

COVINGTON TOWNSHIP  
WASTEWATER ORDINANCE

ORDINANCE NO. 1991-11

JUNE 1991

PREPARED FOR:

COVINGTON TOWNSHIP SEWER AUTHORITY  
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**ORDINANCE NUMBER** 1991-11

**COVINGTON TOWNSHIP,  
LACKAWANNA COUNTY, PA**

**ARTICLE I**

**GENERAL PROVISIONS**

**Section 101. Title.**

An Ordinance providing for the enforcement of the Pennsylvania Sewage Facilities Act of January 24, 1966 (P.L.1535), Chapters 71 and 73 of Title 25 of the Pennsylvania Code, and establishing rules and regulations governing all individual, community, central, and municipal sewage systems, describing the responsibilities of the Township and the Sewage Enforcement Officer (SEO) and the Covington Township Sewer Authority, authorizing the issuance of permits for the installation of wastewater collection and treatment facilities and licenses for the treatment, transportation and disposal of sewage waste, regulating the use of holding tanks, and prescribing penalties for the violation of the provisions of this Ordinance.

**Section 102. Short Title.**

This Ordinance shall be known as "The Covington Township Wastewater Ordinance" or "Ordinance Number 1991-11", hereinafter referred to as "The Ordinance".

**Section 103. Purpose.**

The purpose of this Ordinance is to provide for the safe and sanitary disposal of sewage waste by prohibiting the discharge of raw or partially treated sewage onto the surface of the ground or into the "Waters of the Commonwealth" and to obligate adequate repair within an acceptable period of time.



**Section 104.**

**Application.**

This Ordinance applies to the regulation and operation of all existing and proposed sewage collection and disposal systems within Covington Township and to the installation of all such systems in the Township after the effective date of this Ordinance. No exceptions will be made for rural residences as defined by Title 25, Chapters 71 and 73 of the Pennsylvania Department of Environmental Resources.

## ARTICLE II

### DEFINITIONS

#### Section 201.      **General**

- 201.1.      Act 537 Plan:** The Official Act 537 Wastewater Management Plan for Covington Township is a comprehensive plan for the provision of adequate sewage disposal systems, adopted by a municipality and submitted to, and approved by the Pennsylvania Department of Environmental Resources. The Plan is implemented by the municipality under the Act, certain sections of PA Code 25 Chapter 71, and the Clean Streams Law (35 P.S. 691.1-691.1001).
- 201.2.      SEO (Sewage Enforcement Officer):** An official of the local municipality who reviews permit applications, issues permits, reviews sewage facilities planning modules and conducts inspections necessary to implement Act 537, Chapter 71 and Chapter 73 relating to on-site sewage disposal.
- 201.3.      Chapter 71:** relates to the administration of the sewage facilities planning program.
- 201.4      Chapter 73:** relates to standards for on-site sewage disposal facilities.
- 201.5      Soil horizon:** a layer of soil approximately parallel to the soil surface.
- 201.6.      Soil profile:** The collection of soil horizons, including the natural vegetative layer on the surface.
- 201.7      Limiting zone:** a soil horizon or condition in the soil profile or underlying strata which includes one of the following: a rock with open joints, fracture or solution channels, masses of loose rock fragments, including gravel with insufficient fine soil to fill the voids between the fragments, or a rock formation or other stratum or soil condition which is slowly permeable that it effectively limits the downward passage of water movement.

- 201.8. **Socio-Economic Justification Report:** A report required by the Department of Environmental Resources for Wastewater Treatment Facilities that will discharge into a "High Quality" or "Exceptional Value" stream as defined in 25 PA Code, Chapter 93. The contents of the report are delineated in 25 PA Code, Chapter 95.
- 201.9. **Percolation test:** A test to determine the percolation rate of water through the soil. The test must be conducted in accordance with 25 PA Code, Chapter 73.15.
- 201.10. **Soil test pits:** soil probes used to evaluate the renovative capacity of the soil by observing the soil characteristics and to determine whether a limiting zone exists within the soil profile
- 201.11 **Individual on-site sewage disposal system:** An individual sewage system which uses a system of pipes, tanks or other units for collecting, treating and disposing of sewage into a subsurface soil absorption area for a single home.
- 201.12 **Community on-site sewage disposal system:** A community sewage system which uses a system of pipes, tanks or other facilities for collection, treatment, and disposal of sewage into a subsurface soil absorption area for two or more homes or for a commercial establishment.
- 201.13. **Non-municipal Wastewater Treatment Facility:** A privately owned wastewater treatment plant.
- 201.14. **Municipal Wastewater Treatment Facility:** A municipally owned wastewater treatment facility.
- 201.15. **Industrial Waste:** any solid, liquid or gaseous substance or waterborne wastes or form of energy rejected, escaping or discharged from any industrial, manufacturing, commercial, trade or business process or from the development, recovery or processing of natural resources, and as distinguished from sanitary sewage.
- 201.16. **Sanitary Sewage (Domestic Sewage):** the normal, water carried, household and toilet wastes resulting from human occupancy of residences and other establishments.

**201.17. Connection Ordinance:** the Ordinance adopted by the Township mandating all owners of improved properties whose principal building is within 150 feet of any portion of the Municipal Wastewater Treatment Facility.



## ARTICLE III

### ACT 537 PLANNING APPROVAL PROCEDURES

#### Section 301. Minor Subdivisions

##### 301.1 Individual On-site Wastewater Disposal Systems.

Minor subdivisions of detached single-family residential dwelling units that propose to use individual on-site wastewater disposal systems shall follow the planning approval procedure listed below. Minor subdivisions consist of 10 lots or less and the enumeration of lots shall include only those lots created after May 15, 1972 and the residual tract (land under the same ownership and adjacent). When small subdivisions are proposed in phases, the current proposal, in addition to the existing or proposed subdivision of which it is a part, cannot exceed ten lots to qualify for use of the minor subdivision process. Minor subdivisions do not require a revision of the Township's Act 537 Plan.

#### A. Application.

1. Applicants requesting Act 537 Planning Approval exception for a minor subdivision that will be served by individual on-site wastewater disposal system(s) shall obtain Component 1 - Minor Subdivision Planning Module from the Township Secretary.

#### B. Planning Module Preparation.

1. The applicant shall prepare the planning module in accordance with all requirements of Act 537, Chapter 71 regulations, and Chapter 73 regulations, as amended from time to time.
2. The following planning module preparation activities must be conducted by the Township SEO. The Applicant is responsible for coordinating these activities with the SEO and is responsible for the cost of these services.



- a. The Township SEO, or a soil consultant approved by the Township SEO, must conduct test pits in all soil types to generally verify mapping and limiting zones, including soil textures for each horizon, mottling percent coarse fragments, depth to water seepage, depth to water level in excavation, and other pertinent data. At least three test pits must be performed in each soil type. The Township SEO shall be present during the soils tests if an independent soils consultant conducts the soil tests.
- b. The Township SEO, or a soil consultant approved by the Township SEO, must conduct percolation tests on the site and include depths and rates.
- c. The Township SEO must complete Appendix A (ER-BWQ-290A) with results of all soil profile examinations and percolation tests (suitable and unsuitable).
- d. The Township SEO shall provide the applicant with test pit and percolation test results and a signed copy of Appendix A.
- e. The Department of Environmental Resources shall be notified of all soils testing and shall be given the opportunity to be present during testing.

C. Planning Module Submission to the Covington Township Planning Commission.

- 1. Two (2) copies of the completed Planning Module and accompanying plot plan along with the required fee for the review of the planning module shall be submitted to the Planning Commission Secretary.

2. Members of the Planning Commission, the Township SEO, the Township Zoning Officer, the Planning Commission Solicitor and the Planning Commission Engineer shall review the planning module.
  - a. The Planning Commission Engineer shall review the planning module for compliance with Chapter 71, Chapter 73, and the requirements of this Ordinance.
  - b. The Township SEO shall review the planning module to verify that the soils information included in the planning module is correct and he shall return a signed copy of the planning module form to the Township Secretary.
  - c. The Township Zoning Officer shall review the planning module to determine if the proposed land use is consistent with all applicable zoning ordinances or land use restrictions for that area. If the project is consistent with these ordinances and restrictions, the Zoning Officer shall sign Section E of the Planning Module and return it to the Planning Commission.
  - d. The Planning Commission Solicitor shall review the planning module for compliance with this Ordinance.
3. The Planning Commission Engineer, the Sewage Enforcement Officer, and Planning Commission Solicitor shall submit written comments on the planning module to the Planning Commission within 20 days of receipt of the planning module. The Sewage Enforcement Officer shall also submit written comments on the planning module to the Sewer Authority.

4. The Planning Commission shall review all comments by the Planning Commission Engineer, the Township SEO, and the Planning Commission Solicitor and prepare a comment letter to the Board of Supervisors.
  5. The Planning Commission shall have sixty (60) days from the time the applicant submits the planning module to the Planning Commission Secretary to review and comment on the planning module. After the 60 day review period, the Planning Commission shall sign and return the planning module to the Applicant along with the appropriate action indicated on the planning module form.
- D. Planning Module Submission to the Covington Township Sewer Authority.
1. Two (2) copies of the completed Planning Module and accompanying plot plan along with the required fee for the review of the planning module shall be submitted to the Sewer Authority Secretary concurrently with submission to the Planning Commission Secretary.
  2. The Sewer Authority Secretary shall forward copies of the planning module to the Sewer Authority Engineer and the Sewer Authority Solicitor for review. The planning modules shall be distributed within three (3) days of receipt.
    - a. The Sewer Authority Engineer shall review the planning module for compliance with Chapter 71, Chapter 73, the requirements of this Ordinance, and the Covington Township Act 537 Plan.
    - b. The Sewer Authority Solicitor shall review the planning module for compliance with this Ordinance.



