

ELKLAND BOROUGH AUTHORITY

ORDINANCE # 1-2016

OF THE BOROUGH OF ELKLAND, ADOPTING RULES AND REGULATIONS GOVERNING USE OF ITS SEWER SYSTEM; IMPOSING USER CHARGES TO BE COLLECTED FROM THE OWNER OF EACH IMPROVED PROPERTY TO BE SERVED BY THE SEWER SYSTEM; AND PROVIDING FOR PAYMENT AND COLLECTION OF SUCH USER CHARGES.

**ARTICLE I
REGULATING SEWERS**

Section 101. Specific Definitions.

AUTHORITY - Elkland Borough Authority, a Pennsylvania municipal authority.

BOROUGH - the Borough of Elkland, Tioga County, Pennsylvania, a Pennsylvania municipal corporation, acting by and through its Council or, in appropriate cases, acting by and through its authorized representatives.

BIOCHEMICAL OXYGEN DEMAND (BOD) - the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20°C, expressed in milligrams per liter.

BUILDING DRAIN - that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the Building Sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

BUILDING SEWER - the extension from the Building Drain to the Public Sewer or other place of disposal, also called house connection.

COMBINED SEWER - a sewer intended to receive both wastewater and storm or surface water. These are not allowed in the Borough. (Ord. 2005-26-01, 1/26/05, §1)

COMMERCIAL HOMES - Elderly & Family Public Housing units owned by Tioga County Housing Authority.

COMMERCIAL SERVICE or USER - any non-residential user.

CONSUMER - an owner or tenant who has received or shall receive sewer service for a dwelling unit by use of sewer system.

DWELLING UNIT - any room, group of rooms, house trailer, apartment, condominium, cooperative 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.

EASEMENT - an acquired legal right for the specific use of land owned by others.

EQUIVALENT DWELLING UNIT or E.D.U.- the unit of measure by which a User Charge may be imposed upon an Improved Property, as determined in this Ordinance or in any subsequent ordinance of this Borough, which shall be deemed to constitute the estimated, equivalent amount of Domestic Sanitary Sewage discharged by a single-family Dwelling Unit.

FLOATABLE OIL - is oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

GARBAGE - the animal and vegetable waste resulting from the handling, preparation, cooking, and serving of foods.

IMPROVED PROPERTY - shall mean for any property upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals, each separate structure from which Domestic Sanitary Sewage or Industrial Wastes shall be or may be discharged, which is located within the Sewered Area and is subject to the Connection Ordinances.

INDUSTRIAL WASTES - wastewater from industrial processes, trade, or business as distinct from domestic or sanitary wastes.

INFILTRATION - water, other than wastewater, that enters a sewer system from the ground through such means as defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from, inflow. Infiltration is inadvertent, that is, not purposely designed or built into the sewer system.

INFLOW - Water, other than wastewater, that enters a sewer system (including building drains) from sources such as, but not limited to, roof leaders, cellar drains, drains from springs and swampy areas, manhole covers, cross connections between storm and sanitary sewers, catch

basins, cooling towers, storm waters, foundation drains, swimming pools, surface runoff, street wash waters, or drainage. Inflow does not include, and is distinguished from infiltration. Inflow is purposely designed and/or built into the sewer or drain.

INTERFERENCE - inhibition or disruption of the sewer system's processes or operations.

LEASE - the agreement of lease between the Authority and this Borough with respect to the sewer system.

MAY - is permissive (see "shall").

MONTHLY BILLING PERIOD - one calendar month as shall be appropriate under the circumstances. (Ord. 2005-26-01, 1/26/05, §1)

MONTHLY ANNUM PERIOD - each calendar month of each calendar year as shall be appropriate under the circumstances. (Ord. 2005-26-01, 1/26/05, §1)

NATURAL OUTLET - any outlet, including storm sewers and combined sewer overflows, into watercourse, pond, ditch, lake, or other body of surface or groundwater.

NON-DOMESTIC WASTEWATER - wastewater that in volume or by characteristics is substantially different than that on normal domestic waste. Producers of non-domestic waste are car washes, Laundromats, industry which uses water in the production process, etc.

NORMAL DOMESTIC WASTE - shall be considered as having the following characteristic concentrations:

- (1) Biochemical Oxygen Demand (BOD) - 300 mg/l.
- (2) Suspended Solids (SS) - 300 mg/l.
- (3) Ammonia Nitrogen (NH₃) - 30 mg/l.
- (4) Phosphorous (P) - shall be in compliance with all rules and regulations and shall be in accordance with any current NPDES Permit.

Producers of normal domestic water are single family homes, apartment buildings, churches, office buildings, hospitals, rest homes, gas stations, shopping centers, stores, restaurants, etc.

OWNER - any person or entity who is the holder of title to any property served by the sewer system.

PERSON - an individual, a partnership, an association, a corporation, a joint stock company, a trust, an unincorporated association, a governmental body, a political subdivision, a municipality, a municipal authority or other group entity.

pH - the logarithm of the reciprocal of the hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a pH value of seven (7) and a hydrogen ion concentration of 10^{-7} .

PROPERLY SHREDDED GARBAGE - the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half ($\frac{1}{2}$) inch (1.27 centimeters) in any dimension.

PUBLIC SEWER - a common sewer controlled by a governmental agency or public utility.

RESIDENTIAL SERVICE or USER - all single family homes or multiunit apartment houses except the fifty (50) unit Forestview Manor Senior Citizen complex which is defined as a commercial home.

