

Chapter 18

Sewers and Sewage Disposal

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Part 1**Connection to Public Sewers Required****§18-101. Definitions.**

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

*Authority*¹—the Lake Meade Municipal Authority, or the Reading Township Municipal Authority, municipal authorities of the Commonwealth of Pennsylvania.

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

Commonwealth—the Commonwealth of Pennsylvania.

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 sanitary sewage and/or industrial wastes shall be or may be discharged.

Industrial establishment—any improved property located in this Township used or intended for use, wholly or in part, for the manufacturing, processing, cleaning, laundering or assembling of any product, commodity or article, or any other improved property located in this Township from which wastes, in addition to or other than sanitary sewage, shall be discharged.

Industrial wastes—any and all wastes discharged from an industrial establishment, other than sanitary sewage.

Lateral—that part of the sewer system extending from a sewer to the curb line or, if there shall be no curb line, to the property line 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 improved property.

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

Sanitary sewage—normal water-carried household and toilet wastes from any improved property.

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, transporting, treating and disposing of sanitary sewage and/or industrial wastes, situate in or adjacent to this Township and owned by the Authority.

¹Editor's Note: These rules and regulations are identical to those established by *Ord. 1975-1*, which were for the sewage system constructed by the Reading Township Municipal Authority.

Street—shall mean and include any street, road, lane, court, cul-de-sac, alley, public way or public square.

Township—the Township of Reading, Adams County, Pennsylvania, a municipal subdivision of the Commonwealth, acting by and through its Board of Supervisors or, in appropriate cases, acting by and through its authorized representatives.

(*Ord. 1976-4, 5/24/1976, Art. I; as amended by Ord. 1987-2, 7/16/1987, §18-101*)

§18-102. Use of Public Sewers Required.

1. The owner of any improved property accessible to and whose principal building is within 150 feet from the sewer system shall connect such improved property with and shall use such sewer system, 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 sanitary sewage and industrial wastes from such improved property; subject, however, to such limitations and restrictions as shall be established herein or otherwise shall be established by this Township, from time to time.

2. All sanitary sewage and industrial wastes from any improved property, after connection of such improved property with a sewer shall be required under §18-102.1, shall be conducted into a sewer; subject, however, to such limitations and restrictions as shall be established herein or otherwise shall be established by this Township, from time to time.

3. No person shall place, shall deposit or shall permit to be placed or to be deposited upon public or private property within this Township and sanitary sewage or industrial wastes in violation of §18-102.1. No person shall discharge or shall permit to be discharged to any natural outlet within this Township any sanitary sewage or industrial wastes in violation of §18-102.1, except where suitable treatment has been provided which is satisfactory to this Township.

4. No privy vault, cesspool, sinkhole, septic tank or similar receptacle shall be used or shall be maintained at any time upon any improved property which has been connected to a sewer or which shall be required under §18-102.1 to be connected to a sewer. 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 shall be filled, at the expense of the owner of such improved property, 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, not 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.

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

6. The notice by this Township to make a connection to a sewer, referred to in §18-102.1, shall consist of a copy of this Part, including any amendments and/or supplements at the time in effect, or a summary of each Section thereof, and a written or printed document requiring the connection in accordance with the provisions of this Part and specifying that such connection shall be made 60 days from the date such notice is given. Such notice may be given at any time when a sewer is in place which can receive and can convey sanitary sewage and industrial wastes for treatment and

disposal from the particular improved property. Such notice shall be served upon the owner in accordance with law.

(*Ord. 1976-4, 5/24/1976, Art. II*)

§18-103. Building Sewers and Connections.

1. No person shall uncover, shall connect with, shall make any opening into or shall use, shall alter or shall disturb, in any manner, any sewer or any part of the sewer system without first obtaining a permit, in writing, from this Township.

2. Applications for a permit required under subsection .1 shall be made by the owner of the improved property served or to be served or by the duly authorized agent of such owner.

3. No person shall make or shall cause to be made a connection of any improved property with a sewer until such person shall have fulfilled each of the following conditions:

A. Such person shall have notified the Secretary of this Township of the desire and intention to connect such improved property to a sewer.

B. Such person shall have applied for and shall have obtained a permit as required by subsection .1.

C. Such person shall have given the Secretary of this Township at least 24 hours notice of the time when such connection will be made so that this Township may supervise and inspect or may cause to be supervised and inspected the work of connection and necessary testing.

