

SEWAGE INSPECTION ORDINANCE

BE IT ENACTED AND ORDAINED by the Supervisors of Apolacon Township of Susquehanna County, Pennsylvania, and it is hereby enacted and ordained as follows;

First: No individual sewage system, community sewage system, nor any other type of sewage system shall be installed by any person, nor shall any person construct any building for which such individual or community sewage disposal system is to be installed without first obtaining a permit for the cost of twenty-five dollars.

Prior to approval by the Board of Supervisors, site plans and specifications along with a system layout must be submitted.

Second: The said permit required in the above paragraph shall be obtained from the township of Apolacon and is required regardless of the size of the lot or tract of land involved or of any exemption to said ordinance.

Third: Any person who shall violate any provisions of this ordinance shall upon conviction thereof in a summary proceedings before a District Magistrate be sentenced to pay a fine of not less than twenty-five dollars nor more than two hundred dollars and in default thereof shall be confined to the county jail for not more than thirty days.

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

ENACTED AND ORDAINED into an Ordinance this 3 day of November 1975 by the Supervisors of Apolacon Township of Susquehanna County in lawful session Duly assembled/

Supervisors of the Township of Apolacon

Edward Hartigan

[Signature]
"A. J. Ryan"

BE IT ENACTED AND ORDAINED by the (Supervisors) (~~Councilmen~~) of
Apolaccon (Township) (~~Borough~~) of Susquehanna County, Pennsylvania, and it
is hereby enacted and ordained as follows:

Section 1. Purposes. The purpose of this Ordinance is to
establish procedures for the use and maintenance of holding tanks
designed to receive and retain sewage whether from residential or
commercial uses and it is hereby declared that the enactment of this
Ordinance is necessary for the protection, benefit and preservation of
the health, safety and welfare of the inhabitants of this
municipality.

Section 2. Definitions. Unless the context specifically and
clearly indicates otherwise, the meaning of terms used in this Ordinance
shall be as follows:

A. "Authority" shall mean (Supervisors) (~~Councilmen~~) of Apolaccon
Township, Susquehanna County, Pennsylvania.

B. "Holding Tank" means a watertight receptacle which receives and
retains sewage and is designed and constructed to facilitate ultimate
disposal of the sewage at another site. Holding tanks include but are
not limited to the following:

1. "Chemical Toilet" which is a toilet using chemicals that
discharge to a holding tank.
2. "Retention Tank" which is a holding tank where sewage is
conveyed to it by a water carrying system.
3. "Vault Pit Privy" which is a holding tank designed to
receive sewage where water under pressure is not available.

C. "Improved Property" shall mean any property within the Township
upon which there is or is to be a structure intended for continuous or
periodic use by humans or animals and from
which sewage or any other liquid or solid waste is discharged.

D. "Owner" shall mean any person vested with ownership, legal or equitable, sole or partial, of any property located in the Township.

E. "Person" shall mean any individual, partnership, company, association, corporation or other group or entity.

F. "Sewage" shall mean any substance that contains any of the products of excrement or other discharge from the bodies of human or animals and any noxious or deleterious substance 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. "Municipality" shall mean ^{Appellate of} (Borough) (Township), Susquehanna Co. Pennsylvania.

Section 3. Rights and privileges granted. That the Authority hereby authorized and empowered to undertake within the Township the construction and methods of holding tank sewage disposal and the collect and the operation thereof.

Section 4. Rules and Regulations. That the Authority is hereby authorized and empowered to adopt such rules and regulations concerning sewage when it may deem necessary from time to time to effect the purposes herein.

Section 5. Rules and Regulations to be in Conformity with Appellate Law. All such rules and regulations adopted by the Authority shall be conforming with the provisions herein, all other Ordinances of the Township, and applicable laws, and applicable rules and regulations administered by agencies of the Commonwealth of Pennsylvania.

Section 6. Rates and Charges. The Authority shall have the right and power to fix, alter, charge and collect rates, assessments, and charges in the area served by its facilities at reasonable and uniform rates as set forth and by applicable law.

Section 7. Exclusiveness of Rights and Privileges. The collection and transportation of all sewage from any improved property utilizing a holding tank shall be done solely by or under the direction and control of the Authority, and the disposal thereof shall be made only at such site or sites as may be approved by the Department of Environmental Resources of the Commonwealth of Pennsylvania.

Section 8. Duties of Improved Property Owner. The owner of an improved property that utilizes a holding tank shall:

A. Maintain the holding tank in conformance with this or any Ordinance of this Township, the provisions of any applicable law, and the rules and regulations of the Authority and any administrative agency of the Commonwealth of Pennsylvania.

B. Permit only the Authority or anyone acting under the direction of the Authority to collect, transport, and dispose of the contents therein.

Section 9. Violations. Any person who violates any provisions of Section 8 shall, upon conviction thereof by summary proceedings, be sentenced to pay a fine of not less than One Hundred (\$100.00) Dollars and not more than Three Hundred (\$300.00) Dollars and costs, and in default of said fine and costs to undergo imprisonment in the County Prison for a period not in excess of thirty (30) days.

Section 10. Abatement of Nuisances. In addition to any other remedies provided in this Ordinance, any violation of Section 8 above shall constitute a nuisance and ~~may~~ shall be abated by the municipality or the Authority by either seeking appropriate equitable or legal relief from a court of competent jurisdiction.

Section 11. Repeal. All Ordinances or resolutions or parts of Ordinances or resolutions, insofar as they are inconsistent herewith, be and the same are hereby repealed.

Section 12. Severability. If any sentence, clause, section of this Ordinance is for any reason found to be unconstitutional or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, sections, or parts of this Ordinance. It is hereby declared that this Ordinance of the Board of Supervisors of the Township, that this Ordinance have been adopted had such constitutional, illegal or invalid clause, section or part thereof not been included therein.

Section 13. Effective Date. This Ordinance shall become five (5) days after its adoption.

ENACTED AND ORDAINED into an Ordinance this 28 day of June 1974, by the ~~(Councilmen)~~ (Supervisors) of the ~~(Borough)~~ (Township) ~~Susquehanna~~ County in lawful session duly assembled.

(Councilmen) (Supervisors) OF THE
(Township) ~~(Borough)~~ OF ~~Hopewell~~ ~~Polk~~

[Signature]

BS494

CERTIFICATION OF ADOPTION

I hereby certify the foregoing to be an exact copy of an Ordinance adopted by the ~~(Councilmen)~~ (Supervisors) of the (Township) ~~(Borough)~~ ~~SUSQUEHANNA~~ County, Pennsylvania, at a regular meeting of the Board on June 28, 1974.

[Signature] Secretary