

**CHAPTER 15**  
**SEWAGE DISPOSAL**  
**ARTICLE 1**  
**SEPTIC TANKS**

**§15-101. Purpose**

The purpose of this Article is to protect the public health and general welfare, providing for the control and regulation of the disposal of sewage, setting forth specifications, rules and regulations for the construction and maintenance of septic tanks, and providing for the inspection of the same and providing for fees and imposing penalties.

*Ord. No. 7/3/61*

**§15-102. Definitions**

- A. **Installer:** any person who engages in the business of installation of systems.
- B. **Person:** an individual, firm, corporation, partnership or association.
- C. **Sewage:** refuse and foul matters, solid and liquid, excreted as well as waste and/or water discharged from any source whatsoever, but not limited to bathroom, kitchen, laundry or other facilities.
- D. **Sewage Inspector:** the person or persons duly appointed by the Board of Township Supervisors of Oakland Township to inspect and approve septic tank installations.
- E. **System:** all or part of a device or devices intended to treat or dispose of the sewage from a single residence, mobile home, building, plant or occupied parcel of land.

*Ord. No. 7/3/61*

**§15-103. Permits**

- A. It shall be unlawful for any person to install or cause to be installed a system on any piece or parcel of ground under his ownership, possession, actual or constructive, care or control, unless said person has previously applied for and obtained a permit from the Board of Township Supervisors of Oakland Township.
- B. It shall be unlawful to construct a "system" where a public sewer is reasonably available to the residence, mobile home, building, plant or

occupied parcel of land prescribed by this Article, considering among other things, the topography of the land, and the practicality of connection to the public sewer, all of which shall be determined by the Board of Supervisors at the time of making application for permit.

*Ord. No. 7/3/61*

#### **§15-104. System Installers**

- A. Installers, who assume responsibility for obtaining permits for each installation, performance, layout of design of system and certification of installation in accordance with the standards of this Article.
- B. Any person who complies with the regulations of this Article.

*Ord. No. 7/3/61*

#### **§15-105. Permit Applications**

- A. Where such sewage is directed or caused to flow into a system, a permit shall be procured prior to the time of the installation of the same and a fee set by Resolution shall be paid to the Board of Township Supervisors of Oakland Township at the time of filing the application for the construction of the same.
- B. All such applications, at the time of filing of the application, shall submit a plan accompanied by specifications showing the location, lot lines and dimensions, size and kind of material to be used, which plans and specifications shall be subject to approval of the Board of Township Supervisors of Oakland Township and/or its approved representative.

*Ord. No. 7/3/61*

#### **§15-106. New Construction Regulations**

New construction must be on a minimum one (1) acre lot to use a septic tank system. On existing lots of record where the area is less than one (1) acre, location and installation of the system shall be such that it will function in a sanitary manner and will not create a health nuisance or endanger the safety of any domestic water supply.

- A. All septic tanks hereafter to be constructed shall comply with the following minimum requirements and specifications: Two (2) bedrooms or less, a tank of one thousand (1,000) gallon capacity shall be required. The tanks shall be set on solid ground. For all other uses, the capacity of the tanks shall be increased in proportion for proper disposal of sewage, waste matter, used water or other similar matters, and the capacity of the tank shall be determined and fixed by the Board of Township Supervisors of Oakland Township, as necessary for proper disposal. The subsurface disposal field, or absorption ditch shall contain

a minimum area of three hundred (300) square feet. Under no circumstances shall rain water from roofing drains, french drains and garage drains be connected into the system and/or septic tank subsurface disposal field. Septic tanks shall not be permitted closer than ten feet (10') from any house.

