

CHAPTER 18

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PART 1
HOLDING TANKS

§18-101. Definitions.

For the purpose of this Part 1, the following words and phrases shall have the meaning ascribed to them in this §18-101:

BOARD OF SUPERVISORS—Walker Township Board of Supervisors.

CERTIFICATE OF REGISTRATION—the written approval as issued by the Board of Supervisors and the Pennsylvania Department of Environmental Resources authorizing utilization of holding tanks.

HOLDING TANK—a water-tight receptacle which receives and retains sewage and is designed and constructed to facilitate ultimate disposal by pumping and hauling the sewage to an approved discharge site. Holding tanks include but are not limited to the following:

RETENTION TANK—a holding tank where sewage is conveyed to it by a water-carrying system.

IMPROVED PROPERTY—any property with the township of Walker where there is erected structure or structures intended for continuous or periodic habitation, occupancy, or use by human beings or animals and from which sewage shall or may be discharged.

OWNER—any person or persons vested with ownership, legal or equitable, sole or partial, of any property located in Walker Township.

PERSON(S)—any individual, partnership, company, association, corporation or any other group or entity.

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 harmful, inimical, or contaminable to the public health, safety or welfare; or to animal or aquatic life or to the use of any public or private water supplies used for domestic consumption or recreation.

TOWNSHIP—Walker Township, Juniata County, Pennsylvania.

(Ord. 1-1982, 7/6/1982, §1)

§18-102. Rules and Regulations.

1. The Township is hereby authorized and empowered to control within the Township all methods of holding tank sewage disposal, collection and transportation thereof.

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2. The Township is empowered and shall adopt such rules and regulations concerning sewage disposal which it may deem necessary from time to time to effect the purposes herein.
3. All rules and regulations adopted by the Township will be in conformity with the provisions herein, all other ordinances of the Township, and all applicable laws, rules and regulations of the Commonwealth of Pennsylvania, Department of Environmental Resources.
4. The Township shall have the right and power to fix, alter, and control rates, assessments, permit fees, and any other charges applicable to the sewage disposal rules and regulations as established herein.
5. The collection and transportation of all sewage from any improved property utilizing approved holding tank facilities shall be done under the direction and control of the Township and sewage enforcement officer thereof shall be made only at such site or sites as may be approved by the Commonwealth of Pennsylvania, Department of Environmental Resources.

(Ord. 1-1982, 7/6/1982, §2)

§18-103. Permits and Certification.

The owner of any property proposing to utilize holding tank or tanks on site disposal of their sanitary sewage shall:

- A. Apply for a Township Sewage Facilities Act 537 Permit in accordance with the applicable laws of the Commonwealth of Pennsylvania.
- B. Attach proof of agreement between the owner and a certified sewage disposal hauler whereas the hauler contractually agrees to pump at regular intervals and dispose of at an approved site the waste from herein referenced holding tanks.
- C. Attach proof of agreement between the contract hauler and an approved waste disposal site satisfactory to the Commonwealth of Pennsylvania, Department of Environmental Resources.
- D. All waste disposal haulers authorized to pump, transport, and dispose of holding tank waste in the Township of Walker shall furnish to the Township Supervisors a schedule of their pumping quantities to allow the Township to ensure sufficient size and capability of the tank(s) being utilized.
- E. The Township, and/or its authorized representative, shall inspect prior to the installation of any holding tanks, their construction, water tightness, size and location, in conformance with their sewage facilities application.
- F. If in the opinion of the Township or its authorized representative any holding tank facility is broken, leaking, or not being satisfactorily pumped

at regular intervals, the Township shall file violation proceedings and require immediate correction by the owner or operator of the property site involved.

(Ord. 1-1982, 7/6/1982, §3)

§18-104. Violations.

