

ORDINANCE NO. 2021-03

AN ORDINANCE OF THE BOROUGH OF MACUNGIE, LEHIGH COUNTY, PENNSYLVANIA, AMENDING CHAPTER 274 OF THE MACUNGIE BOROUGH CODE OF ORDINANCES, SEWERS, BY AMENDING SECTION 274-24 TO PROVIDE A DEFINITION FOR QUALIFIED INSPECTOR IN ORDER TO ALLOW FOR INSPECTIONS BY LICENSED MASTER PLUMBERS AND/OR INDIVIDUALS CERTIFIED BY THE PENNSYLVANIA SEPTIC MANAGEMENT ASSOCIATION AND/OR AN EQUIVALENT ORGANIZATION, AND FURTHER AMENDING SECTION 274-33.1 TO EXPAND ON THE PURPOSE OF THE BUILDING SEWER INSPECTION AND TO ALLOW FOR BUILDING SEWER INSPECTIONS BY A QUALIFIED INSPECTOR.

WHEREAS, the Borough of Macungie adopted Ordinance 2018-02 on or about August 6, 2018 which established procedures, requirements and penalties associated with the inspection of building sewers within the Borough of Macungie; and,

WHEREAS, the Borough of Macungie finds it necessary to revise Sections 274-24 and 274-33.1 of the Code of Ordinances of Macungie Borough to expand on the purpose of the building sewer inspection and to allow additional qualified individuals to inspect building sewers within the Borough of Macungie.

NOW, THEREFORE, be it hereby ORDAINED that the Macungie Borough Council does hereby adopt and enact the following amendments to Chapter 274, Sewers, in the Code of Ordinances of Macungie Borough as follows:

Article I. Section 274-24 of the Macungie Borough Code of Ordinances is hereby amended by adding a new definition for Qualified Inspector to read as follows:

QUALIFIED INSPECTOR - A qualified inspector shall consist of a licensed master plumber and/or an individual that is certified and/or licensed by the Pennsylvania Septic Management Association and/or an individual with an equivalent certification and/or license that is recognized and deemed acceptable to the Borough of Macungie for purposes of inspecting sewer lines. A qualified inspector shall be trained and/or experienced in sewer line video inspections.

Article II. Section 274-33.1.A of the Macungie Borough Code of Ordinances is hereby amended to read as follows:

§274-33.1.A Inspections. The purpose of an inspection required by this §274-33.1 is to locate any inflow and infiltration into the private Building Sewer and its connection to the Lateral; to make sure there are no holes, damage to and/or evidence of a breach into the private Building Sewer and its connection to the Lateral; to ensure there are no prohibited discharges into the Building Sewer; and, to verify that all clean-outs and/or vents are properly capped and not damaged. All Improved Properties that are connected to the Macungie Borough Sewer System shall be subject to inspections at certain times as set forth in §§274-33.1.A(1), (2), (3) and (4) below.

Article III. Section 274-33.1.A(1) of the Macungie Borough Code of Ordinances is hereby amended to read as follows:

§274-33.1.A(1). Prior to any sale, transfer and/or other conveyance of any Improved Property connected to the Macungie Borough's Sewer System, the selling or transferring Owner of the Improved Property shall retain the services of a Qualified Inspector for the purpose of conducting an inspection of the private Building Sewer and its connection to the Lateral to ensure compliance with Chapter 274 of the Borough's Code of Ordinances and in particular the requirements of §274-31.A. The inspection of the Building Sewer and its connection to the Lateral shall include a video inspection to determine whether such pipes and/or their connections allow storm water, groundwater, or other drainage prohibited by §274-31.A. to enter the Borough's Sewer System. The inspection shall include a visual assessment of all the drainage sources discharging into the Building Sewer to ensure compliance with §274-31.A. The cost of an inspection under this §274-33.1.A(1) shall be the responsibility of the property Owner. The Owner shall ensure that the Qualified Inspector completes the Video Inspection Report form provided by the Borough. A copy of the inspection report from the Qualified Inspector and a copy of the video shall be provided to the Borough prior to conveying and/or transferring ownership of the Improved Property.

Article IV. Section 274-33.1.A(2) of the Macungie Borough Code of Ordinances is hereby amended to read as follows:

§274-33.1.A(2). Prior to a change in use of any Improved Property connected to the Macungie Borough's Sewer System from a residential use to a commercial use, the Owner of the Improved Property shall retain the services of a Qualified Inspector for the purpose of conducting an inspection of the private Building Sewer and its connection to the Lateral to ensure compliance with Chapter 274 of the Borough's Code of Ordinances and in particular the requirements of §274-31.A. The inspection of the Building Sewer and its connection to the Lateral shall include a video inspection to determine whether such pipes and/or their connections allow storm water, groundwater, or other drainage prohibited by §274-31.A. to enter the Borough's Sewer System. The inspection shall include a visual assessment of all the drainage sources discharging into the Building Sewer to ensure compliance with §274-31.A. The cost of an inspection under this §274-33.1.A(2) shall be the responsibility of the property Owner. The Owner shall ensure that the Qualified Inspector completes the Video Inspection Report form provided by the Borough. A copy of the inspection report from the Qualified Inspector and a copy of the video shall be provided to the Borough prior to securing the applicable permit for the change of use and/or

prior to the start of the commercial use on the Property, whichever first occurs.

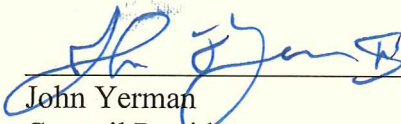
Article V. Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

Article VI. Severability. If any section, paragraph, sub-section, 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.

Article VII. Effective Date. This Ordinance shall become effective the earliest permitted by law.

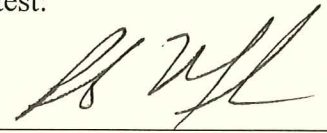
DULY ORDAINED and **ENACTED** by the Borough Council of the Borough of Macungie, this 05th day of April, 2021, in lawful session duly assembled.

MACUNGIE BOROUGH COUNCIL



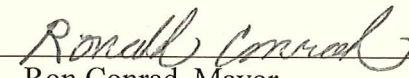
John Yerman
Council President

Attest:



~~Chris Boehm~~, Borough Manager
Peter melan

AND NOW, this 08th day of April, 2021, the above Ordinance is hereby **APPROVED**.



Ron Conrad, Mayor