

**OFFICIAL**  
**TOWNSHIP OF CHARTIERS**

**ORDINANCE NO. 416**

**AN ORDINANCE OF THE TOWNSHIP OF CHARTIERS, WASHINGTON COUNTY, PENNSYLVANIA, REPEALING AND REPLACING ARTICLE XXI DYE TESTS OF CHAPTER 272 OF THE CHARTIERS TOWNSHIP CODE OF ORDINANCES, SEWERS AND SEWAGE DISPOSAL TO AMEND THE REGULATIONS FOR DYE TESTS IN THE TOWNSHIP.**

**WHEREAS**, the Township of Chartiers (“Township”) owns and operates a sanitary sewer system that collects and transports sanitary sewage within the Township; and

WHEREAS, it is required of the Township to eliminate storm and surface waters from entering into the sanitary sewer system; and

WHEREAS, the Township previously adopted regulations to conduct dye tests as part of the lien letter process through Ordinance No. 241 in 1996; and

WHEREAS, the Township has undertaken a review of it’s existing dye test ordinance and determined that certain changes should be incorporated into said Ordinance for clarification and enforceability; and

NOW, THEREFORE, BE IT ORDAINED that Article XXI, Dye Tests, of Chapter 272 of the Chartiers Township Code of Ordinances, Sewers and Sewage Disposal is hereby repealed and replaced as follows:

§ 272-223. Findings and purposes.

The Board of Supervisors find that excessive storm and/or surface waters are illegally routed into the sanitary sewer systems within the Township of Chartiers, thus requiring increased and unnecessary treatment capacity and activity and thus curtailing the availability of tap-ins and treatment of other users who need sanitary sewage treatment. The Board of Supervisors finds that sewage may be illegally deposited into the soil and/or waters of the Commonwealth of Pennsylvania by malfunctioning on-lot individual sewage systems and that requiring dye testing prior to the sale or purchase of real estate located in the Township will eliminate illegal stormwater and/or surface connections into the sanitary sewer system and will eliminate illegal discharge of sewage into the soil and/or waters of the Commonwealth of Pennsylvania by malfunctioning, on-lot individual sewage systems, which will benefit the health, safety and welfare of the Township’s residents. The Board of Supervisors finds that the procedures, fees and penalties provided for herein are necessary to achieve the purposes of this article.

§ 272-224. Short title.

This article may be known and cited as the "Dye Test Ordinance."

§ 272-225. Definitions.

Unless the context specifically and clearly indicates otherwise, the meaning of terms used in this article shall be as follows:

**CODE**

Chartiers Township Ordinances, as the same may be from time-to-time amended

**DOCUMENTATION OF CERTIFICATION**

An official statement from the Township of Chartiers stating that there are no illegal stormwater or surface water connections into the sanitary sewer connections on the property to be sold which violate any section of this article.

**ENFORCEMENT OFFICER**

The Township Code Enforcement Officer or other agent of the Township as may be designated by the Board of Supervisors to administer and to enforce the Ordinance.

**ILLEGAL STORMWATER OR SURFACE WATER CONNECTIONS**

The discharge of basement seepage or groundwater or the connection of downspouts, roof drainage or surface or areaway drainage into the sanitary sewer system.

**ILLEGAL SEWAGE FLOWS**

The discharge of sewage into the soil and/or waters of the Commonwealth of Pennsylvania by malfunctioning, on-lot individual sewage systems.

**MUNICIPAL LIEN AND PROPERTY TAX VERIFICATION**

A written letter from the designated Township official concerning municipal liens and property taxes.

**ON-LOT INDIVIDUAL SEWAGE SYSTEM:**

A system of pipe, tanks or other facilities serving a single lot and collecting and disposing of sewage in whole or in part into the soil or into any waters of the Commonwealth of Pennsylvania or by means of conveyance to another site for final disposal

**PERSON**

Any person, syndicate, association, partnership, firm, corporation, institution, agency, authority or other entity recognized by law as the subject of rights and duties.

