

ARTICLE III  
**On-Lot Sewage Disposal Systems**  
**[Adopted 1-16-2001 by Ord. No. 299]**

**§ 136-30. Short title; introduction; purpose; repealer.**

- A. This article shall be known and may be cited as the "Doylestown Township On-Lot Sewage Disposal System (OLDS) Management Ordinance."
- B. This article is adopted pursuant to the authority set forth in the Second Class Township Code, the Pennsylvania Clean Streams Law (35 P.S. §§ 699.1 - 699.1001), and the Pennsylvania Sewage Facilities Act (Act of January 24, 1966), P.L. 1535, as amended, 35 P.S. § 750.1 et seq., also known as Act 537. This article is also adopted pursuant to the official Sewage Facilities Plan adopted for Doylestown Township pursuant to Act 537.
- C. This article is intended to prevent and abate water pollution and the hazards to the public health caused by the improper treatment and disposal of sanitary sewage. This article is further intended to provide for the inventory and inspection of on-lot sanitary sewage disposal systems within the Township, which said inventory and inspections are designed to provide for the adequate maintenance, management, rehabilitation/repair/replacement and construction of on-lot sewage disposal systems; to permit the Township to intervene in events which are public nuisances or hazards to the public health; to license wastewater management persons that engage in the repair, inspection and/or installation of on-lot sanitary sewage disposal systems, as well as the removal and disposal of septage; and to establish penalties and appeal procedures necessary for the appropriate administration of the Doylestown Township On-Lot Sanitary Sewage Disposal System (OLDS) Management Program.
- D. All ordinances or parts of ordinances inconsistent with this article are hereby repealed to the extent of such inconsistency, including but not limited to Ordinance No. 259 adopted on February 18, 1997, which was identified as the Maintenance of On-Lot Septic Systems Ordinance.<sup>1</sup>

**§ 136-31. Definitions.**

- A. As used in this article, the following terms shall have the meanings indicated:

ACT 537 — The Act of January 24, 1966, P.L. 1535, as amended, 35 P.S. § 750.1 et seq., known as the "Pennsylvania Sewage Facilities Act."

AUTHORITY — Bucks County Water and Sewer Authority.

AUTHORIZED AGENT — Any representative of the Township authorized by the Board of Supervisors to carry out the provisions of this article.

BOARD — The Board of Supervisors of Doylestown Township.

BOARD OF SEWER APPEALS — A board which may be created by resolution of the Board of Supervisors whose members shall be residents of Doylestown Township.

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1. Editor's Note: Ordinance No. 259 comprised former Ch. 136, Art. III, Septic Tank Maintenance.

**CESSPOOL** — A covered pit with open jointed lining which receives the sanitary sewage or other organic wastes directly from a building drain or building sanitary sewer. It retains and allows liquid waste to pass through the bottom and sides. This is an antiquated system which predates the standards (Chapter 73, Title 25, Pa. Code).

**CODE ENFORCEMENT OFFICER (CEO)** — An individual employed by the Township to administer and enforce ordinances in the Township.

**COMMUNITY SANITARY SEWAGE SYSTEM** — Any system, whether publicly or privately owned, for the collection of sanitary sewage from two or more lots or structures, and the treatment and/or disposal of the sewage on one or more lots or at any other site.

**EVIDENCE OF MALFUNCTION** — Wet, murky conditions (not resulting from surface water runoff or ponding) in areas designated as the absorption area of an OLDS. These conditions are typically accompanied by high grass and/or increased growth in the warmer months. In the winter, these areas generally do not freeze and the area is typically spongy and soft. Snow does not normally accumulate in these areas. Information received from property owners concerning frequent septic tank pumping or difficulty in pumping a septic tank due to backflow from the absorption area is also evidence of malfunction. Other factors considered as evidence of malfunctions are indications of previous repairs and/or extensions of the system not permitted by the Bucks County Health Department, and/or evidence of recently placed soil and/or dirt in the vicinity where the absorption area is located. The installation of a garden, shrubs and/or trees in the vicinity of the absorption area, as well as the inability to distinguish gray water discharge, is also evidence of a malfunction.

