

Chapter 18

Sewers and Sewage Disposal

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Part 1**Sewer Connections and Use****A. Purpose and Definitions****§18-101. Declaration of Purpose.**

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

(Ord. 72, 3/11/1963)

§18-102. Definitions.

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

Building sewer—the extension from the sewage drainage system of any structure to the lateral of a sewer.

Improved property—any property within this Township upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure sewage and/or industrial wastes shall be or may be discharged.

Industrial wastes—any solid, liquid or gaseous substance or form of energy rejected or escaping in the course of any industrial, manufacturing, trade or business process or in the course of the development, recovery or processing of natural resources, as distinct from sewage, including such groundwater, surface water or stormwater as may be present.

Lateral—that part of the sewer system extending from a sewer to the curblin or, if there shall be no curblin, to the edge of pavement or to the edge of cartway, if not paved, 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.

Owner—any person vested with ownership, legal or equitable, sole or partial, of any property located in this Township.

Person—any individual, partnership, company, association, society, corporation or other group or entity.

Sewage—normal water-carried household and toilet wastes from any improved property, including such groundwater, surface or water stormwater as may be present.

Sewer—any pipe or conduit constituting a part of the sewer system, used or usable for sewage collection purposes.

Sewer system—all facilities as of any particular time for collecting, pumping, treating and disposing of sewage and industrial wastes, situate in or adjacent to this Township and owned, maintained and/or operated by the Township Authority. [Ord. 136]

Township—the Township of Northampton, Bucks County, Pennsylvania, a

political subdivision, acting by and through its Board of Supervisors or, in appropriate cases, by and through its authorized representatives.

Township Authority—the Northampton, Bucks County, Municipal Authority, a municipality authority created by the Board of Supervisors of the Township and existing under the Pennsylvania Municipality Authorities Act of May 2, 1945, P.L. 382, as amended, 53 P.S. §301 *et seq.*, acting by and through its Board or, in appropriate cases, by and through its officers and authorized representatives. [*Ord. 136*]

(*Ord. 72*, 3/11/1963; as amended by *Ord. 136*, 3/27/1974)

B. Use of Public Sewers Required**§18-111. Connection to Public Sewer Required.**

The owner of any improved property located in the Township and accessible to and whose principal building is within 150 feet of the sewer system shall make connection therewith, in such manner as this Township may require, within 60 days after notice to such owner from this Township to make such connection, for the purpose of discharge of all sewage and acceptable industrial wastes from such improved property, subject to such limitations and restrictions as shall be established herein or otherwise shall be established by this Township from time to time. Notwithstanding any provision herein to the contrary, no such owner of a residential-use-only property shall be compelled to make such connection if the owner's on-lot sanitary sewer system on such residential property is in full compliance with all laws and regulations then in effect by the Department of Health of the County of Bucks and the ordinances of this Township; except, further, that any sale of such residential property shall cause the new owner to connect consistent with the terms of this Section within 60 days after notice to such owner.

(*Ord. 72, 3/11/1963; as amended by Ord. 521, 11/28/2007; and by Ord. 530, 3/12/2008*)

§18-112. Content of Discharge into Sewer.

1. All sewage and industrial wastes from any improved property, after connection of such improved property with a sewer shall be required under §18-111, shall be conducted into a sewer, subject to such limitations and restrictions as shall be established by this Township from time to time.

2. No person shall discharge or cause to be discharged any flows to any sewer other than sewage.

(*Ord. 72, 3/11/1963; as amended by Ord. 492, 3/10/2004*)

§18-113. Unlawful Deposits and Discharges.

1. No person shall place or deposit or permit to be placed or deposited upon public or private property within this Township any sewage or industrial wastes in violation of §18-111.

2. No person shall discharge or permit to be discharged to any natural outlet within this Township any sewage or industrial wastes in violation of §18-111, except where suitable treatment has been provided which is satisfactory to this Township.

(*Ord. 72, 3/11/1963*)

§18-114. Private Disposal Facilities Prohibited.

1. No privy vault, cesspool, sinkhole, septic tank or similar receptacle shall be used and maintained at any time upon any improved property which has been connected to a sewer or which shall be required under §18-111 to be connected to a sewer.

2. Every such privy vault, cesspool, sinkhole, septic tank or similar receptacle in existence shall be abandoned and, at the discretion of this Township, shall be cleansed and filled under the direction and supervision of this Township; and any such privy

vault, cesspool, sinkhole, septic tank or similar receptacle not so abandoned and, if required by this Township, cleansed and filled, shall constitute a nuisance and such nuisance may be abated as provided by law, at the expense of the owner of such improved property.

