

Chapter 103
SEWAGE DISPOSAL

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Part 1
Gettysburg Municipal Authority Sewer System¹

ARTICLE I
Fees
[Adopted 3-29-1973 by Res. No. 1973-16]

§ 103-1. General provisions. [Amended 1-24-1994 by Ord. No. 49]

The fees for permits, inspections and tests shall be as set forth from time to time by resolution of the Board of Supervisors.²

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1. Editor's Note: Ordinance No. 2005-01, Adopted 5-2-2005, Changed The Title Of This Part 1, Which Formerly Was "Sewer Systems."
 2. Editor's Note: The current fee schedule is on file in the office of the Township Secretary and available for inspection during regular business hours.

ARTICLE II
General Provisions
[Adopted 6-8-1987 as Ord. No. 35]

§ 103-2. Declaration of purpose.

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

§ 103-3. Definitions

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

AUTHORITY — The Gettysburg Municipal Authority, a municipal authority incorporated under the Municipality Authorities Act of 1945, as amended.³

BOARD OF SUPERVISORS — The Board of Supervisors of the Township of Straban or, in appropriate cases, its authorized representatives.

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

COMMERCIAL ESTABLISHMENT — Any room, group of rooms, building or enclosure connected directly or indirectly to the sewer system and used or intended for use in the operation of one business enterprise for the sale and distribution of any product, commodity, article or service.

DWELLING UNIT — Any room, group of rooms, house trailer, building or other enclosure connected directly or indirectly to the sewer system and occupied or intended for occupancy as separate living quarters by a family or other group of persons living together or by a person living alone.

GARBAGE — Solid wastes resulting from preparation, cooking and dispensing of food and from handling, storage and sale of produce.

IMPROVED PROPERTY — Any property 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 sanitary sewage and/or industrial wastes shall be or may be discharged.

INDUSTRIAL ESTABLISHMENT — Any room, group of rooms, building or other enclosure connected directly or indirectly to the sewer system and used or intended for use, in whole or in part, in the operation of one business enterprise for manufacturing, processing, cleaning, laundering or assembling of any product, commodity or article or from which any process waste, as distinct from sanitary sewage, shall be discharged.

INDUSTRIAL WASTE — Any and all wastes discharged from an industrial establishment other than sanitary sewage.

3. Editor's Note: See 53 P.S. § 301 et seq.

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INSTITUTIONAL ESTABLISHMENT — Any room, group of rooms, building or other enclosure connected directly or indirectly to the sewer system which does not constitute a commercial establishment, a dwelling unit or an industrial establishment.

LATERAL — That part of the sewer system extending from a sewer to the curblineline or, if there shall be no curblineline, 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.

MULTIPLE UNIT — Any improved property in which there is located more than one dwelling unit, commercial establishment, industrial establishment or institutional establishment or any combination thereof.

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

PERSON — Any individual, partnership, company, trust, association, society, corporation, school district, municipality, municipal authority or other group or entity.

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

SEWER — Any pipe, main or conduit constituting a part of the sewer system and used or usable for collection and transportation of sanitary sewage and industrial wastes.

SEWER SYSTEM — All facilities, as of any particular time, for collecting, pumping, transporting, treating and disposing of sanitary sewage and industrial wastes, which system is to be acquired or is to be constructed or is constructed and owned by the Gettysburg Municipal Authority.

TOWNSHIP — The Township of Straban, Adams County, Pennsylvania.

§ 103-4. Applicability.

- A. This article shall apply to all areas of Straban Township, Adams County, Pennsylvania, which now are, or which hereafter may be, provided with public sewer service by the Authority (excluding, however, transmission lines not designed for or not intended by the Authority to be used for direct customer connections). **[Amended 2-18-2003 by Ord. No. 2003-02]**
- B. This article shall apply to all future extension of the sewage system as described in Subsection A hereof.
- C. The mandatory use of the sewer system shall not be effective or enforced against any improved property or owner thereof if the Pennsylvania Department of Environmental Resources will not allow such use for any reason.

§ 103-5. Rules and regulations; connection required.

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- A. The owner of any improved property accessible to and whose principal building is within 150 feet from the sewer system shall connect such improved property with and shall use such sewer system, in such manner as the Township and the Authority may require, within 60 days after notice to such owner from the Township to make such connection, for the purpose of discharge of all sanitary sewage and/or industrial wastes from such improved property; subject, however, to such limitations and restrictions as shall be established by ordinance of the Township or by rules and regulations adopted by the Authority.
- B. All sanitary sewage and industrial wastes from any improved property, after connection of such improved property with the sewer system as required by this article, shall be discharged into a sewer; subject, however, to such limitations and restrictions as shall be established by the Township and by such rules and regulations as shall be adopted by the Authority.
- C. No person shall place, deposit or permit to be placed or deposited upon public or private property within the Township any sanitary sewage or industrial wastes from any property required to be connected to the sewer system as provided in Subsection A hereof.
- D. No privy, privy vault, cesspool, sinkhole, septic tank or similar receptacle shall be used or shall be maintained at any time upon any improved property which has been connected to a sewer or to the sewer system or which shall be required under Subsection A to be connected to the sewer system.
- E. Every such privy, privy vault, cesspool, sinkhole, septic tank or similar receptacle in existence shall be abandoned, shall be cleansed and shall be filled at the expense of the owner of such improved property, under the direction and supervision of the Township. Any such receptacle not so abandoned, cleansed and filled shall constitute a nuisance, and such nuisance shall be abated, as provided by law, at the expense of the owner of the improved property.
- F. No privy, privy vault, cesspool, sinkhole, septic tank or similar receptacle shall be connected with a sewer or to the sewer system at any time.
- G. The notice by the Township to make a connection to the sewer system referred to in Subsection A shall consist of a copy of this article, including any amendments or supplements at the time in affect, or a summary of each section hereof and a written or printed document requiring the connection in accordance with the provisions of this article and specifying that such connection shall be made within 60 days after the date such notice has been sent. Such notice may be sent by certified or registered mail, return receipt requested, or may be served upon the owner in person by any adult.

§ 103-6. Building sewers; connections.

