

ORDINANCE NO. 112 OF 2025



DRAFT

**BUFFALO TOWNSHIP
WASHINGTON COUNTY, PENNSYLVANIA**

**AN ORDINANCE OF BUFFALO TOWNSHIP, WASHINGTON COUNTY
PENNSYLVANIA, PROVIDING FOR THE PERMITTING OF ALL ON-LOT
SEWAGE DISPOSAL SYSTEMS PROPOSED TO BE INSTALLED ON ALL
LOTS IN BUFFALO TOWNSHIP REGARDLESS OF LOT SIZE, AND
PROVIDING PENALTIES AND ENFORCEMENT REMEDIES**

WHEREAS, the General Assembly of the Commonwealth of Pennsylvania adopted, and the Governor of said Commonwealth approved, under the date of January 24, 1996, P.L. 1535 No. 537 (35 P.S. §750.1-750.20), known as the Pennsylvania Sewage Facilities Act, which Act has been subsequently amended and is referred to hereinafter as “the Act”.; and

WHEREAS, Section 4 of the Act of December 14, 1994 (P.L. 1250, No. 149) contains an amendment to Section 7(a) of the Act which provides that, except where a local agency or municipality requires a permit by ordinance, certain owners of lots 10 acres or larger are exempt from those requirements of the Act which require a permit for the installation of an On-lot sewage disposal system on such person’s lot; and

WHEREAS, the Township of Buffalo is a municipality as defined in Section 2 of the Act; and

WHEREAS, Section 7(a)(1) of the Act, as amended by the Act of December 14, 1994, authorizes the Township to enact an Ordinance requiring a permit for the installation of all on-lot sewage disposal systems within the Township, including those proposed to be installed on lots ten (10) acres or larger, irrespective of whether any such lot ten (10) acres or larger otherwise qualifies for an exemption from the permitting requirements of the Act; and

WHEREAS, Buffalo Township desires that permits be required; for the installation of on-lot sewage disposal systems on all ten (10) acres or larger which lots otherwise qualify for an exemption from the permitting requirements of the Act; and

NOW THEREFORE, pursuant to the Second Class Township Code, as amended, the Board of Supervisors of Buffalo Township, Washington, Pennsylvania, does hereby ordain as follows:

SECTION 1: TITLE

This Ordinance shall be known as the “Buffalo Township On-Lot Sewage Disposal System Permit Ordinance of 2025”.

SECTION 2: STATUTORY BASIS AND PURPOSE

- A. This Ordinance is adopted pursuant to Section 7(a)(1) of the Pennsylvania Sewage Facilities Act, as amended [35 P.S. §740.7(a)(1)].
- B. The purpose of the ordinance is to provide for the permitting of all on-lot sewage disposal systems within the Township in accordance with the standards and regulations of 25 Pa. Code Chapters 72 & 73, excepting those systems otherwise eligible for an exemption from the permitting requirements of the Act, as authorized by Section 7(a)(1) of the Act.

SECTION 3: PERMIT REQUIREMENTS

- A. From and after the effective date of this Ordinance, all persons proposing to install an on-lot sewage disposal system on any lot within the Township specifically excluding those persons proposing to otherwise qualified for a permit exemption in accordance with the provisions of Section 7(a)(1) of the Act shall apply to the Township's agency for a permit for the installation of such system.
- B. No person shall install or commence construction of any on-lot sewage disposal system for which a permit is required until such permit has been issued by a Sewage Enforcement Officer employed by or contracted to the Township.

SECTION 4: EXEMPTION TO PERMIT REQUIREMENTS

- A. A permit and/or a plan revision shall be required for the installation of an individual on-lot sewage system for a residential structure occupied or intended to be occupied by the property owner or a member of his immediate family on a contiguous tract of land of ten (10) acres or more if the owner of the property was the owner of record as of January 10, 1987.
- B. The aforesaid contiguous tract of land as set forth in paragraph "A" herein shall not be permitted to be subdivided for a period of twenty (20) years. This Ordinance shall be binding upon the permittee, his/he successors and assigns and a clause announcing the same shall be placed in a recorded an amended deed.

SECTION 5: HOLD HARMLESS CLAUSE

Property owners building exempt on-lot sewage systems must provide indemnification agreement to Buffalo Township as described in §750.7 of the Act.

SECTION 6: ENFORCEMENT

- A. The Township shall pursue any legal rights it possesses to enforce Section 4 of this Ordinance and if the permittee, his/her successors and assigns shall agree with the Township to take the appropriate steps to convey any tracts of land that were subdivided and conveyed subsequent to the issuance of permit of this Ordinance.
- B. Any person violating any of the provisions of this Ordinance shall be subject to the civil and criminal penalties authorized pursuant to Section 13 and 13.1 of the Act, as amended.
- C. In addition to the penalties for non-compliance set forth in subsection 1 above, it is further provided that all of the civil and equitable remedies set forth in Section 12, 14 and 15 of the Act (35 P.S. §750.14 & 750.5), as amended, shall be applicable to violations of this Ordinance.

SECTION 7: SEVERABILITY

Should any provision, section, paragraph, sentence or word of this Ordinance be determined or declared invalid by any final court action in a court of contempt jurisdiction or by reason of a preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Ordinance shall remain in full force and effect.

SECTION 8: REPEALER

All ordinances or parts of ordinances conflicting or inconsistent with the provisions of this Ordinance hereby adopted are hereby repealed.

SECTION 9: EFFECTIVE DATE

This Ordinance shall become effective immediately upon enactment.

ORDAINED AND ENACTED this 4th day of June, 2025.

ATTEST:



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Michelle L. Markley, Secretary/Treasurer

(SEAL)

**BUFFALO TOWNSHIP
BOARD OF SUPERVISORS**

James W. Arbore, Jr., Chairman



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Jim MOUNTS, Vice Chairman

Randall MOUNTS, Supervisor