

Ordinance No 71

An Ordinance Adopting, Authorizing and Directing the Construction of a Public System of Sewers and Sewers Comprising the Same; Providing For the Letting of a Contract Therefor and That the Costs, Damages and Expenses of the Same Be Assessed Against and Collected From Abutting Properties According To The Foot Front Rule, and Also For the Construction of House Connections and That the Costs, Damages and Expenses Thereof Be Assessed Against The Properties, &c. So Authorizing and Directing The Issue of Sewer Bonds To Provide For The Payment of The Cost and Expense of The Construction of The System of Sewers.

Be it enacted and ordained by the Town Council of the Borough of Patterson Heights and it is hereby ordained and enacted by authority of the same:

Section 1. The following sanitary system of public sewers for the disposal of rain water and other sewerage matter from the Borough of Patterson Heights is hereby adopted in accordance with the plan of said

system heretofore prepared by Clyde Chinnon,
Borough Engineer, approved and adopted
by the Town Council and by the Sanitary
Water Board of the Commonwealth of
Pennsylvania, and for this purpose sewers
or drains and branches thereof shall be
constructed and laid down on the following
streets, lanes, alleys, ways and highways
as follows:

(1) on Darlington Road from a point one
hundred fifty-five feet northwardly from
the center line of Second Avenue to the
center line of Central Avenue and from
the center line of Central Alley to a point
three hundred feet southwardly from the
center line of Central Alley; on Nattie
Street from the center line of Spring

Street to center line of Central Alley;
on Shot Street from center line of
First Avenue to center line of Second
Avenue; on Barker Avenue from center
line of First Avenue to a point eighty-
two and two-tenths feet northwardly
from the center line of Second Avenue
and from center line of Spring Street
to a point five feet northwardly from the
center line of Third Avenue; on Nicks
Avenue from center line of First Avenue

to center line of Second Avenue and
from center line of Spring Street to a
point five feet northwardly from the
center line of Third Avenue; on Fourth
Avenue from center line of First Avenue
to a point five feet northwardly from the
center line of Third Avenue; on Elm Avenue
from the center line of First Avenue to
the center line of Central Avenue; on
Myrtle Avenue from the center line of
First Avenue to the center line of Central
Avenue; on First Avenue from a point
approximately fifteen feet East of the
center line of Darlington Road to the
center line of Myrtle Avenue; on Second
Avenue from a point three hundred sixty-
seven feet westwardly from the center line
of Short Street to the center line of First
Avenue; on Spring Street, from the center
line of Myrtle Avenue eastwardly approxi-
mately 236 feet, to the center line of an
unnamed street, sometimes called Old
Coal Road; on Central Avenue from a
point approximately fifteen feet eastwardly
from the center line of the Darlington
Road to the center line of Myrtle Avenue;
on Central Alley from a point one hundred
seventy feet westwardly from the center line
of Katie Street to the center line of
Katie Street;

Trunk Sewer to be constructed as follows:

Beginning at the center line of Spring Street and the center line of an unnamed street, some times called "Old Coal Road"; thence in a northeasterly direction along the center line of said unnamed street or Old Coal Road a distance of 160 feet, more or less, to a point; thence in a general northeasterly direction by the center line of the recently abandoned incline track or right of way to the line dividing the Borough of Fallersow Heights from the Borough of Beaver Falls; thence continuing in the same direction and over the same right of way to a point near an unnamed street and where it is joined by Millside Avenue in said Borough of Beaver Falls; thence continuing in a general easterly and southeasterly direction by the said incline right of way on said Millside Avenue to its intersection with the existing sewer on Bridge Street, as constructed to receive this sewer entrance.

Section 2

The sewers of said public system of sewers shall be laid of such size and at such depths with proper manholes, flushers, inspection holes, inlets and connections, as the Town Council may direct and shall be laid between the curb lines of said streets, lanes, alleys, ways and highways in the center thereof as nearly as practical, except on Darlingto Road, on which they shall be laid between the eastern line of said Road and the eastern edge of the concrete slab now thereon,

Section 3

Public bids shall be taken in the manner authorized by law for proposals for the construction of a public sewer as provided in this Ordinance, and the making of contract for the construction of said sewer is hereby authorized to and with the person or persons, company or companies, corporation or corporations whose bid is accepted and to whom the contract may be awarded by the Town Council, the contract price not to exceed the total cost of Seventy Thousand Dollars, which is the estimate of the whole cost as furnished by the Engineer,

Section 4.

The cost of that part of said sewer system running from the center line of Spring Street to, into, and in the Borough of Beaver Falls shall be paid out of the general Borough funds, and the cost of the remaining part of said sewer system shall be derived and paid from assessments on the property fronting, adjoining and abutting on and along the line of the said sewers according to the foot front rule and not otherwise, provided that on all corner lots one hundred feet or more in depth where the sewer passes on both sides an allowance of one hundred feet of the length of the long side or an allowance of the length of the long side where a lot is less than one hundred feet in depth shall be made, and on all lots where the sewer passes at both ends and on one side an allowance of the side shall be made, which allowances are deemed just and equitable by the Town Council.