D. If applicable, such person shall have furnished satisfactory evidence to the Secretary of this Township that any tapping (or connection) fee which may be charged and imposed by the Authority against the owner of each improved property who connects such improved property to a sewer has been paid.

4. Except as otherwise provided in this subsection, 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 this Township, in writing, shall have been secured and only subject to such rules, regulations and conditions as may be prescribed by this Township.

5. All costs and expenses of construction of a building sewer and all costs and expenses of connection of a building sewer to a sewer shall be borne by the owner of the improved property to be connected and such owner shall indemnify and shall save harmless this Township and the 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 sewer.

6. A building sewer shall be connected to a sewer at the place designated by this Township or by the Authority and where, if applicable, the lateral is provided. The invert of a building sewer at the point of connection shall be at the same or higher elevation than the invert of the sewer. A smooth, neat joint shall be made and the connection of a building sewer to the lateral shall be made secure and watertight.

7. If the owner of any improved property abutting on or adjoining any street in

which a sewer constituting part of the sewer system is located, after 60 days notice from this Township requiring the connection of such improved property with a sewer, in accordance with §18-102.1, 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 by a municipal claim, an action in assumpsit or such other legal proceeding as may be permitted by law.

(Ord. 1976-4, 5/24/1976, Art. III)

§18-104. Rules and Regulations Governing Building Sewers and Connections to Sewers.

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

2. 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.

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

4. Every excavation for a building sewer shall be guarded adequately with barricades and lights to protect all persons from damage and injury. Any street, sidewalk 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.

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

6. 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 with the sewer system, which additional rules and regulations, to the extent appropriate, shall be construed as part of this Part.

(Ord. 1976-4, 5/24/1976, Art. IV)

§18-105. Enforcement.

Any person who shall violate this Part shall, upon being found liable thereof in a civil enforcement proceeding, commenced by Reading Township, pay a fine of not less than \$15 nor more than \$600 plus all court costs, including reasonable attorney's fees incurred by Reading Township. Each day that a violation shall continue shall be deemed and shall be taken to be a separate offense and shall be treated as such. The Reading Township Police Department, the appropriate enforcement officers of Reading Township or other appropriate officers or authorized agents on behalf of Reading

Township shall have the power to enforce the provisions of this Part. The amount of the fine imposed for the violation of this Part shall be established by the officer who determines that a violation has occurred. Notice of the violation of this Part and the amount of the fine imposed shall be given by personal delivery or by certified mail to the person or entity violating this Part. If the person or entity violating this Part fails or refuses to pay the fine imposed within the period specified within the notice of the violation of this Part, the Township, or an officer or authorized agent thereof, shall file a civil enforcement proceeding with the district justice to enforce the fine imposed. Any violation of this Part shall be deemed a separate offense for each and every day such violation shall continue and shall subject the violator thereof to the penalties above imposed for each and every separate offense.

(Ord. 1976-4, 5/24/1976, Art. V; as amended by Ord. 1996-3, 12/9/1996, §2)

Part 2

On-Lot and Community Sewage Systems

§18-201. Purpose.

The purpose of this Part is to require, to clarify and to specify those instances when it is necessary for person and/or property owner in Reading Township to apply for and obtain a permit for the installation of an individual sewage system or a community sewage system; to provide for the proper maintenance and care of all on-lot sewage disposal systems within Reading Township; to provide for the routine pumping out of said systems; to provide the Township inspections of said systems; to authorize intervention by the Township in situations involving health hazards or public nuisance; and to insure Township compliance with the Pennsylvania Sewage Facilities Act,⁵ the Clean Streams Law and other appropriate health and safety laws.

(Ord. 1996-2, 7/8/1996, §1)

§18-202. Definitions.

The terms used in this Part have the same meaning and definition as set forth in the Pennsylvania Sewage Facilities Act, 1966, January 24, P.L. (1965), No. 547, 35 P.S. §750.1 *et seq.*, as amended, and the rules and regulations adopted thereunder by the Pennsylvania Department of Environmental Protection or its successor agency.

(Ord. 1996.:2, 7/8/1996, §2)

§18-203. Permit Required.

