

TOWNSHIP OF TILDEN
COUNTY OF BERKS
COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO. 105, 1995

AN ORDINANCE PROVIDING FOR THE PERMITTING OF ALL ON-LOT SEWAGE DISPOSAL SYSTEMS PROPOSED TO BE INSTALLED ON ALL LOTS IN TILDEN TOWNSHIP, REGARDLESS OF LOT SIZE, AND PROVIDING PENALTIES AND ENFORCEMENT REMEDIES.

WHEREAS, the General Assembly of the Commonwealth of Pennsylvania adopted, and the Governor of said Commonwealth approved, under date of January 24, 1996, P.L. 1535, No. 537 (35 P.S. §§750.1-750.20), known as the Pennsylvania Sewage Facilities Act, which Act has been subsequently amended and is referred to hereinafter as the "Act";

WHEREAS, Section 4 of the Act of December 14, 1994 (P.L. _____, No. 149) contains an amendment to Section 7(a) of the Act which provides that, except where a local agency or municipality requires a permit by ordinance, certain owners of lots 10 acres or larger are exempt from the requirements of the Act to obtain a permit for the installation of an on-lot sewage disposal system on such person's lot;

WHEREAS, the Township of Tilden is a municipality as defined in Section 2 of the Act;

WHEREAS, Section 7(a)(1) of the Act, as amended by the Act of December 14, 1994, authorizes the Township to enact an ordinance requiring a permit for the installation of all on-lot sewage disposal systems within the Township, including those proposed to be installed on lots 10 acres or larger, irrespective of whether any such lot 10 acres or larger otherwise qualifies for an exemption from the permitting requirements of the Act; and

WHEREAS, the Township of Tilden desires that permits be required for the installation of on-lot sewage disposal systems on all lots 10 acres or larger which lots otherwise qualify for an exemption from the permitting requirements of the Act;

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Tilden Township, Berks County, Pennsylvania, as follows:

Section 1. Short Title, Statutory Basis, Purpose.

1. This ordinance shall be known as the "Tilden Township On-Lot Sewage Disposal System Permit Ordinance."

2. This ordinance is adopted pursuant to Section 7(a)(1) of the Pennsylvania Sewage Facilities Act, as amended (35 P.S. §740.7(a)(1)).

3. The purpose of this Ordinance is to provide for the permitting of all on-lot sewage disposal systems within the Township in accordance with the standards and regulations of 25 Pa. Code Chapters 72 and 73, including those systems otherwise eligible for an exemption from the permitting requirements of the Act, as authorized by Section 7(a)(1) of the Act.

Section II. Permit Requirement

1. From and after the effective date of this ordinance, all persons proposing to install an on-lot sewage disposal system on any lot within the Township, including those persons proposing to install such a system on a lot 10 acres or larger and who are otherwise qualified for a permit exemption in accordance with the provisions of Section 7(a)(1) of the Act, shall apply to the Township for a permit for the installation of such system.

2. No person shall install or commence construction of any on-lot sewage disposal system for which a permit is required until such permit has been issued by a Sewage Enforcement Officer employed by or contracted to the Township.

Section III. Enforcement

1. Any person violating any of the provisions of this ordinance shall be subject to the civil and criminal penalties authorized pursuant to Sections 13 and 13.1 of the Act, as amended.

2. In addition to the penalties for non-compliance set forth in subsection 1 above, it is further provided that all of the civil and equitable remedies set forth in Sections 12, 14 and 15 of the Act (35 P.S. §§750.12, 750.14 and 750.15), as amended, shall be applicable to violations of this ordinance.

Section IV. Repealer

All ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section V. Severability

If any section or clause of this Ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the

remaining provisions of this Ordinance which shall be deemed severable therefrom.

Section VI. Effective Date

This Ordinance shall be effective immediately upon enactment.

ORDAINED AND DATED THIS 2nd day of May, 1995.