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- A. No person shall uncover, connect with, make any opening into or use, alter or disturb in any manner any sewer or part of the sewer system without first obtaining a permit, in writing, from the Authority.
- B. Application for a permit required under Subsection A shall first be made by the owner of the improved property to the Township. Such application for a permit may be made by an authorized agent of such owner. The permit application shall be in accordance with such rules and regulations as may be adopted from time to time by the Township and/or the Authority.
- C. The Township shall consider the application and, within 45 days after submission, shall either approve or disapprove the application. If the Township approves the application, it shall be forwarded to the Authority for consideration by the Authority. If the application is disapproved by the Township, it shall be returned to the applicant with a statement explaining why the application was disapproved.
- D. No person shall make or shall cause to be made a connection of any improved property with a sewer until such person shall have fulfilled each of the following conditions:
 - (1) Such person shall have submitted an application to the Township and shall have received approval therefrom to connect such improved property to a sewer.
 - (2) Such person shall have applied for and shall have obtained a permit as required by Subsection A from the Authority.
 - (3) Such person shall have given notice to the Authority in accordance with its rules and regulations concerning when such connection will be made so that the Authority may supervise and inspect or may cause to be supervised and inspected the work of connection and any necessary testing.
 - (4) Such person shall have furnished satisfactory evidence that any tapping fee which may be charged and imposed against the owner has been paid.
- E. Except as otherwise provided in this section, 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, but then only after special permission of the Township and of the Authority shall have been secured, in writing, and only subject to such rules, regulations and conditions as may be prescribed by the Township and/or the Authority.
- F. All costs and expenses of construction of a building sewer and all costs and expenses of connection of a building sewer to a sewer shall be borne by the owner of the improved property to be connected; and such

owner shall indemnify and shall save harmless this Township and the Authority from all loss or damage that may be occasioned, directly or indirectly, as a result of the construction of a building sewer or connection of a building sewer to a sewer.

- G. A building sewer shall be connected to a sewer at the place designated by the Authority and where, if applicable, the lateral is provided.
- H. The connection shall be in conformity with the rules and regulations of the Authority, or as directed by the Authority's engineer; and no connection in violation of the Authority's rules and regulations, or in violation of the directions of the Authority's engineer, shall be permitted.
- I. If, after 60 days' notice from the Township in accordance with § 103-5A, the owner of any improved property located within the Township and accessible to and whose principal building is within 150 feet from the sewer system, shall fail to connect such improved property, as required, the Township may enter upon such improved property and construct such connection and may collect from such owner the costs and expenses thereof in the manner permitted by law, with any additional charges permitted by law.
- J. If any person, upon receipt of a notice from either the Township or the Authority, in writing, shall fail or shall refuse to remedy any unsatisfactory condition and/or violation of the Authority's rules and regulations with respect to a building sewer, within 60 days of receipt of such notice, the Township and/or the Authority may refuse to permit such person to discharge sanitary sewage or industrial wastes into the sewer system until such unsatisfactory condition shall have been remedied to the satisfaction of the Township and the Authority.

§ 103-7. Sewer rentals; charges. [Amended 9-23-1991 by Ord. No. 43; 2-18-2003 by Ord. No. 2003-02]

- A. Sewer rentals and/or charges shall be imposed upon properties connected to the sewer system in accordance with the classifications and rates as adopted by the Authority from time to time pursuant to the Municipality Authorities Act,⁴ as amended.
- B. Residential flat fee. Residential properties connected to the sewer system that do not have metered water provided by the Authority, or which are not otherwise metered in a manner approved by the Authority, shall be charged a flat fee for sewer service as provided by the fee schedule adopted by the Authority from time to time pursuant to the Municipality Authorities Act, as amended.⁵

4. Editor's Note: See 53 P.S. § 301 et seq.

5. Editor's Note: The current fee schedule is on file in the office of the Township Secretary and is available for inspection during regular business hours.

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- C. All commercial, institutional and industrial establishments must have the water supply metered no matter what the source or sources of water may be. If the establishment is not a water customer of the Authority, it must use a water meter or meters approved by the Authority, and installed and maintained in accord with Authority regulations and/or policies. All costs associated with the purchase, installation, repair and maintenance of such meter or meters shall be paid by the establishment.

§ 103-8. Collection.

- A. The sewer rentals or charges as calculated in § 103-3 are imposed upon and shall be collected from the owner of each improved property that shall be or is connected, directly or indirectly, to the sewer system, for the use of the sewer system, which sewer rentals or charges shall be imposed and shall be effective as of the date of connection of the improved property to the sewer system.
- B. The sewer rentals or charges imposed by this article shall be deemed to be a lien, in the nature of a municipal claim, upon the property served by the sewer system, and the Authority shall have the right, in accordance with law and the Authority's regulations, to enforce such lien against the improved properties serviced or required to be serviced by the sewer system when such rentals or charges are delinquent. **[Amended 2-18-2003 by Ord. No. 2003-02]**
- C. The authority shall administer the billing and collection of the sewer rentals or charges in accordance with its rules and regulations.⁶

§ 103-9. Tapping fee.

- A. Whenever an improved property shall be connected with the sewer system, the owner of such property shall be charged a tapping fee and any connection fee and customer facilities fee imposed by the Authority. **[Amended 9-23-1991 by Ord. No. 43]**
- B. The amount of the tapping fee shall be determined from time to time by the Authority in accordance with the Municipality Authorities Act, as amended.⁷ **[Amended 9-23-1991 by Ord. No. 43]**
- C. The tapping fee shall be due and payable at the time application is made to the Township for the Township's approval for connection, or upon the date when the Township or the Authority shall connect any such improved property to the sewer system, at the cost and expense of the owner, when such owner shall have failed to make such connection as required by this article.

6. Editor's Note: Former Subsection D, regarding the increase and decrease of sewer rentals or charges, which subsection immediately followed this subsection, was repealed 2-18-2003 by Ord. No. 2003-02.

7. Editor's Note: See 53 P.S. § 301 et seq.

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- D. All tapping fees collected pursuant to this chapter shall be credited by the Authority to an account maintained to identify such fees collected within a designated service district located in the Township. **[Amended 2-18-2003 by Ord. No. 2003-02]**
- E. Tapping fees imposed by this article shall be a lien, in the nature of a municipal claim, on the improved property connected to, or required to be connected to, the sewer system. The Authority shall have the right, in accordance with law and the Authority's regulations, to collect such tapping fee by enforcement of the lien. **[Amended 2-18-2003 by Ord. No. 2003-02]**

§ 103-10. Violations and penalties.

