

RESOLUTION NO. 11 OF 2022

**A RESOLUTION OF THE BOARD OF SUPERVISORS
OF MOUNT JOY TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA,
AUTHORIZING THE BOARD'S CHAIRMAN TO EXECUTE
HOLDING TANK AGREEMENTS WITHOUT PRIOR FORMAL
APPROVAL OF THE BOARD OF SUPERVISORS**

WHEREAS, Chapter 68 Septic Systems of the Code of the Township of Mount Joy provides for the management of sewage in the Township; and

WHEREAS, The Pennsylvania Sewage Facilities Act (Act), 35 P.S. §§ 750.1, *et seq.*, and the regulations of the Pennsylvania Department of Environmental Protection (Regulations), 25 Pa. Code §§ 71.1, *et seq.*, authorize the use of a holding tank for sewage management; and

WHEREAS, the Act and the Regulations provide for a property owner to apply to the Township, through its Sewage Enforcement Officer, for a holding tank permit, and enable the Sewage Enforcement Officer to administer the Act and Regulations, to issue a holding tank permit in accordance with the pertinent provisions of the Act and Regulations, and to oversee the operation and maintenance of a permitted holding tank; and

WHEREAS, an operation and maintenance agreement for a permitted holding tank (holding tank permit agreement) provides for continued operation and maintenance of the holding tank, over time and through change in property ownership, in compliance with the Act, the Regulations and any conditions attached to the holding tank permit; and

WHEREAS, the holding tank permit agreement is subject to review and recommendation by the Township Sewage Enforcement Officer; and

WHEREAS, the holding tank permit agreement requires official action by the Board of Supervisors as the Township is a party to the agreement; and

WHEREAS, the Board of Supervisors recognizes that a holding tank's design, operation, maintenance and inspection are technical issues within the administrative authority and experience of the Sewage Enforcement Officer; and

WHEREAS, the Board of Supervisors believes appropriate administrative efficiencies can be achieved in the administration of Chapter 68 and the Act and Regulations through alternate procedures for action upon a holding tank permit agreement.

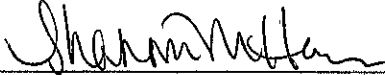
NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MOUNT JOY TOWNSHIP:

The Chairman of the Board of Supervisors is authorized to execute a holding tank permit agreement on behalf of the Board of Supervisors and without its formal consideration and vote, provided that:

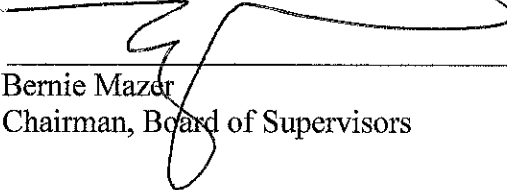
- a. The Township Sewage Enforcement Officer has reviewed the holding tank application and is prepared to issue a holding tank permit.
- b. The Township Solicitor has reviewed and counseled approval of a standard holding tank permit agreement or, where circumstances dictate, has reviewed and counseled approval of a modified agreement which contains additional terms deemed necessary and appropriate by the Township Sewage Enforcement Officer for a particular holding tank.
- c. The Board of Supervisors shall be informed of any and all holding tank agreements executed by the Chairman, under the authority provided by this Resolution, no later than the Board of Supervisors' regular meeting following the date of execution.

ADOPTED this 21st day of April, 2022.

ATTEST:


Shannon M. Hare, Secretary

MT. JOY TOWNSHIP

By: 
Bernie Mazer
Chairman, Board of Supervisors

I, Shannon M. Hare, Secretary for Mount Joy Township, do hereby attest that the foregoing Resolution No. 11 was voted upon and approved by 4-1 vote of the Board of Supervisors on the 21st day of April, 2022.