

LOWER NAZARETH TOWNSHIP
NORTHAMPTON COUNTY, PENNSYLVANIA

ORDINANCE # 255-04-25

GEORGETOWN MANOR SEWER DISTRICT
ESTABLISHMENT AND CONNECTION ORDINANCE

AN ORDINANCE ESTABLISHING THE GEORGETOWN MANOR SEWER DISTRICT, PROVIDING FOR REGULATIONS FOR THE CONNECTION AND MAINTENANCE OF PUBLIC SEWER INSTALLATION, DEFINITIONS, TIME AND MANNER OF CONNECTION TO EXISTING PROPERTIES, NOTICE TO CONNECT, OWNERSHIP OF AND RESPONSIBILITY FOR SEWER SYSTEMS, REQUIREMENT FOR PERMITS, REGULATIONS FOR THE INSTALLATION AND MAINTENANCE OF GRINDER PUMPS, ADOPTING THE RATES AND REGULATIONS OF THE NAZARETH BOROUGH MUNICIPAL AUTHORITY, AND PROVIDING FOR PENALTIES, ENFORCEMENT, AND COLLECTIONS.

WHEREAS, Lower Nazareth Township is a Second-Class municipality located in Northampton County, Pennsylvania; and

WHEREAS, the Board of Supervisors has been advised of numerous on-lot septic failures of the properties within the Georgetown Manor neighborhood; and

WHEREAS, Section XXV of the Second Class Township Code authorizes the Board of Supervisors of Lower Nazareth Township to cause the installation and construction of a public sewer system; and

WHEREAS, the Department of Environmental Protection has determined that the Georgetown Sewer District would benefit from the installation of a public sewer system due to the high percentage of on-lot septic system failures; and

WHEREAS, the Department of Environmental Protection has issued the requisite approvals and permits for the installation of the public sewer system; and

WHEREAS, Nazareth Borough Municipal Authority has awarded a contract at their expense for the installation of a public sewer system in the area of Lower Nazareth Township defined as the Georgetown Manor Sewer District.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Lower Nazareth Township, Northampton County, Pennsylvania, as follows:

SECTION I. ESTABLISHMENT OF THE GEORGETOWN MANOR SEWER DISTRICT AND DECLARATION OF PURPOSE

It is the intent of the Lower Nazareth Township Board of Supervisors to establish the Georgetown Manor Sewer District as it has been deemed by the Department of Environmental Protection to be necessary for the protection, benefit, and preservation of the health, safety, and welfare of the inhabitants of the Georgetown Manor neighborhood due to the high volume of on-lot septic failures. Exhibit "A" depicts the properties to be served by the public sewer system established herein.

SECTION II. DEFINITIONS

APPLICANT - Any owner, plumber, agent, or contractor of such owner, or tenant with the permission of the owner, who makes or causes to be made an application for connection to the sewer system and/or for any work involved in the construction of a building sewer.

AUTHORITY - Nazareth Borough Municipal Authority, a municipality authority incorporated pursuant to provisions of the Municipality Authorities Act of 1945, approved May 2, 1945, P.L. 382, as amended and supplemented, of the commonwealth.

BUILDING SEWER - The sewer extension from the sewage drainage system of any improved property to the lateral serving such improved property.

COMMONWEALTH - The Commonwealth of Pennsylvania.

DOMESTIC SANITARY SEWAGE - Normal water-carried household and toilet wastes discharged from any improved property.

DWELLING UNIT - Any room, group of rooms, mobile home, house trailer, apartment unit, condominium unit, cooperative unit, building or other enclosure connected, directly or indirectly, to the sewer system and occupied or intended for occupancy as living quarters by an individual, a single family or other discrete group of persons, excluding institutional dormitories.

