

OFFICIAL

BOROUGH OF ETNA

ORDINANCE NO. 1341

DOWNSPOUT DISCONNECTION PROGRAM
BEST MANAGEMENT PRACTICES FOR STORM WATER
MANAGEMENT

“AN ORDINANCE OF THE BOROUGH OF ETNA, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, ESTABLISHING A RESIDENTIAL DOWNSPOUT DISCONNECTION PROGRAM FOR THE OBJECTIVE OF DISCONNECTING DOWN-SPOUTS DIRECTLY CONNECTED TO THE COMBINED SEWER SYSTEM ON ELIGIBLE PROPERTIES”

WHEREAS the Borough of Etna has long experienced flooding and sewer backups in the combined sewer community; and

WHEREAS the Borough of Etna is geographically located at the bottom of the Pine Creek Watershed; and

WHEREAS, the confluence of Pine Creek with the Allegheny River is in Etna Borough; and

WHEREAS, Etna Borough is located at the southernmost end of the Pine Creek Sewershed; and

WHEREAS, the Community of Etna Borough wishes to address the storm water management issues within their own community; and

WHEREAS, the Borough of Etna Residential Downspout Disconnection Program will remove stormwater from the combined sewer system to help reduce the size of required conveyance, storage and treatment facilities and reduce combined sewer overflows to Pine Creek and the Allegheny River; and

WHEREAS downspout disconnection is a cost-effective method to remove stormwater flow from a combined sewer system and meet regulatory, combined sewer system and stormwater management system needs in a sustainable manner.

WHEREAS, economic incentives are useful tools for encouraging property owners to disconnect their downspouts in ways that can benefit the Borough of Etna; and

WHEREAS, downspout disconnection and green infrastructure reduces stormwater runoff, reduces water treatment needs, improves water quality, reduces gray infrastructure needs, reduces flooding, increases groundwater recharge, improves air quality, improves aesthetics, improves habitat and cultivates public education opportunities.

THEREFORE, Etna Borough is establishing a Residential Downspout Disconnection Program to help alleviate flooding and combined sewer backups within its residential properties and provide incentives for the disconnection of residential downspouts to their homeowners.

SECTION 1: Definitions.

The following definitions apply to terms and concepts used in the Residential Downspout Disconnection Program.

- 1.1 **Combined Sewer.** A sewer which carries both sanitary sewage and stormwater.
- 1.2 **Disconnection.** Physically plugging or capping the direct rain drain connection of a downspout to the combined sewer and redirecting the roof water onto the property either on the surface of the property or under the ground. This may require alterations to gutters and downspouts.
- 1.3 **Downspout.** The conductor that conveys stormwater from the gutter on the exterior of a building or other structure to another place of discharge.
- 1.4 **Dry Well (or seepage pit).** A variation on an infiltration system that is designed to temporarily store and infiltrate rooftop runoff.
- 1.5 **Eligible Property.** Property which has been determined by Etna Borough Public Works Staff and/or Engineers that would allow for safe and effective disconnection with the following guidelines:
 1. The point of discharge must be:
 - a. A minimum of 2 feet from a building without a basement;
 - b. A minimum of 6 feet from a building with a basement (10 feet if installing a dry well);
 - c. Not less than 5 feet from a neighbor's property;
 - d. Not less than 10 feet from a neighbor's building;
 - e. Not less than 10 feet from a retaining wall;
 2. The slope in the direction of discharge must be less than 10% and drain away from any structure.

3. The discharge water shall not discharge to a street, alley or other public way;
 4. The discharge water shall not create an icy condition on any pedestrian walkways/sidewalks within or adjacent to the subject premises lot lines.
- 1.6 Downspouts will be disconnected to program standards under direction of municipal staff and meet the requirements of the Allegheny County Plumbing Code, Section AC1101.2 and AC1104.2 and utilize Pennsylvania Department of Environmental Protection, Bureau of Watershed Management, Best Management Practices and all appropriate Borough of Etna ordinances and permit requirements.
 - 1.7 **Rain Garden** (also called Bioretention). A rain garden is an excavated shallow surface depression planted with specifically selected native vegetation to treat and capture runoff.
 - 1.8 **Rain Leader**. The conductor that conveys storm water from the roof on the exterior of a building or other structure to another place of disposal.

SECTION 2: Establishment of Downspout Disconnection Program.

