

**WEST POTTS GROVE TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2024-02-1**

**AN ORDINANCE OF WEST POTTS GROVE TOWNSHIP,  
MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING THE  
DEFINITION OF “PUBLICLY OWNED SANITARY SEWER  
SYSTEM”, “PRIVATELY OWNED SANITARY SEWER SYSTEM”,  
AND “PRIVATE SANITARY SEWER LATERAL” CONTAINED  
WITHIN ARTICLE II OF ORDINANCE NO. 2024-02.**

**WHEREAS**, the Board of Commissioners of West Pottsgrove Township may regulate for the health, safety, morals, general welfare, cleanliness, beauty, convenience and comfort of West Pottsgrove Township and the inhabitants thereof pursuant to Section 1502.XLIV of The First Class Township Code; and

**WHEREAS**, the Board of Commissioners of West Pottsgrove Township may further regulate for the proper management, care and control of West Pottsgrove Township, and the maintenance of peace, good government and welfare of West Pottsgrove Township pursuant to Section 1502.LII of The First Class Township Code; and

**WHEREAS**, the Board of Commissioners of West Pottsgrove Township enacted Ordinance No. 2024-02 on March 20, 2024 thereby establishing, inter alia, certain requirements for the inspection and repair of private sanitary sewer laterals and privately owned sanitary sewer systems; and

**WHEREAS**, the Board of Commissioners of West Pottsgrove Township desires to amend certain definitions contained within Article II of Ordinance No. 2024-02; and

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED** by the West Pottsgrove Township Board of Commissioners, Montgomery County, Pennsylvania, and it is hereby **ENACTED** and **ORDAINED** by the authority of same as follows:

**SECTION 1. AMENDMENT TO THE DEFINITION “PUBLICLY OWNED SANITARY SEWER SYSTEM”.** The definition “Publicly Owned Sanitary Sewer System” contained within Article II of Ordinance 2024-02 is amended by deleting such in its entirety and replacing it with the following:

“PUBLICLY OWNED SANITARY SEWER SYSTEM” means the public sanitary sewer service system located in West Pottsgrove

Township. This includes all of the sanitary sewer mains, manholes, pumps stations and related sanitary sewer facilities.

**SECTION 2. AMENDMENT TO THE DEFINITION “PRIVATELY OWNED SANITARY SEWER SYSTEM”.** The definition “Privately Owned Sanitary Sewer System” contained within Article II of Ordinance 2024-02 is amended by deleting such in its entirety and replacing it with the following:

“PRIVATELY OWNED SANITARY SEWER SYSTEM” means the private sanitary sewer service system located in West Pottsgrove Township. This includes all of the sanitary sewer mains, manholes, laterals, pumps stations and related sanitary sewer facilities that are neither a part of a PUBLICLY OWNED SANITARY SEWER SYSTEM nor part of a PRIVATE SANITARY SEWER LATERAL.

**SECTION 3. AMENDMENT TO THE DEFINITION “PRIVATE SANITARY SEWER LATERAL”.** The definition “Private Sanitary Sewer Lateral” contained within Article II of Ordinance 2024-02 is amended by deleting such in its entirety and replacing it with the following:

“PRIVATELY SANITARY SEWER LATERAL” means that part of the building sanitary drainage system owned, operated and/or constructed by the building owner, used to convey wastewater from the building to the Township's sanitary sewer main. The lateral includes all piping, vents, traps, cleanouts and connection points to the Township sanitary sewer main from public or private premises and shall exclude stormwater, and groundwater. For defining repair, the lateral shall mean the exterior portion of the building sanitary drainage system from the building wall to the Township sanitary sewer main.

**SECTION 4. AUTHORIZATION.** This Ordinance is authorized by the general powers vested in the Township by the First Class Township Code and the authority and procedures of the Municipalities Planning Code, as amended, as well as other laws of the Commonwealth of Pennsylvania, including the Municipal Code and Ordinance Compliance Act.

**SECTION 5. SEVERABILITY.** If a Court of competent jurisdiction declares any provisions of this Ordinance to be invalid, in whole or in part, the effect of such decision shall be limited to those provisions expressly stated in the decision to be invalid, and all other provisions

of the Code of Ordinances of the Township of West Pottsgrove shall continue to be separately and fully effective.