Any person who shall violate this article shall be liable, upon summary conviction, to a fine of not more than \$300, together with the costs of prosecution in each case. Each day that a violation shall continue shall be deemed to be a separate offense and shall be punishable as such.⁸

8. Editor's Note: Former Section nine, Severability, was deleted 1-24-1994 by Ord. No. 49.

Part 2
Holding Tanks

ARTICLE III
Use Regulations
[Adopted 10-29-1984 as Ord. No. 26]

§ 103-11. Purpose.

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

§ 103-12. Definitions.

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

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:⁹

- A. CHEMICAL TOILET — - A toilet using chemicals that discharge to a holding tank.
- B. RETENTION TANK — - A holding tank where sewage is conveyed to it by a water carrying system.
- C. 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 continuance or periodic habitation, occupancy or use by human beings or animals and from which structure sewage shall or may be discharged.

MUNICIPALITY — Township of Straban, Adams 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

9. Editor's Note: The former definition of "authority," which immediately preceded this definition, was repealed 9-4-2007 by Ord. No. 2007-09.

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public health or to animal or aquatic life or to the use of water for domestic water supply or for recreation.

SUPERVISORS — The Board of Supervisors of the municipality. **[Added 9-4-2007 by Ord. No. 2007-09]**

§ 103-13. Authorization. [Amended 9-4-2007 by Ord. No. 2007-09]

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

§ 103-14. Rules and regulations. [Amended 9-4-2007 by Ord. No. 2007-09]

The Supervisors are 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.

§ 103-15. Conformity of provisions. [Amended 9-4-2007 by Ord. No. 2007-09]

All such rules and regulations adopted by the Supervisors 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.

§ 103-16. Use of holding tanks.

An owner of improved property in the municipality may seek a temporary permit for the use of a holding tank if:

- A. The owner presents a written contract which provides for removal and disposal of the sewage in the holding tank by a person or persons approved by the municipality and by the Pennsylvania Department of Environmental Resources.¹⁰
- B. Under all the circumstances, the municipality deems the granting of the permit to be consistent with the preservation of the health, safety and welfare of the inhabitants of the immediate area and of the municipality as a whole.
- C. The permit request has received the approval of the Pennsylvania Department of Environmental Resources.
- D. The applicant-owner has otherwise complied with this article and the rules and regulations promulgated pursuant thereto.

10. Editor's Note: Former Section 6, Subsection A, temporary permits, was deleted 1-24-1994 by Ord. No. 49.

§ 103-17. Collection and disposal of tank waste. [Amended 9-4-2007 by Ord. No. 2007-09]

The collection and transportation of all sewage from any improved property utilizing a holding tank shall be done only by a person licensed by the County of Adams and by the Commonwealth of Pennsylvania to haul and dispose of such wastes. The disposal of such sewage shall be made only at such site or sites as may be approved by the Department of Environmental Protection of the Commonwealth of Pennsylvania.

§ 103-17.1. Holding tank agreement. [Added 9-4-2007 by Ord. No. 2007-09]

- A. The Sewage Enforcement Officer shall not issue a holding tank permit unless such holding tank complies with the Act and regulations,¹¹ and until all of the titled property owners of the land on which the holding tank will be located have executed an agreement as prescribed by this article.
- B. The form of the agreement shall be substantially as follows:¹²

§ 103-18. Duties of owner of improved property.

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

- A. Maintain the holding tank in conformance with this or any ordinance of this Township, the provisions of any applicable law and the rules and regulations of the Supervisors and any administrative agency of the Commonwealth of Pennsylvania. **[Amended 9-4-2007 by Ord. No. 2007-09]**
- B. Immediately inform the Supervisors of any change in the person or location employed for servicing, transportation and disposal of the holding tank and/or its contents; and of the date when use of the tank is discontinued. **[Amended 9-4-2007 by Ord. No. 2007-09]**
- C. Cause the holding tank to be inspected no less often than once each year. A written report of the inspection must be filed with the Township Office within 10 days of the inspection, and the report must contain the following information: the name and address of the inspector and a statement of the inspector's qualifications to perform such an inspection; the date of the inspection; an identification of the tank inspected and its precise location on the property; and a narrative of the condition of the tank and its appurtenances. **[Added 1-6-2003 by Ord. No. 2003-01]**

11. Editor's Note: See 35 P.S. § 750.1 et seq. and 25 Pa. Code § 71.1 et seq., respectively.

12. Editor's Note: Said form is included at the end of this chapter.

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§ 103-19. Bond.

Each applicant for a holding tank permit, prior to the issuance of the permit, may be required by the municipality to file with the Township Secretary a bond, with suitable surety, made payable to Township in an amount equal to 110% of the cost of the proposed sewage treatment system to be constructed or installed by the applicant or on the applicant's behalf. The condition of the bond shall be that if the applicant installs or constructs the system, or causes it to be installed or constructed, within a reasonable time after the grant of the permit, but in no event later than two years after the grant of the permit, then the bond shall be null and void; otherwise, the bond shall be paid to the municipality.

§ 103-20. Violations and penalties. [Amended 1-24-1994 by Ord. No. 49]

Any person who violates any provisions of § 103-18 shall, upon conviction thereof by summary proceedings, be sentenced to pay a fine of not more than \$300 and costs, and in default of said fine and costs to undergo imprisonment in the county prison for a period not in excess of 30 days.

§ 103-21. Abatement of nuisance.

In addition to any other remedies provided in this article, any violation of § 103-18 above shall constitute a nuisance and shall be abated by the municipality by seeking appropriate equitable or legal relief from a court of competent jurisdiction.

**Part 3
On-Lot Management**

ARTICLE IV
Sewage Management District
[Adopted 3-2-2009 by Ord. No. 2009-02¹³]

§ 103-22. Legislative authority; purpose.

