Installation of regulating devices.
Council may require industries having large variations in the rate of discharge of industrial wastes to install regulating devices, approved by Council, for equalizing flows of industrial wastes.

§ 100-5. Determination of harmfulness.
Industrial wastes or sanitary sewage will be considered harmful to the total sewer system if it may cause any of the following damaging effects:

A. Chemical reaction or mechanical action which may damage the construction materials of the total sewer system;

B. Restriction of the hydraulic capacity, normal inspection or maintenance of such sewer structures;

C. Danger to public health and safety; or

D. Obnoxious condition inimical to public interest.

§ 100-6. Manhole requirements.
Council may require any person discharging industrial wastes to install and maintain, at his expense, a manhole, suitable to Council, on his connecting sewer to facilitate observation, sampling and measurement of the flow of wastes from the premises by Council.

§ 100-7. Right of entry.
To effectuate the provisions hereof, Council shall have access at all reasonable times to dwelling units and other buildings of users and to any meters for measuring water consumption, water excluded from the total sewer system and sewage and/or industrial wastes discharged into the total sewer system.

ARTICLE III
Prohibited Wastes and Sanitary Sewage

§ 100-8. Excessive discharge of unpolluted water.
The discharge of excessive amounts of unpolluted water into the total sewer system is prohibited. Council reserves the right to define, from time to time, the amount which shall be excessive in each particular instance and to determine the adequacy of the capacity of a sewer.

§ 100-9. Garbage.
The discharge of garbage to the sewer system is prohibited, except properly shredded garbage from a single-family dwelling unit, and Council may approve a type of mechanical garbage grinder.

§ 100-10. Prohibited substances.
No person shall discharge or permit the discharge or infiltration into the total sewer system wastes or sanitary sewage containing any of the following substances:

A. Ashes, cinders, sand, mud, greases, lime or acetylene sludges, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, sawdust, paunch manure, cotton, chemical or paint residues, wool, plastic or other fibers, hair, hides, dead animals, spent mash and grain, pulp from food processing, water or wastes containing grease, fat or oil in excess of 100 ppm or any other liquids, gases, solids or viscous substances which, by reason of their quality, quantity or characteristics, may cause fire, explosion, obstruction to the flow in the total sewer system or in any other way interfere with or be deleterious to persons, the structures or the operation of the total sewer system. A temperature in excess of 104° F. or less than 32° F.

B. A pH lower than 6.0 or higher than 9.0 or having any corrosive property capable of causing damage or being a hazard to structures, equipment or personnel of the total sewer system; and Council may require any person discharging wastes or sanitary sewage to the total sewer system to install and maintain, at his own expense, a device (approved by Council) to continuously measure and record the pH of such wastes or sanitary sewage.

C. Mineral acids, waste acid, pickling or plating lacquers from the pickling or plating of iron, steel, brass, copper or chromium or any other dissolved or solid substances which will endanger health or safety, interfere with the flow in or attach or corrode or otherwise interfere with or be detrimental to the total sewer system.

D. Cyanides or cyanogen compounds capable of liberating hydrocyanic gas on acidification; and any of the following substances in concentration exceeding those shown in the following table; and other chemicals or other matter detrimental to the operation of or causing erosion, corrosion or deterioration in the total sewer system:

Substance	**Maximum Permissible Concentration**
Sodium Chloride	10,000 mg/l
Sodium sulfate	1,500 mg/l
Iron	5.0 mg/l
Chromium (total)	1.60 mg/l
Chromium (hexavalent)	0.14 mg/l
Cyanide (total)	0.28 mg/l
Cyanide – amenable to chlorination	0.14 mg/l
Copper	0.5 mg/l
Zinc	0.5 mg/l
Nickel	0.5 mg/l
Cadmium	1.0 mg/l
Arsenic	0.05 mg/l
Barium	1.0 mg/l
Boron	0.05 mg/l
Phenolics	5.0 mg/l
Lead	0.5 mg/l
Silver	0.05 mg/l
Mercury	0.10 mg/l
Selenium	0.05 mg/l

E. Wastes containing any hydrogen sulfide, sulfur dioxide, nitrous oxide or any of the halogens.

F. A toxic or poisonous substance (including those containing cyanide, chromium, and/or copper ions) in quantities sufficient to inure or interfere with any sewage treatment process, constitute a hazard to humans or animals or create any hazard in the operation of the total sewer system.

G. Toxic substances in quantities sufficient to interfere with the biochemical processes of the sewage treatment works or that will pass through such works and exceed the state requirements in respect thereof.

H. Any toxic radioactive isotopes, without a special permit.

I. Fats, entrails and the like from meat processing plants, rendering plants and similar industries and establishments.

J. Sludges or other material from septic tanks, other similar facilities, sewage or industrial waste treatment plants or water treatment plants.

K. Any noxious or malodorous gas or substance which either singly or by interaction with sewage or other wastes is likely, in the Board's opinion, to create a public nuisance or a hazard to life or to the operation, repair or maintenance of the total sewer system.

L. Gases or vapors, either free or occluded, in concentrations toxic or deleterious to humans or animals.

M. Insoluble, non-flocculent substances having a specific gravity in excess of 2.65.

N. Soluble substances in such concentration as to cause the specific gravity of the waste or sanitary sewage to be greater than 1.1.

O. Such other requirements as determined by resolution or regulation by Franklin Township Municipal Sanitary Authority.

§ 100-11. Additional rules and regulations.
Council may from time to time adopt other or additional rules and regulations deemed necessary or appropriate for the efficient operation, maintenance and preservation of the total sewer system.

