

ORDINANCE NO. 02 - 2010

AN ORDINANCE OF THE TOWNSHIP OF CASTANEA, CLINTON COUNTY, PENNSYLVANIA, REGULATING THE SUPPLY OF POTABLE WATER; PROHIBITING THE USE OF GROUNDWATER AS A POTABLE WATER SUPPLY; AND PROHIBITING THE USE OR INSTALLATION OF GROUNDWATER WELLS OR OTHER MEANS FOR THE CONVEYANCE OF GROUNDWATER AS A POTABLE WATER SUPPLY WITHIN THE GROUNDWATER-USE RESTRICTION AREA.

WHEREAS, the Castanea Township Board of Supervisors have determined that regulation of the use of groundwater within the Groundwater-Use Restriction Area (depicted on Exhibit 1) as a potable water supply is in the best interests of the Township of Castanea, and will promote and protect the public health, safety, and welfare; and

NOW, THEREFORE, be it ORDAINED and ENACTED by the CASTANEA TOWNSHIP BOARD OF SUPERVISORS of CASTANEA TOWNSHIP, CLINTON COUNTY, PENNSYLVANIA, the following:

SECTION 1. Groundwater for Potable Use Prohibited. The use by any person of groundwater from within the Groundwater-Use Restriction Area of Castanea Township as a supply of water for potable uses is hereby prohibited.

SECTION 2. Installation and Use of Wells or Other Means for Conveyance of Groundwater for Potable Use Prohibited. The installation or use by any person of any means for conveyance of groundwater as a supply of water for potable uses within the Groundwater-Use Restriction Area of Castanea Township is hereby prohibited, including but not limited to, wells, pipes, cisterns, tanks, pumps, or any other equipment or method of conveying groundwater.

SECTION 3. Existing Potable Groundwater Uses. If any person uses groundwater

as a supply of water for potable uses within the Groundwater-Use Restriction Area of Castanea Township at the effective date of this Ordinance, such person shall, within ninety (90) days of the effective date of this Ordinance: (A) cease such potable use; (B) close and abandon any means used to convey such groundwater for potable use to the surface of land, including any wells, pipes, cisterns, tanks, pumps, or any other equipment or method of conveyance of such groundwater for potable uses; (C) make written application to the City of Lock Haven Water Department or Castanea Township for water service connection in accordance with the applicable requirements or otherwise demonstrate acquisition of potable water from an alternative source; and (D) provide certification in writing to the Castanea Township Board of Supervisors of compliance with this Section.

SECTION 4. Penalties. Any person who is found to have violated this Ordinance shall pay a fine of not less than One Hundred (\$100.00) Dollars and not more than Six Hundred (\$600.00) Dollars, plus costs. For a continuing violation, each day on which a violation of this Ordinance shall occur or continue shall be deemed a separate and distinct offense and may be prosecuted and fined as such.

SECTION 5. Definitions. As used in this Ordinance, the following terms shall have the following meanings:

PERSON – Any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, state, city, including Castanea Township, governmental entity, agency, department, or officer, or any other legal entity, or their legal representatives, agents, or assigns.

POTABLE USE – Any use of water for human or domestic consumption purposes,

including but not limited to, drinking, bathing, swimming, washing food or dishes, or preparing foods.

GROUNDWATER – Any source of water acquired from beneath the surface of the land, including but not limited to, any subsurface aquifer, spring, seep, rock, or soil formation.

GROUNDWATER-USE RESTRICTION AREA – The area depicted on Exhibit 1 which lies within Castanea Township. This area is described as the area north of Bald Eagle Creek, bounded on the east by a line projected in alignment with South Hanna Street, bounded on the west by a line projected in alignment with East Park Street, and bounded on the north by the mutual Castanea Township and City of Lock Haven boundary.

SECTION 6. Repealer. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed insofar as they are in conflict with this Ordinance.

SECTION 7. Severability. If any section, clause, sentence, or provision of this Ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the Ordinance as a whole or of any other part or portion of the Ordinance not so adjudged invalid.

SECTION 8. Effective Date. This Ordinance shall become effective the earliest date as provided by law.

