

ORDINANCE NO. 538

AN ORDINANCE CREATING CHAPTER 250 OF THE CODE OF THE BOROUGH OF DANVILLE ENTITLED WATER AND ESTABLISHING A METHOD IN WHICH TO ENFORCE THE WATER RULES AND REGULATIONS ADOPTED BY THE DANVILLE MUNICIPAL AUTHORITY THRU THE SERVICES OF THE DANVILLE BOROUGH MANAGEMENT AND ITS EMPLOYEES

WHEREAS, the Borough of Danville has a management agreement with the Danville Municipal Authority by which to operate and carry out the functions of the Danville Municipal Authority and the Water Treatment Plant; and

WHEREAS, the Borough of Danville employees hold the power to enforce the Water Rules and Regulation

WHEREAS, the Danville Municipal Authority's Rules and Regulations as revised on July 18, 2016 *disallows*

1. Any Customer or Person not authorized by the Authority to operate any curb stop, valve, or hydrant in any Authority line or main, and
2. The Authority's curb box/lid to be covered over (by sod, stone, pavement, concrete, etc.) or otherwise tampered with;
3. Any Customer or Person not authorized by the Authority to remove and/or tamper with any meter, meter seal or meter seal wire;

WHEREAS, Chapter 250, Section 250-1 thru 250-5 is hereby created in its entirety with the following:

ARTICLE 1

Section 250-1 - Water Rules and Regulations

Section 250-2 - Violations and penalties

Section 250-3 - Enforcement

Section 250-4 - Severability

Section 250-5 - Effective Date

ARTICLE 2

Section 250-1 – Water Rules and Regulations

The Danville Municipal Authority's Rules and Regulations as revised on July 18, 2016 disallows

1. Any Customer or Person not authorized by the Authority to operate any curb stop, valve, or hydrant in any Authority line or main, and

2. The Authority's curb box/lid to be covered over (by sod, stone, pavement, concrete, etc.) or otherwise tampered with;
3. Any Customer or Person not authorized by the Authority to remove and/or tamper with any meter, meter seal or meter seal wire;

Section 250-2 Violations and penalties

Any person who shall violate any provisions of this chapter shall, upon conviction thereof, for each and every offense be punishable by an issuance of a non-traffic citation of not less than one hundred dollars (\$100) or not more than three hundred dollars (\$300) and costs of such proceedings, or upon default of payment of such fines and costs, by imprisonment in the county jail for a term of not more than thirty (30) days.

Section 250-3 Enforcement

It shall be the duty of the Danville Borough Employees to enforce the terms of this chapter and secure compliance with the requirement thereof.

ARTICLE 3

Section 250-4 Severability

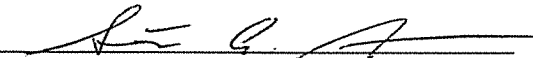
The provisions of this ordinance are severable, and if any section, clause, sentence, part or provision thereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not effect, impair or invalidate any of the remaining sections, clauses, sentences, parts or provisions of the Ordinance. The provisions of any prior Ordinance which are inconsistent with the provision of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 250-5 Effective Date

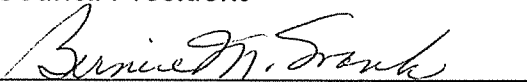
This ordinance shall take effect immediately upon adoption.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL of the BOROUGH of DANVILLE.


Adopted this 6th day of December, 2016.



Council President



Mayor



Borough Manager