

ORDINANCE NO. 21

AN ORDINANCE DEFINING AND REGULATING THE DISPOSAL OF SEWAGE AND OTHER WASTE WATER WITHIN THE TOWNSHIP OF AMITY, BERKS COUNTY, PENNSYLVANIA, AND PROVIDING FOR INSPECTION OF PROPOSED SEWAGE DISPOSAL SYSTEMS AND APPROVAL OF THE SAME BY THE TOWNSHIP BEFORE AND AFTER THE BUILDING OR CONSTRUCTION OF THE SAME: AND PROVIDING FOR PENALTIES FOR VIOLATIONS.

WHEREAS, the problem of disposal of sewage and waste matter within the geographical limits of Amity Township have become compelling; and

WHEREAS, in the opinion of the Supervisors of Amity Township, a lack of regulations must be remedied to take care of the growing needs of the Township: and

WHEREAS, the development of the Township is increasing the population is likewise increasing, thereby creating a heavier density of population within the geographical limits of the Township; and

WHEREAS, the Township Supervisors after duly considering the problem of sewage and waste disposal in the Township, are unanimously of the opinion that some regulations are necessary for the health, welfare, and well-being of all of the citizens of the Township; and

WHEREAS, the peculiar composition of much of the soil within the Township requires that the Township approval of proposed sewage disposal systems be required before such systems are installed; and

WHEREAS, by the authority of the act of 1933, P.L. 103, Article VII, Section 702, Clause XXVII and Clause XXIX, its supplements and amendments, the Township has been given authority to regulate the subjects of this ordinance.

NOW, THEREFORE, be it ordained by the Township Supervisors of Amity Township, Berks County, Pennsylvania, to wit:

SECTION 1: DEFINITIONS - for the purpose of this ordinance, the following words and phrases shall have the meanings ascribed to them in this section.

1.1 Building Inspector - shall mean the officer or other legally designated authority of Amity Township, charged with the administration and enforcement of this ordinance, or his duly authorized representative.

1.2 Individual Sewage Disposal System - shall mean a sewage disposal system, other than a public or community system, which receives either human excreta or liquid waste, or both, from one or more premises. Included within the scope of this definition are septic tank soil absorption systems, privies, chemical type toilets, and any other means of disposal of such waste.

1.3 Sewage Permit - shall mean a written permit issued by the Building Inspector, permitting the construction of an individual sewage disposal system under this ordinance.

1.4 Person - shall mean any institution, public or private corporation, individual, partnership, or other entity. This shall include the owner of the premises as well as any person working for the owner, as agent or a contractor building for the owner.

SECTION 2: REQUIREMENT AS TO INDIVIDUAL PROPERTIES

2.1 No raw sewage, septic tank effluent, or seepage from a soil absorption system shall be discharged to the surface of the ground, or into ground surface water, nor shall it be discharged, except as hereinafter provided, into any rock formation, the structure of which is not conducive to purification of water by filtration.

2.2 From and after the effective date of this Ordinance, no person or persons shall commence the construction, alteration, or extension of any kind or of any nature whatsoever of an Individual Sewage Disposal System without first making application for a Sewage Permit to the Building Inspector, and receiving approval of same. In the event a building is proposed to be constructed, the application for a Sewage Permit shall accompany the application for a Building Permit, if such is required under existing or future ordinances.

2.3 A Sewage Permit is not required for the disposal of industrial waste, which is subject to approval of the Division of Sanitary Engineering, Pennsylvania Department of Health.

2.4 The Building Inspector shall prescribe in writing and deliver to the applicant the minimum specifications for an Individual Sewage Disposal System as set forth in the regulations adopted by the Board of Supervisors from time to time, and which are based on the minimum standards of the Pennsylvania Department of Health in effect at the time of the application.

2.5 A building which cannot be connected with a public or community sanitary sewerage disposal system at the time of construction shall be provided with an on-site sanitary sewage disposal system consisting of septic tank (s) connected with a tile disposal field. The minimum required absorption area, measured in the bottom of the absorption trenches shall be 660 square feet, based upon a two-bedroom house.

2.6 Reduction of absorption area is permissible if substantiated by the submission of soil percolation test data conducted in accordance with procedures of the Pennsylvania Department of Health as set forth in the Regulations adopted by the Board of Supervisors from time to time.

