

**CHAPTER 26**  
**WATER SERVICE, MUNICIPAL**

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[HISTORY: Adopted by the Sewickley Township Board of Supervisors at a public meeting held September 16, 2015 as Ordinance No. 3 of 2015. Further amendments where noted.]

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**§101. Purpose.**

This Ordinance is adopted to establish procedures for requests to be filed and reviewed by the Township of Sewickley regarding the extension or provision of municipal water service to properties situate within the Township; to mandate the provision of a tap to newly installed municipal water facilities; to authorize the utilization of the services of the Municipal Authority of Westmoreland County (hereinafter "Authority") to construct and operate the municipal water system; to mandate connections to the municipal water system; and to establish penalties for the violations of any provisions hereof.

**§102. Petition and Review.**

- A. Any person or persons requesting the installation of municipal water facilities to any property or properties within the Township of Sewickley shall first submit a petition to the Sewickley Township Board of Supervisors, on a form as may be prescribed by said Board, setting forth the following information as to all properties abutting along all roadways in the area proposed for waterline installation:
  - 1. The names of all owners;
  - 2. The precise mailing address of all owners;
  - 3. The deed book reference establishing ownership;

4. The Tax Map parcel number assigned to each tract; and
  5. The assessed value of each parcel.
- B. Upon receipt of such petition, the Board of Supervisors shall have the same reviewed and certified by the Township Engineer to determine whether the persons signing said petition constitute 51% of the total assessed value of all properties in the area to be serviced by the new municipal waterline.
  - C. Once any petition for waterline installation has been reviewed and certified as constituting the required signatures as set forth above, the Board of Supervisors shall obtain a written cost estimate from the Authority as to the estimated installation expenses for said waterline. All potentially affected property owners shall then be given notice of the estimated cost and afforded a final opportunity to add their names to or remove their names from the waterline petition.
  - D. Upon the completion of the foregoing review process, if the Board of Supervisors of Sewickley Township determines that a valid waterline petition remains, then the Township shall constitute a water district in accordance with the provisions of Section 2611 of the Second Class Township Code, 53 P.S. § 67611.

**§103. Contract for Services.**

The Board of Supervisors of Sewickley Township is hereby authorized to contract with the Authority for services relating to the design, construction, installation, operation, and maintenance of all new municipal water facilities within the Township.

**§104. Assessment of Costs.**

The Board of Supervisors, at its sole discretion, shall determine by resolution the manner by which the costs of construction and installation of said waterline shall be collected from those properties benefiting thereby. Said assessments shall be determined:

- A. Pursuant to the provisions of Section 2612 of the Second Class Township Code, 53 P.S. Section 67612, as the same may be amended from time to time; or
- B. Pursuant to a specific assignment of the rights and claims of Sewickley Township to the Authority for the purpose of allocating and collecting costs of construction as said Authority may be empowered to assess under the Municipalities Authorities Act of 2002, as the same may be amended from time to time.

**§105. Mandatory Connections to Municipal Water Systems.**

- A. All structures or dwelling units situate within 150 feet of an existing or newly installed municipal waterline are required to provide for a connection to said waterline. Any vacant or undeveloped parcel of record abutting upon a newly installed waterline shall provide for a minimum of one connection to said waterline for the benefit of such parcel. The Township of Sewickley or the Authority may or shall issue a tap-in notice to the owners of properties abutting upon such newly constructed waterlines. Said tap-

- in notice shall provide a date which shall not be less than 60 days from the date of said notice by which time payment for the connection shall be made. The owners of each premises shall connect to the available waterline at their own cost.
- B. Water rental charges shall commence on the date a connection is made to the municipal water system and utilization of that system commences by the property owner or the date fixed under Subsection A for connection to the waterline whichever first occurs.
  - C. The Tap-In Notice shall be presumed to have reached the owner of the property if same is mailed by United States Mail, postage prepaid, to the owner's last address or on the address shown on the tax records of the Westmoreland County Tax Assessment Office and is not returned. In the event that said notice is returned because of insufficient address, the Tap-In Notice shall be posted on the property in a conspicuous place by a competent adult. The Affidavit of Posting shall be sufficient proof of actual posting of the Tap-In Notice. At least sixty (60) days before the date provided in the notice by which connection shall be made, the Tap-In Notice shall be served (i) personally upon the owner in the manner provided under the Rules of Civil Procedure for service of process in equity proceedings; (ii) mailed as set forth above; or (iii) posted as set forth herein. The Tap-In Notice may be issued and reissued as necessary to accomplish the notice as required herein.
  - D. No person shall connect to a municipal water system without first having obtained a written permit from the Authority setting forth conditions under which such connection shall be made and authorizing the construction of the connection. Application to the Authority shall be made upon a permit form to be prepared and supplied by said Authority.
  - E. A separate permit shall be required for each physical connection to the municipal water system.
  - F. Any person commencing work on the construction of a connection to the municipal water system without first having obtained a permit from the Authority authorizing said connection shall be in violation of the terms hereof.
  - G. As and to the extent determined by the Authority from time to time, the Authority shall inspect the waterline connection from the building or structure being served to the waterline where connection is made.
  - H. If any owner shall neglect or refuse to comply with the provisions of this chapter or the written notice set forth herein, the Township and/or the Authority, if legally authorized to do so, may perform or cause to be performed such work and labor, and furnish or cause to be furnished such material as may be necessary to comply with the provisions hereof at the cost and expense of such owner or owners, together with 10% additional thereof and all charges and expenses incidental thereto, which sum shall be collected from said owner or owners for the use of the Township and/or the Authority, as debts are by law collectible, or the Township and/or the Authority may file an appropriate

municipal claim or lien therefore against said premises as provided by law. Interest on the total of any unpaid charges assessed hereunder shall be charged at the rate of 10% per annum.

- I. The maintenance of the connecting waterline shall be the sole responsibility of the property owner.
- J. The mandatory connection provisions of this subsection are subject to those exemptions or exceptions for industries and farms utilizing their own supply of water for uses other than human consumption as the same are set forth in Section 2603(c) of the Second Class Township Code, 53 P.S. Section 67603(c).

**§106. Administration and Enforcement.**

The provisions hereof may be enforced by the Township of Sewickley or by the Authority as the agency designated by the Sewickley Board of Supervisors for additional administration and enforcement of the provisions hereof.

**§107. Violations and Penalties.**

All persons violating any of the provisions of this chapter shall be subject to a fine or penalty of not less than \$100 nor more than \$500 or such other amount as shall be stipulated therein for each offense, to be collected as fines or penalties, are recoverable by law; and whenever such person shall have been notified by the Township and/or the Authority or by service of a summons in prosecution, or in any other way, that a violation exists of this chapter, each day that the violation shall continue shall constitute a separate offense punishable by a like fine or penalty.