

ORDINANCE NO. 38-1997

AN ORDINANCE PROVIDING FOR THE ENFORCEMENT OF THE PROVISIONS OF THE PENNSYLVANIA SEWAGE FACILITIES ACT OF JANUARY 24, 1966, P.L.1535, ACT NO. 537, AS AMENDED, IN THE TOWNSHIP OF MOUNT PLEASANT, COLUMBIA COUNTY, PROVIDING FOR THE APPOINTMENT OF AN OFFICIAL OF SAID MUNICIPALITY TO SERVE AS A MEMBER OF THE COLUMBIA COUNTY SANITARY ADMINISTRATIVE COMMITTEE, AND AUTHORIZING SAID COMMITTEE TO ESTABLISH AN APPEAL BOARD IN ACCORDANCE WITH THE PROVISIONS OF SAID SEWAGE FACILITIES ACT.

WHEREAS, the General Assembly of the Commonwealth of Pennsylvania, and the Governor of said Commonwealth approved, under date of January 24, 1966, P.L.1535, Act No. 537, known as the Pennsylvania Sewage Facilities Act, which Act, as subsequently amended, is referred to hereinafter as the "Act"; and

WHEREAS, said Act provides that no person shall install an individual or community sewage disposal system or construct any building in which an individual or community sewage disposal system is to be installed, without first obtaining a permit to do so; and

WHEREAS, in order for this municipality to accept applications for and to issue permits indicating that the site and the plans and specifications of proposed systems are in compliance with the provisions of the Act aforesaid and the standards adopted there under, it will be necessary that one or more Sewage Enforcement Officer(s) be appointed to make inquiry into and in connection therewith; and

WHEREAS, it is the opinion of this municipality, as well as that of the Pennsylvania Department of Environmental Protection, that the most efficient and economical method of receiving such applications, making such inspections and issuing such permits is on a regional basis; and

WHEREAS, the Columbia County Sanitary Administrative Committee, hereinafter referred to as the "Committee", has indicated its willingness to accept applications for permits, to make the required inquiry and investigations, and to issue and/or deny or revoke permits within the municipalities who have become members of said Committee, all pursuant to the requirements of the Act aforesaid;

WHEREAS, the Committee is to be composed of one person selected from the Board of Supervisors or Councilmen from each of the participating municipalities, with said Committee being vested with the power and authority, as the agent of, for and on behalf of such participating municipalities, to provide a staff for processing applications and permits under the Act, to make the required inspections, to administer the financial aspects of the program and to issue permits or deny or revoke the same; and

WHEREAS, the said Act provides for certain procedures for an Appeal Board to hold hearings in the event of the denial of a permit application, or a revocation of a permit, which Appeal Board shall be created by the Committee:

NOW, THEREFORE, BE AND THE SAME IS HEREBY ORDAINED, that the Township of Mount Pleasant, Columbia County, Pennsylvania, hereby directs, authorizes and empowers the Committee to administer all sections of the Act 537 described in Section 6(c) (1) and Section 13.2(b) including the following:

1. Accept applications for, make the required inspections and issue, deny or revoke permits pursuant to the requirements of the Act aforesaid, for and on behalf of the municipality;
2. Appoint one or more Sewage Enforcement Officer(s) to make, on behalf of this municipality, the required inspections within the said municipality and to receive applications for and to issue in the name of said municipality, permits as provided for by said Act or deny/or revoke the same;
3. To collect on behalf of this municipality the permit fees that shall be fixed by said Committee and adopted by this municipality, which permit fees shall be turned over to said Committee, this municipality further agreeing to turn over to the Committee all monies appropriated by or paid to said municipality in connection with the carrying out of the provisions of the Act aforesaid.
4. To employ such office staff, consultants, legal advisors and field help as it deems proper, insofar as its budget shall permit.
5. Through its Sewage Enforcement Officers, to institute such legal proceedings as it deems necessary or as advisable to insure compliance with the Pennsylvania Sewage Facilities Act as amended.

AND BE IT FURTHER ORDAINED, that the said municipality, in furtherance of the implementation of this regional program, hereby constitutes and appoints one representative of said municipality, to serve as a member of the Committee, said appointment to continue in full force and effect until such time as said municipality withdraws from the program or until such person ceases to be an elected Supervisor or Councilman of said municipality.

AND IT IS FURTHER ORDAINED that the Township of Mount Pleasant, Columbia County, hereby directs, authorizes and empowers that Committee to establish an Appeal Board, including the appointment of members thereto, to conduct hearings in the event of the denial or revocation of any permit, in accordance with the provisions of the Act, for and on behalf of this municipality.

AND IT IS FURTHER ORDAINED that said Committee shall present a proposed annual budget no later than November 30 at the semi-annual Administrative Committee meeting, at which time the budget is to be adopted as presented or be revised, then adopted. The new budget will become effective January 1st of the following year.

AND IT IS FURTHER ORDAINED that said Committee shall furnish this municipality with an annual audit of its books and records.

AND IT IS FURTHER ORDAINED that this Ordinance shall take effect upon its adoption as provided by law and continue in effect from year to year thereafter unless terminated by the Township at the end of any year following notice thereof to the Committee on or before November 1 of such year.

APPROVED AND ADOPTED as an Ordinance this 7<sup>th</sup> day of April.1997, and, to become effective five (5) days after date.

ATTEST:  
Boyd C. Laycock, Jr.

TOWNSHIP OF MOUNT PLEASANT  
COLUMBIA COUNTY

Jon E. Turner

John R. Gordner

Boyd C. Laycock, Jr.