

## ORDINANCE NO. 95

ORDINANCE REQUIRING COMPLIANCE WITH THE  
PENNSYLVANIA SEWAGE FACILITIES ACT AS AMENDED  
AND THE RULES AND REGULATIONS OF THE  
DEPARTMENT OF ENVIRONMENTAL RESOURCES ISSUED THEREUNDER  
AND REQUIRING PERMITS FOR ALL LOTS AND  
REQUIRING THAT ALL COSTS BE PAID BY THE APPLICANT

WHEREAS, Act No. 537 of January 24, 1966, P.L. 1535 (1965), known as the Pennsylvania Sewage Facilities Act (hereinafter "Act"), and the Rules and Regulations of the Department of Environmental Resources issued thereunder require the granting of a permit before the installation, modification or repair of an individual or community sewage disposal system; and

WHEREAS, it is the further desire of the Board of Supervisors of Washington Township, Franklin County, Commonwealth of Pennsylvania, to require a permit for such installation, modification or repair for any lot as that term is used in the Act regardless of lot size since mere lot size will not in all cases or circumstances preclude the creation of a public health hazard or prevent pollution of the waters of the Commonwealth.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Supervisors of Washington Township, Franklin County, Pennsylvania, as follows:

Section 1. Purpose: The purpose of this ordinance is to clarify when it is necessary to apply for and obtain a permit for the installation, modification, or repair of an individual sewage system or a community sewage system, and to require the applicant to pay all fees and costs of said permit.

Section 2. Definitions: Unless otherwise specifically set forth herein, the definitions used in this ordinance are to have the same meaning as set forth in Section 2 of the Act as amended, and as set forth in the applicable Rules and Regulations of the Department of Environmental Resources.

Section 3. Requirement of Permit for Sewage System: No person shall install, modify or repair an individual sewage system or community sewage system; and no person shall construct or request bids for construction of an individual sewage system or a community sewage system; and no person shall install or occupy any building or structure for which an individual sewage system or a community sewage system is to be installed without first obtaining a permit indicating that the site, plans and specifications of such system are in compliance with this ordinance. A permit shall be required in every instance where a person desires to install, construct, modify or repair an individual sewage system or a community sewage system on any tract of land of any size or any location in Washington Township, Franklin County, Pennsylvania, regardless of the use of the land

and regardless of whether use is established by actual usage or by zoning. No "rural residence" as that term is defined in the Act or any lot shall be exempt from the provisions of this ordinance.

Section 4. Obtaining of Permit: All permits for the construction, installation, modification or repair of an individual sewage system or a community sewage system shall be obtained from the Washington Township Sewage Enforcement Officer and the issuance of all such permits shall be subject to all the conditions that may be required by any rules and regulations adopted by Washington Township or the Commonwealth of Pennsylvania concerning the issuance of sewage permits. Applications for permits shall be submitted in writing to the township secretary or her designee and shall be made on such forms as the Township Board of Supervisors or its designee may from time to time provide or require.

Section 5. Inspections: The Sewage Enforcement Officer shall make all inspections pursuant to and as required by the Act, as amended, and the standards and regulations adopted pursuant to the aforesaid Act. As well as any standards, regulations or resolutions adopted by Washington Township Supervisors concerning the issuance of sewer permits.

Section 6. Applicant to Pay Costs: Applicants shall pay all costs of inspection including, but not limited to, fees paid to the Sewage Enforcement Officer, and any and all other fees and charges as the Washington Township Supervisors may from time to time establish by resolution. Fees and costs shall be paid to the township secretary, or her designee.

Section 7. Violations: Any person who violates any provision of this ordinance shall upon conviction thereof by summary proceeding be subject to pay a fine of not more than \$300.00 and costs, and in default of said fine and costs, to undergo imprisonment in the Franklin County Prison for a period not to exceed 30 days.

Section 8. Abatement of Nuisances: In addition to any other remedies provided in this ordinance, any violation of this ordinance shall constitute a nuisance and may be abated by Washington Township by seeking appropriate equitable or legal relief from a court of competent jurisdiction.

Section 9. Repealer: All ordinances or resolutions or parts of ordinances or resolutions, insofar as they are inconsistent herewith, are hereby repealed.

Section 10. Severability: If any sentence, clause, section or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Board

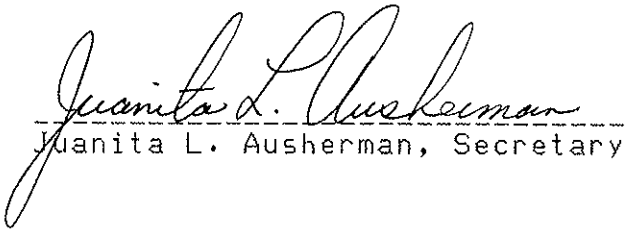
of Supervisors of Washington Township that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 11. Effective Date: This ordinance shall become effective five days after its adoption.

ENACTED AND ORDAINED in an ordinance this 17th day of March, 1986, by the Board of Supervisors of Washington Township, Franklin County, Pennsylvania, in lawful session duly assembled.

BOARD OF SUPERVISORS OF  
WASHINGTON TOWNSHIP  
FRANKLIN COUNTY  
PENNSYLVANIA

Attest

  
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Juanita L. Ausherman, Secretary

  
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Thurlow R. Null, Chairman