- A. No person shall install, construct, request a bid proposal or award a contract for construction or alter, repair or connect to 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 on property located within Reading Township, Adams County, Pennsylvania, without first obtaining a permit indicating that the site and the plan and specifications of such system are in compliance with this Part and with the provision of the Pennsylvania Sewage Facilities Act, 35 P.S. §750.1 *et seq.*, as amended, as well as the rules and regulations adopted thereunder by the Pennsylvania Department of Environmental Protection or its successor agency. Such a sewage permit shall be required in all instances in which a person desires to install, construct, alter or change an individual or community sewage system on any tracts of land of any size at any location in Reading Township, Adams County, Pennsylvania, regardless of the use of the land and without regard to the amount of acreage involved. Specifically, this Part requires the obtaining of a sewage permit for sewage systems on tracts of land of 10 acres or more regardless of whether or not said system is intended to be on-lot sewage system for a residential structure occupied or intended to be occupied by the property owner or a member of his or her immediate family. (*Ord. 1996-2, 7/8/1996, §3*)

- B. 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 Township's SEO that such a permit will not be required. The SEO shall determine whether the proposed alteration or conversion of the structure will result in increased sewage flows.

§18-204. Permits to Be Obtained from Sewage Enforcement Officer.

All permits for the construction, installation, alteration or change of an individual sewage system or community sewage system shall be obtained from the Reading Township Sewage Enforcement Officer (SEO) and the permitted shall be subject to all the conditions that may be required by any rules and regulations adopted by the Reading Township, County of Adams, and by the Commonwealth of Pennsylvania concerning the issuance of sewage permits.

(Ord. 1996-2, 7/8/1996, §4)

§18-205. Granting of Variances.

If any provision of this Part is shown by the land owner to be unreasonable of application or such as to cause undue hardship not of his or her own making in the special conditions of such a situation, the Township may grant a variance from the literal requirements of such provision, provided, however; that such variance will not be contrary to the public interest; that justice will be done; that the purpose and intent of this Part is observed; and that there is no violation of the Pennsylvania Sewage Facilities Act, 35 P.S. §750.1 *et seq.*, and the rules and regulations adopted thereunder.

- A. Any request, for such a variance shall be in writing and shall state in full the grounds and facts of unreasonableness or hardship upon which the request is based and the exact variance which is requested.
- B. All proposals for variance from the provisions of this Part shall be reviewed by the Reading Township Planning Commission and a recommendation in regard to said variance shall be made in writing to the Reading Township Board of Supervisors.
- C. All proposals for variance from the provisions of this Part shall be reviewed by the Reading Township Board of Supervisors at said Board's regular meeting or at a special meeting called for that purpose. Said variance shall be effected only when approved by the Board of Supervisors at such public meeting.
- D. A record of all such variances shall be kept by the Township, shall appear on the official minutes of the Planning Commission and the Board of Supervisors. Written notification of the granting of such a variance shall be sent by the Township to the applicant and a copy of the same will be forwarded to the Township SEO.

(Ord. 1996-2, 7/8/1996, §5)

§18-206. Penalty.

- A. Any person who violates any provision of this Part shall, upon conviction thereof by summary proceedings, be subject to pay a fine of not less than \$100 nor more than \$300 and costs, and in and default of said fine and costs, to undergo imprisonment in the Adams County Prison for a period not to exceed 30 days. (Ord. 1996-2, 7/8/1996, §6)
- B. Any malfunctioning sewage disposal system, which is not repaired within 30 days of notice from the Township, shall subject the owner to a fine of \$300 per violation. Each day constitutes a separate violation.
- C. Any owner who fails to comply with the pumping and proof requirements of this article shall be subject to a fine of \$50 per violation. Each thirty-day period where said requirements are not complied with shall constitute a separate section violation.

§18-207. Nuisance.

In addition to any other remedies provided in this Part any violation of this Part shall constitute a nuisance and may be abated by the Reading Township by either seeking appropriate equitable or legal relief from a court of competent jurisdiction or by enforcement of the Township's Nuisance Ordinance [Chapter 10, Part 2], if applicable.

(Ord 1996-2, 7/8/1996, §7)

§18-208. Inspections.