SANITARY SEWER - a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm, and surface waters that are not admitted intentionally.

SEWAGE - A substance that contains the waste products or excrement or other discharge from the bodies of human beings or animals and noxious or deleterious substances being harmful or inimical to the public health, or to animal or aquatic life, or to the use of water for domestic water supply or for recreation. The term includes any substance which constitutes pollution under The Clean Streams Law. (See §71.1 of the PA Administrative Code.)

SEWER - a pipe or conduit that carries wastewater or drainage water

SEWER SYSTEM - the facilities owned by the Authority for collection, interception, transmission, treatment and disposal of domestic sewer and/or industrial wastes, as such facilities exist as of the effective date hereof, together with all appurtenant facilities and properties which the Authority has acquired and/or constructed or hereafter shall acquire and/or construct in connection therewith, including all property, real, personal and mixed, rights, powers, licenses, easements, right-of-ways, privileges, franchises and any and all other property or interests in property of whatsoever nature used or useful in connection with such facilities, and together with all additions, extensions, alterations and improvements which may be constructed and/or acquired, from time to time.

SHALL - is mandatory (see "may").

SLUG - any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation and shall adversely affect the collection system and/or performance of the Wastewater Treatment Works.

STORM DRAIN (sometimes termed "Storm Sewer") - a drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source.

SUPERINTENDENT - the Superintendant of Public Works of the Borough of Elkland, or his authorized deputy, agent, or representative.

SUSPENDED SOLIDS - total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in the latest edition of "standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association, American Water Works Association and the Journal of Water Pollution Control Federation.

TAPPING FEE - The Borough may provide for the charge of a tapping fee pursuant to Pennsylvania law including the Borough Code, the Municipal Authorities Act and their underlying regulations, all as amended and supplemented.

TOXIC POLLUTANTS - any pollutant or combination of pollutants listed as toxic in U.S. Environmental Protection Agency regulations under the provisions of the Clean Water Act of 1977 (PL. 95-217).

UNPOLLUTED WATER - water of quality equal to or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the Sanitary Sewers and Wastewaters Treatment Facilities provided.

USER CHARGE - the rentals or charges imposed by the Borough hereunder, as amended from time to time, against the Owner of each Improved Property, or other User, for the use of the Sewer System and services rendered or available to be rendered thereby.

WASTEWATER - the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and stormwater that may be present.

WASTEWATER FACILITIES - the structures, equipment, and processes required to collect, carry away and treat domestic and industrial wastes and dispose of the effluent.

WASTEWATER TREATMENT WORKS - an arrangement of devices and structures for treating wastewater, industrial wastes, and sludge. Sometimes uses as synonymous with "Waste Treatment Plant" or "Wastewater Treatment Plant" or "Water Pollution Control Plant".

WATERCOURSE - a natural or artificial channel for the passage of water either continuously or intermittently.

(Ord. 1986-12-1, 12/9/1986, Art. I; as amended by Ord. 2005-26-01, 1/26/2005, §1)

Section 102. Use of Public Sewers Required.

1. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the Borough of Elkland or in any area under the jurisdiction of said Borough any human or animal excrement, garbage, or objectionable waste.

2. It shall be unlawful to discharge to any natural outlet within the Borough of Elkland, or in any area under the jurisdiction of said Borough, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Chapter.

3. It shall be unlawful to own, construct, maintain, operate or use any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater or to connect any such facility to the sewer system.

4. The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the Borough and abutting on or adjoining any alley or right-of-way in which there is located, or in the future may be located, a public sanitary sewer of the Borough, is hereby required, at the expense of said owner(s), to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with the provisions of this chapter, within ninety (90) days after date of official notice to do so. The Borough or the Elkland Borough Authority may provide notice and commence enforcement proceedings if necessary. In any case where a property owner shall fail to make connection with the public sewer as required by this §102 within the ninety (90) day period specified, the Borough shall have the authority to make the connection either by Borough employees or under contract, and shall then collect the cost and expenses of making the connection from the defaulting owner by any appropriate legal means available to the Borough or the Authority. Enforcement of the mandatory hook-up provisions shall be in accordance with the Borough Code as amended and supplemented.

(amended Ord. 2005-26-01, 1/26/2005, §3, 8 Pa.C.S.A. §2051)

Section 103. Private Wastewater Disposal

1. On lot sewer systems are permitted so long as they are outside the Project area as determined by the Borough.

2. The Elkland Borough Council shall have the right and responsibility to refuse permission for private wastewater disposal systems.
(Ord. 2005-26-01, 1/26/2005, §4)

Section 104. Building Sewers and Connections.

1. No unauthorized person(s) shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Borough Council.

2. There shall be two (2) classes of building sewer permits:

A. For residential and commercial service and

B. For service to establishments producing non-domestic wastes. In either case, the owner(s) or his agent shall make application on a special form furnished by the Borough. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Borough Council. A permit and inspection fee shall be as established from time to time by the Borough Council.

3. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner(s). The owner(s) shall indemnify the Borough from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

4. A separate and independent building sewer shall be provided for every building having or intending to have one or more consumer units; except where the Borough Council may otherwise allow.

5. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Borough Council, to meet all requirements of this Chapter.

6. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Borough.

7. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

8. No person(s) shall have the connection of roof downspouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer on building drain which in turn is connected directly or indirectly to a public sanitary sewer unless such

connection is approved by the Borough Council for purposes of disposal of polluted surface drainage.

9. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the borough. All such connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the Borough Council before installation.

A. Any maintenance or connection that takes place under a Borough street or road shall be performed and paid for by the Borough.

10. The applicant for the building sewer permit shall notify the Borough when the building sewer is ready for inspection and connection to the public sewer. Inspection of the construction shall be made by the Borough prior to the covering or backfilling of the building sewer. The connection and testing shall be made under the observation of the Borough.

11. All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Borough. Costs for these items of §104(11) shall be borne by the Applicant.

12. Infiltration and Inflow.

A. No connections that will allow inflow to enter the Borough's sanitary sewer system shall be permitted. Such prohibited connections shall include but not be limited to the connection of roof downspouts, exterior foundation drains or other sources of stormwater or groundwater to a building sewer that is connected directly or indirectly to the sanitary sewer system.

(1) If any connection exists between a building and the sanitary sewer system that allows inflow to enter to the sanitary sewer system, the Borough may serve a notice upon the owner immediately upon discovery. Any person, owner, firm or corporation having a connection that allows inflow to enter the Borough's sanitary sewer system shall disconnect and/or remove the same within sixty (60) days after receipt of written notice from the Borough. Any disconnects or openings into the sanitary sewer system shall be closed or repaired in an effective and workmanlike manner, as approved by the Borough. The owner shall be responsible for removing all such connections, at their own expense, and may be subject to penalty.

B. No person shall discharge or cause to be discharged any unpolluted waters such as spring water, storm water, surface water, ground water, roof runoff, drainage from roof leader connections, subsurface drainage such as that from floor drains, building foundation drainage, sump pumps, cisterns, field tile or any other recognizable source into the sanitary sewer system.

(1) If any connection exists between a building and the sanitary sewer system that allows unpolluted waters to enter the sanitary sewer system, the Borough may serve a notice upon the owner immediately upon discovery. Any person, owner, firm or corporation having a roof drain system, surface drain system, footing tile, ground water drain system or sump pump now connected and/or discharging into the sanitary sewer system shall disconnect and/or remove the same within sixty (60) days after receipt of written notice from the Borough. Any disconnects or opening into the sanitary sewer system shall be closed or repaired in an effective, workmanlike manner, as approved by the Borough. The owner shall be responsible for removing all such connections at their own expense.

(2) Dwellings and other buildings and structures which require, because of the infiltration of water into basements, crawl spaces and the like, a sump pump system to discharge excess water shall have a permanently installed discharge line which shall not at any time discharge water into the sanitary sewer system. A permanent installation shall be one which provides for year round discharge capability to either the outside of the dwelling, building or structure, or is connected to the Borough's storm sewer. It shall consist of a rigid discharge line, without valves or quick connections for altering the path of discharge, and if connected to the Borough storm sewer shall include a check valve.

13. Inspection by Borough.

A. Representatives from the Borough shall be permitted to inspect any property connected to the sanitary sewer system. Inspections of properties shall be performed in the following manner.

(1) Duly authorized employees or representatives of the Borough, bearing proper credentials and identification, shall be permitted to enter any property to perform inspections for the purpose of observation, measurement, sampling and testing to determine the type of connections that exist to the building sewer and the nature of the sewage entering the sanitary sewer system or natural outlet in accordance with the provisions of this Ordinance.

(2) The property owners shall not be released from liability to any extent if a Borough agent or employee is injured while making physical inspections on privately owned property as a result of negligence on the part of the private property owner or any of his agents or employees.

(a) Any person refusing to allow their property to be inspected, within fourteen (14) days of the date the duly authorized Borough employees or representatives are denied admittance to their property, shall be subject to the surcharge hereafter provided for.

(b) At any future time, if the Borough has reason to suspect that an illegal connection may exist in a premises, the owner shall comply with this section.

B. A surcharge equal to three times the sewer rent, as identified in the Borough's provisions related to sewer rates, is hereby imposed and added to every sewer billing to property owners who are not in compliance with this Part, sixty (60) days after non-compliance is identified. The surcharge shall be added every month until the property is in compliance. The Borough Council may grant waivers from the surcharge where strict enforcement may cause undue hardship unique to the property or where the property owner was scheduled for disconnection or improvement, but cannot do so due to circumstances such as availability of the plumber or inclement weather.

(Ord. 1986-12-1, 12/9/1986, Art. IV; as amended by Ord. 1996-10-1, 10/8/1996; as amended by Ord. 2005-26-01, 1/26/2005, §5; as amended by Ord. 2010-09-22, 9/22/2010)

Section 105. Use of the Public Sewers.

1. No person(s) shall discharge or cause to be discharged any unpolluted water such as stormwater, groundwater, roof runoff, subsurface drainage to any sanitary sewer.

2. Unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet approved by the Borough Council and other regulatory agencies.

