

# Chapter 18 - Sewers and Sewage Disposal Revisions

(Revision page started year 2010)

Revision Date	Section Revised	Brief Description of Revision
5/10/10 Ord. 2010-1	Part 2 section 201 Part 2 section 202	Removed commercial uses only and replaced with improved property Added language in definition "Improved Property" along with 4 key items. For Holding Tanks.
Resolutions: 05-9-1 - 9/25/2005  12-4-1 4/9/2012  12-5-2 6/11/2012  19-4-1 4/8/2019	Annual testing of small flow treatment facilities  Regulate the use and maintenance of Holding Tanks  Regulate the use and maintenance of short-term holding tanks.  Reference: Resolution 19-4-1 (Necessarily implements certain portions of Chapter 18)	Resolution # 19-4-1 supersedes Resolutions 05-9-1, 12-4-1 and 12-5-2.  SR TWP Resolution 19-4-1 On-lot Sewage Holding Tank regulations and specifications. Includes the following: Title, General Purposes, Authority, Interpretation plus Sewage permits exemptions and requirements - Water Conservation/Portable Toilets/Ten Acre Exemption/Planning Exemption-Temporary Mobile Home Hardship/Permit Standards for Replacement Dwellings.  Ground Marker, Access Hatch and Inspection Port Requirements.  Holding Tank Standards - Construction/Operation and Maintenance Requirement for Holding Tanks/Agreements and Financial Security Requirements/Temporary Holding Tanks.  Holding Tanks and Small Flow Systems Inspection and Testing.  Transfer of Permits.  Maintenance Requirements - Aerobic Treatment Tanks/Individual Residential Spray Irrigation Systems/Alternate Sewage Systems.  Violations, Administration and Fees.

**CHAPTER 18**

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**PART 1**

**Installation and Alteration of Individual and Community Sewage Systems**

**§101. Short Title.**

This Part may be known and may be cited as the “Slippery Rock Township Sewage Systems Ordinance.” (Ord. 14, 6/11/1986, §1)

**§102. Definitions.**

For the purpose of this Part the following words and phrases shall have the meanings ascribed to them in this Section:

**COMMUNITY SEWAGE SYSTEM** — any system, whether publicly or privately owned, for the collection of sewage or industrial wastes of a liquid nature from two or more lots or units, and the treatment and/or disposal of the sewage or industrial waste on one or more of the lots or at any other site.

**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 or by means of conveyance to another site for final disposal.

**PERSON** — any individual, association, public or private corporation for profit or not for profit, partnership, firm, trust, estate, department, board, bureau or agency of the Commonwealth, political subdivision, municipality, district, authority, or any other legal entity whatsoever which is recognized by law as the subject of rights and duties. whenever used in any clause prescribing and imposing a penalty or imposing a fine or imprisonment, the term “person” shall include the members of an association, partnership or firm and the officers of any local agency or municipal, public, or private corporation for profit or not for profit.

**PROPERTY OWNER** — any and all persons with an interest in real estate including legal and equitable interests.

**SEWAGE** — any substance that contains any of the waste products of excrement or other discharge from the bodies of human beings or animals and any noxious or deleterious substances 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, or which constitutes pollution under the Act of June 22, 1937, known as “The Clean Streams Law,” as amended, 35 P.S. §691.1 et seq.

**SEWAGE ENFORCEMENT OFFICER** — the duly appointed official of Slippery Rock Township who reviews permit applications, conducts such investigations and inspections as are necessary, and issues permits.

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(Ord. 14, 6/11/1986, §2)

### **§103. Requirements for Individual Sewage Systems and Community Sewage Systems.**

1. It shall be unlawful for any property owner or any other person to install or repair, replace, or enlarge individual sewage systems or community sewage systems within the Township without first obtaining a valid permit issued by the Township Sewage Enforcement Officer.
2. It shall be unlawful for any property owner or any other person to install or repair, replace, or enlarge an individual sewage system or community sewage system within the Township contrary to any conditions or requirements imposed by the Township Sewage Enforcement Officer at the time of issuance of a permit.
3. It shall be unlawful for any property owner, or any other person, to begin construction or installation of a building for which an individual or community sewage system is to be used without first obtaining a permit.

(Ord. 14, 6/11/1986, §3)

### **§104. Permits.**

1. Application for a permit to install an individual or community sewage system or repair, replace, or enlarge an existing individual or community sewage system shall be in writing on forms provided by the Township, signed by the property owner, and shall include the following:
  - A. Information required on the Pennsylvania Sewage Facilities Act Application for Sewage Disposal System form.
  - B. Legal description of the property on which the proposed installation or alteration is to take place.
  - C. Plot plan of land showing location of any proposed or existing buildings.
  - D. Plan of proposed sewage system.
  - E. Soil profile description and percolation test report.
  - F. Location of all nearby water supply facilities, existing or proposed.

