

Chapter 18

Sewers and Sewage Disposal

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Part 1**On-Lot Systems****§18-101. Individual Sewage Disposal System.**

No person shall install an individual sewage disposal system, or construct any building in which an individual sewage disposal system is to be installed, in Tuscarora Township, without first obtaining a permit indicating that the site, plans, and specifications of such systems are in compliance with the Pennsylvania Sewage Facilities Act of 1966, P.L. 1535, 35 P.S. §750.1 *et seq.*, as amended, and the rules and regulations adopted pursuant to said Act.

(*Ord. 10, 9/7/1990, §1*)

§18-102. Obligation of Obtaining a Permit.

No person shall be relieved of the obligation of obtaining a permit for a sewage disposal system, nor meeting any standard which would otherwise be required with respect to such a system, by reason of the fact that the system is being installed in an area greater than 10 acres or any other exception contained in §7 of the Sewage Facilities Act, 35 P.S. §750.7.

(*Ord. 10, 9/7/1990, §2*)

§18-103. Application.

Each application for a permit for an individual sewage disposal system shall be made to the Township Supervisors or such officer as may be designated by them from time to time, and a fee in the amount as established from time to time by resolution of the Board of Supervisors shall be paid by the applicant at the time the application is made.

(*Ord. 10, 9/7/1990, §3; as amended by Ord. 33, 1/21/2010*)

§18-104. Penalty.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge 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. 10, 9/7/1990; as added by Ord. 33, 1/21/2010*)

Part 2**Holding Tanks¹****§18-201. Purposes.**

The purpose of this Part 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 Part is necessary for the protection, benefit and preservation of the health, safety and welfare of the inhabitants of this Township.

(Ord. 3,² 1/10/1975, §1)

§18-202. Definitions.

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

Authority - Supervisors of Tuscarora Township, Perry County, Pennsylvania.

Holding tank - 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* - a toilet using chemicals that discharge to a holding tank.

(2) *Retention tank* - a holding tank where sewage is conveyed to it by a water carrying system.

(3) *Vault pit privy* - a holding tank designed to receive sewage where water under pressure is not available.

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 - Tuscarora Township, Perry County, Pennsylvania.

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.

¹ Editor's Note: See also, 25 Pa.Code §71.63, "Retaining Tanks."

² Editor's Note: Renumbered Ord. 3 from Ord. 2 by Ord. 15, 10/21/1994.

(*Ord. 3, 1/10/1975, §2*)

§18-203. Rights and Privileges Granted.

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

(*Ord. 3, 1/10/1975, §3*)

§18-204. 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. 3, 1/10/1975, §4*)

§18-205. Rules and Regulations 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 rules and regulations of administration agencies of the Commonwealth of Pennsylvania.

(*Ord. 3, 1/10/1975, §5*)

§18-206. Rates and Charges.

The Authority 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. 3, 1/10/1975, §6*)

§18-207. 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 Protection of the Commonwealth of Pennsylvania.

(*Ord. 3, 1/10/1975, §7; as amended by Ord. 33, 1/21/2010*)

§18-208. 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 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.

(*Ord. 3, 1/10/1975, §8*)

§18-209. Violations.

Any person, firm or corporation who shall violate any provision of §18-208, upon conviction thereof in an action brought before a magisterial district judge 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. 3*, 1/10/1975, §9; as amended by *Ord. 19*, 8/26/1996, §3; and by *Ord. 33*, 1/21/2010)

§18-210. Abatement of Nuisances.

In addition to any other remedies provided in this Part, any violation of §18-208 above shall constitute a nuisance and shall be abated by either the municipality or the Authority by seeking appropriate equitable or legal relief from a court of competent jurisdiction.

(*Ord. 3*, 1/10/1975, §10)

