

ORDINANCE No. 2005-01

AN ORDINANCE OF THE TOWNSHIP OF CORYDON, McKEAN COUNTY, COMMONWEALTH OF PENNSYLVANIA, REQUIRING A PERMIT FOR THE INSTALLATION OF INDIVIDUAL OR COMMUNITY SEWAGE DISPOSAL SYSTEMS

WHEREAS, the purpose of this ordinance is to promote the general health, safety and welfare of the citizens of this municipality.

WHEREAS, to conform to the Pennsylvania Department of Environmental Protection, Sewage Facilities Act, as amended,

BE IT ORDAINED by the Board of Supervisors of Corydon Township, McKean County, Pennsylvania, and it is hereby ordained by and with the authority of the same as follows:

Section 1:

No person, persons, organization or corporation shall install, construct or award a contract for construction, or alter, or repair any waste water sewage disposal system, nor construct any building for which a waste water sewage disposal system is to be installed in Corydon Township without first obtaining an approved permit indicating that the site, plans and specifications of such system are in compliance with the Pennsylvania Sewage Facilities Act, as amended, and the Rules and Regulations adopted pursuant to said Act as promulgated by the Department of Environmental Protection.

Section 2:

The provisions of Section 1 of this Ordinance shall also apply to the installation of any individual or community sewage disposal system on any parcel of land of ten (10) acres or more.

Section 3: Sewage Enforcement Officer

The Township shall appoint a State Certified Sewage Enforcement Officer to who all applications for the herein required permits shall be made. Upon making such application to the said officer a fee for basic services as hereby established in Exhibit A "Schedule of Sewage Enforcement Officer Fees", or as may hereafter be amended by resolution of the Supervisors, shall be paid by applicant. The stated fee does not include the cost of labor, materials and equipment for preparing test pits and percolation holes for conducting required percolation tests. Such labor and materials shall be provided by the applicant.

Section 4: Permits

Each permit issued for a sewage disposal system to be located in Corydon Township, McKean County, Pennsylvania, by virtue of this ordinance shall have legal effect for three (3) years from the date of issue for completion of installation.

Section 5:

In the event that, upon proper application and payment of the required fee for an individual or community sewage disposal permit by an applicant, the proposed site of such systems is rejected by the Sewage Enforcement Officer by reason of the unsuitability of the soil following the initial test pit, the applicant shall be refunded a portion of the fee as described in Exhibit A attached hereto.

Section 6:

All applicants subject to this ordinance shall comply with the request of the township or the Township Sewage Enforcement Officer to produce information, data, maps, plans and other documents which may be required under the application State regulations.

Section 7: Subdivision

A. In Accordance with the rules and Regulations of the Department of Environmental Protection promulgated pursuant to the Pennsylvania Sewage Facilities Act of 1974, no permit for the installation of any individual or community subsurface sewage disposal system shall be issued to any individual who shall subdivide a parcel of land into two or more parcels, nor shall any permit be issued to any successor in title to anyone of such subdivided parcels, unless a prior determination is made by the Department of Environmental Protection, upon recommendation of the Board of Supervisors of the Township of Corydon, that the proposed subdivision would either:

1. Be in Conformity with the existing municipal water and sewage plan, or
2. Be of such nature as to require a revision of or supplement to the municipal plan, and the plan is duly revised by the Board of Supervisors of Corydon Township and the Department of Environmental Protection.

B. In Accordance with the state regulation mentioned in subparagraph A of this section, no application for individual or community waste water sewage disposal system permit shall be considered for any parcel within a proposed subdivision unless the sub divider thereof shall make application, where appropriate, for the approval of a supplement or revisions of the existing municipal plan and pay the applicable fee therefore which is hereby established in Exhibit A attached hereto.

It will be the responsibility of the applicant to provide the Sewage Enforcement Officer, upon application, with all information and data required under the applicable state regulations, including the provisions of a reproducible copy of the subdivision plan showing the location of all lots and 5 foot contour intervals on a scale of not less than 100 feet to the inch. All such information shall be included with forms provided by the township Sewage Enforcement Officer and shall constitute in such form the sub divider's completed application for approval of a plan supplement or revision.

It shall further be the responsibility of the sub divider to provide at the request of the Sewage Enforcement Officer any test holes or percolation holes as well as any other materials which may be necessary for the Sewage Enforcement Officer to properly evaluate the subdivision.

It shall be the responsibility of the Sewage Enforcement Officer to review on behalf of the municipality the contents of such application and with in twenty (20) days of his receipt thereof, to forward same to the Board of Supervisors of Corydon Township with his recommendation as to approval or disapproval of the proposed revision or supplement.

Section 8: Violations

Any person who shall violate any of the provisions of this Ordinance, regulations or standards promulgated under the Sewage Facility Act or who is the owner of a property on which a condition exists which constitutes a nuisance under this act or who resists or interferes with any officer, agent or employee of a local agency or the department, in accordance with the provisions of this act, in the performance of his duties, shall be guilty of a summary offense. Upon conviction thereof, such person shall be sentenced to pay a fine of not less than five hundred dollars (\$500) nor more than five thousand dollars (\$5,000), plus court costs, or to imprisonment not to exceed ninety days, or both.

Section 9:

All ordinances and parts of ordinances inconsistent with this Ordinance are hereby repealed and so far as inconsistent herewith. Sewage Ordinance signed May 7, 1968, and Amendments are hereby specifically repealed.

Section 10:

This ordinance shall become effective five days after adoption.

ENACTED AND ORDAINED this _____ day of _____, 2005

Timothy P. Yohe

Steve Foster

Harry Tome

ATTESTED

Marcia A. Kuhn, Secretary / Treasurer