

ORDINANCE NO. 30

AN ORDINANCE PROVIDING FOR INSPECTION OF SEWAGE FACILITIES, PROVIDING FOR A LICENSE FEE FOR THE INSPECTION THEREOF, AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF.

IT IS HEREBY ORDAINED AND ENACTED by the Board of Supervisors of Rush Township, as follows:

SECTION 1. This Ordinance shall be known and may be cited as the Rush Township Sanitation Ordinance.

SECTION 2. No person shall install an individual sewage disposal system or construct any building in which an individual sewage disposal system is to be installed or major alterations are to be made to an existing system, without first obtaining a permit indicating that the site and plans and specifications of such system are in compliance with this Ordinance, the provisions of Act No. 537, Act of January 24, 1966, P.L. 1535, as amended, and the standards and regulations of the Pennsylvania Department of Health.

SECTION 3. Application for the permit shall be submitted in writing to Rush Township on forms supplied by Rush Township, and shall be submitted to the Licensing Officer as hereinafter described. Said forms may be those supplied by the Committee on Sanitation for Schuylkill County.

SECTION 4. The Board of Supervisors of Rush Township shall, by resolution, designate a licensing officer, who shall serve at the pleasure of the said Board of Supervisors. The salary of the said officer shall be as fixed by the said Board of Super-

visors. The said officer may be the nominee of the Committee on Sanitation for Schuylkill County with the salary as set by agreement with said Committee.

SECTION 5. The Board of Supervisors of Rush Township shall by resolution, designate an inspection officer, who shall serve at the pleasure of the said Board of Supervisors. The salary of the said officer shall be as fixed by the said Board of Supervisors. The said officer may be the nominee of the Committee on Sanitation for Schuylkill County with the salary as set by agreement with said Committee.

SECTION 6. The inspection officer, upon consideration of the application for permit and sewage facility plans, shall within seven (7) days after receiving the said permit, issue the said permit or deny a permit. Denial of the permit shall be supported by a statement in writing of the reasons for such action. In the event the data submitted by the applicant is incomplete, the time for acting upon the said permit shall be extended for seven (7) days beyond the date of submission of adequate supplementary or amendatory data.

SECTION 7. No system or structure designed to provide individual sewage disposal to any realty improvement shall be covered from view until approval to cover the same has been given by the inspection officer. If forty-eight (48) hours have elapsed, excepting Sundays and Holidays, since the inspection officer received notification of completion of construction, the applicant may cover said system or structure unless permission has been re-

fused by the inspection officer.

SECTION 8. In case any permit is denied or revoked, a hearing shall be held thereon before the Board of Supervisors of Rush Township within fifteen (15) days after request therefor is made by the applicant. Within seven (7) days following the date of such hearing, the applicant shall be notified in writing of the determination of said hearing.

SECTION 9. In the event the inspection officer determines that any change has occurred in the physical conditions of any land of a realty improvement which will materially affect the operation of the individual disposal system covered by the permit, the permit shall be revoked and a new permit shall be obtained before construction shall proceed, provided that no additional charge shall be made if a second permit is applied for within thirty (30) days after the first permit shall be issued.

SECTION 10. The inspection officer shall have the power to make, or cause to be made, such inspections and tests as may be necessary to carry out the provisions of this Act and shall have the right to enter upon such lands for such purposes.

SECTION 11. There is hereby set as a license fee for a permit under the provisions of this Act, the sum of FIFTEEN (\$15.00) DOLLARS which shall be paid at the time of application for a permit. This license fee shall pay for the inspection of the data with respect to said permit, and in addition, for the inspection of the premises before the system shall be covered.

SECTION 12. The Board of Supervisors of Rush Township

shall have the power to institute in the Court of Common Pleas of Schuylkill County, proceedings to restrain the violation of this Act.

SECTION 13. Any person who shall violate any of the provisions of this Ordinance or who resists or interferes with any officer, agent or employee, in accordance with the provisions of this Ordinance, in the performance of his duties, shall upon conviction thereof in a summary proceeding before any Justice of the Peace in Schuylkill County be sentenced to pay a fine of not less than ONE HUNDRED (\$100.00) DOLLARS and costs, and not more than THREE HUNDRED (\$300.00) DOLLARS and costs, or in default thereof, shall be confined in the County Jail for a period of not more than THIRTY (30) DAYS.

SECTION 14. The provisions of this Ordinance are severable and if any provision or part thereof shall be held invalid or unconstitutional or inapplicable to any person or circumstances, such invalidity, unconstitutionality or inapplicability shall not affect or impair the remaining provisions of the Act.

SECTION 15. This Ordinance and the fee imposed hereby, shall become effective on the 23 day of Oct, 1968.

ENACTED AND ORDAINED this 18 day of Oct, 1968.

BOARD OF SUPERVISORS
OF RUSH TOWNSHIP

By: Samuel C. Kellet
Chairman

Attest: Homer E. Neifert
Secretary