**SECTION 6. RE-ENACTMENT, INTERPRETATION, AND REPEALER.** The remaining provisions of the Code of Ordinances of West Pottsgrove Township, and as in force immediately before the enactment of this Ordinance, are intended to be continued and, to the extent not inconsistent herewith, are hereby re-enacted and re-ordained. This Ordinance is intended to be consistent with, shall be interpreted, and construed, in accordance with the Municipal Code and Ordinance Compliance Act, 68 P.S. § 1081 *et seq.*, and as amended from time to time. In the event conflict between this Ordinance and the Municipal Code and Ordinance Compliance Act, or any other applicable Commonwealth statute, such Commonwealth statute shall govern. All prior Ordinances, Resolutions, or parts thereof in conflict or inconsistent with any of the provisions of this Ordinance are hereby repealed to the extent of the inconsistency.

**SECTION 7. EFFECTIVE DATE.** This Ordinance, and all of its terms and provisions, shall become effective as provided by law.

***ENACTED AND ORDAINED*** into law this 17th day of April, 2024, by the Board of Commissioners of West Pottsgrove Township, Montgomery County, Pennsylvania.

  
Stephen Miller, President

ATTEST:

  
Courtney Harris, Secretary

PHILADELPHIA GROUP

**AFFIDAVIT OF PUBLICATION**  
390 Eagleview Boulevard • Exton, PA 19341**WEST POTTS GROVE TOWNSHIP**  
**980 GROSSTOWN RD**  
**STOWE, PA 19464**  
**Attention:****STATE OF PENNSYLVANIA,**

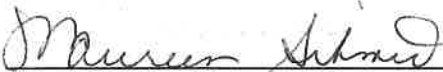
The undersigned Richard L. Crowe, being duly sworn the he/she is the principal clerk of The Mercury, The Mercury Digital, published in Montgomery, Chester Counties for the dissemination of local or transmitted news and intelligence of a general character, which are duly qualified newspapers, and the annexed hereto is a copy of certain order, notice, publication or advertisement of:

**WEST POTTS GROVE TOWNSHIP****Published in the following edition(s):**

The Mercury, The Mercury Digital  
04/05/24

Commonwealth of Pennsylvania - Notary Seal  
**MAUREEN SCHMID**, Notary Public  
Montgomery County  
My Commission Expires March 31, 2025  
Commission Number 1248132

Sworn to the subscribed before me this 4/5/24.



**Notary Public, State of Pennsylvania**  
**Acting in County of Montgomery**

**LEGAL NOTICE**

NOTICE IS HEREBY GIVEN that the West Pottsgrove Township Board of Commissioners intends to adopt, at a regularly scheduled meeting on April 17, 2024, at 7:00 P.M., at the West Pottsgrove Township Municipal Building, Stowe, Montgomery County, Pennsylvania, an Ordinance amending Article II of Ordinance No. 2024-02, to amend the definition of the terms "Publicly Owned Sanitary Sewer System", "Privately Owned Sanitary Sewer System", and "Private Sanitary Sewer Lateral". The title and summary of the Ordinance, in Sections, are as follows:

AN ORDINANCE OF WEST POTTS GROVE TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING THE DEFINITION OF "PUBLICLY OWNED SANITARY SEWER SYSTEM", "PRIVATELY OWNED SANITARY SEWER SYSTEM", AND "PRIVATE SANITARY SEWER LATERAL" CONTAINED WITHIN ARTICLE II OF ORDINANCE NO. 2024-02.

SECTION 1. AMENDMENT OF THE TERM "PUBLICLY OWNED SANITARY SEWER SYSTEM".  
SECTION 2. AMENDMENT OF THE TERM "PRIVATELY OWNED SANITARY SEWER SYSTEM".  
SECTION 3. AMENDMENT OF THE TERM "PRIVATE SANITARY SEWER LATERAL".  
SECTION 4. AUTHORIZATION.

SECTION 5. SEVERABILITY.

SECTION 6. RE-ENACTMENT, INTERPRETATION, AND REPEALER.

SECTION 7. EFFECTIVE DATE.

A complete copy of the text of the proposed Ordinance is on file with The Mercury and is available for inspection at the Office of the Manager of West Pottsgrove Township, 980 Grosstown Road, Stowe, Pennsylvania, during normal business hours. A copy of the proposed Ordinance is available from the Township Manager, free of charge or at a cost no greater than that charged for copies of other documents.

WEST POTTS GROVE TOWNSHIP  
BOARD OF COMMISSIONERS  
Stephen Miller, President  
SOLICITOR:  
Jamie V. Ottaviano, Esquire  
Merc - Apr 5 -1a

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