3. The Sewer Authority Engineer and Sewer Authority Solicitor shall submit written comments on the planning module to the Sewer Authority within 20 days of receipt of the planning module.
4. The Sewer Authority shall review all comments by the Sewer Authority Engineer and the Sewer Authority Solicitor and prepare a comment letter to the Board of Supervisors.
5. The Sewer Authority shall have sixty (60) days from the time the applicant submits the planning module to the Sewer Authority Secretary to review and comment on the planning module. After the 60 day review period, the Sewer Authority shall return the planning module to the Applicant along with a comment letter addressed to the Board of Supervisors.

E. Planning Module Submission to the Covington Township Board of Supervisors.

1. The Applicant shall submit four (4) copies of the completed planning module to the Township Secretary. The completed planning module shall consist of the following information:
  - a. Completed Planning Module forms.
  - b. A plot plan with the required information as listed on the planning module forms.
  - c. A narrative description of the project which shall provide the following information.
    - i. Nature of development project.
    - ii. The number of lots in the development project.
    - iii. Proposed sewage disposal method.
    - iv. Sewage flows in gallons per day.

- v. Total acreage of the proposed land development project.
    - vi. A description of the use of any acreage or parcels under the same ownership and adjacent to the property.
    - vii. Any other information that is relevant to the project.
  - d. Covington Township Planning Commission Secretary's signature and appropriate action indicated on the planning module form.
- 2. The Township Secretary shall review the information submitted by the Applicant for completeness within 5 days of receiving the planning module package.
  - a. If the package is incomplete, the Township Secretary shall return the planning module package to the Applicant and the application shall be considered denied.
  - b. If the package is complete, the Township Secretary shall distribute the planning modules as described below.
- 3. The Township Secretary shall distribute the copies of the planning module to the Township Engineer and the Township Solicitor for their review.
  - a. The Township Engineer shall review the planning module for compliance with Chapter 71, Chapter 73, and the requirements of this Ordinance.
  - b. The Township Solicitor shall review the planning module for compliance with this Ordinance.



4. The Township Engineer and the Township Solicitor shall submit written comments on the planning module to the Board of Supervisors within 20 days of receipt of the planning module. If either the Township Engineer or the Township Solicitor determine that the planning module is incomplete within their 20 day initial review period, they shall direct the Township Secretary to return the incomplete planning module to the Applicant.
5. The Board of Supervisors shall review the complete planning module and all comments received from the Township Engineer, the Township Solicitor, the Planning Commission and the Sewer Authority.
  - a. The Township Supervisors may request any additional information they deem necessary from any of the reviewing agencies or the Applicant.
6. The Township Supervisors may require or recommend such changes and modifications as they shall deem necessary or advisable and in the public interest.
7. The Board of Supervisors shall communicate their decision in writing to the Applicant not later than fifteen (15) days following the decision.
  - a. If the planning module is not approved, the Board of Supervisors will send the Applicant a letter of denial that will state the reasons for denial. The Applicant then has the option to resubmit the planning module to the Township with revisions or to submit the planning module to the local DER office along with the letter of denial from the Township Board of Supervisors. The Board of Supervisors will send a copy of the approval or denial letter to the DER.

- b. If the planning module is approved, the Board of Supervisors will notify the Applicant in writing of the approval. The Board of Supervisors will send three signed and executed copies of the planning module to the local DER office.
8. In any event, the Board of Supervisors shall render their decision and communicate it to the applicant no later than sixty (60) days from the date that the planning module is considered complete by the Township. A complete planning module is defined in Chapter 71 as one which contains all the necessary forms and technical information and which has been reviewed by all appropriate review agencies.

## **Section 302. Major Subdivisions**

### **302.1 Individual and Community On-site Wastewater Disposal Systems.**

Major subdivisions that propose to use individual on-site wastewater disposal systems shall following the planning approval procedures listed below.

- A. Application.
  1. Applicants requesting Act 537 Plan Approval for a major subdivision that will be served by an individual or community on-site wastewater disposal system shall obtain an "Application of Sewage Facilities Planning Module" from the Township Secretary.
  2. The Applicant shall complete the application form and submit the form to the DER to obtain the appropriate planning module forms. For on-site wastewater disposal systems, Components 2 and 4 will be required.

B. Planning Module Preparation.

1. The Applicant shall prepare the planning module in accordance with all requirements of Act 537, Chapter 71 regulations, and Chapter 73 regulations, as amended from time to time.
2. The following planning module preparation activities shall be conducted by the Township SEO.
  - a. The Township SEO, or a soils consultant approved by the Township SEO, must conduct test pits in all soil types to generally verify mapping and limiting zones, including soil textures for each horizon, mottling percent coarse fragments, depth to water seepage, depth to water level in excavation, and other pertinent data. At least three test pits must be performed in each soil type. The Township SEO shall be present during all soils testing.
  - b. The Township SEO, or a soils consultant approved by the Township SEO, must conduct percolation tests on the site and include depths and rates.
  - c. The Township SEO shall provide the applicant with test pit and percolation test results, and shall sign Appendix A forms and give them to the Applicant.
  - d. The Department of Environmental Resources shall be notified of all soils testing and shall be given the opportunity to be present during testing.

The Applicant is responsible for coordinating these activities with the SEO and is responsible for the cost of these services.



3. If a community on-site disposal system is proposed, the applicant shall also provide the following information with the planning module:
  - a. An outline of proposed maintenance methods.
  - b. An outline of present and future ownership.
  - c. An erosion and sedimentation control plan.
  - d. A hydrogeologic evaluation for systems with capacities greater than 5,000 gpd. The evaluation shall include surface and subsurface sampling and nitrate modeling sufficient to satisfy the Board of Supervisors, the Township Engineer and the Authority Engineer.

C. Planning Module Advertisement.

1. The Applicant shall prepare an advertisement for the planning module in accordance with Chapter 71 guidelines, as amended from time to time, and shall submit the advertisement to a widely distributed newspaper in Covington Township. The Advertisement shall be posted with the legal notices. The advertisement shall not appear in the newspaper before the planning module has been submitted to the Township in accordance with the procedures presented in Section 302.1.D of this Ordinance.

D. Planning Module Submission to the Covington Township Planning Commission.

1. Six (6) copies of the completed Planning Module and accompanying plot plan along with the required fee for the review of the planning module shall be submitted to the Planning Commission Secretary. The Applicant shall also submit one (1) copy of Component 4 - Planning Agency Review.

2. The Planning Commission Secretary shall forward copies of the planning module submission to the Planning Commission Chairman, the Township SEO, the Zoning Officer, the Planning Commission Solicitor and the Planning Commission Engineer for review. The planning modules shall be distributed within seven (7) days of receipt.
  - a. The Planning Commission Engineer shall review the planning module for compliance with Chapter 71, Chapter 73, and the requirements of this Ordinance.
  - b. The Township SEO shall review the planning module to verify that the soils information included in the planning module is correct. If the SEO approves the modules, he shall sign Section J of the modules and return them to the Planning Commission.
  - c. The Planning Commission Solicitor shall review the planning module for compliance with this Ordinance.
3. The Planning Commission Engineer, the Sewage Enforcement Officer, and Planning Commission Solicitor shall submit written comments on the planning module to the Planning Commission within 20 days of receipt of the planning module. The Sewage Enforcement Officer shall also submit written comments on the planning module to the Sewer Authority.
4. The Planning Commission shall review all comments by the Planning Commission Engineer, the Township SEO, and the Planning Commission Solicitor and prepare a comment letter to the Board of Supervisors.
5. The Planning Commission shall have sixty (60) days from the time the planning module is submitted to the Planning Commission Secretary to review and comment on the planning module. After the 60 day review period, the Planning Commission shall return



the planning module to the Applicant along with a comment letter and a completed Component 4 - Planning Agency Review form.

E. Planning Module Submission to the Covington Township Sewer Authority.

1. Four (4) copies of the completed Planning Module and accompanying plot plan along with the required fee for the review of the planning module shall be submitted to the Sewer Authority Secretary concurrently with submission to the Planning Commission Secretary.
2. The Sewer Authority Secretary shall forward copies of the planning module submission to the Sewer Authority Chairman, the Sewer Authority Solicitor, and the Sewer Authority Engineer for review. The planning modules shall be distributed within three (3) days of receipt.
  - a. The Sewer Authority Engineer shall review the planning module for compliance with Chapter 71, Chapter 73, the requirements of this Ordinance, and the Covington Township Act 537 Plan.
  - b. The Sewer Authority Solicitor shall review the planning module for compliance with this Ordinance.
3. The Sewer Authority Engineer and Sewer Authority Solicitor shall submit written comments on the planning module to the Sewer Authority within 20 days of receipt of the planning module.
4. The Sewer Authority shall review all comments by the Sewer Authority Engineer and Sewer Authority Solicitor and prepare a comment letter to the Board of Supervisors.

