



Franklin Township Municipal Sanitary Authority
3001 Meadowbrook Road
Murrysville, Pennsylvania 15668-1627

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August 30, 2010

TO WHOM IT MAY CONCERN:

Please be advised that effective September 15, 2010, the Authority's Sewer Lateral Certification Program will be going into effect. This program will allow the Authority to operate this plant at maximum efficiency and capacity. Lateral lines that are damaged, cracked or worn allowing influent water into the sewer system or allowing sewage to leak into the surrounding soil will need to be repaired or replaced. This will also allow us to discover illegal connections such as down spouts, french drains, sump pumps, etc.

After the initial inspection and testing is completed, the property owner will be issued a Certificate of Compliance if the lateral passes the inspection. If the lateral fails the inspection, the customer will be required to repair or replace his or her lateral line at the owner's expense. The cost of this inspection is \$350.00, which includes the initial inspection and any retesting needed. When the repair or replacement of line is completed, another inspection must be done before the line can be covered over.

This inspection must be completed on all homes for sale or refinancing before a sewage lien letter will be released.

Attached please find the following information:

Sewer Lateral Certification Program
Application for Sewer Lateral Inspection
Resolution No. 10-08
Murrysville Ordinance No. 804-10

Please pass this information along to all other branches of your office.

FRANKLIN TOWNSHIP MUNICIPAL SANITARY AUTHORITY
JAMES C. BRUCKER MANAGER

Sewer Lateral Certification Program

What is the Sewer Lateral Certification Program?

To ensure the functionality and efficiency of the municipal sanitary sewer system, it is important that all sewer laterals channeling sewage into the system are in good shape. Laterals that are broken, cracked, worn, or damaged in some way may allow effluent (sewage) to leak out into the surrounding soil or allow influent (rain water, lake water, lawn irrigation, etc.) to enter the system, which would add to the sewer system flow and decrease capacity. In response to this problem, the Franklin Township Municipal Sanitary Authority has created a certification program, involving the inspection and testing of sewer laterals. The program is designed specifically to identify and remedy sewer laterals in need of repair or replacement. Upon passage of a lateral test, the property owner will be granted a certificate by Authority certifying that their sewer lateral is functioning well. The goal is to maintain a sewer system that best serves your needs.

Single family houses, duplexes, condos and apartment complexes make up the majority of sewer lateral connections within the Authority's service area. Most of these homes are older than 15, 20, even 30 years or more. In each case, the sewer lateral for each unit is just as old and, depending on the material of the lateral, may be deteriorating or succumbing to the effects of root infiltration. Roots penetrating into sewer laterals is a primary cause for inflow and infiltration, otherwise known as I&I.

Other causes of I/I are broken, cracked, fractured, offset, sag, change in material or out of round sewer laterals.

Step 1: What needs to be done?

Owner, trustee, realtor, or other responsible agent ("Applicant") determines whether or not a Certificate of Compliance has been issued already. If a property is being sold or refinanced, the Certificate must be obtained prior to the issuance of a lien letter by the Authority.

Step 2: Submit to the Authority an Inspection Application along with a check in the amount of \$350.

The Authority will schedule and perform an inspection for that property.

Step 3: The Authority issues Certificate of Compliance or Deficiency Report. Authority staff makes a determination and issues to Applicant the Certificate of Compliance or a Deficiency Report, which specifies reasons that the sewer lateral is not in compliance. If a Certificate of Compliance is issued, you're done; if not, continue with Step 4.

Step 4: Applicant hires contractor.

Applicant receives Deficiency Report, and hires a plumbing contractor to carry out the sewer lateral repairs or replacement, as indicated in the Deficiency Report. Alternatively, Applicant may choose to carry out repairs or sewer replacement himself/herself.

Step 5: Repair or replace the sewer lateral:

Contractor (or whoever is doing the work) carries out required repairs or replacement, but does not yet cover any of the work.

Step 6: Schedule Inspection of the repaired or replaced sewer line: Contractor (or Applicant) calls the Authority to schedule an inspection on the repaired or replaced – but still uncovered sewer lateral. Inspections require a minimum notice of 24 hours. Authority staff will perform the inspection.

Step 7: Cover the inspected sewer line, as necessary. Contractor (or whoever is doing the work) now fills in the sewer line trench with bedding and backfill material and completes any surface restoration.

