

TOWNSHIP OF WASHINGTON
COUNTY OF NORTHAMPTON
COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO. 186

AN ORDINANCE OF WASHINGTON TOWNSHIP, NORTHAMPTON COUNTY, COMMONWEALTH OF PENNSYLVANIA, TO ESTABLISH A PORTABLE TOILET/PRIVY ORDINANCE.

BE IT ENACTED AND ORDAINED and same is hereby ordained and enacted by the Board of Supervisors of Washington Township, Northampton County, Pennsylvania, at a public meeting duly convened as follows:

SECTION I. Purposes. The purpose of this Ordinance is to establish procedures, regulations and guidelines for the use, placement and maintenance of existing and new portable toilets or privies within the Township which are designed to receive and retain sewage, whether from residential or commercial uses, and

IT IS HEREBY DECLARED that the enactment of this Ordinance is necessary for the protection, benefit and preservation of the health, safety, and welfare of the inhabitants of the Township of Washington.

SECTION II. Definitions. Unless the context specifically and clearly indicates a definition or meaning which is contrary to the definitions contained herein, the meaning of terms used in this Ordinance shall be as follows:

- A. "Supervisors" shall mean the Board of Supervisors of Washington Township, Northampton County, Pennsylvania.
- B. "Privy or Portable Toilet" shall mean a watertight receptacle, of a temporary nature, which receives and retains sewage where water under pressure or piped waste water is not available and which is designed and constructed to facilitate the ultimate disposal of sewage

generated at a particular site to be transported and disposed of at another site.

- C. "Improved Property" shall mean any property within the Township upon which there is erected a structure, or upon which there is a commercial use or land development, intended for continuous or periodic habitation, occupancy or use by human beings or animals, and from which structure sewage shall or may be discharged.
- D. "Owner" shall mean any person, corporation, partnership or other legal entity vested with ownership, legal or equitable, sole or partial, of any property located within the Township of Washington.
- E. "Person" shall mean any individual, partnership, company, association, corporation or other group or entity.
- F. "Sewage" shall mean any substance that contains any of the waste products, 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. Sewage shall include "gray water" which is further defined as discharge from any shower, tub, sink, washing machine or other facility used for bathing or washing, including dishwater and water softener discharge.
- G. "Municipality" shall mean the Township of Washington, Northampton County, Pennsylvania.

SECTION III. Rights and Privileges Granted. That the Supervisors are hereby authorized and empowered to regulate as

specified herein, within the municipality, the methods of holding tank use, privy/portable toilet use, sewage collection, transportation and disposal resulting from such use.

SECTION IV. Rules and Regulations. That the Supervisors are hereby authorized and empowered to adopt such rules and regulations concerning sewage which it may deem necessary from time to time to effect the purposes herein.

SECTION V. All such rules and regulations adopted by the Supervisors shall be in conformity with the provisions herein, all other Ordinances of the municipality, and all applicable laws, rules and regulations of the Commonwealth of Pennsylvania.

SECTION VI. Rates and Charges. The Supervisors shall have the right and power to fix, alter, charge and collect rates, assessments, and other charges in the area served by its facilities at reasonable and uniform rates as authorized by applicable law, and as further authorized by Resolution of the Board of Supervisors from time to time.

SECTION VII. Conditions of Privy or Portable Toilet Use.

- A. The property owner must show that site and soil suitability testing of the lot has been conducted by the Sewage Enforcement Officer and that the site meets the Title 25, Chapter 73 (Standards for Sewage Disposal Facilities) requirements for the ultimate sewage disposal by an approved on-lot system if water under pressure becomes available to the lot.
- B. At such time that water under pressure becomes available, the property owner must remove the privy/portable toilet

and replace the privy/portable toilet with an approved on-lot system.