Section 5

There shall also be constructed along said sewer system where houses are now erected all proper house connections or branches leading from the said sewer system to the property line on either side of the street, alley or highway, and the cost and expense thereof shall be and is hereby levied and shall be and is hereby authorized to be collected from the owners of real estate for the accommodation of which such connecting branches and pipes may be constructed by an assessment which shall be ascertained and determined by multiplying the distance from the sewer system to the property line by the contract price per foot for the furnishing and laying of sewer pipe of the respective sizes and at the respective depths.

Section 6

The Borough Engineer shall make a true and accurate measurement of all the lineal feet of property adjoining and abutting upon any street, lane, alley, way or highway in which such sewer line has been constructed from which measurements he shall prepare plans showing thereupon the location of each property its lineal feet frontage either on the streets lanes, alleys, ways or highway.

or both and the side frontage in case of a corner property and further showing the name of the owner of such property as last shown upon the record in the Office of the Recorder of Deeds of Ben County.

Section 7

The Borough Engineer shall ascertain the amount to be levied and collected from the owners of property adjoining and abutting on the improvement, and shall assess the same, adding thereto the amount fixed in this Ordinance for the proper house connections in cases where such connections are made, and after making such assessments shall give five days notice of a time and place when and where the owners of property affected by such assessment may appear and be heard, and any objections to the items composing the cost of the improvement, the method of the foot front assessment and the calculation of the same shall be considered and any omissions or errors corrected, whereupon the Borough Engineer shall make the final assessment, which shall be presented to the Town Council for approval, and when approved shall

be absolute, and collectible as hereinafter provided. No error or mistake in regard to the names of an owner shall be held to invalidate any assessment, so made and it shall be sufficient if the name of the last owner as shown by the records in the Office of the Recorder of Deeds in and for Bears County appears on such assessment list. The notice provided in this and the following section shall be in writing or printed and served on an adult person residing on the premises affected by the assessment, or in case no adult person can be found residing thereon said notice shall be tacked or posted conspicuously on the premises.

Section 8

The Borough Engineer shall as soon as possible after the making of the final assessments provided in the preceding Section of this Ordinance prepare a complete copy thereof, which shall be certified under the seal of the Borough, attested by the Burgess or President of Council and Secretary, to the Treasurer of the Borough. Said assessment shall be paid to the Borough Treasurer in ten.

equal semi-annual installments, the first of which shall be payable at the expiration of six months after the commencement of the work and the deferred installments shall bear interest at the rate of six per centum per annum, payable semi-annually from such date of commencement of work, and liens to secure the assessment shall be entered in the Prothonotary's Office of the County of Beaver after five days prior notice has been given by the Secretary of Council of filing thereof to the property owners assessed therewith in the same form and collected in the same manner as municipal claims are filed and

collected, provided that if either the first or any subsequent installment remains unpaid for the space of sixty days after the same shall become due and payable the whole of the assessment remaining unpaid, with accrued interest, shall be due and payable and provided further that any person upon whom such assessment shall have been made may pay all or as many as he chooses of such installments before the same are due. It shall be the duty of the Borough Treasurer to keep all moneys received by him under this ordinance separate

and apart from all other money of the Borough and no part thereof shall be used or appropriated for any other purpose than that mentioned in this Ordinance but must and shall be applied to the payment of the bonds and interest thereon hereinafter authorized.

Section 9.

In order to provide for the payment of the costs and expenses of the construction of the public system of sewers as provided in this Ordinance, an issue of bonds is hereby authorized in a sum not to exceed the total amount of the assessments made as provided in the Ordinance, and the proper officers of the Borough are hereby authorized to sign and execute said bonds and the interest coupons attached to and a part of the same, which bonds shall be issued from time to time in such sums as may be required and which shall bear the name "Patterson Heights Borough Sewer Bonds" and shall rest alone for their security and payment upon the assessments heretofore authorized and directed to be made and shall be payable at periods not exceeding five years from the date of their issue, bearing six per centum interest per annum, payable semi-annually, which bonds the proper officers of the Borough are hereby authorized to negotiate

for sale at not less than par and
the proceeds of which shall be applied
wholly to the cost of said public sewers,
or if not negotiated for sale may,
at the discretion of the Town Council,
be delivered to the contractor in payment
of the work at not less than par.

Ordained and enacted into law this 6th
day of July, 1928

Ben. Elrich,
President of Council

Attest:

Borough Secretary

Approved this 10th day of July
A. D., 1928

Chas N. Ramsey
Chief Burgess.