

ORDINANCE NO. 39

AN ORDINANCE OF THE TOWNSHIP OF NEW SEWICKLEY, BEAVER COUNTY, PENNSYLVANIA, REGULATING THE DRAINAGE OF PROPERTY INTO OR ONTO THE PUBLIC RIGHTS-OF-WAY; DECLARING IT TO BE UNLAWFUL TO OBSTRUCT DRAINAGE DITCHES ALONG THE PUBLIC THOROUGHFARE OR TO DISCHARGE CONCENTRATED AMOUNTS OF WATER ONTO THE RIGHT-OF-WAY RESULTING IN DAMAGE OR EROSION TO THE PUBLIC ROADS; MAKING IT UNLAWFUL TO DISCHARGE SEPTIC TANK DRAINAGE, PUTRID MATTER, OFFENSIVE OR UNWHOLESOME MATTER OR HUMAN EXCRETION INTO THE PUBLIC RIGHT-OF-WAY, STREAMS OR WATER COURSES; AND PROVIDING A FINE AND PENALTY FOR VIOLATION THEREOF.

WHEREAS, the Board of Township Supervisors of New Sewickley Township deems it to be in the best interest of the citizens of said Township to regulate drainage ditches along, in, under and about the public highways; and

WHEREAS, the discharge of septic tank drainage or other human excretions onto the public right-of-way, watercourses, and streams, etc., is prejudicial to and inconsistent with the promotion of health, cleanliness, comfort and safety of the citizens of said Township.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Township Supervisors of New Sewickley Township, Beaver County, Pennsylvania and it is hereby Ordained and Enacted as follows, to wit;

SECTION 1. After the effective date of this Ordinance it shall be unlawful for any person or persons, company, firm, corporation or association or the officers thereof to cause or permit septic tank drainage, human excretion, putrid matter, or other offensive or unwholesome matter to drain or otherwise run onto or into the public rights-of-way in New Sewickley Township, or upon any shores or margin of any stream or body of water, or into any sewer inlet or outlet, or upon the cartway drainage ditch or sidewalk of any public highway within the confines of New Sewickley Township.

SECTION 2. After the effective date of this Ordinance it shall be unlawful for any person or persons, company, firm, corporation or association or the officers thereof to discharge into the public drainage ditches any heavy concentration of surface water which may be reasonably expected to do harm to the roadway or to divert surface water from any natural water course so as to damage, interfere, obstruct or otherwise burden the drainage ditches along the public roadways in New Sewickley Township.

SECTION 3. No person or persons, company, firm, corporation or association or the officers thereof shall construct, alter, or maintain any toilet facilities or drainage thereof, including the drainage of unusual quantities or surface water into or upon either the public roadway or public drainage ditches in violation of the provisions of this Ordinance. In the event any person or persons, company, firm, corporation or association or the officers thereof shall violate the provisions hereof and upon their failure to correct the same after receiving written notice from the Board of Supervisors in addition to penalties hereinafter provided may institute appropriate actions or proceedings at law or in equity to prevent or restrain such unlawful construction, maintenance or use.

SECTION 4. Nothing herein contained shall be construed as limiting the authority of the Board of Township Supervisors from entering upon lands or enclosures for the purpose of cutting, opening, maintaining or repairing such drains or ditches through the same as, in their judgment, are necessary to carry the water from the public roads as provided in the 2nd Class Township Code, Act of May 1, 1933 P.L. 103, Article XI, Section 1152, as amended by the Act of July 10, 1947 P.L. 1481, Section 17.

SECTION 5. Any person or persons, company, firm, corporation or association or the officers thereof who shall violate any of the provisions of this Ordinance shall, upon conviction thereof, in a summary proceedings before a Justice of the Peace or Magistrate, be sentenced to pay a fine of \$25.00 and costs of prosecution, and, in default of payment of such fine and costs, to imprisonment for not more than ten (10) days. Provided, however, each day said violation continues shall constitute a separate offense.

SECTION 6. This Ordinance is enacted and adopted pursuant to the provisions contained in the 2nd Class Township Code empowering the Board of Township Supervisors to protect the public thoroughfares and make the same safe and convenient for the use of the traveling public and for the purpose of eliminating health hazards and nuisances which, in their judgment, are detrimental to the health, safety and welfare of the citizens of New Sewickley Township.

ORDAINED and ENACTED by the Board of Township Supervisors of New Sewickley this 21st day of August, 1969.

Lloyd D. Brenner