**GRAY WATER** — Domestically generated liquid wastes, including kitchen and laundry wastes and water softener backwash.

**HEALTH DEPARTMENT** — Bucks County Health Department (BCHD).

**HOLDING TANK** — A watertight receptacle that receives and retains sewage and is designed and constructed to facilitate ultimate disposal of the sewage at another site.

**MAINTENANCE** — Those actions required to provide for the long-term proper functioning of an on-lot sanitary sewage disposal system, including but not limited to the pumping of septage from a septic tank, cesspool or dry well and pump tank; the cleaning, pumping and/or leveling of a distribution box; the removal of trees or growth affecting the operation of an on-lot sanitary sewage disposal system; the diversion of surface water away from an on-lot sanitary sewage disposal system; and the reduction of flow from the structure being served (i.e., the installation of water conservation devices).

**MALFUNCTION** — The condition which occurs when an on-lot sanitary sewage disposal system discharges untreated or inadequately treated sewage onto the surface of the ground, into the groundwater, or into the surface waters of the commonwealth. Malfunction also occurs when sanitary sewage backs up into the building connected to the system, or otherwise causes a nuisance or hazard to the public health or pollution of the ground or surface water or contamination of any public and/or private drinking water wells.

**MUNICIPALITY** — Doylestown Township, Bucks County, Pennsylvania.

**NEW SYSTEM** — The installation of an on-lot sewage disposal system on a property where a system has not previously existed or the installation of a larger on-lot sewage disposal

system in conjunction with the expanded use of an existing structure. A new system does not include replacement systems installed on properties with existing on-lot sewage disposal systems where rehabilitation/repair efforts are required to correct an existing malfunction.

**OFFICIAL SEWAGE FACILITIES ACT 537 PLAN** — The plan adopted by the Township and approved by the Pennsylvania Department of Environmental Protection in furtherance of the requirements as set forth in the Pennsylvania Sewage Facilities Act.

**ON-LOT SANITARY SEWAGE DISPOSAL SYSTEM (OLDS)** — Any system for disposal of sanitary sewage involving pretreatment and subsequent disposal of the clarified sewage into the soil for final treatment and disposal, including both individual sanitary sewage systems and community sanitary sewage systems.

**PADEP** — The Department of Environmental Protection of the Commonwealth of Pennsylvania.

**PERSON** — Any individual, company, association, public or private corporation for profit or not for profit, partnership, firm, trust, estate, department, board, bureau or agency of the Commonwealth, political subdivision, municipality, district, authority or any other legal entity whatsoever which is recognized by law as having rights and duties. Whenever used in any clause prescribing and imposing a penalty or imposing a fine, the term "person" shall include the members of an association, partnership or firm and the officers of any local agency or municipal, public or private corporation for profit or not for profit.

**PUMPER/HAULER, DESIGNER AND INSTALLER OF ON-LOT SEPTIC SYSTEMS** — Any person, as that term is defined in this article, who engages in the design, installation and/or cleaning of community or individual sanitary sewage systems and/or who transports the septage removed from these systems for disposal, and is licensed by the Bucks County Health Department and the Township. For the purposes of this article, persons identified herein shall be hereinafter referred to as "pumper/hauler."

**PUMPER'S REPORT** — The form which shall be used by all licensed pumper/haulers to report each pumping of an on-lot sanitary sewage disposal system in the Township.

**REGISTRATION and PUMPER/HAULER SELECTION FORM** — The form which shall be made available by the Township. It is the means for property owners to register their on-lot sanitary sewage disposal system with the Township and to select a Township-licensed pumper/hauler of their choice.

**REHABILITATION or REPAIR** — Work done to modify, alter or repair an existing on-lot sanitary sewage disposal system or individual components thereof, including the enlargement of the total absorption area, provided that the flows from the structure being served are unchanged or reduced.

**REPLACEMENT AREA** — A portion of a lot, or property, sized to allow the installation of a subsurface sanitary sewage disposal area, which is reserved to allow for the installation of a replacement sanitary sewage system in the event of the malfunction of the originally installed on-lot sanitary sewage disposal system.