- G. The Board of Supervisors of Slippery Rock Township shall establish, by resolution, a schedule of fees for obtaining the permits required under the provisions of this Part. Such resolutions shall be duly recorded in the Resolution Book of the Township and such fee schedule shall be reproduced and made available upon request at the Township Building. The resolution providing for the various fees shall be periodically reviewed and amended, when necessary, by resolution of the Board of Supervisors. The issuance of a permit shall be contingent upon the payment of the proper fee as established by the resolution and the fee schedule.
2. Applications for permits shall be submitted to the Sewage Enforcement Officer who shall issue or deny a permit within seven days from receipt of the completed application.
  3. The Sewage Enforcement Officer shall grant or deny the permit depending upon whether or not the proposed installation or alteration conforms to the standards of the Pennsylvania Sewage Facilities Act, the Pennsylvania Clean Streams Law, 35 P.S. §691.1 et seq., rules and regulations of the Department of Environmental Protection of the Commonwealth of Pennsylvania, Standards of the Butler County Subdivision Ordinance or Township Subdivision Ordinance [Chapter 22], if enacted, and rules and regulations issued pursuant to this Part. [Ord. 2/12/2002]

(Ord. 14, 6/11/1986, §4; as amended by Ord. 2/12/2002)

#### **§105. Appeals.**

Any property owner aggrieved by the denial of a permit under this Part shall have the right within 30 days after receipt of notice of the denial to request a hearing before the Board of Supervisors. Revocation of a permit shall occur only after notice and opportunity of hearing has been given to the permittee. The Board of Supervisors shall hold a hearing within 15 days after receipt of such request. The hearing procedure shall be governed by the Local Agency Law, 53 P.S. §11301 et seq., as hereinafter amended. (Ord. 14, 6/11/1986, §5)

#### **§106. Sewage Enforcement Officer.**

The enforcement of this Part shall be the responsibility of the Sewage Enforcement Officer, who shall be appointed by resolution of the Board of Supervisors. (Ord. 14, 6/11/1986, §6)

#### **§107. Penalties and Remedies.**

1. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a district justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules

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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. 2/12/2002]

2. A violation of the provisions of this Part shall constitute a nuisance and shall be abatable in the manner provided by law.
3. Nothing in this Part shall be construed as stopping the Township from proceeding in courts of law or equity to abate nuisances forbidden under this Part or abate nuisances under existing law. Nothing in this Part shall in any way abridge or alter rights of action or remedies now or hereafter existing in equity or under common law or statutory law, criminal or civil.
4. All actions hereunder shall be prosecuted in the name of Slippery Rock Township.

(Ord. 14, 6/11/1986, §7; as amended by Ord. 2/12/2002)

## PART 2

### Holding Tanks

#### **§201. Purpose.**

The purpose of this Part is to authorize the use of holding tanks within the Township to receive and retain sewage from improved properties and to establish procedures for the use and maintenance of existing and new holding tanks. It is hereby declared that the enactment of this Part is necessary for the protection, benefit and preservation of the health, safety and general welfare of the inhabitants of the Township. (Ord. 1994-1, 10/25/1994, §1)(Ord. 2010-1, 5/10/10, §1)

#### **§202. Definitions.**

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

**HOLDING TANK** — a water tight receptacle, whether permanent or temporary, which receives and retains sewage conveyed by a water carrying system and is designed and constructed to facilitate the ultimate disposal of sewage at another site.

**IMPROVED PROPERTY** — any commercial and/or commercial usage property within the Township upon which there is erected a structure intended for the continuous or periodic habitation, occupancy or use by human beings and from which structure sewage shall or may be discharged. A residential dwelling or structure may be considered as an “improved property” per this ordinance only when all criteria below can be satisfied:

1. The structure was constructed for seasonal/periodic occupancy, and not a year round residence. AND
2. The structure was constructed prior to the Township regulations and ordinances implementing Act 537 of 1965 AND
3. The structure is situated on a nonconforming lot, or an existing lot of record pursuant to the Slippery Rock Township Zoning Ordinance. AND
4. The Sewage Enforcement Officer has exhausted all other possibilities for compliance.

In such cases, the owner of the property shall make application to the Township Board of Supervisors and certify that the property will not be utilized as a primary residence or year round dwelling, and show evidence of other criteria.



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For the purpose of this ordinance, the terms “residential dwelling or structure” and “commercial”, shall be generally interpreted in consistency with the Township Zoning Ordinance

**OWNER** — any person, corporation or other entity vested with the ownership, legal or equitable, of any property located within 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 and any noxious or deleterious substance being harmful to the public health, to animals or aquatic life or to the use of water for a domestic water supply or for recreation.

