

TOWNSHIP OF MARTIC  
LANCASTER COUNTY, PENNSYLVANIA

---

ORDINANCE NO. 10-02-96

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AN ORDINANCE TO AMEND THE MARTIC TOWNSHIP ON-LOT SEWAGE SYSTEM ORDINANCE TO REVISE AND ADD DEFINITIONS OF TERMS USED IN THE ORDINANCE; TO REQUIRE PERSONS TO OBTAIN PERMITS FOR THE REPAIR OR MODIFICATION OF SEWAGE SYSTEMS; TO IMPOSE REQUIREMENTS FOR MAINTENANCE OF ON-LOT SEWAGE SYSTEMS AND COMMUNITY SEWAGE SYSTEMS; TO SPECIFY ACTIONS WHICH CONSTITUTE VIOLATIONS OF THE ORDINANCE AND TO REVISE PENALTIES AND REMEDIES IN ACCORDANCE WITH ACT 60 OF 1995.

BE AND IT IS HEREBY ORDAINED AND ENACTED by the Board of Supervisors of the Township of Martic, Lancaster County, Pennsylvania, as follows:

Section 1. The Martic Township On-Lot Sewage System Ordinance, Ordinance No. B4-88, Section 4, Word Usage and Definitions, Subsection B, Definitions, shall be amended by adding or revising the definitions of the following terms:

DEPARTMENT - The Department of Environmental Protection of the Commonwealth of Pennsylvania or any successor agency.

MALFUNCTION - The condition which occurs when an individual on-lot sewage system or a community sewage system discharges sewage onto the surface of the ground, into ground waters of the Commonwealth, into surface waters of the Commonwealth, backs up into the building connected to the individual on-lot sewage system or community sewage system or otherwise causes a nuisance hazard to the public health or pollution of ground or surface water or contamination of public or private drinking water wells. An individual on-lot sewage system or a community sewage system shall be considered to be malfunctioning if any of the conditions set forth in this paragraph occur for any length of time during any period of the year.

Section 2. The Martic Township On-Lot Sewage System Ordinance, Ordinance No. B4-88, shall be amended by adding new Sections 11.1, Repair or Modification of Sewage Systems; 11.2, Maintenance Requirements for Individual On-Lot Sewage Systems; and 11.3, Maintenance Requirements for Community Sewage Systems, which shall provide as follows:

Section 11.1 Repair or Modification of Sewage Systems. A permit shall be required for the repair or modification of any individual on-lot sewage system or community sewage system. Such repair or modification permit shall be issued by the Sewage Enforcement Officer in accordance with the rules and regulations of the Department. Upon completion of the repair or modification of the individual on-lot sewage system or community

sewage system, the owner of the lot upon which the repaired or modified individual on-lot sewage system is located or the person who owns or is responsible for the maintenance of the community sewage system shall insure that the individual on-lot sewage system or community sewage system is inspected by the Sewage Enforcement Officer.

Section 11.2. Maintenance Requirements for Individual On-Lot Sewage Systems.

A. All persons who own a lot upon which an individual on-lot sewage system is installed and all persons who reside upon a lot on which an individual on-lot sewage system is installed shall properly maintain the on-lot sewage system at all times.

B. Any person who owns a lot upon which an individual on-lot sewage system is installed, any person who occupies a lot upon which an individual on-lot sewage system is installed and any septage hauler pumping out or otherwise maintaining an individual on-lot sewage system shall report any malfunctioning of such individual on-lot sewage system to the Township. Such report shall be made as soon as possible but in no case later than three (3) days after discovery of the malfunction.

C. If an individual on-lot sewage system malfunctions, the owner of the lot upon which the individual on-lot sewage system is installed shall make application to the Sewage Enforcement Officer for any permit or permits necessary to repair, modify or alter the individual on-lot sewage system to eliminate the malfunction. Until such malfunction is eliminated, the owner of the lot upon which the individual on-lot sewage system is installed shall take all reasonable steps to prevent discharge of sewage and pollution.

Section 11.3. Maintenance Requirements for Community Sewage Systems.

A. If a community sewage system serves multiple dwellings or units of occupancy owned by a single person, such person shall be responsible for the maintenance of the community sewage system.

