

ORDINANCE NO. 224

AN ORDINANCE PROHIBITING SAND MOUNDS AS AN
ALTERNATE SANITARY SEWAGE DISPOSAL METHOD
AND PROVIDING PENALTIES FOR THE VIOLATION
OF SAID ORDINANCE.

BE IT ORDAINED by the Board of Commissioners of Penn Township, York County, Pennsylvania, and it is hereby enacted and ordained by authority of the same as follows:

SECTION 1. The alternate sanitary sewage disposal system known as "sand mounds" is hereby prohibited within Penn Township as an accepted means of disposing of any sanitary sewage waste within Penn Township.

SECTION 2. Remedies: In case any building or structure is erected or constructed or any sanitary sewage disposal system installed in violation of this ordinance, the Board of Commissioners may institute in the name of the Township any appropriate action or proceeding to prevent such unlawful erection or construction or installation, maintenance or use; to restrain, correct or abate such violation; to prevent the occupancy of said building or structure; or to prevent any illegal act, conduct or business, or use in and about said premises. The rights and remedies provided in this ordinance are cumulative and are in addition to all other remedies provided by law.

SECTION 3. Exceptions to Section 1: Exceptions to Section 1 of this Ordinance shall be given detailed consideration by the Board of Commissioners who may, at its discretion, conduct a finding of fact hearing as an alternative to the sand mound prohibition ruled by the Township Sewage Enforcement Officer. The Board of Commissioners may grant an exception to the prohibition when it creates a hardship on the Township, property owner and/or community. The Board of Commissioners shall consider only those hardship cases when there is an existing dwelling unit already on the site and when the sand mound is the only alternative that remains for sewage disposal. The Board of Commissioners decision shall be final.

- a) All hardship hearing requests shall be on the forms provided by the Township Manager. The Board of Commissioners may secure documentation from the Sewage Enforcement Officer. All forms and documents must be submitted to the Township Manager 30 days prior to the hearing date.

SECTION 4. Fines and Penalty: For any and every violation of the provisions of this Ordinance, the owner, general agent, contractor of the building or premises, or contractor of the sanitary sewage disposal system where such a violation has been committed or shall exist, shall be liable on conviction thereof to a fine or penalty not exceeding Three Hundred Dollars (\$300), which shall be paid over to the treasury of the Township. Such fines and penalties may be collected by suit or summary proceedings brought in the name of the Township before the District Justice.

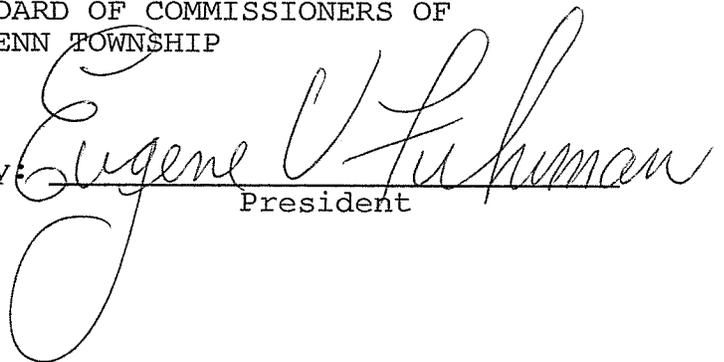
SECTION 4 (a). Repealer: All ordinances or parts of ordinances inconsistent herewith are hereby repealed as to the inconsistency only.

SECTION 5. Validity: If any section, paragraph, subsection, clause, or provision of this ordinance shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or of any part thereof.

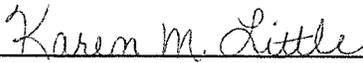
SECTION 6. Effective Date: This Ordinance shall become effective upon adoption in accordance with law, enacted and ordained into an Ordinance this 17th day of July, 1978.

BOARD OF COMMISSIONERS OF
PENN TOWNSHIP

By:


President

Attest:


Secretary