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PART 1

SEWER USE

§18-101. Definitions.

1. As used in this Part, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

AUTHORITY — the Towanda Municipal Authority.

BUILDING DRAIN — part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet outside the inner face of the building wall.

COMBINED SEWER — a sewer receiving both surface and runoff sewage.

COMMUNITY SEWAGE SYSTEM — any system, whether publicly or privately owned, for the collection and disposal of sewage or industrial wastes of a liquid nature, or both, including various devices for the treatment of such sewage or industrial wastes serving three or more individual lots.

DEPARTMENT — Department of Environmental Protection of the Commonwealth of Pennsylvania.

ENFORCEMENT OFFICER — a person or agency appointed to perform inspections and issue permits in connection with individual sewage systems and community sewage systems.

HOLDING TANK CLEANER — municipal authority or person, including a holding tank owner, who removes the contents of a holding tank for purposes of disposing of the sewage at another site.

LOT — a designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.

PERSON — any natural person, partnership, association or corporation. Whenever used in any clause prescribing and imposing a penalty, or imposing a fine, or imprisonment, or both, the term “person” shall include members of an association and the officers of a corporation.

PUBLIC SEWAGE SYSTEM — sewer system and the treatment facility owned, operated or maintained by the Towanda Municipal Authority approved by the Department under a permit issued pursuant to the Clean Streams Law, Act of June 22, 1937, P.L. 1987, No. 394, 35 P.S. §691.1 et seq. (1982) as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania.

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SEWAGE — any substance that contains any of the waste products or excrementitious 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.

SEWAGE TREATMENT PLANT — any arrangement of devices and structures used for treating sewage and industrial wastes.

STORM SEWER — sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes.

2. In this Part, the singular shall include the plural; the plural shall include the singular; and the masculine shall include the feminine and neuter.

(Ord. 54, 8/4/2003, §101)

§18-102. Penalties.

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 and in default of payment to imprisonment for a term not to exceed 30 days. Every day that a violation of this Part continues shall constitute a separate offense.

(Ord. 54, 8/4/2003, §102)

§18-103. Requirement to Connect to Public Sewer.

All owners of property lying within the distance set forth in 53 P.S. §67502 (1933, May 1, P.L. 103, No. 69, §2502, added 1995, Nov. 9, P.L. 350, No. 60, §1), as amended, shall be required to connect to the public sewer, and any septic tanks, cesspools, holding tanks and similar devices connected to an individual sewage system shall be abandoned and filled with new material.

(Ord. 54, 8/4/2003, §201)

§18-104. May Make Connections and Collect Costs.

If the owner of any property, after 90 days notice from the Towanda Municipal Authority to make connection of such property with the public sewage shall fail to make such connection, the Towanda Municipal Authority may make the connection and collect costs thereof in the manner provided by law.

(Ord. 54, 8/4/2003, §202)

§18-105. Owners Required to Connect Upon Expansion of System.

From time to time in the future, as public sewage services become available to additional properties within the Township of Towanda by reason of additions to the public sewage system or improvements on abutting properties, each and every owner of such property lying within the distances set forth in 53 P.S., §67502, above referenced, as amended, shall be required to make the necessary connection to the abutting or adjoining sewer lines and any septic tanks, cesspools, holding tanks and similar devices connected to an individual sewage system shall be abandoned and filled with new material.

(Ord. 54, 8/4/2003, §203)

§18-106. Access to Premises by Agents.

The Towanda Municipal Authority or its authorized agent shall have access at all reasonable hours of the day to all parts of the premises to which sewage service is supplied to make necessary inspections.

(Ord. 54, 8/4/2003, §204)

§18-107. Permit Required.

All connection permits and specifications shall be governed by the regulations adopted by the Towanda Municipal Authority.

(Ord. 54, 8/4/2003, §301)

§18-108. Imposition of Sewer Rental Charges.

All connection permits, charges and specifications shall be governed by the regulations adopted by the Towanda Municipal Authority.

(Ord. 54, 8/4/2003, §302)

§18-109. Imposition and Collection of Charges; Penalties for Nonpayment.

All sewer rates, penalties for nonpayment and procedures shall be established by the regulations of the Towanda Municipal Authority.

(Ord. 54, 8/4/2003, §401)

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§18-110. Liens.

All charges and penalties established by the Towanda Municipal Authority may be filed by the Authority against the property owners or indebted party under the Municipal Lien Law.