- B. Absorption ditches in which the distribution tile shall be laid must not exceed thirty-six inches (36") in width and shall be deep enough to prevent freezing and also not be closer than six feet (6') to the center of the next absorption ditch. Fall shall not exceed one inch (1") in twenty feet (20'). The ditches shall be filled as follows:
  - 1. There shall be ten inches (10") of broken stone, or other approved materials, at the bottom.
  - 2. Four inch (4") approved tile is to be used. The tile is to be laid one-fourth inch (1/4") apart and the joints are to be covered with strips of tar paper.
  - 3. The tile shall then be laid and covered with enough broken stone to make a layer two inches (2") above the top of the tile.
  - 4. Four inches (4") of straw shall then be placed over the broken stone and the ditch shall then be backfilled with earth.
- C. All absorption ditches and septic tanks shall be left open until passed upon and approved by the Board of Township Supervisors of Oakland Township or its authorized representative.
  - 1. The inspector shall do the inspecting within twenty-four (24) hours after notification.
- D. Location of the disposal field shall be such as to provide not less than the stated distances from the following:
  - 1. Property lines - ten feet (10')
  - 2. Any water supply - fifty feet (50')
  - 3. Dwellings - ten feet (10')
  - 4. Streams - twenty-five feet (25')
- E. Distribution box shall be of sufficient size to accommodate the necessary field. Lateral lines shall be constructed at the head of each disposal field.
  - 1. Each field lateral line shall be connected separately to the distribution box and shall be subdivided.

2. The invert of all outlets shall be level and the inlet invert shall be at least one inch (1") above the outlets.
  3. The outlet inverts shall be from four inches (4") to six inches (6") above the floor, permitting water retention to act in lieu of a baffle for the purpose of securing equal distribution.
- F. Each inspection must be certified by the Sewage Inspector to the Secretary of the Board of Supervisors of Oakland Township in writing on forms provided by Oakland Township.

*Ord. No. 7/3/61*

### **§15-107. Existing Systems**

- A. In cases of malfunctioning or inadequate systems installed prior to the effective date of this Article, an application permit for repair or replacement with a fee set by Resolution shall be made in the same manner as for new installations, but the practicality and adequacy of the plans and specifications for repair or replacement shall be individually determined by the Sewage Inspector, and/or the Board of Supervisors.
- B. In the event that an existing septic tank system does not function in a sanitary manner so as to create a public health problem, upon any filed complaint, in writing, it shall be the duty of the Secretary of the Board of Township Supervisors of Oakland Township to give written notice to the offending persons to make the necessary changes within a thirty (30) days period. In the event corrections are not made within the thirty (30) day period, such persons, shall be deemed to have violated the provisions of this Article.

*Ord. No. 7/3/61*

### **§15-108. Seepage Pits**

The use of seepage pits is permitted with septic tanks when such use is found necessary because of soil conditions or topography except in limestone areas or where shallow wells furnish the water supply.

*Ord. No. 7/3/61*

### **§15-109. Complaints**

Complaints of a malfunctioning or inadequate sewage system must be in writing to the Secretary of the Board of Township Supervisors of Oakland Township who will present them to the proper officials for action.

*Ord. No. 7/3/61*

**§15-110. Violations and Penalties**

Any person violating the provisions of this Article shall be liable upon conviction thereof before any District Magistrate of the County of Butler and be fined a sum not to exceed three hundred dollars (\$300.00) for each and every offense, or in default of the payment of the fine and costs, such person willfully in default, shall be committed to the Butler County Prison for a period not to exceed thirty (30) days. Each and every day that any violation of the provisions hereof exist or continue shall constitute a separate and distinct offense and shall be subject to separate and distinct penalties hereunder.

*Ord. No. 7/3/61*

**CHAPTER 15**  
**ARTICLE 2**  
**WASTE DISPOSAL**

**§15-201. Purpose**

The purpose of this Article is to regulate the disposal of waste; require licenses for the establishment, maintenance or enlargement of dumps within Oakland Township; and prescribe penalties for violation thereof.

**§15-202. Definitions:**

The singular shall include the plural and the masculine shall include the feminine or the neuter.

- A. **Ashes:** the residue resulting from the burning of wood, coal, coke, or other combustible material.
- B. **Garbage:** all animal and vegetable wastes resulting from the handling, preparation, cooking, or consumption of foods.
- C. **Person:** any natural person, association, partnership, firm or corporation.
- D. **Refuse:** all solid wastes, except body wastes, and shall include garbage, ashes and rubbish.
- E. **Rubbish:** glass, metal, paper, rubber, plastic, plant growth, wood, discarded furniture, building materials, carton and shipping containers and any and all accumulations of the same.
- F. **Waste:** all organic or inorganic, liquid or solid refuse, garbage, rubbish, ashes, offal and industrial or commercial waste products.