B. If a community sewage system serves multiple dwellings or units of occupancy which are not owned by a single person, a homeowners' association, condominium unit owners' association, or similar entity shall be responsible for the maintenance of the community sewage system. Such entity shall have the power to assess the lots or units served by the community sewage system for the cost to maintain such system and shall establish a fund for the maintenance of the community sewage system prior to its installation and use. The entity shall present evidence of such powers of assessment and establishment of a fund for maintenance to the Township for its review and approval prior to final inspection of the community sewage system by the Sewage Enforcement Officer.

C. All persons responsible for maintenance of a community sewage system shall properly maintain the community sewage system at all times.

D. All persons responsible for maintenance of a community sewage system and any septage hauler pumping out or otherwise maintaining a community sewage system shall report any malfunctioning of such community sewage system to the Township. Such report shall be made as soon as possible but in no case later than three (3) days after discovery of the malfunction.

E. If a community sewage system malfunctions, the person responsible for maintenance of the community sewage system shall make application to the Sewage Enforcement Officer for any permit or permits necessary to repair, modify or alter the community sewage system to eliminate the malfunction. Until such malfunction is eliminated, the person responsible for the maintenance of the community sewage system shall take all reasonable steps to prevent discharge of sewage and pollution.

Section 3. The Martic Township On-Lot Sewage System Ordinance, Ordinance No. B4-88, Section 12, Penalties, shall be retitled "Violations and Penalties," and shall be amended to provide as follows:

Section 12. Violations and Penalties.

A. It shall be a violation of this Ordinance to commit or permit any other person to commit any of the following acts:

1. To install, repair, modify or alter an individual on-lot sewage system or a community prior to obtaining a permit or in a manner which violates the terms and conditions of any permit.

2. To misuse or fail to maintain an individual on-lot sewage system or a community sewage system.

3. To fail to report a malfunctioning individual on-lot sewage system or community sewage system.

4. To fail to remedy a malfunctioning individual on-lot sewage system or community sewage system.

5. To construct any improvements upon, grade, or take any other action which will render a replacement location unsuitable for installation of an individual on-lot sewage system or community sewage system unless the Sewage Enforcement Officer has approved an alternate replacement location in accordance with Section 8.

6. To place false information on or omit relevant information from an application for a permit.

7. To occupy or permit the occupancy of any structure served by an individual on-lot sewage system for which a valid permit has not been obtained as required by this Ordinance.

8. To occupy or permit the occupancy of any structure served by a community sewage system for which a valid permit has not been

obtained as required by this Ordinance.

9. To fail to comply with any other provision of this Ordinance.

B. Any person who has violated or permitted the violation of any provision of this Ordinance shall, upon being found liable thereof in a civil enforcement proceeding commenced by the Township, pay a judgment of not less than one hundred (\$100.00) dollars and not more than one thousand (\$1,000.00) dollars plus all court costs, including the reasonable attorneys' fees incurred by the Township as a result thereof. No judgment shall be imposed until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation.

Section 4. All other sections, parts and provisions of the Martic Township On-Lot Sewage System Ordinance, Ordinance No. B4-88, as amended, shall remain in full force as heretofore enacted and amended.

Section 5. The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision hereof shall be held to be illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors that this Ordinance would have been enacted if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

Section 6. This Ordinance shall take effect and be in force five (5) days after enactment as provided by law.

DULY ORDAINED AND ENACTED this 7<sup>TH</sup> day of OCTOBER, 1996, by the Board of Supervisors of the Township of Martic, Lancaster County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF MARTIC  
Lancaster County, Pennsylvania

Attest: James R. Caldwell  
(Assistant) Secretary

By: Frank H. Puffer  
(Vice) Chairman  
Board of Supervisors

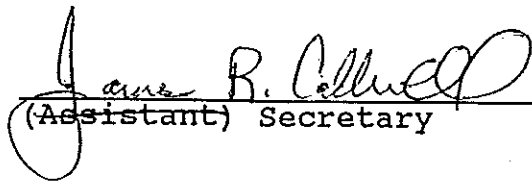
[TOWNSHIP SEAL]

**CERTIFICATE**

I, the undersigned, (Assistant) Secretary of the Township of Martic (the "Township"), certify that: the foregoing is a true and correct copy of an Ordinance of the Board of Supervisors of the Township which was duly enacted by affirmative vote of a majority of the members of the Board of Supervisors of the Township of Martic at a meeting duly held on the 7<sup>th</sup> day of OCTOBER, 1996; such Ordinance has been duly recorded in the Ordinance Book of the Township; such Ordinance has been duly published as required by law; and such Ordinance remains in effect, unaltered and unamended, as of the date of this Certificate.