(*Ord. 72, 3/11/1963*)

§18-115. Protection of Sewer Facilities; Unlawful Connections.

1. No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the public sewer system/facilities.

2. No privy vault, cesspool, sinkhole, septic tank or similar receptacle at any time shall be connected with a sewer.

3. Flows other than sewage shall not be discharged through direct or indirect connection of a sump pump, cellar drain, roof drain and/or downspout or any other means of conveyance into the sewer system.

(*Ord. 72, 3/11/1963; as amended by Ord. 492, 3/10/2004*)

§18-116. Notice to Make Connection.

The notice by this Township to make a connection to a sewer, referred to in §18-111, shall consist of a copy of this Part, including any amendments at the time in effect, and a written or printed document requiring the connection, and may be given at any time after a sewer is in place which can receive and convey sewage and industrial wastes for treatment and disposal from the particular improved property. Such notice shall be served upon the owner either by personal service or by registered or certified mail, as provided by law.

(*Ord. 72, 3/11/1963*)

§18-117. Conformance with Regulations Required; Dumping of Private Collections Prohibited.

It shall be unlawful for any person to discharge any sewage, any waste materials whatsoever or any substances or fluids into the Township or municipal sewer system except in accordance with this Part and in accordance with permits which have been issued by the Township or may hereinafter be issued by the Township in accordance with this Part or in accordance with any plumbing code hereafter enacted. It shall be unlawful for any tank truck or other collector of private sewage to dump such sewage into the Township or municipal sewer system.

(*Ord. 72, 3/11/1963*)

§18-118. Permit Required to Tap or Connect; Connection of Storm Sewer System.

It shall be unlawful for any person to make any taps or connections into the Township or municipal sewer system except in accordance with a permit issued by the Township under the provisions of this Part or under the provisions of any plumbing code hereafter adopted by the Township. It shall be unlawful for any person to connect any storm sewer system including, but not limited to, roof drains, cellar drains or

surface water drains, into such Township or municipal sewer system without having a permit therefor under the provisions of this Part or under the provisions of any plumbing code hereafter adopted.

(Ord. 72, 3/11/1963)

C. Building Sewers and Connections

§18-121. Separate Connection for Each Property; Exception.

Except as otherwise provided in this Part 1C, 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, in writing, shall have been secured.

(Ord. 72, 3/11/1963)

§18-122. Costs and Expenses.

All costs and expenses of construction of a building sewer and all costs and expenses of connection of a building sewer to a lateral or sewer shall be borne by the owner of the improved property to be connected; and, such owner shall indemnify and save harmless this Township and the Township Authority from all loss or damage that may be occasioned, directly or indirectly, as a result of construction of a building sewer or of connection of a building sewer to a lateral or sewer.

(Ord. 72, 3/11/1963; as amended by Ord. 136, 3/27/1974)

§18-123. Connection of Building Sewer to Sewer.

1. A building sewer shall be connected to a sewer at the place designated by the Township or where the lateral is provided.

2. The invert of a building sewer at the point of connection shall be at the same elevation as or a higher elevation than the invert of the lateral or sewer. A smooth, neat joint shall be made and the connection of a building sewer to the lateral shall be made secure and watertight.

(Ord. 72, 3/11/1963)

§18-124. Failure to Make Connections; Enforcement.

If the owner of any improved property located in the Township and accessible to and whose principal building is within 150 feet of the sewer system, after 60 days notice from the Township, in accordance with §18-111, shall fail to connect such improved property as required, this Township may make such connection and may collect from such owner the costs and expenses thereof. In such case, the Township shall forthwith, upon completion of the work, send an itemized bill of the cost of the construction of such connection to the owner of the improved property to which connection has been so made, which bill shall be payable forthwith. In case of neglect or refusal by the owner of such improved property to pay said bill, the Township shall file municipal liens for said construction within 6 months of the date of the completion of the construction of said connection, the same to be subject in all respects to the general law provided for the filing and recovery of municipal liens.

(Ord. 72, 3/11/1963)

D. Connection Rules and Regulations**§18-131. Use of Existing House Sewer Line as Building Sewer.**

Where an improved property, at the time connection to a sewer is required, shall be served by its own sewage disposal system or device, the existing house sewer line shall be broken on the structure side of such sewage disposal system or device and attachment shall be made, with proper fittings, to continue such house sewer line as a building sewer.