Step 8: Authority issues a Certificate of Compliance to the Property Owner. Once the Authority staff has given the sewer work Final Inspection approval, the Authority issues, usually to the property owner, the Sanitary Sewer Lateral Certificate of Compliance. Although the Authority will keep a copy in its files, the property owner should retain this document for his or her permanent records.

Application can be obtained by stopping at the office located at 3001 Meadowbrook Road, Murrysville PA 15668 or online at www.ftmsa.org.

**FRANKLIN TOWNSHIP MUNICIPAL
SANITARY AUTHORITY**

APPLICATION FOR SEWER LATERAL INSPECTION

Date: _____

Paid: Cash/Check No. _____

Current Owner: _____

Address of property
to be tested: _____

Tax Map No: _____

Phone Number: _____

Pursuant to Ordinance No. 804-10 of the Municipality of Murrysville and Resolution No. 10-08 of the Franklin Township Municipal Sanitary Authority you are hereby notified to acquire a sewer lateral inspection prior to selling/refinancing a residential house, commercial building or any facility tied into the Authority's sanitary sewer system. If the lateral fails, corrections **MUST** be made prior to closing. A Certification of Sewer Lateral Inspection will be issued upon a "passing" inspection.

Cost: Application Fee: \$350.00 payable at time of submittal.

Authority staff will perform the following:

1. Smoke and Dye Test
2. Video Camera Inspection of sewer lateral.

The Authority recommends that the Applicant obtain several estimates from plumbers/plumbing contractors if their sewer lateral needs repairs.

If the lateral fails, corrections **MUST** be made prior to closing.

A no-lien letter, required by most lending institutions for closings, will not be issued by the Authority until the above testing has been completed and any deficiencies corrected.

Signature of Applicant: _____

RESOLUTION NO. 10-08

FRANKLIN TOWNSHIP MUNICIPAL SANITARY AUTHORITY

A RESOLUTION ESTABLISHING A REQUIREMENT FOR CERTIFICATION OF THE SANITARY SEWER LATERAL STATUS PRIOR TO THE SALE OF REAL ESTATE SITUATED IN THE MUNICIPALITY OF MURRYSVILLE AND SERVICED BY THE AUTHORITY AND AS A CONDITION FOR THE ISSUANCE OF MUNICIPAL LIEN LETTERS.

WHEREAS, the Franklin Township Municipal Sanitary Authority ("Authority") wants to ensure that there are no defects or connections that would allow extraneous water to enter the sanitary sewer system.

WHEREAS, the Franklin Township Municipal Sanitary Authority wishes to establish a program for sewer lateral inspection and repair.

WHEREAS, the program will include a requirement that prior to the sale of real estate with connections to the Authority's system, a lateral sewer service inspection will be performed.

WHEREAS, upon passing a lateral sewer service inspection, the Authority will issue a Certification of Sewer Lateral Inspection.

WHEREAS, upon failing a lateral sewer service inspection, the Authority will require the owner(s) correct all deficiencies.

WHEREAS, real estate needs to be in compliance with the Municipality of Murrysville prior to the issuance of a Certification of Sewer Lateral Inspection by the Authority.


WHEREAS, a fee in the amount of \$350.00 is to be charged by the Authority for the lateral sewer service inspection.

NOW, THEREFORE, be it resolved that the Policy entitled "FTMSA Lateral Sewer Service Inspection" is hereby adopted in its entirety effective this 18th day of March, 2010.

ATTEST:

Franklin Township Municipal
Sanitary Authority


Secretary


Chairman

MUNICIPALITY OF MURRYSVILLE
WESTMORELAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 804-10

AN ORDINANCE ESTABLISHING A PROGRAM OF INSPECTION AND NOTIFICATION WITH RESPECT TO ILLEGAL STORMWATER AND SURFACE WATER CONNECTIONS AND DETERIORATING CONNECTIONS TO THE PUBLIC SANITARY SEWER SYSTEM OF FRANKLIN TOWNSHIP MUNICIPAL SANITARY AUTHORITY; ALLOWING FOR THE IDENTIFICATION AND ENFORCEMENT REGARDING ILLEGAL STORMWATER AND SURFACE WATER CONNECTIONS TO THE PUBLIC SANITARY SEWER SYSTEM OF FRANKLIN TOWNSHIP MUNICIPAL SANITARY AUTHORITY; PROVIDING FOR NOTICE TO OWNERS OF PROPERTIES SITUATED WITHIN THE MUNICIPALITY OF MURRYSVILLE TO REPAIR DETERIORATING SEWER LATERALS AND LATERALS IN NEED OF REPAIR WHICH ARE LEGALLY CONNECTED TO THE PUBLIC SANITARY SEWER SYSTEM OF FRANKLIN TOWNSHIP MUNICIPAL SANITARY AUTHORITY; ESTABLISHING POWERS AND DUTIES UPON THE MUNICIPALITY OF MURRYSVILLE; AND AUTHORIZING PERIODIC TESTING AND IMPOSING PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE

WHEREAS, the Pennsylvania Sewage Facility Act, the Act of January 24, 1966, P.L. (1965) 1535. 35 P.S. Statute 750.1 et seq., requires the Municipality of Murrysville to make or cause to be made such inspections and tests as may be necessary to carry out the provisions of said Act to eliminate illegal stormwater and surface water from entering into the public sanitary sewer system; and

WHEREAS, illegal connections together with other factors can result in an overload to the public sanitary sewer system of the Franklin Township Municipal Sanitary Authority; and

WHEREAS, deteriorating or poorly constructed laterals and sewer service connections situated on and in properties located within the Municipality of Murrysville together with other factors can result in an overload to the Franklin Township Municipal Sanitary Authority; and

WHEREAS, the Franklin Township Municipal Sanitary Authority has established by Resolution of the Authority, a program of inspection, including inspections associated with the sale of real estate which is served by facilities of the Authority; and

WHEREAS, the Council of the Municipality of Murrysville has determined that an additional means of eliminating illegal storm sewer and surface water connections and identifying deteriorating or poorly constructed sewer service connections to the public sanitary sewer system of Franklin Township Municipal Sanitary Authority is through a program of inspection and reporting with respect to such sewer service connections to be conducted by under the authority of the Municipality of Murrysville by the Franklin Township Municipal Sanitary Authority; and

WHEREAS, the Council of the Municipality of Murrysville has determined that in the interests of the health, safety and welfare of the residents of the Municipality of Murrysville, it is necessary to implement a program of inspection and reporting with respect to illegal stormwater or surface water connections to the sanitary sewers and deteriorating or poorly constructed laterals and sewer service connections; that the program shall be administered by the Franklin Township Municipal Sanitary Authority; and said program shall be in addition to and not in substitution for any and all other means of eliminating illegal stormwater and surface water connections now available to the Municipality of Murrysville.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Council of the Municipality of Murrysville, Westmoreland County, Pennsylvania, that:

ARTICLE ONE: ADOPTION.

There shall be added to the Code of the Municipality of Murrysville the following provisions to be codified as a portion of Chapter 193 of said Code addressing sewage issues in the Municipality; and shall be designated as Chapter 193, Article II B.

CHAPTER – 193

ARTICLE II B: INSPECTIONS AND CERTIFICATE OF SEWER LINE STATUS.

Section 193-22.1. AUTHORIZATION.

The Municipality of Murrysville (hereinafter "Municipality") hereby designates the Franklin Township Municipal Sanitary Authority (hereinafter "FTMSA") its employees, agents and/or designees as the authority to 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 Franklin Township Municipal Sanitary Authority, or other public sewer system, and for such purpose and in conjunction with the regulatory power of the Council of the Municipality of Murrysville, such employees, agents and/or designees are authorized to enforce, consistent with the ordinances in effect within the Municipality and the Regulations adopted from time to time by Franklin Township Municipal Sanitary Authority the provisions of this ordinance with respect to illegal stormwater and surface water connections to the Franklin Township Municipal Sanitary Authority.

Section 193-22.2. 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 Municipality of Murrysville concerning municipal liens.
- C. Certification of Sewer Lateral – An official statement from the proper official of Franklin Township Municipal Sanitary Authority 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.

- E. Authority – Franklin Township Municipal Sanitary Authority and its successor agency.

Section 193-22.3. WRITTEN REPORTS OF AND REQUIRED REPAIRS OF DETERIORATING OR POORLY CONSTRUCTED LATERALS AND SEWER SERVICE CONNECTIONS.

When, during the course of operations within the Municipality and regular monitoring and maintenance of public sewer lines and facilities, the employees, agents and/or designees of Franklin Township Municipal Sanitary Authority identify deteriorating or poorly constructed laterals and sewer service connections, causing infiltration and inflow of extraneous waters into the public sanitary sewer system of Franklin Township Municipal Sanitary Authority, 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 Authority.

