

**CHAPTER 243. NUISANCES**

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**Authority**

The provisions of this Chapter 243 issued under sections 1917-A and 1920-A of The Administrative Code of 1929 (71 P. S. §§ 510-17 and 510-20), unless otherwise noted.

**Source**

The provisions of this Chapter 243 adopted November 5, 1971, effective November 6, 1971, 1 Pa.B. 2162, unless otherwise noted.

**Cross References**

This chapter cited in 7 Pa. Code § 49.45 (relating to sewage); 7 Pa. Code § 82.10 (relating to sewage disposal); 28 Pa. Code § 17.21 (relating to minimum program activities); and 28 Pa. Code § 17.31 (relating to minimum program activities).

**§ 243.1. General.**

(a) *Applicability.* This chapter applies in all counties of this Commonwealth and applies equally to persons including individuals, partnerships, firms, corporations, municipal authorities and political subdivisions.

(b) *Identity.* When used in this chapter, the term “waters of this Commonwealth” means streams and springs and bodies of surface and groundwater, whether natural or artificial, within the boundaries of this Commonwealth.

**§ 243.2. Construction and use of receptacles.**

(a) A sewage system, privy, urinal, cesspool or other receptacle for human excrement may not be constructed, maintained or used so that vectors (insects and rodents capable of carrying disease) may have access to the excrementitious matter contained therein.

(b) A sewage system, privy, urinal, cesspool or other receptacle for human excrement may not be constructed, maintained or used which directly or indirectly drains or discharges over or upon the surface of the ground or into waters of this Commonwealth.

**§ 243.3. Cleansing of receptacles.**

Sewage systems, privies, urinals, cesspools or other receptacles for human excrement shall be emptied or cleansed at sufficiently frequent intervals to prevent the contents from overflowing.

**§ 243.4. Transportation of excrement.**

The transportation of human excrement shall be accomplished in water-tight containers with tight-fitting covers. The containers shall be thoroughly cleansed after each use.

**§ 243.5. Disposal of excrement.**

(a) Human excrement or material containing human excrement may not be placed on the surface of the ground, buried or otherwise disposed of where it is likely to gain access to waters of this Commonwealth. Its use as fertilizer shall be permitted, however, if it is not allowed to become a health hazard or nuisance and is not used to fertilize crops eaten without cooking.

(b) The contents of sewage systems, privies, urinals, cesspools or other receptacles for human excrement may not be used on ground on which vegetables which are eaten uncooked by humans are being grown.

**§ 243.6. Public accommodations.**

Sufficient and suitable free privy or toilet accommodations, well-lighted and ventilated and separated for each sex, shall be provided at buildings and premises open to the public.

**§ 243.7. Accessibility of public sewers.**

A sewage system, privy, cesspool or similar receptacle for human excrement may not be constructed, maintained or used on premises where a public sewer is accessible.

**§ 243.8. Discharge of wash water.**

Kitchen or laundry water may not be allowed to discharge or flow into a gutter, street, roadway or public place.

**§ 243.9. Disposal of organic waste.**

(a) Garbage, offal, pomace, dead animals, decaying matter or organic waste substance of any kind may not be thrown or deposited in a ravine, ditch or gutter,

on a street or highway, into waters of this Commonwealth or be permitted to remain exposed upon the surface of the ground.

(b) The transportation of organic waste shall be affected in watertight vehicles or containers, properly covered to avoid spillage and cleansed at sufficient intervals to prevent obnoxious odors.

**§ 243.10. Accumulation of manure.**

Manure may not be allowed to accumulate in places where it may contaminate a source of drinking water or where it may contribute to the breeding of vectors.

**§ 243.11. Dead animal carcasses.**

(a) The carcass of a dead animal not killed for food shall be removed and disposed of by burial or incineration or some other sanitary method within 24 hours after death.

(b) If the carcass is buried it shall be placed so that every part shall be covered by at least 2 feet of earth and at a location not less than 100 feet from waters of this Commonwealth, and not subject to overflow by the waters.

(c) In all cases of death from communicable disease the carcass shall be thoroughly enveloped in unslaked lime.

**§ 243.12. Stagnant water.**

A person may not maintain or permit to be maintained, a pond, privy vault, cesspool, well, cistern, rain barrel or other receptacle containing water unless the receptacle is constructed or maintained in a manner to prevent the breeding of mosquitoes.

**§ 243.13. Objectionable establishments and industrial wastes.**

(a) A person maintaining a slaughterhouse, rendering works, depository of dead animals, glue works, tannery, wool-washing establishment, paper mill, byproduct coke oven, 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 soap-making, fish oil extraction, bone boiling or a similar occupation, may not allow any of the following:

(1) Noxious gases, which are deleterious or detrimental to public health, to escape into the air.

(2) A substance which is deleterious or detrimental to public health to:

(i) Accumulate upon the premises.

(ii) Be thrown or allowed to discharge into any street, roadway or public place.

(iii) Be thrown or allowed to discharge into waters of this Commonwealth.

(b) Slaughterhouses, rendering works, bone boiling establishments, depositories for dead animals, garbage disposal works, piggeries and similar establishments handling organic matters shall have an adequate water supply for the purpose of keeping the place clean and sanitary. Floors shall be constructed of concrete or other impervious material, and shall have adequate provision for drainage to a cesspool, to a sewer or to a treatment works approved by the Department.

(c) A pigsty or piggery may not be built or maintained on marshy ground or land subject to overflow, nor where it may prejudicially affect a water supply, nor where, as a source of vector breeding, it may become a menace to the public health, particularly in the following circumstances:

- (1) If garbage is fed to pigs, provisions shall be made so that unconsumed garbage is removed daily and disposed of by burial or incineration.
- (2) Garbage shall be handled and fed upon platforms of concrete or other impervious material.
- (3) Unslaked lime, hypochlorite of lime, borax or mineral oil shall be used daily in sufficient quantities to prevent the breeding of vectors.

**§ 243.14. Water supply.**

An owner or occupant of a premise may not maintain a 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 which may render the water supply injurious to health.

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