

**AN ORDINANCE OF MILFORD TOWNSHIP REQUIRING ON-LOT SEWAGE  
SYSTEMS REPLACEMENT AREAS FOR LOTS TO BE CREATED**

**WHEREAS**, failure of the primary sewage disposal area of an on-lot sewer system presents a significant threat to human health; and

**WHEREAS**, disregard of potential areas that could otherwise provide suitable replacement site for on-lot sewage systems could allow disturbance of soils that would render them unsuitable; and

**WHEREAS**, the requirement for and protection of replacement locations provide minimum standards for the prevention and suppression of disease and health risks associated with the use of private sewage disposal systems and to otherwise promote continuing public safety, maintain the present and future welfare of residents of Milford Township, and protection of the environment;

**NOW, THEREFORE**, it is hereby **ENACTED** and **ORDAINED** by the Board of Supervisors of Milford Township, and by authority of same as follows:

**Section 01: Title**

This Ordinance shall be known as the **On-Lot Sewage Disposal Replacement Area Ordinance** of Milford Township.

**Section 02: Replacement Location for On-Lot Sewage System Required.**

After the effective date of this Ordinance a replacement area shall be required for all lots to be created that are not serviced or intended to be serviced by public sewers. This provision shall apply to proposed lots located outside of the public sewer service area in a subdivision approved after the effective date of this Ordinance. Where a proposed subdivision includes existing houses, replacement areas must be provided for those houses in addition to all other proposed lots in accordance with the provisions of this ordinance. The replacement area shall comply with all isolation distances required by the Pennsylvania Department of Environmental Protection (DEP), its designated agencies and/or Milford Township.

**Section 03: Replacement System**

The proposed lot must have sufficient suitable area for the proposed initial sewage disposal system as well as 100% reserve replacement area. The replacement area shall be in an appropriate location and sized to allow the installation of an approved sewage disposal area in the event of malfunction of the initial system. The area shall be protected and reserved for future use as an absorption area with similar design and configuration as the initial system so the reserve area may be utilized for

repair or replacement. This replacement area must meet the criteria required by DEP regulations and local ordinances, be tested and receive soil suitability approval by the Bucks County Department of Health. A holding tank shall not be designated as a replacement system.

**Section 04: Replacement Area Disturbance Prohibited.**

Areas reserved for the original and replacement disposal sites may not have driveways, parking areas or structures over them. A Declaration of Restrictions shall be recorded in the Office of the Bucks County Recorder of Deeds stating that the replacement area shall not be graded or disturbed, that no permanent or temporary improvements of any character shall be constructed thereon, and that no plant material shall be established within the replacement area other than shallow-rooted plant matter. A plan depicting the replacement area shall be recorded with the Declaration of Restrictions. If the lot for which the replacement area is required is part of a new subdivision, the Record Plan shall bear a note stating the restrictions recited above and identifying the lot to which they pertain.

**Section 05: Substitution of an Alternate Area**

Any person who desires to construct improvements within the replacement area shall demonstrate to the satisfaction of the Bucks County Department of Health and Milford Township that an alternate replacement location, which complies with all Township and Department of Environmental Protection rules and regulations, exists upon the lot. If such an alternate replacement location shall be identified, the alternate replacement location may be considered to be the replacement location required by this ordinance and shall be designated as the replacement location. A Declaration of Restrictions shall be executed by the parties and shall be recorded in the Office of the Recorder of Deeds Office designating the new replacement area location and vacating the old one.

**Section 06: Enforcement**

After the effective date of this Ordinance, no building permit shall be issued for any lot on which on lot sewage disposal is proposed unless a replacement area is established in accordance with the terms of this Ordinance. There shall be no relief from these requirements.

**Section 07: Effective Date**

This Ordinance shall take effect five (5) days after enactment.

**ENACTED** and **ORDAINED** this 23<sup>rd</sup> day of May, 2006.