

JACKSON TOWNSHIP
CAMBRIA COUNTY
PENNSYLVANIA

Ordinance No. 27

AN ORDINANCE DEFINING AND REGULATING HOLDING TANKS AND HOLDING TANK ENCLOSURES; ESTABLISHING MINIMUM STANDARDS GOVERNING THE INSTALLATION AND CONSTRUCTION OF HOLDING TANKS; ESTABLISHING MINIMUM STANDARDS GOVERNING THE INSPECTION AND PERMITTED USAGE AND ALL OTHER PHYSICAL CONDITIONS NECESSARY TO MAKE HOLDING TANK INSTALLATIONS SAFE, SANITARY, AND FIT FOR HUMAN USAGE; TO PROTECT, BENEFIT, AND PRESERVE THE HEALTH, SAFETY, AND WELFARE OF THE INHABITANTS OF JACKSON TOWNSHIP; FIXING THE RESPONSIBILITIES OF OWNERS AND USERS OF HOLDING TANKS; AND PENALTIES FOR VIOLATIONS.

The Supervisors of Jackson Township, Cambria County, Pennsylvania, hereby ordain as follows:

SECTION 1. DEFINITIONS. For the purpose of this Ordinance, the following words and phrases shall have the meaning ascribed to them in this section:

- A. BOARD OF SUPERVISORS means Jackson Township Board of Supervisors.
- B. CERTIFICATE OF REGISTRATION means the written approval as issued by the Board of Supervisors and the Pennsylvania Department of Environmental Resources authorizing utilization of holding tanks.
- C. HOLDING TANK means a watertight receptacle which receives and retains sewage and is designed and constructed to facilitate ultimate disposal of the sewage by pumping and hauling it to an approved discharge site. Holding tanks include but are not limited to the following:
 - 1. "Chemical Toilet" is a toilet using chemicals that discharge to a holding tank.
 - 2. "Retention Tank" is a holding tank where sewage is conveyed to it by a water carrying system.
 - 3. "Vault Pit Privy" is a holding tank designed to receive sewage where water under pressure is not available.
- D. IMPROVED PROPERTY shall mean any real estate within the Township of Jackson upon which there is erected a structure or structures intended for continuous or periodic habitation, occupancy, or use by human beings or animals and from which sewage shall or may be discharged.

E. OWNER shall mean any person or persons vested with ownership, legal or equitable, sole or partial, of any real estate located in Jackson Township.

F. PERSON(S) shall mean any individual, partnership, company, association, corporation or any other group or entity.

G. SEWAGE shall mean 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 harmful or inimical to the public health, safety, or welfare, or to animal or aquatic life, or to the use of any public or private water supply used for domestic consumption or recreation.

H. TOWNSHIP shall mean Jackson Township, Cambria County, Pennsylvania.

SECTION 2. RULES AND REGULATIONS.

A. The Township shall adopt such rules and regulations concerning sewage disposal as it may deem necessary from time to time to effect the purposes herein.

B. All rules and regulations adopted by the Township will be in conformity with the provisions herein, all other ordinances of the Township not inconsistent herewith, and all applicable laws and applicable rules and regulations of administrative agencies of the Commonwealth of Pennsylvania.

C. The Township shall fix, alter, and control rates, assessments, permit fees, and any other charges applicable to sewage disposal as provided for herein.

D. The collection and transportation of all sewage from any improved property utilizing approved holding tank facilities shall be done under the direction and control of the Township Sanitation Inspector and disposal thereof shall be made only at such site or sites as may be approved by the Commonwealth of Pennsylvania, Department of Environmental Resources.

SECTION 3. PERMITS AND CERTIFICATION.

A. The owner of any real estate proposing to utilize a holding tank or tanks for on-site disposal of sanitary sewage shall:

1. Apply for a Township sewage permit and any other permit required by the laws of the Commonwealth of Pennsylvania.
2. Attach proof of agreement between the owner and a certified sewage disposal hauler whereby the hauler contractually agrees to pump at regular intervals and dispose of at an approved site, the waste from the owner's holding tank or tanks.
3. Attach proof of agreement between the contract hauler and the owner of an approved waste disposal site satisfactory to the Commonwealth of Pennsylvania, Department of Environmental Resources.
4. And in addition, all waste disposal haulers authorized to pump, transport, and dispose of holding tank waste in the Township of Jackson shall furnish to the Township Supervisors a schedule of their pumping quantities to allow the Township to ensure sufficient size and capability of the tank or tanks being utilized.
5. The Township, and/or its authorized representative, shall inspect prior to the installation of any holding tanks, the construction, water tightness, size and location thereof.
6. If in the opinion of the Township or its authorized representative, any holding tank facility is broken, leaking, or not being satisfactorily pumped at regular intervals, the Township shall file violation proceedings and require immediate correction by the owner or operator of the property site involved.
7. The owner of property utilizing a holding tank or tanks shall maintain the tank or tanks in conformity with the requirements of this Ordinance, rules and regulations promulgated hereunder and the requirements of the proper administrative agency of the Commonwealth of Pennsylvania.

SECTION 4. PENALTIES.

A. Any person who violates any provisions of this Ordinance shall, upon conviction thereof by summary proceedings, be sentenced to pay a fine of not more than Three Hundred (\$300.00) Dollars and costs, and in default of said

fine and costs undergo imprisonment for a period not in excess of thirty (30) days. Whenever a violation has been officially certified by the Township, by letter or summons, or in any other official manner, each day's continuation of such violation after such notification shall constitute a separate offense punishable by like fine or penalty.

B. In addition to any other remedies provided in this Ordinance, any violation of any of the provisions herein shall constitute a public nuisance, and may be abated by the Township by seeking appropriate equitable or legal relief from a Court of competent jurisdiction.

SECTION 5. REPEALING OF PREVIOUS ORDINANCES.

A. Any ordinance or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 6. SEVERABILITY.

A. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance.

ENACTED AND ORDAINED, this 31 day of Oct, 1972.

TOWNSHIP OF JACKSON

By Ira Gilkey
Chairman

ATTEST:

Harry a. Liddy
Supervisor

Neil Harris
Secretary

Ronald W. Cruise
Supervisor