

CODIFIED ORDINANCES OF WEST MAYFIELD

PART TEN - STREETS, UTILITIES AND PUBLIC SERVICES CODE

TITLE TWO - Street and Sidewalk Areas

Chap. 1020. Excavations.

Chap. 1024. Sidewalks and Curbs.

TITLE FOUR - Utilities

Chap. 1040. Sewers.

Chap. 1044. Water.

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TITLE TWO - Street and Sidewalk Areas

Chap. 1020. Excavations.

Chap. 1024. Sidewalks and Curbs.

CHAPTER 1020

Excavations

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CROSS REFERENCES

"Street" defined - see Borough Code §§111(6), 1701(1) (53 P.S. §§45111(6), 46701(1))

"Opening a street" defined - see Borough Code §1701(5) (53 P.S. §46701(5))

Street opening procedure - see Borough Code §§1731, 1733 (53 P.S. §§46731, 46733)

Plans submitted and approved prior to - see Borough Code §1735 (53 P.S. §46735)

Effect of unauthorized openings - see Borough Code §1737 (53 P.S. §46737)

Street Commissioner - see ADM. Ch. 244

1020.01 DEFINITIONS.

As used in this chapter, unless the context clearly indicates otherwise:

- (a) "Street" means any public street, avenue, road, square, alley, highway or other public way or place located in the Borough and established for the use of vehicles.
- (b) "Person" means any natural person, partnership, firm, association or corporation, except Borough authorities.
- (c) The singular includes the plural and the masculine includes the feminine and neuter. (Ord. 167. Passed 1-13-65.)

1020.02 PERMITTED LOCATION.

No person shall make any opening or excavation of any kind in any street except in and upon those portions thereof established for the use of vehicles.
(Ord. 167. Passed 1-13-65.)

1020.03 PERMIT REQUIRED.

No person shall make any opening or excavation of any kind in any street without first obtaining a permit therefor, as hereinafter provided.
(Ord. 167. Passed 1-13-65.)

1020.04 PERMIT APPLICATION.

Any person who desires to make any opening or excavation of any kind in any street shall make application to the Borough Secretary-Treasurer in writing upon blanks furnished by the Borough. Such application shall include:

- (a) The name of the applicant;
- (b) The exact location of the proposed opening or excavation;
- (c) The approximate size or depth thereof; and
- (d) An agreement on the part of the applicant that the work will be done in full compliance with ordinances of the Borough and laws of the Commonwealth relative thereto and that the applicant shall well and truly say, defend and keep harmless the Borough from and indemnify it against any and all actions, suits, demands, payments, costs and charges for or by reason of the proposed opening or excavation and all damage to any person or property resulting in any manner therefrom, occurring in the prosecution of the work connected therewith or from any other matter, cause or thing relating thereto.
(Ord. 167. Passed 1-13-65.)

1020.05 PERMIT FEES; DEPOSIT OR BOND.

(a) Before any permit is issued to open or excavate any street in the Borough, the applicant shall pay to the Borough Secretary-Treasurer a permit fee of ten dollars (\$10.00) to cover the cost of inspection and other incidental services in connection therewith. In addition, the applicant shall deposit with the Secretary-Treasurer, at the time of making the application, a cash deposit of one hundred dollars (\$100.00) to be retained by the Secretary-Treasurer until all the conditions of such permit have been fully complied with.
(Adopting Ordinance)

(b) When an application has been made to open or excavate any longitudinal opening or excavation in excess of ten feet, before any permit is issued to so open or excavate, the applicant shall pay, in addition to the permit fee, a fee of twenty dollars (\$20.00) for each 100 feet or fraction thereof to be opened or excavated upon such street.

(c) In lieu of the cash deposit hereinabove provided for, an applicant may deposit with the Borough Secretary-Treasurer a bond in the amount hereafter fixed, with surety by an approved surety or trust company. The amount of such bond shall be at least one thousand dollars (\$1,000) for a single opening and at least three thousand dollars (\$3,000) for an indefinite number of openings. However, in either case, the principal of such bond shall, if insufficient, be increased to at least equal the total estimated amount of the deposit required by subsection (b) hereof. Such bond shall be conditioned upon the principal's indemnifying the Borough for any expense for repairing and resurfacing such opening due to his failure to refill and resurface the same in accordance with the provisions of this chapter, and upon the principal's faithful compliance with all of the conditions of the permit granted and the provisions of this chapter. The liability on such bond shall extend for a period of six months after the resurfacing of such opening.