(Ord. 72, 3/11/1963)

§18-132. Inspection and Approval of Building Sewer.

No building sewer shall be covered until it has been inspected and approved by this Township. If any part of a building sewer is covered before so being inspected and approved, it shall be uncovered for inspection at the cost and expense of the owner of the improved property to be connected to a sewer.

(Ord. 72, 3/11/1963)

§18-133. Maintenance of Building Sewer.

Every building sewer of any improved property shall be maintained in a sanitary and safe operating condition by the owner of such improved property.

(Ord. 72, 3/11/1963)

§18-134. Guarding of Excavations; Restoration of Disturbed Property.

Every excavation for a building sewer shall be guarded adequately with barricades and lights to protect all persons from damage and injury. Streets, sidewalks and other public property disturbed in the course of installation of a building sewer shall be restored, at the cost and expense of the owner of the improved property being connected, in a manner satisfactory to this Township.

(Ord. 72, 3/11/1963)

§18-135. Failure or Refusal to Remedy Conditions.

If any person shall fail or refuse, upon receipt of a notice from this Township, in writing, to remedy any unsatisfactory condition with respect to a building sewer within 60 days of receipt of such notice, this Township may refuse to permit such person to discharge sewage and industrial wastes into the sewer system until such unsatisfactory condition shall have been remedied to the satisfaction of this Township.

(Ord. 72, 3/11/1963)

§18-136. Right of Township to Adopt Additional Regulations.

This Township reserves the right to adopt, from time to time, additional rules and regulations as it shall deem necessary and proper relating to connections with a sewer and the sewer system, which additional rules and regulations, to the extent appropriate, shall be and shall be construed as part of this Part.

(Ord. 72, 3/11/1963)

§18-137. Compliance with Plumbing Regulations.

In the event that the Township shall hereafter enact a plumbing ordinance, every connection made in pursuance of the provisions of this Part shall likewise be made in pursuance of such plumbing code as is then in effect. The owner of the improved property upon which such connection is made shall be required to secure permits as required under such plumbing code (any notice under the provisions of this Part shall not be construed to be a plumbing permit or compliance under the plumbing code with the requirements of a permit), and such work likewise shall be done in compliance with such plumbing code.

(Ord. 72, 3/11/1963)

E. Enforcement**§18-141. Violations, Notifications and Penalties.**

1. Any person found to be in violation of any provisions of this Part shall be notified, in writing, stating the nature of the violation and providing 10 days from the date of such notification for the correction thereof.

2. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 72, 3/11/1963; as amended by Ord. 142, 11/13/1974; by Ord. 211, 5/9/1984, §108-22; by Ord. 492, 3/10/2004; and by Ord. 561, 4/25/2012*)

§18-142. Fines and Costs; Method of Recovery.

1. In addition to and not in substitution for the penalties provided above, any person violating the aforementioned provisions of this shall be liable for the expense of removing any obstruction, repair of any damage and removing any illegal connections to any sanitary sewer or drain caused by such violation.

2. Fines and costs imposed under provisions of this Part shall be enforceable and recoverable in the manner and at the time provided by applicable law.

(*Ord. 72, 3/11/1963; as amended by Ord. 492, 3/10/2004*)

§18-143. Right of Entry and Enforcement Authority; Powers.

1. The Township hereby authorizes and empowers the Executive Director of the Northampton, Bucks County, Municipal Authority or other authorized employees of the Authority, bearing proper credentials and identification to be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing pertinent to discharge to the sewer system.

2. The Northampton, Bucks County, Municipal Authority is hereby designated and delegated the authority and responsibility to enforce any and all of the provisions of this Part, including the issuance of connection notices under §18-111 of this Part. Said Authority may institute summary proceedings against any persons who shall violate any provisions of this Part, including, but not limited to, the discharge of waste not permitted under the provisions of this Part or the failure to make a connection to the building sewer or public sewers as required by the provisions of this Part. Such authority may be exercised independent of any action of the Township; provided, however, that the Township reserves the right to exercise any authority under this Part.

(*Ord. 72, 3/11/1963; as amended by Ord. 142, 11/13/1974; and by Ord. 492, 3/10/2004*)

Part 2**Holding Tanks****A. Use and Maintenance****§18-201. Purpose.**

The purpose of this Part is to establish procedures for the use and maintenance of holding tanks designed to receive and retain sewage whether from residential or commercial uses, and it is hereby declared that the enactment of this Part is necessary for the protection, benefit and preservation of the health, safety and welfare of the inhabitants of this Township.

