

**DELTA BOROUGH  
YORK COUNTY, PENNSYLVANIA**

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**ORDINANCE NO. 2006 – 04**

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**AN ORDINANCE REQUIRING A CERTIFICATE OF COMPLIANCE FROM THE BOROUGH PRIOR TO SALE, CONVEYANCE, ASSIGNMENT, TRANSFER OR ACQUISITION OF ANY LAND ON WHICH A BUILDING IS ERECTED AND CONNECTED TO THE MUNICIPAL SEWER AND WATER SYSTEM, CERTIFYING THAT THE BUILDING IS PROPERLY CONNECTED TO SAID SYSTEMS, THAT THERE ARE NO ILLEGAL CONNECTIONS THERETO AND THAT SAME ARE IN PROPER OPERATING ORDER**

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**WHEREAS**, the Borough of Delta is serviced by the Borough’s Public Sanitary Sewer System and Water System and, the lack of proper connection to these systems and illegal discharges into it pose a threat to the public health, safety and welfare of the residents of Delta Borough; and

**WHEREAS**, Section 1202(74) of the Borough Code authorizes the Borough to adopt ordinances necessary for the safety and welfare of the Borough; and

**WHEREAS**, the Borough desires to implement a procedure for the inspection of sewer and water connections of buildings connected to the public sewer and water systems.

**Section 1. Title.** This Ordinance shall be referred to as the Sewer and Water Connection Inspection Ordinance.

**Section 2. Certificate of Compliance.** It shall be unlawful for any owner of real property in the Borough on which a building is or should be connected to the Borough’s Public Sewer and Water Systems, to sell, convey, assign or transfer any real property by deed, agreement of sale, article of agreement or otherwise to any person not already an owner thereof, without first securing a Certificate of Compliance for both the Sewer System and the Water System issued by the Borough, with respect to the real property being transferred, certifying compliance with all laws, ordinances, rules and regulations of the Borough and the Commonwealth of Pennsylvania relative to the tapping into, discharging into or connection with the Borough’s Public Sanitary Sewer and Water Systems.

**Section 3. Application for Certificate.** An application for Certificates of Compliance shall be made to the Borough Office or the Borough’s designee, on forms furnished by the Borough and it shall be accompanied by a fee in such amount as is set by Council, from time to time by resolution. The fee will be for the application and initial inspection. Should any additional inspections be required, an additional fee shall also be required and shall also be set by Borough Council by resolution.

**Section 4. Issuance of Certificate of Compliance.** Upon receipt of a properly completed application for Certificate of Compliance, the Borough or its designee, shall within ten (10) calendar days, physically inspect the real property and determine its compliance with all laws, ordinances, rules and regulations applicable and, if determining compliance, shall issue a Certificate of Compliance within twenty-four (24) hours

**Section 5. Non-Compliance Remedial Action.** If it is determined that the real property is not within compliance, the property owner shall receive an itemized list of each violation and explanation detailing the required remedial action that must be taken to bring the property into compliance. Upon notification by the real property owner that the remedial action has been completed, the Borough's inspector shall re-inspect the property within two (2) working days and, if the property is compliance, a Certificate of Compliance shall be issue within twenty-four (24) hours. If, upon re-inspection, it is determined that the property is not in compliance, the foregoing procedures shall be followed until compliance is found and all required fees have been paid.

**Section 6. Penalty.** Any person, firm, association or corporation violating any of the provisions of this Ordinance shall, upon conviction thereof, be subject to pay a fine of not more than Six Hundred Dollars (\$600.00) plus costs of prosecution, and attorneys fees. Each day the violation continues shall be a separate offense.

**Section 7. Severability.** The provisions of this Ordinance shall be several and, if any of provision thereof shall be held unconstitutional, invalid or otherwise unenforceable, it shall not affect the validity of any of the remaining provisions of this Ordinance.

**Section 8. Effective Date.** This Ordinance shall be effective five (5) days after enactment.

**ADOPTED AND ORDAINED this 30<sup>th</sup> day of October , 2006.**

**ATTEST:**

**DELTA BOROUGH COUNCIL**

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**Secretary**

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**President**

**Approved this 30<sup>th</sup> day of October, 2006.**

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**Mayor**