- A. As mandated by the municipal codes, the Clean Streams Law (35 P.S. §§ 691.1 to 691.1001) and the Pennsylvania Sewage Facilities Act (35 P.S. § 750.1 et seq.), municipalities have the power and the duty to provide for adequate sewage treatment facilities and for the protection of the public health by preventing the discharge of untreated or inadequately treated sewage. The Official Sewage Facilities Plan for Straban Township has evaluated the need to implement an on-lot management program to effectively prevent potential water pollution and hazards to the public health caused by improper treatment and disposal of sewage.
- B. The purpose of this article is as follows:
- (1) To bring and keep the municipality within the requirements of the Clean Streams Law (Act of 1937, P.L. 1987, No. 394) and the Pennsylvania Sewage Facilities Act (Act of 1966, P.L. 1535, No. 537, as amended, known as "Act 537").
 - (2) To provide for the inspection, pumping, maintenance and rehabilitation of private and public on-lot sewage systems.
 - (3) To establish penalties and appeal procedures necessary for the proper administration of such a management program.

§ 103-23. Definitions.

As used in this article, the following terms shall have the meanings indicated:

ACT 537 — The Act of January 24, 1966, P.L. 1535, No. 537, as amended, 35 P.S. § 750.1 et seq., known as the "Pennsylvania Sewage Facilities Act."

AUTHORIZED AGENT — A certified sewage enforcement officer, registered pumper/hauler, code enforcement officer, professional engineer or any other qualified or licensed person who is delegated by the Township to carry out the provisions of this article within specified limits.

BOARD — The Board of Supervisors of Straban Township, Adams County, Pennsylvania.

13. Editor's Note: This article also repealed former Art. IV, Sewage Management District, adopted 9-7-2004 by Ord. No. 2004-08.

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CESSPOOL — A below-ground cavity built of loose rock or blocks that provides for the temporary storage of sanitary sewage until the sewage drains into the surrounding area.

CODE ENFORCEMENT OFFICER (CEO) — An agent of the Township authorized to administer and enforce this article and other ordinances in the Township.

COMMUNITY SEWAGE SYSTEM — Any system, whether publicly or privately owned, for the collection of sewage from two or more lots and the treatment and/or disposal of the sewage on one or more lots or at any other site.

DEP or DEPARTMENT — The Department of Environmental Protection of the Commonwealth of Pennsylvania.

INDIVIDUAL SEWAGE SYSTEM — A system of piping, tanks or other facilities serving a single lot and collecting and disposing of sewage in whole or in part into the soil or into any waters of the Commonwealth of Pennsylvania.

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.

MALFUNCTION — The condition occurring when an on-lot sewage system causes pollution to groundwater or surface water, contamination of private or public drinking water supplies or nuisance problems or is a hazard to public health. Any treatment or holding tank observed to be leaking, or any instance where sewage is backing up into a building connected to the system, is considered a malfunction. 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.

MUNICIPALITY — Straban Township, Adams County, Pennsylvania.

OFFICIAL ACT 537 SEWAGE FACILITIES PLAN — A comprehensive plan for the provision of adequate sewage disposal systems, adopted by the Township and approved by the Pennsylvania Department of Environmental Protection, as described in and required by the Pennsylvania Sewage Facilities Act. Hereinafter called the "Plan," it shall mean the Straban Township Act 537 Plan, as amended.

ON-LOT MANAGEMENT PROGRAM — A comprehensive set of legal and administrative requirements, including this article, the Act, the Clean Streams Law and all regulations and requirements adopted by the Board to enforce and administer this article.

ON-LOT SEPTIC SYSTEM REPORT — A form which shall be used by all registered pumpers/haulers to report each pumping of on-lot sewage disposal systems in the Township.

ON-LOT SEWAGE SYSTEM — Any system for disposal of sewage involving pretreatment and subsequent disposal of the clarified sewage into the soil

for final treatment and disposal, including both individual sewage systems and community sewage systems.

OWNER — Any person having an equitable or legal interest in real estate in Straban Township.

PERSON — Any individual, association, partnership, public or private corporation whether for profit or not-for-profit, trust, estate or other legally recognized entity.

REGISTERED PUMPER/HAULER (PUMPER) — Person or organization licensed by the Adams County Solid Waste Authority and the Pennsylvania Department of Environmental Protection (PADEP) and registered with Straban Township annually.

REHABILITATION — Work done to modify, alter, repair, enlarge or replace an existing on-lot disposal system.

SEPTAGE — Any human excrement, other domestic or restaurant waste or other material or substance removed from a portable toilet, septic tank, seepage pit, treatment tank, cesspool or other enclosure used for the storage or decomposition of sewage, but does not include liquid industrial waste.

SEPTIC SYSTEM REPORT — The Township form to be completed by the pumper/hauler for each individual tank and forwarded to the Township after each inspection and/or pumping.

SEPTIC TANK — A watertight tank that provides for the treatment of sanitary sewage prior to its discharge to an absorption area.

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 which is harmful or inimical to public health or to animal or aquatic life or to the use of water for domestic water supply or for recreation or which constitutes pollution under the Act of June 22, 1937 (P.L. 1987, No. 394),¹⁴ known as the "Clean Streams Law," as amended.

SEWAGE ENFORCEMENT OFFICER (SEO) — An agent of the Township DEP certified to issue and review permit applications and conduct such investigations and inspections as are necessary to implement Act 537 and the rules and regulations promulgated thereunder.

SEWAGE FACILITIES — Any method of sewage collection, conveyance, treatment and disposal which will prevent the discharge of untreated or inadequately treated sewage into the waters of this commonwealth or otherwise provide for the safe and sanitary treatment and disposal of sewage.

SEWAGE MANAGEMENT DISTRICT — Any area or areas within the entire Township. For the purpose of this article, Straban Township will be divided into three pumping districts.¹⁵

14. Editor's Note: See 35 P.S. § 691.1 et seq.

TOWNSHIP — Straban Township, Adams County, Pennsylvania.

§ 103-24. Applicability to on-lot sewage systems.

From the effective date of this article, its provisions shall apply to every owner of a lot served by an on-lot sewage system in Straban Township and all persons or businesses servicing on-lot sewage systems (constructing, pumping, inspecting or repairing on-lot sewage systems) within the Township.

§ 103-25. Pumping requirements; notification of property owners; report required; additional maintenance.

