

BOROUGH OF OAKLAND
SUSQUEHANNA COUNTY, PENNSYLVANIA

ORDINANCE NO. 1483-1

AN ORDINANCE

OF THE BOROUGH COUNCIL OF THE
BOROUGH OF OAKLAND, SUSQUEHANNA
COUNTY, PENNSYLVANIA, REQUIRING
ALL OWNERS OF PROPERTY ABUTTING
UPON A STREET IN WHICH THERE IS
A WATER MAIN CONSTRUCTED OR
ACQUIRED AS PART OF THE WATER
SYSTEM BY THE BOROUGH TO CONNECT
THEREWITH; REGULATING THE MANNER
OF MAKING CONNECTIONS; AUTHORIZING
THIS BOROUGH TO MAKE CONNECTIONS
AT THE COST AND EXPENSE OF ANY
OWNER OF PROPERTY FAILING TO MAKE
SUCH CONNECTION; ADOPTING CERTAIN
RULES AND REGULATIONS AND PROVIDING
FOR ADOPTION OF ADDITIONAL RULES
AND REGULATIONS; SETTING FORTH
RELATED MATTERS; AND PRESCRIBING
PENALTIES FOR VIOLATION.

The Borough Council of the Borough of Oakland,
Susquehanna County, Pennsylvania, enacts and ordains as
follows:

SECTION 1.1. Unless the context specifcally and
clearly indicates otherwise, the meaning of terms and
phrases used in this Ordinance shall be as follows:

"Borough" shall mean Borough of Oakland, Susquehanna
County, Pennsylvania political subdivision.

"Owner" means any Person vested with ownership, legal
or equitable, sole or partial of any Property.

"Person" means any individual, partnership, company,
association, society, trust, corporation or other group or
entity.

"Property" means any building, group of buildings or
land within the Borough and designated or separate, distinct
pacel on the real estate map of the Borough.

"Water System" means the water distribution facilities,
including all related facilities to be constructed,
installed or acquired by or for the Borough, including all
property, real, personal and mixed, rights, powers,
licenses, easements, rights-of-way, privileges, franchises
and other property or interest in property of whatsoever
natures used or useful in connection with such facilities,
and together with all additions, extensions, alterations,

improvements and betterments thereof or thereto which may be made, installed or acquired from time to time, by or for the Borough.

SECTION 2.1. The Owner of any Property abutting upon any street in which there is a water main which is part of the Water System, shall connect such property therewith, in such manner as the Borough may require, within sixty (60) days after notice to such Owner from the Borough to make such connection, for the purpose of conducting water to said Property, subject to such limitations and restrictions as shall be established by the Borough from time to time.

SECTION 2.2. The notice by the Borough to make a connection to the Water System, referred to in Section 2.1, shall consist of a copy of this Ordinance, including any amendments at the time in effect, and a written or printed document requiring such connection in accordance with the provisions of this Ordinance and specifying that such connection shall be made within sixty (60) days from the date such notice is given. Such notice may be given at any time after a water main is in place which can be connected to the Property and conduct water thereto. Such notice shall be served upon the Owner either by personal service or by registered mail or by such other method as at the time may be provide by law.

SECTION 2.3 In the event that it is determined by the Borough's employees or representatives that the Owner's method of conducting water from the water system to the property, whether by piping, or otherwise, is defective, causing the water system to lose water and/or pressure, it shall be the obligation of the Owner, within ten (10) days after notice to such Owner from the Borough, to repair the defective condition.

SECTION 2.4 The notice by the Borough to repair a defective condition, referred to in Section 2.3, shall consist of a written or printed document requiring the defective condition to be remedied within ten (10) days from the date such notice is given. Such notice shall be served upon the Owner either by personal service or by registered mail or by such other method as at the time may be provided by law.

SECTION 2.5 If the Owner of any property located in the Borough after ten (10) days notice from the Borough, in accordance with section 2.3 and 2.4 hereof, shall fail to correct and remedy the defective condition as required, the Borough may repair and remedy the defective condition and shall collect from such Owner the costs and expenses thereof. In such case, the Borough shall forthwith, upon completion of the work, send an itemized bill of the costs of the repairs to the Owner of the property upon which repairs have been so made, which bill shall be payable forthwith. In case of neglect or refusal by the Owner of such property to pay said bill, the Borough shall file a municipal lien for said repairs

within six (6) months of the date of the completion of said repairs, the same to be subject in all respects to the general law provided for the filing and recovery of municipal liens.