(d) The Borough Secretary-Treasurer shall provide a suitable book for the purpose of keeping a record of all permits issued by him and shall make monthly reports to Council of all permits issued and the amounts received therefor.
(Ord. 167. Passed 1-13-65.)

1020.06 RESTORATION.

Any person who opens or excavates any improved street in the Borough shall thoroughly and completely refill the opening or excavation, puddling and ramming so as to prevent any settling thereafter and shall restore the surface to the same condition as it was before such opening or excavation. Such restoration shall be in accordance with the specifications of the Department of Transportation of the Commonwealth, which are hereby adopted as specifications of the Borough for the restoration of surfaces of streets. After such restoration, the surface shall conform to the proper grade and be of the same surface covering as the part of the street immediately adjoining the opening. If, within two years after the restoration of the surface as herein provided, defects appear therein as a result of defective backfilling by the permittee, he shall reimburse the Borough for the cost of all necessary repairs to the permanent paving. (Ord. 167. Passed 1-13-65.)

1020.07 OPENINGS BY PERMITTEE OR BOROUGH.

All work in connection with openings in any street, including excavation, protection, refilling and temporary paving, shall be done by the permittee at his expense and shall be subject to the provisions of this chapter and to the approval of Council. However, Council may require that the cutting of the surface of improved streets and the backfilling of all excavations shall be done by the Borough, in which case the permittee shall pay the Borough the actual cost of the work plus twenty percent.
(Ord. 167. Passed 1-13-65.)

1020.08 STIPULATIONS FOR PROPER COMPLETION OF WORK.

(a) No opening or excavation in any street shall extend from the curblin into the street a distance greater than one foot beyond the centerline of such street before such opening or excavation is refilled and before the surface is restored to a condition safe and convenient for travel.

(b) No opening more than 500 feet in length shall be opened in any street at any one time.

(c) The work of excavation shall be conducted so as not to interfere with any water main, sewer or their connections with houses, or with any other subsurface line or construction, until permission by the proper authorities in connection with such subsurface line or construction has been obtained.

(d) No tunneling shall be allowed without the express approval of Council and permission thereof endorsed upon the permit. The backfilling of a tunnel excavation shall be made only in the presence of Council and shall be done only in a method approved by it.

(e) All openings and excavations shall be backfilled on or before the time fixed in the permit and, in any case, within fifteen days from the date of the permit, unless an extension of time is granted by the Borough Secretary-Treasurer. Such backfilling shall be done with suitable materials and shall be thoroughly compacted in layers, each of which shall not exceed six inches in depth. On improved streets, the backfilling shall be placed to within ten inches of the surface.

(f) On improved streets, a temporary paving of suitable stony materials, thoroughly bound and compacted, shall be installed flush with the surface of the adjoining paving.

(g) During the making of any excavation in any street, every necessary and reasonable precaution shall be taken by the applicant and the parties making the same to keep the street in a safe and passable condition both day and night by the placement of guards, barriers, lanterns and other warning devices. No excavating permit shall be granted except under and subject to the express condition that the person to whom the same is issued shall indemnify, save and keep harmless the Borough from any loss in damages or otherwise which may or shall be occasioned at any time by such excavation or by any leak, explosion or other injury from any pipe, apparatus, conduit or other matter placed therein.

(h) The applicant shall notify the Borough Secretary-Treasurer when the opening or excavation is ready for backfilling and when the work is completed by proper backfilling, in the case of unimproved streets, and by temporary paving, in the case of improved streets. When such opening or excavation has been restored to the satisfaction of Council and upon certification of that fact by Council to the Borough Secretary-Treasurer, the cash deposit provided for in Section 1020.05 shall be returned to the permittee.

(i) In the event that any work performed by or for a permittee is, in the opinion of Council, unsatisfactory and the same is not corrected in accordance with its instructions within the allotted time, or in the event that the work for which the permit was granted is not completed within the time fixed by the Borough Secretary-Treasurer, Council may proceed to correct such unsatisfactory work or complete any such work not completed and charge the cost thereof, plus twenty percent, to the permittee. (Ord. 167. Passed 1-13-65.)

