

ORDINANCE NO. 92

AN ORDINANCE OF HAYCOCK TOWNSHIP, BUCKS COUNTY,  
PENNSYLVANIA, REGULATING THE INSTALLATION AND  
OPERATION OF INDIVIDUAL RESIDENTIAL SPRAY IRRIGATION  
SYSTEMS AND REPEALING ORDINANCE NO. 57

The Haycock Township Board of Supervisors hereby ordains:

Section 1. Purpose:

The purpose of this Ordinance is to establish procedures for the installation, use, and maintenance of individual residential spray irrigation systems (IRSIS) within Haycock Township when the system is permitted through the Bucks County Department of Health.

Section 2. Supplemental Standards:

This Ordinance, by reference, hereby incorporates the individual residential spray irrigation system standards of the Department of Environmental Protection, Title 25, Environmental Protection, Chapter 73, dated April 18, 1998, as amended pertaining to design, construction, maintenance, and operation. If the referenced standard is less restrictive, requires a smaller setback, or in any other way is modified by design requirements of Section 3 of this Ordinance, the design requirements of Section 3 of this Ordinance shall govern.

Section 3. Design Requirements:

- A. No component of an IRSIS (including the wetted perimeter of the spray field) shall encroach within the required front, side, or rear yard area designated by the Township Zoning Ordinance.
- B. Whenever the wetted perimeter of the spray irrigation field is located within fifty (50) feet of a property boundary, a fence at least four (4) feet in height of material approved by the Township (such as split rail fencing with wire backing) shall be installed along the property line. Fence shall extend at least twenty-five (25) feet beyond the limits of the spray field.
- C. Buffering
  - 1) Whenever the wetted perimeter of the spray irrigation field is located within one hundred (100) feet, but not less than fifty (50) feet of a property boundary, buffering shall be required as follows:

Buffer plantings shall include a minimum of one (1) evergreen tree per thirty (30) feet and one (1) canopy tree per forty (40) feet arranged along and within twenty-five (25) feet of the property boundary.
  - 2) Whenever the wetted perimeter of the spray irrigation field is located within fifty (50) feet of a property boundary, buffering shall be required as follows:

Buffer plantings shall include a minimum of one (1) evergreen tree per twenty (20) feet arranged along and within twenty-five (25) feet of the property boundary.

- 3) Buffer plant material shall conform to requirements of the Subdivision and Land Development Ordinance.
  - 4) Where natural features/vegetation exist on the site which duplicate or essentially duplicate requirements for buffering, buffer requirements may be waived by the Board of Supervisors.
- D. Spray irrigation of the chlorinated effluent shall be permitted only between the hours of 11:00 PM to 5:00 AM.
- E. Spray nozzles located within fifty (50) feet of a property boundary shall be directed toward the interior of the lot and away from the adjacent property boundary.

Section 4. Procedure for Obtaining an Individual Spray Irrigation System Permit:

- A. Before an IRSIS permit may be issued, the property owner shall:
- 1) Obtain verification from the Bucks County Department of Health indicating that the site is generally suitable for installation of an IRSIS.
  - 2) File copy of the site plan and design of the proposed IRSIS with the Township.
  - 3) Submit such additional information on size, location, or otherwise as the Township may require in order to complete a review.
  - 4) Pay a fee to the Township for the IRSIS permit in accordance with the appropriate Resolution as adopted by the Board of Supervisors from time to time.
  - 5) Execute an agreement for maintenance and hold the Township harmless in the event of a claim against the Township arising from the operation of the IRSIS.
  - 6) Deposit and/or post the sum of money for security in the form and/or amount as provided by the IRSIS Maintenance Agreement. These funds are to be held by the Township and used only in the event the Township is required to perform any services, or pay for any services, relative to the IRSIS. Board of Supervisors shall have the right to claim the entire escrow deposit as reimbursement for Township expenses.
- B. Permit issued under the terms of this agreement shall become null and void if the IRSIS installation has not been completed to the satisfaction of the Township within two (2) years of the date of issuance.

Section 5. IRSIS Maintenance Agreement:

The owner of a property that utilizes an IRSIS shall execute a maintenance agreement approved by Township to ensure compliance with the regulations and standards of operation and maintenance of the system. The escrow or other security shall be sufficient to cover the cost of future operation and maintenance of the system over its design life up to a maximum of 50% for each of the first two (2) years of operation and not more than 10% for each year thereafter of the equipment and installation cost of the system.

Section 6. Public Sewer Connection:

If public sewage service becomes available to any property utilizing an IRSIS, each and every owner of such properties shall be required to make the necessary connection to the abutting or adjoining sewer line. The IRSIS must be disconnected and disposed of in accordance with applicable Pennsylvania Department of Environmental Protection regulations and connection to the public sewer system shall be made upon notice by the Township and in accordance with the applicable standards of the servicing municipal authority. All authority costs relative to the public sewer connection shall be the responsibility of the property owner.

Section 7. Abatement of Nuisances:

In addition to any other remedies provided by this Ordinance, any violation of the Ordinance shall constitute a nuisance and may be abated by the Township through equitable or legal relief from the Bucks County Court of Common Pleas.

Section 8. Violations:

Any person who violates any provision of this Ordinance shall, upon conviction thereof and summary proceedings, be sentenced to a fine of not more than five-hundred dollars (\$500.00) in costs, or to undergo an imprisonment in the Bucks County Prison for a period not in excess of fifteen (15) days. Each day that a violation of this Ordinance continues shall constitute a separate offense.

Section 9. Repealer:

All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed. The following Ordinance is specifically repealed:

Ordinance 57.

Section 10. Severability:

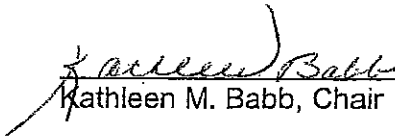
If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or part of this Ordinance. It is hereby declared that the intent of the Board of Supervisors of Haycock Township that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included therein.

Section 11. Effective Date:

This Ordinance shall become effective five (5) days after its adoption.

**ENACTED AND ORDAINED** into an ordinance this 4<sup>th</sup> day of NOVEMBER, A.D., 2002, by the Board of Supervisors of Haycock Township and lawful session fully assembled.

**HAYCOCK TOWNSHIP  
BOARD OF SUPERVISORS**

  
Kathleen M. Babb, Chair

  
Michael Lennard, Vice Chair

  
Henry Depue, Member