

195.

Ordinance # 73.

An Ordinance of the Borough of Patterson Heights, Beaver County, Pennsylvania, regulating the use of the public sanitary sewers in said Borough, and providing for the following.

Prohibiting the damaging of said sewers, connection without permit; use for storm or surface water; cesspools or septic tanks.

Providing for a tapping fee; for a deposit to cover the expenses of the Borough; for inspection and engineering.

Providing against interference with said sewers by poles, trees, shrubbery and other things.

Providing against interfering with the said sewers in any manner whatsoever.

Providing for barriers and danger signals when sewer work is being done.

Providing against the use of the said system in any manner injurious thereto; and

Providing a penalty for the violation of any of the provisions hereof.

Be it Ordained and enacted by the Burgess and Town Council of the Borough of Patterson Heights, Beaver County, Pennsylvania, and it is hereby ordained and enacted by authority of the same as follows.

Section I - From and after the passage and promulgation of this ordinance it shall be unlawful for any person, firm or corporation to tap into or make any connection directly or indirectly, or in any manner to open any public sewer in the said Borough of Patterson Heights or to make any use thereof in any manner whatsoever, whether upon a public street or upon private property without first obtaining a permit from the Town Council of said Borough.

Section II - Applications for permission to tap into any part of the said sewer system shall be in writing addressed to the Town Council of said Borough and shall be accompanied by a fee of Twenty-Five Dollars (\$25.00) of which Ten Dollars (\$10.00) shall be a tapping fee. The applicants shall give, in writing, the following information: Size and kind of sewer proposed to be laid; description of the house, houses, building, buildings or other improvements proposed to be connected and the use to which the same are or will be put; names of all the owners of the real estate proposed to be connected. The application shall be accompanied by a plot map or sketch

drawn to scale; showing the location of all buildings and all streets, lanes and alleys adjoining or adjacent and occupied by the said improvements, upon which plot shall be traced the proposed route of the sewer connection; said map shall also show the location of all buildings with the size of each, and any land lying between the sewer and the land proposed to be connected over which the said sewer is proposed to be laid, with its adjoining and adjacent streets, lanes and alleys. The applicant shall in said application, agree to pay any expense the Borough may be put to in the matter.

Section III— Only one house, building or structure shall be permitted to be connected to any public sewer on one line unless a group of houses or buildings shall desire to lay down its own main line and connections and in all cases to proposed work, if Council's action be favorable, shall be done under the supervision of the engineer of the Borough or an engineer designated or approved by the Borough and to the satisfaction of the Town Council. A deposit may be required to cover the expense of the Borough. No work shall be done until a permit be issued by Council.

Section IV— In all cases where application is made by one whose property does not abut on a street on which a sewer is laid, if the action

of Council be favorable, the applicant shall make a deposit of such additional sum, to be estimated by Council, as shall cover all expenses the Borough may be put to in the matter, whether the work is to be done by the Borough or under its supervision. When the work is finished the final cost to the applicant shall be all costs and expenses of any kind which the Borough has had, and, in addition thereto, the applicant shall pay the difference in the cost per front foot, if it be less, than the cost per front foot of the original installation, but no deductions shall be made for the cost of connecting the house with the main, or equivalent of main sewer.

Section V - after the work shall have been finished any balance left, except the tapping fee of Ten Dollars (\$10.00) is to be returned to the applicant and if there be a deficit, the deficit is to be paid by the applicant. In making application under this ordinance, the applicant agrees to reimburse the Borough in such case for any deficit.

Section VI— If at any time the same engineer is employed by the applicant as is employed by the Borough, it is with the express understanding on the part of the applicant and the engineer that his service is first to the Borough and secondarily to the applicant. In case the Borough is not satisfied that the said engineer is so acting, it may employ another engineer at the expense of the applicant, whose decision shall be final, binding and conclusive on all engineering matters upon all the parties.

Section VII— No storm or surface water shall be allowed to flow through the sanitary system of said Borough.

Section VIII— Septic tanks and outside toilets shall not be permitted to be used in said Borough after January 1, 1930 and no connections through septic tanks or cesspools, with said sewer system, shall be permitted from and after the passage and promulgation of this ordinance.

Section IX— It shall be unlawful for any person, firm or corporation, to break, remove or in any way injure any pipe, manhole, flush-tank or any other part of the public system of sanitary sewers in the Borough.

Section X - Likewise, it shall be unlawful for any person, firm or corporation, by excavation or otherwise, to remove or in any way interfere with the earth below any pipe, manhole, flush-tank or any other part of the public system of sanitary sewers in said Borough without first obtaining the consent of the Town Council so to do, which shall not be granted excepting upon written request, giving full particulars.

