

ORDINANCE NO. 283

ORDINANCE OF THE TOWNSHIP OF WRIGHTSTOWN, BUCKS COUNTY, PENNSYLVANIA, AMENDING AND RESTATING ORDINANCE NO. 212 WHICH PROVIDED REGULATIONS FOR ALL TYPES OF ON-LOT SEWAGE DISPOSAL SYSTEMS PERMITTED WITHIN WRIGHTSTOWN TOWNSHIP AND PROVIDES FOR COMPLIANCE NOTICES AND PENALTIES FOR VIOLATIONS THEREOF.

BACKGROUND

A. Wrightstown Township is a Township of the second class in the Commonwealth of Pennsylvania.

B. The Board of Supervisors of Wrightstown Township finds it is in the interests of the health, safety and welfare of its citizens to provide for the proper management, care, maintenance, repair and control of all present and future individual on-lot sewage disposal systems in the Township and to provide for the inspection and maintenance of on-lot sewage systems.

NOW THEREFORE, be it ENACTED and ORDAINED by the Board of Supervisors of Wrightstown Township as follows:

SECTION 1 - Short Title and Purpose

Section 1.1 This Ordinance shall be known and may be cited as "The On-lot Sewage System Management Ordinance for Wrightstown Township."

Section 1.2 As mandated by the Clean Streams Law (35 P.S. §691.1) and the Pennsylvania Sewage Facilities Act (Act of January 24, 1966, P.L. as amended, 35 P.S. §750.1 et seq., known as Act 537), municipalities have the power and the duty to provide for adequate sewage treatment facilities and for the protection of the public health by preventing the discharge of untreated or inadequately treated sewage. The Sewage Facilities Plan Update for Wrightstown Township indicates a commitment to formulate and implement an on-lot management program for all lots within the Township utilizing on-lot sewage systems.

Section 1.3 The purpose of this Ordinance is to establish procedures for the installation, use, and maintenance of on-lot sewage systems within Wrightstown Township when the system is permitted through the Bucks County Department of Health and the Department of Environmental Protection of the Commonwealth of Pennsylvania.

Section 1.4 All sewage disposal systems subject to the provisions hereof shall also be subject to and in conformance with the Wrightstown Township Sewage Facilities Plan.

SECTION 2 – Definitions

Section 2.1 “Alternative Treatment System” – a system designed to collect, treat and dispose of domestic sewage utilized to overcome specific site suitability deficiencies or as a substitute for conventional on-lot sewage system on suitable lots

Section 2.2 “Board” - Board of Supervisors of Wrightstown Township

Section 2.3 “DEP” – Department of Environmental Protection of the Commonwealth of Pennsylvania

Section 2.4 “Drip Irrigation System” - an individual sewage system which serves a single dwelling and which treats and disposes of sewage using a system of filter cartridges, flow equalization dosing chamber, time dosed effluent emitter, piping/tubing, and effluent discharge through drip irrigation

Section 2.5 “Holding Tank” – watertight receptacle, whether permanent or temporary, which receives and retains sewage conveyed by a water carrying system and is designed and constructed to facilitate the ultimate disposal of the sewage at another site

Section 2.6 “Individual Residential Spray Irrigation System” (“IRSIS”) – an individual sewage system which serves a single dwelling and which treats and disposes of sewage using a system of piping, treatment tanks and soil renovation through spray irrigation

Section 2.7 “Licensed Sewage Hauler”– a sewage hauler licensed by the Bucks County Department of Health

Section 2.8 “On-lot Sewage System”– a system of piping, tanks or other facilities serving either a single lot or two or more lots and collecting, treating and disposing of domestic sewage into an absorption area

Section 2.9 “Person”– an individual, association, public or private corporation for profit or not-for-profit, partnership, firm, trust, estate, department, board, bureau or agency of the United States, Commonwealth, political subdivision, municipality, district, authority or other legal entity which is recognized by the law as the subject or rights and duties. The term includes members of an association, partnership or firm and the officers of a local agency or municipal, public or private corporation for profit or not-for-profit

Section 2.10 “Rehabilitation” – work done to modify, alter, repair, enlarge or replace an existing on-lot sewage system