ARTICLE IV
Sewer Service Charges; Schedule of Rates

§ 100-12. Sewer service charge imposed.
There is hereby imposed upon the owners of and the users of the sanitary sewage system within the borough, or outside the borough but connected to the borough system, a sewer service charge for the collection, transportation, treatment and disposal of industrial wastes and sanitary sewage, payable as and in the amounts hereinafter provided. Said owners and users shall be jointly and severally liable for the payment of the sewer service charge and any penalty thereon. The sewer service charge shall begin to accrue on the earlier of when the owners and users connect to the sewer system or on a date 60 days after the borough notice to connect to the sewer system is given.

§ 100-13. Rental service charges.
The Borough of Delmont sanitary sewer rental service charges shall be as established by the Franklin Township Municipal Sanitary Authority (hereinafter "FTMSA") from time-to-time for customers within the Borough of Delmont pursuant to existing intermunicipal agreements to which the Borough of Delmont and FTMSA are parties. All property owners or their tenants or occupants using/having property connected directly or indirectly to the borough's sewer system shall pay

charges for sewage collection, transportation and treatment to be computed by FTMSA and reported annually to the Borough of Delmont.

A. All residential equivalent dwelling units within the Borough of Delmont shall pay a flat and equal service charge.

B. All residential equivalent dwelling units within the Borough of Delmont having garbage grinders shall be assessed an additional charge as shall be determined by FTMSA.

C. Each nonresidential equivalent dwelling customer in the Borough of Delmont shall pay the minimum charge in accordance with subparagraph A hereof plus an additional charge based upon volume of usage as shall be determined on an annual basis by FTMSA.

D. Multiple equivalent dwelling units within the same structure or plan shall be billed as separate dwelling units as residential or nonresidential based upon actual usage.

E. Effective May 1, 2020, each customer within the Borough of Delmont shall be assessed an additional charge of $35.00 per month to be collected by FTMSA and turned over to the Borough of Delmont. The funds so collected by the Borough of Delmont shall be maintained in a dedicated account for sewage purposes to be utilized for debt service, expenses relating to the current maintenance and operation of the sewage lines and facilities within the Borough of Delmont and to provide funds for capital expenditures relating. (*Amended by Ordinance No. 2020-3, adopted 04/14/20*)

§ 100-14. Payment procedure.

Owners and/or EDU users shall be billed monthly. Said bill being based on a flat service fee plus any charges reflected in § 100-13 above. All bills for sewage service charges shall be paid as per the following:

A. Residential EDU's. The sewage collection, transportation and treatment charges imposed hereunder shall be due and payable immediately upon receipt of the bill by the owner and/or tenant and shall be paid not later than the due date appearing on the bill. Said charges shall be subject to a five-percent penalty if not paid prior to the 20th day of the month in which it is due. If not paid within 60 days after said due date, the charge plus the penalty shall bear interest at the rate of $1^1/2\%$ per month or any fraction thereof until paid.

B. Nonresidential EDU's. The sewage collection, transportation and treatment charges imposed hereunder shall be due and payable immediately upon receipt of the bill by the owner and/or tenant and shall be paid not later than the due date appearing on the bill. Said charges shall be subject to a five-percent penalty if not paid prior to the due date appearing on the bill. If not paid within 60 days of said due date, the charge plus the penalty shall bear interest at the rate of $1^1/2\%$ per month or any fraction thereof until paid.

§ 100-15. "Nonresidential property" defined.
Nonresidential, commercial or industrial: a "nonresidential property" shall be defined as an office, store, shop, motel, hotel, restaurant or other establishment selling a product or rendering a service and any religious, fraternal or governmental establishment and any industrial establishment.

§ 100-16. Non-water-utility water meter.
In the event the owner or water user of any industrial or commercial property obtains part of the water used on such property from sources other than the water utility, such owner or user shall, at his expense and on request of Council, install and maintain a Council-approved water meter, to measure all non-water-utility water used.

§ 100-17. Water use over 400,000 gallons.
If a portion of the water used on any property does not enter the total sewer system and the total water used on said property exceeds 400,000 gallons per quarter, Council may determine, in such manner and by such method as it deems practical, the percentage of the water entering the total sewer system or Council may permit the installation of additional meters to determine either the quantity of water excluded from the total sewer system or the quantity of water, sewage and industrial wastes actually entering the total sewer system and such quantity of water estimated, measured or computed by Council to be actually entering the total sewer system shall determine the sewer service charge, subject to the existing rate structure charges.

§ 100-18. Reduction of charges; cost of meters.
Any person desiring to apply for a § 100-17 reduction of sewer service charges shall make written application therefor as Council may require at that time. If permission is granted, then the cost of furnishing, installing and maintaining any such meters, satisfactorily to Council, Franklin Township Municipal Sanitary Authority and the Water Utility, shall be borne by the applicant.

§ 100-19. Water used for cooling purposes.
Council may require the exclusion from the total sewer system of waters used for cooling purposes.

§ 100-20. Contracts with neighboring municipalities.
Nothing herein contained in this Article IV shall preclude Council from entering into contracts with neighboring municipalities for the treatment of acceptable sewage and/or industrial wastes at sewer service charges different from those herein set forth.

ARTICLE V
Surcharge for Certain Industrial Wastes

§ 100-21. Surcharge on abnormal industrial wastes.
There is hereby imposed a surcharge or additional sewer service charge upon the owners of and the users of water in or on all properties discharging or permitting to be discharged or infiltrated into the total sewer system abnormal industrial wastes, to cover the additional cost of handling such abnormal industrial wastes.

§ 100-22. Determination of strength of abnormal industrial wastes.
The strength of any abnormal industrial wastes, from which surcharges shall be established, shall be determined at least monthly by such reasonable method and means as Council, in its sole discretion, shall fix, using an analysis in accordance with the latest edition of Standard Methods for the Examination of Water and Sewage, as published by the American Public Health Association.

