

BOROUGH OF NORTH APOLLO

ORDINANCE NO. 307 OF 2011

AN ORDINANCE OF THE BOROUGH OF NORTH APOLLO, COUNTY OF ARMSTRONG AND COMMONWEALTH OF PENNSYLVANIA, DIRECTING AND REQUIRING OWNERS OF REAL PROPERTY ABUTTING ANY STREET WHERE A WATER MAIN EXISTS TO CONNECT WITH THE PUBLIC WATER SYSTEM OF NORTH APOLLO BOROUGH AND PROVIDING PENALTIES FOR VIOLATIONS.

WHEREAS, the Borough of North Apollo Borough has authority to provide a supply of water for public use; and,

WHEREAS, the Borough of North Apollo has been chosen to receive a grant for the purpose of expanding and updating its public water system; and,

WHEREAS, pursuant to the Pennsylvania Borough Code, 53 P.S. §47461, property owners may be required to connect with and use the water system of North Apollo Borough;

NOW THEREFORE, be it enacted and ordained by the Borough Council of North Apollo Borough, County of Armstrong, and Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of same, as follows:

Article 1: Mandatory Connection. Every owner of real property capable of utilizing water under pressure for residential, commercial or industrial purposes, but not buildings utilized solely for agricultural purposes shall be required to connect with and use the water system of North Apollo Borough where the real property abuts upon any street, alley or other right-of-way in which there exists a water main or where such water main will exist in the future. The owner of the structure shall be required to connect at his/her own cost in accordance with the regulations of the Municipal Authority of Westmoreland County.

Article 2: Connections. Connections shall be made according to the rules of the Municipal Authority of Westmoreland County and only with payment of the prescribed tap-in fee. All connections are subject to inspection by the Authority and meters and other water supply devices shall be subject to inspection by Authority personnel during normal business hours, or at other times in the event of emergencies.

Article 3: Enforcement of Penalty. The Borough shall make any connection where the property owner fails to make the required connection, pursuant to this Ordinance. The property owner will be responsible for all costs associated with such connection. In addition, any person who shall violate or fail to conform to the provisions of this Ordinance shall upon prosecution and conviction, be sentenced to pay a fine of not less than \$300.00, but not more

than \$600.00. Each day that a violation of this part continues, or each section of this part, which shall be found to be violated, shall constitute a separate offense.

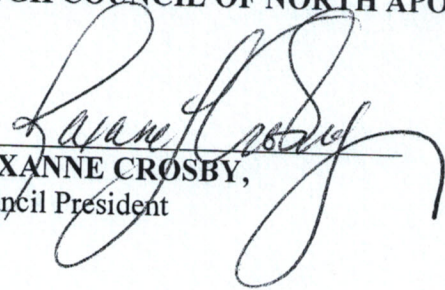
Article 5: Severability. Should any paragraph, clause or phrase of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, the remainder of said Ordinance shall not be effective, thereby, and shall remain in full force and effect.

Article 6. Repealer. All ordinances or resolutions conflicting with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

ORDAINED AND ENACTED THIS 4th DAY OF APRIL, 2011.

BOROUGH COUNCIL OF NORTH APOLLO


BY:


ROXANNE CROSBY,
Council President

ATTESTING:


EDWARD L. STITT, JR.,
Borough Secretary

Examined and approved by me this
4th day of April, 2011.


EDWARD ARTMAN, Mayor

IN THE COURT OF COMMON PLEAS OF ARMSTRONG COUNTY, PA
CIVIL DIVISION – LAW

IN RE: BOROUGH OF NORTH APOLLO }
COUNTY OF ARMSTRONG AND }
COMMONWEALTH OF }
PENNSYLVANIA }

NO. 307 of 2011

CERTIFICATION

I, **EDWARD STITT**, Secretary of the Borough of North Apollo, Armstrong County, Pennsylvania, do hereby certify that the attached Ordinance is a certified copy of the actual ordinance signed on April 4, 2011.

IN WITNESS WHEREOF, I have set my hand and seal and the seal of the Borough of North Apollo, Armstrong County, Pennsylvania.

Date: 4/4/11


EDWARD STITT,
BOROUGH SECRETARY

TOWNSHIP SEAL