Section 2.11 “Small Flow Sewage Treatment System” (“SFSTS”) – an individual or community sewage system designed to adequately treat sewage flows not greater than two thousand (2,000) gallons per day for final disposal using a stream discharge or other disposal methods approved by DEP

Section 2.12 "Township" – the Township of Wrightstown

Section 2.13 "Township Code Enforcement Officer" – a Township designee responsible for enforcement of Wrightstown's Ordinances

SECTION 3 – Individual On-lot Sewage Systems

Section 3.1 Applicability:

Every person who owns a property within the Township on which an individual on-lot sewage system is located and every person who applies for a building permit to construct a new residence or other building which is to be serviced by an on-lot sewage system for which a Bucks County Department of Health permit is issued after the effective date of this Ordinance, shall comply with the provisions of this SECTION 3 as hereafter set forth.

Section 3.2 Existing On-lot Sewage System:

A. Every person who owns a property within the Township on which an individual on-lot sewage system is located shall:

1) Have the treatment tank on the property cleaned out a minimum of every three years or more often if the treatment tank is filled with solids or scum in excess of 1/3 the liquid depth of the tank.

2) Provide the Township with a receipt or other evidence documenting the date on which the tank was cleaned out by a DEP certified hauler. Such receipt must be submitted to the Township within thirty (30) days of the cleaning.

B. In addition to the requirements of subsection A. and unless waived in writing by the Township, when a change of ownership or tenants occurs on a property within the Township on which an individual on-lot sewage system is located, the owner of the property shall have the treatment tank on the property cleaned out by a DEP certified hauler and provide the Township with a receipt or other evidence document the cleaning within thirty (30) days of the cleaning.

Section 3.3 On-lot Sewage System for New construction

Prior to the issuance of a Use and Occupancy Permit involving new construction, the builder or owner shall:

1) Obtain verification from the Bucks County Department of Health indicating that the site is generally suitable for an on-lot sewage system and provide same to Township.

2) File copy of the approved site plan and design of the on-lot sewage system with the Township.

3) Submit such additional information on size, location, or specifications as the Township may require in order to complete a review.

4) Pay a fee to the Township for the on-lot sewage system permit in accordance with the appropriate Resolution as adopted by the Board of Supervisors and amended from time to time.

5) Execute an agreement for operation and maintenance and hold the Township harmless in the event of a claim against the Township arising from the operation of the on-lot sewage system.

6) Deposit permanent escrow funds in the form and amount required by the On-Lot Sewage System Maintenance Agreement. These funds shall be held by the Township and used only in the event the Township is required to perform any services, or pay for any services, relative to the on-lot sewage system. Board of Supervisors shall have the right to claim the entire escrow deposit as reimbursement for Township expenses.

B. In addition to the requirements of subsection A, every owner of a property served by an on lot sewage disposal system constructed under the provisions of this Section 3.3 shall comply with the requirements of Section 3.2 hereof.

C. A permit issued under the terms of this Ordinance shall expire if the on-lot sewage system installation has not been completed to the satisfaction of the Township within the period provided in the permit issued by the Board of Health or DEP (as applicable); unless extended in writing by the agency which issued the permit.

Section 3.4 On-lot Sewage System Maintenance Agreement:

When required by this Ordinance, owner of a property that utilizes an on-lot sewage system shall execute a maintenance agreement approved by Township to ensure compliance with the regulations and standards of operation and maintenance of the system. Escrow shall be deposited with the Township in an amount established by resolution of the Board of Supervisors and shall be sufficient to cover anticipated costs of future operation and maintenance of the system.

SECTION 4 – Operation and Maintenance of Individual Residential Spray Irrigation Systems (“IRSIS”)

Section 4.1 Applicability:

Every person who applies for a building permit to construct a new residence or other building which is to be serviced by an IRSIS for which a Bucks County Department of Health permit is issued after the effective date of this Ordinance, shall comply with the provisions of this SECTION 4 as hereafter set forth.

Section 4.2 Design Requirements:

A. No component of an IRSIS (including the wetted perimeter of the spray field) shall encroach within the required front, side, or rear yard area designated by the Township Zoning Ordinance.

