

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL**No. 461** Session of
2007

INTRODUCED BY M. WHITE, GREENLEAF, RAFFERTY, D. WHITE, ARMSTRONG
AND DINNIMAN, MARCH 15, 2007

SENATOR REGOLA, LOCAL GOVERNMENT, AS AMENDED, SEPTEMBER 18, 2008

AN ACT

1 Amending the act of June 24, 1931 (P.L.1206, No.331), entitled,
2 as reenacted and amended, "An act concerning townships of the
3 first class; amending, revising, consolidating, and changing
4 the law relating thereto," further providing for sewer and
5 drainage systems connections.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Section 2401.1 of the act of June 24, 1931
9 (P.L.1206, No.331), known as The First Class Township Code,
10 reenacted and amended May 27, 1949 (P.L.1955, No.569), is
11 amended to read:

12 Section 2401.1. Sewer and Drainage Systems; Constructed by
13 any Municipality Authority; Connection by Owners; Enforcement.--
14 [Whenever] (a) Except as set forth in subsection (b), whenever
15 a sewer or drainage system is established or constructed by any
16 municipality authority within a township, the township
17 commissioners shall be empowered by ordinance to compel all
18 owners of property abutting on, or adjoining any street or

1 highway, in which such sewer or drainage system is located, to
2 make connection with such sewer or drainage system in such
3 manner as they may order for the purpose of discharge of such
4 drainage or waste as they may specify. The township
5 commissioners may by ordinance impose penalties to enforce any
6 regulation or order they may ordain with reference to any sewer
7 or drainage connections.

8 (b) An owner of a dwelling unit used by a member of a
9 recognized religious sect may file an application with the
10 township commissioners to be exempted from the requirement to
11 make connection with a sewer or drainage system as required
12 under subsection (a). The township commissioners shall approve
13 the application for exemption if it is made in conformance with
14 this subsection. NO APPLICATION SHALL BE APPROVED UNLESS THE <—
15 APPLICANT DEMONSTRATES TO THE SATISFACTION OF THE TOWNSHIP
16 COMMISSIONERS THAT AN ACCEPTABLE ALTERNATIVE MEANS FOR SEWAGE
17 DISPOSAL EXISTS. The application must state the manner in which
18 the requirements of subsection (a) conflict with the applicant's
19 religious beliefs and shall include an affidavit by the
20 applicant stating that:

21 (1) The applicant is a member of a recognized religious
22 sect.

23 (2) The religious sect has established tenets or teachings
24 which conflict with the provisions of subsection (a).

25 (3) The applicant adheres to the established tenets or
26 teachings of the sect.

27 (4) The dwelling unit will be used solely as a residence for
28 the applicant or family member of the applicant.

29 Section 2. The provisions of 25 Pa. Code § 243.7 are
30 abrogated to the extent of any inconsistency with the amendment

1 of section 2401.1 of the act.

2 Section 3. This act shall take effect in 60 days.