

AN ORDINANCE COMPELLING THE OWNER OR OWNERS OF PROPERTY ABUTTING THE WATER SYSTEM OF THE MUNICIPAL AUTHORITY OF BUFFALO TOWNSHIP, BUTLER COUNTY, PENNSYLVANIA, TO MAKE CONNECTION THERETO, AND PROVIDING FOR THE ASSESSMENT OF COSTS FOR CONSTRUCTION OF CONNECTIONS, RENTS, ENTRY OF LIENS AND PROVIDING PENALTIES FOR FAILURE TO COMPLY WITH THIS ORDINANCE.

BE IT ORDAINED AND ENACTED by the Board of Supervisors of Buffalo Township, Butler County, Pennsylvania, and it is hereby ordained and enacted by the said Board as follows:

SECTION I. DEFINITIONS:

✓ A. Abutting Property: Shall mean any property adjoining or contiguous to the water supply system. In the event the water supply system is placed in a public right of way, any property abutting or contiguous to the right of way through which the water supply system is laid shall be considered an abutting property.

✓ (1) Exception.- Industries and farms maintaining their own supply of water for a use other than for human consumption shall not be considered an abutting property for that use and to such extent shall be exempt from the provisions of this Ordinance.

B. Authority: Shall mean the Municipal Authority of Buffalo Township, Butler County, Pennsylvania.

C. Water Supply System: Shall mean any line laid and intended for distribution of water in the Township by the Authority and to which any user can be connected.

D. Owner of Property: Shall include each and every person, estate or trust, corporation, partnership or other entity holding legal title to real estate abutting the water supply system of the Authority. In this regard, the singular shall include the plural.

SECTION II CONNECTIONS

A. Any owner of property abutting the water supply system of the Authority is hereby compelled to make connection to the system in accordance with the provisions of this Ordinance.

B. The connection to the system shall be made under the supervision of the Authority or its representatives and in accordance with the Rules and Regulations of the Authority established for such purpose.

### SECTION III COMPLIANCE:

A. Whenever and wherever a water supply system has been established in the Township by the Authority and water is available, each owner of abutting property shall be compelled to connect to the water system under this Ordinance. Each such property owner shall be notified by the Supervisors of Buffalo Township to make such connection. The notice to be in writing and to be either personally served or sent by registered mail to the property owner at his last-known resident address.

B. If the property owner neglects or refuses to connect with the water system for a period of ninety (90) days after notice to do so has been served upon him, the supervisors or their agents may enter upon such property and construct such connections.

C. In such case, the supervisors shall forthwith, upon completion, send an itemized bill of the cost of construction of such connection to the owner of the property to which the connection has been made.

D. The property owner shall be required to pay the bill upon demand or to make arrangements with the Supervisors <sup>to pay</sup> the costs of construction of the connection in equal monthly installment, interest at the rate of seven per cent (7%) per annum.

### SECTION IV ASSESSMENTS AND COSTS:

A. Presently Existing Uses: Each owner of property benefited or accommodated by the water supply system and who has an existing facility requiring the use of water and who is compelled under the Ordinance to connect to the system, shall pay a connection fee in an amount to be determined by the Authority and approved by the supervisors.

B. Future Uses: Each abutting property benefited or accommodated by the water supply system which presently does not have a facility requiring the use of water, shall be required to connect and use the water supply system at

the time the property is put to any use requiring water and shall then pay a connection fee in an amount to be determined by the Authority and approved by the supervisors.

C. Non Abutting Properties. In all instances where non abutting properties use the water supply system, an equitable connection fee shall be charged consistent with the connection fees paid by abutting property owners as set forth in this Ordinance and the Rules and Regulations of the Authority.

D. Water Rental: Each user or customer of the Authority using water shall pay a regular monthly water rental based upon the amount of water used and a uniform schedule of rental rates established by the Authority.

#### SECTION V ENTRY OF LIENS.

A. The Supervisors shall have the right and power to file municipal liens in accordance with the laws of the Commonwealth of Pennsylvania providing for the collectin of such funds for any and all amounts owed under this Ordinance and/or the Rules and Regulations of the Municipal Authority of Buffalo Township.

#### SECTION VI UNCONSTITUTIONALITY:

The provisions of this Ordinance are severable, and if any section, clause, or sentence or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, or made unlawful by action of the General Assembly of the Commonwealth of Pennsylvania, such unconstitutionality, illegality, or invalidity, or unlawfulness, shall not effect or impair any of the remaining provisions, sentences, clauses, or section or parts of this Ordinance. It is hereby declared as the intent of the Supervisors of Buffalo Township, Butler County, Pennsylvania, that this Ordinance would have been adopted had such unconstitutional, illegal, invalid, or unlawful clause, sentence, section or part thereof not been included herein.

#### SECTION VII

Any Ordinance or part of any Ordinance conflicting with this Ordinance is hereby repealed insfar as the same effects this Ordinance.

ORDAINED AND ENACTED by the Board of Supervisors of Buffalo Township,  
Butler County, Pennsylvania, this 20th day of June, 1974.

BOARD OF SUPERVISORS OF BUFFALO TOWNSHIP  
BUTLER COUNTY, PENNSYLVANIA

BY Thomas M. Salko  
President

ATTEST:

[Signature]  
Secretary

