

TOWNSHIP OF KISKIMINETAS
ARMSTRONG COUNTY, PENNSYLVANIA

ORDINANCE NO. 3-94

AN ORDINANCE OF THE TOWNSHIP OF KISKIMINETAS DIRECTING AND REQUIRING THE CONNECTION OF ALL BUILDINGS WITH THE PUBLIC WATER SYSTEM IN THE TOWNSHIP ON PREMISES ACCESSIBLE THERETO; PROVIDING FOR THE METHOD OF CONNECTION BETWEEN BUILDINGS AND SAID WATERLINES AND FOR THE INSPECTION THEREOF; PROVIDING FOR THE ISSUANCE OF PERMITS AND PAYMENTS OF CHARGES THEREFOR; AND PROVIDING PENALTIES FOR VIOLATION HEREOF;

BE IT ORDAINED AND ENACTED BY THE BOARD OF SUPERVISORS of the Township of KISKIMINETAS, and it is hereby ORDAINED AND ENACTED by authority of the same under and pursuant to the Act of April 22, 1970, P.L. 303 No. 97 (53 Purdon's Statutes 66602.2), as amended, as follows:

SECTION 1: Every owner of property in the Township of Kiskiminetas (hereinafter called the "Township") which property has now or hereafter shall have a house, building or other structure located thereon, which house, building or other structure presently uses or in the future will use water for human consumption and which property abuts and which house, building or other structure is located within 150 feet of any portion of the public water supply and distributive system being constructed known as the Kiskiminetas Township Canal Street Waterline Extension Project from existing lines of the Municipal Authority of Westmoreland County beginning at a point at or near the parking lot at Roaring Run

along the entire length of Canal Street and onto Kiski Avenue Extension also known as Kiski Avenue and connecting with existing lines of the Municipal Authority of Westmoreland County on Kiski Avenue Extension and property adjacent thereto as shown on the Water System Extension Plan attached to this ordinance and available for inspection at the Office of the Kiskiminetas Township Board of Supervisors, 1352 Route 56 East, Apollo, PA 15613, to be constructed through the Township by the Municipal Authority of Westmoreland County (hereinafter called the "Authority") in the near future shall provide a connection at the owner's cost to the house, building or other structure located on the property within the aforementioned public water system.

SECTION 2. It shall be unlawful for any owner of property to which the provisions of Section 1 of this Ordinance apply to fail to provide the means of connection to the public water system by way of a service line and a tap to the Authority's distribution system and/or to fail to comply with the provisions of this Ordinance including the payment of the tap fee and the monthly service fee to the Authority.

SECTION 3. It shall be the duty of the authorized representative of the Authority to notify the owner, lessee or occupier of each structure covered hereunder in writing either by personal service, certified mail or registered mail to connect the same to said public water system, as herein provided, within ninety

(90) days after receipt of said notice. Any owner, lessee or occupier of a structure who cannot comply with the provisions of this section as to connection within the ninety (90) day period stipulated above due to causes beyond his control shall apply to the Authority within said ninety (90) day period for a time extension of up to six (6) months in duration. Said application shall be made on a form to be furnished by the authority and shall contain a voluntary agreement on the part of the applicant under which the applicant shall agree to commence paying the regular monthly water bill immediately even though actual connection to the public water system will not be accomplished until some later date within the said six (6) month extension period.

SECTION 4. It shall be unlawful for any person, firm or corporation connected to the public water system to connect to or permit the connection by any other person, firm or corporation of any other source of water supply for human consumption to the public water system.

SECTION 5. No person, firm or corporation not presently connected to the public water system shall make or cause to be made any connection with the public water system until he has fulfilled all of the following conditions:

a. He shall make application to the Authority as the Township's Agent, upon a permanent form to be formulated and supplied by the Authority, for permission to connect to

the aforesaid public water system. Among other things, the applicant must state the character and use of each structure located on his property.

b. He shall pay the required tap connection fee as provided under the rules and regulations of the Authority.

c. No work shall commence before the payment of the aforesaid tap connection fee and the issuance of the aforementioned connection permit.

d. He shall give the designed Inspector of the Authority at least twenty-four (24) hours' notice of the time when said connection shall be made in order that said Inspector can be present to inspect and approve the work of connection. The Inspector shall signify his approval of the connection by endorsing his name in the presence of the permittees.

e. At the time of inspection of the connection, the owner or owners of the property shall permit the inspector full and complete access to all water system and facilities in each building and in and about all parts of the property. No water connection line shall be covered over, or in any way concealed until after it has been inspected and approved by said Inspector.

SECTION 6. The construction of all connections between the building and the public water system shall be done in accordance with the specifications, plans and procedures established by the Authority in its Water System Rules and Regulations, as the same may be from time to time published and amended, copies of which will, upon adoption of the Authority, be maintained on file with the Township Secretary.

SECTION 7. If the owner or owners of any houses, buildings, or structures in the Township shall neglect or refuse to comply with the provisions of this Ordinance or the written notice as prescribed in Section 4 hereof, the Township or the Authority may perform or cause to be performed such work and labor and furnish or cause to be furnished such material as may be necessary to comply with the provisions of this Ordinance at the cost and expense of such owner or owners, together with ten (10%) percent additional thereof on all charges and expenses incidental thereto, which sums shall be collected from said owner or owners for the use of the Township or the Authority as debts are by law collectible, or the Township or the Authority may, by its proper officer, file a municipal claim or lien therefor against said premises as provided by law.

SECTION 8. If one or more mobile homes, located in a mobile home park, are subject to the provisions of this Ordinance by reason of being located within 150 feet of the public water system of the Authority, all mobile homes in such mobile home park shall be subject to the provisions of this Ordinance regardless of whether or not located within 150 feet of the public water system of the Authority.

SECTION 9. In addition to any penalty hereinabove prescribed, any person, firm or corporation failing to make the proper connection within the time specified, after receipt of

proper notice as provided in Section 3 hereto, shall, upon conviction hereof before a District Justice, pay a fine or penalty of not less than Twenty-five (\$25.00) Dollars nor more than Three Hundred (\$300.00) Dollars, and upon default of payment of either thereof, shall be sentenced to undergo an imprisonment of not less than five (5) days nor more than thirty (30) days in the County Jail.

SECTION 10. It is hereby declared as the legislative intent that the invalidity of any section, clause, sentence or provision of this Ordinance shall not affect the validity of any other part of this ordinance which shall be given effect without such invalid part or parts.

SECTION 11. All ordinances or resolutions or parts of ordinances or regulations not in accord with this Ordinance are hereby repealed insofar as they affect this Ordinance.

ORDAINED AND ENACTED INTO LAW BY the Board of Supervisors of
the Township of Kiskiminetas in lawful session assembled this 9th
day of November, 1994.

BOARD OF SUPERVISORS OF
KISKIMINETAS TOWNSHIP

Ronald E. Held Sr
RONALD HELD

Emerson Townsend
EMERSON TOWNSEND

Jack Wilmont
JACK WILMONT

Harry J. Miller
HARRY MILLER

ATTEST:

Barbara Talmadge
BARBARA TALMADGE, SECRETARY