5. The Sewer Authority shall have sixty (60) days from the time the planning module is submitted to the Sewer Authority Secretary to review and comment on the planning module. After the 60 day review period, the Sewer Authority shall send a comment letter to the Covington Township Board of Supervisors.
- F. Planning Module Submission to the Lackawanna County Planning Commission.
1. The Applicant shall send the Lackawanna County Planning Commission one (1) copy of the planning module for their review and one (1) copy of the Component 4 - Planning Agency Review form.
  2. The Lackawanna County Planning Commission shall have 60 days from the time that the planning module is submitted to review and comment on the planning module.
  3. The Lackawanna County Planning Commission shall complete their review and forward a comment letter and a completed copy of the Component 4 - Planning Agency Review form to the Applicant. If the Applicant does not receive this information from the County within 60 days, proof that the County Planning Commission has had the planning module for 60 days is sufficient to allow the Applicant to submit the planning module to the Board of Supervisors; however, all additional information listed in Section 301.1.G.1a-i must be included in the planning module submission to the Board of Supervisors.
- G. Planning Module Submission to the Covington Township Board of Supervisors
1. The Applicant shall submit four (4) copies of the completed planning module to the Township Secretary. The completed planning module shall consist of the following information:

- a. Completed Planning Module forms with the DER code numbers on the upper right hand corner.
  - b. A plot plan with the required information as listed on the planning module forms.
  - c. A narrative description of the project which includes all information requested in the planning module forms.
  - d. Proof of Publication in a widely distributed newspaper in Covington Township.
  - e. Resolution of any conflicts with rare, threatened, or endangered species or archeological or historical resources.
  - f. Covington Township Planning Commission comments and completed Component 4 - Planning Agency Review form.
  - g. Covington Township Sewer Authority comment letter.
  - h. Lackawanna County Planning Commission comments and completed Component 4 - Planning Agency Review form or proof that the Lackawanna County Planning Commission has had the Planning Module for 60 days or more.
  - i. Checklist letter from the DER indicating the requirements for the planning module.
2. The Township Secretary shall review the information submitted by the Applicant for completeness within 5 days of receiving the planning module package.
    - a. If the package is incomplete, the Township Secretary shall return the planning module package to the Applicant with an explanation of which components of the Planning Module are missing or incomplete.



- b. If the package is complete, the Township Secretary shall distribute the planning modules as described below.
- 3. The Township Secretary shall distribute copies of the planning module to the Township Engineer, the Township Solicitor, and the members of the Board of Supervisors for their review.
  - a. The Township Engineer shall review the planning module for compliance with Chapter 71, Chapter 73, the requirements of this Ordinance, and the Covington Township Act 537 Plan.
  - b. The Township Solicitor shall review the planning module for compliance with this Ordinance.
- 4. The Township Engineer and the Township Solicitor shall submit written comments on the planning module to the Board of Supervisors within 20 days of receipt of the planning module. If either the Township Engineer or the Township Solicitor determine that the planning module is incomplete within their 20 day initial review period, they shall direct the Township Secretary to return the incomplete planning module to the Applicant.
- 5. The Board of Supervisors shall review the complete planning module and all comments received from the Township Engineer and the Township Solicitor.
  - a. The Township Supervisors may request any additional information they deem necessary from any of the reviewing agencies or the Applicant.
- 6. The Township Supervisors may require or recommend such changes and modifications as they shall deem necessary or advisable and in the public interest.

7. The Board of Supervisors shall communicate their decision of approval or denial in writing to the Applicant not later than fifteen (15) days following the decision.
  - a. If the planning module is not approved, the Board of Supervisors will send the applicant a letter of denial that will state the reasons for denial. The applicant then has the option to resubmit the planning module to the Township with revisions or to submit the planning module to the local DER office along with the letter of denial from the Township Board of Supervisors.
  - b. If the planning module is approved, the Board of Supervisors will notify the Applicant in writing of the approval. The Board of Supervisors will pass a Resolution of Plan Revision and send three signed and executed copies of the planning module to the local DER office.
8. In any event, the Board of Supervisors shall render their decision and communicate it to the applicant no later than sixty (60) days from the date that the planning module is considered complete by the Township. A complete planning module is defined in Chapter 71 as one which contains all the necessary forms and technical information and which has been reviewed by all appropriate review agencies.

#### **302.2 Municipal and Non-municipal Wastewater Treatment Facilities.**

Major subdivisions that propose a Municipal or Non-municipal wastewater treatment plant for wastewater treatment and disposal, shall follow the same procedures for Act 537 wastewater planning approval as individual and community on-site disposal systems with the following exceptions.

- A. Planning Module Components 3 and 4 are required rather than Components 2 and 4.



- B. A Socio-economic justification report is required if the proposed treatment plant will discharge into a stream that is classified a "High Quality" or "Exceptional Value" stream as defined in 25 PA Code, Chapter 93.
- C. The Applicant must perform an in-depth analysis of wastewater disposal alternatives to ensure that treatment and discharge to a stream is the only environmentally and economically feasible alternative. Alternate disposal methods should include but not be limited to septic systems, mound systems, spray irrigation, and overland flow systems. Sufficient soils testing must be performed to prove that on-site disposal is not a viable alternative. The SEO and Authority Engineer shall review the wastewater alternatives analysis section of the planning module and all soils data that were collected as part of the alternatives analysis to eliminate on-site disposal.

## **ARTICLE IV**

### **WASTEWATER PLAN AND PERMIT APPROVAL PROCEDURES**

#### **Section 401. Individual On-site systems.**

This section describes procedures for preliminary and final plan approval for subdivisions that propose to use individual on-site wastewater disposal systems. This section also describes the procedure for individual homeowners to obtain a permit to install an individual on-site wastewater disposal system on an existing lot.

#### **401.1 Land Subdivision and Development Plan Approval Procedure.**

##### **A. Preliminary Plan Submission.**

The preliminary wastewater disposal plan shall be submitted to the municipality with the preliminary subdivision and/or land development plan. If the subdivision is a minor subdivision, the wastewater disposal plan shall be submitted with the final plan. The procedure for obtaining preliminary approval shall be as outlined in the Covington Township Subdivision Regulations, 1982; or as amended from time to time. The following distribution and review procedure shall be followed for the wastewater disposal plan.

1. The owner or developer shall submit six (6) copies of the wastewater disposal plan, the "Site Investigation and Percolation Test Report for On-lot Disposal of Sewage" (ER-BWQ-290 Appendix A), and supporting documents along with the required fee to the Township Secretary with the preliminary plan submission.
2. The Township Secretary shall promptly forward the application to the following individuals or agencies:
  - a. Two (2) copies to the Township Planning Commission.
  - b. One (1) copy to the Lackawanna County Planning Commission.

- c. One (1) copy to the Township Engineer.
- d. One (1) copy to the Township Sewer Authority.
- e. One (1) copy to the Township Sewage Enforcement Officer.

3. Review Procedure

- a. The Township Engineer shall review the application for compliance with the appropriate regulations and the requirements of this Ordinance.
  - b. The Sewage Enforcement Officer shall review the plan to verify that any proposed sewage disposal system(s) is(are) a sufficient distance from any proposed wells or water distribution lines.
  - c. The Township Sewer Authority shall review the plans as to the feasibility of the project and compliance with the approved Act 537 Plan and advise the Planning Commission of any possible environmental problems that may arise from the project. They shall also review the plans on a technical basis and prepare a comment letter to the Planning Commission.
4. The Planning Commission shall have sixty (60) days from the time the planning module is submitted to the Planning Commission Secretary to review and comment on the planning module. After the 60 day review period, the Planning Commission shall return the planning module to the Applicant along with a comment letter.
5. The applicant is responsible for all expenses related to the processing of the application.



B. Final Plan Submission.

The procedure for obtaining final approval shall be as outlined in the Covington Township Subdivision Regulations, 1982, or as amended from time to time. The following distribution and review procedure shall be followed.

1. The applicant shall submit six (6) copies of the wastewater disposal plan and supporting documents along with the required fee to the Township Secretary with the final plan submission.
2. The Township Secretary shall promptly forward the application to the following individuals or agencies:
  - a. Two (2) copies to the Township Planning Commission.
  - b. One (1) copy to the Township Engineer.
  - c. One (1) copy to the Township Sewer Authority.
  - d. One (1) copy to the Township SEO.
  - e. One (1) copy to the County Planning Commission.
3. Review Procedure: The Township Engineer and the Township SEO shall determine if any significant changes have been made since the preliminary plan submission and if all other approvals have been obtained for the wastewater disposal system. The Township Engineer and Authority Engineer shall review the plans and documents to determine that all of the requirements of this Ordinance have been met.
4. The applicant is responsible for all expenses related to the processing of the application.

C. Soils Report and Plan Requirements.

1. **Preliminary Plan Requirements.** A preliminary wastewater disposal system plan shall be included with the Preliminary Plan submission. The preliminary wastewater disposal system plan shall contain, at a minimum, the following information.
  - a. Property lines with bearings, distances, arcs, radii which close with an error not to exceed one in five thousand.
  - b. Right-of-ways, easements, and roads with dimensions and purpose.
  - c. Topography at 2 foot contour intervals or less.
  - d. Natural features which would effect the locations of the wastewater facilities including but not limited to wetlands, streams, lakes, rock outcrops, etc.
  - e. Location and nominal capacity and elevation of all wastewater disposal systems.
  - f. Location of all test pits and all percolation tests
  - g. All system appurtenances including but not limited to locations of dosing tanks and absorption fields.
  - h. A list of soils in the project boundaries along with the DER classification. The soils shall also be mapped on the wastewater disposal plan.
  - i. The location of all existing and proposed wells and water distribution mains, water supply facilities, and water distribution appurtenances.

2. **Final Plan Requirements, for plans which have obtained Preliminary Approval from the Township:** If the Preliminary Plan of the wastewater disposal system was reviewed according to the procedures outlined above, this section applies.