§ 100-23. SOD surcharge.
If the BOD_5 in any industrial wastes is in excess of 250 ppm, the owners of and the users of water in or on the property from which such wastes are discharged shall be surcharged an amount equal to the product of the actual volume of wastes in thousand gallons per billing period discharged to the total sewer system, and the "BOD_5 surcharge rate" shall be determined by the following formula:

$$RC = 0.00834\ P\ (C - 250)$$

Where:

RC = the BOD_5 surcharge rate in cents per 1,000 gallons of water discharged.

P = the average annual fixed operating and maintenance cost of treatment processes per pound of BOD_5 received at the sewage treatment works including chlorination. (Prior to completion of the first year of operation the value of "P" shall be deemed to be two cents.)

C = the average BOD_5 of the industrial waste expressed in ppm as determined in accordance with § 100-21 hereof.

The figure "250" appearing in the above formula corresponds to the maximum BOD permissible without surcharge. The figure "0.00834" is the factor to convert parts per million to pounds per 1,000 gallons. No discount will be permitted for sewage or industrial wastes having a BOD_5 less than 250 ppm.

§ 100-24. Suspended solids surcharge rate.
If the average suspended solid concentration in any industrial waste is in excess of 250 ppm, the owners of and the users of water in or on the property from which such wastes are discharged shall be surcharged an amount equal to the product of the actual volume of wastes in thousand gallons per billing period discharged to the total sewer system and the suspended solids surcharge rate. The suspended solids surcharge rate shall be determined by the following formula:

$R_5 = 0.00834 \times B (S - 250)$

R_5 = the suspended solids surcharge rate in cents per 1,000 gallons of waste discharged

B = the average annual fixed operating and maintenance cost of the sludge digestion, sludge drying and sludge disposal operations per pound of suspended solids received at the sewage treatment works. (Prior to completion of the first year of operation, the value of "B" shall be deemed to be four cents.)

S = the average suspended solids concentration of the abnormal industrial wastes expressed in ppm, as determined in accordance with § 100-22 hereof.

The figure "250" appearing in the above formula corresponds to the maximum suspended solids concentration permissible without surcharge. The figure "0.00834" is the factor to convert parts per million to pounds per 1,000 gallons. No discount will be permitted for sewage or industrial wastes having a suspended solids concentration less than 250 ppm.

§ 100-25. Payment procedures.
The surcharge will be added to the sewer service charges set forth in Article IV and will be billed, will be due at the same time and will be subject to the same penalties, all as set forth in § 100-14 hereof.

ARTICLE VI
Billing and Collection

§ 100-26. Method of payment.
The sewer service charge and the surcharges (where applicable) shall be payable as provided in §§ 100-13 through 100-19.

§ 100-27. Collections.
Council, either directly or through any person whom it may by resolution appoint or with whom it may contract, will render such sewer service charge and surcharge bills and will make collections thereof in accordance herewith and any agreement (including the agreement) with neighboring municipalities, the water utility, neighboring municipal authorities or any other entities so authorized by the borough.

§ 100-28. Delivery of bills and notices.
Bills and notices relating to the sewer service charges and surcharges will be mailed or delivered to the property owner's and/or the water user's last known address as shown on the books of the Board. All bills for sewer service shall be rendered to the owner or, after proper arrangements, to the tenant of the premises to which the sewer service is furnished; nevertheless, the owner of the premises shall in all cases be liable for the payment of such bills.

§ 100-29. Promulgation of rules and regulations.
Council shall have the power and authority at any time and from time to time, by resolution duly adopted, to make such other rules and resolutions or to change the foregoing provisions with respect to the manner and procedure of billing and collections as said Council, in its sole discretion, may determine.

ARTICLE VII
Delinquencies, Violations and Remedies

§ 100-30. Delinquencies.
Each sewer service charge, surcharge, penalty and interest imposed by this Part 1 shall be a debt due the borough and shall be a lien on the property served and, if not paid within 30 days after the date rendered, shall be delinquent. In such event, the borough or authorized agents of the borough may proceed to file a lien in the office of the Prothonotary of Westmoreland County, Pennsylvania, and collect the same in the manner provided by law for the filing and collection of municipal claims; or the borough or authorized agents of the borough may proceed to collect such delinquent sewer service charge, surcharge, penalty and interest by an action in assumpsit or by distress of personal property on the premises or by any other legal or equitable remedy then available to the borough. In the event of failure to pay the sewer service charge, surcharge, penalty. and interest after they become delinquent as herein provided, the borough or authorized agents of the borough shall be authorized, in addition to any other remedies authorized by law and to the extent authorized by law, to shut off or cause to be shut off the water to be delivered to such property and/or to remove or close the sanitary sewer connection and shall have the right to enter upon the property served for such purposes and to take such steps as may be necessary to accomplish the same; and any expenses with respect thereto, as well as the expense of restoring any such water and/or sewer service or connection, shall likewise be a debt due the borough and a lien on the property served and may be filed and collected as hereinabove provided, and such water and/or sanitary sewer connection may not again be turned on or restored for the same owner or user until all sewer service charges, surcharges, penalties and interest, including the expense of removal, closing and restoration, shall have been paid.

§ 100-31. Violations and penalties.
Any person violating any of the provisions of this Part 1 shall, upon conviction thereof before any District Justice, be sentenced to pay a fine of not more than $600 for each and every offense and

costs and, in default of payment of said fine and costs, be imprisoned in the Westmoreland County fail for a period not exceeding 30 days until such fine and costs are paid. Whenever such person shall have been notified in writing by Council that he is violating this Part 1, each day that he shall continue such violation after receipt of such notification shall constitute a separate offense punishable by a like fine upon conviction thereof.

§ 100-32. Change of ownership.
Change of ownership of occupancy of any property served by the total sewer system with, respect to which a service charge, surcharge, penalty or interest imposed by this Part 1 is delinquent, as provided in § 100-30, shall not be a cause for reducing or eliminating the rights and remedies of the borough as set forth in this Article VII.

ARTICLE VIII
Miscellaneous

§ 100-33. Delegation of Council duties.
Council may delegate, transfer, set over or assign to any person any or all administrative duties, obligations and rights of Council hereunder.

§ 100-34. Duties of borough officers.
The proper officers of the borough are hereby authorized and directed to do, make, execute, perform and deliver any and every act, deed or thing necessary or convenient to fully perform and carry out the obligations and purposes of the borough herein set forth.

Part 2
Sewer Use

ARTICLE IX
Sanitary Sewer System Fees

[Adopted by Ord. No. 95-4, as amended through 2010]

§ 100-35. Fees imposed.

A. Imposition of customer facilities fee. There is hereby imposed at the time the borough and/or Franklin Township Municipal Sanitary Authority installs or pays for the installation of any sanitary sewer facilities servicing the property within the municipality at the property line or curb stop of the proposed property to be served. This amount shall be equal to the actual cost incurred by the municipality in constructing any portion of the facility required to serve the

property or the dwellings on the property. This charge hereinafter shall be referred to as the "customer facilities fee component." The Franklin Township Municipal Sanitary Authority customer facilities fee shall be added to this fee.

B. Imposition of tap-in fee. As of the date of this Part 2, a connection fee is hereby imposed at the time that a property owner connects his/her property to the public sanitary sewer system of the Borough of Delmont, hereinafter referred to as the "municipal sewer system." Where the borough maintains, operates or provides access to the public sewer system to the property line or curb stop of the property to be connected by the developer/owner, the connection fee shall be the amount of $1,957.58 (hereinafter referred to as "connection fee" or "connection fee component"). The Franklin Township Municipal Sanitary Authority Connection Fee (if any) shall be added to this fee. **[Amended by Ord. No. 2006-10]**

C. **[Amended by Ord. No. 2006-10]** Determination of tapping fee. The fee shown below shall be imposed where a property or dwelling unit is connected to the municipal sewer system. The fee shown below shall be paid in addition to the FTMSA tapping fees. This fee hereinafter shall be referred to as the "tapping fee component" and shall be determined and calculated as follows:

1. Residential property.
   a. Single-family dwelling unit, single-family mobile home unit, each mobile home in a mobile home park or each single-family house trailer, single-family modular prefabricated dwelling units shall pay the sum of $1,957.58.

   b. Multifamily dwelling units, mixed residential and nonresidential dwelling units: the sum of $1,957.58 per dwelling unit. Each dwelling unit shall incur a one dwelling-unit charge for each EDU (equivalent dwelling unit).

   c. Each separate building shall be considered an independent entity and be charged as an equivalent dwelling unit for the application of the tapping fee component as referred to in Subsection C(I)(a) and (b) above.

   d. Motels, hotels, dormitories and bed-and-breakfasts within one structure. The equivalent dwelling unit shall be calculated using estimated flows by the Municipal Engineer or municipal consultant and shall be based on the standards set forth in 25 Pa. Code 73.17(a) or any successor to said section. The number of equivalent dwelling units shall be first determined by the Municipal Engineer or the municipal designee/agent. An equivalent dwelling unit for purposes of applying this subsection for the specific instances referred to herein shall be the total average daily flow estimated as determined by the Municipal Engineer for the structure or each structure. The flow estimate shall be divided by 350 gallons per day with the resulting quotient raised to the next whole number in the event of a remainder. This calculation shall represent an equivalent dwelling unit. The tapping fee component shall be $1,957.58 multiplied by the equivalent dwelling unit as referred to in this subsection.

e. Other nonresidential uses tapping fee determinations shall be based on flow as prepared by the Municipal Engineer or the municipal designee/agent, and shall be based on the standards as set forth in 25 Pa. Code, Section 73.17(a) or the actual number of separated commercial equivalent dwelling units'(whichever is the larger number). The tapping fee component shall be the sum of $1,957.58, multiplied by the number of commercial EDU's.

D. Implicit fee adjustment. The effect or terms of executed or existing intermunicipal agreements between the municipality and the Sewage Authority is incorporated specifically herein by reference. Any fee adjustment or increased assessments/fees by the Authority are automatically to be owed by the developer/owner, plus the fees owed to the borough by this Part 2.

E. Inspection fee: $75.00. If an inspection fee is charged by the Franklin Township Municipal Sanitary Authority (FTMSA), then no borough inspection fee charge will be assessed.

F. Any fee assessed/charged by Franklin Township Municipal Sanitary Authority shall be added to the borough charges created by this Part 2.

G. Subsequent expanded use or change of use. In the event any particular use or premises has a change of use or expanded use resulting in a larger tapping fee calculation as per the terms of this Part 2, such tapping fees shall be collected for the expanded or changed use where additional equivalent dwelling units have occurred or resulted. In such instances, an additional tapping fee component shall be due and payable prior to the issuance of a building permit or before any construction or improvements are made to the premises.

H. Miscellaneous matters involving these Subsections A through C.

1. In the event the Pennsylvania Department of Environmental Protection (DEP) or its successor (DEP) adopts standards other than those that succeed those specifically set forth in Title 25 Pa. Code, Section 73.17, the successors standards shall be automatically incorporated herein.