*Ord. No. 1-71, 4/5/71*

**§15-203. Regulations**

- A. No waste shall be discarded, disposed, evaporated, buried, burned, kept or transported within Oakland Township, except as herein provided.
- B. Any waste which, because of its particular nature, cannot be disposed of, transported, or contained in accordance with the other provisions of this Article without contamination of the earth, atmosphere, streams and watercourses of the Township of any part thereof may be declared, by action of the Supervisors of Oakland Township, to be a nuisance and

said Supervisors are hereby authorized to take such action as may be necessary to abate such nuisance; said Supervisors to have the power, also, to refuse new licenses or to revoke existing licenses under such conditions.

- C. Nothing in this Article shall prevent any person from burying or burning, upon land owned by him, waste arising from his own personal activities, and activities of those residing with him as opposed to commercial waste disposal activities, provided, however, that no nuisance is thereby created.
- D. No person shall establish, maintain, or enlarge a public or private waste dump without first obtaining a license from the Supervisors of Oakland Township, setting forth the proposed location. The fee for such license shall be seventy-five dollars (\$75.00) per year or portion thereof.

*Ord. No. 1-71, 4/5/71*

#### **§15-204. Waste Dump Operators**

The duties of licensed waste dump operators shall be as follows:

- A. To operate and maintain waste dumps only in areas approved by the Supervisors of Oakland Township.
- B. To provide for the compacting of solid waste materials by layers or sections, each covered with at least six inches (6") of earth, the top layer or section to be covered by at least three feet (3') of dirt, such that the surface constitutes a continuation of the natural surrounding grade with such covering to be completed periodically. In no case shall waste be permitted to accumulate without being thus covered for a period in excess of forty-eight (48) hours;
- C. To provide for the permanent containment of liquid, semi-liquid and colloidal wastes and wastes containing solids in suspension within tanks constructed of impermeable materials so as to prevent leakage of such wastes into or upon the earth or into or upon the waters of the earth; such tanks to be completely enclosed and vapor tight if vapors arising from such wastes carry noxious or unpleasant odors which can or may escape from the area approved by the Supervisors of Oakland Township for the disposal of such waste; such tanks to be subject to approval of said Supervisors as to materials, construction and suitability for intended purpose prior to actual use in the disposal of waste;
- D. To abstain absolutely from burning, or permitting of burning of waste.

- E. To comply with all reasonable instructions and regulations now existing or hereafter given or promulgated by the Oakland Township Supervisors;
- F. To comply with the laws of the Commonwealth of Pennsylvania and the regulations of the Pennsylvania Department of Health; and
- G. To take all reasonable measures to prevent burning or dumping of waste by others.

*Ord. No. 1-71, 4/5/71*

**§15-205. Duties of Supervisors - Standards**

- A. To grant licenses only if the Supervisors are satisfied that the location is reasonably suited for the type of waste disposal proposed;
- B. To revoke licenses for failure to conform to reasonable instructions or regulations of the Supervisors;
- C. To make determinations under the provisions of this Article based upon careful consideration of the public health, safety, welfare and morals and in connection therewith, to consider the proximity of human habitations, public roads, streams or other bodies of water in the light of accepted soil conservation and pure water standards; and
- D. To revoke licenses for other violations of this Article.

*Ord. No. 1-71, 4/5/71*

**§15-206. Penalties and Violations**

Any person, including licensed waste dump operators, violating any of the terms of this Article shall, on conviction thereof before any District Magistrate, be subject to a fine of not less than twenty-five dollars (\$25.00), nor more than three hundred dollars (\$300.00), and costs of prosecution for each separate offense; and in default of payment thereof shall be committed to the Butler County Prison for a period of not more than five (5) days for each separate offense, with the right to appeal as in other cases of summary jurisdiction; provided, however, that each day's continuance of a violation of this Article shall constitute a separate offense. All fines levied, assessed, and paid under the terms of this Article shall be payable for the general use of the Township.

*Ord. No. 1-71, 4/5/71*

**CHAPTER 15**  
**ARTICLE 3**  
**PUBLIC SANITARY SEWERAGE CONNECTION**

**§15-301. Purpose**

The purpose of this Article is to require owner of property in the Layton Drive area in Oakland Township, a municipal corporation, in the County of Butler, Pennsylvania, to benefit, improve or accommodate by a public sanitary sewer within the Township to connect with said system; regulating the method of connection; providing for the cost of the same, providing penalties for failure to connect.

