

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2294 Session of
1990

INTRODUCED BY JADLOWIEC, DISTLER, NOYE, D. F. CLARK, FARGO,
GEIST, KASUNIC, S. H. SMITH, BURD, McCALL, BARLEY, PESCI,
FAIRCHILD, HESS, JAROLIN, BLACK, ROBBINS AND MERRY,
FEBRUARY 12, 1990

REFERRED TO COMMITTEE ON CONSERVATION, FEBRUARY 12, 1990

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; requiring disclosure
7 statements in certain land sale contracts; authorizing the
8 Department of Environmental Resources to adopt and administer
9 rules, regulations, standards and procedures; creating an
10 advisory committee; providing remedies and prescribing
11 penalties," further providing for certain areas within which
12 on-lot sewage disposal is prohibited.

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

15 Section 1. Section 7(b) of the act of January 24, 1966 (1965
16 P.L.1535, No.537), known as the Pennsylvania Sewage Facilities
17 Act, is amended by adding a paragraph to read:

18 Section 7. Permits.--* * *

19 (b) * * *

20 (5.1) The department shall not establish an area within
21 which on-lot sewage systems are prohibited unless that area is
22 delineated by clearly defined and ascertainable boundaries, nor

1 shall the department establish such an area unless the
2 department provides sufficient evidence to the affected local
3 agency that the area under the prohibition is served by an
4 existing sewer line or where that area could be served by the
5 construction or extension of a sewer line, where such
6 construction or extension could be performed in an efficient
7 manner and at a reasonable cost. The department shall not
8 establish boundaries delineating an area within which an on-lot
9 sewage system is prohibited where the boundary line would divide
10 or cross through the real estate property or place an entire
11 real estate property within the boundary line itself.

12 Section 2. This act shall take effect in 60 days.