

**POLK TOWNSHIP, MONROE COUNTY, PENNSYLVANIA  
ORDINANCE NO. 03 OF 2020**

**AN ORDINANCE REGULATING THE DRILLING OF WATER WELLS;  
PROVIDING FOR THE ISSUANCE OF A WELL PERMIT AND ESTABLISHING FEES  
FOR THE SAME; ESTABLISHMENT OF PENALTIES FOR VIOLATION  
OF ORDINANCE AND APPEALS**

**WHEREAS**, Polk Township is a rural community in which most properties are served with an onsite well and septic system; and

**WHEREAS**, the Supervisors wish to take all action possible in order to insure clean and potable water for residents of the Township; and

**WHEREAS**, pursuant to the general police power to protect the health, safety and welfare of residents as is more particularly set forth in the Pennsylvania Second Class Township Code.

**NOW, THEREFORE**, be it ORDAINED and ENACTED by the Board of Supervisors of Polk Township, Monroe County, Pennsylvania, as follows:

**Section 1:** This Ordinance shall be known as “Polk Township Well Ordinance”.

**Section 2:** Permit Required. No person or corporation including contractors shall dig or drill a Water Well in Polk Township without first obtaining a Well Permit from the Polk Township Sewage Enforcement Officer.

**Section 3:** Horizontal Minimum Isolation Distances.

- (a) No Well shall be located closer to the nearest part of any existing or proposed onsite sewage disposal system (whether on land of applicant or adjoining lands) than one hundred (100) feet. In the case of an absorption area this distance shall be measured to the perimeter of the aggregate in the absorption area;
- (b) No Well shall be located closer to the nearest part of any septic tank, treatment tank, dosing tank, lift pump tank, filter tank or chlorine contact/storage tank (whether on land of applicant or adjoining lands) than fifty (50) feet;
- (c) No Well shall be located within ten (10) feet of the property line, or any public or private street or road right of way;
- (d) The applicant shall present with the permit application an accurate scale plan showing the location of all existing or proposed wells and existing or proposed sewage disposal systems or septic tanks on the lands of the applicant and on all immediately adjoining lands that may be affected under these regulations. No well permit shall be issued for a particular property until a sewage permit has been issued for said property. The accurate scale plan presented by the applicant for a well permit hereunder shall be the same

scale plan as submitted for the sewage permit for the subject property, and shall indicate the location of any such sewage system for said property.

**Section 4:** Fees. Fees for a Well Permit hereunder shall be set from time to time by Resolution of the Polk Township Board of Supervisors. The Sewage Enforcement Officer shall act upon an application of a Permit within thirty (30) days from receipt of a completed application for a Permit on a form to be provided by the Township and payment of fee in conjunction therewith.

**Section 5:** Penalties: Any person, firm or corporation who shall violate any provision of this part, or who shall commence construction of a Well without first obtaining a Permit, upon conviction hereof in an action brought before a district justice in the manner provided for the enforcement of summary offences and shall be sentenced to pay a fine of not more than One Thousand (\$1,000.00) Dollars plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed ninety (90) days. Each day that a violation of this part continues or each Section of this part which shall be found to have been violated shall constitute a separate offense.

**Section 6:** Appeals. Any person aggrieved by an action or decision of the Sewage Enforcement Officer concerning the administration of this part may appeal to the Polk Township Board of Supervisors. Such appeal must be filed in writing within thirty (30) days after the decision or action of the Sewage Enforcement Officer. Upon receipt of such appeal, the Supervisors shall set a time and place, within thirty (30) days, for the purpose of considering the appeal. Notice of the time and place at which the appeal will be considered shall be given to all parties. Any person aggrieved by a decision of the Supervisors may seek relief therefrom by appeal to the Court, as provided by the Laws of the Commonwealth.

**Section 7:** Repealer. This Ordinance shall repeal any prior inconsistent Ordinance of Polk Township.

**Section 8:** Effective Date. This Ordinance shall be effective immediately upon adoption.

IN WITNESS WHEREOF, the Polk Township Board of Supervisors after do advertisement hereby ADOPT this Ordinance this 23<sup>rd</sup> day of March, 2020.

**POLK TOWNSHIP BOARD OF SUPERVISORS**

By: Brian K. Ahner  
Brian K. Ahner, Chairman

By: Michael D. Hurley  
Michael D. Hurley, Vice Chairman

By: Carl S. Heckman  
Carl S. Heckman, Supervisor

ATTEST:

Rebecca Tippet  
Rebecca Tippet, Secretary