I further certify that the Board of Supervisors of the Township of Martic met the advance notice requirements of Act No. 1986-84 of the General Assembly of the Commonwealth of Pennsylvania, approved July 3, 1986, by advertising said meeting and by posting prominently a notice of said meeting at the principal office of the Township or at the public building in which said meeting was held, all in accordance with such Act.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Township, this 7<sup>th</sup> day of OCTOBER, 1996.

  
\_\_\_\_\_  
(Assistant) Secretary

[TOWNSHIP SEAL]

LAW OFFICES

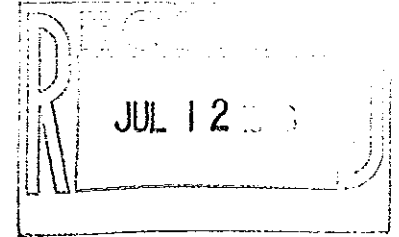
MORGAN, HALLGREN, CROSSWELL & KANE, P.C.

GEORGE J. MORGAN  
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WILLIAM C. CROSSWELL  
MICHAEL P. KANE  
ANTHONY P. SCHIMANECK  
DAVID L. WILLIAMS  
JOSELE CLEARY  
RANDALL L. MORGAN  
ROBERT E. SISKI  
JERRENE ZIMMERMAN

P. O. BOX 4686  
LANCASTER, PENNSYLVANIA 17604-4686

700 NORTH DUKE STREET  
—  
TELEPHONE 299-5251  
AREA CODE 717  
  
TELECOPIER (717) 299-6170

July 11, 1996



James R. Caldwell, Secretary  
Martic Township  
370 Steinman Farm Road  
Pequea, PA 17565

Re: Amendments to Penalty Provisions of Ordinances  
Our File No. 8984

Dear Jim:

In accordance with your telephone conversations with me and Bill Crosswell, I have prepared four ordinances to amend the violation and penalty provisions of the Storm Water Management Ordinance, Driveway Ordinance, Holding Tank Ordinance, and Anti-Litter Ordinance. As we discussed, I have advertised consideration of these four ordinances for the meeting of the Board of Supervisors on Monday, August 5, 1996. Because all four of the ordinances simply amend penalty provisions, I have included the consideration of all our ordinances in a single legal advertisement. Enclosed please find a copy of the summary legal advertisement for all four ordinances and a copy of my letter to Lancaster Newspapers, Inc., requesting that the advertisement be published in accordance with the requirements of the Second Class Township Code, as amended by Act 60 of 1995.

Enclosed please find the original and two (2) copies of the each of the four proposed ordinances. If the ordinances are enacted by the Board of Supervisors, please ensure that all of the ordinance numbers are inserted on page 1 of the original and both copies of each of the four proposed ordinances. Please also ensure that all of the ordinances are properly signed by the Chairman or Vice Chairman of the Board of Supervisors. You should attest to these signatures as Township Secretary and affix the Township Seal on the last page of each of the four ordinances. Please complete the certification pages for both copies of each of the four ordinances and return them to me. Because only a summary of each of the four ordinances was advertised, the Second Class Township Code requires that a certified copy of each ordinance be filed at the Lancaster County Courthouse, and we will file one of the certified copies of each ordinance following receipt thereof from the Township. We will retain the other copies for our files.

As we discussed, I will review the On-Lot Sewage Disposal System Ordinance, Street Opening Ordinance, and Nuisance Ordinance

James R. Caldwell, Secretary  
Martic Township  
July 11, 1996  
Page 2

to recommend substantive revisions as well as revisions to the penalty provisions. I will forward proposed ordinances to you in time so that they may be discussed by the Board of Supervisors at the August meeting.

If you should have any questions concerning the above, please contact me.

Very truly yours,



Josele Cleary

JC:jac  
MUNI\223123

Enclosures

LAW OFFICES

MORGAN, HALLGREN, CROSSWELL & KANE, P.C.

