

ORDINANCE NO. 2018-01

AN ORDINANCE OF RADNOR TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA, AMENDING CHAPTER 235, SEWERS, BY CREATING A NEW ARTICLE VI, "ADOPTION OF PWD WASTEWATER CONTROL REGULATIONS BY REFERENCE" WHICH FORMALLY ADOPTS THE PHILADELPHIA WATER DEPARTMENT SEWER AND WASTEWATER CONTROL REGULATIONS AS AMENDED JANUARY 1, 2013 FOR THAT PORTION OF THE SANITARY SEWER SYSTEM OF RADNOR TOWNSHIP WHICH FLOWS INTO LOWER MERION TOWNSHIP

WHEREAS, the City of Philadelphia requires that all contributing municipalities adopt by reference its Wastewater Control Regulations; and

WHEREAS, a portion of the Radnor Township wastewater flow enters the Lower Merion Township wastewater system and ultimately discharges to the City of Philadelphia wastewater facilities; and

WHEREAS, Lower Merion Township has requested that Radnor Township adopt and incorporate the Philadelphia Water Department Wastewater Control Regulations as adopted on January 1, 2013.

WHEREAS, Radnor Township wishes to adopt and incorporate the Philadelphia Water Department Wastewater Control Regulations into Chapter 235 of its Code of Ordinances.

NOW, THEREFORE, be it hereby *ENACTED* and *ORDAINED* by the Radnor Township Board of Commissioners as follows:

SECTION 1. Chapter 235, Article VI, Adoption of PWD Wastewater Control Regulations by Reference, is hereby added to read as follows:

ARTICLE VI: Adoption of PWD Wastewater Control Regulations by Reference

§235-29. Adoption and Incorporation.

Radnor Township hereby adopts and incorporates by reference the City of Philadelphia Water Department ("PWD") Wastewater Control Regulations, effective January 1, 2013 which shall apply to all Radnor Township wastewater flowing into the Lower Merion Township Wastewater System. A copy of the January 1, 2013 PWD Wastewater Control Regulations is attached hereto and incorporated herein as *Exhibit "A"*.

§235-30. Additional Requirements.

The Township's adoption of the PWD Wastewater Control Regulations shall be implemented and enforced in accordance with the following additional requirements:

- A. The PWD and/or Township may enforce the PWD Wastewater Control Regulations, including inspections and penalties, and shall provide notice of such enforcement.
- B. All notifications and reports required by a user subject to the PWD Wastewater Control Regulations shall be provided to both the PWD and the Township.
- C. Any industrial user responsible for any accidental discharge of wastewater must immediately notify both the PWD and the Township of said discharge.
- D. The knowing transmittal of false information by an industrial user to either the PWD or the Township is prohibited and constitutes a wastewater control regulation violation.
- E. The PWD or the Township may require an industrial user to install monitoring and pretreatment facilities, and these shall be provided and operated at the user's own expense.
- F. Any authorized officer or employee of the PWD may, upon twenty-four (24) hours' notice to the Township, enter and inspect, sample or test at any reasonable time any part of the Township's wastewater collection system, and, as permitted by law, enter onto private property to inspect, sample or test waste discharges of industrial users; the Township may also choose to inspect, sample and test waste discharges of the industrial users subject to the PWD Wastewater Control Regulations.
- G. Where a discharge to the wastewater collection system appears to present an imminent danger to the health and welfare of persons, or presents or may present an imminent danger to the environment, or threatens to interfere with the operation of the PWD's wastewater treatments system, the PWD or the Township may immediately initiate steps to identify the source of the discharge, and to prevent said discharge.
- H. In addition, to those penalties for violations specified in the PWD Wasterwater Control Regulations, effective January 1, 2013, any user who is found to have violated, continues to violate or fails to comply with any provisions of the regulations and permits issued hereunder shall be liable to the Township for a civil penalty not to exceed \$1,000 plus attorneys fees and costs of prosecution for each and every violation or, in default of payment of such fine and costs, to undergo imprisonment for not more than ninety (90) days for each violation. Each day a violation continues shall constitute a separate offense.

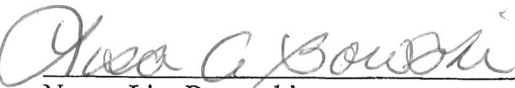
SECTION 2. Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

SECTION 3. Severability. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than that portion specifically declared invalid.

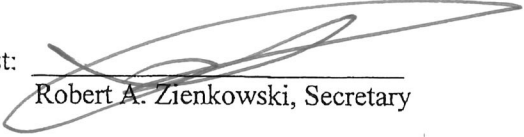
SECTION 4. Effective Date. This Ordinance shall become effective in accordance with the Radnor Township Home Rule Charter.

ENACTED and *ORDAINED* this 12 day of March, 2018.

RADNOR TOWNSHIP

By: 
Name: Lisa Borowski
Title: President

Attest:


Robert A. Zienkowski, Secretary