**TOWNSHIP** — Slippery Rock Township, Butler County, Pennsylvania.

(Ord. 1994-1, 10/25/1994, §2) (Ord. 2010-1, 5/10/10, §2)

### **§203. Authority to Use Holding Tanks.**

1. The Township hereby authorizes the use of holding tanks as a temporary means of sewage collection and sewage disposal within the Township for improved property as defined herein. The user assumes full responsibility for the maintenance of holding tanks established pursuant to this Part. [Ord. 2/12/2002]
2. Before any owner may install a holding tank on any improved property within the Township he must first make application to the Township Sewage Enforcement Officer, pay all application fees imposed by the Township and shall deliver to the Township a completed and executed owner’s certificate in form satisfactory to the Township.

(Ord. 1994-1, 10/25/1994, §3; as amended by Ord. 2/12/2002)

### **§204. Rules and Regulations.**

1. The Township shall, by resolution, adopt such rules and regulations concerning the collection and disposal of sewage which it may deem necessary from time to time to effect the purposes of this Part. All such rules and regulations shall be in conformity with provisions hereof, and all applicable laws, rules and regulations of administrative agencies of the Commonwealth of Pennsylvania.
2. All such rules and regulations, when passed, shall be deemed to be a part of this Part. All persons desiring to use holding tanks within the Township shall fully comply with all such rules and regulations.

(Ord. 1994-1, 10/25/1994, §4)

**§205. Rates and Charges.**

The Township shall have the right and power to fix, alter, charge and collect rates, assessments and other charges for the use of holding tanks within the Township at reasonable and uniform rates as authorized by applicable law. In addition, all persons wishing to take advantage of the right to use holding tanks within the Township shall deposit with the Township such amount as the Township from time to time determines is reasonable to cover the cost of pumping out a holding tank or removing a holding tank. Such deposit shall be placed in escrow by the Township until such time as the holding tank is removed. The balance of the escrow deposit left after the payment of all costs incident to the maintenance or removal of the holding tank shall be paid to the person paying the deposit, or his designee, immediately upon the removal of the holding tank. (Ord. 1994-1, 10/25/1994, §5)

**§206. Collection of Sewage.**

The collection and transportation of sewage from any improved property utilizing a holding tank shall be done solely by a person authorized, licensed and approved by the Pennsylvania Department of Environmental Protection. Such person shall deliver pumping receipts to the Township Inspection Officer immediately following each collection of sewage from a holding tank. (Ord. 1994-1, 10/25/1994, §6; as amended by Ord. 2/12/2002)

**§207. Duties of Improved Property Owner.**

The owner of an improved property utilizing a holding tank shall:

- A. Maintain the holding tank in conformance with this and all other ordinances of the Township, the provisions of any applicable law or statute, the rules and regulations of the Township and the rules and regulations of any administrative agency of the Commonwealth of Pennsylvania or the United States of America.
- B. Permit only persons authorized by the Pennsylvania Department of Environmental Protection to collect, transport and dispose of the contents of holding tanks. [Ord. 2/12/2002]

(Ord. 1994-1, 10/25/1994, §7; as amended by Ord. 2/12/2002)

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### **§208. Sewage Enforcement Officer.**

The Township shall appoint a Sewage Enforcement Officer who shall be responsible for receiving, reviewing and retaining pumping receipts from all holding tanks. The Sewage Enforcement Officer shall make an annual inspection of all holding tanks within the Township and shall complete a written inspection report following such annual inspection and file the same with the Township and retain a copy thereof. (Ord. 1994-1, 10/25/1994, §8; as amended by Ord. 2/12/2002)

### **§209. Penalties.**

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a district justice 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. 1994-1, 10/25/1994, §9; as amended by Ord. 2/12/2002)

### **§210. Abatement of Nuisances.**

In addition to any other remedy provided by this Part, any violation of this Part shall be deemed to be a nuisance and may be abated by the Township by either seeking mitigation of the nuisance or appropriate equitable or legal relief from a court of competent jurisdiction. (Ord. 1994-1, 10/25/1994, §10)

**PART 3**

**Inspection and Testing**

**§301. Inspection and Testing.**

All owners of real estate located within Slippery Rock Township, Butler County, Pennsylvania, who now employ, or who employ in the future, a “small flow treatment facility” shall have said sewage system inspected and tested at least once a year by a qualified independent inspector. A copy of each annual test result shall be submitted to the Township and shall be due each year no later than 30 days after the month and day of the initial permit issued by the Department of Environmental Protection. (Res. 0102-2, 2/2/2001)

**§302. Violation.**

Failure to comply with this Part shall result in immediate termination of the sewage system and vacating the premises by all occupants. (Res. 0102-2, 2/2/2001)

**§303. Maintenance Agreement.**

All property owners who now employ, or who employ in the future, a “small flow treatment facility” shall enter into a maintenance agreement with the Township similar to that attached hereto and made a part thereof.<sup>1</sup>

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<sup>1</sup> Editor’s Note: A copy of the maintenance agreement is on file at the Township office.