GEORGE J. MORGAN  
CARL R. HALLGREN  
WILLIAM C. CROSSWELL  
MICHAEL P. KANE  
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700 NORTH DUKE STREET  
—  
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TELECOPIER (717) 299-6170

July 11, 1996

Ellie Gebhard, Classified Ads  
Lancaster Newspapers, Inc.  
8 West King Street  
P.O. Box 1328  
Lancaster, PA 17608

Re: Martic Township/Amendments of Four Ordinances to Revise  
Penalty Provisions  
Our File No. 8984

Dear Ellie:

Please publish the enclosed legal notice in the Friday, July 26, 1996, editions of the Intelligencer Journal and the Lancaster New Era. Thereafter, please send the proof of publication for the advertisement and your invoice directly to the following person:

James R. Caldwell, Manager-Secretary  
Martic Township  
370 Steinman Farm Road  
Pequea, PA 17565  
(717) 284-2167

I am also enclosing the full text of each of the proposed ordinances to which the enclosed legal notice relates as required by the Second Class Township Code. The full text of each of the proposed ordinances should be available for public inspection by anyone who cares to do so. If you have any questions, please contact me.

Very truly yours,



Josele Cleary

JC:jac  
MUNI\223123

Enclosures

√cc: Martic Township



Notice is hereby given that the Board of Supervisors of the Township of Martic, Lancaster County, Pennsylvania, at its public meeting on Monday, August 5, 1996, at 7:30 p.m., prevailing time, at the Martic Township Municipal Building, 370 Steinman Farm Road, Pequea, Pennsylvania, shall consider, and subsequently, if appropriate, at that public meeting or at a public meeting held within 60 days of the date of publication of this advertisement, the following four ordinances:

AN ORDINANCE TO AMEND THE MARTIC TOWNSHIP HOLDING TANK ORDINANCE TO REVISE PENALTIES FOR VIOLATIONS OF THE ORDINANCE IN ACCORDANCE WITH ACT 60 OF 1995.

AN ORDINANCE TO AMEND THE MARTIC TOWNSHIP DRIVEWAY ORDINANCE, ORDINANCE NO. A2-5-92, TO REVISE PENALTY PROVISIONS IN ACCORDANCE WITH ACT 60 OF 1995.

AN ORDINANCE TO AMEND THE MARTIC TOWNSHIP ANTI-LITTER ORDINANCE, ORDINANCE NO. 2-1975, TO REVISE PENALTY PROVISIONS IN ACCORDANCE WITH ACT 60 OF 1995.

AN ORDINANCE TO AMEND THE MARTIC TOWNSHIP STORM WATER MANAGEMENT ORDINANCE OF 1992 TO SPECIFY ACTIONS WHICH CONSTITUTE VIOLATIONS AND TO REVISE PENALTIES AND REMEDIES IN ACCORDANCE WITH ACT 60 OF 1995.

The proposed ordinances to amend the Martic Township Holding Tank Ordinance, Martic Township Driveway Ordinance, and Martic Township Anti-Litter Ordinance may all be summarized as follows. Section 1 of each of the three ordinances amends the penalty provision to revise the penalty for violation of the ordinance in accordance with the changes made to the Second Class Township Code by Act 60 of 1995. Sections 2, 3 and 4 of each of the three ordinances reaffirm all other parts and provisions of the ordinances, provide for severability of any invalid provisions of the proposed ordinance and set forth the effective date. The proposed ordinance to amend the Martic Township Storm Water Management Ordinance is summarized as follows. Section 1 amends Section 601, Remedies, to clarify actions which are subject to the remedies of the Storm Water Management Ordinance. Section 2 revises Section 602, Penalties, of the Storm Water Management Ordinance to specify actions

which constitute a violation of the Storm Water Management Ordinance and to revise penalties for violation in accordance with Act 60 of 1995. Sections 3, 4 and 5 of the proposed ordinance reaffirm all other parts and provisions of the Storm Water Management Ordinance, provide for severability of any invalid provisions of the proposed ordinance, and set forth the effective date. Copies of each of the four ordinances are available for public inspection at the offices of this newspaper and at the Martic Township Municipal Building, 370 Steinman Farm Road, Pequea, Pennsylvania, Mondays through Fridays, from 9:00 a.m. until 12:00 noon. A copy of each ordinance may be obtained for the cost of reproduction at the Martic Township Municipal Building during the above hours.

MORGAN, HALLGREN, CROSSWELL &  
KANE, P.C.  
Township Solicitor

LAW OFFICES

MORGAN, HALLGREN, CROSSWELL & KANE, P.C.