TILDEN TOWNSHIP SUPERVISORS

Attest:

Anna M. Shollenberger
Anna M. Shollenberger
Tilden Township Secretary

Ray L. Wilhelm
Ray W. Bork
James W. Haly

AN ORDINANCE AMENDING ORDINANCE NO. 63 OF 1987, AS AMENDED, REGULATING TRAFFIC AND PARKING IN THE TOWNSHIP OF TILDEN, BERKS COUNTY, PENNSYLVANIA, TO INCLUDE ADDITIONAL SPEED RESTRICTIONS UPON CERTAIN ROADS IN THE TOWNSHIP.

The Township of Tilden hereby ordains as follows:

Section 1. Ordinance No. 63 of 1987, as amended, is hereby further amended in pertinent parts as set forth herein:

ARTICLE II -- TRAFFIC REGULATIONS, Section 1(a) is hereby amended to read as follows:

(a) Maximum speed limits are established on portions of specific highways, as follows, and it shall be unlawful for any person to drive a vehicle, on any part of a highway where a maximum speed limit applies, at a higher speed than the maximum prescribed for that part of the highway:

<u>Highway</u>	<u>Between</u>	<u>Maximum Speed Limit</u>
Scenic Drive (T-808)	Hill Drive (T-805) and Hill Drive (T-805)	25 mph
Linden Drive (T-812)	Walnut Road (T-745) and to and including cul-de-sac	25 mph
Tilden Road (T-716)	Jalappa Rd. (T-716) and Mountain Rd. (T-810)	35 mph
Lowland Road (T-744)	S.R. 61, a distance of 1.21 miles to the State's maintained portion of Lowland Road (S.R. 4027)	35 mph
Creamery Road (T-736)	Hex Highway (T-721) and St. Michael's Road (S.R. 4028)	35 mph

Berne Road (T-811)	Hex Highway, Old Route 22, (S.R. 4028) and a point .85 miles south of said S.R. 4028	30 mph
Walnut Road	Intersection with Hex Highway (S.R. 4028) and Academy Road (T-742)	30 mph
Mountain Road (T-810)	S.R. 61 and Upper Bern Township Line	40 mph
Old Route 22, Hex Highway (T-721)	St. Michael's Rd. (S.R. 4028) and Upper Bern Township line	45 mph
Hill Drive (T-805)	West State St. (S.R. 4028) and a point located .4 miles south of Ash Road (T-697)	25 mph
	A point located .4 miles south of Ash Road (T-697) and Berne Road (T-811)	40 mph
Clayton Ave. (T-699)	Hex Highway, Old Route 22 (S.R. and Pine Road (T-558)	30 mph
Diamond Drive (T-802)	Laurel Drive (T-703) and West State Street (S.R. 4028)	20 mph
Cedar Alley	Diamond Drive (T-802) and Maple Drive (S.R. 4015)	10 mph
Willow Road	Intersection with Hex Highway (S.R. 4028) and Jalappa Road (T-740)	35 mph
Pine Road (T-800)	Hex Highway (S.R. 4028) and Mountain Road (T-810)	35 mph

Section 2. Severability.

The provisions of this Ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal, or otherwise invalid, that decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is declared as a legislative intent that this Ordinance would have been enacted had that unconstitutional,

illegal or otherwise invalid provision not been included in the Ordinance.

Section 3. Repeal of Certain Prior Ordinances.

All prior ordinances of the Township of Tilden, insofar as they deal with the regulation of traffic and/or parking, are repealed and declared unenforceable insofar as they are inconsistent with or identical to any provision of this Ordinance.

Section 4. Effective Date.

This Ordinance shall take effect five (5) days after its enactment.

ENACTED and ORDAINED on this 5th day of
September, 1995.

TILDEN TOWNSHIP
BOARD OF SUPERVISORS

Gary L. Wilhelm
Roy W. Borke
James M. Haly

Attest:

Anna M. Shollenberger
Anna M. Shollenberger
Tilden Township Secretary