

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 395 Session of 2014

INTRODUCED BY ROSS, HARPER, FREEMAN, M. DALEY AND GINGRICH,
MARCH 25, 2014

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MARCH 25, 2014

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 permits and for powers and
12 duties of local agencies.

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

15 Section 1. Section 7(a.1) of the act of January 24, 1966
16 (1965 P.L.1535, No.537), known as the Pennsylvania Sewage
17 Facilities Act, amended December 14, 1994 (P.L.1250, No.149), is
18 amended to read:

19 Section 7. Permits.--* * *

20 (a.1) Owners of property qualifying for a permit exemption
21 under this section shall install permit-exempt systems in
22 accordance with the following siting requirements:

23 (1) The perimeter of the septic tanks and absorption area

1 shall be located at least two hundred feet from the perimeter of
2 any property line, nonutility right-of-way, one hundred-year
3 flood plain or any river, stream, creek, impoundment, well,
4 watercourse, storm sewer, lake, dammed water, pond, spring,
5 ditch, wetland, water supply or any other body of surface water
6 and ten feet from any utility right-of-way.

7 (2) Before a person who meets the requirements for a permit-
8 exempt system installs the system, such person shall notify the
9 local agency of the installation. The local agency may charge a
10 fee[, not to exceed twenty-five dollars (\$25),] under section
11 8(b)(4.2) to verify the system is located in accordance with the
12 siting requirements of [subsection (a.1)(1)] paragraph (1).

13 * * *

14 Section 2. Section 8(b) of the act is amended by adding a
15 paragraph to read:

16 Section 8. Powers and Duties of Local Agencies.--* * *

17 (b) Each local agency in addition to the powers and duties
18 conferred upon it by existing law shall have the power and the
19 duty:

20 * * *

21 (4.2) To set and collect fees, which do not exceed the local
22 agency's actual cost, to conduct the verification of siting
23 requirements under section 7(a.1) for permit exempt systems.

24 * * *

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