(Ord. 141, 10/9/1974)

§18-202. Definitions.

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

Holding tank—a 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:

Chemical toilet (often referred to as a “portable john”)—a toilet using chemicals that discharge to a holding tank.

Retention tank—a holding tank where sewage is conveyed to it by a water-carrying system.

Vault pit privy—a holding tank designed to receive sewage where water under pressure is not available.

Improved property—any property within the Township upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure sewage shall or may be discharged.

Owner—any individual, group of individuals, partnership, company, association, corporation or any other group or entity vested with ownership, legal or equitable, sole or partial, of any property located in the Township.

Sewage—any substance that contains any of the waste products or excrement or other discharge from the bodies of human beings or animals and any noxious or deleterious substance being harmful or inimical to the public health or to animal or aquatic life or to the use of water for domestic water supply or for recreation.

Township—Northampton Township, Bucks County, Pennsylvania.

(Ord. 141, 10/9/1974)

§18-203. Rights and Privileges Granted.

The Board of Supervisors of the Township is hereby authorized and empowered to undertake within the Township the control and methods of holding tank sewage

disposal and the collection and transportation thereof.

(*Ord. 141, 10/9/1974*)

§18-204. Rules and Regulations.

The Board of Supervisors of the Township is hereby authorized and empowered to adopt by ordinance or resolution such rules and regulations as it may deem necessary from time to time to effect the purposes herein. All such rules and regulations adopted by the Board of Supervisors of the Township 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, including the Bucks County Board of Health.

(*Ord. 141, 10/9/1974*)

§18-205. Rates and Charges.

The Board of Supervisors of the Township shall have the right and power to fix, alter, charge and collect rates, assessments and other charges in the area served by its facilities at reasonable and uniform rates as authorized by applicable law.

(*Ord. 141, 10/9/1974*)

§18-206. Exclusiveness of Rights and Privileges.

1. The collection and transportation of all sewage from any improved property utilizing a holding tank shall be done solely by or under the direction and control of the Northampton, Bucks County, Municipal Authority, and the disposal thereof shall be made only at such site or sites as may be approved by the Department of Environmental Protection of the Commonwealth of Pennsylvania. [*Ord. 561*]

2. No person, persons, company or other entity shall have the right to collect, transport and/or dispose of any sewage from any property utilizing a holding tank in Northampton Township unless done in accordance with this Part.

(*Ord. 141, 10/9/1974; as amended by Ord. 561, 4/25/2012*)

§18-207. Duties of Owners of Improved Properties.

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

A. Maintain the holding tank in conformance with this Part and any other applicable ordinance of this Township, the provisions of any applicable law and the rules and regulations of the Township and any administrative agency of the Commonwealth of Pennsylvania, including the Bucks County Board of Health.

B. Permit only such person, persons, company or other entity licensed by the Bucks County Board of Health to collect, transport and/or dispose of the contents therein.

(*Ord. 141, 10/9/1974*)

§18-208. Areas in Which Holding Tanks Permitted.

The purpose of this Part is to permit limited use of holding tanks, chemical toilets, retention tanks and vault pit privies in accordance with the provisions of this Section:

A. Chemical toilets, also known as “portable johns,” are to be used to provide temporary sewage facilities where a building is under construction or at a site where large numbers of persons gather to witness an event or affair on a single occasion or for a short time, i.e., at a sporting event, parade or other similar affair. Chemical toilets and portable johns are not designed for permanent use where the structure upon the premises has been completed; in such situations the property shall either be connected into the public sanitary sewers or be connected to a cesspool or septic tank system approved by the Bucks County Board of Health.

B. Holding tanks, retention tanks and vault pit privies are to be permitted only in those locations where a sanitary sewer system is in the process of construction and such tank or privy is designed as a temporary disposal system until the public sewers being constructed in that area are completed and operable. Such tanks or privies may also be permitted by the Board of Supervisors in a development where flowing sewers are constructed but not connected to the public sewer system. The purpose of such tanks or privies would be to serve the improved properties in such development until such time as the connection to the public system can be completed.

