

TOWNSHIP OF FISHING CREEK
ORDINANCE 02-1975

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 FISHING CREEK BY THE COLUMBIA COUNTY SANITARY ADMINISTRATIVE COMMITTEE, PROVIDING FOR THE APPOINTMENT OF AN OFFICIAL OF SAID MUNICIPALITY TO SERVE AS A MEMBER OF SAID 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 so to do; 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 thereunder, it will be necessary that an inspector or inspectors 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 Resources, 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 following municipalities who have become members of or are subscribers to said Committee, all pursuant to the requirements of the Act aforesaid; Cleveland Township, Madison Township, North Centre Township, Roaring Creek Township, Franklin Township, Locust Township, Hemlock Township, and Montour Township; and

WHEREAS the Committee is to be composed of one person selected from either the Board of Supervisors, Planning Commission or Secretary 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 an application for a permit, which Appeal Board will have to be created by the Committee;

NOW, THEREFORE, BE AND THE SAME IS HEREBY ORDAINED, that the Township of Fishing Creek, Pennsylvania, hereby directs, authorizes and empowers the Committee to do the following:

1. Accept applications for, make the required inspections and issue, deny and/or revoke permits pursuant to the requirements of the Act aforesaid, for and on behalf of this municipality;

2. Appoint an inspector or inspectors 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 and/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 advisers and inspectors as it deems proper, insofar as its budget shall permit;

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 appointed official of said municipality, a member of the municipality's planning commission or the municipality's secretary.

AND IT IS FURTHER ORDAINED that the Township of Fishing Creek hereby directs, authorizes and empowers the 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 furnish this municipality with a proposed budget annually before December 1 and that this municipality shall either approve or disapprove said budget at its December meeting in sufficient time for the Committee to vote prior to January 1.

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 remain in full force and effect for five (5) years from the date thereof unless sooner terminated by Fishing Creek Township on or before November 1 of any year.

APPROVED AND ADOPTED as an ordinance this 7th day of April, 1975, to become effective five (5) days after date.

ATTEST:

TOWNSHIP OF FISHING CREEK

Shirley M. Avery
Secretary

BY: Richard D. Wenner
Arthur Allegar

(seal)