(Ord. 54, 8/4/2003, §402)

PART 2
HOLDING TANKS

§18-201. Purpose.

The purpose of this Part is to establish procedures for the use and maintenance of existing and new holding tanks designed to receive and retain sewage whether from residential or commercial uses and it is hereby declared that the enactment of this Part is necessary for the protection, benefit and preservation of the health, safety and welfare of the inhabitants of this Township, except for such exemptions set aside by the Act of Assembly as shall be applicable to agricultural uses.

(Ord. 6/4/1990A, §1)

§18-202. Definitions.

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

COMMITTEE ON SANITATION FOR BRADFORD COUNTY — Board of Supervisors of the Township of Towanda, Bradford County, Pennsylvania. [Ord. 47]

HOLDING TANK — a watertight receptacle, whether permanent or temporary which receives and retains sewage conveyed by a water carrying system and is designed and constructed to facilitate the ultimate disposal of the sewage at another site.

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

MUNICIPALITY — Township of Towanda Bradford County, Pennsylvania.

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

PERSON — any individual, partnership, company, association, corporation or 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 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, except such exemptions as shall be set aside by Act of Assembly as exempt from

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requiring planning in the disposal of waste for agricultural uses without actual harm resulting, to wit: Agricultural farm waste as defined under Chapter 101, Subsection 101.8, regarding "Special Water Pollution Regulations."

(Ord. 6/4/1990A, §2; as amended by Ord. 47, 7/9/2001)

§18-203. Right and Privileges Granted.

The Committee on Sanitation for Bradford County is hereby authorized and empowered to undertake within the Township the control and methods of holding tank use, sewage disposal and sewage collection and transportation thereof.

(Ord. 6/4/1990A, §3; as amended by Ord. 47, 7/9/2001)

§18-204. Rules and Regulations.

The Committee on Sanitation for Bradford County is hereby authorized and empowered to adopt such rules and regulations concerning sewage which it may deem necessary from time to time to effect the purposes herein.

(Ord. 6/4/1990A, §4; as amended by Ord. 47, 7/9/2001)

§18-205. Rules and Regulations to be in Conformity with Applicable Law.

All such rules and regulations adopted by the Committee on Sanitation for Bradford County shall be in conformity with the provisions herein, all other ordinances of the Township, and all applicable laws, and applicable rules and regulations of administrative agencies of the Commonwealth of Pennsylvania.

(Ord. 6/4/1990A, §5; as amended by Ord. 47, 7/9/2001)

§18-206. Rates and Charges.

The Committee on Sanitation for Bradford County shall have the right and power to fix, alter, charge and collect rates, assessments and other charges in the area served by its facilities at reasonable and uniform rates as authorized by applicable law.

(Ord. 6/4/1990A, §6; as amended by Ord. 47, 7/9/2001)

§18-207. Exclusiveness of Rights and Privileges.

1. 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

Committee on Sanitation for Bradford County, and the disposal thereof shall be made only at such site or sites as may be approved by the Department of Environmental Protection of the Commonwealth of Pennsylvania.

2. The Committee on Sanitation for Bradford County will receive, review and retain pumping receipts from permitted holding tanks.
3. The Committee on Sanitation for Bradford County will complete and retain annual inspection reports for each permitted tank.

(Ord. 6/4/1990A, §7; as amended by Ord. 47, 7/9/2001)

§18-208. Duties of Improved Property Owners.

The owner of an improved property that utilizes a holding tank shall:

- A. Maintain the holding tank in conformance with this Part or any ordinance of this Township, the provisions of any applicable law, and the rules and regulations of the Committee on Sanitation for Bradford County and any administrative agency of the Commonwealth of Pennsylvania.
- B. Permit only the Committee on Sanitation for Bradford County or its agent to inspect holding tanks on an annual basis.
- C. Permit only the Committee on Sanitation for Bradford County or its agent to collect, transport and dispose of the contents therein.

(Ord. 6/4/1990A, §8; as amended by Ord. 47, 7/9/2001)

§18-209. Penalties.

Any person, firm or corporation who shall violate any provision of §18-208, upon conviction thereof in an action brought before a district justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not less than \$100 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 6/4/1990A, §9; as amended by Ord. 47, 7/9/2001)

§18-210. Abatement of Nuisances.

In addition to any other remedies provided in this Part, any violation of §18-208 shall constitute a nuisance and shall be abated by the Committee on Sanitation for Bradford

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County by either seeking mitigation of the nuisance or appropriate equitable or legal relief from a court of competent jurisdiction.

