

CHAPTER 26

WATER

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ARTICLE I

MANDATORY CONNECTIONS

Section 101. Required Connections

As authorized by the provisions of the Second Class Township Code, Article XVI, Water Supply and Waterworks, 53 P.S. §66602.2, all owners of property abutting the water supply system of the Ontelaunee Township Municipal Authority are hereby required to make connection therewith and use the same, excepting therefrom those industries and farms who have their own supply of water for uses other than human consumption and also excepting therefrom property owners with private water supplies existing prior to the date of enactment of this Ordinance.

Ord. 1988-1, 3/17/1988, §1.

Section 102. Prohibition on Alternate Water Service

It shall be unlawful for the owner of any improved or unimproved property where municipal water service is available to procure water service by any other means, including cisterns, wells, streams, etc. for their use, other than that provided by the Ontelaunee Township Municipal Authority.

Ord. 1988-1, 3/17/1988, §2; as amended by Ord. 1995-7, 11/9/1995, §1.

Section 103. Connection by Township

A. In the event that any owner, lessee or occupant of property, other than those exempted in Sections 101 and 102, shall neglect or refuse to connect with the water system of the Ontelaunee Township Municipal Authority for a period of ninety (90) days after notice to do so has been served upon him by the Township Supervisors, either by personal service or by registered mail, the Board of Supervisors of Ontelaunee Township, or their agent, may enter upon such property and construct such connection.

B. Costs of construction of such connection shall be recovered by the Board of Supervisors in the manner prescribed in the Second Class Township Code, Article XVI, Water Supply and Waterworks, 53 P.S. §66602.1 through 66602.5, as amended.

Ord. 1988-1, 3/17/1988, §3.

Section 104. Penalty

Chapter 4, Article IV entitled “Civil/Criminal Enforcement Procedure”.

Ord. 1988-1, 3/17/1988, §4; as amended by Ord. 1995-7, 11/9/1995, §3; superseded by Ord. 2001-2, 7/12/2001.

Section 105. Recovery of Fines and Costs

Fines and costs imposed under provisions of this Ordinance shall be enforceable and recoverable in the manner at the time provided by applicable law.

Ord. 1995-7, 11/9/1995, §3.

Section 106. Declaration of Purpose

It is declared that the enactment of this Ordinance is necessary for the protection, benefit and preservation of the health, safety and welfare of the inhabitants of this Township.

Ord. 1995-7, 11/9/1995, §5.

ARTICLE II

AUTHORIZATION FOR THE MUNICIPAL AUTHORITY ADOPTION
OF RULES AND REGULATIONS FOR PRETREATMENT OF
WASTEWATER AND ENFORCEMENT

Section 201. Operation

The Ontelaunee Township Municipal Authority shall operate the public sewer system to the fullest extent provided by law. This operation shall include all administration, operation, maintenance, repair and the authority for enforcement and all matters which may be exercised and/or lawfully delegated to the Authority by the Township.

Ord. 2014-6, 12/4/2014, §1.

Section 202. Delegation of Authority

The Township hereby expressly authorizes the Authority to adopt all rules and regulations the Authority deems appropriate regarding the operation, maintenance, repair and administration of the public sewer system and authorizes the Authority to undertake enforcement of such rules and regulations adopted thereby. Except for those acts and for matters which by law are within the exclusive authority and jurisdiction of the Township and which may not be lawfully delegated. The adoption of rules and regulations by the Authority including but not limited to the definition of terms, practices, procedures, and administration of the public sewer system, shall be deemed for all purposes to act as a repeal, *pro tanto*, of any inconsistent provisions, regarding such definitions, operations, administration practices and procedures contained in Ordinances adopted by the Township.

Ord. 2014-6, 12/4/2014, §2.

Section 203. Interpretation

Nothing in this Ordinance or any subsequent rules or regulations adopted by the Authority shall be deemed to change or repeal the obligations for mandatory connection, the establishment of the public sewer system and sewer districts, the penalties and enforcement of the Ordinance provisions within the exclusive jurisdiction of the Township as provided by law, nor shall anything in this Ordinance be interpreted or applied as an improper or *ultra vires* action by either the Township or the Authority and any and all rules or regulations adopted by the Authority as provided herein which supersede any inconsistent operations, practices, procedures provided for in the Ordinances shall be interpreted and applied in such a way as to be lawful.

Ord. 2014-6, 12/4/2014, §3.