

ORDINANCE NO. 3

AN ORDINANCE OF THE TOWNSHIP OF CENTRE, BERKS COUNTY, PENNSYLVANIA, 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 SEWERAGE 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 DISPOSAL SYSTEMS OR COMMUNITY SEWERAGE DISPOSAL SYSTEM; 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 Centre, Berks County, Pennsylvania, is charged with the administration of the provisions of Section 7 of said Act within the Township of Centre; and

WHEREAS, the Board of Supervisors of the Township of Centre 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 Centre 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 Board of Supervisors of the

Township of Centre, Berks County, Pennsylvania, hereby enacts and ordains as follows:

SECTION 1: For the purpose 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 either one or two lots 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, or both, including various devices for the treatment of such sewage or industrial wastes, serving three or more lots.

C. Sub-division. The division of a single tract or other parcel of land, or a part thereof, into three or more lots, including 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 will not be further sub-divided.

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 Board of Supervisors of the Township of Centre, Berks County, Pennsylvania, 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, all of which are hereby incorporated as a part of this Ordinance by reference thereto.

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, which standards are hereby incorporated as a part of this Ordinance by reference thereto.

K. Standards for Community Sewerage Disposal Systems. The Standards for Community Sewerage Disposal Systems, and any amendments or supplements thereto, adopted by the Department of Health of the Commonwealth of Pennsylvania, which standards are hereby incorporated as a part of this Ordinance by reference thereto.

SECTION 2: No person shall install, construct, alter, repair, enlarge or extend any Individual Sewage System located within the Township of Centre, 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. Whenever the Rules and Regulations and the Standards for Individual Sewage Disposal Systems are inconsistent with the other requirements imposed by this Ordinance, the provisions which impose the higher standard for the promotion and protection of the health and safety of the inhabitants of the Township of Centre shall prevail. 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 Centre, except in strict accordance with the requirements of the Rules and Regulations and the Standards for Community Sewerage Disposal Systems, as well as in strict accordance with the other requirements imposed by this Ordinance and any amendments thereto. Whenever the Rules and Regulations and the Standards for Community Sewerage Disposal Systems are inconsistent with the other requirements imposed by this Ordinance, the provisions which impose the higher standard

for the promotion and protection of the health and safety of the inhabitants of the Township of Centre shall prevail. 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. A. No person shall discharge any sewage, septic tank effluent or seepage from a soil absorption system upon the surface of the ground or into any ground surface water, nor shall any person discharge any such material into any rock formation unless the structure thereto has been determined by the Sewage Disposal Officer to be conducive to purification of water by filtration.

B. No person shall install or construct any Individual Sewage System in an area designated by the Sewage Disposal Officer as a low area or as an area subject to flooding.

C. A dwelling which cannot be connected with a Public or Community Sewerage System at the time of construction shall be provided with an Individual Sewage System meeting all of the requirements of this Ordinance.

D. No person shall install, construct, alter, repair, enlarge or extend any deep well, cesspool, seepage pit or abandoned water well for the purpose of using the same for the disposal of sewage or industrial wastes or both within the Township of Centre after the effective date of this Ordinance. The Board of Supervisors having determined

that their use constitutes a nuisance and is prejudicial to the public health, it is hereby declared to be the intention of the Board of Supervisors in enacting this Ordinance to prohibit the use of deep wells, cesspools, seepage pits and abandoned water wells as methods of disposing of sewage and industrial wastes insofar as it is within their power to do so, and to require the replacement thereof with an Individual Sewage System meeting the requirements of this Ordinance whenever any deep well, cesspool, seepage pit or abandoned water well shall require any repair, modification, alteration, extension or enlargement.

E. No person shall drive any bulldozer, truck or other heavy machinery or equipment over an Individual Sewage System after installation.

SECTION 5. The Sewage Disposal Officer shall make such inspections as are necessary to determine satisfactory compliance with the provisions of this Ordinance, shall execute the orders of the Board of Supervisors, and shall in the performance of his duties have the power and authority of a policeman. 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 the purpose of carrying out his duties.

SECTION 6. A. 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 he 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 Sewerage 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.

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

1. Name and Address of the applicant.
2. Lot and Block Number of property on which construction, alteration, extension, etc. is proposed.
3. Complete plan of the proposed Sewage Disposal System, with substantiating data attesting to its compliance with the minimum standards imposed by this Ordinance.
4. Such further information as may be necessary to substantiate that the proposed construction, alteration, extension, etc. complies with the minimum standards imposed by this Ordinance.

C. Every application for a permit shall be accompanied by a plot plan indicating the following items so that compliance with the provisions of this Ordinance can be determined:

1. Lot dimensions.
2. House location and set back line.
3. Location of the treatment tank.
4. Location of leaching system.
5. Location of the well when one exists.
6. Ground slope.
7. Streets or roads.
8. Property lines.
9. North reference.

No application shall be considered which is not accompanied by a plan containing the required information. The name and title of the person who designed the system and the signature of the applicant shall appear on the application at the place provided for them.

D. The applicant shall be responsible for securing percolation tests or other soil tests which are necessary to determine the suitability of the lot for a sub-surface Sewage Disposal System when such information is not available.

E. Following the issuance of a permit by the Sewage Disposal Officer, the Sewage System for which the permit is issued shall not be closed, nor shall any use of such Sewage 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 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 this

Ordinance, and these shall be corrected and the installation approved by the Sewage Disposal Officer before the System is closed or put into use.

F. The Board of Supervisors shall approve a schedule of fees to be paid by the applicant for a permit at the time his 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 and reinspection of Sewage Disposal System installations, the conducting of percolation tests if required, and any other services required in connection with the application. Said schedule of fees shall be initially as attached hereto and as may be amended from time to time by resolution of the Board of Supervisors.

G. In the event that any change has occurred in the physical conditions of any lands of a realty improvement which will materially affect the operation of the Community or Individual Sewage Disposal System covered by any permit issued under the provisions of this Ordinance, the permit shall be revoked and a new permit shall be obtained before construction may proceed.

SECTION 7. Any person who shall violate any of the provisions of this Ordinance or who resists or interferes with the Sewage Disposal Officer or any other employee or agent of the Township of Centre in the performance of his duties hereunder shall upon conviction thereof in a summary proceeding be

sentenced to pay a penalty of not less than One Hundred Dollars (\$100.00) and costs and not more than Three Hundred Dollars (\$300.00) and costs 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 of the provisions of this Ordinance shall be deemed a separate offense, punishable as such.

SECTION 8. Whenever the provisions of this Ordinance shall conflict with the provisions of any zoning, building, fire, safety or health Ordinance or Code of the Township of Centre, the provisions which establish the higher standard for the promotion and protection of the health and safety of the inhabitants of the Township shall prevail.

SECTION 9. 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 Board of Supervisors of the Township of Centre that this Ordinance would have been adopted had such unconstitutional, illegal or invalid provisions not been included herein.

SECTION 10. This Ordinance shall become effective immediately upon enactment.

ENACTED AND ORDAINED as an Ordinance this 6th day of May, 1970.

CENTRE TOWNSHIP BOARD OF SUPERVISORS

ATTEST:

George C. Siefert
SECRETARY

Howard M. Bismarck
Raymond J. Thompson
Herbert E. Roth

SCHEDULE

Fees for homes

\$15.00 - \$10.00

Fees for commercial installation

\$25.00 - 20.00

Fees for industrial installation

\$100.00 - 90.00