B. Whenever the wetted perimeter of the spray irrigation field is located within fifty (50) feet of a property boundary, a fence at least four (4) feet in height of material approved by the Township (such as split rail fencing with wire backing) shall be installed along the property line. Fence shall extend at least twenty-five (25) feet beyond the limits of the spray field.

C. Buffering

1) Whenever the wetted perimeter of the spray irrigation field is located within one hundred (100) feet, but not less than fifty (50) feet of a property boundary, buffering shall be required as follows:

Buffer plantings shall include a minimum of one (1) evergreen tree per thirty (30) feet and one (1) canopy tree per forty (40) feet arranged along and within twenty-five (25) feet of the property boundary.

2) Whenever the wetted perimeter of the spray irrigation field is located within fifty (50) feet of a property boundary, buffering shall be required as follows:

Buffer plantings shall include a minimum of one (1) evergreen tree per twenty (20) feet arranged along and within twenty-five (25) feet of the property boundary.

3) Buffer plant material shall conform to requirements of the Subdivision and Land Development Ordinance.

4) Where natural features/vegetation exist on the site which duplicate or essentially duplicate requirements for buffering, buffer requirements may be waived by the Board of Supervisors.

D. Spray irrigation of the chlorinated effluent shall be permitted only between the hours of 11:00 PM to 5:00 AM.

E. Spray nozzles located within fifty (50) feet of a property boundary shall be directed toward the interior of the lot and away from the adjacent property boundary.

Section 4.3 Procedure for Obtaining an Individual Spray Irrigation System Permit:

A. Before an IRSIS permit may be issued, the property owner shall:

- 1) Obtain verification from the Bucks County Department of Health indicating that the site is generally suitable for installation of an IRSIS.
- 2) File copy of the site plan and design of the proposed IRSIS with the Township.
- 3) Submit such additional information on size, location, or otherwise as the Township may require in order to complete a review.
- 4) Pay a fee to the Township for the IRSIS permit in accordance with the appropriate Resolution as adopted by the Board of Supervisors from time to time.
- 5) Execute an agreement for maintenance and hold the Township harmless in the event of a claim against the Township arising from the operation of the IRSIS.
- 6) Deposit permanent escrow funds in the form and amount as provided by the IRSIS Maintenance Agreement. These funds shall be held by the Township and used only in the event the Township is required to perform any services, or pay for any services, relative to the IRSIS. Board of Supervisors shall have the right to claim the entire escrow deposit as reimbursement for Township expenses.

B. Permit issued under the terms of this Ordinance shall expire if the IRSIS installation has not been completed to the satisfaction of the Township within the period provided in the permit issued by the Board of Health or DEP (as applicable); unless extended in writing by the agency which issued the permit.

Section 4.4 IRSIIS Maintenance Agreement:

The owner of a property that utilizes an IRSIS shall execute a maintenance agreement approved by Township to ensure compliance with the regulations and standards of operation and maintenance of the system. An escrow fund shall be deposited with the Township in an amount established by resolution of the Board of Supervisors and shall be sufficient to cover the anticipated costs of future operation and maintenance of the system over its design life.

SECTION 5 – Operation and Maintenance of Small Flow Sewage Treatment System (“SFSTS”)

Section 5.1 Applicability:

Every person who applies for a building permit to construct a new residence or other building which is to be serviced by an SFSTS for which a Bucks County Department of Health permit is issued after the effective date of this Ordinance, shall comply with the provisions of this SECTION 5 as hereafter set forth.

Section 5.2 Procedure for Obtaining a Small Flow Sewage Treatment System Permit:

A. Before an SFSTS permit may be issued, the property owner shall:

1) Obtain verification from the Bucks County Department of Health indicating that the site is generally suitable for installation of an SFSTS.

2) File copy of the site plan and design of the proposed SFSTS with the Township.

3) Submit such additional information on size, location, or otherwise as the Township may require in order to complete a review.

4) Pay a fee to the Township for the SFSTS permit in accordance with the appropriate Resolution as adopted by the Board of Supervisors from time to time.

5) Execute an agreement for maintenance and hold the Township harmless in the event of a claim against the Township arising from the operation of the SFSTS.