2. In the event the proposed use to which the tapping fee applies is different from those used and set forth in Title 25 Pa. Code., Section 73.17, or different from any other standards set by DEP, then the average daily flow estimates for the proposed use shall be determined by the engineer based on known engineering data.

3. Separation of tapping fee component. In the event a separation of tapping fee component is necessary from the total tapping fee component, the sum of $90.05 (or 4.6% of the fee of § 100-35B) shall be considered the capacity part of that term as defined under said Act, Section 4B(T)(1)(III)(A), hereinafter referred to as "capacity part," and the sum of $1,867.53 (or 95.4% of the fee of § 100-35B) shall be considered the distribution or collection part of that term as defined under Section 4B(T)(1)(III)(B) of said Act, hereinafter referred to as "distribution part."

4. The customer served by the municipality or Sewer Authorities. In the event of connection by a property owner to any portion of the borough of Delmont sanitary sewer system as subject to a service agreement between the Borough of Delmont and any other municipality or sewage authority and in which service agreement there is a provision for payment by the borough to that municipality or sewage authority of a tap-in fee resulting from the property owner's connection, then the Tapping Fee Component for the customer shall be increased by the amount of the fee due and owing by the Borough of Delmont to the Municipal Sanitary Sewer Authority or the municipality under which said service agreement has occurred.

5. In the event the municipality may be required to increase the capacity or to expand any aspect of the existing sanitary sewer system to accommodate a particular group of customers or to serve a particular purpose or specific area, therein resulting in a special purpose fee being assessed, these special purpose fees shall be in addition to any and all other fees charged that may be referred to by this Part 2. The special purpose fee shall be determined by the actual cost of the expansion of the special purpose facility divided by the units of designed capacity which shall equal the cost per unit of design capacity. The number of units of design capacity required by the customer shall be multiplied by the cost of the unit of design capacity which shall result in a special purpose part of the tapping fee. In the event that a specific development shall require the expansion of said pump station or infrastructure of the sewer system, the developer shall pay said special purpose fee prior to the approval of the development or subdivision by the borough. This special purpose fee shall be computed as set forth above, and the total amount shall be due and payable upon presentation by developer of the proposed development plan.

I. Mandatory reimbursement. When a property owner constructs or causes to be constructed at his expense any sewer line extension which thereafter is dedicated to the borough or is under agreement to be dedicated to the Borough of Delmont in order that it becomes part of the Borough of Delmont sewer system, that property owner shall be entitled to be reimbursed a sum equal to the Distribution Part of each tapping fee component collected when the owner of another property not in the development for which the extension was originally constructed connects a service line directly to the extension within 10 years of the date of the dedication of said extension to the Borough of Delmont, provided that there shall be deducted from such reimbursement a sum equal to 5% of the Distribution Part, which shall be deemed to represent the appropriate charge for administrative expenses and services rendered in calculating, collecting, monitoring and disbursing the reimbursement payment to the property owner and subject to the following:

1. No reimbursement of the Distribution Part shall be permitted for any sewer line or lines which have been paid for by the Borough of Delmont.

2. The right to receive the Distribution Part shall be subject to the provision that the property owner who is otherwise entitled to reimbursement shall have previously entered into a reimbursement agreement (or developer agreement which makes provision for reimbursement as a part of it, which together are referred to

hereinafter in this Part 2 as "reimbursement agreement"), all in accordance with the terms of Section 4B(z)(3) of the Act.

3. The total reimbursement to which any property owner shall be entitled shall not exceed the cost of all labor, material, engineering design charges, cost of performance and maintenance bond, the Borough of Delmont review and inspection charges and any and all other charges involved in the acceptance and dedication of such facilities to the Borough of Delmont, less any amount which would be chargeable to such property owner or anyone who is the ultimate user of any portion of the property being developed by the property owner, based upon the Distribution Part of the tapping fee component which would be applicable to all lands of the property owner served directly or indirectly through such extensions if the property owner did not fund the sewer line extension.

4. The obligation of payment by the Borough of Delmont to the property shall be under and subject to the payment restrictions of Section 4B(z)(5) of the Act.

5. In the event that the municipality or the Municipal Authority acting on the municipality's part provides any repairs, capital improvements or changes to the system constructed by the developer, the tenure time frame referred to in Subsection I shall be operable for a five-year period of time. The time period shall be shortened and the tenure shall end upon repairs or improvements made by the municipality.

J. Voluntary reimbursement. When a property owner constructs or causes to be constructed at his expense any sewer line extension which thereafter is dedicated to the Borough of Delmont, in order that it becomes part of the Borough of Delmont sewer system, that property owner shall be entitled to be reimbursed a sum equal to the Distribution Part of each tapping fee component collected as a result of subsequent connections to the extension, in the event that the owner of another property not in the development for which the extension was constructed connects a collector, main or interceptor line to the extension within 10 years of the date of the dedication of said extension to the Borough of Delmont, provided the following:

1. The collector, main or interceptor sewer line which is connected to the extension is constructed as part of the development of a property which abuts the property of the property owner who originally constructed the extension; or is part of the development of a property through which the extension was made but was not part of the original property being developed; and/or is clearly delineated on the reimbursement agreement as property for which subsequent reimbursement shall be made.

2. The amount of the reimbursement shall be reduced by an amount equal to 5% of the Distribution Part on account of administrative fees and services rendered in calculating, collecting, monitoring and disbursing the reimbursement payments to the property owner entitled thereto.

