

## CHESTER COUNTY HEALTH DEPARTMENT

### §502. NUISANCES.

**502.1. PURPOSE.** The purpose of this Section is to provide for the protection and promotion of the public health by promulgating regulations regarding sewage disposal, decaying matter, industrial waste, water supply, and other operations and conditions which may constitute a nuisance detrimental to the public health.

**502.2. DEFINITIONS.** The following words and terms, when used in this Section, shall have the following meanings, unless the context clearly indicates otherwise:

**502.2.1. "Community sewerage system":** Any system, whether publicly or privately owned, for the collection, treatment and/or disposal of sewage and/or industrial wastes of a liquid nature including various devices for the treatment of such sewage or industrial wastes, serving one or more individual lots.

**502.2.2. "Establishment":** Any industrial establishment, mill, factory, tannery, paper or pulp mill, garage, oil refinery, oil well, boat, vessel, mine, coal colliery, breaker or coal processing operation, dredging operations, quarry, and each and every other industry, plant or works.

**502.2.3. "Garbage":** All putrescible wastes (except sewage and body waste); including but not limited to animal and vegetable offal.

**502.2.4. "Individual sewage disposal system":** Any single system of piping, tanks, or other facility for the disposal of sewage, in whole or in part, into the soil or into the waters of the Commonwealth, and which is not accessible to or does not connect with a community sewerage system operated under permit of the Pennsylvania Department of Environmental Resources.

**502.2.5. "Industrial waste":** Any liquid, gaseous, radioactive, solid, or other substance, not sewage, which results from any manufacturing or industry, or from any establishment (as defined in 502.2. above), as well as any mine drainage, silt, coal mine solids, rock, debris, dirt, and clay from coal mines, coal collieries, breakers, or other coal processing operations. This term shall include all substances whether or not they are generally characterized as waste.

**502.2.6. "Premises":** A lot, plot, or parcel of land, including the buildings and structures thereon.

**502.2.7. "Refuse":** All nonputrescible wastes, generally regarded and classified as rubbish, trash, junk, and similar designations.

**502.2.8. "Sewage":** Any substance which contains any of the waste products, excrement, or other discharge from the bodies of human beings or animals, and any biological, chemical, radioactive, or

other noxious or deleterious substance which is harmful or inimical: to the public health; to animal or aquatic life; or to use of water for domestic water supply or for recreation. This term shall include kitchen and laundry waste.

**502.2.9. "Solid waste":** All combinations of ashes, garbage, refuse, hazardous material, combustible materials, and industrial wastes, or any part thereof, which are not disposed of under a permit issued by the Pennsylvania Department of Environmental Resources.

**502.2.10. "Vector" (of disease):** An animal or insect which transmits infectious diseases from one person or animal to another by biting the skin or mucous membrane, or by depositing infective material on the skin, food, or other object.

**502.2.11. "Water supply":** A source or sources of water, as well as any and all water treatment, storage, transmission, and distribution facilities.

**502.2.12. "Waters of the Commonwealth":** Any and all rivers, streams, creeks, rivulets, impoundments, ditches, water courses, storm sewers, lakes, dammed water, ponds, springs, and all other bodies or channels of surface and underground water, or any of their parts whether natural or artificial, within or on the boundaries of the Commonwealth of Pennsylvania.

### **502.3. SEWAGE DISPOSAL.**

#### **502.3.1. CONSTRUCTION AND USE OF RECEPTACLES.**

**502.3.1.1.** No individual sewage disposal system, community sewerage system, privy, cesspool, urinal, or other receptacle for sewage shall be constructed, maintained, or used so that vectors may have access to the sewage contained therein.

**502.3.1.2.** No individual sewage disposal system, community sewerage system, privy, cesspool, urinal, or other receptacle for sewage shall be constructed, maintained, or used which directly or indirectly drains or discharges over or upon the surface of the ground or into the Waters of the Commonwealth.