- a. The following information shall be submitted to the Township with the Final Plan submission for the development or subdivision.
  - i. A final plan of the proposed on-site wastewater disposal systems.
  - ii. A soils report.
  - iii. If changes have been made which effect the information on the On-site Sewage Disposal Report, a revised report shall be submitted.

3. **Final Plan Requirements for Land Subdivisions or Developments which were NOT Required to Obtain Preliminary Plan Approval:** A final wastewater disposal plan and soils report meeting the requirements below shall be included with the Final Plan for the Land Subdivision and Development Ordinance if the wastewater disposal plan was not previously submitted following the requirements for a Preliminary Plan above.

- a. The following information shall be submitted to the Township with the Final Plan submission for the development or subdivision.
  - i. A final plan of the proposed wastewater disposal systems.
  - ii. A soils report.
  - iii. A completed On-site Wastewater Disposal Report.
  - iv. All information required under Section 401.2A of this Ordinance.



## 401.2

### Individual On-site System Permit Procedure.

This section describes the steps that an individual property owner must take to obtain a permit for an individual on-site wastewater disposal system for his/her home. If the homeowner plans to construct a home and wastewater disposal system on more than one lot, the homeowner must legally combine the lots under one deed.

#### A. Application.

1. Applications for a permit to install an individual sewage disposal system on an existing lot shall be made on the DER "Application for Sewage Disposal System" form which can be obtained from the Township Secretary or the Township SEO.
2. Applications for a permit to install an individual on-site sewage disposal system on an existing lot shall be made by the homeowner to the Township before beginning any testing for the disposal system for the single family home.
3. The Applicant shall complete Part 1 of the Application and submit the original application form along with the required fee to the Township SEO. Copies of the application will not be accepted. The Applicant shall then arrange an appointment with the SEO to conduct a site suitability investigation pursuant to Sections 73.14 and 73.15 of Chapter 73.
4. The SEO shall verify all soils information by on-site observations of slope, percolation rate, depth to bedrock, and depth to seasonal high water table.
5. When the SEO has completed the site investigation and observed or conducted the percolation tests, he will complete Part IV of the application form. At this point, the SEO shall determine whether the site is or is not suitable for on-site disposal.
  - a. If the site is suitable, the SEO will notify the applicant by letter.

- b. If the site is not suitable, the SEO will send a letter stating denial of the permit.
  - c. No suitability letters shall be issued by the SEO. Refunds will not be given if a lot is denied for any reason.
6. If the site is suitable, the applicant shall then design the on-site system by completing Parts 2 and 3 of the application. The design of the system shall be in accordance with Section 501 of this Ordinance.

B. Permit Procedure.

- 1. The applicant shall submit the permit application and three copies of the design to the SEO for review and approval.
- 2. Construction permits shall be issued after the design is reviewed and signed and sealed by the Township SEO. The construction permit shall be issued or denied by the SEO within seven days of receiving three completed copies of the design. Construction permits are valid for two years from the date of the permit.
- 3. One copy of the approved design will be issued with the construction permit. Construction permits and approved designs must be in the possession of the excavator at all times during the construction of the on-site system.
- 4. After the on-site sewage disposal system is installed, but not covered, the property owner shall complete an application for a permit to operate the sewage disposal system. The property owner shall then make an appointment with the SEO to inspect the system. At that time, if the SEO deems that the sewage disposal system has been installed properly, the SEO shall issue an operating permit. The property owner may then cover the wastewater disposal system and may initiate operation of the system.

5. Replacement of a sewage disposal system shall not be considered as a repair to the system and shall require a sewage construction permit.

## **Section 402. Community On-site Systems**

### **402.1 Community On-Site Disposal Permit Procedure.**

- A. Applications for a permit to install a community sewage disposal system shall be made on the forms "Application for Sewage Disposal System" which can be obtained from the Township Secretary or the Township SEO.
  1. If a community sewage disposal system requires denitrification (based on planning approval requirements), the applicant shall submit a Part II Water Quality Management permit to the Department of Environmental Resources for review and approval of the system. The applicant shall concurrently submit two (2) copies of the design and permit application to the Sewer Authority Secretary.
    - a. The Sewer Authority Secretary shall give a copy of the design and permit application to the Sewer Authority Engineer for review and comment within three (3) days of receipt.
      - i. The Sewer Authority Engineer shall review the design and submit comments to the Sewer Authority within thirty (30) days.
      - ii. The Sewer Authority shall forward the comments to the Board of Supervisors.
      - iii. The Board of Supervisors shall forward a copy of the Sewer Authority's comments to the DER for their consideration as they review the plans.



2. If the community on-site disposal system does not require denitrification, the procedures outlined below shall be followed.
  - a. The Applicant shall complete Part 1 of the Application and submit the original application form along with the required fee to the Township SEO. Copies of the application will not be accepted. The Applicant shall then arrange an appointment with the SEO to conduct a site suitability investigation pursuant to Sections 73.14 and 73.15 of Chapter 73.
  - b. The SEO shall verify all soils information by on-site observations of slope, percolation rate, depth to bedrock, and depth to seasonal high water table.
  - c. When the SEO has completed the site investigation and observed or conducted the percolation tests, he will complete Part IV of the application form. At this point, the SEO will determine whether the site is or is not suitable for on-site disposal.
    - i. If the site is suitable, the SEO will notify the applicant by letter.
    - ii. If the site is not suitable, the SEO will send a letter stating denial of the permit.
  - d. If the site is suitable, the applicant shall then design the on-site system by completing Parts 2 and 3 of the application. The design of the system shall be in accordance with Section 501 of this Ordinance.

- e. The applicant shall submit the permit application and four copies of design to the Sewer Authority Secretary. The Sewer Authority Secretary shall distribute copies of the design to the SEO, the Sewer Authority Engineer, and the DER (if requested by the SEO) for review and approval.
    - i. The SEO shall review the application for completeness and notify the Applicant of any deficiencies which may be completed and submitted with no additional application fee. The SEO shall also perform a technical review of the application.
    - ii. The Sewer Authority Engineer shall perform a technical review of the community on-site system.
    - iii. The DER shall perform a technical review of the application and shall review the design for compliance with all State regulations.
  - f. The SEO and the Sewer Authority Engineer shall have thirty (30) days to review the application. The Sewer Authority shall take the comments from the SEO and the Sewer Authority Engineer and prepare a comment letter with recommendations to the Board of Supervisors.
  - g. Any additional review fees above the initial fee which may be incurred by the Township shall be the responsibility of the Applicant. No decision will be forthcoming until all application fees have been paid in full.
- B. Construction permits shall be issued after the design is reviewed and signed and sealed by the Township SEO. The design shall also be reviewed by the Sewer Authority Engineer and possibly the DER. The construction permit shall be issued or denied by the SEO within seven days of

receiving three completed copies of the design.  
Construction permits are valid for two years from the date of the permit, and can be renewed once for a one year renewal period.

- C. One copy of the approved design will be issued with the construction permit. Construction permits and approved designs must be in the possession of the excavator at all times during the construction of the septic system.
- D. After the permit to construct the community on-site system has been issued to the Applicant, the Applicant may begin construction of the system only after informing the SEO of the date on which construction shall commence.
- E. After the on-site sewage disposal system is installed, but not covered, the property owner shall complete an application for a permit to operate the sewage disposal system. The property owner shall then make an appointment with the SEO to inspect the system.
  - 1. If the SEO deems that the sewage disposal system has been installed properly, the SEO shall issue a one (1) year operating permit. The property owner may then cover the wastewater disposal system and may initiate operation of the system.
  - 2. If the SEO deems that the sewage disposal system has not been installed properly, the owner shall follow the directives of the SEO to remedy unsatisfactory work.
- F. The one year operating permit shall be valid for one year and must be renewed each year.
- G. The SEO will give the Sewer Authority Secretary a copy of all community on-site operating permits for the Authority files.
- H. The Sewer Authority Secretary shall send a letter to the owner of each community on-site wastewater disposal system in the Township 60 days before the annual operating permit expires. This letter shall serve as a reminder that the system must be re-permitted, and will



request that the property owner contact the SEO to make an appointment to inspect the system.

1. If the sewage disposal system is operating properly, the SEO shall issue a renewal permit upon receiving the annual permit fee from the Applicant.
2. If the sewage disposal system is malfunctioning, the owner, or designated representative of the owner, shall follow the directives of the SEO to correct the malfunctioning system. The Applicant shall be responsible for paying the cost of additional inspections and reviews before a permit is renewed.

**Section 403. Municipal and Non-municipal Wastewater Treatment Systems**

**403.1 Part I - National Pollutant Discharge Elimination System (NPDES) Permit.**

- A. After planning approval is granted by the DER for a non-municipal or municipal wastewater treatment system, the Applicant shall complete a Part I NPDES permit application and submit it to the DER.
- B. The Applicant shall send Act 14 Municipal Notification letters to the Covington Township Board of Supervisors and the Lackawanna County Commissioners indicating that the Applicant will be submitting a Part I Permit Application to the DER. These letters shall be sent by certified mail, and copies of the letters, with return receipts, must be included with the Part I Submission to DER.
- C. The Applicant shall send a copy of the Part I permit application to the Sewer Authority Secretary for the Authority's files.
- D. The Applicant shall inform the Sewer Authority when their Part I permit is granted. The Applicant shall send the Sewer Authority Secretary a copy of the Part I NPDES Permit.