**REPLACEMENT SYSTEM** — An on-lot sanitary sewage disposal system which replaces a previously installed on-lot sanitary sewage disposal system which cannot be repaired or rehabilitated to a condition acceptable to the Bucks County Health Department.

SEPTAGE — The residual scum and sludge pumped from septic systems.

SEWAGE — Any substance that contains any of the waste products or excrement or other discharge from the bodies of human beings or animals, and any noxious or deleterious substance being harmful or inimical to the public health, or to animal or aquatic life, or to the use of water for domestic water supply, or for recreation, or which constitutes pollution under the Act of June 22, 1937 (P.L. 1987, No. 394), known as "The Clean Streams Law," as amended.<sup>2</sup>

SEWAGE ENFORCEMENT OFFICER (SEO) — A person certified by the Pennsylvania Department of Environmental Protection who issues and reviews permit applications and/or conducts such investigations and inspections as are necessary to implement the Sewage Facilities Act (Act 537) and the rules and regulations promulgated thereunder and this or any other ordinance adopted by the Township.

SEWAGE MANAGEMENT PROGRAM — A comprehensive set of legal and administrative requirements encompassing the requirements of this article and other administrative requirements adopted by the Township to effectively enforce and administer this article.

SUBDIVISION — The definition of "subdivision" shall be the definition as set forth in the Doylestown Township Subdivision and Land Development Ordinance.<sup>3</sup>

TOWNSHIP — Doylestown Township, Bucks County, Pennsylvania.

WATER TEST — The bacteriological water test supplied by the Pennsylvania Department of Environmental Protection which analyzes the presence of bacteriological contamination, including coliform organisms in drinking water.

WATERS OF THE COMMONWEALTH — All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through or border upon the state or any portion thereof, and as defined by the Pennsylvania Clean Streams Act.<sup>4</sup>

ZONING OFFICER — An individual employed by the municipality to administer and enforce the Township Zoning Ordinance.<sup>5</sup>

- B. All definitions included in Act 537 and the Clean Streams Act,<sup>6</sup> as amended, are hereby incorporated by reference into this article.

### **§ 136-32. Applicability.**

- A. The provisions of this article shall apply to all existing on-lot sewage disposal systems, as well as all new systems proposed within the Township.

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2. Editor's Note: See 35 P.S. § 691.1 et seq.

3. Editor's Note: See Ch. 153, Subdivision and Land Development.

4. Editor's Note: See 35 P.S. § 691.1 et seq.

5. Editor's Note: See Ch. 175, Zoning.

6. Editor's Note: See 35 P.S. § 691.1 et seq.

- B. A registration form shall be filed with the Township for all new systems prior to the issuance of a use and occupancy permit for the use of the structure being served by the on-lot sanitary sewage disposal system.

**§ 136-33. Permit requirements.**

- A. No person shall install, rehabilitate, construct or solicit proposals for the construction or alteration of an on-lot sanitary sewage disposal system, or construct or request proposals for the construction, installation or occupancy of any building or structure for which an on-lot sanitary sewage disposal system is to be installed without first obtaining the appropriate permit from the Health Department confirming that the system complies with the provisions of the Pennsylvania Sewage Facilities Act<sup>7</sup> and any and all regulations adopted pursuant to said Act.
- B. No system or structure designed for on-lot sanitary sewage disposal or for a rehabilitation, repair and/or replacement to or of an existing on-lot sewage disposal system shall be covered from view until a final inspection and approval of same has been provided by the Health Department.
- C. Applicants for on-lot sanitary sewage disposal system permits shall notify the Health Department of the schedule for construction or rehabilitation, repair and/or replacement of the permitted on-lot sanitary sewage disposal system so the appropriate inspection(s) shall be scheduled and performed by the Health Department.
- D. No building or occupancy permit shall be issued by the Township for a new building which will utilize an on-lot sanitary sewage disposal system, until such time as a valid sanitary sewage permit has been obtained from the Health Department and a registration form is filed with the Township.
- E. No building permit shall be issued by the Township and no work shall begin on any new building, addition, alteration or the change of use of any existing building until the Health Department has informed the Township that the existing sanitary sewage system has been completed, is operating and has had a final inspection or that no such certification is necessary. Furthermore, no occupancy permit shall be issued by the Township until such time as the proposed sanitary sewage system has been completed, is operating and has had a final inspection or that no such certification of same is necessary. The Health Department shall determine whether the proposed addition, alteration or change of use of the existing structure will result in increased sewage flows. The Township should be notified by the Health Department of all permits issued and final inspections performed in Doylestown Township. A system registration and pumper hauler selection form from the property owner must be on file with the Township.
- F. Sanitary sewage permits may only be issued by the Health Department.
- G. No contractor shall install, construct, rehabilitate or alter an on-lot sanitary sewage disposal system without verifying that the property owner has complied with the provisions of this article.