- A. Any person owning a building served by an on-lot sewage disposal system shall have the septic tank pumped by a registered pumper/hauler after the effective date of this article on the following reoccurring three-year cycle. See the Sewage Management District Map, a Township map showing the three Districts.¹⁶
- (1) Properties located in Pumping District No. 1 within one year of the effective date of this article. Thereafter, the three-year cycle will be based on the calendar year.
 - (2) Properties located in Pumping District No. 2 will be pumped within the first calendar year following the effective date of this article. (Initial pumping will be in the year 2010.)
 - (3) Properties located in Pumping District No. 3 will be pumped within the second calendar year following the effective date of this article (initial pumping will be in the year 2011.)
- B. The Township shall notify all property owners within each of the sewage management districts served by an on-lot sewage system that their systems must be pumped and inspected within 12 months of the date the notification letter is sent. Any person owning a building served by an on-lot sewage system within the sewage management district which contains a treatment tank shall have the tank pumped by a registered pumper/hauler. The property owner must have his system pumped within the time period specified in the Township's notification letter unless he can provide the Township with a receipt or other written evidence showing that his tank has been pumped within the past one year. Property owners providing such written documentation satisfactory to the Township can request that the Board of Supervisors grant a postponement of the initial required pumping until the end of a three-year period following enactment of this article. The decision to grant or deny the request shall be final.

15. Editor's Note: The Sewage Management District Map showing the three districts is included at the end of this chapter.

16. Editor's Note: Said map is included at the end of this chapter.

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- C. The registered pumper/hauler shall provide a fully completed and legible septic system report to the Township within 30 days of the date of pumping. The pumper shall mail or hand deliver the septic system report to the Township municipal building at 1745 Granite Station Road, Gettysburg, PA 17325.
- D. Commencing from the date of pumping as prescribed in Subsection A above, removal of septage or other solids from treatment tanks shall be performed every three years or whenever an inspection program reveals the treatment tanks are filled with solids in excess of 1/3 the liquid depth of the tank or filled with scum in excess of 1/3 the liquid depth of the tank.
- E. The required pumping frequency may increase at the discretion of the SEO for the following reasons:
- (1) If the tank is undersized;
 - (2) If solids buildup in the tank is above average;
 - (3) If the hydraulic load on the system increases significantly above average;
 - (4) If a garbage grinder is used in the building; or
 - (5) If the system malfunctions or for other good cause not shown (as determined by the SEO and approved by the Board of Supervisors).
- F. Treatment tanks to be pumped more frequently than the required three years must have a septic system report prepared and provided to the Township within 30 days of each pumping occurrence.
- G. Tanks shall be deemed to be pumped when all organic solids are removed and the total average liquid depth remaining in the tank is less than one inch.
- H. Holding tanks shall be pumped out at intervals that prevent the overflow, leakage, backup and other malfunctions characteristic of an overloaded system.
- I. The owner of a property upon which an on-lot sewage system is constructed shall maintain the area around such system so as to provide convenient access for inspection, maintenance and pumping and divert surface water and downspouts away from the absorption area and other on-lot sewage system components.
- J. Tanks shall only be pumped from/through the manhole/access port, i.e., the largest tank opening. Tanks shall not be pumped from/through the observations port.
- K. Any person owning a building served by an alternate system or on-lot sewage system that contains an aerobic treatment tank shall follow the operation and maintenance recommendations of the equipment

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manufacturer. A copy of the manufacturer's recommendations and a copy of the service agreement shall be submitted to the Township within six months of the effective date of this article. Thereafter, service receipts shall be submitted to the Township at the intervals specified by the manufacturer's recommendations. In no case may the service or pumping intervals exceed those required for septic tanks.

- L. The Township may require additional maintenance activity as needed, including but not necessarily limited to:
- (1) Cleaning and unclogging of piping;
 - (2) Servicing and repair of mechanical equipment;
 - (3) Leveling of distribution boxes, tanks and lines;
 - (4) Removal of obstructing roots or trees;
 - (5) The diversion of surface water away from the disposal area; or
 - (6) Other means acceptable to the SEO and PADEP.

§ 103-26. Inspection of systems; pumper/hauler responsibilities; reports; malfunctioning systems.

- A. An initial inspection and subsequent periodic inspections shall be conducted when an on-lot system is pumped. Inspections shall be conducted by a registered pumper/hauler for the purpose of determining a system's functional status. The individual property owner is responsible to contact and make arrangements directly with the pumper/hauler.
- B. An on-lot septic system report of the inspection shall be prepared by the registered pumper/hauler and furnished to the owner of each property inspected. The pumper/hauler shall also provide a copy of said report to the Township within 30 days of the inspection.
- (1) When the pumper/hauler finds possible indications of malfunction, he/she will notify Straban Township within 24 hours of the inspection.
- C. Written reports shall be recorded on the Straban Township on-lot septic system report form. The pumper shall legibly and fully complete the form to address all requested information.
- D. The Straban Township SEO shall inspect systems known to be, or alleged to be, malfunctioning. Should the said inspection reveal that the system is indeed malfunctioning, the Township's SEO shall take action to require the correction of the malfunction.
- (1) The Township SEO may inspect any on-lot sewage disposal system at any time after reasonable notice is given to the property owner or the occupier of the property.

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- (2) The Township SEO shall have the right to enter upon land for the purpose of inspections as described above.
- (3) The SEO inspection may be due to information derived from the On-Lot Septic System Report or a formal written complaint.
- (4) The inspection may include a physical tour of the property; the taking of samples from surface water, wells or other groundwater sources; the sampling of the contents of the sewage system itself; and/or the introduction of a traceable substance into the interior plumbing of the structure served to ascertain the path and ultimate destination of wastewater generated in the structure. The owner will bear the cost of the inspection and the analysis of any samples.

§ 103-27. Waste discharges.

- A. Only normal domestic wastes shall be discharged into any on-lot sewage system. The following shall not be discharged into the system:
 - (1) Industrial wastes;
 - (2) Automobile oil and other nondomestic oil;
 - (3) Toxic or hazardous substances or chemicals, including but not limited to pesticides, disinfectants, acids, paints, thinners, herbicides, gasoline and other solvents;
 - (4) Clean surface water or groundwater, including water from roof or cellar drains, springs, basement sump pumps and french drains.
- B. If any of the above materials listed in § 103-27A(1), (2) or (3) are found during the inspection, additional pumping, additional treatment and/or possible environmental action will be taken.