**§15-302. Connection Required**

Every owner of property in the Layton Drive area in the Township benefited, improved and accommodated by any public sanitary sewer presently in existence, or which may be hereafter constructed, shall connect directly or indirectly to the sewer system, at their own cost, the house, building or other structure located on the property with said public sanitary sewers for the purpose of disposing of all acceptable sanitary sewage emanating from said property.

*Ord. No. 95-1, 1/14/95.*

**§15-303. Abandonment of On-Lot Disposal Required:**

It shall be unlawful for any owner, lessee, or occupier of any property in the Township benefited, improved or accommodated by a public sanitary sewer to employ any means, either by septic tank, cesspool, privy vault, mine hole or otherwise, for the disposal of acceptable sanitary sewage other than into and through the said public sanitary sewers.

*Ord. No. 95-1, 1/14/95.*

**§15-304. Erection of On-Lot Disposal Receptacles Prohibited:**

It is hereby declared unlawful to dispose of sewage in any privy vault, cesspool, septic tank, mine hole or similar receptacle for human excrement and no such on-lot disposal system shall be connected with any public sanitary sewers.

*Ord. No. 95-1, 1/14/95.*

**§15-305. Notice of Connect:**

Where any house, building, or structure in the Township is benefited, improved or accommodated by any public sanitary sewer it shall be unlawful to use any method of disposal of acceptable sanitary sewage other than through said public sanitary sewers. It shall be the duty of the Township or any Operating Authority within the said Township to notify the owner, lessee, or occupier of the structure, in writing or by personal service, certified or registered mail, to disconnect the same and make proper connection for the discharge and disposal of all acceptable sanitary sewage into the public system as

hereinafter provided within sixty (60) days after receipt of such notice. Any owner or lessee or occupier who cannot comply with the provisions of this Section as to connection within the sixty (60) day period due to causes beyond his control (but not monetary causes) shall apply within the sixty (60) day period for a time extension not to exceed six (6) months in duration from the date of notice upon the following conditions: The application shall be on a form to be furnished which contains an agreement on the part of the applicant that he shall commence and agree to pay the regular monthly charges made to those using the public sewer in the Township even though actual connection to the public sanitary sewer will not be accomplished until some stated later date within the said extension period.

*Ord. No. 95-1, 1/14/95.*

**§15-306. Failure to Connect After Notice:**

If the owner or occupier of any house, building or structure in the Township shall neglect or refuse to comply with the provisions of this Article after written notice as prescribed in the preceding Section, the Township or the Operating Authority may perform or cause to be performed such work and labor and furnish or cause to be furnished such material as may be necessary to comply with the provisions of this Article at the cost and expense of such owner or occupier together with a ten percent (10%) addition thereto and all charges and expense incidental thereto, which sums shall be collected from said owner or occupier as debts by law are collected or the Township or the Operating Authority may file a municipal claim and lien therefor against the property as provided by law.

*Ord. No. 95-1, 1/14/95.*

**§15-307. Connecting Regulations:**

It shall be illegal for any person, firm or corporation to cause to be made any connection with any public sanitary sewer until he has fulfilled all the following conditions:

- A. He shall make application to the Township or the Operating Authority for a permit to connect to the sanitary sewer and provide the information required by the application furnished and, among other things, shall state the character and use of such structures located upon the property.
- B. He shall pay to the Operating Authority a connection fee and tapping fee, surcharges and service charges in accordance with the Rules and Regulations of the Operating Authority in effect at the time the charge is incurred, which charges will be uniform throughout the Township.
- C. No work shall be commenced before the payment of the connection fee and tapping fee as provided by the Rules and Regulations of the Operating Authority.

- D. Notice shall be given to the designated inspector of the Township or Operating Authority at least twenty-four (24) hours before the connection shall be made so that all work may be approved as to material and manner of connecting to the public sewer, which approval will be endorsed by the inspector on the date approved on the permit in the possession of the permittee.
- E. At the time of inspection of the connection, the owner or contractor shall permit the inspector full and complete access to all sanitary and drainage areas and facilities in each building and in and about all parts of the property. No building sewer lines shall be covered over or in any manner concealed until after it is inspected and approved by the inspector and after inspection, it shall be unlawful for the owner or contractor to make any changes thereon.

