

ORDINANCE NO. 43

AN ORDINANCE OF THE TOWNSHIP OF CATHARINE, COUNTY OF BLAIR, COMMONWEALTH OF PENNSYLVANIA, REQUIRING THE CONNECTION OF RESIDENCES AND BUSINESSES TO THE PUBLIC WATER SYSTEM, AUTHORIZING THE TOWNSHIP TO MAKE SUCH CONNECTIONS AT PROPERTY OWNER EXPENSE, ESTABLISHING THE PROCESS FOR RECOUPMENT OF TOWNSHIP COSTS, AND PROVIDING PENALTIES FOR FAILURE TO COMPLY WITH THE ORDINANCE.

BE IT ORDAINED AND ENACTED by the Board of Supervisors of Catharine Township and IT IS HEREBY ORDAINED AND ENACTED by the authority of the same as follows:

ARTICLE I TITLE

This Ordinance shall be known as the Catharine Township Public Water System Connection Ordinance.

ARTICLE II GENERAL PROVISIONS

SECTION 100 DEFINITIONS

A. PERSON(s) - any person, association, partnership, firm, or corporation, whether "for profit" or "non-profit" owning property within the physical boundaries of Catharine Township.

B. PUBLIC WATER SYSTEM - a system of reservoirs, wells, pipes, and other facilities designed and operated to provide a source of potable water to the residences and businesses within a geographical area.

C. WILLIAMSBURG MUNICIPAL AUTHORITY - the municipal authority that manages and operates the public water system serving the Borough of Williamsburg and adjacent areas of Catharine and Woodbury Townships.

SECTION 101 INTENT

The intent of this Ordinance is to ensure the public health of certain Township residents by requiring connection to and use of available public water systems thereby reducing or eliminating the possible consumption of contaminated water supplies, and; to ensure the continued viability of the new or existing public water systems.

SECTION 102 APPLICABILITY

A. The provisions of this Ordinance shall apply to any and all persons owning residences or businesses located within any area serviced by a public water system provided that:

a. the residence or place of business is physically located within one hundred fifty (150) feet of any new or existing public water system line, and;

b. the Williamsburg Municipal Authority has provided a tap-in connection point upon the property in question or in the roadway or street right-of-way at the property line edge of said property.

SECTION 103 REQUIREMENTS

A. Every residence or business meeting the criteria set forth in Section 102 above shall make connection to the public water system in a manner approved by the Municipal Water Authority within ninety (90) days after formal notification of the requirement to make such connection.

B. The formal notification of the requirement to connect shall be provided to the property owner by personal delivery or registered mail by either the Board of Supervisors or the Williamsburg Municipal Authority.

SECTION 105 FAILURE TO COMPLY

A. Where the property owner fails to make the required connection to the public water system within ninety (90) days after formal notification, the Catharine Township Board of Supervisors or their agent, or the Williamsburg Municipal Authority may enter upon such property and construct the necessary connection at the property owner's expense.

B. An itemized statement of the cost of such connection shall become immediately payable and shall be presented to the property owner for such payment.

C. In the event of neglect or refusal of the property owner to pay the cost of such connection, the Board of Supervisors shall file a municipal lien against said property as provided for within the Second Class Township Code.

D. Upon connection of the residence or business to the public water system, the property owner shall become responsible for any and all fees established by the Williamsburg Municipal Authority for use of that public water system.

ARTICLE III PENALTIES

Any person who shall violate or fail to comply with any of the provisions of this Ordinance shall, upon conviction, be fined not more than three hundred (300) dollars and costs of prosecution. Provided, however, that each day of continuance of a violation, after notice thereof by the Board of Supervisors, shall constitute a separate offense.

ARTICLE IV SEVERABILITY

If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of the Ordinance, which shall remain in full force and effect, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

ARTICLE V ENACTMENT

This Ordinance shall become effective on 11 December 1996, and shall remain in full force until modified, amended, or rescinded by the Township of Catharine, Blair County, Pennsylvania.

Adopted by the Catharine Township Board of Supervisors this 10th day of December 1996.

ATTEST:

Christine E. Sharbly Signed: Edward C. Jones

Bonnie R. Leonard
Ralph F. Rispoli