1. Any person who violates any provisions of this Part 1 shall upon conviction thereof be sentenced to pay a fine of not more than \$1,000 dollars and costs, and in default of payment of said fine and costs, to undergo imprisonment for a period not in excess of 30 days. Whenever subject violation has been officially certified by the township, by letter or summons, or in any official manner, each day's continuation of such violation after such notification shall constitute a separate offense punishable by like fine or penalty.
2. In addition to any other remedies provided in this Part 1, any violation of any of the provisions herein shall constitute a public nuisance, and may be abated by the Township seeking appropriate equitable or legal relief from a court of competent jurisdiction.

(Ord. 1-1982, 7/6/1982, §4)

PART 2

PERMITS

§18-201. Fees and Charges.

Permit application fees and charges to sewage permit applicants shall be set forth in "Sewage Permit Application Fees and Charges Schedule" on file in the Township Office.

(Res. 1-1982, 7/6/1982, §1; as amended by Ord. 1991-1, 1/7/1991)

§18-202. Application.

Applications for sewage permits shall be made in writing upon forms as prescribed by the Department of Environmental Resources of Pennsylvania.

(Res. 1-1982, 7/6/1982, §2)

§18-203. Deposit as Security.

At the time of application, an applicant shall pay the deposit, as security for fees and charges actually incurred in connection with the application, as set forth in the "Application Deposit Schedule," on file in the Township Office.

(Res. 1-1982, 7/6/1982, §3; as amended by Ord. 1991-1, 1/7/1991)

§18-204. Refund of Deposit.

The portion of a deposit over and above actual fees and charges incurred in connection with the application shall be refunded to the applicant at the time such application is granted or denied.

(Res. 1-1982, 7/6/1982, §4)

§18-205. Collection of Fees.

The fees and charges incurred in connection with an application which are over and above the deposit paid at the time of application shall be collected at the time such application is granted or denied.

(Res. 1-1982, 7/6/1982, §5)

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§18-206. Issuance of Permit.

A permit shall not be issued unless all fees and charges in connection therewith are paid in full by the applicant.

(Res. 1-1982, 7/6/1982, §6)

§18-207. Offices of Sewage Enforcement Officer and Assistant Sewage Enforcement Officer.

A Sewage Enforcement Officer and Assistant Sewage Enforcement Officer are hereby appointed to have all of the powers and duties as set forth in the Pennsylvania Sewage Facilities Act.

(Res. 1-1982, 7/6/1982, §7; as amended by Ord. 1991-1, 1/7/1991)

PART 3

MANDATORY SEWER SYSTEM CONNECTION

§18-301. Short Title.

This Part shall be known and may be cited as “The Mandatory Sewer System Connection Ordinance for Walker Township.”

(Ord. 2001-2, 12/3/2001, §1)

§18-302. Definitions.

Unless the context specifically and clearly indicates otherwise, the meaning of terms and phrases used in this Part shall be as follows:

AUTHORITY—Twin Boroughs Sanitary Authority, Mifflin Borough, Pennsylvania, a Pennsylvania Municipal Authority.

BUILDING SEWER—the extension from the sewage drainage system of any structure to the lateral of a sewer.

IMPROVED PROPERTY—any property located within this Township upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings and from which structure sanitary sewage and/or industrial wastes shall be or may be discharged.

INDUSTRIAL ESTABLISHMENT—and improved property located in this Township used wholly or in part for the manufacturing, processing, cleaning, laundering or assembly of any product, commodity or article, or any other improved property located in this Township from which wastes, in addition to or other than sanitary sewage, are discharged.

INDUSTRIAL WASTES—any and all wastes discharged from an industrial establishment, other than sanitary sewage.

LATERAL—that part of the sewer system extending from a sewer to the curb line, or if there shall be no curb line, extending to the property line or, if no such lateral shall be provided, then lateral shall mean that portion of, or place in, a sewer which is provided for connection of any building sewer.

OWNER—any person vested with ownership, legal or equitable, sole or partial, of any improved property.