SECTION 2.6 The Borough, its employees or representatives shall have the right from time to time, as cause appears, to enter upon the premises of any Owner for the purposes of inspecting such Owner's property, for the purposes of enforcing any provision of this ordinance.

SECTION 3.1 No connection shall be made to the Water System except in compliance with the ordinances and rules and regulations of the Borough. It shall be the responsibility of the Owner of the Property to connect to the Water System in strict compliance with this ordinance and rules and regulations of the Borough. In the event the Owner shall not so comply, the Borough shall have the same remedy hereunder as is set forth in Section 3.3 for failure to connect.

SECTION 3.2 The Borough reserves 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, which additional rules and regulations, to the extent appropriate, shall be and shall be construed as a part of this Ordinance.

SECTION 3.3 If the Owner of any property located in the Borough and whose property abuts upon any street in which there is a water main being part of the Water System- after sixty (60) days' notice from the Borough, in accordance with Section 2.1,

shall fail to connect such Property as required, the Borough may make such connection and shall collect from such Owner the costs and expenses thereof. In such case, the Borough shall forthwith, upon completion of the work, send an itemized bill of the cost of the construction of such connection to the Owner of the property to which connection has been so made, which bill shall be payable forthwith. In case of neglect or refusal by the Owner of such property to pay said bill, the Borough shall file a municipal lien for said construction within six months of the date of the completion of the construction of said connection, the same to be subject in all respects to the general law provided for the filing and recovery of municipal liens.

SECTION 4.1 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 less than Fifty Dollars (\$50.00) nor more than Three Hundred Dollars (\$300.00), 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 4.2 Fines and costs imposed under provisions of this Ordinance shall be enforceable and recoverable in the manner at the time provided by applicable law.

SECTION 5.1 This Ordinance shall become effective immediately, as provided by law.

SECTION 6.1 In the event that 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 the Borough that such remainder shall be and shall remain in full force and effect.

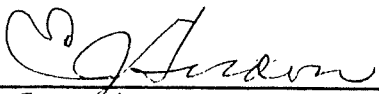
SECTION 7.1 It is declared that the enactment of this Ordinance is necessary for the protection, benefit and preservation of the health, safety and welfare of the inhabitants of the Borough.

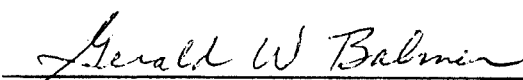
SECTION 8.1 All ordinances or parts of ordinances inconsistent herewith shall be and the same expressly are repealed.

DULY ENACTED AND ORDAINED this *3rd* day of *February*, 1983, by the Borough Council of the Borough of Oakland, Susquehanna County, Pennsylvania, in lawful session duly assembled.

ATTEST:

BOROUGH OF OAKLAND,
SUSQUEHANNA COUNTY,
PENNSYLVANIA


Secretary

BY: 
President of Council

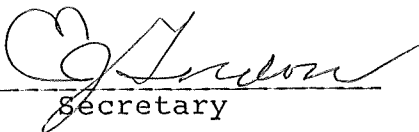
(SEAL)

Approved: 
Mayor

CERTIFICATE

I, the undersigned, Secretary of the BOROUGH OF OAKLAND, Susquehanna County, Pennsylvania (the "Borough"), certify that the foregoing is a true and correct copy of an Ordinance of the Council of this Borough which was duly enacted by the affirmative vote of a majority of all members of said Council of this Borough at a meeting thereof duly convened and held on the 3rd day of February, 1983; that said Ordinance has been duly recorded in the Ordinance Book of the Borough; that said Ordinance was duly published as required by law; and that said Ordinance remains in full force and effect, unaltered and unamended, as of the date of this Certificate.

IN WITNESS WHEREOF, I hereunto set my hand and the official seal of the Borough, this 3 day of February, 1983.


Secretary