

**TOWNSHIP OF JACKSON  
CAMBRIA COUNTY, PENNSYLVANIA**

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE OF THE TOWNSHIP OF JACKSON COMPELLING AND REQUIRING CERTAIN OWNERS OF IMPROVED PROPERTY LOCATED WITHIN SAID TOWNSHIP AND ABUTTING UPON MEIRS ROAD, TO CONNECT SUCH IMPROVED PROPERTY TO SUCH WATER SYSTEM; AUTHORIZING REGULATING THE MANNER OF MAKING SUCH CONNECTIONS; SETTING FORTH RELATED MATTERS; AND PRESCRIBING PENALTIES FOR VIOLATIONS.

The Board of Supervisors of the Township of Jackson, Cambria County, Pennsylvania, enact and ordain as follows:

**ARTICLE I DEFINITIONS**

**SECTION 1.01.** Unless the context specifically and clearly indicates otherwise, the meaning of terms and phrases used in this Ordinance shall be as follows:

**A.** “Authority”, as used in this ordinance only shall mean the Croyle Township Water Authority, a municipal authority of the Commonwealth, or its successors or assigns;

**B.** “Building Main” shall mean the extension from the water system of any structure to the Lateral or a Main;

**C.** “Commonwealth” shall mean the Commonwealth of Pennsylvania;

**D.** “Improved Property” shall mean any property located adjacent to Meirs Road within the Township of Jackson upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use requiring water by human beings, except farms buildings which have their own supply of water for uses other than human consumption;

**E.** “Lateral” shall mean that part of the Water System extending from a Main to the

curb line or, if there shall be no curb line, to the property line or, if no such Lateral shall be provided, then “Lateral” shall mean that portion of or place in a Main which is provided for connection with any Building Main;

F. “Main” shall mean any pipe or conduit owned by the Authority and constituting a part of the Water System used or usable for water distribution purposes;

G. “Owner” as used in this ordinance only, shall mean any Person vested with ownership, legal or equitable, sole or partial, of any Improved Property located upon Meirs Road within Jackson Township;

H. “Person” shall mean any individual, partnership, company, association, society, trust, corporation, municipality, municipal authority or other group or entity;

I. “Township” shall mean the Township of Jackson, Cambria County, Pennsylvania, a political subdivision of the Commonwealth, acting by and through its Supervisors, or, in appropriate cases, acting by and through its authorized representatives; and,

J. “Water System” shall the facilities, currently existing along Meirs Road in Jackson Township and currently under construction, for supply, transmission and distribution of water, owned and/or operated by the Croyle Township Water Authority.

## **ARTICLE II USE OF PUBLIC WATER SYSTEM REQUIRED**

**SECTION 2.01.** The Owner of any Improved Property abutting upon any Main constituting part of the Water System, except farms which have their own supply of water, shall connect such Improved Property with such Main, in such manner as the Authority may require, within 90 days after notice to such Owner from this Township, or from the Authority on its behalf, to make such connection. This ordinance shall not apply to any

other geographic area than Meirs Road in Jackson Township between the Croyle Township Line and Swiggle Mountain Road as shown shaded in blue on the map attached hereto as Exhibit "A".

**SECTION 2.02.** The notice by or on behalf of the Township to make a connection to a Main, referred to in Section 2.01, shall consist of a copy or summary of this Ordinance, and a written or printed document requiring the connection in accordance with the provisions of this Ordinance, specifying that such connection shall be made within 90 days after the date such notice is given or served, and describing the procedures and rules to be followed in making the connection. Such notice may be given or served at any time after the Main that can deliver water to the particular Improved Property is in place. Such notice shall be given to or served upon the Owner by personal service or by registered or certified mail to his/her last known address.

**Section 2.03.** Nothing in this Ordinance shall require the owner of a property to connect the water tap to a building's internal plumbing, other than one faucet of accessible connection located in the home, for which a monthly bill shall be paid under the rules of the Authority. Nothing in this ordinance shall require disconnection of a pre-existing water supply, however, no cross connections between said pre-existing system and the Authority water system shall be permitted to exist. Maintenance of a cross connection shall constitute a violation of this ordinance. Any property owner choosing to maintain a separate pre-existing water supply must notify the Township and Authority of that fact and make their internal plumbing available for inspection to assure no cross connections exist at reasonable times.

### **ARTICLE III BUILDING MAINS AND CONNECTIONS**

**SECTION 3.01.** No Person shall uncover, shall connect with, shall make any

opening into or shall use, shall alter or shall disturb, in any manner any Main, Lateral or any other part of the Water System without first obtaining a permit, in writing, from the Authority.

**SECTION 3.02.** Application for a permit required under Section 3.01 shall be made by the Owner of the Improved Property served or to be served or by the duly authorized agent of such Owner.