6) Deposit permanent escrow funds in the form and amount provided by the SFSTS Maintenance Agreement. These funds shall be held by the Township and used only in the event the Township is required to perform any services, or pay for any services, relative to the SFSTS. Board of Supervisors shall have the right to claim the entire escrow deposit as reimbursement for Township expenses.

B. A permit issued under the terms of this Ordinance shall expire if the SFSTS installation has not been completed to the satisfaction of the Township within the period provided in the permit issued by the Board of Health or DEP (as applicable); unless extended in writing by the agency which issued the permit.

Section 5.3 SFSTS Maintenance Agreement:

The owner of a property that utilizes an SFSTS shall execute a maintenance agreement approved by Township to ensure compliance with the regulations and standards of operation and maintenance of the system. An escrow fund shall be deposited with the Township in an amount established by resolution of the Board of Supervisors and shall be sufficient to cover the anticipated costs of future operation and maintenance of the system over its design life.

SECTION 6 – Operation and Maintenance of Drip Irrigation Systems

Section 6.1 Applicability:

Every person who applies for a building permit to construct a new residence or other building which is to be serviced by a drip irrigation system for which a Bucks County Department of Health permit is issued after the effective date of this Ordinance, shall comply with the provisions of this SECTION 6 as hereafter set forth.

Section 6.2 Design Requirements:

A. No component of a drip irrigation system shall encroach within the required front, side, or rear yard area designated by the Township Zoning Ordinance.

Section 6.3 Procedure for Obtaining a Drip Irrigation System Permit:

A. Before a drip irrigation system permit may be issued, the property owner shall:

1) Obtain verification from the Bucks County Department of Health indicating that the site is generally suitable for installation of a drip irrigation system.

2) File copy of the site plan and design of the proposed drip irrigation system with the Township.

3) Submit such additional information on size, location, or otherwise as the Township may require in order to complete a review.

4) Pay a fee to the Township for the drip irrigation system permit in accordance with the appropriate Resolution as adopted by the Board of Supervisors from time to time.

5) Execute an agreement for maintenance and hold the Township harmless in the event of a claim against the Township arising from the operation of the drip irrigation system.

6) Deposit permanent escrow funds in the form and amount provided by the drip irrigation system Maintenance Agreement. These funds shall be held by the Township and used only in the event the Township is required to perform any services, or pay for any services, relative to the drip irrigation system. Board of Supervisors shall have the right to claim the entire escrow deposit as reimbursement for Township expenses.

B. A permit issued under the terms of this Ordinance shall expire if the drip irrigation system installation has not been completed to the satisfaction of the Township within the period provided in the permit issued by the Board of Health or DEP (as applicable); unless extended in writing by the agency which issued the permit.

Section 6.4 Drip Irrigation System Maintenance Agreement:

The owner of a property that utilizes a drip irrigation system shall execute a maintenance agreement approved by Township to ensure compliance with the regulations and standards of operation and maintenance of the system. An escrow fund shall be deposited with the Township in an amount established by resolution of the Board of Supervisors and shall be sufficient to cover the anticipated costs of future operation and maintenance of the system over its design life.

SECTION 7 – Holding Tanks

Section 7.1 Applicability:

Every person who owns a property within the Township on which a holding tank is located and every person who applies for a building permit to construct a new residence or other building which is to be serviced by a holding tank for which a Bucks County Department of Health permit is issued after the effective date of this Ordinance, shall comply with the provisions of this SECTION 7 as hereafter set forth.

Section 7.2 Existing Holding Tanks:

A. Every person who owns a property within the Township on which a holding tank is located shall:

1) Have the holding tank on the property pumped prior to or when the holding tank has reached 75% of designed capacity.

2) Annually provide the Township with proof of a pumping and /or hauling contract with a DEP certified hauler. Receipts or other evidence that pumping and hauling is occurring by a DEP certified hauler must be submitted to the Township within thirty (30) days of the pumping/hauling.

B. In addition to the requirements of subsection A. and unless specifically waived by the Township, when a change of ownership or tenant(s) occurs on a property within the Township on which a holding tank is located, the owner of the property shall have the holding tank on the property pumped out by a DEP certified hauler and provide the Township with a receipt or other evidence document the pumping within thirty (30) days of the pumping/hauling.