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7. Editor's Note: See 35 P.S. §750.1 et seq.

- H. All structures served by new sanitary sewer systems shall be required to install water conservation devices and fixtures, in compliance with the provisions of the Doylestown Township Water Conservation Ordinance adopted on November 19, 1991, and identified as Ordinance No. 209.<sup>8</sup>
- I. The Township shall provide a copy of this article and any other relevant material related to the management and maintenance of on-lot sanitary sewage disposal facilities to all property owners who are issued a move-in permit by the Township, where the move-in permit is issued by the Township for a property that makes use of on-lot sanitary sewage disposal facilities.

#### **§ 136-34. Right of entry.**

- A. Authorized persons acting on behalf the Township shall, upon presentation of the proper credentials and identification, be permitted to enter upon the outside of the property that contains an on-lot sanitary sewage disposal system for the purpose of inspecting, observing, photographing and sampling the on-lot sanitary sewage disposal system or alternate system, in accordance with the provisions of this article.
- B. The Township shall provide advance notice to the property owner of the on-lot sewage disposal system and/or alternative system prior to a regularly scheduled inspection or maintenance.

#### **§ 136-35. Inspections.**

- A. All on-lot sanitary sewage disposal systems will be inspected by a Township-approved pumper/hauler, as set forth previously in this article, which said inspection shall include a physical tour of the outside of the property, inspection and pumping of the system. The inspection may also include the taking of samples from surface water, or other groundwater sources, and/or the sampling of the contents of the sanitary sewage disposal system. It shall, however, be mandatory that a water test shall be performed on any well where the water from the well is consumed by any person. The water test to be performed shall be in accordance with the provisions of this article. The report of the inspection of the on-site sanitary sewage disposal system shall be furnished to the property owner of each property at the conclusion of the pump-out and inspection, and a copy of the report furnished by the pumper/hauler shall be provided to the Township. The property owner shall also provide a copy of the water test to the Township.
- B. In the event that inspection is denied by the property owner, the Township shall be authorized to take such steps as are appropriate to secure access to the property for the purpose of determining compliance with the terms and conditions of this article. Said steps shall include, but not be limited to, the seeking of an administrative search warrant from the appropriate judicial official.
- C. All on-lot sanitary sewage disposal systems in the Township shall be inspected and pumped-out by a Township-licensed pumper/hauler selected by the property owner, at least once every three years. The three-year time period shall begin when the Township has completed

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8. Editor's Note: See Ch. 170, Art. II, Conservation.

the first three-year cycle.