C. It is understood that the prior approval of such tanks or systems must be granted by the Township of Northampton and the Bucks County Board of Health and that the owner desiring approval of such system must also present to the Township and the Bucks County Board of Health satisfactory evidence that such tanks or privies will be systematically mapped and the effluent therefrom discharged into a public system. The owner shall further produce satisfactory proof that the Municipal Authority or proper public body owning the public sewerage system into which such effluent is to be discharged has contracted with the owner to accept such discharge.

D. Permanent on-lot holding tanks are permitted to serve institutions or commercial establishments with a sewage flow of less than 800 gallons per day. In the event that public sewer is ever available, the property must connect and meet all applicable requirements of the Northampton Bucks County Municipal Authority. [*Ord. 545*]

(*Ord. 141, 10/9/1974; as amended by Ord. 545, 12/23/2009, §I*)

§18-209. Design of Holding Tanks.

The following regulations shall apply in the design of any holding tanks or privy vaults:

A. Such tanks or vaults shall be designed by a registered professional engineer whose seal shall appear on the plan.

B. The tank shall be provided with both visual and audible capacity warning devices. The visual warning device shall be installed outside the building serviced by such tank or vault and located in such a location as to be visible to the traveling public from the public highway. The audible device shall be located inside the building in such a location as to be readily audible to occupants of said building.

C. The tank, if it is a steel, aluminum or other metal-type tank, shall be firmly anchored in the ground by metal straps to concrete foundations for the purpose of not permitting said tank to float upward or to float above the founda-

tions.

(*Ord. 141, 10/9/1974*)

§18-210. Abatement of Nuisances.

In addition to any other remedies provided in this Part, any violation of §§18-206 18-207 above shall constitute a nuisance and may be abated by the Township seeking either appropriate equitable or legal relief from a court of competent jurisdiction.

(*Ord. 141, 10/9/1974*)

§18-211. Violations and Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 141, 10/9/1974; as amended by Ord. 211, 5/9/1984, §108-35; by Ord. 285, 2/22/1989; and by Ord. 561, 4/25/2012*)

Part 3**Sewage Management Program****§18-301. Short Title; Introduction; Purpose.**

1. This Part shall be known and may be cited as “An Ordinance Providing for a Sewage Management Program for Northampton Township.”

2. In accordance with municipal codes, the Clean Streams Law, Act of June 22, 1937, P.L. 1987, No. 394, as amended, 35 P.S. §691.1 *et seq.*, and the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as amended, 35 P.S. §750.1 *et seq.* (known as “Act 537”), it is the power and the duty of Northampton Township 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 Northampton Township indicates that it is necessary to formulate and implement a sewage management program to effectively prevent and abate water pollution and hazards to the public health caused by improper treatment and disposal of sewage.

3. The purpose of this Part is to provide for the regulation, inspection, maintenance and rehabilitation of on-lot sewage disposal systems; to further permit intervention in situations which may constitute a public nuisance or hazard to the public health; and to establish penalties and appeal procedures necessary for the proper administration of a sewage management program.

(Ord. 427, 9/10/1997)

§18-302. Definitions.

1. As used in this Part, the following terms shall have the meanings indicated:

Authorized agent—a Sewage Enforcement Officer of the Bucks County Department of Health, employee of the Township, professional engineer, plumbing inspector or any other qualified or licensed person who is authorized by the township to function within specified limits as an agent of Northampton Township to administer or enforce the provisions of this Part.

Board—the Board of Supervisors, Northampton Township, Bucks County, Pennsylvania.

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

Department—the Department of Environmental Protection of the Commonwealth of Pennsylvania (PADEP).

Health Department—the Bucks County Department of Health.

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 waters of the Commonwealth.

Malfunction—a condition which occurs when an on-lot sewage disposal system

discharges sewage onto the surface of the ground, into groundwaters of this Commonwealth, into surface waters of this Commonwealth, backs up into a building connected to the system or in any manner causes a nuisance or hazard to the public health or pollution of groundwater or surface water or contamination of public or private drinking water wells. Systems shall be considered to be malfunctioning if any condition noted above occurs for any length of time during any period of the year.

Official Sewage Facilities Plan—a comprehensive plan for the provision of adequate sewage disposal systems, adopted by the Board and approved by the Pennsylvania Department of Environmental Protection, pursuant to the Pennsylvania Sewage Facilities Act, 53 P.S. §750.1 *et seq.*

On-lot sewage disposal system—any system for disposal of domestic sewage involving pretreatment and subsequent disposal of the clarified sewage into a subsurface soil absorption area or retaining tank; this term includes both individual sewage systems and community sewage systems.

