

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2442

Session of
1976

INTRODUCED BY MESSRS. LAUGHLIN, RITTER, J. B. KELLY III, FISHER, DeVERTER, THOMAS, W. W. WILT, BRANDT, MOEHLMANN, DeWEESE, GREEN, MILANOVICH, MANDERINO, LaMARCA, LINCOLN, BRADLEY, R. W. WILT, PETRARCA, STOUT, LETTERMAN, MILLIRON, ZELLER, A. K. HUTCHINSON, DiCARLO, WANSACZ, GOODMAN, O'BRIEN AND KOLTER, MAY 26, 1976

SENATOR MURPHY, LOCAL GOVERNMENT, IN SENATE, AS AMENDED,
NOVEMBER 9, 1976

AN ACT

1 Amending the act of January 24, 1966 (1965, P.L.1535, No.537),
2 entitled, as amended, "An act providing for the planning and
3 regulation of community sewage systems and individual sewage
4 systems; requiring municipalities to submit plans for systems
5 in their jurisdiction; authorizing grants; requiring permits
6 for persons installing such systems; authorizing the
7 Department of Environmental Resources to adopt and administer
8 rules, regulations, standards and procedures; creating an
9 advisory committee; providing remedies and prescribing
10 penalties," requiring disclosure statements in certain land
11 sale contracts.

12 The General Assembly of the Commonwealth of Pennsylvania
13 hereby enacts as follows:

14 Section 1. The title, act of January 24, 1966 (1965
15 P.L.1535, No.537), known as the "Pennsylvania Sewage Facilities
16 Act," amended July 22, 1974 (P.L.621, No.208), is amended to
17 read:

AN ACT

18
19 Providing for the planning and regulation of community sewage

1 systems and individual sewage systems; requiring
2 municipalities to submit plans for systems in their
3 jurisdiction; authorizing grants; requiring permits for
4 persons installing such systems; requiring disclosure
5 statements in certain land sale contracts; authorizing the
6 Department of Environmental Resources to adopt and administer
7 rules, regulations, standards and procedures; creating an
8 advisory committee; providing remedies and prescribing
9 penalties.

10 Section 2. The act is amended by adding a section to read:

11 Section 7.1. Land Sale Contracts.--(a) Every contract for
12 the sale of a lot as defined in section 2 for which there is no
13 currently existing community sewage system available shall
14 contain a statement in the contract clearly indicating to the
15 buyer that there is no community sewage system available and
16 that a permit for an individual sewage system will have to be
17 obtained pursuant to section 7. The contract shall also clearly
18 state that the buyer should contact the local agency charged
19 with administering this act before signing the contract to
20 determine the procedure and requirements for obtaining a permit
21 for an individual sewage system if one has not already been
22 obtained. FOR PURPOSES OF THIS SECTION THE TERMS "COMMUNITY <—
23 SEWAGE SYSTEM" AND "INDIVIDUAL SEWAGE SYSTEM" SHALL BE CONSTRUED
24 TO EXCLUDE ANY DRAINAGE SYSTEM FOR THE CONTROL OF SURFACE WATER
25 OR THE CONTROL OF STORM RUNOFF WATER.

26 (b) Any contract for the sale of a lot which does not
27 conform to the requirements of subsection (a) shall not be
28 enforceable by the seller against the buyer. Any term of such
29 contract purporting to waive the rights of the buyer to the
30 disclosures required in subsection (a) shall be void.

1 Section 3. This act shall take effect in 60 days and shall
2 apply to all contracts made thereafter.