- C. Specific conditions for use of privies/portable toilets shall be incorporated in the permit application and permit for the proposed use of a privy/portable toilet.
- D. The Supervisors are provided the opportunity to inspect the privies/portable toilets for proper operation, maintenance, and contents disposal.
- E. The Supervisors are specifically empowered to attach any reasonable conditions relative to the placement of privies/portable toilets on a particular site, and the Supervisors are further authorized and empowered to require that the applicant demonstrate such factors and circumstances which, in the opinion of the Supervisors shall warrant grant of permission for use of privies/portable toilets.
- F. It is specifically declared that the use of privies/portable toilets shall be temporary only, and any permission granted under this Ordinance shall specifically delineate the time period for which the privies/portable toilets are to be used.

SECTION VIII. Collection and transportation of all sewage from any property utilizing a privy/portable toilet shall be done solely by and under the direction and control of the Supervisors, and the disposal thereof shall be made only at such site or sites as may be approved by the Department of Environmental Resources of the Commonwealth of Pennsylvania.

SECTION IX. Duties and Responsibilities of Property Owner.

Owner of a property that utilizes a privy/portable toilet shall:

1. Maintain the privy/portable toilet in conformance with this or any other Ordinance of this Township, and the provisions of any applicable law, and the laws, rules and regulations of the Commonwealth of Pennsylvania; and shall further agree to provide the municipality or its agent such documentation as may be deemed necessary or appropriate to provide assurance of conformance. Said documentation may include, but shall not be limited to, permits, receipts, correspondence, etc. from PA D.E.R., the pumper/hauler, and the receiving station.
2. Permit only authorized and licensed contractors to collect, transport and dispose of the contents therein.
3. Abandon the privy/portable toilet consistent with applicable public health and environmental standards and obtain a permit for and instal an approved on-lot system meeting Chapter 73 standards in the event that water under pressure or piped waste water becomes available to the property.
4. Permit the Supervisors to enter upon lands to inspect the privy/portable toilet for proper operation, maintenance and contents disposal.

SECTION X. Before any permits can be issued under this Ordinance, it shall be the obligation of the applicant to enter into a one (1) year contract with an approved and licensed hauler for removal and disposal of any waste generated within the privies

or portable toilets which are subject to any application under this Ordinance.

SECTION XI. For the purposes of this Ordinance, the Board of Supervisors of Washington Township specifically delegates authority for enforcement to the Sewage Enforcement Officer of the Township, or, in his or her absence, the Alternate Sewage Enforcement Officer of the Township of Washington.

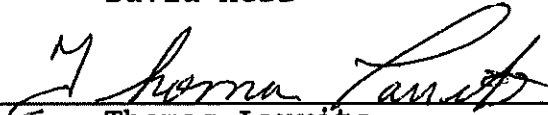
SECTION XII. This Ordinance shall be placed into effect five (5) days after enactment.

ENACTED AND ORDAINED by the Supervisors of the Township of Washington, County of Northampton and Commonwealth of Pennsylvania, into an Ordinance this 9th day of August, 1995.

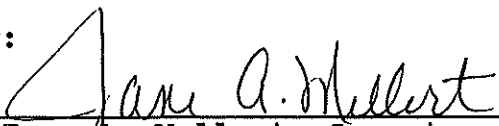
WASHINGTON TOWNSHIP BOARD OF SUPERVISORS

By: 
Ignatz Klausz, Jr., Chairman

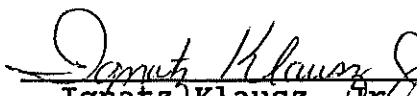
By: 
David Hess

By: 
Thomas Laurito

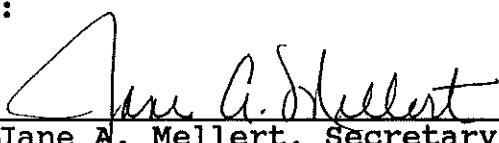
ATTEST:

By: 
Jane A. Mellert, Secretary

Approved and certified this 9th day of August, 1995.


Ignatz Klausz, Jr., Chairman

ATTEST:

By: 
Jane A. Mellert, Secretary