Section XI - It shall be unlawful for any person, firm or corporation, by tampering or in any other way to change the grade or alignment of any pipe, manhole, flush-tank or any other part of the public system of sanitary sewers in said Borough.

Section XII - It shall be unlawful for any person, firm or corporation to place or cause to be placed any matter or thing in any pipe, manhole, flush-tank or any other part of the public sewer system of said Borough which may in any way injure the said system or any part thereof, or which tends to impede the flow of sewage through the same.

Section XIII - No contractor, plumber or other person shall be employed by any person, firm or corporation to open or tap the said public sewer even though a permit shall be issued, unless the said contractor, plumber or other person shall be approved by the Town Council to do such work.

Section XIV — All excavations made by any one authorized to make any connection with said sewer shall be refilled by such person, in such manner and to the satisfaction of the Town Council and in accordance with Ordinance

Number Seventy (70), and the applicant for whom the said work shall be done shall not be relieved from responsibility until the said excavations have been refilled to the satisfaction of the Town Council.

Section XV — No person, firm or corporation shall erect poles, or permit trees, shrubbery or anything whatsoever ^{to interfere} with the public sewer system of the said Borough. If the roots of any trees or the location of any pole or any other thing shall cause any damage to said sewer, the owner of said pole or trees or other thing shall pay any damage to the said Borough caused by it and remove the same.

Section XVI — The Town Council may require any user of the said sewer system, in its reasonable discretion, to install suitable grease traps.

Section XVII — all fixtures connected with the sewers leading into the said systems shall be provided with suitable traps and strainers to prevent the introduction of improper substances into the sewer.

Section XVIII— In opening any trench for the laying of any connection to the sewer, the earth shall be placed so as not to dam up the gutters and so as to cause the least possible inconvenience to the public. The street shall not be permitted to remain open longer than is reasonably necessary to do the said work. The cost of inspection to see that this section is complied with shall be paid by the applicant. Moreover, in the opinion of Council, the depth of the trench is such that it may cave in the applicant or his contractor or workmen shall be required to shore up the ditch and prevent caving in.

Section XIX— Barriers and danger signals shall be maintained on all banks of the trench and piles of earth during the progress of the work, both night and day, to protect the public against accidents, and not more than one hundred lineal feet of trench shall be open at any one time.

Section XX— If any work or material be unsatisfactory to the Engineer or inspector representing the borough, work shall not go on until the same be made satisfactory.

Section XXI— If any person, firm or corporation shall make a connection with the said sanitary sewer system without having complied with the provisions of this ordinance, the connection shall be broken by the Borough or its representative without abatement of the penalty hereinafter provided.

Section XXII— If any person, firm or corporation uses the said sanitary sewer system in a manner or for a purpose injurious to the system, his, her or its connection with the said system shall be broken by the Borough and not restored until all damages and expenses have been paid.

Section XXIII— If any person, firm or corporation shall undertake to use septic tanks, cesspools, or outside toilets or permit the same to be used on its premises in said Borough after January 1, 1930, the Borough may, in addition to any other action provided herein, proceed to connect such premises to the sewer system of said Borough and to collect all expenses and fees incurred thereby together with ten per cent (10%) additional against the property so connected, which sum may be collected either by municipal lien filed against the property connected or by an action of assumpsit against the owner thereof, as the Borough may determine. Likewise, the amounts required to be paid under Sections 4 and 5, or any other section of this Ordinance, may be collected by municipal lien filed against the property affected or an action of assumpsit against the owner thereof, as the Borough may determine.

Section XXIV- Any person, firm or corporate violating any of the provisions of this Ordinance shall, upon conviction before the Burgess of said Borough or any Justice of the Peace of the County of Beaver, be sentenced to pay the expenses caused by the violation and a fine of not more than Fifty Dollars (\$50.00), and to undergo imprisonment in the lock-up of the Borough or in the County Jail at Beaver, Pennsylvania, for a period not to exceed five (5) days. Provided that either the fine or the imprisonment may be omitted by the magistrate.

Section XXV- All Ordinances or parts of Ordinances inconsistent herewith, are hereby repealed so far as the same are in conflict with this Ordinance.

Ordained and Enacted into a law in Council this 11th. day of June 1929.

Borough of Patterson Heights
By Chas. E. Reich
President of Council

attest:

Secretary of Council

Examined and approved by me this
1st. day of July, 1929.

Chas. N. Pursey
Burgess.