

ORDINANCE NO. 13 A

AN ORDINANCE ADOPTED IN ACCORDANCE WITH THE PROVISIONS OF THE “PENNSYLVANIA SEWAGE FACILITIES ACT”, THE ACT OF JANUARY 24, 1966, P. L. 1535, HEREINBEFORE OR HEREINAFTER AMENDED, PROVIDING FOR THE ADMINISTRATION OF PROVISIONS OF SAID ACT OF THE COMMONWEALTH OF PENNSYLVANIA; ADOPTING THE RULES, REGULATIONS AND STANDARDS OF THE COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF ENVIRONMENTAL RESOURCES.

BE IT ENACTED AND ORDAINED by the Supervisors of Haines Township, Centre County, Pennsylvania, and it is hereby enacted and ordained by authority of the same, as follows:

Section 101. Short Title

This ordinance shall be known and may be cited as the Haines Township Ordinance Implementing Pennsylvania Sewage Facilities Act. This ordinance is a revision of and amendment to Haines Ordinance No. 13 enacted November 5th, 1984.

Section 102. Definitions

The definitions as set forth in Section 2 of the Pennsylvania Sewage Facilities Act, being the Act of January 24, 1966, P.L. 1535, as amended are incorporated herein by reference.

In addition to the definitions set forth in the Act, the following words and phases shall have the meaning ascribed to them in this section unless the context clearly indicates otherwise:

- a. “Approving Body” means Haines Township, Centre County, Pennsylvania.
- b. “Township” means the Township of Haines, Centre County, Pennsylvania.
- c. “Act” means the Pennsylvania Sewage Facilities Act, the Act of January 24, 1966, and P.L. 1535, hereinbefore or hereafter amended.

Section 103. Permits.

- a. Notwithstanding Section 7 of the Act, no person shall install an individual or community sewage disposal system or construct any building in which an individual or community sewage disposal system is to be installed within the Township, without first obtaining a permit indicating that the site and the plans and specifications of such system are in compliance with the provisions of this ordinances, the Act and the standards, rules and regulations adopted by the Commonwealth of Pennsylvania, Department of Environmental Resources.
- b. Applications for a permit shall be in writing to the Secretary of the Township or appointed agent and shall be made on a formal application blank which shall be furnished by the Secretary of the Township of appointed agent and each

application shall include such data as shall be prescribed by the technical standards adopted by the Commonwealth of Pennsylvania, Department of Environmental Resources.

- c. Issuance of permits shall be in accordance with Section 7 of the Act and all of the Provisions of Section 7 of the Act are incorporated herein by reference.

Section 104. Inspections.

Inspections of application and the site and the installation itself shall be in accordance with the provisions of Section 7 of the Act. The Township Supervisors shall from time to time designate and appoint a Sewage Enforcement Officer who shall carry out the inspections in accordance with this ordinance, with Section 7 of the Act and also with the rules and regulations of the Commonwealth of Pennsylvania, Department of Environmental Resources, which are Incorporated herein.

Section 105. Adoption of the Rules and Regulations of the Commonwealth of Pennsylvania, Department of Environmental Resources, Including Title 25, Chapters 71, 72, and 73, as Amended.

This Township hereby enacts and ordains and adopts as part of this ordinance, the rules and regulations of the Commonwealth of Pennsylvania, Department of Environmental Resources, including Title 25, Chapters 71,72, and 73 as amended. All such rules and regulations and standards are incorporated in this ordinance by reference. Copies of these regulations shall be available for inspection at the time of the application for a permit.

Section 106. Fees.

