

ORDINANCE NO. 95 - 01

TOWNSHIP OF MORGAN
GREENE COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE TOWNSHIP OF MORGAN, COUNTY OF GREENE, PENNSYLVANIA, TO ABANDON ALL STORM WATER AND SEWER LINES NO LONGER USED BY THE LOWER TEN MILE SEWAGE AUTHORITY.

WHEREFORE, it is now deemed necessary for the protection of the health, cleanliness, comfort and safety of the citizens of the Township of Morgan to enact this Ordinance; and

WHEREFORE, the Board of Supervisors of the Township of Morgan desires to abandon all storm water and sewer lines that are no longer being used by the Lower Ten Mile Sewage Authority; and

WHEREFORE, Section 703 of the Second Class Township Code provides authority for the Board of Supervisors to enact ordinances on this matter and procedure thereof; and

NOW THEREFORE, pursuant to the authority conferred upon it by the Second Class Township Code, the Board of Supervisors of the Township of Morgan, County of Greene, Pennsylvania, do hereby enact this Ordinance as aforementioned by ENACTING AND ORDAINING the following:

BE IT ENACTED AND ORDAINED by the Township of Morgan, County of Greene, Pennsylvania, as follows:

SECTION 1. SHORT TITLE. This Ordinance shall be known as the "1995 Abandoning of Storm Water and Sewer Lines Ordinance."

SECTION 2. GENERAL SCOPE. The subject matter of this Ordinance is the abandoning of old storm water and sewage lines

originally installed in the village of Mather by entities other than the Lower Ten Mile Sewage Authority that are not currently in use by the Lower Ten Mile Sewage Authority. These lines are being abandoned by the Township as being redundant, as other lines used and maintained by the Lower Ten Mile Sewage Authority are available for use in the village of Mather.

SECTION 3. ABANDONING OF STORM WATER AND SEWER LINES.

All storm water and sewer lines within the limits and area commonly known as the village of Mather that are not, as of the date of the enactment of this Ordinance as set forth below, in use by the Lower Ten Mile Sewage Authority, as indicated by the records of the Lower Ten Mile Sewage Authority, are hereby abandoned by the Township of Morgan. Further, any easements granted to either the Township or the Authority by property owners upon which these abandoned lines are placed shall also be abandoned and shall revert to the original servient estate from which these easements were granted, provided however, that if these easements are still currently in use by the Township or the Authority for other purposes or for the placement and location of other utilities or roadways, then these easements shall not be abandoned in favor of the servient estate from which they were originally granted and shall remain in the name, use and possession of either the Township or the Authority.

SECTION 4. SEVERABILITY. The provisions of this Ordinance are hereby declared severable, and if any of its provisions shall be held to be invalid or unconstitutional, or otherwise void for any reason, such decision shall not affect or

impair any of the remaining provisions hereof; it is hereby declared to be the intent of the Borough that this Ordinance would have been adopted if such invalid, unconstitutional, or otherwise void provision had not been included herein.

SECTION 5. REPEALER. Any Ordinance containing any provision inconsistent herewith to the extent that such provisions are inconsistent, those provisions are also hereby repealed.

ORDAINED AND ENACTED INTO LAW by the Board of Supervisors of the Township of Morgan in lawful session assembled this _____ day of _____, 1995.

TOWNSHIP OF MORGAN

By: _____
Shirl Barnhart
Chairman, Board of Supervisors

By: George E. Handford
George E. Handford
Vice Chairman

By: Gene A. Morris
Gene A. Morris
3rd Member

ATTEST:

Relda K. Litten
Secretary

(Seal)