

**APPENDIX O:**

**Bear Creek Township Ordinances**

**Chapter 101**  
**SEWERS AND SEWAGE DISPOSAL**

**ARTICLE I**  
**On-Lot Disposal Systems**

**§ 101-1. Standards for permits and construction.**

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**[HISTORY: Adopted by the Board of Supervisors of Bear Creek Township: Art. I, 3-9-1992 as Ord. No. 1-92. Amendments noted where applicable.]**

**GENERAL REFERENCES**

**Solid waste disposal — See Ch. 104.**

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**ARTICLE I**  
**On-Lot Disposal Systems**  
**[Adopted 3-9-1992 as Ord. No. 1-92]**

**§ 101-1. Standards for permits and construction.**

Permitting and construction of on-lot sewage disposal systems shall be in accordance with Department of Environmental Resources (DER) regulations and township ordinances.<sup>1</sup>

**§ 101-2. Maintenance of systems.**

- A. The township shall require that every owner of an on-lot disposal system have the septic tank emptied and cleaned at least once every (5) years, except that the township shall have the right to have the tank cleaned at shorter intervals if deemed necessary.
- B. Upon written notice from the township, the owner of an on-lot disposal system shall have ninety (90) days to comply with this section of this Article. The township shall have the right to service the septic tank and assess the owner accordingly.

**§ 101-3. Malfunctions and corrections.**

- A. If, by whatever means available, the township discovers a malfunctioning on-lot disposal system, it shall direct the on-lot disposal system owner to correct such malfunction.

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<sup>1</sup> Editor's Note: In particular, see Res. No. 1-92, which delineates areas designated for on-lot systems. Said resolution is on file in the office of the Township Secretary.

- B. The township recognizes that a malfunctioning on-lot disposal system may not be correctable due to the nature of the available soil. In such cases, the township, with the advice and consent of the Sewage Enforcement Officer, will assist the owner in pursuing available means to either correct the existing system or to find alternative means of disposal. All costs of repairs and disposal shall be borne by the owner of the on-lot disposal system.
- C. All complaints to the township regarding malfunctioning systems must be in writing and signed by the complainant. Should the complaint prove to be invalid, all costs incurred by the township will be borne by the complainant.

**§ 101-4. Permitted and prohibited discharges.**

- A. Only normal domestic wastes shall be discharged into any on-lot sewage disposal system. The following shall not be discharged into the system:
  - (1) Industrial waste.
  - (2) Automobile oil and other nondomestic oil.
  - (3) Toxic or hazardous substances or chemicals, including but not limited to pesticides, disinfectants, acids, paints, paint thinners, herbicides, gasoline and other solvents.
  - (4) Clean surface or ground water, including water from roof or cellar drains, springs, basement sump pumps and French drains.
- B. The township's authorized agent may require installation of water conservation devices and other methods to improve system operation.

**§ 101-5. Enforcement; compliance required.**

- A. The Board of Supervisors of Bear Creek Township, through its officers and designs, has the right of enforcement of this Article.
- B. All township residents and nonresidents owning on-lot disposal systems within the township are hereby bound by this Article.

**§ 101-6. Recordkeeping.**

All permits, records, reports, files and other written material relating to the installation, operation and maintenance and malfunction of on-lot sewage disposal systems in the township shall become the property of the township. Existing and future records shall be available for public inspection. All records pertaining to sewage permits, building permits, occupancy permits and all other aspects of the municipality's sewage management program shall be made available, upon request, for inspection by representatives of the Pennsylvania Department of Environmental Resources.

commit in a legally binding manner to appropriate mitigation of the negative impacts. This mitigation may include, but is not limited to:

- a. a financial guarantee to fund a deeper well or a connection to a central water system for properties that experience significant negative impacts after the water withdrawal occurs.
- b. a permanent conservation easement placed on sufficient land areas to result in amounts of groundwater recharge that is equivalent to the amount of groundwater that is being withdrawn,  
or  
a legally binding commitment to reduce the amount of the water withdrawal during drought conditions.

### 823.3

When a subdivision or land development is to be serviced by an on-lot water system, with individual wells serving each lot, if deemed necessary and feasible, dry hydrants shall be installed at appropriate locations within the development, as determined by the Board of Supervisors.

## SECTION 824      SEWAGE DISPOSAL FACILITIES

All subdivisions and land developments shall be served with a sewage system (either centralized or on-lot) which meet or exceed the applicable minimum design standards as set forth by the Pennsylvania Department of Environmental Protection. All proposed subdivisions and/or land developments shall require the preparation and submission of an appropriate Sewage Planning Module to DEP in accordance with Pennsylvania Code Title 25.

## SECTION 825      CENTRALIZED SEWERS

- 825.1 All major subdivisions and land developments shall be served by centralized sewage disposal systems, when an existing public centralized sewage system is within **one-thousand (1,000) feet** from any point of the proposed subdivision or land development.
- 825.2 All centralized sewage disposal systems shall be compatible with any sewage feasibility studies and/or the official Township Sewage Plan, and be approved by the appropriate agencies prior to Final Plan approval.
- 825.3 All sanitary sewers shall be designed and constructed to provide adequate capacity for the ultimate flow of the subject development. plus additional flow as may be projected to be generated by adjacent properties.
- 825.4 All individual lateral connection shall be installed to the curb/right-of-way line at the time of initial installation of the system.

825.5 All systems classified as Sewage Services, as defined in Chapter 71 of the Pennsylvania Department of Environmental Protection Regulations shall be designed and constructed in accordance with regulations and requirements set forth in the most recent edition of the "Sewage Manual" prepared by the Bureau of Water Quality Management of Department of Environmental Protection and the applicable regulations of the Aqua Pennsylvania Inc. Construction material for sewers shall comply with regulations of Aqua Pennsylvania Inc.

## SECTION 826      ON-LOT SEWAGE DISPOSAL SYSTEM

826.1 On-lot sewage systems, both individual and community sewage systems, shall be designed and constructed in accordance with Pennsylvania Department of Environmental Protection requirements under Title 25, Rules and Regulations Part 1, Subpart C, Chapter 73 and any amendments thereto.

826.2 Prior to approval of Preliminary Plan, the Township Sewage Enforcement Officer shall submit a report to the Board of Supervisors regarding the site and soils investigation and analysis.

826.3 All systems utilizing subsurface disposal of sewage effluent (Community Sewage Systems as defined by Chapter 73 of the Pennsylvania Department of Environmental Protection Regulations) shall be designed and constructed in accordance with requirements of the aforesaid Chapter 73 and any amendments thereto. A registered professional engineer employed by the applicant shall provide written certification that the existing or proposed facility has adequate capacity to satisfactorily treat the total projected sewage flow.

826.4 A sewage permit must be approved and issued by the Township Sewage Enforcement Officer prior to the start of any construction or development upon any lot within an approved subdivision or land development.

## SECTION 827      STORM WATER MANAGEMENT AND DRAINAGE

There shall be no increase in the rate of storm water discharge from the land development or subdivision above that which would have occurred from the land prior to the activity, using a grassland condition for cleared agricultural land and a good woodland condition for forested land. For land previously developed, the prior condition shall reflect the actual developed condition.

Each person, corporation, or other entity which makes any surface changes shall be required to: a) collect on-site surface runoff and dispose of it to the point of discharge into the common natural water course of the drainage area: b) handle existing off-site runoff through his development.

827.1      Calculating Storm Water Runoff: The general criteria for calculating storm water runoff shall include the following: