

ORDINANCE NO. 92 - 1

An Ordinance of Monroe Township, Snyder County, Pennsylvania, amending the 1983 Holding Tank Ordinance.

Section 1 - Purposes: This Ordinance is adopted for the purpose of amending the 1983 Holding Tank Ordinance to conform to regulations promulgated by the Department of Environmental Resources on June 10, 1989, as published in Chapter 71 Administration of Sewage Facilities in Title 25 of the Pennsylvania Code.

Section 2 - Section 6 of the Ordinance is restated and amended as follows:

Section 6 - Exclusiveness of Rights and Privileges:

- A. The collection and transportation of all sewage from any improved property utilizing a holding tank shall be done solely by or under the direction and control of the Authority, and the disposal thereof shall be made only at such site or sites as may be approved by the Department of Environmental Resources of the Commonwealth of Pennsylvania.
- B. The Authority will receive, review and retain pumping receipts from permitted holding tanks.
- C. The Authority will complete and retain annual inspection reports for each permitted tank.

Section 3 - Section 7 of the Ordinance is restated and amended as follows:

Section 7 - Duties of Improved Property Owner: The owner of an improved property that utilizes a holding tank shall:

- A. Maintain the holding tank in conformance with this or any Ordinance

of this Township, the provisions of any applicable law, and the rules and regulations of the Authority and any administrative agency of the Commonwealth of Pennsylvania.

B. Permit only the Authority or its agent to inspect holding tanks on an annual basis.

C. Permit only the Authority or its agent to collect, transport and dispose of the contents therein.

Section 4 - Section 8 of the Ordinance is restated and amended as follows:

Section 8 - Violations: Any person who violates any provision of Section 7 shall, upon conviction thereof by summary proceedings, be sentenced to pay a fine of not less than One Hundred (\$100.00) Dollars and not more than One Thousand (\$1,000.00) Dollars and costs, and in default of said fine and costs to undergo imprisonment in the County prison for a period not in excess of thirty (30) days.

Section 5 - Repeal: All Ordinances or Resolutions or parts of Ordinances or Resolutions, insofar as they are inconsistent herewith, be and the same are hereby repealed.

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 Board of Supervisors of the Township, that this Ordinance would have been adopted had such constitutional, illegal or invalid sentence, clause, section or part thereof not been included therein.

11

Section 7 - Effective Date: This Ordinance shall become effective five (5) days after its adoption.

ENACTED AND ORDAINED into an Ordinance this 10th day of March, 1992, by the Supervisors of Monroe Township, Snyder County, Pennsylvania, in lawful session duly assembled after public notice according to law.

SUPERVISORS OF MONROE TOWNSHIP

BY: *Lee R. Shaffer*
Chairman

BY: *Arthur V. Bauer*
Supervisor

BY: *Rick J. Bailey*
Supervisor