1020.09 BACKFILL REQUIREMENTS ON PERMANENT STREETS.

Where excavations are made on streets having a crushed aggregate base of six inches or more in thickness and having a bituminous surface of any nature, backfilling shall be conducted in the same fashion as otherwise specified in this chapter with the following exception: The final eight inches of ditch or trench, below the bituminous surface, shall consist of plain cement concrete extending a minimum of one foot on either side beyond the trench or ditch line. (Ord. 167. Passed 1-13-65.)

1020.10 EMERGENCY EXCAVATIONS.

In the case of any leak, explosion or other accident in any subsurface pipe, line, construction or apparatus, it shall be lawful for the person owning or responsible for such pipe, line, construction or apparatus to commence an excavation to remedy such condition before obtaining a permit, provided that application for a permit is made immediately and not later than the next business day thereafter and that all other provisions of this chapter are fully complied with. If any such emergency condition is not immediately attended to by the owner or person responsible for such pipe, line, construction or apparatus, Council, after such notice as it deems necessary under the circumstances of the particular case, shall proceed to do the work required by such emergency and charge the same on the basis of cost plus twenty percent to such owner or other person. (Ord. 167. Passed 1-13-65.)

1020.11 PROCEDURE FOR OPENING NEW PAVEMENT.

The Borough Secretary-Treasurer shall give timely notice to all persons owning property abutting on any street about to be paved or improved and to all public utility companies operating in the Borough. Such persons and public utility companies shall make all water, gas or sewer connections as well as any repairs thereto, which would necessitate excavation of such street, within thirty days from the giving of such notice, unless such time is extended by the Borough Secretary-Treasurer in writing for cause shown. New paving shall not be opened for a period of five years after the completion thereof, except in case of emergency, the existence of which emergency and the necessity for the opening of such paving to be determined by Council. If any person seeks to excavate or open a street within five years after the completion of the paving thereof for any reason other than an emergency as above stated, such person shall make written application to Council for a permit therefor. A permit for such opening shall only be issued after express approval thereof by Council. (Ord. 167. Passed 1-13-65.)

1020.12 REQUIREMENTS FOR NEW WATER AND GAS MAINS.

No new water or gas main shall be laid or constructed and no existing water or gas main shall be extended in any of the streets of the Borough until the exact location thereof and the plan therefor have been first approved by Council.
(Ord. 167. Passed 1-13-65.)

1020.13 PAYMENT OF COSTS; DELINQUENCY AND COLLECTION.

Payment for all work done by the Borough under the provisions of this chapter shall be made by the person liable therefor under such provisions within thirty days after a bill therefor is sent to such person by the Borough Secretary-Treasurer. Upon failure to pay charges within such time, the same shall be collectible by the Borough in the manner provided by law for the collection of municipal claims.
(Ord. 167. Passed 1-13-65.)

1020.14 OPENINGS IN STATE HIGHWAYS.

(a) No person shall disturb or remove the improved surface of any street which is a portion of a State highway, for the purpose of replacing, repairing or altering any gas pipe, water pipe, electric conduit or other pipe or any other obstruction upon or in any portion of the State highway without first obtaining a permit therefor from the Department of Transportation of the Commonwealth.

(b) License fees for the issuance of such permits shall be paid to the Department in accordance with the standard schedule of fees therefor.

(c) Such improved pavement surface shall be repaired and replaced at the expense of the Department. (Ord. 49. Passed 1-6-31.)

1020.99 PENALTY.

Whoever violates or fails to comply with any of the provisions of this chapter shall be fined not more than three hundred dollars (\$300.00) or imprisoned not more than thirty days, or both, for each offense. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

CHAPTER 1024 Sidewalks and Curbs

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| <p>1024.01 Permit required.</p> <p>1024.02 Permit application; fee; conditions.</p> <p>1024.03 Time limitation.</p> <p>1024.04 Grade and line.</p> <p>1024.05 Storage of materials.</p> <p>1024.06 Warning lights and barriers.</p> <p>1024.07 Sidewalk grades and curblines.</p> <p>1024.08 Cross-drains.</p> | <p>1024.09 Sidewalk construction requirements.</p> <p>1024.10 Curb and gutter construction requirements.</p> <p>1024.11 Expansion joint material.</p> <p>1024.12 Utility equipment; shade trees.</p> <p>1024.13 Space between property line and roadway side of curb.</p> <p>1024.14 Noncompliance; equitable remedy.</p> <p>1024.99 Penalty.</p> |
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CROSS REFERENCES

