

**SOUTH SHENANGO TOWNSHIP
CRAWFORD COUNTY, PENNSYLVANIA**

ORDINANCE NO. 1996- 7

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AN ORDINANCE AMENDING ORDINANCE NO. 1980-1 OF SOUTH SHENANGO TOWNSHIP, CRAWFORD COUNTY, PENNSYLVANIA ENTITLED "AN ORDINANCE OF THE TOWNSHIP OF SOUTH SHENANGO, CRAWFORD COUNTY, PENNSYLVANIA, REQUIRING A PERMIT FOR THE INSTALLATION OF AN INDIVIDUAL OR COMMUNITY SEWAGE DISPOSAL SYSTEM AND PROVIDING A FEE THEREFOR IN ACCORDANCE WITH THE PENNSYLVANIA SEWAGE FACILITIES ACT" BY, *inter alia*, ADDING AN EXEMPTION FOR LOTS OWNED PRIOR TO 1987 WHICH ARE LARGER THAN 10 ACRES IN SIZE.

BE IT ORDAINED by the Supervisors of South Shenango Township, Crawford County, Pennsylvania, and it is hereby ordained by and with the authority of the same:

Section 1. is amended to read as follows:

Section 1. Except as otherwise provided by a statute of the Commonwealth of Pennsylvania, or duly adopted regulation of the Pennsylvania Department of Environmental Protection (DEP), no person shall install, construct, or award a contract for construction, or alter, repair or connect to an individual sewage system or community sewage system or construct, or request bid proposals for construction, or install or occupy any building or structure for which an individual sewage system or community sewage system is to be installed, in South Shenango Township, without first obtaining a permit indicating that the site, plans and specifications of such system are in compliance with the Pennsylvania Sewage Facilities Act of January 24, 1966 (P.L. 1535) as amended and the rules and regulations adopted pursuant to said Act.

Section 2. is amended to read as follows:

Section 2. The foregoing Section 1 notwithstanding, however, no permit or plan revision shall be required for a person where a new dwelling is proposed to replace a previously existing dwelling where the size and anticipated use of the new dwelling is the same as the previously existing dwelling and the previously existing dwelling was in use within one year of the anticipated date of the completion of construction. This exception shall not apply when an active investigation of malfunction is under way by the Township, the local sewage enforcement officer or the DEP.

New Sections 2A, 2B, and 2C are added as follows:

Section 2A. No permit may be issued in those cases where a permit from the DEP is required pursuant to the act of June 22, 1987 (P.L.1987, No. 394), known as "The Clean Streams Law," as amended, or where the DEP pursuant to its rules and regulations, determines that such permit

is not necessary for the protection of the public health.

Section 2B. No permit or plan revision shall be required for the installation of an individual on-lot sewage system for a residential structure occupied or intended to be occupied by the property owner or a member of his immediate family on a contiguous tract of land ten acres or more if the owner of the property was the owner of record as of January 10, 1987. For the purposes of this section "immediate family" shall mean brother, sister, son, daughter, stepson, stepdaughter, grandson, granddaughter, father or mother of the property owner. The exemption set forth in this Section 2B shall not however, relieve any person from the duty to comply with the standards and requirements for siting on-lot sewage systems which are set forth at Section 7, Subpart (a)(3)(a.1) of the Pennsylvania Sewage Facilities Act as amended by Act 1994-149, and any further amendments thereto.

Section 2C. Where the requirements for the exemption set forth at Section 2B hereof are met, the exemption will not be denied solely because of the subdivision of a parcel of 10 acres or greater in size from a parent tract after January 10, 1987; provided however that when one permit exemption has been granted for a lot, tract or parcel under this section, any lot, tract or parcel remaining after subdivision of the lot or parcel which received the permit exemption or any lots or parcels subdivided therefrom in the future shall not be eligible for a ten-acre permit exemption and must meet the planning, permitting, siting and construction standards of the DEP for on-lot sewage systems.

THE REMAINING SECTIONS of Ordinance 1980-1 not repealed or amended by this amendment, being Sections 3, 4, 5, and 6, are hereby approved and shall remain in force. This ordinance shall become effective 5 days after adoption.

ADOPTED by the Supervisors of South Shenango Township, Crawford County, Pennsylvania, this 12 day of March, A.D., 1996.

**SOUTH SHENANGO TOWNSHIP
BOARD OF SUPERVISORS**

BY: Kerry L. Donnan

BY: Joseph R. Livingston

BY: Larry C. ...

ATTEST

BY: Lorena A. Tolson
Secretary