- a. Permit Fees. The applicant shall pay a fee with the application for the permit, which will be made payable to the Township and shall cover the ordinary administration of this ordinance, including initial completion of the application, issuance of the permit, and closer inspection of premises by the Sewage Enforcement Officer for a standard subsurface sewerage system. Such fees shall be established from time to time by resolution of the Township and shall be paid prior to any on-site soil testing.
- b. Additional Inspections and Tests. In the event the municipality deems it necessary to make additional inspections or to make additional percolation tests or any other tests as required to be made by the applicant under the provisions of this ordinance or the Act and the regulations of the Department of Environmental Resources, the applicant shall pay to the Township the actual cost of such additional inspections or such percolation tests or other test made by the Township, which shall be paid to the Township prior to the issuance of the permit.

- c. Denial of Permit. In the event the application for the subsurface sewerage system is denied and the applicant desires to install an alternative subsurface sewerage system, a separate application and fee shall be required before a permit is issued. Such additional fees shall be established from time to time by resolution of the Township.

Section 107. Restraining Violations

In accordance with Section 11 of the Act, the Township shall have the power to institute in the court of Common Pleas of Centre County, Pennsylvania, proceedings in law or in equity to restrain any and all violations of Section 7 of the Act and the provisions of this ordinance. Such proceedings shall be instituted in the name of the Township of Haines.

Section 108. Penalties.

Any person who shall violate any of the provisions of this ordinance or of the Act or the rules, regulations or standards promulgated hereunder, or who resists or interferes with any officer, agent or employee of the Township in the performance of his duties shall, upon conviction thereof, in a summary proceeding before the District Magistrate in the county in which the offense was committed, be sentenced to pay a fine of not less than one hundred (\$100.00) dollars, and costs, and not more than three hundred (\$300.00) dollars, and costs, to be paid to the County of centre, or in default thereof, shall be confined in the County Jail for a period of not more than thirty (30) days.

Section 109. Severability Clause.

The provisions of this ordinance are severable and if any provision of part thereof shall be held invalid, unconstitutional or inapplicable to any person or circumstances, such invalidity, unconstitutionality or inapplicability shall not affect or impair the remaining provisions of this ordinance.

Section 110. Adoption of Installation and Construction Standards.

- a. In addition to the standards presented in Chapter 73, as amended, of the Department of Environmental Resources' rules and Regulations, the following provisions shall apply in Haines Township. In the event of a conflict between the provisions hereinafter presented and standards within Chapter 73, the more stringent standard will apply, as determined by the Sewage Enforcement Officer.
- b. All excavation for absorption areas shall be with hoe-type equipment to protect the soil within the area. Trucks and other heavy equipment shall not run on excavated areas.

- c. The piping used within gravity distribution drainfields shall be rigid and perforated. Slotted pipe is not acceptable, nor is coiled plastic pipe. The rigid pipe shall have a standard dimension ratio no greater than four (4) inches.
- d. The piping used for building sewers, across backfill areas, and under traffic areas shall be Schedule 40 plastic pipe or an equivalent acceptable to the Sewage Enforcement Officer.

Dual absorption areas – After the effective date of this ordinance, individual on-lot sewage system permits will only be issued if two (2) acceptable absorption areas are identified on the lot for which the permit is requested. Each area must be of sufficient capacity to handle the entire effluent loading and must have piping which distinctly separates it from the other. Both areas must be staked out during residence construction to assure their integrity. Destruction of one of the absorption area during construction will result in revocation of the building permit unless a replacement area is found.

- 1. In the case of a proposed subdivision plan, evidence of two acceptable absorption areas per lot will be required before the plan is approved.
- 2. In the case of a lot which exists prior to the effective date of this amendment, the requirements of this section will apply unless a replacement area cannot be found. A permit may be issued under such circumstances, and such permit must bear a notation that no suitable replacement area exists.

Section 111. Effective Date.

This ordinance becomes effective five (5) days after adoption.

ENACTED AND ORDAINED into an Ordinance of the Township of Haines, this 4th day of May, 1995.

THE HAINES TOWNSHIP
BOARD OF SUPERVISORS

Chairman

Vice-Chairman

Supervisor

ATTEST:

Secretary-Treasurer