

**CHELTENHAM TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2372-18

“AMENDMENT TO CHAPTER 238, SEWERS”

**AN ORDINANCE OF THE BOARD OF COMMISSIONERS
OF CHELTENHAM TOWNSHIP, MONTGOMERY
COUNTY, PENNSYLVANIA, AMENDING CHAPTER 238,
“SEWERS”, OF THE CHELTENHAM TOWNSHIP CODE
OF ORDINANCES, SECTION 238-28 “DEFINITION” TO
CLARIFY THE DEFINITION OF “PRODUCER” AND TO
PROHIBIT THE DUMPING OF FATS, OIL AND GREASE
INTO THE TOWNSHIP STORMWATER SEWER SYSTEM**

WHEREAS, the Board of Commissioners of Township of Cheltenham, Montgomery County, Pennsylvania desires to clarify and expand the definition of the term “producer” set forth in the Township Code of Ordinances regarding the regulation of fats, oil and grease and to prohibit the dumping of fats, oil and grease into the township’s stormwater sewer system.

NOW, WHEREFORE, it is hereby **ENACTED AND ORDAINED** by the Board of Commissioners of the Township of Cheltenham, Montgomery County, Pennsylvania that the Township amend Chapter 238 “Sewers” as follows [underlined text is added text]:

SECTION I. Amendment to the Code.

The Definition of “Producer” in Section 238-28 of the Cheltenham Township Code is hereby amended as follows:

Section 238-28. Definitions.

PRODUCER Any commercial or public facility or private residential property that is connected to the Township POTW and that produces, directly or indirectly, wastewater containing FOG in a concentration greater than defined in the General Regulations of this Article. The term Producer shall include the owner, the lessee, if any, as well as all employees and agents of such owner and any lessee operating any commercial or public facility or residing at any private residential property which is connected to the Township POTW and which produces, directly or indirectly, wastewater containing FOG in a concentration greater than that defined in the General Regulations of this Article. Commercial

Facilities include, but are not limited to, restaurants, schools, private clubs, delis, churches and day-care centers. ...

SECTION II. Amendment to the Code.

Section 238-29 is hereby amended as follows:

Section 238-29. General Regulations.

K. All Producers are prohibited from pouring, dumping or otherwise introducing any FOG into the Township stormwater sewer system.

SECTION III. Severability

The provisions of this Ordinance are intended to be severable, and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted even if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION IV. Disclaimer.

Nothing in this Ordinance shall limit, in any manner whatsoever, the Township's right to enforce any ordinance or law of the Township, Montgomery County or the Commonwealth of Pennsylvania, or be a defense to any citation issued by the Township or the Commonwealth of Pennsylvania pursuant to any other law or ordinance.

SECTION V. Failure to Enforce Not a Waiver.

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

SECTION VI. Repealer.

All ordinances, or parts of ordinances, of the Township which shall be inconsistent with this Ordinance shall be, and the same expressly are, repealed.

SECTION VII. Effective Date.

This Ordinance shall take effect and be in force from and after its enactment as permitted by law.

ORDAINED AND ENACTED by the Board of Commissioners of Cheltenham Township, Montgomery County, Pennsylvania following a duly advertised public hearing at its

regularly-scheduled meeting held at Curtis Hall, 1250 West Church Road, Wyncote, Pennsylvania this 20th day of June, 2018.

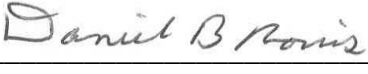
ENACTED AND ORDAINED, this 20th day of **June, 2018**.

ATTEST:

**TOWNSHIP OF CHELTENHAM
BOARD OF COMMISSIONERS**



Bryan T. Havir
Township Manager and Secretary

By: 

Daniel B. Norris, President