**403.2 Part II - Water Quality Management Permit.**

- A. Before beginning the design of the treatment facility, the Applicant shall contact the Sewer Authority Secretary to determine which township ordinance apply to their project.
- B. The applicant shall design the treatment facility in accordance with all requirements listed in Section 502 of this Ordinance.
- C. The applicant shall submit the Part II permit application along with the treatment plant design, design specifications, the design engineers report, and the required fee to the Sewer Authority Secretary. Act 14 Municipal Notifications are also required for Part II Permits. See Section 403.1.B of this Ordinance for more details. The Sewer Authority Secretary shall distribute copies of the design documents to the Sewer Authority Engineer for review and comment.
  - 1. The Sewer Authority Engineer shall perform a technical review of the treatment plant design.
  - 2. The Sewer Authority Engineer shall prepare a comment letter and submit it to the Sewer Authority.
  - 3. The Sewer Authority shall forward the comment letter to the Board of Supervisors.
  - 4. The Board of Supervisors shall send the comment letter to the DER for their consideration during their review process.
- D. As soon as the DER issues the Part II permit to the Applicant, which allows for the construction of the treatment plant and/or sewage collection system. The Applicant shall complete an application for a building permit to the Zoning Officer.
  - 1. A copy of all DER permits plus the appropriate fee must be submitted with the building permit application form.



2. The Zoning Officer shall review the building permit application and issue the building permit within thirty (30) days.

#### **403.3 Other Requirements.**

- A. The Applicant shall conform to all other Township ordinances including, but not limited to, subdivision regulations and zoning ordinance.

### **Section 404. Municipal and Non-municipal Wastewater Collection Systems.**

No building permits for new structures or additions to an existing structures may be issued unless the sewer collection system that serves the proposed structure meets current regulations and standards of the Sewer Authority and the ordinances of the Township and has been approved by the Sewer Authority. No person shall install a non-municipal sewer system, connect to the municipal sewer collection system, or expand the existing sewer system without first obtaining a permit for the sewer collection system from the Sewer Authority. All plans and specifications of such systems shall conform with the requirements of the Sewerage Manual prepared by the Pennsylvania Department of Environmental Resources. Municipal and Non-municipal wastewater collection systems that serve less than 250 units do not require a permit from the Department of Environmental Resources. Municipal and Non-municipal wastewater collection systems that serve more than 250 units do require a DER permit. Covington Township requires that all wastewater collection systems (non-municipal and municipal) be permitted through the Township Sewer Authority.

#### **404.1 Application for Non-municipal Sewer Collection System.**

All Non-municipal sewer collection systems in Covington Township require that a permit be obtained from the Covington Township Sewer Authority. The following procedure for obtaining a permit shall be followed for all non-municipal sewer collection systems.



- A. Three (3) copies of the non-municipal wastewater collection system permit application and accompanying plans (see Section 404.2) along with the required fee for a non-municipal sewer collection system permit shall be submitted to the Sewer Authority Secretary prior to or at the time the building permit application is submitted to the Zoning Officer.
- B. The Sewer Authority Secretary shall send a copy of the application and plans to the Sewer Authority Engineer for review and comment within 7 days of receipt of the application.
  - 1. The Sewer Authority Engineer shall review the plans and application for compliance with the requirements of this Ordinance, the DER Sewage Manual, and accepted engineering practices.
- C. The Sewer Authority Engineer shall submit written comments recommending either approval or denial of the permit to the Sewer Authority within ten (10) days from the receipt of the application and plan. If denial of the permit is recommended, the reasons for denial shall be stated.
  - 1. If the non-municipal sewer collection system requires a DER permit, the Sewer Authority shall send a copy of the review letter to the DER for their consideration as they review the sewer collection system.
  - 2. If the non-municipal sewer collection system does not require a DER permit, the Sewer Authority may either issue a permit or reject the permit application based on the Engineers review letter.
  - 3. If the Sewer Authority Engineer recommends denial of the permit, the Sewer Authority shall inform the Applicant of the reasons for denial.
- D. The Zoning Officer shall not issue any building permits until the non-municipal wastewater collection system permit has been issued.

- E. If the permit is denied, the Applicant may resubmit the plan and application after the necessary changes have been made.
- F. The applicant is responsible for all expenses for the processing of the application including the reviews.

#### **404.2 Plan Requirements.**

The application must be accompanied by a plan which shall contain, at a minimum, the following information.

- A. Name and address of the owner.
- B. North arrow.
- C. Graphic and/or written scale.
- D. Date including the month, day and year that the plan was completed and the month, day and year that the plan was revised, for each revision.
- E. Property boundaries with bearings and lengths labeled.
- F. The location, width, name and/or purpose of any streets, rights-of-way or easements on the property or adjoining the property.
- G. The location of any existing structures and the location of proposed structures or additions to existing structures.
- H. Site data including total acreage, zoning district and tax assessment number.
- I. The location of any proposed or existing on-site sewage disposal system including the location of the treatment tank and the absorption area that will be abandoned (if plan is for the installation of a sewage collection system in an existing subdivision or land development).
- J. The location of any proposed or existing wells on the property.

- K. The location of any existing on-site sewage disposal areas or well within 100 feet of the property.
- L. A plan at a scale of 1" = 100' or larger showing the location of all proposed sewer lines, laterals, manholes and other appurtenances.
- M. If the sewer system contains gravity lines, profiles at a scale of 1" = 5' (vertical) and 1" = 50' (horizontal) shall be prepared and submitted for review. The sewer system profiles shall include pipe sizes, lengths, invert elevations, and slopes of the sewer lines.
- N. A complete set of technical specifications for the installation of the sewer lines.
- O. Signature and seal of registered professional engineer in Commonwealth of Pennsylvania.



**404.3****Application for Connection with the Municipal Collection System.**

Connection with the Municipal Sewer Collection system in Covington Township shall require a permit from the Authority. The following procedure for obtaining a permit shall be followed by all individuals and business entities required or electing to connect to the municipal sewer system, subject to the terms of the Connection Ordinance.

**A. Domestic Wastewater.****Existing Homes**

1. Three copies of the municipal wastewater collection system connection permit application along with the required permit fee and mandated connection or tapping fee shall be submitted to the Authority Secretary in accordance with the Connection Ordinance four weeks prior to the time the building permit application is submitted to the Zoning Officer.
2. The Sewer Authority Secretary shall collect the appropriate fees from the Applicant and send the permit application to the Sewer Authority Engineer for review within 7 days of receipt.
3. The Sewer Authority Engineer shall review the application and documentation for compliance with the appropriate ordinances, regulations, and requirements of this Ordinance.
4. The Sewer Authority Engineer shall submit written comments recommending either approval or denial of the permit to the Sewer Authority within twenty days of receipt of the permit application. If denial of the permit is recommended, the reasons for the denial shall be stated.
5. If the Sewer Authority Engineer recommends approval, the Sewer Authority shall issue the Connection Permit.

6. If the permit is denied, the Sewer Authority shall notify the applicant that the permit application has been denied. The applicant may re-submit the application and accompanying documentation after the necessary changes have been made.
7. In the event that an application for a wastewater collection system connection permit is denied, that portion of the monies associated with the tapping fees shall be refunded to the Applicant.
8. The applicant is responsible for all expenses for the processing of the application including the reviews.

#### New Homes

1. Three copies of the municipal wastewater collection system connection permit application along with the required permit fee and mandated connection or tapping fee shall be submitted to the Authority Secretary in accordance with the Connection Ordinance four weeks prior to the time the building permit application is submitted to the Zoning Officer.
2. The Sewer Authority Secretary shall collect the appropriate fees from the Applicant and send the permit application to the Sewer Authority Engineer for review within 7 days of receipt.
3. The Sewer Authority Engineer shall review the application and documentation for compliance with the appropriate ordinances, regulations, and requirements of this Ordinance.
4. The Sewer Authority Engineer shall submit written comments recommending either approval or denial of the permit to the Sewer Authority within twenty days of receipt of the permit application. If denial of the permit is recommended, the reasons for the denial shall be stated.

5. If the Sewer Authority Engineer recommends approval, the Sewer Authority shall issue the Connection Permit.
6. If the permit is denied, the Sewer Authority shall notify the applicant that the permit application has been denied. The applicant may re-submit the application and accompanying documentation after the necessary changes have been made.
7. In the event that an application for a wastewater collection system connection permit is denied, that portion of the monies associated with the tapping fees shall be refunded to the Applicant.
8. The Zoning Officer shall not issue any building permits until the municipal wastewater collection system permit has been issued by the Sewer Authority.
9. The applicant is responsible for all expenses for the processing of the application including the reviews.

B. Industrial Wastewater.

1. Those individuals or business entities seeking to discharge industrial waste shall fill out the specified permit application for industrial waste. The applicant for the permit shall include as part of the permit a list of all substances and chemicals used in the production or manufacturing process and shall also disclose any chemical by-product produced by the production or manufacturing process and any other chemical or substance which is stored on the premises.



2. Three copies of the municipal wastewater collection system connection permit application for industrial waste and accompanying documentation, as required in Section 502.3, shall be submitted to the Sewer Authority Secretary along with the required application fees, tapping fees, and connection fees. The Sewer Authority Secretary shall send a copy of the application along with the accompanying documentation to the Sewer Authority Engineer for review and comment within three days of receipt of the application.
3. The Sewer Authority Engineer shall review the application and documentation in compliance with the appropriate ordinances, regulations, and requirements of this Ordinance.
4. The Sewer Authority Engineer shall submit written comments recommending either approval or denial of the permit to the Sewer Authority within twenty days from the receipt of the application and plan. If denial of the permit is recommended, the reasons for the denial shall be stated.
5. The Zoning Officer shall not issue any building permits until the municipal wastewater collection system permit has been issued by the Sewer Authority.
6. If the permit is denied, the applicant may re-submit the application and accompanying documentation after the necessary changes have been made.
7. The applicant is responsible for all expenses for the processing of the application including the reviews.
8. In the event that an application for a wastewater collection system connection permit is denied, that portion of the monies associated with the tapping fees shall be refunded to the Applicant.

