

AN ORDINANCE OF THE TOWNSHIP OF TILDEN DEFINING AND REGULATING INDIVIDUAL SEWAGE SYSTEMS AND COMMUNITY SEWERAGE SYSTEMS; INCORPORATING BY REFERENCE THE REQUIREMENTS OF RULES AND REGULATIONS, STANDARDS FOR INDIVIDUAL SEWAGE DISPOSAL SYSTEMS, AND STANDARDS FOR COMMUNITY SEWAGE DISPOSAL SYSTEMS OF THE DEPARTMENT OF HEALTH OF THE COMMONWEALTH OF PENNSYLVANIA; PROVIDING FOR THE APPOINTMENT OF A SEWAGE DISPOSAL OFFICER TO ENFORCE AND ADMINISTER THE PROVISIONS OF THIS ORDINANCE; REQUIRING A PERMIT TO INSTALL, ALTER OR REPAIR INDIVIDUAL SEWAGE SYSTEMS OR COMMUNITY SEWERAGE SYSTEMS; AND IMPOSING PENALTIES FOR VIOLATION.

WHEREAS, under the provisions of the Pennsylvania Sewage Facilities Act, being the Act of January 24, 1966, P.L. 1535, the Township of Tilden, Berks County, Pennsylvania is charged with the administration of the provisions of Section 7 of said Act within the Township of Tilden; and

WHEREAS, the Supervisors of Tilden Township have become aware of certain defects and deficiencies in the methods presently employed for the disposal of sewage and waste materials within the Township, creating conditions prejudicial to the public health and

WHEREAS, the Supervisors desire to promote the health and safety of the citizens of Tilden Township by imposing standards regulating the disposal of sewage and waste materials within the Township and by providing for the enforcement of such regulations;

NOW, THEREFORE, pursuant to the authority conferred upon them by the Second Class Township Code and by the Pennsylvania Sewage Facilities Act, the Supervisors of Tilden Township

hereby enact and ordain as follows:

SECTION 1: For the purposes of this Ordinance, the following words and phrases shall have the meanings ascribed to them in this section:

A. Individual Sewage System. A single system of piping, tanks or other facilities serving only a single lot which is less than one acre in size or serving two lots which are less than one and one-half acres in total area and disposing of sewage in whole or in part into the soil of the property or into any waters of the Commonwealth of Pennsylvania.

B. Community Sewerage System. Any system, whether publicly or privately owned, for the collection and disposal of sewage or industrial wastes of a liquid nature, or both, including various devices for the treatment of such sewage or industrial wastes serving three or more individual lots.

C. Subdivision. The division of a single tract or other parcel of land, or a part thereof, into three or more lots, and shall also include changes in street lines or lot lines.

D. Lot. A part of a subdivision or a parcel of land used as a building site or intended to be used for building purposes, whether immediate or future, which would not be further subdivided.

E. Permit. A written permit issued by the Sewage Disposal Officer, permitting the construction of an individual sewage system or a community sewerage system in accordance with the terms of this Ordinance.

F. Sewage. Any substance that contains any of the waste products or excrement or other discharge from the bodies of human beings or animals and any noxious or deleterious substances being harmful or inimical to the public health, or to animal or aquatic life, or to the use of water for domestic water supply or for recreation.

G. Person. Any individual, partnership, institution, public or private corporation, association or other entity, whether acting as principal or agent.

H. Sewage Disposal Officer. The person appointed by the Supervisors of Tilden Township, who is empowered to enforce and administer the provisions of this Ordinance.

I. Rules and Regulations. Article 423 of Chapter 4 of the Rules and Regulations of the Department of Health of the Commonwealth of Pennsylvania, and all amendments and supplements thereto, and said Rules and Regulations are hereby incorporated herein by reference.

J. Standards for Individual Sewage Disposal Systems. The Standards for Individual Sewage Disposal Systems, and any amendments or supplements thereto, adopted by the Department of Health of the Commonwealth of Pennsylvania, and said standards are hereby incorporated herein by reference.

K. Standards for Community Sewage Disposal Systems. The Standards for Community Sewage Disposal Systems, and any amendments or supplements thereto, adopted by the Department of Health of the Commonwealth of Pennsylvania, and said standards are hereby incorporated herein by reference.