- D. Property owners of all on-lot sanitary sewage disposal systems making use of a septic tank, cesspool and/or dry well, if same receives solids from the structures served, and pump tank, if present, shall have their system inspected and pumped. Said inspection and pumping shall occur once every three years. Furthermore, the baffles of the septic tank shall be inspected by the Township-approved pumper/hauler in order to determine if the baffles are functioning properly. All costs of excavation shall be borne by the property owner. All pumping shall be scheduled on the three-year cycle pursuant to the provisions of this article.
- E. The Township-approved pumper/hauler shall generate a report after completing each inspection and pump-out and will provide a copy of the report to the owner of the property inspected. The report shall include the findings of the inspection and any recommendations for the maintenance of the on-lot sanitary sewage system. Such recommendations may include but not be limited to the property owner securing professional advice related to a further evaluation of the system and a program to correct any malfunctions. The Health Department shall be notified of any potential malfunctions by the Township.
- F. All owners of on-lot sanitary sewage systems with gray water discharges to the ground surface shall correct such discharges and route the gray water into the treatment tank (i.e., septic tank, cesspool, etc.). All rerouting and connections of gray water discharge to the on-lot sanitary sewage disposal systems shall require a permit from the BCHD. Gray water discharges are a violation of Section 73.11 of the Pennsylvania Code, Title 25, Environmental Protection and may also may be a violation of Sections 202 and 207 of the Pennsylvania Clean Streams Law, if the discharge is to any waters of the commonwealth (as defined herein). All violations shall be referred to the Health Department.
- G. The Township will periodically review the number and location of malfunctioning on-lot sewage disposal systems to determine if alternate sewage disposal solutions may be necessary. A resolution of area-wide problems may necessitate detailed planning and a Township revision to the Township's Act 537 Official Sewage Facilities Plan related to that area.

### **§ 136-36. Operation.**

- A. No property owner shall operate and maintain an on-lot sanitary sewage disposal system in such a manner that it malfunctions. No system shall discharge untreated or partially treated sanitary sewage to the surface of the ground or into the waters of the commonwealth, as defined herein.
- B. Sewage, which contains any of the following, shall not be discharged into any on-lot sanitary sewage disposal 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.
  - (5) Any nonbiodegradable materials.
  - (6) Radioactive waste materials.
- C. The Township may require the installation of water conservation devices, and other operation or maintenance procedures, to improve on-lot sanitary sewage system operation.

### § 136-37. Maintenance.

- A. Any property owner owning a building served by an on-lot sanitary sewage disposal system shall have that system inspected by an approved pumper/hauler and pumped by a Township-licensed pumper/hauler selected by the property owner. Following the initial inspection, every property owner shall have the system inspected and pumped at least once every three years thereafter. A pumper's report from the pumper/hauler shall be submitted to the property owner and the Township immediately after each pump-out.
- B. If excavation is necessary to accomplish the pump-out, the excavation is the responsibility of the property owner prior to the scheduled pumping. The cost for this excavation will be borne by the property owner. Any tank pumping shall include an inspection of the baffles within the septic tank by the pumper/hauler selected by the property owner. If the baffles are in a deteriorated condition, the property-owner-selected pumper/hauler shall be responsible for replacing the baffles, with the cost for this baffle(s) replacement borne by the property owner. A permit from the BCHD is not currently required to replace deteriorated or missing baffles. All tank pumping on the three-year cycle shall be done in the presence of the Township's approved pumper/hauler. If deemed necessary by the authorized agent, the distribution box, if one is present, shall be excavated and remain excavated until inspection has been completed by the Township's approved pumper/hauler. Thereafter, all tanks shall be pumped at least once every three years. A Township-approved pumper/hauler must be present at all subsequent pumping during the normally scheduled triennial pumping and inspections. If tanks are pumped at a greater frequency than every three years, the pumper/hauler shall supply a pumper's report to the Township within 14 days after the pumping.
- C. The required pumping frequency may be increased at the discretion of the OLDS property owner 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 disposal is used in the building; if the system malfunctions; or for other good cause shown.
- D. Any property owner owning a building served by an on-lot sanitary sewage disposal system which contains an aerobic treatment tank shall follow the operation and maintenance recommendations of the equipment manufacturer. In no case may the service or pumping intervals for aerobic treatment tanks exceed those required for septic tanks (three years).
- E. Any property owner owning a building utilizing a cesspool or dry well, which is the receiving unit for solids, shall have that system pumped according to the schedule prescribed for septic tanks (three years). As an alternative to this scheduled pumping of the cesspool or dry well, the property owner may secure a sewage permit from the Health Department for a septic tank



to be installed preceding the cesspool or dry well. For a system consisting of a cesspool or dry well preceded by an approved septic tank, only the septic tank must be pumped at the prescribed interval (three years).