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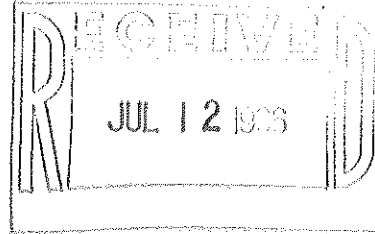
P. O. BOX 4686  
LANCASTER, PENNSYLVANIA 17604-4686

700 NORTH DUKE STREET  
TELEPHONE 299-5251  
AREA CODE 717  
TELECOPIER (717) 299-6170

July 11, 1996

James R. Caldwell, Manager  
Martic Township  
370 Steinman Farm Road  
Pequea, PA 17565

Re: On-Lot Sewage System Ordinance  
Our File No. 8984



Dear Jim:

In accordance with your telephone conversations with Bill Crosswell and with me, we have prepared an ordinance to amend the Township On-Lot Sewage Disposal Ordinance, Ordinance No. B4-88. Enclosed please find a copy of the proposed ordinance for the review of the Board of Supervisors. I assume that you will also forward a copy to the Township Sewage Enforcement Officer for his review.

The enclosed ordinance amends Section 12, Penalties, to specify actions which constitute a violation of the Ordinance and also to update the penalties in accordance with Section 1601 of Act 60 of 1995. In addition, the proposed ordinance adds three new sections which require a permit for any repairs or modifications to a sewage system, impose maintenance requirements for individual on-lot sewage disposal systems, and impose maintenance requirements for community sewage systems. The owner of the lot upon which an individual on-lot sewage system is installed is responsible to maintain it, and the owner of a community sewage system is responsible to maintain that system. Please note that the maintenance requirements do **not** impose a mandatory pump out. If the Township desires to impose this requirement, we will be happy to provide you with sample language. Instead, the Ordinance simply requires proper maintenance and reporting and repair of malfunctions.

If you have any questions concerning the enclosed ordinance, or if any changes should be made, please call me. I will await the direction of the Township before taking any further action concerning this ordinance.

Very truly yours,

  
Josele Cleary

JC:jac  
69\MUNI\223124

Enclosure

*Supervisors:*  
*Frank Peiffer*  
*Joseph Duff*  
*Larry Hess*  
*Paul Campbell*  
*Ivan Sellers*

*Chair*  
*Vice - Chair*  
*Treasure/Roadmaster*

# MARTIC TOWNSHIP SUPERVISORS

*370 Steinman Farm Road · Pequea, PA 17565*  
*717-284-2167 · Fax 717-284-4425*

October 17, 1996

Josele Cleary  
Morgan, Hallgren, Crosswell, & Kane, P.C.  
700 North Duke Street  
P.O. Box 4686  
Lancaster, PA 17604-4686

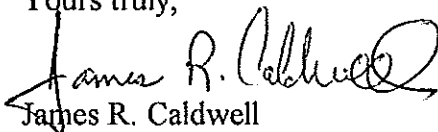
Re: Revised Nuisance, On-Lot and Highway Occupancy Ordinances

Dear Josele:

Enclosed for your review and processing are executed copies of Ordinance 10-01-96, The Revised Nuisance Ordinance; Ordinance 10-02-96, The Revised On-lot Sewage System Ordinance; and Ordinance 10-03-96, The Revised Highway Occupancy Ordinance.

If you have any questions, or if you need additional information, please contact me at the Township office.

Yours truly,



James R. Caldwell  
Code Enforcement Officer/Township Secretary

cc: Martic Township Supervisors

LAW OFFICES

MORGAN, HALLGREN, CROSSWELL & KANE, P.C.

GEORGE J. MORGAN  
CARL R. HALLGREN  
WILLIAM C. CROSSWELL  
MICHAEL P. KANE  
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700 NORTH DUKE STREET  
—  
TELEPHONE 299-5251  
AREA CODE 717  
TELECOPIER (717) 299-6170

September 19, 1996

James R. Caldwell, Secretary  
Martic Township  
370 Steinman Farm Road  
Pequea, PA 17565

Re: Proposed Ordinance to Amend On-Lot Sewage System Ordinance  
Our File No. 8984

Dear Jim:

In accordance with the authorization of the Board of Supervisors, we have advertised consideration of the proposed ordinance to amend the Martic Township On-Lot Sewage System Ordinance, Ordinance No. B4-88, at the meeting of the Board of Supervisors on Monday, October 7, 1996. Enclosed please find a copy of the summary legal advertisement and a copy of our letter to Lancaster Newspapers, Inc., requesting that the advertisement be published in accordance with the requirements of the Second Class Township Code.