3. The reimbursement shall be limited to those lines which have not previously been paid for by the Borough of Delmont.

4. The right of the property owner to receive reimbursement shall be conditioned upon the property owner having entered into a reimbursement agreement in accordance with the Act and which reimbursement agreement shall also provide that the reimbursement will be permitted to the property owner only in the event that the property owner constructs the sewer line extension or extensions in accordance with the rules and regulations of the Borough of Delmont and DEP; and also that the property owner constructs the sewer line extension or extensions in such a size, location and depth as is recommended by the Engineer as being appropriate to serve properties outside and apart from the property being developed by the property owner, but which properties could ultimately be served by the sewer line extensions if constructed in the manner recommended by the Engineer; provided further that the reimbursement agreement shall also require the property owner to provide any right-of-way or rights-of-way without charge as are reasonably required by the Borough of Delmont or others to extend the sanitary sewer line to abutting properties of the property being developed by property owner.

5. The total reimbursement to which any property owner shall be entitled shall not exceed the cost of all labor and material, engineering design charges, the cost of performance and maintenance bonds, the Borough of Delmont review and inspection charges involved in the acceptance and dedication of such facilities by the Borough of Delmont, less any amount which would be chargeable to such property owner or anyone who is the ultimate user of any portion of the property being developed by the property owner, based upon the Borough of Delmont's Capacity Part and Distribution Part of the tapping fee component which would be applicable to all lands of the property owner served directly or indirectly through such extensions if the property owner did not fund the extensions and further less the amount of any reimbursement to which the property owner is otherwise entitled under Subsection I above.

6. In the event that the municipality or the municipal authority acting on the municipality's part provides any repairs, capital improvements or changes to the system constructed fee is hereby the developer, the tenure time frame referred to in Subsection I shall be operable for a five-year period of time. The time period shall be shortened and the tenure shall end upon repairs or improvements made by the municipality.

ARTICLE X
Sewer Lateral Inspections
[Adopted by Ord. No. 2010-1, as adopted 3/09/10]

§ 100-36. Authorization.
The Borough of Delmont (hereinafter "Borough") hereby establishes that its employees, agents and/or designees shall identify, report and require disconnection of any illegal stormwater or surface water connection made or discovered at any time prior to or following the effective date of this ordinance, to the Delmont Borough Sewer System, or other public sewer system, and for such purpose and in conjunction with the regulatory power of the Council of the Borough of Delmont, such employees, agents and/or designees are authorized to enforce, consistent with the ordinances in effect within the Borough, the provisions of this ordinance with respect to illegal stormwater and surface water connections to the Delmont Borough Sewer System. The employees, agents and/or designees shall report to the Borough all enforcement measures undertaken within the Borough pursuant to Borough ordinances concurrently with undertaking such enforcement action.

§ 100-37. Definitions.

A. Person – Any person, syndicate, associate, partnership, firm, corporation, institution, agency, Authority, or other entity recognized by law as the subject of rights and duties.

B. Municipal Lien Letter – A written letter from the proper official of the Borough of Delmont concerning municipal liens.

C. Certification of Sewer Lateral – An official statement from the proper official of the Borough of Delmont stating that there are no known illegal storm or surface water connections into the sanitary sewer connections of any individual property.

D. Illegal Storm or Surface Water Connections – The discharge of ground or surface water of the connection of downspouts, roof drainage, surface areaway drainage, or foundation drainage into the sanitary sewage system.

§ 100-38. Written reports of and required repairs of deteriorating or poorly constructed laterals and sewer service connections.
When, during the course of operations within the Borough and regular monitoring and maintenance of public sewer lines and facilities, the employees, agents and/or designees of the Borough identify deteriorating or poorly constructed laterals and sewer service connections, causing infiltration and inflow of extraneous waters into the public sanitary sewer system of the Delmont Borough Sewer System, then written notice shall be provided to the property owner or owners as to the condition of such laterals and sewer service connections, together with a statement that such deteriorating or poorly constructed laterals and sewer service connections must, at the property owner's expense, be promptly repaired, replaced or rehabilitated within sixty (60) days

of receipt of said notice. A copy of all written reports issued in connection with these examinations of deteriorating or poorly constructed laterals and sewer service connections shall be maintained as part of the official records of the Borough.

§ 100-39. Powers of the Borough of Delmont.

The Borough of Delmont, its employees, agents and/or designees, in performing the duties and undertaking the programs identified in this ordinance, shall be empowered to enter upon any private property at all reasonable times, with proper notice to the owner, for the purpose of obtaining information, conducting inspections and/or enforcing this ordinance and shall have only those powers expressly set forth in this ordinance and in other ordinances of the Borough or provided by law to perform its functions consistent with such ordinances.

§ 100-40. Powers conferred herein are in addition to all other powers and responsibilities of authorities.

The powers conferred by the within ordinance to the Borough shall be in addition to and not in substitution for any other powers conferred upon these entities to enforce and require the elimination of illegal stormwater and surface water connections to the Delmont Borough Sewer System and other public sewer systems maintained within the borders of the Borough of Delmont.

§ 100-41. Periodic testing authorized.

A. No property owner or property user of the public sanitary sewer system of Delmont Borough shall discharge, or permit the discharge of any stormwater, surface water, roof runoff, subsurface drainage, foundation drains, driveway drainage, cooling water or unpolluted industrial process water into said sanitary sewer system.

B. The Borough is hereby authorized to conduct random periodic smoke and/or dye tests, and any other appropriate test or inspection, without cost to the residents of the Borough of all existing sewer systems and structures in the Borough to determine compliance with this ordinance and other laws pertaining to sewer systems and structures.

C. Upon satisfactory completion of testing of any property by the Borough or upon the completion of required remedial action to maintain any property in compliance with the terms hereof, the property owner shall be issued a Certification of Sewer Lateral setting forth the identification of the property owner, identification of the property by street address and tax map number, the date, nature and results of testing, and the completion of any required remedial action.

