

HOUSE REPRINT

Printer's No.—1286

Previous Printer's Nos. 364, 863, 1013

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. **345**

Session of
1961

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

AS RE-REPORTED FROM COMMITTEE ON RULES, AS
AMENDED, IN HOUSE OF REPRESENTATIVES,
AUGUST 30, 1961.

AN ACT

Regulating sewage disposal systems in the interest of preserving the health of the people of the Commonwealth requiring permits to be issued to persons installing sewage disposal systems 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. Underlining 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) "Sewage Disposal System" means any sewage disposal system
7 which is not subject to the provisions of Act of June 22 1937 (P L 1987)
8 and its amendments

9 (3) "Sewage" shall include any substance that contains any of
10 the waste products or excrementitious or other discharge from the bodies
11 of human beings or animals

12 (4) "Person" shall include any person copartnership association
13 or private corporation

14 (5) "Municipality" shall include any county city borough town
15 or township or any Department or Board of Health thereof

16 Section 2 No person shall install or have installed a sewage dis-
17 posal system contrary to the provisions of this act No person shall install
18 a sewage disposal system or construct any building on land on which
19 a sewage disposal system is to be installed without first obtaining a
20 permit indicating that the site and the plans and specifications of such

1 system are in compliance with the provisions of this act and the rules
2 and regulations adopted pursuant thereto Provided however That no
3 permit shall be required in those cases where the Department deter-
4 mines that such permit is not necessary for the protection of the public
5 health

6 Section 3 All municipalities shall administer the provisions of this
7 act and the rules and regulations adopted by the Department Each
8 municipality administering this act shall submit to the Department such
9 reports as the Department shall require

10 Section 4 The Department shall have the power and its duty shall be
11 to adopt such rules and regulations as are necessary to protect the health
12 of the people Such rules and regulations shall provide for the issuance
13 of permits by ~~the Department or municipalities~~ MUNICIPALITIES OR
14 IN A CASE IN WHICH A MUNICIPALITY HAS NOT ACTED
15 HEREUNDER BY THE DEPARTMENT for the establishing of
16 minimum standards for the approval of site design construction and
17 installation of sewage disposal systems and ~~private water supplies~~

18 Whenever a municipality shall not administer the provisions of this
19 act in conformity with the rules and regulations of the Department

1286—Printer's No. 4

1 or whenever such a municipality shall request the Department so to do
2 the Department shall administer the provisions of this act in such
3 municipality Nothing herein contained shall abridge the power of the
4 Department of Health to abate conditions inimical to health

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

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

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

19 Any municipality administering the provisions of this act shall have
20 the power to institute through its legal counsel in the Court of Common

1 Pleas of the County in which it is situated a proceeding to restrain
2 violations of this act

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