(Ord. 6/4/1990A, §10; as amended by Ord. 47, 7/9/2001)

PART 3

PRIVIES

§18-301. Purpose.

The purpose of this Part is to establish procedures for the use and maintenance of existing and new privies designed to receive and retain sewage whether from residential or commercial uses and it is hereby declared that the enactment of this Part is necessary for the protection, benefit and preservation of the health, safety and welfare of the inhabitants of this Township.

(Ord. 6/4/1990B, §1)

§18-302. Definitions.

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

AUTHORITY — Committee on Sanitation for Bradford County. [Ord. 47]

PRIVY — a watertight receptacle, whether permanent or temporary, which receives and retains sewage where water under pressure or piped wastewater is not available and is designed and constructed to facilitate the ultimate disposal of the sewage at another site.

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

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

PERSON — any individual, partnership, company, association, corporation or 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 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 or any substance which constitutes pollution under the Clean Streams Law (35 P.S. §§691.1-691.1001).

MUNICIPALITY — Township of Towanda, Bradford County, Pennsylvania.

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(Ord. 6/4/1990B, §2; as amended by Ord. 47, 7/9/2001)

§18-303. Right and Privileges Granted.

The Authority is hereby authorized and empowered to undertake within the Township the control and methods of privy use, sewage disposal and sewage collection and transportation thereof.

(Ord. 6/4/1990B, §3)

§18-304. Rules and Regulations.

The Authority is hereby authorized and empowered to adopt such rules and regulations concerning sewage which it may deem necessary from time to time to effect the purposes herein.

(Ord. 6/4/1990B, §4)

§18-305. Rules and Regulation to be in Conformity with Applicable Law.

All such rules and regulations adopted by the Authority shall be in conformity with the provisions herein, all other ordinances of the Township, and all applicable laws, and applicable rules and regulations of administrative agencies of the Commonwealth of Pennsylvania.

(Ord. 6/4/1990B, §5)

§18-306. Rates and Charges.

The Authority shall have the right and power to fix, charge and collect rates, assessments, and other charges in the area served by its facilities at reasonable and uniform rates as authorized by applicable law.

(Ord. 6/4/1990B, §7)

§18-307. Condition of Privy Use.

1. The property owner must show that site and soil suitability testing of the lot has been conducted by the Sewage Enforcement Officer and that the site meets the 25 Pa. Code, Chapter 73 (Standards for Sewage Disposal Facilities), requirements for the ultimate sewage disposal by an approved onlot system if water under pressure or piped waste water becomes available to the lot.

2. At such time that water under pressure becomes available, the property owner must remove the privy and replace the privy with an approved onlot system.
3. The conditions of use described in subsection (1) above do not apply:
 - A. To a privy to be used on an isolated lot which is not nor will be served by water under pressure in the future.
 - B. To temporary use of portable retention tanks where their use is proposed at construction sites or at the site of public gatherings and entertainment.
4. Specific conditions for use of privies shall be incorporated in the permit applications and permit for the proposed use of a privy.
5. The authority is provided the opportunity to inspect the privy for proper operation, maintenance and content disposal.

(Ord. 6/4/1990B, §7)

§18-308. Exclusiveness of Rights and Privileges.

The collection and transportation of all sewage from any improved property utilizing a privy 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 Protection of the Commonwealth of Pennsylvania.

(Ord. 6/4/1990B, §8; as amended by Ord. 47, 7/9/2001)

§18-309. Duties of Improved Property Owner.

The owner of an improved property that utilizes a privy shall:

- A. Maintain the privy in conformance with this Part 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 its agent to collect, transport and dispose of the contents therein.
- C. Abandon the privy consistent with applicable public health and environmental standards and obtain a permit for and install an approved onlot system meeting Chapter 73 standards in the event that water under pressure or piped waste water becomes available to the property.

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- D. Permit the Authority to enter upon lands to inspect the privy for proper operation, maintenance and contents disposal.

(Ord. 6/4/1990B, §9)

§18-310. Penalties.

Any person, firm or corporation who shall violate any provision of §§18-307, 18-308 or 18-309, upon conviction thereof in an action brought before a district justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 6/4/1990B, §10; as amended by Ord. 47, 7/9/2001)

§18-311. Abatement of Nuisances.

