

**ORDINANCE NO. 2013 - 04**

**AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF DICKINSON, CHAPTER 159 SEWERS AND SEWAGE DISPOSAL, TO AMEND SECTION 159-2 DEFINITIONS AND WORD USAGE; SECTION 159-5 REPLACEMENT LOCATION FOR ON-LOT SEWAGE SYSTEM REQUIRED; SECTION 159-7 OPERATION, MAINTENANCE, INSPECTION, REPAIR AND REPLACEMENT; AND SECTION 159-8 PROOF OF COMPLIANCE**

IT IS HEREBY ENACTED AND ORDAINED by the Board of Supervisors of the Township of Dickinson, Cumberland County, Pennsylvania, as follows:

**Section 1. Purpose**

The purpose of this Ordinance is to amend Chapter 159, Sewers and Sewage Disposal, of the Code of the Township of Dickinson to (i) amend Section 159-2 to add a definition for “septage pumper/hauler”; (ii) amend Section 159-5 to require replacement location for on-lot sewage system only for new lots with marginal soils; (iii) amend Section 159-7 to provide for three year septic system inspection and or pumping cycles based on the most recent pumping or inspection performed on an individual system; and (iv) to amend Section 159-8 to require the owner of the individual septic system to provide proof of the pumping or inspection and a certification regarding prohibited substances.

**Section 2. Enabling Authority**

This Ordinance is enacted pursuant to the enabling authority of the Second Class Township Code, 53 P.S. §§ 66506, 66522 and the Pennsylvania Sewage Facilities Act., 35 P.S. §§ 750.1 *et seq.*

### Section 3. Amendment.

Section 159-2. Definitions and word usage is hereby amended to add the following:

#### SEPTAGE PUMPER/HAULER

An individual, partnership or corporation both licensed by the Pennsylvania Department of Environmental Protection to pump and haul septage pursuant to the requirements of the Solid Waste Management Act, 35 P.S. §§ 6018.101 *et seq.* and promulgated regulations thereunder and registered with the Township.

Section 159-5.A, General, first sentence is hereby amended to read:

After the effective date of this article, a replacement location for an on-lot sewage system shall be required for all newly created lots which are not serviced or to be serviced by a community sewage system, where such newly created lot has a marginal soils structure or other limitation to effective on-lot effluent treatment.

Section 159.7.A., General, is hereby amended by the addition of the following provision:

As of January 1, 2013, for all septic systems subject to Chapter 159 the three year cycle provided for in this section shall be based on a calendar year and the three year cycle shall be determined for each individual septic system from the date of either (i) the removal of septage or other solids or (ii) inspection that revealed that the treatment tank is filled, in a longer time interval, whichever event occurred immediately prior to April 15, 2013.

Section 159.8., Proof of Compliance, is hereby amended to read:

A. Proof of Pumping and/or Inspection. Within 30 days of the date of pumping and/or inspection of the individual septic system, the owner shall provide proof of pumping and/or inspection of the system to the Township. At a minimum, such proof shall contain the following information:

[No amendment is proposed to subsections (1) through (11).]

B. Owner Certification. In addition to the provision of the Proof of Pumping and/or Inspection required by Section 159.8.A, the owner shall concurrently provide to the Township a certification, on the form then in use by the Township, that, to the best of the owner's knowledge, the sewage contains none of the prohibited substances specified in Section 159.9.B.

**Section 4. Repealer.**

All ordinances, to the extent that the same are inconsistent with the terms of this Ordinance, are repealed.

**Section 5. Remainder.**

In all other respects, Chapter 159 of the Code of the Township of Dickinson, Pennsylvania shall remain as heretofore enacted and amended.

**Section 6. Severability.**

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. It is hereby declared as the intent of the Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

**Section 7. Effective Date.**

This Ordinance shall become effective five days following the date of enactment.

ENACTED AND ORDAINED this 15<sup>th</sup> day of April, 2013.

ATTEST:

*Denise Gembusia*  
Denise Gembusia, Township Secretary

(Seal)

**TOWNSHIP OF DICKINSON**

By: *Robert A. Wrightstone*  
Robert A. Wrightstone, Chairman

By: *Jonathan E. W. Reisinger*  
Jonathan E.W. Reisinger, Vice-chairman

By: *— ABSENT —*  
Allyn G. Perkins, Supervisor



**CERTIFICATE**

I, the undersigned, Secretary of the Township of Dickinson, Cumberland County, Pennsylvania (the "Township"), certify that: the foregoing is a true and correct copy of an Ordinance of the Board of Supervisors of the Township (the "Board"), which was duly enacted by affirmative vote of a majority of the members of the Board at a meeting held on April 15<sup>th</sup>, 2013; said Ordinance has been duly recorded in the Ordinance Book of the Township; said Ordinance has been duly published as required by law; and said Ordinance remains in effect, unaltered and unamended, as of the date of this Certificate.

**IN WITNESS WHEREOF**, I set my hand and affix the official seal of the Township, this 15<sup>th</sup> day of April, 2013.



Denise Gembusia  
Denise Gembusia, Treasurer/Secretary