

Ordinance 180

An Amendment to Zoning Ordinance No. 144, Section 1306 (Portable Toilets)

BE IT ENACTED AND ORDAINED, by the Borough Council of the Borough of Indian Lake, Somerset County Pennsylvania, and by authority of the same, as follows:

Ordinance 144 Section 1306 shall be replaced in its entirety with the following:

1306. PORTABLE TOILETS

A. Definition:

Portable Toilets are defined as self-contained sewage facilities that are moveable and require pumping as a means of sewage disposal.

B. Requirement for a permit.

Permits for placement and use of a Portable Toilet are required in all districts. Use is permissible as a Conditional Use in the following circumstances:

1. Portable toilets for private use that will be on-site for more than one week are permissible as a Conditional Use in all districts. The requirements for approval by the Indian Lake Borough Council shall include but not be limited to the following criteria.

a. Visibility. Portable toilets shall not be visible or recognizable from the Lake, Borough roads, or neighboring properties. The specific type of decorative enclosure to be used must be disclosed in the application for the Conditional Use.

b. Placement. Portable toilets must be securely anchored to prevent inadvertent disturbance and placed so as to permit access by pumping trucks. The application for conditional use must specifically detail the location and placement of the Portable Toilet on a lot plan and detail distances to front, rear and side property lines as well as identify any existing structures on the property.

c. Schedule. Applicant must present, as part of the application for the Conditional Use of a Portable Toilet, plans for pumping to include the frequency and identity of the contractor to perform this service. An appropriate pumping schedule must be at least monthly during periods of use. Additionally, Portable Toilets must be pumped prior to the winter season. The applicant is responsible to maintain records of pumping as a continuing condition of use and provide such records to the Borough upon request.

d. Security. Applicant must present, as part of the application for the Conditional Use of a Portable Toilet, plans for precluding access to the Portable Toilet during periods of non-use.

2. No permit is required for portable toilets at construction sites in any district where construction is continuing under an active building permit.

3. In zoned park areas, only one portable toilet shall be permitted in the park area provided that the provisions of this Ordinance are met. In addition, the following additional provisions shall apply:

a. The application for the Conditional Use of a Portable Toilet must include evidence of approval of the application by a majority of park lot owners prior to submission of the application to the Borough Council for consideration. Indian Lake Borough, as an owner of a lot within each park, shall abstain with regard to approval required by this section.

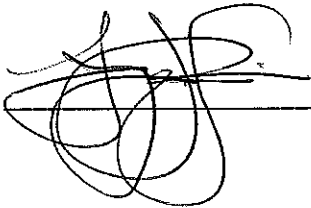
b. A permit may be requested by one or more park lot owners; however, all persons joining in the submission of an application for the Conditional Use of a Portable Toilet shall be jointly and severally liable for continued compliance with the conditions of the permitted Conditional Use, for any remediation that is required or for any fines assessed for non-compliance.

ORDAINED AND ENACTED the 12th day of January, 2017.

Attest:

Vinton Bingle
Secretary

BOROUGH OF INDIAN LAKE

By: 

APPROVED this 12th day of January, 2017

[Handwritten Signature]
Mayor