In addition to any other remedies provided in this Part, any violation of §18-309, above, shall constitute a nuisance and shall be abated by the Township or the Authority by either seeking mitigation of the nuisance or appropriate equitable or legal relief from a court of competent jurisdiction.

(Ord. 6/4/1990B, §11)

PART 4
SANITATION

§18-401. Short Title.

This Part shall be know and may be cited as the “Towanda Township Sanitation Ordinance.”

(Ord. 2/3/1986, §1)

§18-402. Permit.

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 Part and the standards and regulations of the Pennsylvania Department of Environmental Protection. This Part 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.

(Ord. 2/3/1986, §2; as amended by Ord. 47, 7/9/2001)

§18-403. Permit Application.

Application for the permit shall be submitted in writing to the Committee on Sanitation for Bradford County on forms supplied by the Committee and shall be submitted to the licensing officer as hereinafter described. Said forms may be those supplied by the Committee.

(Ord. 2/3/1986, §3; as amended by Ord. 47, 7/9/2001)

§18-404. Licensing Officer.

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

(Ord. 2/3/1986, §4)

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§18-405. Inspection Officer.

The Board of Supervisors of Towanda Township shall, by resolution, designate an inspection officer who shall serve at the pleasure of the said Board of Superiors. 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 Bradford County with the salary as set by agreement with said Committee.

(Ord. 2/3/1986, §5)

§18-406. Issuance of Permit.

The inspection officer, upon consideration of the application for permit and sewage facility plans, shall within seven 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 15 days beyond the date of submission of adequate supplementary or amendatory data.

(Ord. 2/3/1986, §6; as amended by Ord. 47, 7/9/2001)

§18-407. Approval to Cover.

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 72 hours have elapsed, excepting Sundays and holidays, since the inspection officer received notification of completion of construction, the applicant may cover said system unless final written approval has been refused by the local agency.

(Ord. 2/3/1986, §7; as amended by Ord. 47, 7/9/2001)

§18-408. Hearing.

In case any permit is denied, a hearing shall be held thereon before the Hearing Committee within 30 days after request therefore, in writing, is made by the applicant. Within seven days following the date of such hearing, the applicant shall be notified in writing of the determination of said hearing.

(Ord. 2/3/1986, §8; as amended by Ord. 47, 7/9/2001)

§18-409. Revocation of Permit.

In the event the inspection officer determines that any change has occurred in the physical condition of any land or a realty improvement which will materially affect sewage disposal system covered by the permit, the permit shall be revoked and a new permit shall be obtained before construction shall proceed.

(Ord. 2/3/1986, §9; as amended by Ord. 47, 7/9/2001)

§18-410. Inspections and Tests.

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 Part and shall have the right to enter upon such lands for such purposes.

(Ord. 2/3/1986, §10)

§18-411. Fees.

1. There is hereby set as a license fee for a permit under the provisions of this Part a sum in an amount as established from time to time by resolution of the Board of Supervisors for each project, lot or facility to be tested and a fee in an amount as established from time to time by resolution of the Board of Supervisors for the percolation completion test for each onsite project, lot or facility, which shall be paid at the time of application for a permit.
2. There is hereby set an inspection fee under provisions of this Part in an amount as established from time to time by resolution of the Board of Supervisors which shall be paid prior to the final inspection. This inspection fee shall pay for the final inspection prior to covering of the ground.

(Ord. 2/3/1986, §11; as amended by Ord. 8/3/1987, §§1, 2; and by Ord. 47, 7/9/2001)

§18-412. Standards.

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 Protection. [Ord. 47]
- B. The likelihood of the said sewage disposal system discharging waste into surface or subsurface water systems.

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- C. The capability of the individual sewage disposal system to treat and purify sewage discharge.
- 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 suitable disposal system.
- F. The availability of public or private sewage disposal systems in the vicinity.

(Ord. 2/3/1986, §12; as amended by Ord. 47, 7/9/2001)

§18-413. Violations.

The Board of Supervisors of Towanda Township shall have the power to institute in the Court of Common Pleas of Bradford County proceedings to restrain the violation of this Part.

(Ord. 2/3/1986, §13)

§18-414. Penalties.

Any person, firm or corporation who shall violate any provision of this Part or who resists or interferes with any Township agent or employee in the performance of his duties, upon conviction thereof in an action brought before a district justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not less than \$100 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 2/3/1986, §14; as amended by Ord. 47, 7/9/2001)