- 2.1 A program is established to remove stormwater connections to the combined sewer system from existing roof drains having downspouts or rain leaders located on the exterior of eligible properties with direct connections to the property's external sanitary sewer lateral. The existence of a direct connection will be determined by qualified staff through verification by site survey of eligible properties.
- 2.2 Property owners will be provided with free technical assistance in the determination of eligibility.
- 2.3 Exceptions: The Borough may decline to approve disconnection of a connected downspout upon determination that the disconnection would not meet the guidelines for safe disconnection. This includes situations where disconnection could result in possible damage to the property or adjoining properties, and/or create a possible nuisance situation or involve excessive cost.

SECTION 3: Community Engagement and Education.

- 3.1 The Borough intends to engage property owners, community members and groups and stormwater professionals to create awareness of the downspout disconnection program and stormwater management. The program will create economic incentives for meeting the Borough's stormwater goals.
- 3.2 The Borough will provide educational opportunities on downspout disconnection and stormwater management in active outreach areas as appropriate including direct mail, public events, websites and utility bill stuffers.
- 3.3 Technical assistance strategies include, but are not limited to, onsite

technical assistance, property record research, site planning, design guidance and management of municipal staff.

SECTION 4: Permit Requirements and Fee.

- 4.1 The Borough of Etna requires a permit for the disconnection of any downspout currently connected to the combined sewer system.
- 4.2 Prior to any disconnection of downspout or roof leader, a permit application, downspout disconnection instruction sheet, hold-harmless and indemnification agreement must be submitted by the owner of the property. These can be obtained at the Municipal Building during normal business hours, Monday through Friday, 8:30 a.m. to 4:30 p.m. (exception of holidays).
- 4.3 Upon submittal of the foregoing documents, an appointment will be scheduled with qualified personnel for a site inspection of said disconnection. Appointments are to be scheduled during normal business hours, Monday through Friday (exception of holidays) between the hours of 7:30 a.m. and 2:30 p.m.
- 4.4 After review by qualified personnel, if the disconnection is found to be eligible, a permit shall be issued upon permit fee payment.
- 4.5 Fee: The Borough will charge a permit fee of \$10.00 for each eligible household/property approved for disconnection. Fee can cover multiple disconnections, if applied for at the same time, for the same building/property and deemed eligible for disconnection. This includes one appointment for site review for all potential downspout disconnections.

SECTION 5: Inspections.

- 5.1 Upon completion of eligible disconnection(s), the property owner will contact the Borough for inspection of disconnection(s) and approval of such. This inspection is required for incentive credit on Environmental Sewer Surcharge.
- 5.2 Inspections would be performed by the Public Works Director, the Borough's Engineer or the Borough Manager.
- 5.3 Disconnections made prior to the adoption of this ordinance need not be inspected unless a nuisance has been created and/or reported unless the property owner wishes to apply for incentive rebate on the Environmental Surcharge. At that time the owner must schedule and pass an inspection of eligible subsurface or surface device.

SECTION 6: Incentive for Eligible Disconnections.

- 6.1 The Borough will provide a quarterly credit of \$5.00 per household/property with permitted downspout disconnection on the quarterly Environmental Sewer Surcharge on the quarterly sewer bill.

- 6.2 The \$5.00 quarterly credit will continue for three (3) years from the time of permitted disconnection.
- 6.3 Upon request, the property owner will receive a sign at no charge to display on their front yard that advertises that their property helps Pine Creek and the Allegheny River.
- 6.4 Once a downspout is disconnected and received a satisfactory inspection, the property owner shall be responsible for ensuring that the new subsurface or surface device is not removed and is properly maintained and operated to continue eligibility for incentive rebate.

SECTION 7: Enforcement.

- 7.1 Disconnection is not permitted without a permit.
- 7.2 Failure to properly maintain permitted device may result in a public nuisance. If disconnection causes a public nuisance to adjoining property or public property, sidewalk or roadway or neighboring property, correction(s), which may include reconnection to the combined sewer system, must be made within 30 days upon re-inspection and notification by Inspector(s). Failure to follow inspection directives for corrective action will result in a fine of \$25.00 a day, payable to the Borough of Etna.

SECTION 8: Severability.

- 8.1 If any section, subsection, sentence, or clause of this ordinance is held, for any reason, to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this ordinance.

This ordinance shall be effective immediately after the date of passage of this ordinance.

ORDAINED AND ENACTED this 20 day of November, 2012.

By: Peter Ramage
Peter F. Ramage, President

ATTEST:

Mary Ellen Ramage
Mary Ellen Ramage, Secretary

EXAMINED AND APPROVED by me this 20 day of November,
2012.

Thomas Rengers
Thomas Rengers, Mayor