

INTRODUCED 4-11-2019

BY Robert Carson

ENACTED May 9, 2019

CONNELLSVILLE TOWNSHIP  
FAYETTE COUNTY, PENNSYLVANIA

Ordinance No. 2019-6

**TOWNSHIP OF CONNELLSVILLE FIRE HYDRANT ORDINANCE**

**AN ORDINANCE OF THE TOWNSHIP OF CONNELLSVILLE TO REESTABLISH A FIRE HYDRANT ASSESSMENT AND AUTHORIZE THE SETTING OF RATES AND THE TOWNSHIP'S PREPARATION OF BILLING STATEMENTS FOR THE SAME; SETTING COLLECTION PROCEDURES FOR THE SAME; AUTHORIZING INCIDENTAL ACTION AND THE REPEAL OF PRIOR INCONSISTENT RESOLUTIONS**

**WHEREAS**, the Township of Connellsville, Fayette County, Pennsylvania (the "Township") previously enacted legislation and/or resolutions for the establishment of assessments for fire hydrants' and

**WHEREAS**, the Township's authority to enact this Ordinance is authorized by "The Second-Class Township Code," Act of May 1, 1933, P.A. 103; Act of July 10, 1947, P.S. 1481, as amended by Act 60 of 1995 (53 P.S. Section 2001, et seq.); and

**WHEREAS**, the Township has determined that current costs for the same, as incurred by the Township, should be paid by residents so benefitting from the fire hydrants in accordance with this Ordinance.

**NOW THEREFORE**, it is ordained by the Board of the Supervisors of Connellsville Township, Fayette County, as follows:

**SECTION I. DECLARATION OF OFFICIAL INTENT TO ASSESS PROPERTY OWNERS FOR FIRE HYDRANT SERVICES.**

The Township hereby declares its intention and reasonable expectation to seek reimbursement via assessment from the owners of any properties receiving the benefit of fire hydrant services ("Benefitted Properties"). Benefitted Properties are those within the boundaries of the Township where a fire hydrant presently exists or is installed within 1,000 feet of the property. The list of Benefitted Properties will be determined by the Board of Supervisors in their sole discretion.

**SECTION II. RATES SET BY ASSESSMENT FORMULA; LATE FEES AND INTEREST.**

The amount of the assessment imposed hereby shall be based upon a uniform annual assessment upon each property benefitted which has been determined as an equitable means of assessment by the Township Supervisors. The formula for the imposed assessment shall be as follows: the total amount charged by the local water company plus an administration and collection fee divide by the number of Benefitted Properties. All assessments will be due by June 30 in the respective calendar year of assessment. A 10% late fee will be added to the assessment for payments received after that date. Every person subject to the assessment imposed who fails to make payment of the whole amount thereof and any applicable late fee by the end of the calendar year, shall be subject to interest thereafter on the unpaid amount at a rate of 1.5% per month, or fraction of part of a month, computed upon the amount of the assessment due until the date of payment thereof. After January 15 of the following calendar year, unpaid prior year assessments and any additional fees due thereon will be turned over to the District Magistrate for enforcement in accordance with Section 5 or submitted to the solicitor for filing a municipal lien.

**SECTION III. BILLING.**

The Board of Supervisors hereby authorizes the Township Tax Collector to prepare billing statements for the assessment and collect the same from all Benefitted Properties. The Township Secretary will provide the Township Tax Collector with a list of the Benefitted Properties by February 15 of each calendar year so billing statements can be prepared and mailed with the calendar year municipal tax billings.

**SECTION IV. ASSESSMENT DETERMINATION.**

Upon enactment of this Ordinance, the Board of Supervisors will direct the Township Secretary to prepare a summary of the Benefitted Properties within the Township thereafter provided that such updated summaries are completed in accordance with the timing proscribed in Section III herein. The Board of Supervisors may authorize updated summaries of the same on an annual basis which updated summaries shall be approved by official vote of the Board.

**SECTION V. VIOLATIONS AND PENALTIES.**

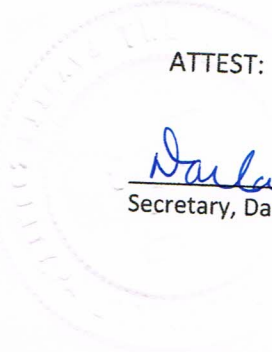
Any person who violates or permits a violation of this article shall, upon conviction in a summary proceeding brought before a District Justice under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of not more than \$1,000, plus costs of prosecution and restitution. In default of payment thereof, the defendant may be sentenced to imprisonment for a term not exceeding 90 days. Each day or portion thereof that such violation continues or is permitted to continue shall constitute a separate offense, and each section of this article that is violated shall also constitute a separate offense.

**SECTION VI. EFFECTIVE DATE: REPEAL.**

This Ordinance shall take effect and be in force from and after its approval as required by law. All prior ordinances and/or resolutions or portions thereof inconsistent herewith are hereby repealed.

ORDAINED AND ENACTED by the Board of Commissioners of the Township of Connellsville at a duly assembled public meeting held the 9th day of May, 2019.

ATTEST:

  
Darla Hann  
Secretary, Darla Hann

BOARD OF SUPERVISORS, CONNELLSVILLE  
TOWNSHIP, FAYETTE COUNTY, PENNSYLVANIA

Todd Miner  
Todd Miner, Chairman

Donald Hann  
Donald Hann, Vice Chairman

Robert W. Carson  
Robert Carson, Supervisor

I hereby certify that the foregoing Ordinance was advertised in the Daily Courier on, a newspaper of general circulation in the Municipality and was duly enacted and approved as set forth at a regular meeting of the Connellsville Township Board of Supervisors held on April 8, 2019.

Darla Hann  
Secretary, Darla Hann