PERSON—any individual, partnership, company, association, society, corporation or other group or entity.

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RULES AND REGULATIONS—the Rules and Regulations of the Twin Boroughs Sanitary Authority as presently constituted and in effect or as subsequently amended by the Twin Boroughs Sanitary Authority.

SANITARY SEWAGE—normal water-carried household and toilet wastes discharged from any improved property.

SEWER—any pipe or conduit constituting a part of the sewer system used or usable for sewage collection purposes.

SEWER SYSTEM—all facilities, as of any particular time, for collecting, transporting, pumping, treating and/or disposing of sanitary sewage and/or industrial wastes, situate in this Township, to be constructed, acquired, owned, maintained and operated by the Authority in, adjacent to and for certain portions of this Township.

TOWNSHIP —the Township of Walker, Juniata County, Pennsylvania, acting by and through its Board of Supervisors, or, in appropriate cases, by and through its authorized representatives.

(Ord. 2001-2, 12/3/2001, §2)

§18-303. Use of Public Sewers Required.

1. The owner of any improved property located in this Township and accessible to and whose principal building is within 150 feet from the gravity collection portion of the sewer system, shall connect such improved property to the sewer system, in such manner as this Township and the Authority may require, within 90 days after notice to such owner from this Township to make such connection, for the purpose of discharge of all sanitary sewage and industrial wastes from such improved property, subject to such limitations and restrictions as shall be established herein or otherwise shall be established by this Township or the Authority, from time to time.
2. All sanitary sewage and industrial wastes from any improved property, after connection of such improved property with a sewer shall be required under §18-303(1), shall be conducted into a sewer, subject to such limitations and restrictions as shall be established herein or otherwise shall be established by this Township or the Authority from time to time.
3. No person shall place or deposit or permit to be placed or deposited upon public or private property within this Township and sanitary sewage or industrial wastes in violation of §18-303(1), nor shall any person discharge or permit to be discharged to any natural outlet within this Township any sanitary sewage or industrial wastes in violation of §18-303(1), except where suitable treatment has been provided which is satisfactory to the Authority.
4. No privy vault, cesspool, sinkhole, septic tank or similar receptacle shall be used and maintained at any time upon any improved property which has been connected to a sewer or which shall be required under §18-303(1) to be connected

- to a sewer. Every such privy vault, cesspool, sinkhole, septic tank or similar receptacle in existence shall be abandoned and shall be cleansed and filled at the expense of the owner of such improved property and under the direction and supervision of the Authority, and subject to inspection by and approval of the Authority; and any such privy vault, cesspool, sinkhole, septic tank or similar receptacle not so abandoned shall constitute a nuisance and such nuisance may be abated as provided by law, at the expense of the owner of such improve property.
5. No privy vault, cesspool, sinkhole, septic tank or similar receptacle at any time shall be connected with a sewer.
 6. The notice by this Township to make a connection to a sewer, referred to in §18-303(1), shall consist of a copy of this Part, including any amendments at the time in effect, or a brief summary of each section, and a written or printed document requiring such connection in accordance with the provisions of this Part and specifying that such connection shall be made within 90 days from the date such notice is given. Such notice may be given at any time after a sewer is in place which can receive and convey sanitary sewage and industrial wastes for treatment and disposal from the particular improved property. Such notice shall be served upon the owner either by personal service or by certified or registered mail or by such other method as at the time may be provided by law.

(Ord. 2001-2, 12/3/2001, §3)

§18-304. Building Sewers and Connections.