EQUIVALENT DWELLING UNIT (EDU) - The unit of measure by which any flat rate user charge shall be imposed upon each improved property, as determined by resolution of the Authority, which shall be deemed to constitute the estimated equivalent amount of domestic sanitary sewage discharged by a dwelling unit per day. The amount of sewage flow constituting one EDU is based on the most recent tapping fee calculation and may fluctuate.

GRINDER PUMP - A mechanism that shreds and pressurizes sewage, consisting of motor, pump and shredder as well as housing, wiring and alarms.

GRINDER PUMP MAINTENANCE AGREEMENT - An agreement between the Owner and Township pertaining to the responsibilities of installation and maintenance of a grinder pump.

IMPROVED PROPERTY - Any property upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals from which structure domestic sanitary sewage shall be or may be discharged, which is located within the sewer area and subject to the Connection Ordinance.

LATERAL - That part of the sewer system extending from a sewer normally located in the street right-of-way to the building sewer serving an improved property. If there shall be no improvement on the property, then “lateral” shall mean that part of the sewer system extending from said sewer to the curb box or other point of future connection to the building sewer, if and when said property is improved.

OWNER - Any person vested with title, legal or equitable, sole or partial, of any property.

PERSON - Any individual, partnership, company, association, society, trust, corporation, or other group or entity, including municipalities, municipal authorities, school districts and other units of government.

SEWER - Any pipe or conduit constituting a part of the sewer system used or usable for sewage collection purposes.

SEWER SYSTEM - All facilities, at any particular time, acquired, constructed, operated, and/or owned by the Authority, for collecting, pumping, transporting, treating and disposing of domestic sanitary sewage.

SEWER DISTRICT - The area of the Georgetown Manor neighborhood including, James Drive, Lexington, Concord, Brandywine and King George Drive as designated in Exhibit “A” herein.

STREET - Includes any street, road, lane, court, cul-de-sac, alley, public way or public square, including such streets as are dedicated to public use, and such streets as are owned by private persons.

TOWNSHIP - The Township of Lower Nazareth, Northampton County, Pennsylvania, a political subdivision of the Commonwealth, acting by and through its Board or, in appropriate cases, acting by and through its authorized representatives.

USER CHARGE - The charge imposed by the Authority hereunder, as amended from time to time, against the owner of each improved property, for the use of the sewer system.

SECTION III. TIME AND MANNER OF CONNECTION TO EXISTING HOUSE SEWER LINE

All property owners within the Georgetown Manor Sewer District shall be required to connect to the public sewer system owned by the Nazareth Borough Municipal Authority within twelve (12) months following the date of the Notice to Connect. The connection to the sewer system is mandatory.

Where an improved property, at the time connection to a sewer is required, shall be served by its own sewage disposal system or device, the existing sewer service line shall be disconnected from the structure. It shall be replaced by a building sewer meeting the requirements of the Authority and applicable plumbing codes.

SECTION IV. NOTICE TO CONNECT

The Township or Authority shall provide notice to the property owner at the completion of the sewer system installation to connect.

SECTION V. OWNERSHIP OF AND RESPONSIBILITY FOR SEWER SYSTEMS

1. The Authority shall be responsible for inspections, repairs to, maintenance of, and reconstruction of the public sanitary sewer system.
2. The owner of a property abutting the public sewer system and the right-of-way or easement in which the main is located shall be responsible for inspections, repairs to, maintenance of, and reconstruction of the building or private sewer and all appurtenances of the building or private sewer.
3. In its sole discretion and when it is determined that the same is necessary or appropriate, the Authority shall replace existing service connections attaching to the public sewer system.

SECTION VI. CERTAIN RECEPTACLES NOT TO BE MAINTAINED ON PROPERTY

1. No privy, vault, cesspool, sinkhole, septic tank or similar receptacle shall be used and maintained at any time upon any improved property which has been connected to a sewer, or which shall be required to be connected to a sewer.
2. Every such privy, vault, cesspool, sinkhole, septic tank or similar receptacle in existence shall be abandoned and, at the discretion of the Township, shall be cleansed and filled under the direction of the Township; and any such privy, vault, cesspool, septic tank or receptacle not so abandoned and, if required by the Township, cleansed and filled shall constitute a nuisance, and such nuisance may be abated as provided by law, at the expense of the owner of such improved property.