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.

Rehabilitation—work done to modify, alter, repair, enlarge or replace an existing on-lot sewage disposal system.

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 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, P.L. 1987, No. 394, known as the “Clean Streams Act,” as amended, 35 P.S. §691.1 *et seq.*

Sewage Enforcement Officer (SEO)—a person certified by PADEP who is employed by the Bucks County Department of Health. Such person is authorized to conduct investigations and inspections, review permit applications, issue or deny permits and do all other activities as may be provided for such person in the Sewage Facilities Act, 35 P.S. §750.1 *et seq.*, the rules and regulations promulgated thereunder and this or any other ordinance adopted by the Township.

Sewage management area—any area or areas of the Township designated in the Official Sewage Facilities Plan adopted by the Board as an area for which a sewage management program is to be implemented.

Sewage management program—a comprehensive set of legal and administrative requirements encompassing the requirements of this Part, the Sewage Facilities Act, 35 P.S. §750.1 *et seq.*, the Clean Streams Law, 35 P.S. §691.1 *et seq.*, the regulations promulgated thereunder and such other requirements adopted by the Board to effectively enforce and administer this Part.

Subdivision—the division or redivision of a lot, tract or other parcel of land into

two or more lots, tracts, parcels or other divisions of land, including changes in existing lot lines. The enumerating of lots shall include as a lot that portion of the original tract or tracts remaining after other lots have been subdivided therefrom.

Township—the Township of Northampton, Bucks County, Pennsylvania.

2. For the purposes of this Part, any term which is not defined herein shall have that meaning attributed to it under the Sewage Facilities Act, 35 P.S. §750.1 *et seq.*, and the regulations promulgated pursuant thereto.

(*Ord. 427, 9/10/1997*)

§18-303. Applicability.

From the effective date of this Part, its provisions shall apply in any portion of the Township identified in the Official Sewage Facilities Plan as a sewage management area. Within such an area or areas, the provisions of this Part shall apply to all persons owning any property serviced by an on-lot sewage disposal system and to all persons installing or rehabilitating on-lot sewage disposal systems.

(*Ord. 427, 9/10/1997*)

§18-304. Permit Requirements.

1. No person shall install, construct or request bid proposals for construction or alter an individual sewage system or community sewage system or construct or request bid proposals for construction or install or occupy any building or structure for which an individual sewage system or community sewage system is to be installed without first obtaining a permit from the Bucks County Department of Health, which permit shall indicate that the site and the plans and specifications of such system are in compliance with the provisions of the Clean Streams Law, 35 P.S. §691.1 *et seq.*, and the Pennsylvania Sewage Facilities Act, 35 P.S. §750.1 *et seq.*, and the regulations adopted pursuant to those Acts.

2. No system or structure designed to provide individual or community sewage disposal shall be covered from view until approval to cover the same has been given by the Bucks County Department of Health. If 72 hours have elapsed, excepting Sundays and holidays, since the Health Department received notification of completion of construction, the applicant may cover said system or structure unless permission has been specifically refused by the Health Department.

3. Applicants for sewage permits shall be required to notify the Health Department of the schedule for construction of the permitted on-lot sewage disposal system so that inspection(s), in addition to the final inspection required by the Sewage Facilities Act, 35 P.S. §750.1 *et seq.*, may be scheduled and performed by the Health Department.

4. No building or occupancy permit will be issued for a new building proposing the use of an on-lot sewage disposal system until a valid sewage permit has been obtained from the Health Department.

5. No building or occupancy permit shall be issued, and no work shall begin on any alteration or conversion of any existing structure if said alteration or conversion will result in the increase or potential increase in sewage flows from the structure until either the structure's owner receives a permit for alteration or replacement of the

existing sewage disposal system or until the structure's owner and the appropriate officials of the township receive written notification from the Health Department that such a permit will not be required. The Health Department shall determine whether the proposed alteration or conversion of the structure will result in increased sewage flows.

6. Sewage permits may be issued only by the Bucks County Department of Health.

(Ord. 427, 9/10/1997)

§18-305. Inspections.

1. Any on-lot sewage disposal system may be inspected by an authorized agent at any reasonable time as of the effective date of this Part.

2. Such inspection may include a physical tour of the property, the taking of samples from surface water, wells, other groundwater sources, the sampling of the contents of the sewage disposal 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.