C. The owner of a property that utilizes a holding tank shall execute a maintenance agreement approved by Township to ensure compliance with the regulations and standards of operation and maintenance of the holding tank. The escrow or other security shall be in an amount established by resolution of the Board of Supervisors and shall be sufficient to cover the costs of future operation and maintenance of the holding tank.

Section 7.3 Procedure for Obtaining a Holding Tank Permit :

A. A permit shall be issued by the Township authorizing installation of a holding tank as the means for serving on-lot sewage disposal needs for a property within Wrightstown Township only under the following circumstances:

1) To replace a holding tank in existence on the date of this Ordinance which requires replacement due to age, deterioration, or a determination that it no longer meets the sewage disposal needs of the property.

2) To serve the sewage disposal needs of an existing use on the property where the Board of Health has determined that the existing sewage disposal system is inadequate and there is no alternative means of addressing sewage disposal needs on the property.

B. When any of the circumstances enumerated in Section 7.3A above apply, the owner shall:

1) Obtain and provide Township with verification from the Bucks County Department of Health that a holding tank is the only available means to meet the sewage disposal needs for the property.

2) File a copy of the site plan and design of the proposed holding tank with the Township which includes information concerning the size, location and technical specifications of the holding tank.

3) Pay a fee to the Township for the holding tank permit in accordance with a Resolution adopted by the Board of Supervisors as may be amended from time to time.

4) Execute an agreement providing for the proper maintenance and pumping of the holding tank and holding the Township harmless in the event of a claim against the Township arising from the operation of the holding tank.

5) Deposit permanent escrow funds in the form and amount provided in the holding tank Maintenance Agreement. These funds shall be held by the Township and used only in the event the Township is required to perform any services, or pay for any services, concerning the holding tank. The Board of Supervisors shall have the right to utilize the entire escrow deposit as reimbursement for Township expenses

C. A permit issued under the terms of this Ordinance shall expire if the holding tank installation has not been completed to the satisfaction of the Township within the period provided in the permit issued by the Board of Health or DEP (as applicable); unless extended in writing by the agency which issued the permit.

Section 7.4 Holding Tank Maintenance Agreement:

The owner of a property that utilizes a holding tank shall execute a maintenance agreement approved by Township to ensure compliance with the regulations and standards for operation and maintenance of a holding tank. An escrow fund shall be deposited with the Township in an amount established by resolution of the Board of Supervisors and shall be sufficient to cover the cost of future operation and maintenance of the system.

SECTION 8 – Operation and Maintenance of an Alternative Treatment System

Section 8.1 Applicability:

Every person who applies for a building permit to construct a new residence or other building which is to be serviced by an alternative treatment system for which a Bucks County Department of Health permit is issued after the effective date of this Ordinance, shall comply with the provisions of this SECTION 8 as hereafter set forth.

Section 8.2 Procedure for Obtaining Alternative Treatment System Permit:

A. Before an alternative treatment system permit may be issued, the property owner shall:

1) Obtain verification from the Bucks County Department of Health indicating that the site is generally suitable for installation of an alternative treatment system.

2) File copy of the site plan and design of the proposed alternative treatment system with the Township.

3) Submit such additional information on size, location, or otherwise as the Township may require in order to complete a review.

4) Pay a fee to the Township for the alternative treatment system permit in accordance with the appropriate Resolution as adopted by the Board of Supervisors from time to time.

5) Execute an agreement for maintenance and hold the Township harmless in the event of a claim against the Township arising from the operation of the alternative treatment system.

6) Deposit permanent escrow funds in the form and amount as provided by the alternative treatment system Maintenance Agreement. These funds shall be held by the Township and used only in the event the Township is required to perform any services, or pay for any services, relative to the alternative treatment system. The Board of Supervisors shall have the right to utilize the entire escrow deposit as reimbursement for Township expenses.

B. A permit issued under the terms of this Ordinance shall expire if the alternative treatment system installation has not been completed to the satisfaction of the Township within the period provided in the permit issued by the Board of Health or DEP (as applicable); unless extended in writing by the agency which issued the permit.