- Power to regulate sidewalks, curbs, gutters, grades - see Borough Code §1202(17) (53 P.S. §46202(17))
- Power to lay out, ordain and compel construction of sidewalks - see Borough Code §1801 (53 P.S. §46801)
- Sidewalk, curb and gutter construction - see Borough Code §§1801, 1805 (53 P.S. §§46801, 46805)
- Emergency repairs - see Borough Code §1806 (53 P.S. §46806)
- Improvements and assessments - see Borough Code §§2101 et seq. (53 P.S. §§47101 et seq.)
- Barricades and warning lights - see GEN. OFF. 630.03
- Sidewalk obstructions; damage or injury - see GEN. OFF. 630.04

1024.01 PERMIT REQUIRED.

(a) No person, whether as owner or contractor, shall lay or repair or begin the laying or repairing of any curb, sidewalk or gutter either in or back from any street, without first obtaining a permit therefor as provided in Section 1024.04.

(b) As used in this section "repair" means the tearing up of a portion of the old curb, gutter or sidewalk and relaying the same with new material.
(Ord. 22. Passed 9-14-26; Ord. 102. Passed 4-19-45.)

1024.02 PERMIT APPLICATION; FEE; CONDITIONS.

(a) Any person desiring to lay or repair a sidewalk, gutter or curb shall first make an application for the permit required by Section 1024.01 to the Borough Secretary-Treasurer, in writing, in a book to be provided for such purpose, and signed by such person, or by his duly authorized agent or contractor. Such application shall contain all the information

needed to enable the Secretary-Treasurer to ascertain the exact location, extent and character of the work. The Secretary-Treasurer shall investigate such application and, unless the work would be in violation of law or ordinance, shall issue a permit. If, in the opinion of the Secretary-Treasurer, such work would be in violation of law or ordinance, he shall at once refer such application to Council, which shall pass upon such application, subject to all conditions herein specified.

(b) The fee for a curbing, guttering and sidewalk permit shall be ten dollars (\$10.00) and shall be paid when the application is made therefor. A separate permit shall be required for a curb, gutter and sidewalk unless laid simultaneously.
(Adopting Ordinance)

(c) Every permit issued under the provisions of this chapter shall be conditioned on faithful compliance with all of the provisions of this chapter. Any failure to so comply with such provisions shall result in the forfeiture of such permit.
(Ord. 22. Passed 9-14-26; Ord. 102. Passed 4-19-45.)

1024.03 TIME LIMITATION.

Permits shall be granted for a definite period, which shall be as short as the circumstances of the case will permit, but in no case longer than sixty consecutive days. If, at the end of the period, any further use of the street is required, another permit must be obtained in the same manner and under the same conditions as in the case of an original permit. (Ord. 22. Passed 9-14-26; Ord. 102. Passed 4-19-45.)

1024.04 GRADE AND LINE.

(a) No person shall proceed with the laying or repairing of any curb, gutter or sidewalk without first obtaining from the Mayor or the Borough Engineer the proper grade and line therefor which shall be promptly given by the Mayor or the Engineer without charge.

(b) No person shall change or remove any stake, stone, mark or other designation by which any grade or line so given is indicated.
(Ord. 22. Passed 9-14-26; Ord. 102. Passed 4-19-45.)

1024.05 STORAGE OF MATERIALS.

No person shall store any material used in the construction of curbs, gutters and sidewalks on any street without first obtaining a curbing, guttering and sidewalk permit therefor. If such permit has been obtained, construction materials may be stored immediately in front of the premises in question and, if the owners thereof give their consent, in front of one adjoining property on each side thereof. Such construction materials shall, in no case, extend into the street in such a manner as to prevent the passage of one-way traffic. No construction materials or temporary structure shall be placed on any street until such placement becomes necessary, nor shall the same or any rubbish be permitted to remain on any street longer than is necessary. The Mayor is hereby authorized to ensure strict compliance with this section and to cause to be

removed, at the cost of the owner or contractor, all such unnecessary obstructions after forty-eight hours notice. After the use of a street under any permit issued as provided in Section 1024.02, such street shall be restored to its original condition.

(Ord. 22. Passed 9-14-26; Ord. 102. Passed 4-19-45.)