- A. To facilitate the inspection and maintenance of on-lot sewage disposal systems, all real property owners within the Township shall mark the location of the septic tank and provide access (by excavating, if necessary) to the large inner lid (approximately twenty-four (24) inches in diameter) of the tank. Permanent access shall be provided through installation of one or more risers, as needed, to permit the installation of an outer lid at a minimum level of ground level, in addition to retaining the access port in the tank. The inner and outer lids shall remain permanently in place to enable easy access to the waste disposal tank; prevent odors from escaping; and prevent unauthorized entry. Note: Each tank of a multiple tank system must be provided with the above described risers and lids. Said inspection port shall be subject to approval by the Township or its agent. This shall include the SEO, employee of the Township, Professional Engineer, plumbing inspector or any other qualified or licensed person who is authorized to function within specified limits as an agent of the Township. Permanent access risers and an outer cover shall be provided in all newly installed or rehabilitated sewage disposal systems prior to the SEO's final inspection.
- B. Any on-lot sewage disposal system within the Township shall be subject to inspection by an authorized agent during normal business hours. Notice of intent to inspect shall, where possible, be given to either the owner of the property or to the person or persons in possession of the property at least forty-eight (48) hours in advance. Notice shall not be required where there is reason to believe that a malfunction is existent.

- C. 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.
- D. An authorized agent shall have the right to enter upon land for the purposes of inspections described in this section.
- E. An initial inspection shall be conducted by an authorized agent during the first cycle of the mandatory pump out for the purpose of determining the type and functional status of each sewage disposal system in the Sewage Management District. A copy of the inspection report shall be furnished to the owner of each property inspected which shall include all of the following information which is reasonably available to the individual or agency responsible for pumping the septic tank; date of inspection; name and address of the system owner; description and diagram of the location of the system including location of access hatches, risers, and markers; size of tanks and disposal fields; current occupant's name and number of users; indication of any system malfunction observed; result of any and all soils and water tests; and any remedial action required. A copy of said report shall be maintained in the Township records.
- F. A schedule of routine inspections will be established to assure the proper functioning of the sewage systems in the Township no less than once every five (5) years, or on an as-needed basis. If an Owner can provide a written record to indicate that the sewage system was properly pumped out and inspected within a period no more than 18 months prior to when the property is due to be inspected pursuant to the normal rotation of pump out districts, the Township shall consider this as meeting the pump out and inspection requirements of this Part. Properties will be due to be inspected as set out in the On-Lot Sewage Pumping Districts Map made a part of this Ordinance.
- G. 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 DEP including, but not limited to, those outlined in Chapter 73 of Title 25 of Pennsylvania Code or, is not technically or financially feasible in the opinion of the authorized agent and a representative of DEP; then action by the property owner to mitigate the malfunction shall be required.
- H. If there arises a geographic area 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. If a DEP authorized Official Sewage Facilities Plan Revision has been undertaken, 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 will be compelled whenever a malfunction, as determined by Township officials and/or DEP, represents a serious public health or environmental threat.

§18-209. Operation.

- A. 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 untreated sewage to the surface of the ground or into the waters of the Commonwealth unless a permit for such discharge has been obtained from DEP.
- B. Only normal domestic sewage shall be discharged into the on-site sewage disposal system. The following wastes shall not be discharged into said systems:
 - a. Industrial waste.
 - b. Fats and grease.
 - c. Automobile oil and other nondomestic oils.
 - d. 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.
 - e. Clean surface or groundwater, including water from roof or cellar drains, springs, basement sump pumps and French drains.

§18-210. Maintenance.

- A. The septic tanks of all subsurface sewage disposal systems shall be pumped out every **five (5)** years or at other reasonable intervals as established by the Township which are commensurate with the type and location of said system. An authorized septic hauler shall perform said pumping.
- B. The required interval for mandatory pumping out shall be a condition for the issuance of a sewage disposal system permit and said interval shall appear on each permit hereinafter issued.
- C. Each property owner shall be responsible for the continuing care and maintenance of the on-site sewage system and issuance of a sewage disposal system permit shall be conditioned upon the continued care and maintenance of said system.
- D. Any person owning a structure 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 said recommendations and a copy of the service agreement shall be submitted to the Township upon application for

a sewage permit. Thereafter, service receipts shall be submitted to Township at intervals set forth in said recommendations. In no case may the service or pumping intervals for aerobic treatment tanks exceed those required for septic tanks.

- E. Any person owning a structure served by an on-lot sewage disposal system, which contains a denitrification unit, shall follow the operation and maintenance recommendations and a copy of the service agreement of the equipment manufacturer. A copy of said recommendations shall be submitted to the Township upon application for a sewage permit. Thereafter, service receipts shall be submitted to Township at intervals set forth in said recommendations.
- F. Any person owning a building served by a cesspool or dry well shall apply for a sewage permit from the Township's SEO for a septic tank to be installed preceding the cesspool or dry well. Once installed, the septic tank preceding a cesspool or dry well must be pumped at the same prescribed interval as septic tanks connected to other types of systems.
- G. 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.
- H. Failure to comply with said maintenance shall result in the revocation of the owner's permit to use and operate said system.
- I. Each time a septic tank is pumped out, the property owner shall provide the Township with proof of said pumping on a form provided by the Township. Said form shall contain the following:
 - a. Date of pumping.
 - b. Name and address of owner.
 - c. Address of on-lot system, if different from the owner's.
 - d. Description and diagram of the location of the tank, including the location of any markers, risers, access hatches, and size of treatment tanks.
 - e. Date the system was installed (estimate if necessary).
 - f. Date of last pump-out.
 - g. Any indications of system malfunction observed.
 - h. Amount of septage or other semi-solid or solid material removed.
 - i. Waste hauler's name and license number.
 - J. Ultimate septage disposal site.
 - k. List of other maintenance performed.
 - l. A statement that the system has been found to be in satisfactory working order.
 - m. List the condition of tank baffles.

- J. Failure of any owner to provide proof of pumping as required in §18-210(1) at least as often as the established interval shall serve as competent and sufficient evidence of failure to perform necessary maintenance and care and shall serve as the basis for Township to obtain an administrative search warrant in order to inspect said system.
- K. 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. If any person can prove that such person's septic tank had been pumped within one and one-half years of the effective date of this ordinance, then that person's initial required pumping may be delayed to conform to the general five-year frequency requirement except where an inspection reveals a need for more frequent pumping frequencies.

§18-211. Rehabilitation of malfunctioningsystems.

- A. Any on-lot sewage disposal system or component thereof which is found to be malfunctioning and causing pollution of ground or surface waters, or contamination of private or public drinking water supply, a nuisance, or a hazard to the public health, shall be repaired, modified, or replaced, pursuant to the order of the Township or its authorized agent to correct the condition which caused the malfunction. Rehabilitation shall be performed in accordance with Chapter 73, "Standards for Sewage Disposal Facilities," of Title 25, Rules and Regulations, Department of Environmental Protection. The SEO shall inspect rehabilitation and certify compliance with state and local standards. The Township shall retain final authority for the conditions and issuances of sewage permits.
- B. 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.
- C. Within ten (10) days of notification by the Township that a malfunction has been identified, the property owner shall make application to the SEO for a permit to repair or replace the malfunctioning system. Within thirty (30) days of initial notification by the Township, construction of the permitted repair or replacement shall commence. Within sixty (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.
- D. The SEO 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 areas, 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.

- E. In lieu of, or in combination with, the remedies described in Subsection D above, the SEO 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.
- F. In the event that the rehabilitation measures in Subsections A through E are not feasible or effective, the owner may be required to apply for a permit to install an individual spray irrigation treatment system or to DEP for a single residence treatment and discharge system. Upon receipt of said permit the owner shall complete construction of the system within thirty (30) days.
- G. 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.
- H. The owner of an on-lot sewage disposal system shall not undertake any independent repair, modification, or replacement of the system without a sewage permit. Upon completion, the SEO shall inspect the rehabilitated system and certify its compliance with state and local standards prior to its use.
- I. Reading Township shall have the right and authority to recover any monies expended by it in the rehabilitation of a malfunctioning septic system, in the abatement of a nuisance, or in the enforcement of any provisions of this Chapter and Part as to any lot or property owner by the filing of a municipal lien pursuant to the Municipal Claims and Tax Lien Act of 1923, Act of May 16, 1923, P.L. 207, as amended and supplemented, 53 P.S. Sections 7101 to 7505.

§18-212. Disposal of Septage.

- A. All septage originating within the Township 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 DEP. Approved sites or facilities shall include the following: septage treatment facilities, wastewater treatment plants, composting sites, and approved farm lands.
- B. Pumper/haulers of septage operating within the Township shall operate in a manner consistent with the provisions of the Pennsylvania Solid Waste Management Act (Act 97 of 1980, 35 P.S. §§6018.101-6018.1003) and all other applicable laws. If any pumper/hauler shall have been convicted of any violation of this ordinance, the local agency shall have the power to suspend said pumper/hauler from operating within the Township.

