

ORDINANCE NO. 159, 2005

AN ORDINANCE OF THE TOWNSHIP OF TILDEN, BERKS COUNTY, PENNSYLVANIA, AMENDING PART 2, ENTITLED "ON-LOT SEWAGE DISPOSAL SYSTEMS", OF CHAPTER XXIII, ENTITLED "SEWERS AND SEWAGE DISPOSAL" OF THE TOWNSHIP OF TILDEN CODE OF ORDINANCES TO ADD A PROVISION FOR A MAINTENANCE DELAY IF WRITTEN DOCUMENTATION IS PROVIDED THAT A SEPTIC TANK HAS BEEN PUMPED, CONSTRUCTED, REPLACED OR SUBSTANTIALLY REPAIRED WITHIN THE CURRENT THREE-YEAR FREQUENCY REQUIREMENT

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Tilden, Berks County, Pennsylvania, and it is hereby ENACTED AND ORDAINED by the authority of the same as follows:

SECTION 1. Section 207, entitled "Maintenance", of Part 2, entitled "On-Lot Sewage Disposal Systems", of Chapter XXIII, entitled "Sewers and Sewage Disposal", of the Code of Ordinances of the Township of Tilden is hereby amended and restated in its entirety as follows:

"Section 207. Maintenance

(a) Each person owning a building served by an on-lot sewage disposal system which contains a septic tank shall have the septic tank pumped by a qualified pumper/hauler within six months of the effective date of this Part. Thereafter that person shall have the tank pumped at least once every three years or whenever an inspection reveals that the septic tank is filled with solids or with scum in excess of 1/3 of the liquid depth of the tank. Receipts from the pumper/hauler shall be submitted to the Township within the prescribed six month and three year pumping periods.

In lieu of such receipts, each person may submit a letter from a licensed SEO certifying is no more than 1/3 of the liquid depth of the tank is filled with solids or scum and the tank is in satisfactory condition.

(b) The required pumping frequency may be increased at the discretion of an authorized agent if the septic tank is undersized, if solids buildup in the tank is above average, if the hydraulic load on the system increases significantly above average, if a garbage grinder is used in the building, if the system malfunctions or for other good cause shown. If any person can prove that such person's septic tank had been pumped within three years of the six-month anniversary of the effective date of this Part, then that person's initial required pumping may be delayed to

conform to the general three-year frequency requirement except where an inspection reveals a need for more frequent pumping frequencies.

(c) If any person can prove to the satisfaction of the Township Sewage Enforcement Office with written documentation that such person's septic tank had been pumped, constructed, replaced or substantially repaired within that person's current three-year frequency requirement and such person's sewage system and tank are functioning properly and otherwise in compliance with Township and DEP requirements, then that person's required pumping may be deferred until the next three-year cycle.

(d) Any person owning a property served by a septic tank shall submit, with each required pumping receipt, a written statement, from the pumper/hauler or from any other qualified individual acceptable to the Township, that the baffles in the septic tank have been inspected and found to be in good working order. Any person whose septic tank baffles are determined to require repair or replacement shall first contact a sewage enforcement officer for approval of the necessary repair.

(e) Any person owning a building served by an on-lot sewage disposal system which contains an aerobic treatment tank shall follow the operation and maintenance recommendations of the equipment manufacturer. A copy of the manufacturer's recommendations and a copy of the service agreement shall be submitted to the Township within six months of the effective date of this Part. Thereafter, service receipts shall be submitted to the Township at the intervals specified by the manufacturer's recommendations. In no case may the service or pumping intervals for aerobic treatment tanks exceed those required for septic tanks.

(f) Additional maintenance activity may be required as needed including, but not necessarily limited to, cleaning and unclogging of piping, servicing and the repair of mechanical equipment, leveling of distribution boxes, tanks and lines, removal of obstructing roots or trees, the diversion of surface water away from the disposal area, etc."

SECTION 2. 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 unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 3. All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance.

SECTION 4. This Ordinance shall become effective thirty-five (35) days from the date of enactment.

SECTION 5. The Code of Ordinances of the Township of Tilden, Berks County, Pennsylvania, as amended, shall be and remain unchanged and in full force and effect except as amended, supplemented and modified by this Ordinance. This Ordinance shall become a part of the code of Ordinances of the Township of Tilden, Berks County, Pennsylvania, as amended, upon adoption.

SECTION 6. It is declared that enactment of this Ordinance is necessary for the protection, benefit and preservation of the health, safety and welfare of the inhabitants of this Township.

DULY ENACTED AND ORDAINED this 1ST day of OCTOBER, 2005.

TOWNSHIP OF TILDEN
BOARD OF SUPERVISORS

Troy R. Hatt
Samuel H. Hatt

Attest: Cheryl A. Hatt
Secretary