

TOWNSHIP OF SOUTH FAYETTE
ALLEGHENY COUNTY, PENNSYLVANIA

ORDINANCE NO. 312

AN ORDINANCE OF THE TOWNSHIP OF SOUTH FAYETTE PROHIBITING THE COVERING OF SANITARY SEWER LINE MANHOLES AND MANHOLE COVERS OR OTHERWISE MAKING SAME INACCESSIBLE TO THE TOWNSHIP OF SOUTH FAYETTE AND THE MUNICIPAL AUTHORITY OF THE TOWNSHIP OF SOUTH FAYETTE OR OTHERS WHO ARE LEGALLY ENTITLED TO USE AND MAINTAIN THE SAME.

WHEREAS, the Board of Commissioners of the Township of South Fayette Township deems it an exercise of the police power of the Township of South Fayette for the health, safety and general welfare of the residents of the Township of South Fayette, residing near sanitary sewer lines, to prohibit the covering of the sanitary sewer line, manholes or manhole covers or otherwise rendering the same inaccessible for use and maintenance by those legally authorized to use the same, and

WHEREAS, the Township of South Fayette and the Municipal Authority of the Township of South Fayette have expended considerable sums of money in the past to uncover, raise and repair sanitary sewer manholes which have been covered, obscured or damaged.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Commissioners of South Fayette Township, Allegheny County, Pennsylvania as follows:

SECTION 1. It shall be unlawful for any person, firm, corporation, partnership, association or charitable organization to cover, to any extent whatsoever, any sanitary sewer manhole or manhole cover of the Municipal Authority of the Township of South Fayette, or otherwise render the same inaccessible in any manner to the Municipal Authority of the Township of South Fayette, or the Township of South Fayette, or any of their agents, servants or employees or to any other persons legally authorized to use the same, or to lift, remove or otherwise tamper with a manhole or manhole cover.

SECTION 2. Any person, firm, corporation, partnership, association or charitable organization that violates any provision of this Ordinance shall upon summary conviction thereof before a Justice of the Peace, Magistrate or other Court be subject to a fine of not more than \$100.00 for any one offense

recoverable with costs and/or imprisonment in the County Jail not exceeding ten (10) days. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 3. In addition to the penalties involved in Section 2 hereof, should the Township of South Fayette or the Municipal Authority of the Township of South Fayette be required to expend money for the uncovering or replacement or repair of any such manhole or manhole cover as covered or tampered with and as set forth in Section 1 hereof, then the said Township of South Fayette or the Municipal Authority of the Township of South Fayette shall render a bill to the offender or offenders for the amount spent and if the same is not paid within thirty (30) days suit may be entered in a Court of competent jurisdiction for the recovery thereof or the real estate of the offender, if situate within the Township of South Fayette, may be liened for the collection thereof as any other Municipal claim.

SECTION 4. Any ordinance or part of ordinance conflicting with the provisions of this Ordinance be and the same are hereby repealed so far as the same affects this Ordinance.

ORDAINED AND ENACTED into an Ordinance this 13th day of

August, 1979.

ATTEST:

Michael L. Harris
Secretary

TOWNSHIP OF SOUTH FAYETTE

By Samuel J. Bennett
President
Board of Commissioners