3. No person(s) shall discharge or cause to be discharged any of the following described water or wastes to any public sewers:

A. Any gasoline, benzene, haphtha, fuel oil, or other flammable or explosive liquid, solid or gas.

- B. Any waters containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any waste treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the wastewater treatment plant.
- C. Any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater works.
- D. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater facilities such as but not limited to, ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tax, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
- E. Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair.
- F. Any substance which may cause the sewer system effluent or any other product of the sewer system such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case, shall a substance discharged to the sewer system cause the sewer system to be in non-compliance with sludge use or disposal criteria as promulgated by Federal, State or local agencies.
- G. Any substance which will cause the wastewater treatment plant to violate its NPDES and/or State Disposal System Permit or the receiving water quality standards.
- H. Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes, and vegetable tanning solutions.
- I. Any wastewater having a temperature which will inhibit biological activity in the treatment plant resulting in interferences, but in no case wastewater with a temperature at the introduction into the treatment plant which exceeds 104°F.

- J. Any pollutants, including oxygen demanding pollutants (BOD, etc.) released at a flow rate and/or pollutant concentration which a user knows or has reason to know will cause interference to the wastewater treatment plant.
- K. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Borough Council which cause the sewer system effluent to exceed Federal and/or State promulgated levels.
- L. Any wastewater which causes a hazard to human life or creates a public nuisance.

4. The following described substances, materials, waters, or wastes shall be limited in discharges to the sewer system to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The Borough Council may set limitations lower than the limitations established in the regulations below if in his opinion such more severe limitations are necessary to meet the above objectives. In forming his opinion as to the acceptability, the Borough Council will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, degree of treatability of the waste in the wastewater treatment plant, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewater discharged to the sanitary sewer which shall not be violated without approval of the Borough Council are as follows:

- A. Wastewater having a temperature higher than 150°F.
- B. Wastewater containing more than twenty-five (25) milligrams per liter of petroleum oil, nonbiodegradable cutting oils, or product of mineral oil origin.
- C. Wastewater containing floatable oils, fat, or grease.
- D. Any garbage that has not been properly shredded. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.
- E. In addition, the following concentrations of the chemical substances shall not be exceeded in the sewage originating from any user of the sewer system:

| | | |
|------------------------|--------|---------|
| Arsenic | (As) | 0.5 ppm |
| Cadmium | (Cd) | 0.5 ppm |
| Cyanides | (Cn) | 0.5 ppm |
| Iron | (Fe) | 5.0 ppm |
| Trivalent Chromium | (Cr+3) | 3.0 ppm |
| Hexavalent Chromium | (Cr+6) | 0.2 ppm |
| Nickel | (Ni) | 2.0 ppm |
| Copper | (Cu) | 1.0 ppm |
| Zinc | (Zn) | 2.0 ppm |
| Lead | (Pb) | 0.5 ppm |
| Mercury (or compounds) | (Hg) | 0.5 ppm |

- F. Any waters or wastes containing odor-producing substances exceeding limits which may be established by the Federal and/or State promulgated levels.
- G. Quantities of flow, concentrations, or both which constitute a "Slug" as defined herein.
- H. Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such a degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- I. Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.

5. If any water or wastes are discharged or are proposed to be discharged to the public sewers, which water contains the substances or possess the characteristics enumerated in §105(4), and which in the judgment of the Borough Council, may have a deleterious effect upon the wastewater facilities, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Borough Council may:

- A. Reject the wastes and otherwise prevent recurrence of the waste discharge,
- B. Require pretreatment to an acceptable condition for discharge to the public sewer,
- C. Require control over the quantities and rates of discharge, and/or
- D. Require payment to cover added cost of handling and treating the wastes.

When considering the above alternatives, the Borough Council shall give consideration to the economic impact of each alternative on the discharger. If the Borough Council permits the pretreatment or equalization of waste flow, the design and installation of the plants and equipment shall be subject to the review and approval of the Borough Council.

6. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Borough Council, they are necessary for the proper handling of the liquid wastes containing floatable grease in excessive amounts, as specified in §105(4)(C), or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Borough Council, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors the owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal, which records are subject to review by the Borough Council. Any removal and hauling of the collected materials not performed by owner(s)' personnel must be performed by currently licensed waste disposal firms.

7. Where pretreatment or flow-equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner(s) at his expense.

8. When required by the Borough Council, the owner of any property serviced or to be serviced by a building sewer carrying non-domestic wastewater shall install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such a structure, when required, shall be accessible and safely located and shall be constructed in accordance with the plans approved by the Borough Council. The structure shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

9. The Borough Council may require a user or any person intending to become a user of sewer services to provide information needed to determine compliance with this Chapter. These requirements may include:

- A. Wastewater discharge peak rate and volume over a specified time period.
- B. Chemical analyses of wastewaters.
- C. Information on raw materials, processes, and product affecting wastewater volume and quality.
- D. Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control.
- E. A plot of sewers of the user's property showing sewer and pretreatment facility location.

- F. Details of wastewater pretreatment facilities.
- G. Details of systems to prevent and control the losses of materials through spills to the municipal sewer.

10. The discharge into the sewer system of Non-Domestic Waste having, at any time, any one or more of the following characteristics shall be subject to prior review and approval by the Borough Council:

- A. A five (5) day B.O.D. greater than three hundred (300) mg/L; or
- B. A suspended solids content greater than three hundred (300) mg/L; or
- C. An ammonia nitrogen content greater than thirty (30) mg/L; or
- D. A C.O.D. greater than six hundred (600) mg/L; or
- E. A chlorine demand greater than twelve (12) mg/L; or
- F. An average daily flow greater than five (5%) percent of the average daily sewage flow of the sewer system; or
- G. Any quantity of substances possessing characteristics described in §105(4).
- H. Phosphorous out of compliance with any rules and regulations and not in accordance with any current NPDES Permit.