**ARTICLE V**  
**WASTEWATER DESIGN CRITERIA**

No person or corporation shall construct any sewage disposal system within Covington Township that fails to meet the minimum requirements for such facilities as set forth in Title 25, Pennsylvania Code, Part 1, Subpart C, Article I, Chapter 73. Compliance with the requirements of Chapter 73 is mandatory, but stricter requirements may be necessary in individual cases to insure an adequate and safe method of sewage disposal.

Individual, community, and central sewage facilities shall be designed in accordance with Chapter 73 and Chapter 71. Additional design criteria are available in the DER Technical Manual for Sewage Enforcement Officers and the DER Sewerage Manual.

**Section 501. Individual and Community On-site systems**

Individual and Community On-site sewage disposal systems shall be designed in accordance with Chapter 73 regulations and the following additional requirements.

**501.1. Percolation Tests.**

- A. The following procedure shall be followed for the review of all percolation tests:
  - 1. The ultimate determination of percolation results and the suitability of the percolation test is the responsibility of the Township Sewage Enforcement Officer.
  - 2. All percolation tests are to be scheduled through the Township Sewage Enforcement Officer.
  - 3. Percolation holes are to be dug the day before and inspected by the Township Sewage Enforcement Officer prior to presoaking.
  - 4. The Township Sewage Enforcement Officer will be present for the initial one (1) hour presoak.

5. The Sewage Enforcement Officer will be present for the last two (2) water level readings. Should the water level stabilize before the final two readings, the test is to continue. The Township Sewage Enforcement Officer will make the final determination of the stabilized reading.
6. Water level measurements will be conducted using PVC tubes and floats which shall be constructed in accordance with the Sewage Enforcement Officer's Manual.

**501.2. On-site Sewage Disposal Plans.**

- A. The following procedure shall be used to prepare on-site sewage disposal plans to the Township SEO:
  1. A property boundary map showing distances shall be used as a base map to prepare a plot plan for the on-lot sewage disposal system.
  2. A plot plan showing the location of the proposed sewage disposal bed, test pit, percolation holes, all isolation distances, slopes, existing and proposed wells, and a north arrow shall be submitted to the Township SEO to obtain a permit for construction of the sewage disposal system.
  3. All designs shall be staked out in the field.
  4. DER standards shall be used to design all disposal systems. When at all possible, disposal systems shall contain 1000 square feet of absorption area.
  5. The proposed sewage disposal areas shall be accurately surveyed in the field, and accurate slope readings shall be used when designing the proposed sewage disposal system.
  6. A benchmark shall be established on the lot so that all elevations can be checked by the SEO.



7. Elevations of each corner of the proposed sewage disposal bed shall be shown on the plot plan.
8. The dosing tank shall be shown on the site plan, and all relevant elevations shall be shown.
9. The dosing tank shall be staked out in the field.
10. Three copies of the site plan shall be submitted to the Township SEO for review.

**501.3. Winter Installation of On-site Sewage Disposal Systems.**

- A. In order to assure the quality of on-lot sewage systems installed during the winter months, the following procedures must be followed:
  1. All chiseled plows are to be inspected by the Township Sewage Enforcement Officer.
  2. Sand, stone and pipe are to be placed immediately after chisel plow inspection.
  3. The Township SEO shall be notified for pressure testing as soon as possible. If the pressure testing is successful and after inspection by the SEO, approval to cover the sewage disposal system will be given in writing and the permit application will be signed at this time. All piping and plumbing shall be complete at this time.
  4. Sewage systems, including dosing tanks and septic tanks, are to be covered immediately following pressure testing.

- B. The above procedure shall take place over a period of two days. If these procedures are not followed exactly, a \$200 fine shall be imposed on the owner of the sewage disposal system. If the above steps are not followed, the Township Sewage Enforcement Officer will have the right to stop all construction on any system.

#### **501.4 Other Design Considerations.**

- A. The grading on the lot shall be such that all stormwater is directed around (not across) the wastewater disposal system.
- B. Wastewater disposal systems shall be designed to accommodate anticipated graywater and brownwater flows. No graywater (i.e. kitchen wastes, laundry wastes, water softener, and pool filter backwash wastes) shall be discharged to Waters of the Commonwealth.
- C. Water conservation devices shall be used for all new construction whenever possible to reduce wastewater flows.
- D. All on-site wastewater disposal systems shall be designed in accordance with the most recent version of the BOCA National Private Sewage Disposal Code.
- E. A replacement area of equivalent capacity of the proposed on-site system shall be required for all proposed on-site disposal systems within Covington Township.

### **Section 502. Municipal and Non-municipal Wastewater Treatment Systems**

#### **502.1 Design Considerations.**

- A. All municipal and non-municipal wastewater treatment facilities shall be designed in accordance with the DER Sewerage Manual and accepted engineering practices.
- B. Design flows for wastewater treatment plants shall be based on DER regulations unless sufficient data are available to support a different wastewater flow value.
- C. Allowances for infiltration must be made for all gravity sewer lines.



- D. Emergency power provisions shall be made for all pump stations and for all treatment plants.

502.2

**Industrial Discharges.**

- A. Industrial wastes may be discharged into the Municipal Collection System, but only upon prior written permit issued by the Sewer Authority. Application for any such permit shall be accompanied by such information, relating to the nature or character of the industrial waste proposed to be discharged or otherwise, including without limitation a detailed engineers report prepared by a registered professional engineer, as the Sewer Authority may reasonably require. Any permit issued under this subsection may be conditioned upon compliance with such reasonable restrictions as the Sewer Authority may impose, including without limitation, requirements on the establishment of facilities, for the pre-treatment and pre-screening of wastes, the construction of flow equalization facilities to assure a uniform rate of discharge and the construction of suitable control manholes to facilitate observation, sampling and measurement of wastes and the discharge thereof. Grease, oil and sand interceptors shall be provided by the Applicant when they are required by the Sewer Authority for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients. All such interceptors shall be of a type of capacity approved by the sewer authority and shall be located as to be readily and easily accessible for cleaning and inspection. Where any such required facilities or interceptors are constructed, they shall be maintained continuously in satisfactory and effective operation by the Applicant at his expense. No permit for the discharge of industrial wastes issued this subsection shall be deemed to give any right to the applicant to continue such use and any such permit may be revoked by the sewer authority at any time.



B. No person shall discharge or cause to be discharged to any municipal or non-municipal wastewater treatment facility any substances, materials, waters, or wastes in such quantities or concentrations which will:

1. Create a fire or explosion hazard including, but not limited to, gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas; including but not limited to any liquid having a flash point lower than 235 degrees Fahrenheit as determined by the Tagliabue closed cup method.
2. Cause corrosive damage or hazard to structures, equipment, or personnel of the wastewater facilities, but in no case discharges having a pH lower than 5.5 or greater than 9.0.
3. Cause obstruction to the flow in sewers, or other interference with the operation of wastewater facilities due to accumulation of solid or viscous materials.
4. Contain fats, wax, grease, or oils, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32 degrees Fahrenheit and 150 degrees Fahrenheit.
5. Have a temperature higher than 150 degrees Fahrenheit or 65 degrees Celsius.
6. Contains phenolic compounds over 1.0 part per million, expressed as phenol.
7. Contains any radioactive substances.
8. Have a bio-chemical oxygen demand (5-day BOD) in excess of 350 milligrams per liter (mg/L).
9. Have a suspended solids content in excess of 300 mg/L, or containing suspended solids of such character of specific gravity that unusual attention or expense is required to handle or treat such materials.

10. Contains corrosive, toxic, deleterious, or poisonous substances in sufficient quantity to cause injury, damage or hazard to personnel, structures or equipment, or interfere with the wastewater facilities including but not limited to any portion of the liquid or solids treatment or handling processes, or that which will pass through the treatment facilities in such condition that they will not achieve State, Federal, or other existing, pending, or future requirements for the effluent discharge.
11. Cause unusual volume or concentration of wastes being delivered in a "slug" manner by which it is meant that the normal (i.e. 24 hour average) concentration of loadings shall not be exceeded by more than a factor of 4.0 for any sixty (60) minute period.
12. Have an objectionable color which is not removable in the wastewater treatment facility.
13. Be discharged by tank trucks into manholes or appurtenances of any wastewater sewer system, including but not limited to septic tank wastes.
14. Contain noxious, malodorous gas or substances which is present in quantities that create a public nuisance or a hazard to public health.
15. Contain any garbage that has not been properly shredded.
16. Contain substances interfering with sludge management: any substance which may cause the wastewater treatment facilities sludge to be unsuitable for reclamation and reuse. In no case shall a wastewater discharged to the wastewater facilities be in non-compliance with sludge use and disposal criteria, guidelines or regulations developed by the PaDER, the USEPA, or any criteria guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, or the Toxic Substances Control Act.