*Ord. No. 95-1, 1/14/95.*

**§15-308. Service Line Specifications and Regulations:**

The construction, number and size of all building sewer lines or house service sewers shall be done in accordance with the specifications, plans and procedures of the Operating Authority set forth in its Rules and Regulations.

*Ord. No. 95-1, 1/14/95.*

**§15-309. Unlawful Use of Sanitary Sewers:**

It shall be unlawful for any person, firm or corporation connected to any aforementioned public sanitary sewers to connect any surface or underlying stream of water, roof drain, foundation drains, spring water or any unacceptable sewage or industrial waste or any water drainage from any property other than that for which the permit is issued.

*Ord. No. 95-1, 1/14/95.*

**§15-310. Definitions:**

“Unacceptable sanitary sewage” and other terms used herein for the purpose of this Article shall have the same meanings as when used in the Rules and Regulations of the Butler Area Sewer Authority and said Rules and Regulations of the Butler Area Sewer Authority are to be applicable to all users of the aforementioned sanitary sewers.

*Ord. No. 95-1, 1/14/95.*

**§15-311. Penalties:**

In addition to any penalty herein prescribed, any person, firm or corporation failing to make a property connection within the time specified after receipt of property notice as provided herein shall, upon conviction thereof, before a District Magistrate, pay a fine or penalty of fifty dollars (\$50.00) for each day in violation and for violation of any other

provisions of this Article shall pay a fine or penalty of not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00), and in default of payment of either thereof, be sentenced to undergo an imprisonment of not less than five (5) days nor more than thirty (30) days in the County Prison. Each day that a violation continues shall be considered a separate offense. Any and all fines are hereby made a charge against the property and a lien thereon which may be collected under the Municipal Claim Law of the Commonwealth of Pennsylvania.

*Ord. No. 95-1, 1/14/95.*

**CHAPTER 15**  
**ARTICLE 4**  
**SEWAGE SYSTEMS ORDINANCE**

**§15-401. Purpose**

The purpose of this Article to regulate the installation and alteration of individual and community sewage systems within the Township of Oakland, Butler County, Pennsylvania, requiring permits for installation and alteration thereof, and providing penalties for violation.

**§15-402. Short Title**

This Article may be known and may be cited as the Oakland Township Sewage Systems Ordinance.

*Ord. No. 97-19/8/97*

**§15-403. Definitions:**

For the purposes of this Article the following words and phrases shall have the meanings ascribed to them in this Section:

- A. **Alternate Individual Sewage System:** an individual or community sewage system employing a treatment tank and alternate subsurface absorption area.
- B. **Community Sewage System:** any system, whether publicly or privately owned, for the collection of sewage or industrial wastes of a liquid nature from two (2) or more lots, and the treatment and/or disposal of the sewage or industrial waste on one (1) or more of the lots or at any other site.
- C. **Individual Sewage System:** a system of piping, tanks, or other facilities serving a single lot and collecting and disposing of sewage in whole or in part into the soil or into any waters of the Commonwealth or by means of conveyance to another site for final disposal.
- D. **Person:** any individual, association, public or private corporation for profit or not for profit, partnership, firm, trust, estate, department, board, bureau of agency of the Commonwealth, political subdivision, municipality, district, authority, or any other legal entity whatsoever which is recognized by law as the subject of rights and duties. Whenever used in any clause prescribing and imposing a penalty or imposing a fine or imprisonment, the term "person" shall include the members of an association, partnership or firm and the of the officers of

any local agency or municipal, public, or private corporation for profit or not for profit.

- E. **Property Owner:** any and all persons with an interest in real estate including legal and equitable interests.
- F. **Sewage Enforcement Officer:** the duly appointed official of Oakland Township who reviews permit applications, conducts such investigations and inspections as are necessary, and issues permits.
- G. **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 substances 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, known as "The Clean Streams Law," as amended.
- H. **Township:** Oakland Township, Butler County, Pennsylvania.

