

BALD EAGLE TOWNSHIP  
CLINTON COUNTY, PENNSYLVANIA

ORDINANCE 2017 - 04

**AN ORDINANCE OF THE TOWNSHIP OF BALD EAGLE, REQUIRING  
THE INSPECTION OF CENTRAL SEWER SYSTEMS PRIOR TO THE  
FINAL SALE OF ANY STRUCTURE WITHIN THE TOWNSHIP.**

DEFINITIONS:

“Township” means the Township of Bald Eagle, Clinton County, Pennsylvania, acting by and through its Supervisors, or through its authorized agents;

“Seller” means the owner of any property with a residential or commercial structure on it located in Bald Eagle Township where the ownership of the premises will be changed;

“Buyer” means any party purchasing a residential or commercial premises with a structure on it in Bald Eagle Township;

“Sanitary Sewer Systems” means any central sewage system serving a residential or commercial structure on the property within Bald Eagle Township, and the piping to and from the structure to the system;

“Sewage Enforcement Officer” means any Supervisor of the Township, their agent, the Sewage Enforcement Officer “SEO”, employed by or for the Township of Bald Eagle, and/or a representative of the Bald Eagle Township Sewer Authority, for the purpose of conducting adequate testing of the system on the premises and enforcement of the laws set forth by the Pennsylvania Department of Environmental Protection.

WHEREAS, Bald Eagle Township, Clinton County, Pennsylvania is a second class township organized and operating under the laws of the Commonwealth of Pennsylvania;  
and

WHEREAS, the Board of Supervisors of Bald Eagle Township wish to maintain the health, safety and welfare of the Township; and

WHEREAS, the Township wishes to protect the environment and maintain compliance with Act 537 of the Pennsylvania Department of Environmental Protection with regard to its Sewage Facilities Program; and

WHEREAS, the Township desires to be sure that all central sewage systems for structures in Bald Eagle Township are properly functioning and maintained in a good state of repair; and

WHEREAS, all Sellers and/or transferors of real estate with a structure being serviced by a central sewer system within the Township shall be required to provide proof, in writing, that the central sewer system servicing the structure has been inspected by the Township Supervisor(s), their agent, the SEO and/or representative of the Township Sewer Authority and is being properly maintained and in good working order. Such inspections may make use of dyes, cameras and/or visual inspection, as needed.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of Bald Eagle Township, Clinton County, Pennsylvania as follows, to wit:

Section 1. All owners of property with a structure on it that is being serviced by a central sewer system, within the Township of Bald Eagle shall, before selling the premises:

- a. Present written proof to the Township, before the date and time of the transfer of ownership, that the Township Supervisor(s), their agent, SEO and/or representative of the Township Sewer Authority has inspected the system and laterals and finds that it has been properly maintained and in good functioning/working order;

- b. In the event, that after the inspection, it has been determined that repairs and maintenance to the system are required, the transferor must present written proof that all repairs and maintenance of the system have been properly completed, before the transfer of ownership of the premises to the Buyer/Transferee;
- c. Written proof must be presented to Bald Eagle Township that the Township Supervisor(s), their agent, SEO and/or representative of the Township Sewer Authority has again inspected the system after the repairs and maintenance have been completed and has certified that upon inspection of the repairs and maintenance that the system is in good working order and functioning properly;
- d. That the Township fee, which will be set from time to time, has been properly paid to the Township for the inspection and possible re-inspection of the system;

Section 2. The Township shall incur no liability or guarantee toward the buyer/transferee as a result of such inspection or re-inspection and in the event that the buyer/transferee desires to have their own guarantee, the buyer/transferee shall have the duty to make its/their own independent inspection and obtain a guarantee from its/their inspector.

Section 3. All costs associated with the testing and repair shall be the sole responsibility of the Seller/transferor.

Section 4. Failure to comply with this Ordinance will result in a fine of up to \$500.00 if the sewer system is not in good working order at the time of closing. This

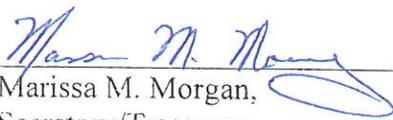
may be assessed on a daily basis until the system has been properly repaired.

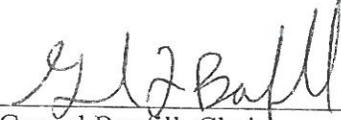
Section 5. This Ordinance shall be effective ninety (90) days after the date of adoption by Bald Eagle Township.

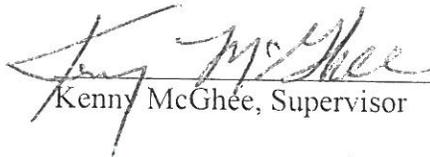
ENACTED AND ORDAINED into law by the Township of Bald Eagle, Clinton County, Pennsylvania on this 18<sup>th</sup> day of December, 2017.

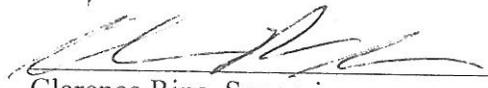
ATTEST:

BALD EAGLE  
TOWNSHIP SUPERVISORS:

  
\_\_\_\_\_  
Marissa M. Morgan,  
Secretary/Treasurer  
(SEAL)

  
\_\_\_\_\_  
Gerard Banfill, Chairman

  
\_\_\_\_\_  
Kenny McGhee, Supervisor

  
\_\_\_\_\_  
Clarence Rine, Supervisor