- C. Sewer authority may promulgate prohibitions against specific types of contaminants or industrial wastes or other substances (in addition to those set forth in subsection 502.2.B) which are harmful to the collection system or the treatment facility or which have been prohibited from discharge to the treatment and disposal facilities to which the collection system is connected by any agency having jurisdiction over such facilities. Such prohibitions may be modified from time to time by the Sewer Authority and any permit issued pursuant to Section 404.3 shall be subject to such prohibitions as the same are in existence from time to time. Any person questioning the reasonableness of any such prohibitions as applied to property owned or used by such person shall have the right to a hearing before the Board of the Sewer Authority within a reasonable time after requesting the same (but such request may not operate as a stay of such prohibitions), except in cases where such prohibitions have been established or specifically approved by ordinance.
- D. If any wastewaters are discharged or are proposed to be discharged to the wastewater facilities which consist of the substances or possess the characteristics enumerated above, or which may be set forth by regulatory agencies now or in the future, and which, in the judgement of the Township or the Sewer Authority have a deleterious effect upon the wastewater facilities or constitute a public nuisance, the Township may:
1. Reject the wastes;
  2. Require pretreatment to an acceptable condition prior to discharge into the wastewater sewer system;
  3. Require control over the quantities and rates of discharge; and/or
  4. Take such other action as it may deem appropriate.



**502.3 Stormwater Discharges.**

- A. No stormwater shall be discharged into any sanitary sewer line including, but not limited to, rainwater from roof drains and gutters, basement drains, and sump pumps.

**Section 503. Municipal and Non-municipal Wastewater Collection Systems**

**503.1 Design Considerations.**

- A. If a developer proposes to install additional sewer lines for a treatment plant, the developer must inform the Sewer Authority that he plans to extend the sewer lines.
- B. As long as the sewer line extension will serve an area that is in the approved service area of the treatment plant, a planning module for the sewer lines is not necessary. If, however, the sewer line extension is outside of the service area of the treatment plant, a planning module is required. Planning Modules are required for all new developments inside and outside of the service area.
- C. All pressure and gravity sewer lines shall be designed in accordance with DER regulations as presented in the DER Sewerage Manual.
- D. All sewer collection systems, including pumping stations, and sewer extensions, shall be reviewed and approved by the Sewer Authority.

4. A holding tank ordinance for the specific project must be approved and adopted by the Township and included in the planning module package.
  5. The Township must agree to accept ultimate responsibility for the proper collection and disposal of the holding tank contents. A statement to this affect must be included in the planning module narrative.
  6. An activity schedule must be included in the planning module. The activity schedule must indicate the steps that will be taken to connect the wastewater holding tank to an ultimate disposal system such as a central collection and treatment system. Holding tanks may be used for a two year period only.
- C. The DER must approve the planning module and the ultimate method of wastewater treatment and disposal before any holding tank is installed and put into operation.

**601.2 Design Requirements.**

- A. All holding tanks shall be designed, installed and maintained pursuant to this Ordinance and shall comply, in all respects, to the specifications set forth in Regulations of the DER, 25 PA Code, Chapters 71 and 75, inclusive.
- B. The minimum capacity of a holding tank shall be 1,000 gallons or a volume equal to the quantity of waste generated in three days, whichever is larger.
- C. The holding tank shall be equipped with a warning device to indicate when the tank is filled to within 75% of its capacity. Such warning device shall create an audible and visual signal at a location frequented by the homeowner or responsible individual.
- D. The holding tank shall be installed at least 50 feet downgrade from any source of water supply.

## ARTICLE VI

### HOLDING TANKS

#### Section 601.      **General Requirements**

##### 601.1      **Planning Requirements.**

- A.      Planning approval, in accordance with Article III of this Ordinance, is required for the installation of holding tanks. A planning module is not required for the following three situations:
  - 1.      When it is necessary to use a holding tanks to abate an existing nuisance or public health hazard.
  - 2.      When a privy or a chemical toilet is used on an isolated lot which does not have running water and the lot is not part of an existing subdivision.
  - 3.      When portable tanks or portable chemical toilets are proposed at construction sites or public gatherings and entertainment sites.
- B.      In addition to the planning module requirements listed in Article III of this ordinance, the following additional items must be included with the planning documents in accordance with 25 PA Code, Chapter 71.63:
  - 1.      An executed copy of a contract with a wastewater hauler, or a letter of intent from a wastewater hauler, to haul the wastewater from the holding tank, must be included with the planning modules.
  - 2.      The locations and permit numbers for the final disposal site must be included in the planning module package.
  - 3.      A financial guarantee for the ultimate sewage disposal system must be included with the planning module.



### 601.3 Permit Procedure.

#### A. Application.

1. Applications for a permit to install a holding tank on a lot shall be made on the DER "Application for Sewage Disposal System" form which can be obtained from the Township Secretary or the Township SEO.
2. The Applicant shall complete Parts 1, 2, and 3 of the Application and submit the original application form to the Township SEO. Copies of the application will not be accepted.
3. The design of the holding tank shall be in accordance with Section 601.2 of this Ordinance.

#### B. Permit Procedure.

1. The applicant shall submit the permit application and three copies of the design to the SEO for review and approval.
2. Construction permits shall be issued after the design is reviewed and signed and sealed by the Township SEO. The construction permit shall be issued or denied by the SEO within seven days of receiving three completed copies of the design. Construction permits are valid for two years from the date of the permit.
3. One copy of the approved design will be issued with the construction permit. Construction permits and approved designs must be in the possession of the excavator at all times during the construction of the holding tank.
4. After the holding tank is installed, but not covered, the property owner shall complete an application for a permit to operate the holding tank. The property owner shall then make an appointment with the SEO to inspect the holding tank. At that time, if the SEO deems that the holding tank has been installed properly, the SEO shall issue an operating permit. The property owner may then cover the holding tank and may initiate operation of the system.

#### **601.4 Construction Requirements.**

- A. The holding tank shall be constructed to meet the specifications of Chapter 73.31 (b) (relating to standards for septic tanks).
- B. The holding tank shall be installed on a firm and stable soil or subsoil; and in such a manner as to prevent settlement or movement.
- C. The holding tank or lines to the holding tank shall not be covered until the Township SEO inspects and approved the installation and authorizes covering the same. The Owner shall be responsible for giving the SEO reasonable notice of the installation.

#### **601.5 Maintenance Requirements.**

- A. The Owner shall cause the holding tank and all lines, pipes or conduits to the same to be maintained in good watertight condition at all times.
- B. The Owner shall empty the holding tank as frequently as may be required to maintain the contents at a level less than 75 percent of the tank capacity.
- C. Disposal of waste from any holding tank shall be at the Covington Township Wastewater Treatment Facility.

### **Section 602. Inspections and Certification of Pumping**

#### **602.1 Inspections.**

- A. The Owner shall be deemed to have granted his consent for inspections of the holding tank and facilities used in connection with the holding tank by the Sewage Enforcement Officer. The Owner will allow the Sewer Enforcement Officer access to the premises for the purposes of making such inspections upon request of the Sewage Enforcement Officer verbally or in writing.

**602.2 Pumping Receipts.**

- A. The Owner shall furnish the Sewer Authority with a true and correct copy of all pumping receipts for cleaning or removing the contents of the holding tanks. Such reports shall be made to the Sewer Authority Secretary on a weekly basis within ten working days after the contents of the holding tanks are pumped out, or upon request by the Authority.



## **ARTICLE VII**

### **ON-LOT MANAGEMENT PROGRAM**

#### **Section 701. On-Lot Management Programs.**

The On-Lot Management Program, described in this Section, shall be implemented through a joint effort of the Covington Township Board of Supervisors, Sewer Authority, Township SEO, and Township residents. The program includes an On-Lot Inspection Program, a Repair and Upgrade Program, and a Septage Pumping Program.

##### **701.1 On-Lot Inspection Program.**

- A. The Township SEO will work with the Covington Township Sewer Authority to develop an inspection program to identify malfunctioning systems. The schedule will be developed so that every system in Covington Township is inspected by the SEO at least once every five years.
- B. The Covington Township Sewer Authority, with assistance from the Covington Township Sewage Enforcement Officer and based on information obtained from the Act 537 Plan, shall identify malfunctioning on-site septic systems within the Township. Specific emphasis shall be placed on areas outside of the service area of the Covington Township Wastewater Treatment Facility. The Sewer Authority shall prepare a report to the Covington Township Board of Supervisors indicating the locations of the malfunctioning systems.

##### **701.2 Repair and Upgrade Program**

- A. The Covington Township Board of Supervisors, or their designated representative, shall notify homeowners of malfunctioning on-site wastewater disposal systems and require repairs be made within a 3 month period.
- B. It shall be the responsibility of each homeowner to hire a professional to design a repair or replacement system.
- C. The Township SEO shall review all designs for on-site system repairs or replacement and shall issue a permit to repair or replace the system.

- D. If, in the opinion of the Township SEO and/or the Sewer Authority Engineer, a code worthy repair or replacement cannot be made for a malfunctioning on-site system, the homeowner may be required to install a holding tank.
- E. The SEO shall inspect the construction work associated with the system repair or replacement in accordance with Section 401.2 of this Ordinance.
- F. The Sewage Enforcement Officer shall inform the Sewer Authority and the Board of Supervisors when the repair or replacement has been completed.
- G. The Sewage Enforcement Officer shall inspect all repair or replacement systems on a monthly basis for the first three months of operation and then once every year for a five year period.
- H. The Sewage Enforcement Officer shall submit a short inspection report to the Authority and the Board of Supervisors after each site visit.