Section 8.3 Alternative Treatment System Maintenance Agreement:

The owner of a property that utilizes an alternative treatment system shall execute a maintenance agreement approved by Township to ensure compliance with the

regulations and standards of operation and maintenance of the system. An escrow fund shall be deposited with the Township in an amount established by resolution of the Board of Supervisors and shall be sufficient to cover the cost of future operation and maintenance of the system over its design life.

SECTION 9 - REHABILITATION OF EXHISTING ON-LOT SEWAGE DISPOSAL SYSTEMS:

Section 9.1 Applicability:

This section applies to repairs or replacements of existing on-lot sewage disposal systems approved by the Bucks County Department of Health or Pennsylvania Department of Environmental Protection.

Section 9.2 Pumping and Cleaning of Treatment Tank:

A. Every person who owns a property within the Township on which a rehabilitated on-lot sewage disposal system is located shall:

1) Have the treatment tank on the property cleaned out a minimum of every three years or more often if the treatment tank is filled with solids or scum in excess of 1/3 the liquid depth of the tank.

2) Provide the Township with a receipt or other evidence documenting the date on which the tank was cleaned out by a DEP certified hauler. Such receipt must be submitted to the Township within thirty (30) days of the cleaning.

B. In addition to the requirements of subsection A. and unless waived in writing by the Township, when a change of ownership or tenants occurs on a property within the Township on which a rehabilitated on-lot sewage system is located, the owner of the property shall have the treatment tank on the property cleaned out by a DEP certified hauler and provide the Township with a receipt or other evidence document the cleaning within thirty (30) days of the cleaning.

C. The owner of a property who has rehabilitated an on-lot sewage disposal system in accordance with regulations of the Bucks County Department of Health or Pennsylvania Department of Environmental Protection shall execute a maintenance agreement approved by Township to ensure compliance with the regulations and standards of operation and maintenance of the rehabilitated sewage disposal system. Unless otherwise required by resolution of the Board of Supervisors, no escrow or other financial security shall be required to cover the cost of future operation and maintenance of the rehabilitated sewage disposal system.

Section 9.3 Procedure for Obtaining Permit for Rehabilitation of On-Lot Sewage Disposal Systems:

A. Every person who applies to the Bucks County Department of Health or the Pennsylvania Department of Environmental Protection to rehabilitate an existing on-

lot sewage disposal system after the effective date of this Ordinance shall comply with the following:

- 1) Obtain and provide Township with verification from the Bucks County Department of Health indicating that the site is generally suitable for the rehabilitation of the sewage disposal system approved by the Board of Health.
- 2) File a copy of the site plan and design of the rehabilitation sewage disposal system with the Township.
- 3) Submit such additional information on size, location, or technical specifications as the Township may require in order to complete a review.
- 4) Pay a fee to the Township for the rehabilitated sewage system permit in accordance with the appropriate Resolution as adopted by the Board of Supervisors from time to time.
- 5) Execute an agreement for the operation and maintenance of the rehabilitated system in a form approved by the Township and hold the Township harmless in the event of a claim against the Township arising from the operation of the rehabilitated sewage disposal system.
- 6) Unless otherwise required by Resolution of the Board of Supervisors, no escrow funds will be required when a Maintenance Agreement is executed for a rehabilitated sewage disposal system that is the replacement for a failing on-lot sewage system which is approved by the Bucks County Department of Health.

B. A permit issued under the terms of this Ordinance shall expire if the rehabilitated sewage system installation has not been completed to the satisfaction of the Township within the period provided in the permit issued by the Board of Health or DEP (as applicable); unless extended in writing by the agency which issued the permit.

Section 9.4 Maintenance Agreement for Rehabilitated Sewage Disposal Systems:

The owner of a property who rehabilitates an on-lot sewage disposal system in accordance with the requirements of the Bucks County Department of Health and/or Pennsylvania Department of Environmental Protection shall execute a maintenance agreement approved by the Township to ensure compliance with the regulations and standards of operation and maintenance of the system. However, unless required by future resolution of the Board of Supervisors, no escrow fund shall be required when a maintenance agreement is executed for a rehabilitated sewage disposal system that is the replacement for an on-lot sewage disposal system approved by the Bucks County Department of Health or the Pennsylvania Department of Environmental Protection.

