

# Peach Bottom Township Sewage Management Ordinance

**ORDAINED AND ENACTED** by the Board of Supervisors of Peach Bottom Township, York County, Pennsylvania on the 2<sup>nd</sup> day of October, 2006.

**BE IT ENACTED AND ORDAINED** by the Board of Supervisors of Peach Bottom Township, York County, Pennsylvania as follows:

## SECTION I. DEFINITIONS

A. Dwelling Lot - A lot, tract, or parcel of land containing one or more dwelling units or commercial or industrial structures.

B. Dwelling Unit - A building or structure containing one or more rooms arranged for the use of one or more individuals living together as a single housekeeping unit.

C. Commercial or Industrial Structure - A structure designed for use as a place from which to manufacture, fabricate, work with, store or sell any items.

D. Owner of Real Estate –

(1) The owner, either individually or in combination with others, of any interest in real estate which endures for a period of time, the termination of which is not fixed or ascertained by a specific number of years, including, without limitation, an estate in fee simple, life estate or perpetual leasehold; or

(2) The owner, either individually or in combination with others, of any interest in real estate enduring for a fixed period of years but which, either by reason of the length of the term of the grant of a right to extend the term by renewable or otherwise, consists of a group of rights approximating those of an estate in fee simple, life estate or perpetual leasehold, including without limitation, a leasehold interest or possessory interest under a lease or occupancy for a term of thirty (30) days or more or a leasehold interest of possessory interest in real estate in which the lessee has equity; or

(3) The owner, either individually or in combination with others of any interest in real estate which, upon satisfaction of obligations contained in a certain agreement, will entitle the purchaser to obtain an interest in the real estate described in subparagraphs (1) or (2) above, provided possession is or is to be transferred to such agreement and prior to the completion of the obligations set forth in such agreement.

E. On-Site Sewage Disposal System - Any system of sewage disposal other than a public sewer system.

F. Malfunction - The condition which occurs when an on-site sewage disposal system discharges sewage onto the surface of the ground, into ground waters of the Commonwealth, into surface waters of the Commonwealth, backs up into the building connected to the system or otherwise causes a nuisance hazard to the public health or pollution of the ground or surface water or contamination of public or private drinking water wells. It shall also be a malfunction if any of

the approved parts or components of the system are not present or are not functioning as designed. Systems shall be considered to be malfunctioning if any of the conditions noted above occur for any length of time during any period of the year.

## **SECTION II. INTENT OF ORDINANCE**

It is the intent of this ordinance that no on-site sewage disposal system within Peach Bottom Township be permitted to malfunction. It is the further intent of this ordinance that to ensure the accomplishment of the aforesaid that each on-site sewage disposal system be pumped and inspected by the Township Sewage Enforcement Officer at least once every five (5) years and more frequently at the discretion of the Township Sewage Enforcement Officer, and that all malfunctions found during such inspections be promptly repaired.

## **SECTION III. DUTIES OF OWNER**

Each owner of a dwelling lot, dwelling unit or commercial or industrial structure or other structure whose sewage needs are provided by an on-site sewage disposal system shall within thirty (30) days next following the sending of notice of an intent to inspect by the Township Sewage Enforcement Officer make arrangements with the Township Sewage Enforcement Officer for the inspection of the on-site sewage disposal system located on such owner's property. Prior to the scheduling of such inspection the owner must extend to surface grade the manhole of any septic tank and must cause any cesspool or dry well to be accessible for inspection. A notice shall be conclusively presumed to have been sent if it is deposited in the U.S. mail addressed to the owner of any interest in the property served by the on-site sewage disposal system and is sent to the address of such owner as set forth in the records utilized for the assessment of real estate taxes. At the time of the scheduled inspection the owner shall cause the on-site sewage disposal system to be pumped so that it may be inspected by the Township Sewage Enforcement Officer. It shall be a violation of this ordinance if any owner given notice as above provided, fails to contact the Township Sewage Enforcement Officer and arrange for inspection of the sewage disposal system within thirty (30) days from the date of such notice, and it shall be a further violation if the owner fails to cause the on-site sewage disposal system to be pumped and available for inspection at the date of the scheduled inspection.

In the event the Township Sewage Enforcement Officer finds during the inspection that the on-site sewage disposal system is malfunctioning, the owner shall follow the steps required by Section 2 of the Peach Bottom Township Sewage Permit Ordinance to repair the system; provided, however, unless the system is malfunctioning to the surface of the ground, the owner shall not be required to replace the tank, the cesspool, the drainfield, or the sand mound system.

## **SECTION IV. DUTIES OF INDIVIDUAL FIRM OR CORPORATION**

### **REMOVING CONTENTS FROM AN ON-SITE SEWAGE DISPOSAL SYSTEM**

Any individual, firm or corporation which removes contents from an on-site sewage disposal system shall forward to the Township Sewage Enforcement Officer a copy of the York County Solid Waste and Refuse Authority Septage Manifest (hereinafter "manifest") within thirty (30) days following each time such individual, firm or corporation removes contents from an on-site sewage disposal system. Such individual, firm or corporation shall at the time of forwarding the manifest to the Township Sewage Enforcement Officer inform the Township Sewage Enforcement Officer whether any malfunctions were observed during the removal process.

#### SECTION V. FEES

The owner of any dwelling lot, dwelling unit or commercial or industrial structure whose sewage needs are provided by an on-site sewage disposal system, which system is required to be inspected pursuant to the provisions of this ordinance shall, prior to such inspection, pay to Peach Bottom Township an inspection fee in an amount established by resolution of the Board of Supervisors.

#### SECTION VI. PENALTIES

Any individual, firm or corporation found to be in violation of any of the provisions of this Ordinance shall be subject to a penalty in the amount of one thousand dollars (\$1,000.00) for each and every violation. Each day following the thirty (30) day period provided in Section III hereof without the owner making arrangements for inspection with the Township Sewage Enforcement Officer shall constitute a separate and distinct offense and each day following a scheduled date of inspection when the on-site sewage disposal system was not pumped and available for inspection as required by this Ordinance, until arrangements have been made for an alternate inspection day and such inspection occurs, shall constitute a separate and distinct offense and each day that any individual, firm or corporation removing contents from an on-site sewage disposal system fails to provide the information required by Section IV to the Township Sewage Enforcement Officer shall constitute a separate offense.

#### SECTION VII. TITLE

This Ordinance shall be known as the "Peach Bottom Township Sewage Management Ordinance". **ORDAINED AND ENACTED** by the Board of Supervisors of Peach Bottom Township, York County, Pennsylvania on the 2<sup>nd</sup> day of October, 2006.

**Amended March 4, 2013**