Prior to discharging said waste into the sewer system, or prior to continuing the discharge of said waste into the sewer system, the owner of the property from which such discharge is proposed to be made or is being made shall apply to the Borough in writing for a permit to make or to continue to make such a discharge.

Such application shall be made on Non-Domestic Wastewater Discharge Permit Application forms furnished by the Borough. Said forms shall contain all pertinent data including, but not limited to, estimated or actual quantity of flow, character of waste, maximum rate of discharge and proposed pre-treatment facilities, together with any plans, specifications or other information considered pertinent in the judgment of the Borough. The application for Non-Domestic Wastewater Discharge Permit forms shall be competently completed and returned to the Borough for review and approval. Only upon approval by the Borough will a Non-Domestic Wastewater Discharge Permit be issued and the discharge be allowed.

Non-Domestic Wastewater Permits shall remain in effect only so long as the type of waste remains unchanged or until the Borough Council deems it necessary to prevent deleterious effects. Any person discharging wastes covered by a Non-Domestic Wastewater Permit and who

contemplates a change in the method of operation or other factors which will alter the type of waste then being discharged into the sewer system, shall apply for a new Non-Domestic Wastewater Permit at least thirty (30) days prior to such a change.

11. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this Chapter shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, American Water Works Association and the Journal of Water Pollution Control Federation. Sampling methods, location, times, durations, and frequencies are to be determined on an individual basis subject to approval of the Borough Council.

12. No statement contained in this §105 shall be construed as preventing any special agreement or arrangement between the Borough and any industrial concern whereby a Non-Domestic Waste of unusual strength or character may be accepted by the Borough for treatment.

(Ord. 1986-12-1, 12/9/1986, Art. V, amended Ord. 2005-26-01, 1-26-2005, §6)

Section 106. Prohibit Any Person from Tampering with Any Equipment Which is Part of the Sewer System.

No person(s) shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, or enter or use without permission, appurtenances or equipment which is a part of the sewer system. Any person(s) violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

(Ord. 1986-12-1, 12/9/1986, Art. VI)

Section 107. Powers and Authority of Inspectors.

1. All Borough Public Works employees and other duly authorized employees and/or agents of the Borough bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurements, sampling and testing pertinent to discharge to the sewer system in accordance with the provisions of this Chapter.

2. The Sewer Plant Operator or other duly authorized Borough employees and/or agents are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The confidentiality of information provided by an industrial discharge pursuant to this Chapter is ensured.

3. While performing the necessary work on private properties referred to in §107(1) above, the Borough Public Works or other duly authorized employees or agents of the Borough, shall observe all safety rules applicable to the premises established by the owner, and the owner shall be held harmless for injury or death to the Borough employees or agents and the Borough shall indemnify the owner against loss or damage to the property by the Borough employees or

agents and against liability, claims or demands for personal injury or property damage asserted against the owner and arising from or related to the gauging and sampling operation, except for such claims as may be caused by the negligence of or failure of the owner to maintain the property in a safe condition.

4. The Borough Public Works and/or other duly authorized agents or employees of the Borough bearing proper credentials and identification shall be permitted to enter all private properties through which the Borough holds a duly executed easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewer system located within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the easement pertaining to the private property involved.

(Ord. 2005-26-01, 1-26-2005, §7)

Section 108. Determination of Additional Charges.

1. Additional charges for wastes having suspended solids, BOD or ammonium in excess of the average suspended solids, BOD and ammonium of normal domestic sewage shall be fixed according to the Surcharge Formula as described in §109(2). Normal domestic waste shall be considered as having the following concentrations:

- A. BOD - 300 mg/l
- B. Suspended Solids - 300 mg/l
- C. Ammonia Nitrogen (NH₃) - 30 mg/l
- D. Phosphorous (P) - shall be in compliance with all rules and regulations and shall be in accordance with any current NPDES Permit.

2. The surcharge formula provides additional charges for wastes of greater strength than that of normal domestic waste. The formula to determine the additional charge is as follows:

$$S = M (8.34) [(BOD-300) (Bc) + (SS-300) (Sc) + NH_3-30) (NHc)]$$

WHERE:

S = User Surcharge (\$/monthly annum)

M = Flow per quarter annum (million gallons)

BOD = Assessed BOD concentration of user's waste (mg/l)

SS = Assessed SS concentration of user's waste (mg/l)

NH₃ = Assessed ammonia nitrogen concentration of user's waste (mg/l)

Bc = Cost to treat one (1) lb. of BOD (\$/lb)

Sc = Cost to treat one (1) lb. of suspended solids (\$/lb)

NHc = Cost to treat one (1) lb. of ammonia nitrogen (\$/lb)

300, 300 and 30 = Normal domestic sewage strength with respect to BOD, SS and NH₃ (mg/l)
8.34 = Conversion factor (lb/million gallons) (mg/l)

When the value of BOD, Suspended Solids, and/or ammonia nitrogen is less than that for normal domestic sewage the value for normal domestic sewage shall be used in the calculation of the surcharge.

3. Additional Surcharge. The formula specified in §109(2) is to determine additional charges or surcharges for the treatment of wastes having concentrations of BOD, suspended solids, and/or ammonia nitrogen in excess of those of normal domestic wastes. It is, however, recognized that the discharge of any waste or other matter which contains any one or more of the prohibited substances listed in §105(3) and §105(4) of this Chapter may result in extra-ordinary laboratory, labor, maintenance, and/or treatment expenses to the Borough. Hence, it shall be the established policy of the Borough, in the event of the discharge of any non-domestic waste or other matter or substance containing any one of the prohibited substances, to bill the owner of the property from which the said discharge is made an additional surcharge of one hundred (\$100.00) dollars. Each day the said discharge is made shall result in a separate one hundred (\$100.00) dollar additional surcharge. This one hundred (\$100.00) dollar charge shall be in addition to the normal sewer rental and/or any surcharge as incurred under §109(3).

4. Wastes being discharged into the sewer system may be subject to periodic sampling and inspection to be used as a basis for determining additional charges due to excessive concentrations of dissolved solids, suspended solids, BOD, and/or substances prohibited I §105. Such sampling and inspection shall be made by the Borough as frequently as it may deem necessary. The analysis of the sample so obtained shall be the basis for computing additional charges. The cost of said sampling shall be borne by the Borough. The discharger of the waste may request that samples be taken in addition to the normal samples taken by the Borough. The cost of making this collection and analysis shall be borne by the owner. All samples shall be representative of the average daily discharge during normal operating procedures. Sample size, type (grab or composite), and preservation techniques shall be in accordance with EPA approved NPDES permit application and compliance monitoring requirements. Analytical laboratories certified to perform such analyses should be consulted.

(Ord. 1986-12-1, 12/9/1986, Art. IX; as amended by Ord. 2005-26-01, 1/26/2005, §9)

Section 109. Payment.

1. It shall be the responsibility of the consumer requesting service and/or who has paid the advance deposit to pay all billings for sewer service. However, whether or not services are billed to a tenant, property owners shall be responsible for any unpaid services at the time of final meter reading and upon written notification by the Borough to said property owner that the bill is delinquent.

2. All bills for consumer units for sewer service shall constitute the net bill. If any such net bill shall not be paid within twenty (20) calendar days after the date thereof, such net bill shall be deemed delinquent and a penalty of ten (10%) percent shall be added to the unpaid portion thereof; the net bill together with any such penalty shall constitute the gross bill. Payment made or mailed and postmarked on or before the first day of such twenty (20) day period as above set forth, shall constitute payment within such period. If the end of such twenty (20) day period falls on a holiday or on a Sunday, payment made or mailed and postmarked on the next succeeding business day which is not a legal holiday shall constitute payment within such twenty (20) day period.

3. If any bill shall remain unpaid for a period of thirty (30) days or more after the same shall have become due and payable, sewer and water service will be discontinued to the property by the Borough. The Borough shall give ten (10) days written notice to the owner prior to the service shut-off. Sewer and water service will not be restored until the gross bill, together with any reconnection fee as may be established by a Resolution from time to time of the Elkland Borough Council, shall have been paid in full.

4. Whenever sewer service to any unit shall begin after the first day or shall terminate before the last day of any month, the sewer rents and charges for such period shall be pro-rated equitably for that portion of the month during which service was provided. Likewise, whenever any consumer unit shall be converted from a flat rate basis for billing to a metered rate basis as a result of the installation of a meter, the sewage rents and charges for the month then in progress shall be adjusted equitably for such consumer unit.

5. Each bill for a unit served with sewage services shall be made out in the name of the record owner of the property and it shall be the property owner's responsibility for payment of said bills. Each owner shall provide the Borough with their correct address and shall further advise the Borough of any change of address. The failure to receive a bill for sewer service shall not be considered an excuse for non-payment, nor shall such failure result in an extension of the period of time during which such bill is payable without penalty.

(Ord. 1986-12-1, 12/9/1986, Art. X; as amended by Ord. 1996-10-1, 10/8/1996; as amended by Ord. 2005-26-01, 1/26/2005, §10; as amended by Ord. 05-09-2005A, 6/13/2005, §1)

Section 110. Rules and Regulations.

1. This Borough, from time to time, in accordance with law, by appropriate ordinance or resolution, may adopt such additional rules and regulations or amendments to existing rules and regulations as, in the opinion of the Council of this Borough, may be desirable, beneficial or necessary for or in connection with the use and operation of the sewer system and which shall govern and control the collection and treatment of sewage by this Borough to consumers in this Borough.

2. Any such rules and regulations shall be construed in conjunction with provisions hereof and shall become effective upon the date fixed by this Borough upon adoption thereof.

Any such additions or amendments to this Chapter will be published in the local newspaper prior to adoption.

(Ord. 1986-12-1, 12/9/1986, Art. XII)

Section 111. Declaration of Purpose.

It is declared that enactment of this Chapter is necessary for the protection, benefit and preservation of the health, safety and welfare of inhabitants of this Borough.

(Ord. 1986-12-1, 12/9/19086, Art. XV)

ARTICLE II
RURAL RESIDENCES

Section 201. Required Permits.

Permits shall be required by the Agency (Sewage Enforcement Officer) for “rural residences” as defined by the Act and the standards, rules and regulations adopted pursuant to the Act shall be made applicable to such “rural residences” within the Municipality.

(Ord. 1979-8-3, 8/13/1979, §2.1)

Section 202. Regulations.