§ 103-28. Ground markers required; tank accessibility.

Any person who shall install new or rehabilitated on-lot sewage systems shall provide a marker or markers at ground level locating all major subsurface components of the system. The Township SEO shall establish marker types and required locations. In addition, a riser or access hatch shall be constructed so as to enable easy access to the waste disposal tank and prevent odors from escaping and to prevent children from removing the hatch. Accessibility for visual inspection and maintenance shall be provided in the drainage fields via four-inch vertical, nonperforated PVC pipe connected directly to the drain tile at a minimum of four locations in the drainage field, and such installation shall be subject to Township SEO approval.

§ 103-29. System rehabilitation.

- A. The Township's Sewage Enforcement Officer shall have the authority to require the repair of any malfunction of an on-lot septic system in

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accordance with regulations and policies established by the Pennsylvania Department of Environmental Protection in the Sewage Facilities Act.

- B. In lieu of, or in combination with, the remedies described above, the SEO may require the installation of water-conservation equipment and the institution of water-conservation practices in structures served. Water-using devices and appliances in the structure may be required to be retrofitted with water-saving appurtenances. Wastewater regeneration in the structure may also be reduced by requiring changes in water usage patterns in the structure served.

§ 103-30. Correction of imminent health hazard; lien on property.

The Township, upon written notice from the SEO that an imminent health hazard exists due to failure of a property owner to maintain, repair or replace an on-lot sewage system as provided under the terms of this article, shall have the authority to perform or contract to have performed the work required by the SEO. The owner shall be charged for the work performed, and, if necessary, a lien shall be entered therefor in accordance with law.

§ 103-31. Disposal of septage.

- A. All septage originating within the Township shall be disposed of at sites or facilities approved by the DEP.
- B. Septage pumpers/haulers operating within the Township shall operate in a manner consistent with the provisions of the Pennsylvania Solid Waste Management Act (Act 97 of 1980, 35 P.S. §§ 6018.101 through 6018.1003).

§ 103-32. Administration; ownership and availability of records; fees.

- A. The Township shall employ qualified individuals to carry out the provisions of this article. The Township may also contract with private, qualified persons or firms, as necessary, to carry out the provisions of this article.
- B. All permits, records, reports, files and other written material relating to the installation, operation, maintenance and malfunction of on-lot sewage systems in the Township shall become the property of the municipality. Existing and future records shall be available for public inspection during required business hours at the Township office. All records pertaining to sewage permits, building permits, occupancy permits and all other aspects of the municipality's on-lot management program shall be made available, upon request. A fee for copying may be charged.
- C. The Township Supervisors shall establish all administrative procedures necessary to properly carry out the provisions of this article.

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- D. The Supervisors may establish a fee schedule, and subsequently collect fees, to cover the cost to the Township of administering this program.

§ 103-33. Appeals.

Any person aggrieved with the actions of the Sewage Enforcement Officer or any other authorized agent of the Township may file an appeal in accordance with Act 537. (See 35 P.S. § 750.16.)

§ 103-34. Violations and penalties; municipal liability; use of records.

- A. Any person who shall violate or fail to comply with any provision of this article shall, upon conviction thereof by a summary proceeding action brought before a District Justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, be sentenced to pay a fine of not less than \$100 nor more than \$1,000, plus all court costs, or imprisonment, all pursuant to the purposes and mandate of Act No. 172 of 1996, as amended. Each day's continuance of a violation of this article shall constitute a separate offense.
- B. The discharge by the Township of its obligations as set forth in this article shall create no liability upon the Township, its officials, employees or agents.
- C. All reports, inspections, appraisals, certifications or records required or produced by the Township, its officials, employees or agents, as required by this article, shall be for the use and benefit of the Township only and shall not be accepted, utilized or relied upon by any other person or party by way of certification or otherwise.

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**Part 3A
Fees Imposed By This Chapter**

ARTICLE V

**Fees for Permits, Inspections, Registration, Administrative
Expenses and Tests**

[Adopted 3-2-2009 by Ord. No. 2009-02¹⁷]

§ 103-35. Fees set by resolution.

The fees for permits; inspections; registration of haulers, pumpers and other such contractors; administrative expenses for the receipt, review and filing of reports; and tests shall be as set forth from time to time by resolution of the Board of Supervisors. The Board of Supervisors is hereby authorized to impose such fees and to modify and amend such fees as it deems appropriate.

17. Editor's Note: This ordinance also superceded former Article V, Fees, adopted 5-2-2005 by Ord. No. 2005-01.

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Part 4
Township Sponsored Sewer Systems

ARTICLE VI
General Provisions
[Adopted 5-2-2005 by Ord. No. 2005-01]

§ 103-36. Fees to be set by resolution.

The fees for permits, inspections and tests shall be as set forth from time to time by resolution of the Board of Supervisors,

ARTICLE VII

General Provisions**[Adopted 5-2-2005 by Ord. No. 2005-01]****§ 103-37. Declaration of purpose.**

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

§ 103-38. Definitions.

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

AUTHORITY — Any municipal authority incorporated under the Municipality Authorities Act of 1945, as amended, by the Township to provide sewer services.

BOARD OF SUPERVISORS — The Board of Supervisors of the Township of Straban or, in appropriate cases, its authorized representatives.

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

COMMERCIAL ESTABLISHMENT — Any room, group of rooms, building or enclosure connected directly or indirectly to the sewer system and used or intended for use in the operation of one business enterprise for the sale and distribution of any product, commodity, article or service.

DWELLING UNIT — Any room, group of rooms, house trailer, building or other enclosure connected directly or indirectly to the sewer system and occupied or intended for occupancy as separate living quarters by a family or other group of persons living together or by a person living alone.

GARBAGE — Solid wastes resulting from preparation, cooking and dispensing of food and from handling, storage and sale of produce.

IMPROVED PROPERTY — Any property 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 sanitary sewage and/or industrial wastes shall be or may be discharged.

INDUSTRIAL ESTABLISHMENT — Any room, group of rooms, building or other enclosure connected directly or indirectly to the sewer system and used or intended for use, in whole or in part, in the operation of one business enterprise for manufacturing, processing, cleaning, laundering or assembling of any product, commodity or article or from which any process waste, as distinct from sanitary sewage, shall be discharged.