- F. The Township and/or Health Department may require additional maintenance activity as needed, including, but not 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 and the diversion of surface water away from the disposal area, etc. None of these maintenance activities require a permit from the Health Department. However, if repair to a pump requires removal and replacement, a permit from BCHD is needed to ensure that an appropriate replacement pump is provided.
- G. Initial and periodic pumping shall be performed to these minimum standards unless other standards are specified by an equipment manufacturer:
- (1) At all times, the pumper truck operator's personal safety, as well as protection of the environment and the landowner's property, shall receive the highest priority.
  - (2) Tanks shall only be pumped from or through the manhole or access port (i.e., the largest tank opening).
  - (3) Tanks shall not be pumped from or through the observation port.
  - (4) When necessary to break up solids, backwashing with clean water or material of a similar nature already on board the pumper truck may be employed. Mechanical means (scraping, raking, etc.) are not necessary but may be employed, provided that appropriate safeguards are taken to prevent injury.
  - (5) When backwashing, care shall be taken not to fill or refill the tank to a level greater than 12 inches below the elevation of the outlet pipe.
  - (6) No liquids or solids are to be discharged into or through the outlet pipe.
  - (7) Tanks shall be deemed to be cleaned when all organic solids are removed and the total average liquid depth remaining in the tank is less than one inch.
  - (8) Every pump-out shall include a visual inspection, by the pumper/hauler, of the tank's interior. The inspection shall include a determination regarding the presence of baffles and their condition, as well as the physical condition of the treatment tank. Presence and condition of observation port(s) shall also be reported.
  - (9) At all times, and in all phases of operations, pumper/hauler businesses and equipment operators shall comply with all laws and regulations regarding the activities associated with on-lot wastewater system maintenance and disposal of materials removed therefrom.
  - (10) When the Township requires documentation of pump-out and tank and site conditions, the property owner may not prevent the pumper from complying with this article or any other applicable Township, county, state or federal requirements. A copy of any report given to the Township shall also be provided to the property owner.

- H. In addition to the requirements for initial tank pumping, periodic tank pumping shall include an inspection of and a pumper's report submitted to the Township on forms provided by the Township regarding the presence of any or all of the following:
- (1) Defective tank components (lids, baffles, dividers, etc.).
  - (2) Before pumping, water level above outlet pipe elevation.
  - (3) Following or during pumping, backflow from the absorption area.
  - (4) When possible, inflow from building(s) served, to verify connection to the building(s).
  - (5) Surface discharge, ponding or other signs of malfunction in the vicinity of the absorption area.

**§ 136-38. System rehabilitation, repair and replacement.**

- A. If the BCHD determines that any on-lot sewage disposal system is malfunctioning and, further, if that property abuts or fronts an existing public sewer, then the BCHD shall require that property be connected to said public sewer, at the property owner's sole cost and expense. Under those circumstances, the BCHD will not issue a permit for the repair of a malfunctioning on-lot sewage disposal system.
- B. If any on-lot sewage disposal system is observed to be malfunctioning, the Township will notify the BCHD. The Township should be notified by the Health Department of all permits issued and final inspections performed in Doylestown Township.
- C. Should the Health Department indicate that it is not possible to repair or modify the system to comply with PADEP's standards for on-lot sewage disposal systems, then the property owner shall be required to have a replacement on-lot sewage disposal system designed for the property. Said design shall conform to current regulations as promulgated by the PADEP.
- D. The Health Department may require the repairs/rehabilitation/replacement of any malfunction by the following methods: cleaning, repair or replacement of components of the existing system, adding capacity or otherwise altering or replacing the system's treatment tank, expanding the existing disposal area, replacing the existing disposal area, replacing a gravity distribution system with a pressurized system, and such other alternatives as appropriate for the specific site, including use of reservation areas as required for new systems in § 136-33I of this article.

**§ 136-39. Liens.**

- A. The Township, upon written notice from the Health Department that an imminent health hazard exists due to failure of a property owner to maintain, repair/rehabilitate or replace any on-lot systems, as provided under the terms of this article, shall have the authority to perform or contract to have performed, the work required by the Health Department. The property owner shall be charged for the work performed and, if necessary, a lien shall be recorded therefor in accordance with law.
- B. The Township shall not, however, be obligated to perform or contract to have performed any

work required to maintain, repair, rehabilitate or replace any on-lot sanitary sewage system.