3. An authorized agent shall have the right to enter upon land for the purposes of inspections described in this Section.

4. A schedule of routine inspections may be established to assure the proper functioning of the sewage systems in the sewage management area.

5. An authorized agent shall inspect systems known to be, or alleged to be, malfunctioning. Should said inspections reveal that the system is indeed malfunctioning, the authorized agent shall order action to be taken to correct the malfunction. If total correction cannot be done in accordance with the regulations of PADEP including, but not limited to, those outlined in 25 Pa.Code, Chapter 73, or is not technically or financially feasible in the opinion of the authorized agent and a representative of PADEP, then action by the property owner to mitigate the malfunction shall be required.

6. There may arise geographic areas where numerous on-lot sewage disposal systems are malfunctioning. A resolution of these area-wide problems may necessitate detailed planning and a revision to the portion of the Sewage Facilities Plan pertaining to areas affected by such malfunctions. When a PADEP authorized Official Sewage Facilities Plan revision has been undertaken, mandatory repair or replacement of individual malfunctioning sewage disposal systems within the area affected by the revision may be delayed, pending the outcome of the plan revision process. However, immediate corrective action may be compelled whenever a malfunction, as determined by township officials and/or the Department, represents a serious public health or environmental threat.

(Ord. 427, 9/10/1997)

§18-306. Operation.

Only normal domestic wastes shall be discharged into any on-lot sewage disposal system. The following shall not be discharged into the system:

A. Industrial waste.

B. Automobile oil and other nondomestic oil.

C. Toxic or hazardous substances or chemicals, including, but not limited to, pesticides, disinfectants (excluding household cleaners), acids, paints, paint thinners, herbicides, gasoline and other solvents.

D. Clean surface water or groundwater, including water from roof or cellar drains, springs, basement sump pumps and french drains.

(*Ord. 427, 9/10/1997*)

§18-307. Maintenance.

1. Each person owning a building served by an on-lot sewage disposal system which contains a septic tank shall have their septic tank pumped by a qualified pumper/hauler at least once every 3 years or whenever an inspection reveals that the septic tank is filled with solids or with scum in excess of one-third of the liquid depth of the tank. Receipts from the pumper/hauler shall be kept by the owner and furnished to the Township upon their request.

2. The required pumping frequency may be increased at the discretion of an authorized agent if the septic tank is undersized, if solids buildup in the tank is above average, if the hydraulic load on the system increases significantly above average, if a garbage grinder is used in the building, if the system malfunctions or for other good cause shown.

3. Any person owning a property served by a septic tank shall have, with each required pumping, an inspection by the pumper/hauler, or any other qualified individual acceptable to the Township, of the baffles in the septic tank. Inspection records shall be kept by the owner and furnished to the Township upon their request. Any person whose septic tank baffles are determined to require repair or replacement shall first contact the Health Department for approval of the necessary repair.

4. Any person owning a building served by an on-lot sewage disposal system which contains an aerobic treatment tank shall follow the operation and maintenance recommendations of the equipment manufacturer. A copy of the manufacturer's recommendations and a copy of the service agreement shall be kept by the owner and furnished to the township upon their request. Service receipts shall also be kept by the owner and furnished to the township upon their request. In no case may the service or pumping intervals for aerobic treatment tanks exceed those required for septic tanks.

5. Any person owning a building served by a cesspool or dry well in an area of numerous malfunctions, or in an area where a repair is not technically feasible, shall have that system pumped according to the schedule prescribed for septic tanks to eliminate potential pollution. As an alternative to this scheduled pumping of the cesspool or dry well, and pending any scheduled replacement of the substandard system as identified in the Official Sewage Facilities Plan, the owner may apply for a sewage permit from the Health Department for a septic tank to be installed preceding the cesspool or dry well. For this interim repair system consisting of a cesspool or dry well preceded by an approved septic tank, only the septic tank must be pumped at the prescribed interval.

6. Additional maintenance activity may be required as needed including, but not necessarily limited to, cleaning and unclogging of piping, servicing and the repair of mechanical equipment, leveling of distribution boxes, tanks and lines, removal of

obstructing roots or trees, the diversion of surface water away from the disposal area, etc.

(*Ord. 427, 9/10/1997*)

§18-308. System Rehabilitation.

1. No person shall operate or maintain an on-lot sewage disposal system in such a manner that it malfunctions. All liquid wastes, including kitchen and laundry wastes and water softener backwash, shall be discharged to a treatment tank. No sewage system shall discharge untreated or partially treated sewage to the surface of the ground or into the waters of the commonwealth unless a permit for such discharge has been obtained from PADEP.

