MJB:tl 6-14-79

TOWNSHIP OF OHIO

ORDINANCE NO. 107

AN ORDINANCE OF THE TOWNSHIP OF OHIO, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 95, ENACTED THE 9TH DAY OF SEPTEMBER 1974 BY PROVIDING FOR AN INCREASE IN THE INITIAL SERVICE CHARGE FROM $400.00 TO $900.00 PER USER; RESTRICTING SAID INCREASE TO SEWER DISTRICT NO. 3 IN SAID TOWNSHIP; AUTHORIZING THE BOARD OF SUPERVISORS TO PAY TO McCANDLESS TOWNSHIP SANITARY AUTHORITY A SUM NOT TO EXCEED $500.00 FOR EACH SEWER CONNECTION IN SAID SEWER DISTRICT, AND FURTHER PROVIDING FOR NO LIMITATIONS ON AMENDMENT OR REPEAL, AND NO WAIVER OF RIGHTS UNDER THE AGREEMENT OF MARCH 6, 1979.

WHEREAS, the Supervisors of the Township of Ohio have been advised by the McCandless Township Sanitary Authority that under an Order of the Department of Environmental Resources of the Commonwealth of Pennsylvania (DER), no further sewer connections can be made in the area known as the Lowries Run Drainage Area which includes the Township's Bear Run Interceptor Sewer which connects to the Authority's Interceptor Line commonly known as the "Ross Sewer"; and

WHEREAS, the Township has been advised by said Authority that the reason for the moratorium is that said Ross Sewer is not properly functioning due to infiltration of ground and storm water and other conditions which DER requires be corrected; and

WHEREAS, the DER has agreed with said Authority to lift said moratorium to the extent of 300 sewer connections in the Lowries Run Drainage Area contingent upon the Authority implementing a funding system satisfactory to the DER to finance the repairs and corrections necessary to be made to the Ross Sewer; and

WHEREAS, the said Authority requires that the municipalities whose sewers connect to the Ross Sewer to authorize the collection and payment to the Authority of a $500.00 sewer connection fee for each connection in the drainage area; and,

WHEREAS, upon the adoption of appropriate legislation establishing the authority of the Township to collect and make said payments, said Authority will allocate to said Township 41 out of the 300 connections to be allowed by the DER to said Ross Sewer as set forth in the proposed Allocation prepared by the Authority as incorporated herein and attached hereto and marked Exhibit "A".

NOW, THEREFORE, be it enacted by the authority of the Board of Supervisors of the Township of Ohio, and it is hereby enacted by authority of the same that:

1. Paragraph 42, entitled "Initial Service Charge" as set forth in Ordinance No. 95, enacted the ninth day of September, 1974, is hereby amended to read as follows:

> 42. Initial Service Charge.
>
> An initial service charge of $400.00 per user shall be paid in advance at the time the application for sewer service is made, except that the charge per user is $900.00 in Sewer District No. 3, the Bear Run Drainage Area. This charge shall pay for the inspection of the service line and the tap-in to the sewer collector line. For developers who install their connections the same initial service charge shall apply.

2. The Board of Supervisors is hereby authorized to pay to the McCandless Township Sanitary Authority a sum not to exceed the amount of $500.00, for each sewer connection made in Sewer District No. 3.

3. Nothing contained herein shall be construed to limit the right of the Board of Supervisors of the Township to alter or amend the provisions of this Ordinance at any time for any reason, or to repeal it in its entirety.

4. The Board of Supervisors does hereby reserve to the Township all of the rights and benefits given to it under the provisions of the Agreement of March 6, 1969, entered into between the Ross Township Authority, the Township of Ross, the McCandless Township Sanitary Authority, the Township of McCandless, and the Township of Ohio, wherein are set forth the rights, duties and obligations of the parties with respect to the use of the Ross Sewer by the Township of Ohio, and nothing contained herein shall be construed as a waiver of any of said rights and benefits.

ORDAINED AND ENACTED INTO LAW this 9th day of July, 1979.

ATTEST: TOWNSHIP OF OHIO

Joseph J. Stout
Secretary

By
Chairman

Proposed allocation of 300 taps permitted by the Department of Environmental Resources in the Lowries Run sewer, owned jointly by Ross Township and the McCandless Township Sanitary Authority, April 20, 1979 to April 19, 1980

Cost of Sewer by Bond Issue issued by Ross Township Authority
$535,000.00

	Contribution of various municipalities of the cost thereof.	Percentage of costs paid by municipalities.	Number of taps proposed for each municipality based on pro rata portion paid by each municipality.
Ross Township	190,250	35.56	106
McCandless Township Sanitary Auth.	190,250	35.56	106
Franklin Park Borough	78,000	14.59	45
Ohio Township	72,900	13.63	41
West View Auth.	3,600	.66	2
TOTALS	535,000	100.00	300

4/25/79

EXHIBIT "A"