**502.3.2. CLEANSING OF RECEPTACLES.** All individual sewage disposal systems, community sewerage systems, privies, cesspools, urinals or other receptacles for sewage shall be emptied or cleansed at sufficiently frequent intervals to prevent the contents from overflowing.

**502.3.3. TRANSPORTATION OF SEWAGE.** The transportation of sewage shall be accomplished in water-tight containers with tight-fitting covers which are approved by the Department. Such containers shall be thoroughly cleansed after each use.

#### **502.3.4. DISPOSAL OF SEWAGE.**

**502.3.4.1.** No sewage shall be placed on the surface of the ground, buried, or otherwise disposed of where it is likely to gain access to any Waters of the Commonwealth, unless approved and licensed by the Department and/or the Pennsylvania Department of Environmental Resources. The use of sewage as fertilizer is permissible as long as such use does not become a nuisance detrimental to the public health.

**502.3.4.2.** The contents of individual sewage disposal systems, community sewerage systems, privies, cesspools, urinals, or other receptacles for sewage shall not be used on any ground on which vegetables, which are eaten uncooked by humans are being grown.

**502.3.5. PUBLIC ACCOMMODATIONS.** Sufficient and suitable free privy or toilet accommodations, as determined by the Department shall be provided at all buildings and premises which are open to the public. Such accommodations must be well- lighted, ventilated and separated for each sex.

**502.3.6. ACCESSIBILITY OF PUBLIC SEWERS.** No individual sewage disposal system, privy, cesspool, or similar receptacle for sewage shall be constructed, maintained, or used on premises where a sewer is part of a sewer system from which sewage is discharged in the Waters of the Commonwealth under a permit from the Pennsylvania Department of Environmental Resources, is "accessible" (as this word is defined in the appropriate State, county or local law regulating public sewers.)

**502.3.7. DISCHARGE OF WASH WATER.** No kitchen, bathtub, shower, or laundry water shall be allowed to discharge or flow over or upon the surface of the ground, or into the Waters of the Commonwealth, and shall, instead, be required to discharge or flow into the applicable individual sewage disposal system or community sewerage system.

## **502.4. DECAYING MATTER**

### **502.4.1. DISPOSAL OF DECAYING MATTER.**

**502.4.1.1.** No garbage, offal, pomace, dead animals, (except for solid waste, which regulated by Chapter 500 §504 of these Rules and Regulations), shall be thrown, deposited, cast, or permitted to accumulate upon the ground, in or on any ravine, ditch or gutter, on any street, highway, or thoroughfare; or anywhere where it is likely to gain access to or to contaminate the Waters of the Commonwealth.

**502.4.1.2.** The transportation of organic waste shall be: effected in watertight vehicles or containers; properly covered to avoid spillage; cleansed at sufficient intervals to prevent obnoxious odors; and in accord with the provisions of Chapter 500, §504 of these Rules and Regulations, where applicable.

**502.4.2. ACCUMULATION OF MANURE.** Manure shall not be allowed to accumulate in any place where it may contaminate any source of drinking water or any Waters of the Commonwealth,

or where it may contribute to the breeding of vectors so as to become a nuisance detrimental to the public health.

#### **502.4.3. DEAD ANIMAL CARCASSES.**

**502.4.3.1.** Carcass of any dead animal not killed for food shall be removed and disposed of by burial or incineration or some other sanitary method, within twenty-four (24) hours after death.

**502.4.3.2.** If the carcass is buried, it shall be placed so that every part shall be covered by at least two (2) feet of earth, at a location not less than: one-hundred (100) feet from any Waters of the Commonwealth; and ten (10) feet from the seasonably high ground water table and/or bedrock formation. This location shall not be subject to overflow by the Waters of the Commonwealth.

**502.4.3.3.** In all cases of death from communicable disease, the carcass shall be thoroughly enveloped in unslaked lime.