*Ord. No. 97-19/8/97*

**§15-404. Requirements for Individual Sewage Systems and Community Sewage Systems**

- A. It shall be unlawful for any property owner or any other person to install or repair, replace, or enlarge individual sewage systems or community sewage systems within the Township without first obtaining a valid permit issued by the Township Sewage Enforcement Officer.
- B. It shall be unlawful for any property owner or any other person to install or repair, replace, or enlarge an individual sewage system or community sewage system within the Township contrary to any conditions or requirement imposed by the Township Sewage Enforcement Officer at the time of issuance of a permit.
- C. It shall be unlawful for any property owner, or any other person, to begin construction or installation of a building for which an individual or community sewage system is to be used without first obtaining a permit.

*Ord. No. 97-19/8/97*

**§15-405. Permits**

- A. Application for a permit to install an individual or community sewage system shall be in writing on forms provided by the Township, signed by the property owner, and shall include the following:
  - 1. Information required on the Pennsylvania Sewage Facilities Act Application for Sewage Disposal System form;
  - 2. Legal description of the property on which the proposed installation or alteration is to take place;
  - 3. Plot plan of land showing location of any proposed or existing buildings;
  - 4. Plan of proposed sewage system;
  - 5. Soil profile description and percolation test report;
  - 6. Location of water supply facilities, existing or proposed; and
  - 7. The fee for processing the application and supervision of the installation which shall be set by Resolution of the Board of Supervisors.
  
- B. Applications for permits shall be submitted to the Sewage Enforcement Officer who shall issue or deny a permit within seven (7) days from receipt of the complete application.
  
- C. The Sewage Enforcement Officer shall grant or deny the permit depending upon whether or not the proposed installation or alteration conforms to the standards of the Pennsylvania Sewage Facilities Act, the Pennsylvania Clean Streams Law, Rules and Regulations of the Department of Environment Protection of the Commonwealth of Pennsylvania, and Rules and Regulations issued pursuant to this Article.

*Ord. No. 97-19/8/97*

#### **§15-406. Appeals**

Any property owner aggrieved by the denial of a permit under this Article shall have the right within thirty (30) days after receipt of notice of the denial to request a hearing before the Board of Supervisors. Revocation of a permit shall occur only after notice and opportunity of hearing has been given to the permittee. The Board of Supervisors shall hold a hearing within fifteen (15) days after receipt of such request. The hearing procedure shall be governed by the "Local Agency Law," 53 P.S., 11301, et seq. as hereinafter amended.

*Ord. No. 97-19/8/97*

#### **§15-407. Sewage Enforcement Officer**

The enforcement of this Article shall be the responsibility of the Sewage Enforcement Officer, who shall be appointed by Resolution of the Board of Supervisors.

*Ord. No. 97-19/8/97*

**§15-408. Penalties and Remedies**

- A. Any person who shall violated the provisions of this Article shall be guilty of a summary offense and upon conviction thereof in a summary proceeding before any District Magistrate and shall be sentenced to pay a fine of not less than one hundred dollars (\$100.00) and costs and not more than three hundred dollars (\$300.00) and costs or in default thereof shall be confined in the County Prison for a period of not more than thirty (30) days. Each day of violation of the provisions of this Article shall constitute a separate punishable offense. All fines are to be paid to the Township of Oakland.
- B. A violation of the provisions of this Article shall constitute a nuisance and shall be abatable in the manner provided by law.
- C. Nothing in this Article shall be construed as stopping the Township from proceeding in Courts of Law of Equity to abate nuisances forbidden under this Article or abate nuisances under existing law. Nothing in this Article shall in any way abridge or alter rights of actions or remedies now or hereafter existing in Equity or under the Common Law or Statutory Law, Criminal or Civil.
- D. All actions hereunder shall be prosecuted in the name of Oakland Township.

*Ord. No. 97-19/8/97*

**CHAPTER 15**  
**ARTICLE 5**  
**INTERGOVERNMENTAL COOPERATION**

BUTLER COUNTY SEWAGE ASSOCIATION

**§15-501. Purpose**

The purpose of this Article is to provide for the entering into intergovernmental cooperation with other municipalities of Butler County to establish and maintain the Butler County Sewage Association to perform and enforce the requirements of the Pennsylvania Sewage Facilities Act.