D. Every owner, lessee or occupier of land within the territory serviced by the Delmont Borough Sewer System shall submit to smoke and/or dye testing, or other appropriate test or inspection, by the Borough, its employees, agents and/or designees. The owner, lessee or occupier of the land shall permit said testing upon request. Testing will not be required when the owner, lessee or occupier of the land produces a valid Certification of Sewer Lateral issued by the Borough of Delmont, its agent or designee, which Certification of Sewer Lateral shall be sufficient proof of compliance for purposes of this Ordinance five (5) years from the date of issuance.

E. When illegal stormwater or surface water connections have been discovered, all necessary remedial work to correct such connection shall be completed by the owner, lessee or occupier of the premises, weather permitting, within forty-five (45) days of the date such party receives notification of the illegal connection.

§ 100-42. No conflict with general police powers.

Nothing in this ordinance shall limit, in any fashion whatsoever, the right of the Borough to enforce ordinances or the laws of the Commonwealth of Pennsylvania. Nothing in the ordinance shall be a defense to any citation issued by any Municipal Corporation of the Commonwealth pursuant to any other law or ordinance.

§ 100-43. Certification of sanitary sewer status prior to sale of real estate.

A. Any person selling or refinancing real estate located within the Borough of Delmont which is connected to the public sanitary sewer system must subject such person's real property to prior inspection, including inspection of interior premises of any building or residence, by authorized representatives of the Borough, at reasonable hours and upon prior written notice, to determine compliance with the rules and regulations governing sanitary sewer discharges, the presence of sump pumps or other similar devices which discharge extraneous waters into the Delmont Borough Sewer System. Such person shall not be issued a Certification of Sewer Lateral until (1) such inspection has been performed and has revealed no illegal connections or devices discharging extraneous waters into the sewer system or other violations of the rules and regulations governing sanitary sewer discharges, or (2) a follow-up inspection verifies that any violations identified in the initial inspection have been corrected.

B. The Borough shall, from time-to-time by Resolution, adopt such standard forms or applications as may be necessary and appropriate for the facilitation of the inspections and certifications required herein.

C. The Borough shall, from time-to-time by Resolution, adopt a standard charge or fee for the inspection of property prior to sale and the same shall be due and payable as part of a lien certification covering sewage charges.

§ 100-44. Violation and penalties.

A. Any person, firm, or corporation who is found to have violated any order of the Borough, or who willfully violated or failed to comply with any provision of this ordinance and the orders, rules, regulations and permits issued hereunder shall pay a fine or penalty of up to $1,000.00 following conviction thereof by a Magisterial District Judge in a private criminal complaint. In addition, the Borough may recover damages, costs, reasonable attorney fees, court costs, and such other fees and expenses of litigation incurred by the Borough in the prosecution of this claim.

B. Upon final adjudication that a violation of this ordinance exists and refusal or failure to act by the property owner to undertake the repair, replacement of rehabilitation identified by written notice as herein provided, the Borough shall have the right to enter onto the subject property to conduct the necessary work to bring the property into compliance with this ordinance at the sole expense of the property owner, and further, upon the failure of the property owner to pay said expense, the Borough shall have the right to file a lien against the subject property for the amount of said expenses, together with costs of filing and perfecting such lien.

ARTICLE XI
GREASE REGULATIONS
[Adopted by Ord. No. 2015-1, as adopted 2/10/15]

Section 100-45. Definitions. Unless otherwise expressly stated, the following words shall, for the purpose of this chapter, have the meanings herein indicated:

EXCESSIVE AMOUNTS OF GREASE – Discharge concentrations exceeding 100 parts per million (ppm) of fat/oil/grease (FOG) downstream of an interceptor or trap.

FOOD PREPARATION FACILITY – Any food establishment in any building, room or place or any portion thereof or appurtenance thereto, where food or drink is mixed, cooked or otherwise prepared, offered for sale, sold, served or given with or without charge to patrons, customers guests for consumption on or off of the premises provided, however, that this does not include the mixing, cooking or other preparation of serving of food in single-family dwellings to the resident family or its guests.

INTERNATIONAL PLUMBING CODE (IPC) – The 2003 International Plumbing Code, Chapter 10, Traps, Interceptors and Separators, or the latest version thereof.

RESTAURANT – Any public eating place where meals are prepared, offered for sale, sold and served to patrons, customers or guests for compensation based on the price charged for and generally paid at the conclusion of each meal. The words "meals," as used herein, means meals generally consisting of courses embracing some kind of meat or its equivalent, vegetable, bread, pastry, beverages and accompaniment.

TRAP/INTERCEPTOR – A physical device designed specifically to capture and contain fats, oils, or grease from a plumbing system prior to any public sanitary sewer.

SOLIDS INTERCEPTOR – An interceptor designed specifically to capture and contain solid waste material from a plumbing system prior to any public sanitary sewer.

SOLID WASTE DEVICE – Any device such as a waste grinder, garbage disposal, potato peeler, etc., intended to macerate solid waste prior to disposal in the public sewer system.

SECTION 100-46. Plumbing to be in good repair. Every building or room occupied or used as a food preparation facility or restaurant shall be well drained. All soil pipes, waste pipes, drains or other plumbing fixtures shall be of adequate size to enable a passage of any waste intended to pass through to the main public sewer. All drains, sewers, waste and soil pipes, traps in water and gas pipes shall at all times be kept in good repair and order so that no gasses or odors shall escape therefrom and so that the same shall not leak, and all vent pipes shall be kept in good order and repair from obstruction.

SECTION 100-47. Grease traps and grease interceptors required.