§18-213. Administration.

- A. The Township shall fully utilize those powers it possesses through enabling statutes and

ordinances to effect the purposes of this ordinance.

- B. The Township shall employ qualified individuals to carry out the provisions of this ordinance. Those employees shall include a SEO and 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 ordinance.
- C. All permits, records, reports, files and other written materials relating to the installation, operation and maintenance and malfunction of on-lot sewage disposal systems in the sewage management district 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 DEP.
- D. The Township Board of Supervisors shall establish all administrative procedures necessary to properly carry out the provisions of this ordinance.
- E. The Township Board of Supervisors may establish a fee schedule, and authorize the collection of fees, to cover the cost to the Township of administering this program.

§18-214. Appeals.

- A. Appeals from final decisions of the Township or any of its authorized agents under this ordinance shall be made to the Board of Supervisors in writing within 30 days from the date of written notification of the decision in question.
- B. 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 business days prior to that 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.
- C. A decision shall be rendered in writing within 45 days of the date of the final hearing.

§18-215. Severability.

The provisions above are severable. Should any portion of this Ordinance be declared by a final order of court to be invalid, the remaining provisions shall be unaffected by such declaration and shall remain in force and effect.

Part 3**Holding Tanks****§18-301. Purpose.**

The purpose of this Part is to establish procedures for the use and maintenance of existing and new holding tanks designed to receive and retain sewage for existing improved properties, whether from residential or commercial uses, where, the existing on lot septic system is located in the Lachman Bottom Service Area (Act 537 Plan Exhibit No. 3, Wastewater Planning) which is malfunctioning or located in unsuitable (floodplain, etc.) soils 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 Municipality.

(Ord. 1991-3, 3/11/1991, §1)

§18-302. Definitions.

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

Authority—the Reading Township Municipal Authority, Adams County, Pennsylvania, a municipal authority of the Commonwealth.

Holding tank—a watertight 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 the sewage at another site.

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

Municipality—the Township of Reading, Adams County, Pennsylvania.

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 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.

(Ord. 1991-3, 3/11/1991, §2)

§18-303. Rights and Privileges Granted.

The Authority is hereby authorized and empowered to undertake within the Township the control and methods of holding tank use, sewage disposal and sewage collection and transportation thereof.

(Ord. 1991-3, 3/11/1991, §3)

§18-304. Rules and Regulations.

The Authority is hereby authorized and empowered to adopt such rules and regulations concerning sewage which it may deem necessary from time to time to effect the purposes herein.

(Ord. 1991-3, 3/11/1991, §4)

§18-305. Rules and Regulations to Be in Conformity with Applicable Law.

All such rules and regulations adopted by the Authority 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.

(Ord. 1991-3, 3/11/1991, §5)

§18-306. Rates and Charges.

The Authority 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. 1991-3, 3/11/1991, §6)

§18-307. 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 Authority, and the disposal thereof shall be made only at such site or sites as may be approved by the Department of Environmental Resources of the Commonwealth of Pennsylvania.

2. The Authority will receive, review and retain pumping receipts from permitted holding tanks.

3. The Authority will complete and retain annual inspection reports for each permitted tank.

(Ord. 1991-3, 3/11/1991, §7)

§18-308. Duties of Improved Property Owner.

The owner improved property that utilizes a holding tank shall:

A. Maintain the holding tank in conformance with this or any ordinance of this Township, the provisions of any applicable law, and the rules and regulations of the Authority and any administrative agency of the Commonwealth of Pennsylvania.

B. Permit only the Authority or its agent to inspect holding tanks on an annual basis.

C. Permit only the Authority or its agent to transport and dispose of the contents therein.

(Ord. 1991-3, 3/11/1991, §8)

§18-309. Violations.

Any person who violates any provisions of §18-308 shall, upon conviction thereof by summary proceedings, be sentenced to pay a fine of not less than \$100 and not more than \$300, and in default of said fine and costs, to undergo imprisonment in the County prison for a period not in excess of 30 days.

(Ord. 1991-3, 3/11/1991, §9)

§18-310. Abatement of Nuisances.

In addition to any other remedies provided in this Part, any violation of §18-308 above shall constitute a nuisance and shall be abated by the Municipality or the Authority by either seeking mitigation of the nuisance or appropriate equitable or legal relief from a court of competent jurisdiction.

(Ord. 1991-3, 3/11/1991, §10)