SECTION 2: No person shall install, construct, alter, repair, enlarge or extend any individual sewage system located within the Township of Tilden, except in strict accordance with the requirements of the Rules and Regulations and the Standards for Individual Sewage Disposal Systems, as well as in strict accordance with the other requirements imposed by this Ordinance and any amendments thereto. Any person failing to comply with any of said Rules and Regulations or any of said Standards or any other provisions of this Ordinance shall be in violation of this Ordinance and shall be subject to penalties as prescribed herein.

SECTION 3: No person shall install, construct, alter, repair, enlarge or extend any community sewerage system located within the Township of Tilden except in strict accordance with the Rules and Regulations and the Standards for Community Sewage

Disposal Systems, as well as in strict accordance with the other requirements imposed by this Ordinance and any amendments thereto. Any person failing to comply with any of said Rules and Regulations or any of said Standards or any other provisions of this Ordinance shall be in violation of this Ordinance and shall be subject to penalties as prescribed herein.

SECTION 4: The Sewage Disposal Officer shall make sanitary inspections, shall execute the orders of the Supervisors and shall, in the performance of his duties, have the power and authority of a policeman.

SECTION 5: No person shall install, construct, alter, repair, enlarge or extend any individual sewage system or any community sewerage system unless a permit to do so has first been issued to him by the Sewage Disposal Officer. All applications for permits shall be made to the Sewage Disposal Officer, and the Sewage Disposal Officer shall issue a permit upon compliance by the applicant with the provisions of the Rules and Regulations and with the provisions of the Standards for Individual Sewage Disposal Systems or the Standards for Community Sewage Disposal Systems, as the case may be. The Sewage Disposal Officer may refuse to grant a permit for the construction of an individual sewage system or a community sewerage system where public sewage systems are reasonably available.

SECTION 6: Following the issuance of a permit by the Sewage Disposal Officer, the individual sewage system or the community sewerage system for which the permit was issued shall not be closed, nor shall any use of such system be permitted, until an inspection has been made by the Sewage Disposal Officer in order to determine whether the installation complies with the

requirements of this Ordinance, the Rules and Regulations, and the Standards for Individual Sewage Disposal Systems or the Standards for Community Sewage Disposal Systems, as the case may be. The Sewage Disposal Officer shall furnish the person to whom the permit was issued with a written report indicating any respects in which the installation does not comply with these requirements and these shall be corrected and the installation approved by the Sewage Disposal Officer before the system is closed or put into use.

SECTION 7: The Township Supervisors shall approve a schedule of fees which shall be paid by the applicant for a permit at the time the application is submitted, which schedule shall be based upon the work required to be performed by the Sewage Disposal Officer, including the inspection of plans, the inspection of the site, the inspection and re-inspection of sewage system installations, the conducting of percolation tests, if required, and any other services required in connection with the application.

SECTION 8: The Sewage Disposal Officer shall make such inspections as are necessary to determine said compliance with the provisions of this Ordinance, the Rules and Regulations, and the Standards for Individual Sewage Disposal Systems or Standards for Community Sewage Disposal Systems, as the case may be. It shall be the duty of the owner or occupant of a property to give the Sewage Disposal Officer free access to the property at reasonable times for this purpose.

SECTION 9: Any person violating any provision of this Ordinance or any of the Rules and Regulations or the Standards for Individual Sewage Disposal Systems or the Standards

for Community Sewage Disposal Systems shall upon conviction thereof be adjudged liable for a penalty of not less than Twenty-Five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00) for each offense, or in default of the payment of such penalty shall be sentenced to imprisonment for a period of not more than thirty (30) days. Each day during which a person continues to be in violation as aforesaid shall be deemed a separate offense, punishable as such.

SECTION 10: The provisions of this Ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal, or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as the legislative intent of the Supervisors of Tilden Township that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid provisions not been included herein.

SECTION 11: This Ordinance shall become effective five (5) days after its adoption.

SECTION 12: All Ordinances or portions of Ordinances or Resolutions inconsistent with the provisions of this Ordinance are hereby repealed.

ENACTED AND ORDAINED this *2nd* day of *January*, 1968.

Attest:

Anna M. Hollenberger

George B. Savage
Supervisor

Harold R. Smith
Supervisor

Vernon A. Reppert
Supervisor