

ORDINANCE NO. 17

AN ORDINANCE OF THE TOWNSHIP OF CATHARINE, BLAIR COUNTY, COMMONWEALTH OF PENNSYLVANIA, REGULATING THE INSTALLATION, ERECTION, CONSTRUCTION, ALTERATION, REPAIR, EXTENSION, AND USE OF ALL SEWAGE DISPOSAL SYSTEMS; AUTHORIZING THE BLAIR COUNTY SANITARY ADMINISTRATIVE COMMITTEE TO TEST FOR AND ISSUE PERMITS; PROVIDING FOR PERMIT FEES; AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.

BE IT ORDAINED AND ENACTED by the Board of Supervisors of the Township of Catharine, County of Blair, Commonwealth of Pennsylvania, and it is hereby ordained and enacted by the authority of the same as follows:

ARTICLE I TITLE

This Ordinance shall be known as the Catharine Township Sewage Disposal Control and Permitting Ordinance.

ARTICLE II GENERAL PROVISIONS

SECTION 100 DEFINITIONS

For the purposes of this Ordinance the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number, and the word "shall" is always mandatory and not merely directory.

a. PERSON - is any natural person, individual, firm, partnership, association, corporation, company, club, co-partnership, society or any organization of any kind.

b. TOWNSHIP - is the Township of Catharine, Blair County, Pennsylvania.

c. SEWAGE ENFORCEMENT OFFICER - is the Department of Environmental Resources certified individual employed by the Blair County Sanitary Administrative Committee to enforce the Pennsylvania Sewage Facilities Act within those municipalities participating in the work of that Committee.

d. COMMITTEE - is the Blair County Sanitary Administrative Committee.

e. BLAIR COUNTY SANITARY ADMINISTRATIVE COMMITTEE - is the organization of municipalities within Blair County that have joined together, for the mutual benefits thereof, to apply the provisions of the Sewage Facilities Act Number 537 within their respective jurisdictions.

f. **SEWAGE PERMIT** is a written approval for any person to install and use a new sewage disposal system based upon compliance with the Sewage Facilities Act.

g. **REPAIR PERMIT** is a written approval for any person to alter and use an existing sewage disposal system based upon compliance with the Sewage Facilities Act.

SECTION 101. INTENT

The intent of this Ordinance is to:

A. Promote the general health, welfare, and safety of all residents of the municipality.

B. Minimize the danger to the public health and water supplies by enforcing the provisions of the Pennsylvania Sewage Facilities Act No. 537 and Title 25 of the Pennsylvania Code, Environmental Resources.

C. Establish the Blair County Sanitary Administrative Committee (BCSAC) as the authorized agency for the taking of applications, establishment and collection of associated fees, conduct of required tests, and issuance or denial of permits for all sewage disposal systems within the Township.

D. Authorize the Blair County Sewage Enforcement Officer (SEO), who is employed by the BCSAC, to take such actions and conduct such tests and inspections as may be necessary to implement the provisions of the Sewage Facilities Act within the Township.

SECTION 102. APPLICABILITY

A. The provisions of this Ordinance shall apply to all persons who install, erect, construct, or use any new sewage disposal system, or who alter, repair, extend, or use any existing sewage disposal system within the Township limits. Accordingly, it shall be unlawful for any person to:

a. Install, erect, or construct and use any new sewage disposal system without first having obtained a Sewage Permit to do so from the Blair County Sanitary Administrative Committee.

b. Modify, alter, repair, extend and then use any existing sewage disposal system without first having obtained a Repair Permit to do so from the Blair County Sanitary Administrative Committee.

c. Continue use of any sewage disposal system installed, erected, constructed, modified, altered, repaired, or extended in violation of this Ordinance after said person has been officially notified of such violation by the Catharine Township Board of Supervisors or the Blair County Sewage Enforcement Officer.

d. Knowingly continue use of a malfunctioning sewage disposal system which endangers the health and general welfare of any Township residents, or which threatens to pollute Township environmental resources.

B. The Sewage Enforcement Officer (SEO) shall be authorized to issue the requested permit upon compliance by the applicant with the provisions of the Pennsylvania Sewage Facilities Act of January 24, 1966, Act 537, as amended, and any regulations adopted thereunder, all of which are hereby incorporated and made a part of this Ordinance; provided, however, that the provisions of said Act and the regulations adopted thereunder shall apply in every case regardless of lot size or area to be served by the sewage disposal system and notwithstanding any limitations to the contrary in said Act and any regulations adopted thereunder.

SECTION 103. APPLICATION FORMS AND FEES

A. The Blair County Sanitary Administrative Committee shall design, adopt, and provide all forms required for permit application process.

B. The Blair County Sanitary Administrative Committee shall establish, approve, and publish a schedule of fees to be charged for the various services required in the permitting process. The established fees shall be used to defer in part the cost of processing the application and the conduct of tests required for the granting of the permit, and shall not be refundable to the applicant in the event that a permit is denied.

C. Catharine Township shall pay such assessments as are commonly levied by the Committee upon all participating municipalities.

SECTION 104. PROCEDURES

A. All applications for Sewage or Repair Permits shall be made in writing upon the approved forms, shall be signed by the applicant, and shall be delivered or mailed to the office of the Blair County Sanitary Administrative Committee.

B. The required fees, as established for the particular permit or process being requested, shall be paid to the Blair County Sanitary Administrative Committee upon filing of the application.

C. The Blair County Sewage Enforcement Officer (SEO) shall conduct such inspections, tests, or processes within the Township as may be required by the Pennsylvania Sewage Facilities Act to ensure compliance with that Act.

D. Based upon the results of such inspections, tests, and processes and compliance or non-compliance with the Sewage Facilities Act, the SEO shall either issue or deny issuance of the requested permit to the applicant.

SECTION 105. PENALTIES

Any person who fails to comply with any and all of the requirements and provisions of this Ordinance, shall be guilty of an offense and, upon conviction, shall pay a fine of not more than three hundred (300) dollars plus costs of prosecution for each and every offense. In default of such payment, such person shall be imprisoned in the county prison for a period not to exceed thirty (30) days. Each and every day that the act of installation, erection, construction, alteration, repair, or extension of a system continues without a permit, or that use of an unapproved system continues after official notification of such violation is received from the Catharine Township Board of Supervisors, shall constitute a separate and distinct offense and shall be subject to separate and distinct penalties hereunder.

ARTICLE III SEVERABILITY

If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

ARTICLE IV ABROGATION

This Ordinance supercedes existing Township Ordinance No. 17, dated January 13, 1969.

ARTICLE V ENACTMENT

This Ordinance shall become effective on 8 November, 1993, and shall remain in full force until modified, amended, or rescinded by the Township of Catharine, Blair County, Pennsylvania.

Adopted by the Catharine Township Supervisors this 8th day of November, 1993.

ATTEST:

Christine E. Shanko

SIGNED:

David C. [Signature]
Linda McKnight
Georg J. Bermerman