Rural Residence as defined under the Act, which meet the following restrictions:

1. The sewage system, including all of its components, shall be at least one hundred fifty (150) feet distance from neighboring boundaries, waterways or public roads. If these limitations and conditions cannot be met, or if the system fails, after it is installed under the “rural residences” concept of the Act and of this Article II, to meet required legal standards for public protection, then the exemption excluding a rural residence by this Article II from the necessity of obtaining a sewage disposal permit shall not apply or be available. A permit must, under such conditions, then be secured even for such “rural residences” as defined by the Act and the standard rules and regulations adopted pursuant to the Act shall be made applicable to such “rural residences” within the Borough of Elkland.

(Ord. 1979-8-3, 8/13/1979, §2.1)

Section 203. Penalty for Violation.

Penalties and enforcement may be found under Section 304 hereof.

(Ord. 1979-8-3, 8/13/1979, §4; as amended by Ord. 1996-10-1, 10/8/1996)

ARTICLE III
SEWER RATES

SECTION 301. General Policies.

1. A deposit of one hundred dollars (\$100.00) shall be made for water service, sewer service or combined service if installed at the same time, along with a twenty dollar (\$20.00) nonrefundable service fee to cover administrative costs. Where the deposit is made by the property owner and the meter and the meter billing is in the owner's name, the one hundred dollar (\$100.00) deposit shall be returned at the end of a twelve (12) month delinquent free period, at the request of the owner. Where a tenant makes a deposit and the billings are in the tenant's name, the one hundred dollar (\$100.00) deposit shall be held until services are discontinued and all billings are paid.
2. Delinquent Customers. If services are required to be turned off because of a thirty (30) day delinquency, a service charge of fifty (\$50.00) dollars shall be added to the billing to disconnect/reconnect service.
3. Billing Responsibility. It shall be the responsibility of the consumer who requests service and/or who had paid the advance deposits to pay all billings for sewer service. However, whether or not the services are billed to a tenant, property owners shall be responsible for any unpaid services at the time of final meter reading and upon written notification by the Borough to said property owner that the bill is delinquent.
4. Vacancy. Regardless of whether a customer actively uses services during a monthly billing period, all buildings or units therein connected to the Borough water or sewer service lines shall pay a fee set at the base rate in the current year's rate schedule. However, no water/sewer rents above the base rate will be charged to the customers if no water is used in the monthly billing period.
5. Request of a Meter. A request for a meter must be made in writing at least four (4) business days before the date of the desired installation.
6. Malfunction of a Meter. If the Water Department determines that a customer's meter is malfunctioning, billing shall be made by estimating the previous twelve (12) months average water consumption. When the meter is repaired, billing will resume on a meter basis.
7. Business Establishment. All business establishments shall be required to make available meter installation in a frost-free area.
8. Meter Readings.
 - A. Meters shall be read on a monthly basis, except in cases where time or personnel are lacking so as to make such monthly reading impossible. In

such case where no monthly meter reading is made, the billing will be based on the previous twelve (12) months billing average.

- B. If a remote reading device malfunctions, the reading on the inside governing meter shall be valid.
- C. Meter reading personnel will not be allowed to enter a residence unless the owner or tenant is present. However, the owner or tenant must allow entry of Borough personnel to check for malfunction of meters and/or proper meter installation.
- D. If a resident is not at home, a courtesy card will be left for the resident to read their own meter. The billing for this location will remain open for four (4) days. After four (4) days, the owners will be billed for estimated water consumption based upon the average billing for the previous twelve (12) months.
- E. Any tampering of a meter or installation shall result in an assessment of one hundred (\$100.00) dollars and/or water service will be discontinued.
- F. It shall be the responsibility of the property owner to have a space for the meter which will be frost-free and accessible to the meter reader. The property owner will be assessed the cost of repairs and/or replacement caused by any damage to the meter such as breakage or freeze up.
- G. Any adjustment in meter reading shall be at the discretion of the Borough Council.
- H. All residences, businesses and tenant housing shall be outside readers.

(Ord. 93-12-1, 12/20/1993, §2; as amended by Ord. 94-2-1, 2/8/1994; as amended by Ord. 2005-26-01, 1/26/2005, §1; as amended by Ord. 05-09-2005A, 6/13/2005, §2)

Section 302. Sewer Service.

1. Commercial Rates. Commercial industries and schools shall be charged five and seventy-three (\$5.73) dollars per building occupant per month as determined by a census submitted to the Borough Council, annually, for the following twelve (12) months.

2. Connection charges/Tapping fee. An owner shall pay a minimum connection charge of \$1,500.00. However, the owners shall be charged for the full costs of cutting in new service including, but not limited to, material, labor, equipment and the like.

3. Sewer with No Water Service. Any owner not having water service provided by Elkland Borough and using a private water source shall be required to have a water meter

installed on the private water source. The sewer billing for the property will be based upon the meter reading together with the base sewer rate.

4. Borough Responsibility. Elkland Borough personnel are responsible for connecting to the main sewer line after a permit has been issued and after the installation has been inspected by the Building Code Officer and/or the Borough's engineer and the base connection fee has been paid.

(Ord. 93-12-2, 12/30/1993, §3; as amended by Ord. 2005-26-01, 1/26/2005, §2)

Section 303. Sewer Rates.

1. Basic Sewer Service Fee. Each Consumer Unit shall pay a fixed fee of Thirty-three Dollars and five cents (\$33.05) per month for each Equivalent Dwelling Unit (EDU) established for that Consumer Unit. For Consumer units having more than 15 occupants, as either employees or students, the defined number of EDUs is to be determined by a census submitted to the Borough Council, annually, for the following twelve (12) months. This fee shall be in addition to the sewer rates charged hereinafter.

