

PROHIBITING THE DISCHARGE OF SEWAGE ON ROADS

Act of May. 7, 1929, P.L. 1586, No. 486

Cl. 36

AN ACT

Prohibiting the discharge of sewage and all drainage, except surface drainage, on or within the legal limits of any public highway; providing for the blocking or removal of sewer outlets within the limits of public roads; declaring such outlets to be a public nuisance and abatable as such; conferring jurisdiction; and providing penalties; and repealing certain act.

Compiler's Note: Section 1101(37) of Act 428 of 1945 provided that Act 486 is repealed insofar as it applies to highways.

Section 1. Be it enacted, &c., That it shall and is hereby declared to be unlawful for any person or persons, association, partnership or corporation to discharge on, or within the legal limits of, any public highway sewage or drainage, except surface drainage.

Section 2. Any sewer outlet placed or located within the limits of a public highway, or so located that the discharge therefrom enters a public highway, is hereby declared to be a violation of this act, and a public nuisance, and may be blocked or removed by the authorities responsible for the maintenance of the highway.

Section 3. That any person or persons, association, partnership or corporation, who shall construct or place any sewer outlet within the limits of a public highway, or who shall discharge upon such public highway sewage or drainage, except surface drainage, shall, upon conviction in a summary proceeding before any magistrate, alderman, or justice of the peace, be subject to pay a fine or penalty of not less than five dollars (\$5.00) nor more than twenty-five dollars (\$25.00), or, in default of payment of said fine and costs, be imprisoned in the county jail for a period of one day for each dollar of fine and costs unpaid. All fines collected under the provisions of this act shall be paid to the treasurer of the municipality in which the offense occurred.

Compiler's Note: Section 28 of Act 207 of 2004 provided that any and all references in any other law to a "district justice" or "justice of the peace" shall be deemed to be references to a magisterial district judge.

Section 4. That the act approved the seventh day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, five hundred and fifty-five), entitled "An act prohibiting the discharge of sewage and all drainage, except surface drainage, on or within the legal limits of any public road, and providing penalty," be and the same is hereby repealed.