# *RESOLUTION 2021-05*

## *ROSTRAVER TOWNSHIP SEWAGE AUTHORITY*

## *AMENDING THE ROSTRAVER TOWNSHIP SEWAGE AUTHORITY RULES AND REGULATIONS*

WHEREAS, the Rostraver Township Sewage Authority (hereinafter "Authority"), is incorporated under the Municipalities Authorities Act, Act of May 2, 1945, P.L. 382, as amended, 53 Pa.C.S.A. 55601, et seq.; and

. WHEREAS, the Authority owns and operates a complete sanitary sewage collection system ("Sewage System") in certain portions of Rostraver Township and Westmoreland County, Pennsylvania; and

WHEREAS, the Authority deems it necessary to modify its Rules and Regulations with regard to Time of Sale regulations and procedures and the updating various other sections;

NOW, THEREFORE, BE IT RESOLVED by the Rostraver Township Sewage Authority, Effective July 1, 2021 as follows:

Section 4 - The Authority hereby amends Section 4; Applications and Contracts for Connection and Service. Specifically, Subsection 4.09 of its Rules and Regulations originally adopted by Motion on May 22, 2013 shall be amended as follows;

> Section 4.09 shall be stricken in its entirety and the following language shall be substituted.
>
> Property Transfers and Defect Discovery – For all property sold within the Township a No-Lien Letter Application, A Dye Test Application and a Lateral Inspection Application must be submitted to the Authority Office. Please see Section 5 of these Rules and Regulations for additional information on Time of Sale Testing.

Section 5 - The Authority hereby inserts in its entirety, Section 5; Time of Sale Testing Requirements as follows;

For all property sold within the Township you are required to complete a No-Lien Letter Application, a Dye Test Application and a Lateral Inspection Application. Please contact the Rostraver Township office for any questions at 724-930-7667 during regular business hours. (Monday through Friday, 8 am to 4 pm).

**OBLIGATIONS OF SELLER/PURCHASER**

If a sale of a home/business occurs, a no-lien letter must be secured and both a dye test and sanitary sewer lateral test must be performed; (if a Lateral Inspection has already been performed within a 3-year period or the home is newly constructed; a new inspection is not required. Note: The Buyer has the right to request that a lateral testing be performed. Rostraver Township Sewage Authority only certifies the condition of the lateral as of the date of the most recent inspection, and cannot warrant that changes have not occurred since that date.
IMPORTANT: Should a CCTV lateral inspection not be required; A Dye Test is mandatory for every sale. The cost for a No Lien Letter/Dye Test Certificate is Fifty ($50.00)..

A dye test is performed to determine whether non-sanitary sewer water flows are entering the sanitary sewer system (i.e. from roof leaders, driveway drains, or foundation drains, etc). A sanitary sewer lateral test is performed to determine the condition of a property owner's lateral, whether it may be compromised, thereby allowing unwanted water inflow into the sanitary sewer system, and/or sanitary sewage infiltration into the soils.

The Rostraver Township Sewage Authority will adjust rates for the combined dye test/sanitary sewer lateral video inspection at time of property sale as follows:

The base fee for the combined dye test/lateral video inspection will be One Hundred Seventy-Five ($175.00) Dollars for up to 100' of lateral inspected. Any lateral greater than 100' in length will have an additional inspection charge of fifty ($0.50) cents per foot (due after the inspection has been completed). Should the inspection be requested to be done outside of regular business hours or after 2:00 pm. on week-days, or at any time within seven (7) days of the proposed property closing, the combined fee for the first 100' of lateral inspection will be Two Hundred Seventy-Five ($275.00) Dollars. The cost for the Authority no-lien letter is Twenty Five ($25.00) Dollars.

Should applicant choose to use a third (3rd) party to complete the required testing (dye testing and CCTV lateral inspection), a fee of $50 will apply for the time and inspection by Authority personnel of work being done.

Please see Appendix A as reference in Resolution 2021-2 and 2021-3 for time of sale testing requirements.

a. The Authority hereby creates an Appeals Board pursuant to Resolution No 2021-4 to hear technical disputes from persons who disagree with the results of an inspection of the sewer lateral ("Appellants") conducted pursuant to Sections XIII and XIV of these Rules and Regulations or the amount and type of work to be done as a result of the inspection.

b. The sole grounds for a challenge to said inspection shall be whether the findings of the inspection are appropriate or whether the amount and type of work ordered to be completed is appropriate. No challenges shall be heard that are based upon financial concerns or a homeowner's inability to pay for any indicated repairs. Any request to the Authority by a property owner for a time extension for performing repairs due to financial hardship will be considered on a case by case basis by the Authority Board outside of this Appeals process.

c. The Appeals Board shall consist of 3 (three) members (the "Members"), appointed by the Authority Board.

d. The terms of the Members shall be at the will of the Authority Board and shall be for a period of indefinite length.

e. The Authority Board shall name one of the Members as Chairman of the Appeals Board; the duties of the Chairman shall include, but not be limited to, the following:

2. Conduct and lead any review hearing brought hereunder;
Determine the place and time of meeting for such a review;

a. Appellants desiring to bring a matter in front of the Appeals Board shall provide written notice of such desire to the Authority no later than 20 days from the receipt of the results of an inspection of the sewer lateral on the effected property. A hearing will be scheduled as soon as possible, but in no event greater than 30 days from receipt of the written request.

b. Appellants may attend a hearing with the representation of counsel and may, at their cost, provide means by which the hearing will be recorded.

c. Appellants shall be provided a reasonable amount of time, but in any event, not to exceed 30 minutes, to present evidence and arguments in front of the Appeals Board.

d. Within 3 (three) business days of the hearing, the Appeals Board shall render a written decision on the matter.

e. The decision of the Appeals Board shall be based on the vote of 2 of the 3 Members. However, all 3 Members must be present for voting, unless special

circumstances dictate otherwise.

f. The decision of the Appeals Board shall be final.

g. The Appeals Board shall provide a written summary of the hearing to the Appellant and the Authority Board on a form to be established by the Authority Board.

Section 9 - Sewage Bills and Payments, specifically 9.17 Vacant Properties shall be amended as follows;

9.17.5 – Insert in its entirety

"In the case of demolition of a home/structure or removal of a mobile home, the owner will be responsible to cap off the sanitary sewer lateral at the curb. The owner must notify the Authority and a representative must be on site to inspect the capping of the lateral."

9.17.6 Current 9.17.5 shall become 9.17.6

The vacant property status/exemption described herein is available only to residential properties. Commercial properties are specifically excluded.

Section 11 – Sewer Line Extensions and Systems including Pump Stations

11.04.05 – As Built Drawings

The First sentence of existing Item 11.04.05 As Building Plans is stricken in its entirety and the following language shall be substituted:

Subsequent to the completion of the work, the applicant shall submit to the Authority "One (1) set of 11" x 17" reproducible as-built drawings, a USB drive containing as-built drawings and a PDF File submitted to the Authority Manager in the latest version of AutoCAD."

11.10 – Inspection (NEW SECTION)

Thirty days after completion of the work, an inspection by the Authority shall be conducted prior to the connection to the trap, unless the building drain and the sanitary sewer lateral are to be inspected at the same date, and prior to any backfilling. All lines shall be capped prior to inspection. The inspection shall consist of an air test of 5 lbs. for 5 minutes without any loss of pressure, or a