ATTEST:

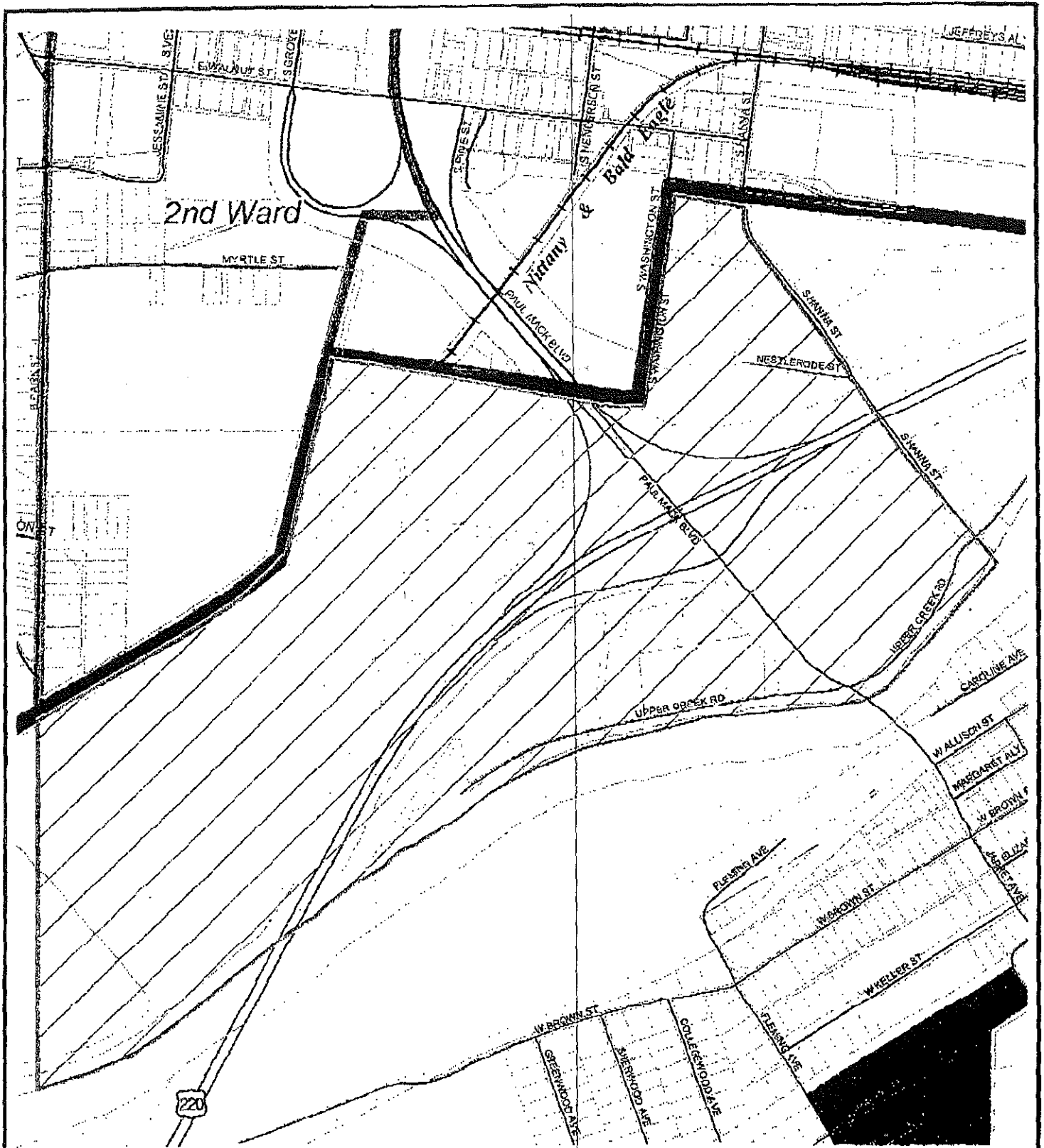
CASTANEA TOWNSHIP BOARD OF
SUPERVISORS

Susan M. Heater
Secretary

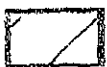
By: Paul W. Cobble
Supervisor

By: Bonnie McKeown
Supervisor

By: Charles E. Chyff
Supervisor



LEGEND



GROUNDWATER - USE
RESTRICTIONS AREA
(CASTANEA TOWNSHIP)



BOUNDARY OF CITY OF
LOCK HAVEN AND CASTANEA TOWNSHIP

EXHIBIT 1

GROUNDWATER - USE RESTRICTIONS AREA