3. No privy, vault, cesspool, sinkhole, septic tank or similar receptacle at any time shall be connected with the sewer system.

SECTION VII. FAILURE TO CONNECT TO THE SEWER SYSTEM

Any property owner that owns property within the Georgetown Manor Sewer District shall be required to connect within twelve (12) months from the date of completion of the installation of the public sewer system. Failure to connect within the prescribed period of time is deemed a failure or default.

The Township or Authority is authorized to make such connection and may collect from such owner the costs and expenses thereof. In such case, the Township or Authority may be authorized, upon completion of the work, to send an itemized invoice of the cost of the construction of such connection to the owner of the improved property to which the connection has been so made with the invoice payable within thirty (30) days. If payment is not made within thirty (30) days, the Township or Authority shall file a municipal lien on the property for said construction within six (6) months of the completion of the construction of said connection, subject to the general law provided for the filing and recovery of municipal liens.

Alternatively, the Board of Supervisors authorizes the Township solicitor and/or the Authority to file the necessary complaint with Northampton County Court of Common Pleas seeking the required judicial order against the property owner to require connection.

SECTION VIII. PERMIT REQUIRED TO MAKE CONNECTION AND RIGHT TO INSPECT

1. No owner shall connect or permit to be connected to the sewer system any building sewer or lateral or other type of sewage service line unless, prior to said connection, the owner of the property to be connected shall have applied for and have been issued a connection permit in accordance with the rates, rules and regulations of the Nazareth Borough Municipal Authority.
2. No owner shall connect or permit to be connected to the sewer system any building sewer or lateral or other type of sewage service line unless, prior to said connection, the owner of the property to be connected shall have applied for and have been issued the required permits by the Township.
3. The Nazareth Borough Municipal Authority shall have the right to inspect all new residential connections to the Authority's sewer system prior to the issuance of an occupancy permit for the purpose of examining and evaluating all sewer connections and appurtenances associated with the establishment. The Authority's inspection shall determine conformance with the Authority's rates, rules, and regulations and assure that no unauthorized sewer connections exist and that all wastewater is conducted into the building sewer. The Township shall require proof of inspection and approval prior to the issuance of an occupancy permit under this Part.

4. The Township shall have the right to inspect all new residential connections to the Authority's sewer system prior to the issuance of an occupancy permit for the purpose of ensuring all sewer connections and appurtenances are consistent with the current building code. All inspections shall be conducted by the Township's third-party building inspector.
5. No building sewer connection shall be covered until it has been inspected and approved by the Township and/or the Authority. If any part of a building sewer is covered before being inspected and approved, it shall be uncovered for inspection at the cost of the owner of the improved property to be connected to the sewer system.

SECTION IX. WORK SHALL BE DONE BY LICENSED CONTRACTORS

Property owners shall utilize contractors with a valid and current license from the Commonwealth of Pennsylvania for the performance of work related to or involving the connection to the public sewer system.

SECTION X. GRINDER PUMPS INSTALLATION AND MAINTENANCE

1. Where it has been determined by either the Authority's engineer or the Township's sewer engineer that a property requires the installation of a grinder pump to effectuate the proper connection and discharge to the public sewer system, the Owner shall be responsible to install and maintain the grinder pump and all its appurtenances. The installation and maintenance shall not be the responsibility of the Authority or the Township.
2. The grinder pump shall be consistent with the specifications determined by the Nazareth Borough Municipal Authority. Any grinder pump installed that is found to be inconsistent with the Authority's specifications shall be deemed to be a violation of this Ordinance.
3. Where a grinder pump is necessary for the connection to the public sewer system, a Connection and Sewage Grinder Pump System Agreement shall be executed by the Owner and Township. This Agreement shall be recorded in the Office for the Recording of Deeds in and for Northampton County.