INDUSTRIAL WASTE — Any and all wastes discharged from an industrial establishment other than sanitary sewage.

INSTITUTIONAL ESTABLISHMENT — Any room, group of rooms, building or other enclosure connected directly or indirectly to the sewer system

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which does not constitute a commercial establishment, a dwelling unit or an industrial establishment.

LATERAL — That part of the sewer system extending from a sewer to the curblin or, if there shall be no curblin, 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.

MULTIPLE UNIT — Any improved property in which there is located more than one dwelling unit, commercial establishment, industrial establishment or institutional establishment, or any combination thereof.

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

PERSON — Any individual, partnership, company, trust, association, society, corporation, school district, municipality, municipal authority or other group or entity.

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

SEWER — Any pipe, main or conduit constituting a part of the sewer system and used or usable for collection and transportation of sanitary sewage and industrial wastes.

SEWER SYSTEM — All facilities, as of any particular time, for collecting, pumping, transporting, treating and disposing of sanitary sewage and industrial wastes by means of a community sewerage system operated by the Township or an Authority (as defined in this article).

TOWNSHIP — The Township of Straban, Adams County, Pennsylvania.

§ 103-39. Applicability.

- A. This article shall apply to all areas of Straban Township, Adams County, Pennsylvania, which now are, or which hereafter may be, provided with public sewer service by the Township or an authority (as defined in this article).
- B. This article shall apply to all future extensions of the sewage system as described in Subsection A hereof.
- C. The mandatory use of the sewer system shall not be effective or enforced against any improved property or owner thereof if the Pennsylvania Department of Environmental Protection will not allow such use for any reason.

§ 103-40. Rules and regulations; connection required.

- A. The owner of any improved property accessible to and whose principal building is within 150 feet from the sewer system shall connect such improved property with and shall use such sewer system, in such manner as the Township and/or an authority may require, within 60 days after notice to such owner to make such connection, for the

purpose of discharge of all sanitary sewage and/or industrial wastes from such improved property; subject, however, to such limitations and restrictions as shall be established by ordinance of the Township or by rules and regulations adopted by an authority.

- B. All sanitary sewage and industrial wastes from any improved property, after connection of such improved property with the sewer system as required by this article, shall be discharged into a sewer; subject, however, to such limitations and restrictions as shall be established by the Township and by such rules and regulations as shall be adopted by an authority.
- C. No person shall place, deposit or permit to be placed or deposited upon public or private property within the Township any sanitary sewage or industrial wastes from any property required to be connected to the sewer system as provided in Subsection A hereof.
- D. No privy, privy vault, cesspool, sinkhole, septic tank or similar receptacle shall be used or shall be maintained at any time upon any improved property which has been connected to a sewer or to the sewer system or which shall be required under Subsection A to be connected to the sewer system.
- E. Every such privy, privy vault, cesspool, sinkhole, septic tank or similar receptacle in existence shall be abandoned, shall be cleansed and shall be filled at the expense of the owner of such improved property, under the direction and supervision of the Township. Any such receptacle not so abandoned, cleansed and filled shall constitute a nuisance, and such nuisance shall be abated, as provided by law, at the expense of the owner of the improved property.
- F. No privy, privy vault, cesspool, sinkhole, septic tank or similar receptacle shall be connected with a sewer or to the sewer system at any time.
- G. The notice by the Township to make a connection to the sewer system referred to in Subsection A shall consist of a copy of this article, including any amendments or supplements at the time in effect, or a summary of each section hereof and a written or printed document requiring the connection in accordance with the provisions of this article and specifying that such connection shall be made within 60 days after the date such notice has been sent. Such notice may be sent by certified or registered mail, return receipt requested, or may be served upon the owner in person by any adult.

§ 103-41. Building sewers; connections.

- A. No person shall uncover, connect with, make any opening into or use, alter or disturb in any manner any sewer or part of the sewer system without first obtaining a permit, in writing, from the Township or an authority, whichever is the operator of the sewer system.

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- B. Application for a permit required under Subsection A shall first be made by the owner of the improved property or by an authorized agent of such owner. The permit application shall be in accordance with such rules and regulations as may be adopted from time to time by the Township and/or an authority.
- C. The Township or an authority operating the sewer system shall consider the application and, within 45 days after submission, shall either approve or disapprove the application. If the application is disapproved, it shall be returned to the applicant with a statement explaining why the application was disapproved.
- D. No person shall make or shall cause to be made a connection of any improved property with a sewer until such person shall have fulfilled each of the following conditions:
- (1) Such person shall have submitted an application and shall have received approval from the sewer system's operator to connect such improved property to a sewer.
 - (2) Such person shall have applied for and shall have obtained a permit as required by Subsection A from the operator of the system.
 - (3) Such person shall have given notice to the operator of the sewer system in accordance with its rules and regulations concerning when such connection will be made so that the operator may supervise and inspect or may cause to be supervised and inspected the work of connection and any necessary testing.
 - (4) Such person shall have furnished satisfactory evidence that any tapping fee which may be charged and imposed against the owner has been paid.
- E. Except as otherwise provided in this section, 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, but then only after special permission of the operator of the sewer system shall have been secured, in writing, and only subject to such rules, regulations and conditions as may be prescribed by the operator of the sewer system.
- F. All costs and expenses of construction of a building sewer and all costs and expenses of connection of a building sewer to a sewer shall be borne by the owner of the improved property to be connected; and such owner shall indemnify and shall save harmless the operator of the sewer system from all loss or damage that may be occasioned, directly or indirectly, as a result of the construction of a building sewer or connection of a building sewer to a sewer.