Section 193-22.4. POWERS OF FRANKLIN TOWNSHIP MUNICIPAL SANITARY AUTHORITY.

Franklin Township Municipal Sanitary Authority, 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, and in accordance with prevailing law, 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 Municipality or provided by law to perform its functions consistent with such ordinances.

Section 193-22.5. POWERS CONFERRED HEREIN ARE IN ADDITION TO ALL OTHER POWERS AND RESPONSIBILITIES OF AUTHORITIES.

The powers conferred by the within ordinance to the Municipality 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 public sewer systems maintained within the borders of the Municipality of Murrysville.

Section 193-22.6. PERIODIC TESTING AUTHORIZED.

- A. No property owner or property user of the public sanitary sewer system of Franklin Township Municipal Sanitary Authority 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. Franklin Township Municipal Sanitary Authority is hereby authorized to conduct random periodic smoke and/or dye tests, and any other appropriate test or inspection of all existing sewer systems and structures in the Municipality to determine compliance with this ordinance and other laws pertaining to sewer systems and structures, PROVIDED, HOWEVER, that no inspection fee shall be charged for such inspection tests under Section 193-22.6 D.
- C. Upon satisfactory completion of testing of any property by the Franklin Township Municipal Sanitary Authority 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 Franklin Township Municipal Sanitary Authority shall submit to smoke and/or dye testing or other appropriate test or inspection by Franklin Township Municipal Sanitary Authority, 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 Franklin Township Municipal Sanitary Authority, its agent or designee, which Certification of Sewer Lateral shall be sufficient proof of compliance for purposes of this Ordinance three (3) 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.

Section 193-22.7. NO CONFLICT WITH GENERAL POLICE POWERS.

Nothing in this ordinance shall limit, in any fashion whatsoever, the right of the Municipality 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.

Section 193-22.8. CERTIFICATION OF SANITARY SEWER STATUS
PRIOR TO SALE OF REAL ESTATE.

A. Any person selling or refinancing real estate located within the Municipality of Murrysville and connected to the public sanitary sewer system of Franklin Township Municipal Sanitary Authority must subject such person's real property to prior inspection, including inspection of interior¹ premises of any building or residence, by authorized representatives of Franklin Township Municipal Sanitary Authority, at reasonable hours and upon prior written notice, to determine compliance with the Rules and Regulations of Franklin Township Municipal Sanitary Authority. 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 violation of the Rules and Regulations of Franklin Township Municipal Sanitary Authority, or (2) a follow-up inspection verifies that any violations identified in the initial inspection have been disconnected and removed.

1. An inspection certificate shall not be required on the sale of a new structure to its initial occupant, provided, however, that it was inspected by the Authority in the due course of construction within 24 months prior to proposed sale.
2. An inspection certificate shall not be required on a sale of a structure for which a certificate was previously issued within the preceding 60 months, conditioned, however, upon submission of a written representation of the property owner, under oath, that there has been

¹ Authority's personnel entry for an interior inspection of the premises to require owner's consent or demonstration of probable cause. Such limitation shall not apply to devices used by the Authority to inspect the interior of an owner's pipeline(s) connecting to the public sanitary sewer system.

- no alteration(s) giving rise to an unlawful discharge into the public sanitary sewer system.
3. An inspection certificate shall not be required on a refinancing of a structure for which a certificate was previously issued within the preceding 60 months, conditioned, however, upon a submission of a written representation of the property owner, under oath, that there has been no alteration(s) giving rise to an unlawful discharge into the public sanitary sewer system.
- B. Franklin Township Municipal Sanitary Authority 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. Franklin Township Municipal Sanitary Authority shall, from time-to-time by Resolution, adopt a standard charge or fee for the inspection of property prior to sale or refinance and the same shall be due and payable as part of a lien certification covering sewage charges. *A copy of the proposed fee schedule for issuance of a certificate is attached hereto, provided, however, the Authority is free to adopt revisions thereto, from time to time, without necessity of prior approval of the Municipality of Murrysville.
- D. A certificate requested by the owner, lender or other authorized party at any time shall be subject to the inspection/certificate fee provided for under Section 193-22.8 C.

Section 193-22.9. VIOLATION AND PENALTIES.

