

CHAPTER 26

WATER

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Part 1

Public Water System

§101. Connection With Water System. Each and every property abutting WATER SYSTEM now and hereafter shall, upon written notice from TOWNSHIP that water service is available and that connection is ordered, connect said property with WATER SYSTEM, in accordance with the rules and regulations of AUTHORITY, no later than ninety (90) days after the date of such notice and shall thereafter use WATER SYSTEM. *[Ord. 01-101485, 10/14/1985, §1]*

§102. Violation and Penalties. Should the owner of any such abutting property who is required to connect to WATER SYSTEM neglect or fail to connect therewith within ninety (90) days after written notice from TOWNSHIP ordering connection, TOWNSHIP shall give said owner a second written notice, citing this Part. Upon neglect or failure of such owner to make the required connection within an additional period of ninety (90) days from the date of such notice of this Part, such neglect or failure shall be and is hereby declared a violation of this Part, and such owner shall, upon conviction before the District Justice pay a fine of OneHundred Dollars (\$100.00) for the first violation thereof, and a similar sum for each day the owner remains in violation after such conviction, together with costs of prosecution. Such sums shall be collected as prescribed in the Second Class Township Code. The sums herein forfeited shall be considered a penalty. *[Ord. 01-101485, 10/14/1985, §2]*

§103. Additional Remedies. Should any such abutting owner who is given notice pursuant to SECTIONS 101 and 102 of this Part neglect or fail to make connection with WATER SYSTEM within the ninety (90) days after written notice as provided in SECTIONS 101 and 102 of this Part; in addition to the remedy provided in SECTION 102 of this Part, or in substitution thereof, TOWNSHIP, or its designated agent, may enter upon the property and construct such connection and proceed to bill and collect costs of construction as authorized by law. *[Ord. 01-101485, 10/14/1985, §3]*

§104. Notice. Notices to property owners under this Part may be given either by personal service or by registered mail sent to the last known address on tax records of such owner. *[Ord. 01-101485, 10/14/1985, §4]*

§105. Installation of Water System and Connection with Community Sewage System. Whenever any person or entity proposes to install any sewer lines connecting to a community sewage system in the TOWNSHIP, such person or entity shall, if a WATER SYSTEM is currently available to said property or is intended to be made available to said property within the next five (5) years, further install or provide for the installation of a WATER SYSTEM to said property *[Ord. 01-101485, 10/14/1985, §5]*

§106. Validity. The provisions of this Part are severable and if any of its provisions shall be held to be illegal, such illegality shall not effect or impair any of the remaining provisions of this Part. It is hereby declared to be the legislative intent of the Board of Supervisors of the Township of Clay that this Part would have been adopted had any such illegal provision not be included herein. *[Ord. 01-101485, 10/14/1985, §6]*

Part 2

Wells

§201. Required Permit. This Township hereby designates and ordains that every landowner within the Township shall obtain a permit before drilling a well on his property. Wells shall only be drilled by well drillers registered with the Pennsylvania Bureau of Topographic and Geological Survey. The information required for a permit shall include the name and address of the property owner, the name and address of the well driller, the well drillers state registration identification number, and the date of anticipated drilling. The fee for such permit shall be Five Dollars (\$5.00).” [Ord. 02-051490, 05/14/1990, §1 as amended by Ord. 08-10-92, 08/10/1992, §1]

§202. Permit Term and Required Reporting. A permit to drill a well within the Township shall expire ninety (90) days after it is issued by the Township. In the event a well is not drilled within that period, the landowner shall be required to obtain another permit. Within sixty (60) days after a well is drilled, the well driller shall be required to register the well with the Township by supplying a copy of the “Water Well Completion Report” as required by the Pennsylvania Department of Environmental Resources, Bureau of Topographic and Geological Survey, Water Well Licensing/Water Well Inventory Section or any report subsequently required of well drillers by the DER.” [Ord. 02-051490, 05/14/1990, §2 as amended by Ord. 08-10-92, 08/10/1992, §2]

§203. Violation and Penalties. The landowner of the premises where permitting or registration of a well was required and the well driller shall be jointly and severally liable for a fine not exceeding Three Hundred Dollars (\$300.00) for any and every violation of the provisions of this Part, upon conviction following summary proceedings. All fines or penalties collection for the violation of this Part shall be paid over to the Township Treasury. [Ord. 02-051490, 05/14/1990, §3]

§204. Fees, Charges and Assessments. All fees, charges, and assessments referred to in this Part shall be amended, from time to time, by Resolution of the Clay Township Board of Supervisors.” [Added by Ord. 031494C, 03/14/1994, §1]

§205. Validity. The provisions of this Part are severable and if any of its provisions shall be held to be illegal, such illegality shall not affect or impair any of the remaining provisions of this Part. It is hereby declared to be the legislative intent that this Part would have been adopted had any such illegal provisions not been included herein. [Ord. 02-051490, 05/14/1990, §6 as amended by Ord. 031494C, 03/14/1994, §2]