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- G. A building sewer shall be connected to a sewer at the place designated by the operator of the sewer system and where, if applicable, the lateral is provided.
- H. The connection shall be in conformity with the rules and regulations of the operator of the sewer system, or as directed by its engineer; and no connection in violation of the operator of the sewer system's rules and regulations, or in violation of the directions of the operator of the sewer system's engineer, shall be permitted.
- I. If, after 60 days' notice from the Township in accordance with § 103-39A, the owner of any improved property located within the Township and accessible to and whose principal building is within 150 feet from the sewer system shall fail to connect such improved property, as required, the Township may enter upon such improved property and construct such connection and may collect from such owner the costs and expenses thereof in the manner permitted by law, with any additional charges permitted by law.
- J. If any person, upon receipt of a notice from either the Township or an authority, in writing, shall fail or shall refuse to remedy any unsatisfactory condition and/or violation of the rules and regulations with respect to a building sewer, within 60 days of receipt of such notice, the Township and/or an Authority may refuse to permit such person to discharge sanitary sewage or industrial wastes into the sewer system until such unsatisfactory condition shall have been remedied to the satisfaction of the Township and/or an authority.

§ 103-42. Sewer rentals; charges.

- A. Sewer rentals and/or charges shall be imposed upon properties connected to the sewer system in accordance with the classifications and rates as adopted by the operator of the sewer system from time to time.
- B. Residential flat fee. Residential properties connected to the sewer system that do not have metered water service, or which are not otherwise metered in a manner approved by the operator of the sewer system, shall be charged a flat fee for sewer service as provided by the fee schedule adopted from time to time.
- C. All commercial, institutional and industrial establishments must have the water supply metered no matter what the source or sources of water may be. If the establishment is not a water customer of a community water system, it must use a water meter or meters approved by the operator of the sewer system and installed and maintained in accord with applicable regulations and/or policies. All costs associated with the purchase, installation, repair and maintenance of such meter or meters shall be paid by the establishment.

§ 103-43. Collection.

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- A. The sewer rentals or charges as calculated in § 103-41 are imposed upon and shall be collected from the owner of each improved property that shall be or is connected, directly or indirectly, to the sewer system, for the use of the sewer system, which sewer rentals or charges shall be imposed and shall be effective as of the date of connection of the improved property to the sewer system.
- B. The sewer rentals or charges imposed by this article shall be deemed to be a lien, in the nature of a municipal claim, upon the property served by the sewer system, and the operator of the sewer system shall have the right, in accordance with law and its regulations, to enforce such lien against the improved properties serviced or required to be serviced by the sewer system when such rentals or charges are delinquent.
- C. The operator of the sewer system shall administer the billing and collection of the sewer rentals or charges in accordance with its rules and regulations.

§ 103-44. Tapping fee.

- A. Whenever an improved property shall be connected with the sewer system, the owner of such property shall be charged a tapping fee and any connection fee and customer facilities fee imposed by the operator of the sewer system.
- B. The amount of the tapping fee shall be determined from time to time by the operator of the sewer system in accord with statutory law.
- C. The tapping fee shall be due and payable at the time application is made for the approval for connection, or upon the date of connecting any such improved property to the sewer system, at the cost and expense of the owner, when such owner shall have failed to make such connection as required by this article.
- D. All tapping fees collected pursuant to this article shall be credited to an account maintained to identify such fees collected within a designated service district located in the Township.
- E. Tapping fees imposed by this article shall be a lien, in the nature of a municipal claim, on the improved property connected to, or required to be connected to, the sewer system.

§ 103-45. Violations and penalties.

Any person who shall violate this article shall be liable, upon summary conviction, to a fine of not more than \$1,000, together with the costs of prosecution and attorney fees in each case. Each day that a violation shall continue shall be deemed to be a separate offense and shall be punishable as such.

Part 5
Privately Constructed Sewer Systems

ARTICLE VIII
Construction Standards
[Adopted 1-3-2006 by Ord. No. 2006-01]

§ 103-46. Definitions.

Unless the context specifically and clearly indicates otherwise, the meanings of terms in this Part 5 shall be as follows:

BOARD OF SUPERVISORS — The Board of Supervisors of the Township of Straban.

PERSON — Any individual, partnership, company, trust, association, society, corporation, school district or other group or entity.

PRIVATE SEWER SYSTEM — All facilities, as of any particular time, for collecting, pumping, transporting, treating and/or disposing of sewage and/or industrial wastes by means of a community sewerage system constructed by any person that is not the Township of Straban, the Gettysburg Municipal Authority or a municipal authority having the express consent of Straban Township to provide sewage services in Straban Township.

§ 103-47. Standards set by resolution.

No private sewer system intended to provide sewer service to properties owned, leased or possessed, or intended to be owned, leased or possessed, by persons other than the one constructing the sewer system shall be built unless it is built to standards and specifications as may be adopted by resolution of the Board of Supervisors of Straban Township, and as may be amended from time to time.

§ 103-48. Priority of Department requirements.

The prior section notwithstanding (§ 103-46), no standard or specification adopted by the Board of Supervisors of Straban Township shall be controlling if the Commonwealth of Pennsylvania (by its Department of Environmental Protection, or otherwise) requires a more stringent or rigorous standard.

§ 103-49. Availability of standards.

Any and all standards and specifications for the construction of private sewer systems, as adopted by the Board of Supervisors of Straban Township, shall be available for inspection during normal business hours at the Township office. Copies of such standards and resolutions shall be available for purchase from the Township office during normal business hours for the cost for copies as provided in the Township's "Right to Know" policy.

§ 103-49.1. Copies of discharge monitoring reports. [Added 9-4-2007 by Ord. No. 2007-09]

- A. Every operator or owner of a private sewer system shall provide copies of the discharge monitoring reports (also known as "DMRs"), that are filed with the Commonwealth of Pennsylvania, to the Township at the same time as the DMRs are filed with the commonwealth. This requirement shall apply to DMRs and to any and all subsequent forms that may replace, or may be in addition to, DMRs.
- B. Nothing in this section shall be construed or interpreted to mean that the Township, the Board of Supervisors, or any Township officer or employee, is in any way responsible for interpretation of the information provided in the reports. Nothing hereunder shall be construed or interpreted to mean that the Township intends to undertake the power or authority to license or grant permits for private sewer systems, or otherwise carry out the duties and functions with respect to private sewer systems vested in and delegated to commonwealth agencies, departments, and boards.

§ 103-50. Violations and penalties.

Any person who shall violate this Part 5 shall be liable, upon summary conviction, to a fine of not more than \$1,000, together with the costs of prosecution and attorney fees in each case. Each day that a violation shall continue shall be deemed to be a separate offense and shall be punishable as such.