**TEMPORARY DOCUMENT OF CERTIFICATION**

A temporary statement of certification from the Township of Chartiers issued pursuant to the terms of § 272-230 of this article.

**TOWNSHIP**

The Township of Chartiers, Washington County, Houston, Pennsylvania.

## WCSC

The Washington County Sewage Council

### **DESIGNATION OF ENFORCEMENT OFFICER FOR ON-LOT INDIVIDUAL SEWAGE SYSTEMS**

The Board of Supervisors of Chartiers Township hereby designates the Washington County Sewage Council (WCSC) as its Enforcement Officer for the purposes of this Ordinance as said Ordinance relates to on-lot individual sewage systems unless and until a subsequent Enforcement Officer is appointed.

§ 272-226. Sale of real estate without document of certification prohibited.

After the effective date of this article, it shall be unlawful for any person to sell or purchase real estate, within the Township of Chartiers on which a building or improvement exists without first delivering to the purchaser a document of certification or a temporary document of certification from the Township.

§ 272-227. Document of certification application.

- A. Any person selling or transferring real estate located as defined in § 272-226 of this article that is located within the Township (hereinafter referred to as "applicant") shall make application on a form furnished by the Township at least 21 days before the date of the closing the sale. The Applicant shall then cause to have performed a dye test on the property to be sold or transferred. All dye tests shall be performed by an Inspector appointed by the Township or the (hereinafter referred to as "Inspector").
- B. The inspection fee shall be in an amount set by resolution of the Chartiers Township Board of Supervisors. The inspection fee shall be paid to the Township at the time of making the application referred to in this section.
- C. Such Inspector shall complete the appropriate portions on the form and certify that the property has been dye tested and certify the results of such test. In the event there is no illegal stormwater or surface water connections, the Township Manager or his/her designate shall issue a document of certification upon payment of such fee as set by resolution of the Township.
- D. When an illegal stormwater or surface water connection(s) or sewage flow(s) is/are discovered by means of the above-mentioned dye test, no document of certification will be issued until the illegal connection(s) or flow(s) is/are removed and/or remedied and certification of such removal by an Inspector is received. An additional inspection fee shall be paid by the applicant for each inspection subsequent to the first inspection referred to in § 272-227A.

§ 272-228. Duration of document of certification.

A document of certification shall be valid for a period of one year from the date of issuance. Real estate may be sold during the one-year effective life of such document without further dye testing or certification.

§ 272-229. Instances when document of certification not required.

A document of certification shall not be required in the following instances:

- A. When property is refinanced but no conveyance takes place.
- B. When an improvement to real estate has been recently constructed in accordance with a valid building permit and has been inspected by the Building Inspector and has not been formerly occupied. If such property is sold after one year of the date of the certificate of occupancy, or the inspections referred to in this subsection, compliance with this article is mandatory.
- C. Individual apartment-type units within a single condominium building may be sold without individual certification, provided that the building in which the units are located has been certified no longer than one year previous to the date of the sale of the individual condominium unit.
- D. When the real estate is such that on-lot system or a tap-in to the sanitary sewer system is not required by law or ordinance.

§ 272-230. Temporary document of certification.

A temporary document of certification may be issued at the Township's sole discretion when either:

- A. The applicant proves that dye testing cannot be performed because of weather conditions. When such is the case, the applicant shall provide the Township with security in such amount as the Board of Supervisors by resolution shall establish to guarantee that the dye test will be performed. The applicant will cause to have the dye test performed within 14 days of written notification from the Township or the Washington/East Washington Joint Authority, which will be given at such time as weather conditions make the dye test possible. In addition, the applicant shall provide a signed, written acknowledgment from the purchaser agreeing to correct, at purchaser's sole cost and expense, any violations that may be discovered as a result of subsequent dye tests. Nothing in this subsection shall prohibit any purchaser from requiring the applicant to reimburse purchaser for any costs incurred; provided, however, that primary liability shall run with the land, and no such agreement shall affect Township's enforcement powers or excuse the current owner from compliance with this article; or
- B. When an illegal stormwater or surface water connection or sewage flow(s) is/are discovered and the necessary remedial activities to correct such illegal connection(s) or flow(s) would require a length of time such as to create a practical hardship for the applicant, the applicant may apply to the Township for a temporary document of certification which may only be issued when the applicant provides the Township with all of the following: i) A bona fide executed contract between the applicant and an Inspector to complete the necessary remedial work with the Township listed therein as a third-party beneficiary, and ii) cash security in the amount of said contract is posted with the Township, and iii) a written agreement by the purchaser to be responsible for all cost overruns and extras related to the remedial work, together with a written license to enter upon the property to complete work in case of default of the contractor referred to above. The Township Manager shall determine when such temporary document certification

shall expire. Upon expiration, the security shall be forfeited and the Township may use the security to have the necessary remedial work completed.

§ 272-231. Municipal lien and tax certification letters.

- A. A request for a municipal lien or tax certification letter must be accompanied by a valid document of certification and payment of the required fees which shall be delivered to the Township Manager at least seven days before such letters are to be provided. The amount of the fees for each item shall be established by resolution of the Board of Supervisors.
- B. Where requested by a property owner or his agent and subject to time availability as determined solely by the Township, the Township may issue municipal lien and tax certification letters on two days' notice upon the payment of an expedition fee in addition to the fees set forth above. The amount of the expedition fee shall be established by resolution of the Board of Supervisors.

§ 272-232. Regulations.

The Township Manager is hereby empowered to undertake the duties imposed by this article, including, but not limited to:

- A. Establishing acceptable forms of security or guarantees.
- B. Establishing the form of applications, purchaser acknowledgment and inspector certifications.
- C. Establishing that the Applicant shall place money in escrow with the Township for the preparation of any agreements requested by the provisions of this Ordinance and the determination of the required escrow amount.
- D. Limiting the times of year in which the temporary document of certification is available for reasons of weather.

§ 272-233. Adjustment of fees.

The Board of Supervisors may, by resolution, change from time to time the fees authorized in this article.

§ 272-234. Conflict with general police powers.

Nothing in this article shall limit in any fashion whatsoever the Township's right to enforce its ordinances or the laws of the commonwealth. Nothing in this article shall be a defense to any citation issued by any municipal corporation or the commonwealth pursuant to any other law or ordinance.

§ 272-235. Violations and penalties.

- A. Any person who violates any of the provisions of this article may be charged with such violation and, upon conviction thereof, shall be sentenced to pay a fine of not more than \$500 for each violation or, alternatively, sentenced to pay a fine of not more than the maximum permitted under Pennsylvania law as the same may be from time to time

amended and in effect as of the date of conviction. In default of payment of imposed fines, the offender may be imprisoned for a term not to exceed 30 days.

B. Whenever any person violating any of the provisions of this article is notified of such violation in writing by the Township Manager, each day or portion thereof a violation occurs or continues to occur shall constitute a separate violation.

C. In addition to and not in lieu of the foregoing, the Township may seek equitable and legal relief to compel compliance with this article.

**REPEALER:**

All Ordinances or Resolutions or parts of eh Ordinance or Resolutions inconsistent with this ordinance are repealed.

**SEVERABILITY:**

The provisions of this Ordinance shall be severable and if any of its provisions shall be held to be unconstitutional, illegal, invalid or otherwise unenforceable by a court of competent jurisdiction, the remaining portions shall take effect in accordance with applicable law.

**ENACTMENT:**

This Ordinance shall take effect upon adoption.

ORDAINED AND ENACTED this 10<sup>th</sup> day of February, 2026.

ATTEST:

CHARTIERS TOWNSHIP  
BOARD OF SUPERVISORS

\_\_\_\_\_  
Frank W. Wise, Jr  
Secretary

BY: \_\_\_\_\_  
Harlan G. Shober, Jr.  
Chairman

(SEAL)