1024.06 WARNING LIGHTS AND BARRIERS.

When any portion of a street is used under a sidewalk, gutter or curb permit, a sufficient number of red or amber lanterns, conspicuously placed, shall be used from dark until sunrise of the following day to make such street perfectly safe. All excavations shall be protected by sufficient guardrails or fences.

(Ord. 22. Passed 9-14-26; Ord. 102. Passed 4-19-45.)

1024.07 SIDEWALK GRADES AND CURBLINES.

The slope of sidewalks from the curb to the property line shall be at the rate of one-quarter inch to the foot, except at street corners, where a mitre of both street grades shall be made. Such slope shall not be changed for driveways. The curbline at the intersection of a street with another street shall be a curve having a radius of eight feet. The curbline at an intersection of a street with an alley shall be a curbline with a radius of six feet. (Ord. 22. Passed 9-14-26; Ord. 102. Passed 4-19-45.)

1024.08 CROSS-DRAINS.

Cross-drains running from a house to an integral curb and gutter shall be placed under sidewalks and connected to an opening in the integral curb and gutter as hereinafter provided. (Ord. 22. Passed 9-14-26; Ord. 102. Passed 4-19-45.)

1024.09 SIDEWALK CONSTRUCTION REQUIREMENTS.

Sidewalks shall be constructed of concrete to a depth of four inches, except at driveways, where the depth shall be six inches and shall be placed in one course. The material shall consist of a mixture of one part cement, two parts concrete, sharp sand and four parts clean stone or gravel. The concrete shall be placed on a moist subgrade to prevent rapid drying during the curing period. The surface of all sidewalks shall be roughened either by scoring, rolling, brushing or other rough finish, but in no case shall a smooth trowel surface be laid. The sidewalk shall be placed on a well-compacted grade which is free from rocks of a diameter greater than two inches and shall be constructed in blocks. Block markings shall be in squares, each side of which shall be equal to the width of the walk. To make the block markings, steel plates shall be inserted into the depth of the walk and removed before the initial section of concrete and the finishing of the markings. No sidewalk shall be less than four feet in width. A space of at least eighteen inches in width shall remain unpaid between the curb and the sidewalk except at driveway crossings and street corners. A space of two feet in width between the back of the sidewalk and the property line may remain unpaved on all streets over forty feet in width, and on all streets of forty feet or less in width. The back of the sidewalk shall adjoin the property lines.

(Ord. 22. Passed 9-14-26; Ord. 102. Passed 4-19-45.)

1024.10 CURB AND GUTTER CONSTRUCTION REQUIREMENTS.

All curbs and gutters shall be integral and shall consist of a curb six inches in width and twelve inches in depth, and a gutter eighteen inches in width, six inches below the top of the curb, six inches in depth at the face of the curb and eight inches in depth at the outer edge, with a downward slope of two inches towards the curb. Openings in the integral curb and gutter for cross-drains running from a house to a curb and gutter shall be made of a tube of four inches inside diameter, and may be secured from the proper Borough authorities. The face of all curbs at driveway approaches shall be two inches in height and slope upward one inch to the width thereof. The finish of an integral curb and gutter shall be as provided in Section 1024.09 for a sidewalk. The mix of concrete to be used in an integral curb and gutter shall be one part cement, two parts of clean sharp sand, and three parts of clean stone or gravel, and shall be placed on moist cinders or broken stone rolled or tamped to a thickness of six inches.
(Ord. 22. Passed 9-14-26.)

1024.11 EXPANSION JOINT MATERIAL.

Expansion joint material of three-eighths of an inch in thickness and of a grade of material to be approved by the Borough Engineer shall be inserted in sidewalk markings, and in integral curb and gutter markings, at distances not to exceed twenty feet. If an adjoining sidewalk or an adjoining integral curb and gutter has been previously constructed, such distance of twenty feet shall be measured from the last insertion of expansion joint material in an adjoining sidewalk or an adjoining integral curb and gutter, as the case may be. If no expansion joint material has been used in the construction of an adjoining sidewalk or an adjoining integral curb and gutter within twenty feet of the sidewalk or integral curb and gutter under construction, expansion joint material shall be inserted in the dividing line between the sidewalk or integral curb and gutter already constructed and the sidewalk or integral curb and gutter under construction by the person making the last construction. At any place where a rigid structure abuts a sidewalk, such expansion joint material shall be inserted between such structure and the sidewalk. Such expansion joint material shall conform in size to the cross-section of the sidewalk or integral curb and gutter, as the case may be. (Ord. 22. Passed 9-14-26; Ord. 102. Passed 4-19-45.)