SECTION XI. SHORING OF EXCAVATION TRENCH EXPOSING PUBLIC LATERAL

Notwithstanding the Department of Labor requirements under the Occupational Safety and Health Act (OSHA), the excavation trench which exposes the Authority's lateral must be adequately shored to prevent the undermining of curbs, streets, and/or roads. Such work is to be at the cost and expense of the owner of the improved property being connected to the Authority's lateral.

SECTION XII. GUARDING OF EXCAVATIONS; RESTORATION OF STREETS, SIDEWALKS AND OTHER PUBLIC PROPERTY DISTURBED

Every excavation for a building sewer or lateral shall be guarded adequately, such as with barricades and lights, to protect all persons from damage and injury. Streets, sidewalks and other public property disturbed in the course of connection to the sewer system shall be restored, at the cost and expense of the owner of the improved property being connected, in a manner satisfactory to the Township.

SECTION XIII. UNLAWFUL DISCHARGE

No person shall deposit or discharge or permit to be deposited or discharged to the sanitary sewer system any sewage or waste except through facilities connected to the sewer system pursuant to the rules and regulations of the Authority. It shall be prohibited for any person to discharge any waste that the Authority has determined will have a deleterious effect on the Authority's sewer system, receiving stream or wastewater treatment residuals. The Township and the Authority shall act cooperatively to halt any unlawful discharge.

SECTION XIV. RATES, RULES, AND REGULATIONS OF NAZARETH BOROUGH MUNICIPAL AUTHORITY

Notwithstanding any of the terms of this Ordinance, connection to the sewer system shall at all times be subject to such rates, rules, and regulations of the Nazareth Borough Municipal Authority as adopted by resolution of the Authority. Failure to observe and comply with such rates, rules and regulations shall be a violation of this Ordinance and subject to its penalty and enforcement provisions. In addition, the Authority shall be authorized by the Township to exercise its own enforcement actions to the fullest extent granted under applicable law, including, without limitation, those actions taken pursuant to federal and state-mandated regulations.

Lower Nazareth Township shall bear no responsibility for the quarterly billing (user charge) of the public sewer system or maintenance or repair of the public sewer system.

SECTION XV. PENALTIES FOR VIOLATIONS

Any person who shall violate any provision of this Ordinance, upon conviction thereof in an action brought in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than One Thousand (\$1,000.00) Dollars plus costs. Each day that a violation of this Ordinance continues shall constitute a separate offense.

SECTION XVI. ENFORCEMENT AND RECOVERY OF FINES AND CHARGES

Fines and costs imposed under the provision of this Ordinance shall be enforceable and recoverable in the manner and at the time provided by applicable law.

SECTION XVII. SEVERABILITY

In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provisions, sections, sentences, clauses, or parts of this Ordinance. It being the intent of the Township that such remainder shall be and shall remain in full force and effect.

SECTION XVIII. REPEALER

All Ordinances or parts of Ordinances that are inconsistent with this Ordinance shall be repealed.


SECTION XIX. EFFECTIVE DATE

This Ordinance shall become effective five (5) days after its adoption.

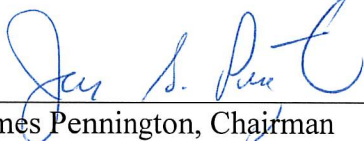
ENACTED AND ORDAINED this 23rd day of April, 2025, at a duly advertised meeting with a quorum present by the Board of Supervisors of Lower Nazareth Township, Northampton County, Pennsylvania.

**LOWER NAZARETH TOWNSHIP
BOARD OF SUPERVISORS**

ATTEST:



Secretary



James Pennington, Chairman

**Christian Springs Acres
Subdivision**

**Georgetown Manor
Subdivision**



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CHRISTIAN SPRINGS RD

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LEXINGTON RD

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