

ORDINANCE NO. 02-21A

**AN ORDINANCE OF THE TOWNSHIP OF PERRY, BERKS COUNTY,  
PENNSYLVANIA AMENDING ORDINANCE NO. 2 OF 1998 WHICH  
ADOPTED REGULATIONS GOVERNING MUNICIPAL  
MANAGEMENT OF ON-LOT SUBSURFACE SEWAGE DISPOSAL  
FACILITIES IN THE TOWNSHIP OF PERRY**

WHEREAS, the Board of Supervisors of Perry Township previously passed Ordinance No. 2-1998, which established regulations regarding the maintenance of on-lot subsurface sewage disposal within the Township in Section 9, Maintenance, of said Ordinance; and

WHEREAS, it now appears that the schedule for pumping needs to be brought in line with the normal scheduling by the Pennsylvania Department of Environmental Protection Section 9, Maintenance, of Ordinance No. 2 of 1998.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, and it is hereby ordained and enacted by the Township of Perry, County of Berks, Commonwealth of Pennsylvania, as follows:

Section 1: Section 9 of Ordinance No. 2-1998 is hereby replaced in its entirety to read as follows:

“SECTION 9. Maintenance

A. Each person owning a building served by an on-lot sewage disposal system which contains a septic tank shall have the septic tank pumped by a qualified pumper/hauler within six months of the effective date of this ordinance. Thereafter that person shall have the tank pumped at least once every three years or whenever an inspection reveals that the septic tank is filled with solids or with scum in excess of 1/3 of the liquid depth of the tank. Receipts from the pumper/hauler shall be submitted to the Township within the prescribed six month and three year pumping periods.

B. The required pumping frequency may be increased at the discretion of an authorized agent 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 grinder is used in the building, if the system malfunctions or for other good cause shown. If any person can prove that such person's septic tank had been pumped within three years of the six-month anniversary of the effective date of this ordinance, then that person's initial required pumping may be delayed to conform to the general three-year frequency requirement except where an inspection reveals a need for more frequent pumping frequencies.

C. Any person owning a property served by a septic tank shall submit, with each required pumping receipt, a written statement, from the pumper/hauler or from any other qualified individual acceptable to the Township, that the baffles in the septic tank have been inspected and found to be in good working order. Any person whose septic tank baffles are determined to require repair or replacement shall first contact a sewage enforcement officer for approval of the necessary repair.

D. Any person owning a building served by an on-lot sewage disposal system which contains an aerobic treatment tank shall follow the operation and maintenance recommendations of the equipment manufacturer. A copy of the manufacturer's recommendations and a copy of the service agreement shall be submitted to the Township within six months of the effective date of this Ordinance. Thereafter, service receipts shall be submitted to the Township at the intervals specified by the manufacturer's recommendations. In no case may the service or pumping intervals for aerobic treatment tanks exceed those required for septic tanks.

E. Additional maintenance activity may be required as needed including, but not necessarily 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, the diversion of surface water away from the disposal area, etc."

Section 2. Should any provision of this amendment to Ordinance No. 1-1995 be found unconstitutional or otherwise illegal, or in any other manner unenforceable, the remaining sections of the Ordinance shall remain in full force and effect.

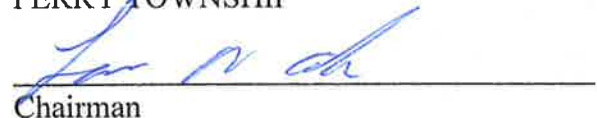
Section 4. This Ordinance shall take effect five (5) days after enactment thereof.

DULY ENACTED AND ORDAINED by the Board of Supervisors of Perry Township, Berks County, Pennsylvania, this 9<sup>th</sup> day of February, 2021.

ATTEST:

  
Secretary

BOARD OF SUPERVISORS OF  
PERRY TOWNSHIP

  
Chairman