1024.12 UTILITY EQUIPMENT; SHADE TREES.

All poles, gas and water valve boxes and shade trees shall be placed in the eighteen-inch unpaved space between the curb and the sidewalk.
(Ord. 22. Passed 9-14-26; Ord. 102. Passed 4-19-45.)

1024.13 SPACE BETWEEN PROPERTY LINE AND ROADWAY SIDE OF CURB.

On streets less than fifty feet in width, the space between the property line and the roadway side of the curb shall be seven feet; on streets fifty feet and less than sixty feet in width, such space shall be eight feet; and on streets sixty feet and more in width, such space shall be ten feet. (Ord. 22. Passed 9-14-26; Ord. 102. Passed 4-19-45.)

1024.14 NONCOMPLIANCE; EQUITABLE REMEDY.

Any sidewalk, curb, gutter or other construction not laid or constructed in conformity with the provisions of this chapter is hereby declared to be a nuisance and shall be taken up and relaid or reconstructed according to the provisions of this chapter within five days after notice has been given by the Mayor to do so. In the event that any owner of a lot refuses or neglects to comply with any of the provisions of this chapter, the Mayor is hereby authorized, directed and required to cause such improvements to be made and collect the costs thereof according to the applicable State statutes. The remedies provided for herein shall be in addition to the penalty provided in Section 1024.99. (Ord. 22. Passed 9-14-26; Ord. 102. Passed 4-19-45.)

1024.99 PENALTY.

Whoever violates any of the provisions of this chapter shall be fined not more than three hundred dollars (\$300.00) or imprisoned not more than thirty days, or both, for each offense. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

TITLE FOUR - Utilities

Chap. 1040. Sewers.

Chap. 1044. Water.

CHAPTER 1040

Sewers

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| 1040.01 Connection required; exceptions. | 1040.04 Permit application. |
| 1040.02 Notice; failure to connect;
equitable remedy. | 1040.05 Materials and standards. |
| 1040.03 Permit required; fees. | 1040.99 Penalty. |

CROSS REFERENCES

Lot plans to be approved before construction - see Borough Code §1155 (53 P.S. §46155)

Obstruction of sewers - see Borough Code §1202(17) (53 P.S. §46202(17))

Nondebt revenue bonds for capital improvements - see Borough Code §1315 (53 P.S. §46315)

Condemnation of property for sewers - see Borough Code §1501 (53 P.S. §46501)

Conformity with Subdivision Regulations - see Borough Code §§1605, 1609 (53 P.S. §§46605, 46609)

Sanitary sewers - see Borough Code §§2001 et seq. (53 P.S. §§47001 et seq.)

Sewer assessments - see Borough Code §§2101 et seq. (53 P.S. §§47101 et seq.)

Storm sewers and watercourses - see Borough Code §§2201 et seq. (53 P.S. §§47201 et seq.)

Excavations - see S.U. & P.S. Ch. 1020

1040.01 CONNECTION REQUIRED; EXCEPTIONS.

No owner of property abutting on or adjoining any street or alley in which a sewer is installed shall fail to make connection with such sewer for the purpose of such drainage as is customary in a system of sanitary sewers. This drainage shall not include the discharge of oils, grease, tar, gasoline or any other liquid that is not of the usual household nature, nor shall it include storm water or drainage due to rain or snow. An individual connection shall be required for each separate building in the Borough, except where and when specific authority is given by Council to do otherwise. (Ord. 96. Passed 6-7-43.)

1040.02 NOTICE; FAILURE TO CONNECT; EQUITABLE REMEDY.

The owner shall be given forty-five days notice of the sewer connection required by Section 1040.01. Upon his failure to make such connection, the Borough may make the same and collect the cost thereof from the owner by a Municipal claim or by an action in assumpsit. (Ord. 96. Passed 6-7-43.)

