

ORDINANCE

AN ORDINANCE PROVIDING FOR THE INSPECTION OF
SEWAGE FACILITIES, PROVIDING FOR A LICENSE
FEE AND AN INSPECTION FEE FOR THE INSPECTION
THEREOF, AND PRESCRIBING PENALTIES FOR THE
VIOLATION THEREOF.

IT IS HEREBY ORDAINED AND ENACTED by the Board of Supervisors of
New Milford Township as follows:

Section 1.

This Ordinance shall be known and may be cited as the
New Milford Township Sanitation Ordinance.

Section 2.

No person shall install an individual sewage disposal system
or construct any building in which an individual sewage disposal
system is to be installed or major alterations are to be made to
an existing system without first obtaining a permit indicating
that the site and plans and specifications of such system are in
compliance with this Ordinance and the standards and regulations
of the Pennsylvania Department of Environmental
Resources. This Ordinance shall apply without regard to the
area or size of the real property on which the said individual
sewage disposal system is to be constructed.

Section 3.

Application for the permit shall be submitted in writing to
New Milford Township on forms supplied by
New Milford Township, and shall be submitted to the
Licensing Officer as hereinafter described. Said forms may be
those supplied by the Committee on Sanitation for Susquehanna County.

Section 4.

The Board of Supervisors of New Milford Township
shall, by resolution, designate a licensing officer who shall
serve at the pleasure of the said Board of Supervisors. The
salary of the said officer shall be as fixed by the said Board
of Supervisors. The said officer may be the nominee of the
Committee on Sanitation for Susquehanna County with the salary as
set by agreement with said Committee.

Section 5.

Section 6.

The inspection officer, upon consideration of the application for permit and sewage facility plans, shall within seven (7) days after receiving the said permit, issue the said permit or deny a permit. Denial of the permit shall be supported by a statement in writing of the reasons for such action. In the event the data submitted by the applicant is incomplete, the time for acting upon the said permit shall be extended for seven (7) days beyond the date of submission of adequate supplementary or amendatory data.

Section 7.

No system or structure designed to provide individual sewage disposal to any realty improvement shall be covered from view until approval to cover the same has been given by the inspection officer. If Seventy Two (72) hours have elapsed, excepting Sundays and Holidays, since the inspection officer received notification of completion of construction, the applicant may cover said system or structure, unless permission has been refused by the inspection officer.

Section 8.

In case any permit is denied or revoked, a hearing shall be held thereon before the Board of Supervisors of New Milford Township within fifteen (15) days after request therefor is made by the applicant. Within seven (7) days following the date of such hearing, the applicant shall be notified in writing of the determination of said hearing.

Section 9.

In the event the inspection officer determines that any change has occurred in the physical condition of any land of a realty improvement which will materially affect the operation of the individual sewage disposal system covered by the permit, the permit shall be revoked and a new permit shall be obtained before construction shall proceed, provided that no additional charge shall be made if a second permit is applied for within thirty (30) days after the first permit shall be issued.

Section 10.

The inspection officer shall have the power to make, or cause to be made, such inspections and tests as may be necessary to carry out the provisions of this Ordinance and shall have the right to enter upon such lands for such purposes, and he shall require a perk test on all new septic systems and may require a soil test on any septic system.

Section 11.

- a. There is hereby set a license fee for a permit under the provisions of this Ordinance. The sum of \$30.00 which shall be paid at the time of the application for a permit to the licensing officer.
- b. In addition to A above a fee of \$35.00 shall be paid to the licensing officer for a perk test on new septic systems to defer the cost of same.
- c. In addition to A & B above a fee of \$25.00 shall be paid to the licensing officer if a soil test is required.

Section 12.

Each application for a permit shall be considered by the inspection officer. His decision with respect to issuing the said permit or denying the said permit shall be based upon the following standards:

- (a) The standards and regulations of the Pennsylvania Department of Environmental Resources;
- (b) The likelihood of the said sewage disposal system discharging waste into surface or sub-surface water systems;
- (c) The capability of the individual sewage disposal system to treat and purify sewage discharges;
- (d) The soil conditions, including percolation, evaporation and any and all other soil conditions which might effect the sewage system;
- (e) The available space for a suitable disposal system;
- (f) The availability of public or private sewage disposal systems in the vicinity.

Section 13.

The Board of Supervisors of New Milford Township shall have the power to institute in the Court of Common Pleas of Susquehanna County proceedings to restrain the violation of this Ordinance.

Section 14.

Any person who shall violate any of the provisions of this Ordinance or who resists or interferes with any officer, agent or employee, in accordance with the provisions of this Ordinance, in the performance of his duties, shall upon conviction thereof in a summary proceeding before any District Magistrate in Susquehanna County 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, or in default thereof, shall be confined in the County Jail for a period of not more than thirty (30) days.

Section 15.

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

Section 16.

ENACTED AND ORDAINED this day of , 19

Board of Supervisors,

Township Secretary