1. No person shall uncover, connect with, make any opening into or use, alter or disturb, in any manner, any sewer or the sewer system without first making application for and securing a permit, in writing, from the Authority.
2. Except as otherwise provided in this Subsection(2), each improved property shall be connected separately and independently with a sewer through a building sewer. Grouping of more than one improved property on one building sewer shall not be permitted, except under special circumstances and for good sanitary reasons or other good cause shown, and then only after special permission of this Township and the Authority, in writing, shall have been secured.
3. All costs and expenses of construction of a building sewer and all costs and expensed of connection of a building sewer to a lateral shall be borne by the owner of the improved property to be connected; and such owner shall indemnify and save harmless this Township and the Authority from all loss or damage that may be occasioned, directly or indirectly, as a result of construction of a building sewer or of connection of a building sewer to a sewer.
4. A building sewer shall be connected to a sewer at the place designated by the Authority and where the lateral is provided. The invert of a building sewer at the point of connection to a lateral shall be at the same or a higher elevation than the invert of the lateral. A smooth, neat joint shall be made and the connection of a building sewer to the lateral shall be made secure and watertight.

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5. If the owner of any improved property located in this Township and accessible to and whose principal building is within 150 feet from the gravity collection portion of the sewer system, after 90 days notice from this Township, in accordance with §18-303(1), shall fail to connect such improve property, as required, the Authority may make such connection and may collect from such owner the costs and expenses thereof. In such case, the Authority shall forthwith, upon completion of the work, send an itemized bill of the cost of the construction of such connection to the owner of the improved property to which connection has been so made, which bill shall be payable forthwith. In case of neglect or refusal by the owner of such improved property to pay said bill, the Authority shall file a municipal lien for said construction within 6 months of the date of the completion of the construction of said connection, the same to be subject in all respects to the general law providing for the filing and recovery of municipal liens.

(Ord. 2001-2, 12/3/2001, §4)

§18-305. Rules and Regulations Governing Building Sewers and Connections to Sewers.

1. Where an improved property, at the time connection to a sewer is required, shall be served by its own sewage disposal system or device, the existing house sewer line shall be broken on the structure side of such sewage disposal system or device and attachment shall be made, with proper fittings, to continue such house sewer line, as a building sewer.
2. No building sewer shall be covered until it has been inspected and approved by this Township and the Authority. If any part of a building sewer is covered before so being inspected and approved, it shall be uncovered for inspection at the cost and expense of the owner of the improved property to be connected to a sewer.
3. Every building sewer of an improved property shall be maintained in a sanitary and safe operating condition by the owner of such improved property.
4. Every excavation for a building sewer shall be guarded adequately with barricades and light to protect all persons from damage and injury. Streets, sidewalks and other public property disturbed in the course of installation of a building sewer shall be restored, at the cost and expense of the owner of the improved property being connected, in a manner satisfactory to this Township.
5. If any person shall fail or refuse, upon receipt of a notice of this Township or the Authority, in writing, to remedy any unsatisfactory condition with respect to a building sewer, within 60 days of receipt of such notice, this Township or the Authority may refuse to permit such person to discharge sanitary sewage and industrial wastes into the sewer system until such unsatisfactory condition shall have been remedied to the satisfaction of this Township and the Authority.
6. This Township reserves the right to adopt, from time to time, additional rules and regulations as it shall deem necessary and proper relating to connections with a

sewer and the sewer system, which additional rules and regulations, to the extent appropriate, shall be and shall be construed as part of this Part.

(Ord. 2001-2, 12/3/2001, §5)

§18-306. Enforcement.

1. Any person who shall violate this Part shall be liable, upon summary conviction for a first offense and upon summary conviction for each subsequent offense, to a fine of not less than \$100 nor more than \$300, together with costs of prosecution in each case. Each day that a violation shall continue shall be deemed and shall be taken to be a separate offense and shall be punishable as such.
2. Fines and costs imposed under provisions of this Part shall be enforceable and recoverable in the manner at the time provided by applicable law.

(Ord. 2001-2, 12/3/2001, §6)

§18-307. Declaration of Purpose.

It is declared that enactment of this Part is necessary for the protection, benefit and preservation of the health, safety and welfare of inhabitants of this Township.

(Ord. 2001-2, 12/3/2001, §7)

