

## 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 or 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.*