*Ord. No. 99-2, 10/04/99*

**§15-502. Enabling Legislation**

That, pursuant to the provisions of the Intergovernmental Cooperation Law (Act 177, approved December 19, 1996, P.L. 1158), the Township of Oakland (hereinafter referred to as the "Municipality") shall and does hereby enter into and adopt this Agreement of Cooperation (hereinafter "Agreement") with such other Municipalities of Butler County as may ordain to do so, providing for the establishment and maintenance of a joint local agency as authorized by Section 8 of the Sewage Facilities Act (Act No. 537, January 24, 1966, P.L. 1535), (hereinafter "Act"), to be known as the Butler County Sewage Association (hereinafter "Association").

*Ord. No. 99-2, 10/04/99*

**§15-503. General Provisions**

This Agreement shall and does hereby provide, inter alia:

- A. The delegation and transfer to the Butler County Sewage Association of all functions, powers and/or responsibilities of the Municipality, as provided for by the Act, as amended or hereafter amended, which shall include, but not be limited to, the following:
  1. Setting fee schedules for joining the Association, processing permit applications, and issuing permits.
  2. Employing certified sewage enforcement officers and such other employees or personnel, as may be necessary, and determining the amount and method of compensation for them.
  3. Applying for and receiving reimbursement from the Pennsylvania Department of Environmental Protection.

4. Establishing all necessary provisions and procedures for issuance of permits, collection of fees, enforcement of the Act and the Rules and Regulations promulgated pursuant thereto, prosecution of violations, hearing appeals from decisions of the sewage enforcement officer and appearing as a party of the local agency pursuant to the Local Agency Law.
  5. Adopting rules and regulations and procedures not inconsistent with the Sewage Facilities Act or the Rules and Regulations promulgated pursuant thereto, which the Association deems necessary and proper to the effective administration of the Act and to the effective execution of the powers, duties and responsibilities granted by the Act, the Ordinances of participating Municipalities, and the Agreement of Cooperation.
  6. Exercising all the power and duties delegated to local agencies by Section 7 and 8 of the Act.
- B. That the purposes and objectives of this Agreement are to create a local agency which will equally administer and enforce the provisions of the Act within each Municipality that is part of and included within the jurisdiction of the Association created.
  - C. That the manner and extent of financing the activities of the Association shall be determined by the Association which will annually, before preparation of budgets of participating Municipalities, specify the amount of funds, if any, that will be needed from each member Municipality to finance any costs not covered by fees and reimbursement, which amounts shall be approved by a majority of member Municipalities. The Association shall attempt as nearly as feasible, to limit its expenditures to income received from fees and reimbursements.
  - D. That this Association shall adopt By-laws which shall include, but not be limited to, a governing body composed of one elected official or other designated representative from each participating Municipality to be chosen on an annual basis by each participating Municipality.
  - E. Such By-laws shall provide for the manner in which property, real or personal, shall be acquired, managed or disposed of, including a provision that upon complete termination of the Association's existence, its remaining assets shall be distributed to the participating Municipalities in a prorated amount based upon the total contributions of each Municipality of joining fees and assessments paid pursuant to Section 15-503 hereof.
  - F. The Municipality may, upon thirty (30) days written notice to the Association, withdraw from the Association through repeal of this Article.
  - G. That the Association shall serve only those Municipalities participating therein.

- H. The non-member Municipalities in the County may become participating members of the Association by proper Ordinance adopting this Agreement of Cooperation.
- I. That this Agreement of Cooperation may be amended or terminated by Ordinance of all participating members.
- J. That the Association is empowered to enter into contracts for policies of groups insurance and employee benefits, including Social Security, for its employees.

*Ord. No. 99-2, 10/04/99*

**§15-504. Enforcement**

Any and all enforcement rights provided by the "Pennsylvania Sewage Facilities Act" including, but not limited to, all civil and/or criminal penalties, are delegated to the Association by the participating municipalities, provided, however, that each Municipality shall authorize such enforcement, pay all out of pocket expenses thereof, and receive all fines, costs, and penalties resulting therefrom for violations within its borders.

*Ord. No. 99-2, 10/04/99*