Enclosed please find the original and two (2) copies of the proposed ordinance. If the ordinance is enacted by the Board of Supervisors, please ensure that the ordinance number is inserted on page 1 of the original and both copies. Please also ensure that the ordinance is properly signed by the Chairman or Vice Chairman of the Board of Supervisors. You should attest to these signatures as Township Secretary and affix the Township Seal on the last page of the ordinance. Please complete the certification pages for both copies and return them to me. Because only a summary of the ordinance was advertised, the Second Class Township Code requires that a certified copy be filed at the Lancaster County Courthouse, and we will file one of the certified copies following receipt thereof from the Township. We will retain the other copy for our files. You should also forward a copy of the ordinance to the Township Sewage Enforcement Officer.

If you have any questions concerning this matter, please contact me.

Very truly yours,



Josele Cleary

JC:jac  
MUNI\147922

Enclosures

LAW OFFICES

MORGAN, HALLGREN, CROSSWELL & KANE, P.C.

GEORGE J. MORGAN  
CARL R. HALLGREN  
WILLIAM C. CROSSWELL  
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700 NORTH DUKE STREET  
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September 19, 1996

Ellie Gebhard, Classified Ads  
Lancaster Newspapers, Inc.  
8 West King Street  
P.O. Box 1328  
Lancaster, PA 17608

Re: Martic Township/Proposed On-Lot Sewage Systems Ordinance  
Our File No. 8984

Dear Ellie:

Please publish the enclosed legal notice in the Friday, September 26, 1996, editions of the Intelligencer Journal and the Lancaster New Era. Thereafter, please send the proof of publication for the advertisement and your invoice directly to the following person:

James R. Caldwell, Secretary  
Martic Township  
370 Steinman Farm Road  
Pequea, PA 17565  
(717) 284-2167

I am also enclosing the full text of the proposed ordinance to which the enclosed legal notice relates as required by the Second Class Township Code. The full text of the proposed ordinance should be available for public inspection by anyone who cares to do so.

If you have any questions, please contact me.

Very truly yours,

  
Josele Cleary

JC:jac  
69\MUNI\147922

Enclosures

cc: James R. Caldwell, Secretary

Notice is hereby given that the Board of Supervisors of the Township of Martic, Lancaster County, Pennsylvania, at its regular public meeting on Monday, October 7, 1996, at 7:30 p.m., prevailing time, at the Martic Township Municipal Building, 370 Steinman Farm Road, Pequea, Pennsylvania, shall consider, and subsequently, at that meeting or at a public meeting held within 60 days of the date of publication of this advertisement, if appropriate, shall enact an ordinance, the caption of which is as follows:

AN ORDINANCE TO AMEND THE MARTIC TOWNSHIP ON-LOT SEWAGE SYSTEM ORDINANCE TO REVISE AND ADD DEFINITIONS OF TERMS USED IN THE ORDINANCE; TO REQUIRE PERSONS TO OBTAIN PERMITS FOR THE REPAIR OR MODIFICATION OF SEWAGE SYSTEMS; TO IMPOSE REQUIREMENTS FOR MAINTENANCE OF ON-LOT SEWAGE SYSTEMS AND COMMUNITY SEWAGE SYSTEMS; TO SPECIFY ACTIONS WHICH CONSTITUTE VIOLATIONS OF THE ORDINANCE AND TO REVISE PENALTIES AND REMEDIES IN ACCORDANCE WITH ACT 60 OF 1995.

The proposed ordinance may be summarized as follows. Section 1 amends the Martic Township On-Lot Sewage System Ordinance, Ordinance No. B4-88 (the "Sewage Ordinance"), to revise the definition of the term "Department" and add a definition of the term "malfunction." Section 2 of the proposed ordinance amends the Sewage Ordinance to add new Sections 11.1, Repair or Modification of Sewage Systems; 11.2, Maintenance Requirements for Individual On-Lot Sewage Systems; and 11.3, Maintenance Requirements for Community Sewage Systems. New Sections 11.1, 11.2, and 11.3 require a permit for repair or modification of any existing sewage system and require persons who own properties upon which sewage systems are installed or who reside upon properties to maintain the sewage system and to report malfunctions. Section 3 of the proposed ordinance amends Section 12 of the Sewage Ordinance to set forth acts which constitute violations of the Sewage Ordinance and to revise the penalties for violation of the Sewage Ordinance in accordance with the revisions to the Second Class Township Code made by Act 60 of 1995. Sections 4, 5 and 6 of the proposed ordinance reaffirm all other parts and provisions of the Sewage Ordinance, provide for the severability of any invalid provisions of

