

DAMASCUS TOWNSHIP CONSOLIDATED ORDINANCES

ORDINANCE NO. 1983-1

DAMASCUS TOWNSHIP SEWAGE FACILITIES ORDINANCE

I. COMPLIANCE WITH LAW

This Ordinance shall have as its purpose the establishing of procedures for issuing applications and permits in the enforcement of the Pennsylvania Sewage Facilities Act of 1966 (P.L. 1535) and Act 208 (S.B. 1550) of 1974 and amendments thereto, and/all persons installing an individual or community sewage disposal system shall first obtain a permit which certifies that the site, plan, and specifications of such systems are in compliance with the Pennsylvania Sewage Facilities Act of 1966 (P.L. 1535) and Act 208 (S.B. 1550) of 1974 and amendments thereto and/all other rules and regulations adopted pursuant to the acts and conforms with the provisions of this Ordinance and all other applicable ordinances and regulations.

II. DEFINITION

As used in this Ordinance, the term "applicant" shall mean the present property owner of record, or his agent duly constituted in accordance with Department of Environmental Resources regulations.

III. PROCEDURES

(A) The following administrative procedures shall be followed by the Applicant and the Sewage Enforcement Officer.

1. Part I of the Application shall be completed by the Applicant and submitted to the Sewage Enforcement Officer.

2. Part II of the Application shall be completed by the Applicant and the Sewage Enforcement Officer and a site shall be selected for a Back Hoe Test Pit, and where necessary, a percolation test site shall also be selected. All costs incident to the preparations of the said test holes shall be borne by the applicant.

3. Part III of the Application shall be completed by the Applicant and the Sewage Enforcement Officer after the above mentioned tests have been completed.

4. The Applicant shall provide information concerning the component parts of the sewage disposal system by utilizing a simple layout sketch, in accordance with rules and regulations of the Sewage Facilities Act of 1966 (P.L. 1535) and Act 208 (S.B. 1550) of 1974 and

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amendments thereto. If necessary, additional sheets for layout sketches may be used.

IV. AVAILABILITY

Application for permits, shall be available from the Sewage Enforcement Officer.

V. APPROVAL

Upon compliance with the procedures set forth in Paragraph III, the Applicant shall be notified in writing by certified mail within seven (7) days, of receipt of the application if the application is denied; if said application is approved, the Sewage Enforcement Officer shall issue a permit and the Applicant shall be so notified in writing within seven (7) days of the receipt of the completed application.

VI. ENGINEERING

All applicants whose systems, which according to the provisions of Act 208 (S.B. 1550) of 1974 and amendments thereto, require that the design and construction be supervised by a Professional Engineer, shall pay all costs directly to the Engineer commissioned by the Applicant.

VII. FEES

All fees shall be paid by check or money order to the Board of Supervisor of Damascus Township upon making an application for an individual or community subsurface disposal system. The schedule of fees shall be set by resolution of the Township Board of Supervisors and may be amended from time to time by resolution to provide adequate sources of revenue to cover the costs of administering the Ordinance. The fee schedule shall not cover the cost of any excavations required with the issuance of the permit nor any additional engineering fees or any other fees or costs nor any additional engineering fees or any other fees or costs that may be associated with the project other than those directly related to the issuance of the permit itself and the costs for the Sewage Enforcement Officer's services.

VIII. EXCEPTIONS

All installation of subsurface sewage disposal systems must comply with the provisions of this ordinance. The only exception will be rural residences as defined in Act 208, (S.B. 1500), and amendments thereto.

IX. APPEALS AND HEARINGS

When the said application for permit is denied or revoked, the appeal procedure shall be as follows:

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A. Upon receipt by the Applicant of a notice of denial or evocation of a permit, the applicant may, within 30 days, request a hearing in writing before the Board of Supervisors which shall be held within fifteen (15) days from the date of request. The Sewage Enforcement Officer shall be notified of the hearing.

B. Any party aggrieved by a decision of the Board of Supervisors may appeal to the Court of Common Pleas within thirty (30) days of the date of such decision. Notice of appeal shall be served by the Board of Township Supervisors, and proof of such service shall accompany the filing of the appeal.

X. SEVERABILITY

If any section, paragraph, clause or provision of this Ordinance be held invalid, the validity thereof shall not effect any of the other provisions of this Ordinance.

XI. PENALTIES

Anyone installing a subsurface sewage disposal system in violation of any provision of this Ordinance shall be guilty of a summary offense and subject to a fine of not less than \$100.00 nor more than \$300.00 and costs per offense. Every day in which said violator fails to comply with the provisions of this Ordinance shall constitute a new and separate offense.

XII. REPEAL

The enactment of this Ordinance shall serve as the repeal of any other Ordinance inconsistent with the provisions contained herein but nothing contained in this Ordinance shall be construed as modifying, amending or repealing any provision of Commonwealth stature.

XIII. ENACTMENT

This Ordinance is hereby adopted this 6th day of June, 1983 to be effective five (5) days herefrom.

Thomas D. Griffith
Nelson Hinaman
Charles Rutledge
Damascus Board of Supervisors

Attest: Elvin P. Swendsen, Secy.