2.7 In the event that a Sewage Permit is issued by the Building Inspector, it is specifically required that the disposal system constructed upon the premises in question shall not be closed and operation of said sewage system permitted, until said installed system has been inspected by the Building Inspector. In the event that said installation complies with the requirements of this Ordinance, the Building Inspector shall so advise the owner in writing.

2.8 If upon inspection the Building Inspector determines that the installed system does not meet these specification, the Building Inspector shall

so specify the defects in said installed system into operation until such defects have been corrected and until such system has been re-inspected and approved by the Building Inspector. There shall be an additional fee charged for each re-inspection of an installed system where such re-inspection is necessary for the reason set forth above.

2.9 It shall be the duty of the owner or occupant of a premises to give the Building Inspector free access to the property at reasonable times for the purpose of making such inspections as are necessary to determine compliance with the requirements of this Ordinance.

2.10 No installation of individual sewage disposal systems shall be made in marshy areas or areas which may be subject to flooding.

2.11 No bulldozers, trucks, or other heavy machinery shall be driven over the system after installation.

SECTION 3: SEWAGE PERMIT DATA REQUIREMENTS

3.1 All applications for permits shall be made to the Building Inspector who shall issue a permit upon compliance by the applicant with provisions of this ordinance and any regulations adopted hereunder.

3.2 The Building Inspector may refuse to grant a permit for the construction of an individual sewage disposal system where public or community sewerage systems are reasonably available.

3.3 Applications for permits shall be in writing, shall be signed by the applicant, and shall include the following:

3.31 Name and address of the applicant.

3.32 Lot and block number of property on which construction, alteration, or extension is proposed.

3.33 Complete plan of the proposed disposal facility, with substantiating data, if necessary, attesting to its compliance with the minimum standards as set forth in the Regulations of the Board of Supervisors. A complete plan shall include:

3.331 The number, location, and size of all

sewage disposal facilities to be constructed, altered or extended.

3.332 The location of water supplies, water supply piping, existing sewage disposal facilities, buildings or dwellings, and adjacent lot lines.

3.333 Plans of the proposed sewage disposal facilities to be constructed, altered, or extended.

3.34 Such information as may be required by the Building Inspector to substantiate that the proposed construction, alteration, or extension complies with regulations promulgated by the Board of Supervisors from time to time.

3.4 Any person whose application for a permit under this ordinance has been denied may request and shall be granted a hearing on the matter before the Supervisors within 30 days after receipt of the request.

SECTION 4: FEES

4.1 The Building Inspector shall prepare and submit to the Township Supervisors a schedule of fees paid by the applicant for services to be rendered with respect to inspection of plans, taking of percolation tests on the premises, if required, final inspection of installation, re-inspection of premises, if required, and extensions, alterations, modifications and/or changes to existing systems. The schedule of fees so submitted by the Building Inspector shall be subject to the approval of the Supervisors and any revisions thereof must be approved by the Supervisors.

SECTION 5: PENALTIES

5.1 Any person who violates any provision of this ordinance, or any provision of any regulation adopted pursuant to authority granted by this ordinance, shall upon conviction, be punished by a fine of not less than Twenty-Five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00), or by imprisonment for not less than ten (10) days nor more than thirty (30) days; and each day's failure to comply shall constitute a separate violation.

SECTION 6: CONFLICT OF ORDINANCES, EFFECT ON PARTIAL INVALIDITY

6.1 In any case where a provision of this ordinance is found to be in conflict with a provision of any zoning,

building, fire, safety, or health ordinance or code of Amity Township existing on the effective date of this ordinance, the provision which, establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail. In any case where a provision of this ordinance is found to be in conflict with a provision of any other ordinance or code of Amity Township existing on the effective date of this ordinance which establishes a lower standard for the promotion and protection of the health and safety of the people, the provisions of this ordinance shall be deemed to prevail, and such other ordinance or codes are hereby declared to be repealed to the extent that they may be found in conflict with this ordinance.

6.2 If any section, subsection, paragraphs, sentence, clause or phrase of this ordinance should be declared invalid for any reason whatsoever, such decision shall not effect the remaining portions of this ordinance, which shall remain in full force and effect; and, to this end, the provisions of this ordinance are hereby declared to be severable.

SECTION 7: EFFECTIVE DATE

7.1 This ordinance shall be effective on and after the 10th day of December, 1964.

s/ Victor D. Geiger

s/ Irwin L. Geiger

s/ D. Gene Hafer
Supervisors of the Township of
Amity

ATTEST:

s/ Russell H. High
Secretary