2. A written notice of violation shall be issued to any person who is the owner of any property which is found to be served by a malfunctioning on-lot sewage disposal system or which is discharging sewage without a permit.

3. Within 7 days of notification by the Township that a malfunction has been identified, the property owner shall make application to the Health Department for a permit to repair or replace the malfunctioning system. Within 30 days of initial notification by the Township, construction of the permitted repair or replacement shall commence. Within 60 days of the original notification by the Township, the construction shall be completed unless seasonal or unique conditions mandate a longer period, in which case the Township shall set an extended completion date.

4. The Bucks County Department of Health shall have the authority to require the repair of any malfunction by the following methods: cleaning, repair or replacement of components of the existing system, adding capacity or otherwise altering or replacing the system's treatment tank, expanding the existing disposal area, replacing the existing disposal area, replacing a gravity distribution system with a pressurized system, replacing the system with a holding tank or any other alternative appropriate for the specific site.

5. In lieu of, or in combination with, the remedies described in subsection .4 above, the Health Department 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 or they may be required to be replaced by water conserving devices.

6. In the event that the rehabilitation measures in subsections .1 through .5 are not feasible or effective, the owner may be required to apply to PADEP for a permit to install an individual spray irrigation treatment system or a single residence treatment and discharge system. Upon receipt of said permit, the owner shall complete construction of the system within 30 days.

7. Should none of the remedies described in this Section be totally effective in eliminating the malfunction of an existing on-lot sewage disposal system, the property owner is not absolved of responsibility for that malfunction. The Township may require whatever action is necessary to lessen or mitigate the malfunction to the extent necessary.

(*Ord. 427, 9/10/1997*)

§18-309. Liens.

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

(Ord. 427, 9/10/1997)

§18-310. Disposal of Septage.

1. All septage originating within the sewage management area shall be disposed of in accordance with the requirements of the Solid Waste Management Act (Act 97 of 1980), 35 P.S. §6018.101 *et seq.*, and all other applicable laws and at sites or facilities approved by PADEP. Approved sites or facilities shall include the following: septage treatment facilities, wastewater treatment plants, composting sites and approved farmlands.

2. Pumper/haulers of septage operating within the sewage management district 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 *et seq.*, and all other applicable laws.

(Ord. 427, 9/10/1997)

§18-311. Administration.

1. The Township shall fully utilize those powers it possesses through enabling statutes and ordinances to effect the purposes of this Part.

2. The Township shall employ qualified individuals to carry out the provisions of this Part. Those employees may include an administrator and such other persons as may be necessary. The Township may also contract with private qualified persons or firms, as necessary, to carry out the provisions of this Part.

3. All permits, records, reports, files and other written material relating to the installation, operation and maintenance and malfunction of on-lot sewage disposal systems in the sewage management area shall become the property of, and be maintained by the Township. Existing and future records shall be available for public inspection during regular business hours at the official office of the Township. All records pertaining to sewage permits, building permits, occupancy permits and all other aspects of the sewage management program shall be made available, upon request, for inspection by representatives of the Pennsylvania Department of Environmental Protection.

4. The Township shall establish all administrative procedures necessary to properly carry out the provisions of this Part.

5. The Township may establish a fee schedule and authorize the collection of fees to cover the cost to the Township of administering this program.

(Ord. 427, 9/10/1997)

§18-312. Appeals.

1. Appeals from final decisions of the Township or any of its authorized agents under this Part shall be made to the Board of Supervisors, in writing, within 30 days from the date of written notification of the decision in question.

2. The appellant shall be entitled to a hearing before the Board of Supervisors at its next regularly scheduled meeting, if a written appeal is received at least 14 days prior to that meeting. If the appeal is received within 14 days of the next regularly scheduled meeting, the appeal shall be heard at the next regularly scheduled meeting. The municipality shall thereafter affirm, modify or reverse the aforesaid decision. The hearing may be postponed for a good cause shown by the appellant or the Township. Additional evidence may be introduced at the hearing, provided that it is submitted with the written notice of appeal.

3. A decision shall be rendered, in writing, within 30 days of the date of the hearing.

(Ord. 427, 9/10/1997)

§18-313. Violations and Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 427, 9/10/1997; as amended by Ord. 561, 4/25/2012)