#### **701.3**

#### **Septage Pumping Program**

- A. All homeowners and business owners are required to have their septic tank pumped out every three to five years.
- B. If, during the routine inspection program, the Township Sewage Enforcement Officer determines that a septic system is malfunctioning, the Sewage Enforcement Officer may require the owner to have the septic tank pumped out by a licensed hauler. The SEO shall notify the owner, in writing, that the tank must be pumped. The owner shall have ten working days to have the septic tank pumped out by a licensed hauler.
- C. The owner shall provide the Sewage Enforcement Officer and the Sewer Authority with proof that the tank was pumped.



## **ARTICLE VIII**

### **WASTEWATER SYSTEM INSPECTIONS**

#### **Section 801. Individual On-Site Sewage Disposal System**

##### **801.1 Construction Inspection.**

All individual on-site systems shall be inspected by the SEO. The holder of a permit for installation of a sewage disposal system shall notify the SEO prior to commencing construction activities and upon completion of construction but before the new system is covered. The SEO shall observe the construction at least two times during installation and once, just before backfilling.

##### **801.2 Maintenance Inspection.**

The SEO shall inspect at least 10 representative on-site systems each year and any system in which a malfunction has been observed or reported. The SEO shall submit a report documenting the results of each inspection to the Sewer Authority and the Board of Supervisors.

#### **Section 802. Community On-Site Sewage Disposal System**

##### **802.1 Construction Inspection.**

The SEO shall inspect the slope and soils at the site of each proposed community system prior to plan approval. The SEO and/or the Sewer Authority Engineer shall inspect each community system at least twice during construction and once after construction but before the system has been covered. After construction is complete, the SEO shall inspect the system and issue a one-year operating permit if the system has been installed properly.

##### **802.2 Maintenance Inspection.**

The SEO shall inspect all community on-site systems each year and issue a permit renewal for the operation of each system which shall be valid for a one year period. The SEO shall submit a report documenting the results of each inspection to the Sewer Authority and the Board of Supervisors.



**Section 803. Non-municipal and Municipal Wastewater Collection and Treatment Systems**

**803.1 Construction Inspection.**

- A. The Sewer Authority Engineer shall inspect each new Municipal or Non-municipal treatment plant, collection system, and pumping stations on a periodic basis during construction to ensure that proper construction techniques are followed.
- B. The Sewer Authority Engineer shall also inspect each facility during the initial start-up period.
- C. All construction shall be in accordance with the technical specifications submitted and approved by the DER.

**803.2 Maintenance Inspection.**

- A. The Sewer Authority Engineer shall inspect each Municipal and Non-municipal treatment plant at least one time each year and submit a written report to the Sewer Authority.
- B. The Sewer Authority or Sewer Authority Engineer may inspect all treatment plants on a periodic basis to ensure that the treatment plant is operating properly and is being maintained in a satisfactory manner to protect human health and welfare.
  - 1. During these periodic inspections, the Sewer Authority or the Sewer Authority Engineer may collect treatment plant influent, effluent, and process samples and stream samples for laboratory analysis to ensure that effluent criteria are being met.

**803.3 Reporting Requirements.**

- A. The Engineer of record for each Municipal or Non-municipal treatment plant shall submit quarterly reports to the Sewer Authority describing the operations of the facility.

1. The Engineer of record shall attach copies of monthly DMR's which shall include a summary of daily flow and effluent data.
2. Each quarterly report shall include a table of cumulative data for the calendar year and a summary of problems and violations. The report shall also include copies of all correspondence between the plant owner or representative and DER.

## **ARTICLE IX**

### **ADMINISTRATION**

#### **Section 901. Fees**

- 901.1** Fees shall be charged for on-site inspections, review of test pits and percolation tests, review of individual and community on-site disposal systems, review of wastewater system designs, sludge and septage hauler licenses, and remedy of wastewater related problems in accordance with the annual fee schedule developed by the Board of Supervisors of Covington Township and/or the Authority.
- A. All sewage construction permits are valid for three years and no permits shall be renewed. After a three year period, a new sewage construction permit must be obtained from the Township. A fee is required for permit renewals.
- B. No refunds, either partial or full, shall be made to the applicant if an application for an individual or community on-site system is denied.
- 901.2** Fees shall also be charged for construction observation of central and regional treatment plant installation and wastewater collection system installation in accordance with applicable resolutions of the Authority.
- A. All such fees shall be paid by the owner of the facility.

#### **Section 902. Enforcement**

- 902.1** Any person who fails to comply with the requirements of this Ordinance or who resists or interferes with any SEO or Engineer employed by Covington Township in the performance of duties under the provisions of this Ordinance shall be guilty of a summary offense.



- 902.2** Upon conviction, the guilty person shall pay a fine of not more than \$1000, plus costs of prosecution. In default of such payment, the guilty person shall be confined to the Lackawanna County Jail for a period of not more than 30 days.
- 902.3** Each day during which the offense continues shall constitute a separate offense.
- 902.4** Any violation of this Ordinance and any individual or community on-site system or Municipal or Non-municipal wastewater treatment system not constructed in compliance with this Ordinance shall constitute a nuisance and may be remedied by Covington Township in the manner provided in the law.

## **ARTICLE X**

### **VALIDITY**

If any provision of the Ordinance is found invalid, the Ordinance as a whole and all other provisions of the Ordinance shall remain valid.

This Ordinance shall be construed so as to be consistent with the provisions of the Connection Ordinance. In the event of a conflict in construing this Ordinance and the Connection Ordinance, the Connection Ordinance shall control.

**ARTICLE XI**

**EFFECTIVE DATE**

This Ordinance shall become effective five (5) days after its adoption by the Covington Township Board of Supervisors.

Duly passed at a meeting of the Board of Supervisors of Covington Township, Lackawanna County, Pennsylvania on the 1st day of October, 1991.

**BOARD OF SUPERVISORS  
COVINGTON TOWNSHIP**

John D. Yonk 10/1/91  
Chairman

Paul R. Schmitt  
Vice Chairman

Cesare Forcone  
Supervisor

**Attest:**

Kate Turney



ORDINANCE NO. 2011 - 01

TOWNSHIP OF COVINGTON

LACKAWANNA COUNTY

**AMENDMENT OF THE COVINGTON TOWNSHIP  
WASTEWATER ORDINANCE**

AN ORDINANCE OF THE TOWNSHIP OF COVINGTON, LACKAWANNA COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 1991-11 THE COVINGTON TOWNSHIP WASTEWATER ORDINANCE, PROVIDING FOR CIVIL PENALTIES TO ENFORCE THE WASTEWATER ORDINANCE.

NOW THEREFORE, under the authority of Section 1601 of the Second Class Township Code [Title 53 P.S. §66601], the Board of Supervisors hereby make the following rules and regulations for enforcing the provisions of the Covington Township Wastewater Ordinance.

ITEM 1

THE CURRENT SECTION 902 OF THE COVINGTON TOWNSHIP WASTEWATER ORDINANCE ON ENFORCEMENT IS HEREBY DELETED IN ITS ENTIRETY.

ITEM 2

THE FOLLOWING NEW SECTION 902 ON ENFORCEMENT IS HEREBY MADE A PART OF THE COVINGTON TOWNSHIP WASTEWATER ORDINANCE.

902 Enforcement

902.1 Enforcement Remedies

- A. Any individual, person, partnership, corporation or other entity who or which has violated the provisions of this wastewater ordinance or prior enabling laws shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Township before a district justice, pay a judgment of no more than six hundred dollars (\$600.00) plus all court costs, including reasonable attorney, witness and consultant fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation

continues shall constitute a separate violation, unless the district justice determining that there has been a violation, further determines that there was a good faith basis for the individual, person, partnership, corporation or other entity violating the ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of the violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.

- B. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.
- C. The Township or the Covington Township Sewer Authority may commence and pursue to a final order any action for enforcement pursuant to this section. No other person or entity is granted any right to maintain an action under this section.

#### 902.2 Jurisdiction

District justices shall have initial jurisdiction in proceedings brought under Section 902.1.

- 902.3 Any violation of this Ordinance and any individual or community on-site system of municipal or non-municipal wastewater treatment not constructed in compliance with this Ordinance shall constitute a nuisance and may be remedied by Covington Township or the Covington Township Sewer Authority in the manner provided in the law.

The provisions of this Ordinance are severable. If any paragraph, sentence, clause or phrase of this Ordinance shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining paragraphs, sentences, clauses, or phrases of this ordinance. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such invalid or unconstitutional paragraph, sentence, clause or phrase not been included herein.

Furthermore, it is the intent of this Ordinance to be supplementary to and not contrary to any laws of the Commonwealth of Pennsylvania or regulations of any of its executive agencies.

All ordinances or parts of ordinances that are inconsistent herewith are hereby repealed.




This Ordinance shall become effective five (5) days after enactment.

ORDAINED AND ENACTED into law by the Board of Supervisors of the Township of Covington this 28 day of JUNE, 2011.

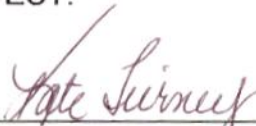
BOARD OF SUPERVISORS  
TOWNSHIP OF COVINGTON  
LACKAWANNA COUNTY

  
THOMAS M. YERKE, Chairman

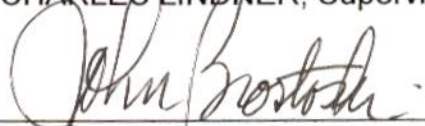
  
DAVID PETROSKY, Vice-Chairman

  
MARLENE BEAVERS, Supervisor

ATTEST:

  
KATE TIERNEY, Secretary

CHARLES LINDNER, Supervisor

  
JOHN BROSTOSKI, Supervisor