- A. Any person, firm, or corporation who is found to have violated any order of Franklin Township Municipal Sanitary Authority, 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 Franklin Township Municipal Sanitary Authority may recover damages, costs, reasonable attorney fees, court costs, and such other fees and expenses of litigation incurred by Franklin Township Municipal Sanitary Authority 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 or rehabilitation identified by written notice as herein provided, Franklin Township Municipal Sanitary Authority 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, Franklin Township Municipal Sanitary Authority 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.
- C. Proceedings before the Magisterial District Judge and/or the Westmoreland County Court of Common Pleas on a violation or enforcement action, as aforesaid, shall be initiated by the Franklin Township Municipal Sanitary Authority, without necessity for the joinder of the Municipality of Murrysville for such purposes.

Section 193-22.10. SEVERABILITY.

The provisions of this ordinance are severable, and if any section, sentence, clause or phrase shall be held by a court of competent jurisdiction to be illegal, invalid or unconstitutional, the remaining portions of this ordinance shall not be affected or impaired thereby.

Section 193-22-11. CODIFICATION.

The provisions of this Ordinance shall be codified as part of the Code of the Municipality of Murrysville.

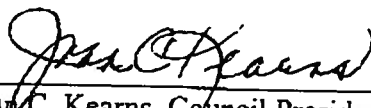
Section 193-22-12. REPEALER. Any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same are hereby repealed to the extent of such conflict.

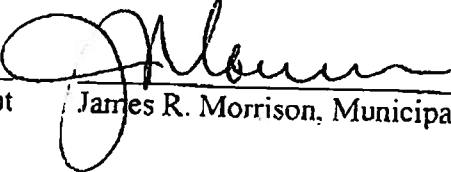
ARTICLE TWO: CHANGE IN DESIGNATION.

The current provisions as contained under Article II shall henceforth the designated as being contained under Article II A.

THIS ORDINANCE ORDAINED AND ENACTED AT A REGULARLY CONSTITUTED DULY CONVENED MEETING OF THE COUNCIL OF THE MUNICIPALITY OF MURRYSVILLE THIS 18TH DAY OF August, 2010.

COUNCIL OF THE MUNICIPALITY OF MURRYSVILLE


Joan C. Kearns, Council President


James R. Morrison, Municipal Secretary

(Seal)

APPROVED/REJECTED:

Robert J. Brooks, Mayor

Dated: _____, 2010

Member	Yes	No	Absent	Abstain
Nancy Kacin	✓			
Joan Kearns	✓			
Jeffery Kepler	✓			
Dennis Pavlik	✓			
David Perry	✓			
Regis Synan	✓			
Ronald Summerhill	✓			

Footnote: Authority's personnel entry for an interior inspection of the premises to require owner's consent or demonstration of probable cause. Such limitation shall not apply to devices used by the Authority to inspect the interior of an owner's pipeline(s) connecting to the public sanitary sewer system.

RESOLUTION NO. 10-08

FRANKLIN TOWNSHIP MUNICIPAL SANITARY AUTHORITY

**A RESOLUTION ESTABLISHING A REQUIREMENT FOR
CERTIFICATION OF THE SANITARY SEWER LATERAL STATUS
PRIOR TO THE SALE OF REAL ESTATE SITUATED IN THE
MUNICIPALITY OF MURRYSVILLE AND SERVICED BY THE
AUTHORITY AND AS A CONDITION FOR THE ISSUANCE OF
MUNICIPAL LIEN LETTERS.**

WHEREAS, the Franklin Township Municipal Sanitary Authority ("Authority") wants to ensure that there are no defects or connections that would allow extraneous water to enter the sanitary sewer system.

WHEREAS, the Franklin Township Municipal Sanitary Authority wishes to establish a program for sewer lateral inspection and repair.

WHEREAS, the program will include a requirement that prior to the sale of real estate with connections to the Authority's system, a lateral sewer service inspection will be performed.

WHEREAS, upon passing a lateral sewer service inspection, the Authority will issue a Certification of Sewer Lateral Inspection.

WHEREAS, upon failing a lateral sewer service inspection, the Authority will require the owner(s) correct all deficiencies.

WHEREAS, real estate needs to be in compliance with the Municipality of Murrysville prior to the issuance of a Certification of Sewer Lateral Inspection by the Authority.


WHEREAS, a fee in the amount of \$350.00 is to be charged by the Authority for the lateral sewer service inspection.

NOW, THEREFORE, be it resolved that the Policy entitled "FTMSA Lateral Sewer Service Inspection" is hereby adopted in its entirety effective this 18th day of March, 2010.

ATTEST:

Franklin Township Municipal
Sanitary Authority


Secretary


Chairman