1040.03 PERMIT REQUIRED; FEES.

Any person desiring to make such tap or connection with the sanitary sewerage system shall file an application for a permit therefor with the Borough at least twenty-four hours prior to the time set for such tapping and shall pay the following fees:

- (a) For each single dwelling or each family unit or less, twenty-five dollars (\$25.00);
 - (b) For double dwelling units or multiple dwelling units, twenty-five dollars (\$25.00) per family unit or fraction thereof;
 - (c) For store rooms, banks, places of amusements, lodge rooms, schools, churches, clubhouses, barber shops, passenger or freight stations, storehouses, factories and all buildings used for business, commercial or public purposes, twenty-five dollars (\$25.00) for the first 1,000 square feet of floor space or fraction thereof; twelve dollars and fifty cents (\$12.50) for the second 1,000 square feet of floor space or fraction thereof; and two dollars and fifty cents (\$2.50) for each additional 1,000 square feet of floor space or fraction thereof;
 - (d) For buildings containing offices, twenty-five dollars (\$25.00) for the first office, and five dollars (\$5.00) for each additional office, in addition to the charge for floor space for that part of the building used for purposes other than offices.
- (Ord. 96. Passed 6-7-43.)

1040.04 PERMIT APPLICATION.

Application for a permit shall be made on the form prescribed by the Borough setting forth the fees required and the provisions of this chapter regulating the tapping of sanitary sewers. (Ord. 96. Passed 6-7-43.)

1040.05 MATERIALS AND STANDARDS.

Connections to the sanitary sewerage system shall be made only under the following conditions and restrictions:

- (a) The pipe shall be first quality vitrified salt glazed clay, free from defects, and shall be not less than six inches in diameter.
- (b) Oakum or jute gaskets and cement mortar composed of one part of Portland cement concrete and two parts of clean sharp sand or other approved methods of sealing shall be used in all joints or connections, both inside and out and the joint must be swabbed out on the inside so as to not leave any obstruction to the flow of sewage through the sewer pipe.
- (c) Bends or curved pipe shall be used at the main sewer connections wherever possible and in all cases where a change of line is necessary.
- (d) The pipe shall be laid to a uniform grade of not less than one-half inch to each two-foot joint of pipe.
- (e) All excavations shall be open cut from the surface and the ditch properly braced for safety.
- (f) The pipe shall be laid for the entire distance from the main sewer to the curb and shall not be covered until it has been inspected by a duly appointed Borough employee.
- (g) Not more than one house shall be connected with any one house connection without the approval of Council and the issuance of a separate permit and the payment of the fees required for each house.

- (h) All lateral sewers shall be laid with the top of the pipe not less than four feet six inches below the grade of the street at the curb line, if a grade has been established, provided that the sanitary sewer is laid at sufficient depth to allow the above depth for the lateral sewer.
- (i) If rock is found at the elevation of the proposed lateral sewer, the rock shall be removed for a depth of two inches to three inches below grade and an earth cushion placed under the pipe. All backfill material at the sides of the pipe and for six inches over the pipe shall be earth or other fine material which will not damage the pipe. No rock, brickbat or other hard material shall be placed within six inches of the sides of or over the pipe.
(Ord. 96. Passed 6-7-43.)

1040.99 PENALTY.

Whoever violates or fails to comply with any of the provisions of this chapter shall be fined not more than three hundred dollars (\$300.00) or imprisoned not more than thirty days, or both, for each offense. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

CHAPTER 1044
Water

EDITOR'S NOTE: Water is supplied to the Borough by the City of Beaver Falls Municipal Authority.

There are no sections in Chapter 1044. This chapter has been established to provide a place for cross references and any future legislation.

CROSS REFERENCES

Authority to regulate - see Borough Code §1202(39) (53 P.S. §46202(39))

General powers to supply water - see Borough Code §§2401 et seq.
(53 P.S. §§47401 et seq.)

Appropriation of waters by eminent domain - see Borough Code §§2411 et seq. (53 P.S. §§47411 et seq.)

Acquisition of waterworks or system after appraisement - see Borough Code §§2421 et seq. (53 P.S. §§47421 et seq.)

Power to lease waterworks - see Borough Code §§2431 et seq. (53 P.S. §§47431 et seq.)

Joint waterworks - see Borough Code §§2436 et seq. (53 P.S. §§47436 et seq.)

Condemnation of lands for road purposes and to prevent contamination - see Borough Code §§2441 et seq. (53 P.S. §§47441 et seq.)

Commission of Waterworks - see Borough Code §§2451 et seq. (53 P.S. §§47451 et seq.)

Water connections - see Borough Code §§2461 et seq. (53 P.S. §§47461 et seq.)