

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. **345** Session of  
1961

MESSRS. SARRAF, PECHAN AND DONOLOW, IN PLACE,  
MARCH 6, 1961.

AS AMENDED ON THIRD READING, JUNE 28, 1961.

AN ACT

Regulating sewage disposal systems and private water supplies in the interest of preserving the health of the people of the Commonwealth requiring permits to be issued to persons installing sewage disposal systems or private water supplies imposing certain duties on the Department of Health and on municipalities and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

EXPLANATION—CAPITAL LETTERS indicate new matter added to bill. Matter stricken through is to be omitted from bill. Underscoring indicates new matter added to existing law. [Brackets] indicate matter stricken from existing law.

1 Section 1 As used in this act the following words and phrases shall  
2 have the meanings ascribed to them in this section unless the context  
3 clearly indicates otherwise

4 (1) "Department" means the Department of Health of the Com-  
5 monwealth

6 (2) "Private Water Supply" shall include all water supplies for  
7 human consumption not requiring a certificate of public convenience  
8 and necessity from the Pennsylvania Public Utility Commission

9 (3) (2) "Sewage Disposal System" means any sewage disposal system  
10 which is not subject to the provisions of Act of June 22 1937 (P L 1987)  
11 and its amendments

12 (4) (3) "Sewage" shall include any substance that contains any of  
13 the waste products or excrementitious or other discharge from the bodies  
14 of human beings or animals

15 (5) (4) "Person" shall include any person copartnership association  
16 or private corporation

17 (6) (5) "Municipality" shall include any county city borough town  
18 or township or any Department or Board of Health thereof

19 Section 2 No person shall install or have installed a sewage dis-  
20 posal system or a private water supply contrary to the provisions of this

1 act No person shall install a sewage disposal system ~~or private water~~  
2 ~~supply~~ or construct any building on land on which a sewage disposal  
3 system ~~or private water supply~~ is to be installed without first obtaining  
4 a permit indicating that the site and the plans and specifications of  
5 such system ~~or supply~~ are in compliance with the provisions of this act  
6 and the rules and regulations adopted pursuant thereto Provided however  
7 That no permit shall be required in those cases where the Department  
8 determines that such permit is not necessary for the protection of the  
9 public health

10 Section 3 All municipalities shall administer the provisions of this  
11 act and the rules and regulations adopted by the Department Each  
12 municipality administering this act shall submit to the Department such  
13 reports as the Department shall require

14 Section 4 The Department shall have the power and its duty shall be  
15 to adopt such rules and regulations as are necessary to protect the health  
16 of the people Such rules and regulations shall provide for the issuance  
17 of permits by the Department or municipalities for the establishing of  
18 minimum standards for the approval of site design construction and  
19 installation of sewage disposal systems and ~~private water supplies~~

1 Whenever a municipality shall not administer the provisions of this  
2 act in conformity with the rules and regulations of the Department  
3 or whenever such a municipality shall request the Department so to do  
4 the Department shall administer the provisions of this act in such  
5 municipality Nothing herein contained shall abridge the power of the  
6 Department of Health to abate conditions inimical to health

7 The Department shall adopt the necessary rules and regulations  
8 to effect the transfer of administration from municipalities to the  
9 Department and from the Department to municipalities

10 Section 5 Nothing in this act shall be deemed to affect modify  
11 amend or repeal any provisions of the Act of June 22 1937 (P L 1987)  
12 as amended or to affect the powers and duties of the Sanitary Water  
13 Board

14 Section 6 The Attorney General at the request of the Secretary of  
15 Health shall have the power to institute in the Court of Common Pleas  
16 of Dauphin County an action against any person violating the provisions  
17 of this act to restrain said violation and for this purpose the said Court  
18 of Common Pleas of Dauphin County is vested with jurisdiction to  
19 hear determine and adjudicate such matter and grant such relief as is  
20 necessary and appropriate

1 Any municipality administering the provisions of this act shall have  
2 the power to institute through its legal counsel in the Court of Common  
3 Pleas of the County in which it is situated a proceeding to restrain  
4 violations of this act

5 Section 7 Any person who shall violate any of the provisions of this  
6 act or the rules and regulations promulgated thereunder or who resists  
7 or interferes with any officer agent or employe of the Department or  
8 of a municipality in the performance of his duties shall upon conviction  
9 thereof in a summary proceeding before any justice of the peace alder-  
10 man or magistrate in the County in which the offense was committed  
11 be sentenced to pay a fine of not less than one hundred dollars (\$100.00)  
12 and costs and not more than three hundred dollars (\$300.00) and costs  
13 to be paid to said County or in default thereof shall be confined in the  
14 County jail for a period of not more than thirty (30) days

We certify that this bill has passed the Senate and the House of  
Representatives.

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Chief Clerk, Senate

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President pro tempore, Senate

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Speaker, House of Representatives

Approved The ..... day of ..... A. D. 1961.

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Governor