A. On or before 1st day of September, 2015, every building, room or space or part thereof used as a restaurant or food preparation facility, whether new or existing, shall install such grease interceptor or grease traps as may be deemed reasonably necessary by the Code Enforcement Officer of the Borough and/or the Borough's responsible agent to prevent the discharge of wastes in excess of that otherwise permitted by the above-listed standard into the public sewer system; and provided further, that in the event that a grease trap or traps are mandated hereunder, then the same shall be (a) installed in such location and in such a manner as is satisfactory to the Code Enforcement Officer of the Borough and/or the Borough's responsible agent; and (b) maintained on a regular basis by the owner/occupant(s) of the premises upon which they are located in order to prevent a discharge in excessive amounts of grease. Either individual internal grease traps or an underground grease interceptor must be installed on each fixture in existing or any changes of use or occupancy of existing structure involving restaurants or food preparation facilities structures used as restaurants and food preparation facilities. An <u>external underground grease interceptor</u> must be installed in all new structures where required, in accordance with IPC capacity limits. The selection of either a trap or interceptor and the sizing of the same shall be determined in accordance with Table 1003.3.4.1 of the International Plumbing Code, which is incorporated herein by reference.

B. All newly constructed restaurants or food preparation facilities shall be required to install an exterior, underground grease interceptor of sufficient size as determined by the Code Enforcement Officer of the Borough or the Borough's responsible agent. The minimum size of the grease interceptor shall be determined in accordance with Table 1003.3.4.1 of the International Plumbing Code.

C. In all existing restaurants or food preparation facilities, there shall be installed a grease interceptor or grease trap as determined by flow-through rate, as detailed above. In existing facilities where it is reasonably determined by the Code Enforcement Officer of the Borough or the Borough's responsible agent that a grease trap is not sufficiently sized to handle the existing fixture flow rate, the Borough or its responsible agent or assigns may require that an external grease interceptor (as detailed above) be installed. Such shall be evidenced by excessive amounts of grease being discharged into the public sewer system by the restaurant or food preparation facility.

D. Each grease interceptor or grease trap shall and must be installed by a plumber approved by the Code Enforcement Officer of the Borough or the Borough's responsible agent.

SECTION 100-48. Installation of grease interceptors and traps.

A. Said grease interceptors shall be installed and located according to IPC 10 prior to the entrance of the main public sewer line. An inspection site tee shall be installed between the interceptor discharge and connection into the pubic sewer system. All installations shall be in accordance with the Borough Rules and Regulations, IPC 10 and the manufacturer's recommendations.

B. No solid waste devices are permitted to discharge directly into the grease trap or grease interceptor. A solids interceptor is required to separate the discharge from the solid waste device before connecting to any grease trap or grease interceptor. The solids interceptor and grease trap or grease interceptor is required to be sized and rated for the discharge of the food waste grinder.

SECTION 100-49. Maintenance of grease interceptors and grease traps; testing.

A. All grease interceptors and grease traps shall be maintained and kept in good working order at all times by the Owner. The grease interceptor or grease trap shall limit the amount of discharge into the public sewer to FOG levels not exceeding 100 parts per million downstream of the interceptor or trap.

B. The owner, lessee or agent of any restaurant or food preparation facility shall, at a minimum of, quarterly inspect and document the maintenance and condition of the grease interceptor or grease trap(s). The inspection record must document, at a minimum, the name (inspector and company), address, telephone number of the inspection/disposal company, the method and frequency of cleaning schedule, the date of the cleaning inspection and the condition of the grease trap or grease interceptor. The Borough may at any time request presentation of such documentation. A more frequent cleaning/inspection schedule may be ordered to be performed by the facility if it is reasonably determined by the Borough that the facility discharges excessive amounts of FOG to the public sewer system.

C. Testing by an independent laboratory may be performed by the Borough to determine the amount of FOG discharge into the public sewer system. The Borough, at its own cost, may request random sampling of the discharge from grease trap(s) or the grease interceptor in restaurants and food preparation facilities. Failure of this independent laboratory testing requires the owner, lessee or agent of any restaurant or food preparation facility to reimburse the Borough for all costs associated with the testing, including Borough administrative costs. Additional fines or penalties may be assessed as addressed within this Ordinance.

SECTION 100-50. Violations and penalties.

A. Whosoever violates any of the provisions of this article shall, upon conviction thereof, be sentenced to pay a fine of up to $1,000 for each offense plus costs of prosecution and, in default of payment of such fine and cost of prosecution, shall be imprisoned for a period not exceeding 30 days. Each day that a violation continues shall be deemed a separate offense.

B. Whosoever violates any of the provisions of this article shall cease to discharge or infiltrate or permit the discharge or infiltration of the violating materials and substances upon receiving 30 days' notice, in writing, to do so. In case the violator neglects or refuses to do so, in addition to the fines set forth above, Delmont Borough may proceed to have the violating system disconnected and the cost thereof, together with the penalty of 10% additional thereto, shall be collected from the violator in the manner now provided by law. In addition to the penalties provided above, the Borough of Delmont shall have the right, upon proper notification, to cause water service to the offending premises to be terminated by the provider thereof.

C. Whosoever fails the laboratory analysis involved with the grease-trap testing shall pay the administrative fees within 30 days of notice. Any fees not paid within 30 days may initiate legal action for collection.

SECTION 100-51. Right of entry/inspection of facility maintenance.

A. In the discharge of duties, Delmont Borough personnel or responsible agent shall have the authority to enter, at any reasonable hour, any restaurant or food preparation facility in the jurisdiction to enforce the provisions of the article.

B. The Delmont Borough personnel may cooperate with or delegate his/her authority to the appropriate authorized representative or other County agency charged with the duty of enforcing any ordinance or regulations relating to the subject matter of the ordinance.