the proposed ordinance, and set forth the effective date. A copy of the proposed ordinance may be examined without charge at the offices of this newspaper and at the Martic Township Municipal Building, 370 Steinman Farm Road, Pequea, Pennsylvania, Mondays through Fridays, from 9:00 a.m. until 12:00 noon. A copy of the proposed ordinance may be obtained for the cost of reproduction at the Martic Township Municipal Building during the above hours.

MORGAN, HALLGREN, CROSSWELL &  
KANE, P.C.  
Township Solicitor



**PROOF OF PUBLICATION OF NOTICE IN**

State of Pennsylvania }  
 ) ss:  
 County of Lancaster }

Notice is hereby given that the Board of Supervisors of the Township of Marlic, Lancaster County, Pennsylvania, at its regular public meeting on Monday, October 7, 1996, at 7:30 p.m. prevailing time at the Marlic Township Municipal Building, 370 Steinhilf Farm Road, Pequea, Pennsylvania, shall consider, and subsequently, at that meeting or at a public meeting held within 60 days of the date of publication of this advertisement, if appropriate, shall enact an ordinance, the caption of which is as follows:

of the County and State aforesaid, being duly sworn, that the Intelligencer Journal-Lancaster New paper of general circulation published at and State aforesaid, was established 1794-1877 said daily newspaper has been regularly issued in said a copy of the printed notice or publication is attached the same as was printed and published in the regular es of said daily newspaper on the following dates, viz:

day of SEPTEMBER A.D. 1996

deposes that he is the Billing Clerk duly authorized by ers, Inc., a corporation, publisher of said rnal-Lancaster New Era, a newspaper ation, to verify the foregoing statement under oath, that affiant is not interested in the subject matter notice or advertisement and that all allegations in the nt as to time, place and character of publication are

*Colley J. Bennett*  
 \_\_\_\_\_  
 (SIGNATURE)

**COPY OF NOTICE OR PUBLICATION**

Sworn and subscribed to before me this

26TH day of SEPTEMBER 1996

*Carole A. Martin*  
 \_\_\_\_\_  
 Notary Public

My commission expires

NOTARIAL SEAL  
 CAROLE A. MARTIN, Notary Public  
 Lancaster City, Lancaster County, PA  
 My Commission Expires Feb. 16, 1998

The proposed ordinance may be summarized as follows: Section 1 amends the Marlic Township On-Lot Sewage System Ordinance, Ordinance No. B4-88 (the "Sewage Ordinance"), to revise the definition of the term "Department" and add a definition of the term "malfunction." Section 2 of the proposed ordinance amends the Sewage Ordinance to add new Sections 11.1, Repair or Modification of Sewage Systems; 11.2, Maintenance Requirements for Individual On-Lot Sewage Systems; and 11.3, Maintenance Requirements for Community Sewage Systems. New Sections 11.1, 11.2, and 11.3 require a permit for repair or modification of any existing sewage system and require persons who own properties upon which sewage systems are installed or who reside upon properties to maintain the sewage system and to report malfunctions. Section 3 of the proposed ordinance amends Section 12 of the Sewage Ordinance to set forth acts which constitute violations of the Sewage Ordinance and to revise the penalties for violation of the Sewage Ordinance in accordance with the revisions to the Second Class Township Code made by Act 60 of 1995. Sections 4, 5 and 6 of the proposed ordinance reaffirm all other parts and provisions of the Sewage Ordinance, provide for the severability of any invalid provisions of the proposed ordinance, and set forth the effective date. A copy of the proposed ordinance may be examined without charge at the offices of this newspaper and at the Marlic Township Municipal Building, 370 Steinhilf Farm Road, Pequea, Pennsylvania, Mondays through Fridays, from 9:00 a.m. until 12:00 noon. A copy of the proposed ordinance may be obtained for the cost of reproduction at the Marlic Township Municipal Building during the above hours.

MORGAN, HALLGREN,  
 CROSSWELL & KANE, P.C.  
 Township Solicitor