**§ 136-40. Disposal of septage.**

- A. All septage pumper/haulers operating within the Township shall be licensed by the Township and shall comply with all reporting requirements established by the Township.
- B. All septage originating within the Township shall be disposed of at sites or facilities approved by the PADEP.
- C. The septage secured by pumper/haulers operating within the Township shall be handled consistent with the provisions of the Pennsylvania Solid Waste Management Act (Act 97 of 1980, 35 P.S. §§ 6018.101-6018.1003), and regulations adopted pursuant to such Act.
- D. The requirements to obtain a license shall be in compliance with the provisions of this article, and the Township may, by resolution of its Board of Supervisors, establish a fee for said license.

**§ 136-41. Wastewater management business licensing (pumping/hauling).**

- A. Before offering pump and haul services to property owners in Doylestown Township, all pumper/hauler businesses shall:
  - (1) Obtain a license from the Township and comply with all reporting requirements established herein.
  - (2) Identify all employees/owners and vehicles that will provide services in the Township.
  - (3) Operate in a manner consistent with the provisions of the Pennsylvania Solid Waste Management Act (Act 97 of 1980, 35 P.S., §§ 6018.101-6018.1003).
  - (4) Provide documentation that all septage pumped from properties in this Township will be delivered to a PADEP approved site or facility.
  - (5) Be licensed by the Bucks County Health Department.
- B. The requirements to obtain a license shall be in compliance with the provisions of this article and the Township may, by resolution of its Board of Supervisors, establish a fee for said license.
- C. When there is a change in the personnel/employees or vehicles that provide services in accordance with this article, it shall be the obligation of the business owner to notify the Township of the changes within seven days of the effective date of the change.

**§ 136-42. Administration.**

- A. The Township shall be authorized to exercise the powers conferred upon it pursuant to the terms and conditions of this article or any other applicable laws of the county, state and federal government.
- B. The Township Board of Supervisors may establish a fee, by resolution, the purpose of which

is to defray the cost of the inspections and other aspects of the on-lot sanitary sewage management plan as set forth in this article.

**§ 136-43. Appeals. [Amended 1-16-2018 by Ord. No. 386]**

- A. Any property owner, company and/or person aggrieved by the decision of a Township employee or other authorized agent of the Township pursuant to this article may appeal said decision by sending written notice to the Board of Supervisors or its designees, provided that said appeal shall be filed within 30 days from the date of the decision at issue.
- B. The property owner, company and/or person filing said appeal shall be entitled to a hearing before the Board of Supervisors, or its designee, within 14 days of receipt of the appeal. Either party, by good cause shown, may extend the time for a hearing, but said decision shall be left to the discretion of the Board of Supervisors or its designee. A hearing shall be conducted in accordance with the provisions of the Pennsylvania Local Agency Act,<sup>9</sup> and a decision shall be rendered, in writing, within 45 days of the conclusion of the hearing and all proceedings related thereto. If the Board of Supervisors or its designee shall fail to render a decision within 45 days following the conclusion of all proceedings related to the hearing, then the relief sought by the property owner, company and/or person aggrieved by a decision of the Board of Supervisors or its designee may, within 30 days after such decision of the Board, file an appeal to the Court of Common Pleas of Bucks County.

**§ 136-44. Violations and penalties.**

- A. Any property owner and/or person who has violated or permitted the violation of the provisions of this article, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, shall pay a judgment within \$1,000 plus all court costs, including reasonable attorney's fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of the violation by the District Justice. If the responsible party neither pays judgment nor files a timely appeal, the Township may enforce the judgment pursuant to the applicable Rules of Civil Procedure. Each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorney's fees collected for the violation of this article shall be paid over to the Township.
- B. In addition to the rights as set forth in this section, the Township may take such other rights as are available to it to enforce the provisions of this article, including resort to the courts of equity to seek compliance with the provisions of this article.

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9. Editor's Note: See 2 Pa.C.S.A. § 101 et seq.