**SECTION 3.03.** No person shall make or shall cause to be made a connection of any Improved Property with a Main until such Person shall have fulfilled each of the following conditions:

**A.** Such Person shall have notified the Authority of the desire and intention to connect such Improved Property to a Main;

**B.** Such Person shall have applied for and shall have obtained a permit from the Authority, as required in Section 3.01;

**C.** Such Person shall have given the appropriate representative of the Authority, at least 48 hours notice of the time when such connection will be made so that the Authority may supervise and inspect or may cause to be supervised or inspected the work of connection and necessary testing; and,

**D.** If applicable, such Person shall have furnished satisfactory evidence to the appropriate representative of the Authority, that any applicable tapping, connection and/or customer facility fee that may be charged and imposed against the Owner of each Improved Property who connects such Improved Property to a Main, have been paid.

**SECTION 3.05.** All costs and expenses of construction of a Building Main and all costs and expenses of connection of a Building Main to a Main shall be borne by the Owner of the Improved Property to be connected; and such Owner shall indemnify and

shall save harmless this Township and the Authority from all loss or damage that may be occasioned, directly or indirectly, as a result of construction of a Building Main or of connection of a Building Main to a Main.

**SECTION 3.06.** A Building Main shall be connected to a Main or Lateral at the place designed by the Authority. A smooth, neat joint shall be made and the connection of a Building Main shall be made secure and watertight.

**SECTION 3.07.** If the Owner of any Improved Property located along Meirs Road within the Township of Jackson, after 90 days' notice from or on behalf of the Township, or from the Authority on its behalf, in accordance with Section 2.01, shall fail to connect such Improved Property as required, this Township, or the Authority on its behalf, may enter upon such Improved Property and may construct such connection and may collect from such Owner the costs and expenses thereof in the manner permitted by law.

#### **ARTICLE IV RULES AND REGULATIONS GOVERNING BUILDING MAINS AND CONNECTIONS TO MAINS**

**SECTION 4.01.** No Building Main shall be covered until it has been inspected and approved by the Authority. If any part of a Building Main is covered before so being inspected and improved, it shall be uncovered for inspection at the cost and expense of the Owner of the Improved Property to be connected to a Main.

**SECTION 4.02.** Every Building Main of any Improved Property shall be maintained in a sanitary and safe operating condition by the Owner of such Improved Property.

**SECTION 4.03.** Every excavation for a Building Main shall be guarded adequately with barricades and lights to protect all Persons from damage and injury. Any street, sidewalk or other public property disturbed in the course of installation of a Building Main

shall be restored, at the cost and expense of the Owner of such Improved Property being connected, in a manner satisfactory to the Authority and this Township.

**SECTION 4.04.** If any Person shall fail or shall refuse, upon receipt of a notice of this Township or of the Authority, in writing, to remedy any unsatisfactory condition with respect to a Building Main within 60 days of receipt of such notice, the Authority may refuse to permit such Person to be served by the Water System until such unsatisfactory condition shall have been remedied to the satisfaction of the Township and the Authority.

**SECTION 4.05.** The Authority shall have the right to adopt, from time to time, additional rules and regulations, as it shall deem necessary and proper relating to connections with the Water System.

#### **ARTICLE V ENFORCEMENT**

**SECTION 5.01.** Any Person who shall violate this Ordinance shall be liable, upon summary conviction for a first offense and upon summary conviction for each subsequent offense, to a fine of not more than One Thousand and 00/100 (\$1,000.00) Dollars, together with costs of prosecution in each case. Each day that a violation shall continue shall be deemed and shall be taken to be a separate offense and shall be punishable as such.

**SECTION 5.02.** This Ordinance may be enforced by the Township of Jackson and/or the Authority.

#### **ARTICLE VI EFFECTIVE DATE**

**SECTION 6.01.** This Ordinance shall become effective in five days, as provided by law.

#### **ARTICLE VII SEVERABILITY**

**SECTION 7.01.** In the event any provision, section, sentence, clause or part of this

Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of this Township that such remainder shall be and shall remain in full force and effect.

**ARTICLE VIII DECLARATION OF PURPOSE**

**SECTION 8.01.** It is declared that enactment of this Ordinance is necessary for the protection, benefit, and preservation of the health, safety, and welfare of inhabitants of this Township.

**ARTICLE IX REPEALER**

**SECTION 9.01.** All Ordinances or parts of Ordinances and all Resolutions or parts of Resolutions that are inconsistent with this Ordinance shall be, and the same expressly are, repealed.

**ORDAINED AND ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

**TOWNSHIP OF JACKSON**

By: \_\_\_\_\_  
Chairman of Board of Supervisors

By: \_\_\_\_\_  
Supervisor

By: \_\_\_\_\_  
Supervisor

ATTEST:

\_\_\_\_\_  
Secretary

(Seal)

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