SECTION 10 – Permits, Fees and Enforcement

Section 10.1 Use and Occupancy Permit Required:

Upon sale or rent of any dwelling which is served by an on-lot septic system, the owner must provide documentation of compliance with this Ordinance as a prerequisite to the issuance of a use and occupancy permit.

Section 10.2 Notice to Comply/Notice of Non-Compliance:

The Board of Supervisors of Wrightstown Township, or any officer of the Township designated thereby for this purpose, is hereby authorized to give notice, by personal service or by United States mail, to the person who owns a property on which an on-lot sewage system is located, requiring such owner to pump, inspect or repair the on-lot sewage system and provide the Township with a receipt and other specified information documenting the date on which the on-lot sewage system was pumped, inspected or repaired.

Section 10.3 Fees:

Cost for the municipal administration of the management program, including maintaining on-lot sewage system information and monitoring compliance, shall be assessed to property owners included in the program in an amount set by Township resolution. It shall be each individual property owner's responsibility to contract with a licensed sewage hauler and certified on-lot sewage system inspector for the pumping and inspection of the on-lot sewage system.

Section 10.4 Violations and Enforcement Remedies:

A. Any person, partnership or corporation who or which has violated the provisions of this Ordinance shall, upon being found liable therefore in a civil enforcement proceeding commenced by Wrightstown Township, pay a judgment of not more than One Thousand (\$1,000.00) Dollars, plus all court costs, including reasonable attorney fees incurred by Wrightstown Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the District Justice. If the defendant neither pays nor timely appeals the judgment, Wrightstown Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day a violation continues shall constitute a separate violation, unless the District Justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth (5th) day following the date of the determination of a violation by the District Justice and thereafter each day that a violation continues shall constitute a separate violation.

B. The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

C. District Justices shall have initial jurisdiction in proceedings brought under this Section. However, nothing contained herein shall be construed or interpreted to prevent the Township from bringing any other action, including an injunction action to enforce the provisions hereof.

D. In addition to any other remedies provided by this Ordinance, any violation of the Ordinance shall constitute a nuisance and may be abated by the Township through equitable or legal relief from the Bucks County Court of Common Pleas.

SECTION XI - Public Sewer Connection

If public sewage service becomes available to any property utilizing any of the above on-lot sewage systems, each and every owner of such properties shall be required to make the necessary connection to the abutting or adjoining sewer line. The on-lot sewage system must be disconnected and disposed of in accordance with applicable DEP regulations and connection to the public sewer system shall be made upon notice by the Township and in accordance with the applicable standards of the servicing municipal authority. All authority costs relative to the public sewer connection shall be the responsibility of the property owner. Upon completion of a public sewer connection, where the Township holds escrow funds for a parcel of land as provided by a Maintenance Agreement, the current property owner of that parcel shall be entitled to any remaining escrow amount, less any and all costs the Township incurs to enforce any of the provisions of this Ordinance.

SECTION XII – Miscellaneous Provisions

Section 12.1 Effective Date:

This Ordinance shall become effective five (5) days after the final enactment or adoption and shall remain in full force and effect until amended or revoked.

Section 12.2 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 part of this Ordinance. It is hereby declared that the intent of the Board of Supervisors of Wrightstown Township that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included therein.

Section 12.3 Inconsistent Enactments:

All Ordinances and Resolutions or parts thereof insofar as they are inconsistent are hereby repealed.

Section 12.4 Effective Date:

This Ordinance shall become effective five (5) days after its adoption.

ORDAINED and ENACTED this 15 day of MARCH A.D. 2010.

**BOARD OF SUPERVISORS
WRIGHTSTOWN TOWNSHIP**

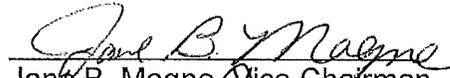
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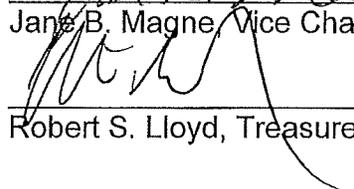
Joseph F. Pantano,
Township Manager



Chester S. Rogoshowski, Chairman



Jane B. Magne, Vice Chairman



Robert S. Lloyd, Treasurer/Member