(Ord. 1996-12-3; as amended by Ord. 03-01-02, 1/13/2003, §1, as amended by Ord. 2005-26-01, 1/26/2005, §3; as amended by Ord. 2007-6-12, 6/12/2007, §1; as amended by Ord. 12-13-07, 12/27/2007, §1)

2. Sewer Rates; Residential.

A. With Water Meter:

Residential

| | |
|---------------------|---------------------------------|
| Base Rate (No Use) | \$33.05 |
| First 1,500 gallons | \$0.50 (minimum bill) = \$40.55 |
| Next 10,000 gallons | \$0.52 per hundred |
| Over 11,500 gallons | \$0.58 per hundred |

2 EDUs

| | |
|---------------------|---------------------------------|
| Base Rate (No Use) | \$66.10 |
| First 1,500 gallons | \$4.90 (minimum bill) = \$73.60 |
| Next 10,000 gallons | \$0.52 per hundred |
| Over 11,500 gallons | \$0.58 per hundred |

3 EDUs

| | |
|---------------------|----------------------------------|
| Base Rate (No Use) | \$99.15 |
| First 1,500 gallons | \$7.11 (minimum bill) = \$106.65 |
| Next 10,000 gallons | \$0.52 per hundred |
| Over 11,500 gallons | \$.058 per hundred |

4 EDUs

| | |
|---------------------|----------------------------------|
| Base Rate (No Use) | \$132.20 |
| First 1,500 gallons | \$9.31 (minimum bill) = \$139.70 |
| Next 10,000 gallons | \$0.52 per hundred |
| Over 11,500 gallons | \$0.58 per hundred |

B. Any property, building or business that is determined to be over 4 EDUs, additional EDUs will be calculated using the same method, or as reasonably determined in a uniform and consistent manner by the Borough's engineers and adopted by resolution.

C. Rate per EDU with No Meter

1. For a single family dwelling unit the charge will be 1 EDU plus a surcharge for a total to be determined by Council by resolution.
2. More than 1 EDU, as determined by this Ordinance or the Borough's engineer, and the additional surcharge shall be imposed by resolution.

D. Other Categories

1. No Use of Water with No Meter

1 EDU

2. The Borough Council can make adjustments for specific entities that do not have a designation pursuant to Section 304. The Borough Council can allot EDUs by Resolution in a manner that is consistent with regulations and policy manuals of the Department of Environmental Protection, as determined by the Borough's engineers.

3. Sewer Rates; Business, Industrial, Manufacturing, Institutional.

A. Commercial industries and schools shall be charged five and seventy-three (\$5.73) dollars per building occupant per month as determined by a census submitted to the Borough Council, annually, for the following twelve (12) months. This may be amended by resolution.

B. Where metering individual consumer units is impractical (such as Forestview Manor), one meter shall be installed to cover all units. Sewer billing will be determined from the metered water usage plus the base sewer rate multiplied by the number of individual units in the building.

(Ord. 93-12-2, 12/30/1993, §5; as amended by Ord. 1996-12-3, 12/10/1996; as amended by Ord. 01-12-06, 12/27/2001, as amended by Ord. 2004-03-02, 3/3/2004, §1; as amended by Ord. 2005-26-01, 1/26/2005, §3)

4. The Borough from time to time and as necessary can adjust increase rates by Resolution in accordance with all laws, rules and regulations of the Commonwealth. Any increase will be for the purpose of maintaining a financing solvent sewer system that allows for timely payments of debt service and sufficient income to address all operating and maintenance costs.

Section 304. Penalties.

1. Any person or owner or any person acting as agent, employee, contractor, tenant or servant of said person or owner who shall violate any provision of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of \$1,000.00, or the maximum amount permitted by law, and shall be subject to imprisonment not to exceed thirty (30) days, or the maximum amount allowed by the law, for the punishment of summary offenses. Each day that violation of this Ordinance continues after notice shall constitute a separate offense.

2. Civil Enforcement

- A. Nothing in Subsection (1) hereinabove shall prevent the Borough from initiating civil enforcement proceedings before a District Judge or other court. If this Ordinance is to be enforced through civil enforcement proceedings, civil penalties shall be six hundred (\$600.00) dollars per violation, or the maximum amount permitted by law. Each day that a violation of this Ordinance continues after notice shall constitute a separate violation.
- B. In any case where a penalty for a violation of this Ordinance has not been timely paid and the person or owner upon whom the penalty was imposed is found to have been liable therefore in civil proceedings, the violators shall be liable for the penalty imposed, including additional daily penalties for continuing violations, plus court costs and reasonable attorney fees incurred by the Borough in the enforcement proceedings.
- C. The Borough reserves the right to enforce the provisions of this Ordinance in any manner permitted by law, and all fines and penalties collected for violation of this Ordinance shall be paid to the Borough Treasurer.

Repealer.

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

Severability.

If any sentence, clause, section or part of this Ordinance is for any reason, found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Borough that this Ordinance would have been adopted


had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Effective Date.

This Ordinance shall be effective upon the date of enactment.

DULY ADOPTED, this 9th day of March, 2016, by the Borough Council of Elkland Borough, in lawful session duly assembled.

BOROUGH OF ELKLAND

By: 
(Vice) Chairman

ATTEST:


(Assistant) Secretary

(SEAL)