#### **502.5. WATER.**

**502.5.1. STAGNANT WATER.** No person shall maintain or permit to be maintained any pond, privy vault, cesspool, well, cistern, rain barrel, individual sewage disposal system, community sewerage system, or other receptacle or system containing water, unless such receptacle or system is constructed or maintained in a manner to prevent the breeding of mosquitoes, flies, or vectors of disease.

**502.5.2. WATER SUPPLY.** No owner, operator, or occupant of any premises shall maintain any well, spring, cistern, or other source of water supply used for drinking or household purposes to which the public has or may have access, and which is polluted or which is so situated or constructed that it may become polluted in any manner which may render such water supply injurious to the public health. All such supplies must meet the relevant provisions of Chapter 500, §502 of these Rules and Regulations.

#### **502.6. INDUSTRIAL ESTABLISHMENTS AND INDUSTRIAL WASTES.**

**502.6.1.** No person maintaining a slaughterhouse, rendering works, depository of dead animals, glue works, tannery, wool-washing establishment, paper mill, byproduct cokeoven, dye works, oil refinery, dairy, creamery, cheese factory, milk station, or similar establishment; or engaged in the manufacture of gas, chemicals, explosives, fertilizers, or similar products; or in the business of soapmaking, fish oil extraction, bone boiling, or any similar occupation; or maintaining any other "establishment" that is defined in Subsection 502.2.2., above, shall allow any of the following:

**502.6.1.1.** Any noxious gases, which are deleterious or detrimental to public health, to escape into the air.

**502.6.1.2.** Any substance, which is deleterious or detrimental to public health, to:

**502.6.1.2.1.** accumulate upon the premises;

**502.6.1.2.2.** be thrown or allowed to discharge into any street, roadway, or public place; or

**502.6.1.2.3.** be thrown or allowed to discharge into any waters of the Commonwealth.

**502.6.2.** All "establishments" (as defined in 502.2.2., above), including (but not limited to) slaughterhouses, rendering works, bone boiling establishments, depositories for dead animals, garbage disposal works, piggeries, and similar establishments which handle organic matters, shall have an adequate water supply for the purpose of keeping the establishment clean and sanitary. All floors, in each establishment, shall be constructed of concrete or other impervious material, and shall have adequate provision for drainage to: a cesspool or other individual sewage disposal system which is approved by the Department; or, a community sewerage system which is approved by the Pennsylvania Department of Environmental Resources.

**502.6.3.** No pigsty, piggery, livestock operation, or any other, similar operation or facility shall be built or maintained: on marshy ground; on land subject to overflow; where it may prejudicially affect any water supply; where, as a source of vector breeding, it may become a menace to the public health; or where it may otherwise affect the Waters of the Commonwealth. The following requirements shall also be met for any of these said operations or facilities:

**502.6.3.1.** If garbage is fed to pigs or any other livestock, provision shall be made so that all unconsumed garbage shall be removed daily and disposed of by burial or incineration.

**502.6.3.2.** All garbage shall be handled and fed upon platforms of concrete or other impervious material.

**502.6.3.3.** Unslaked lime, hypochlorite of lime, borax, or mineral oil shall be used daily in sufficient quantities to prevent the breeding of mosquitoes, flies, or vectors.

**502.6.4.** No livestock, feedlot, spraying dock, loading and unloading dock, or any other such facility or operation shall be located so as to allow sewage to have direct or indirect access to the waters of the Commonwealth. An exception shall be made, however, for any livestock crossing.

**502.7. OPEN BURNING.** No person, municipality, or authority shall burn any refuse or solid waste except at a site permitted and licensed for such use by the Pennsylvania Department of Environmental Resources.

CERTIFICATION

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CHESTER ss

I, John P. Maher, M.D., Secretary of the Chester County Board of Health, hereby do certify the within to be a true and correct copy. In witness whereof I have hereunto set my hand this day of , .

John P. Maher, M.D., M.P.H.

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