

FORD CITY BOROUGH ORDINANCE NO. 139

AN ORDINANCE

REGULATING THE LAYING OF GAS, WATER AND SEWER PIPES IN THE STREETS, AVENUES, HIGHWAYS, LANES AND ALLEYS OF THE BOROUGH OF FORD CITY; PROVIDING FOR THE TIME THAT THE SAME SHALL BE LAID, OF THE GRANTING OF PERMITS THEREFOR, AND FOR THE GUARDING OF TRENCHES AND EXCAVATIONS.

Be it ordained and enacted by the Borough of Ford City, and it is hereby ordained and enacted by the authority of the same:

Section 1. Than no streets, avenues, highways, lanes or alleys, within the said borough, shall be opened and worked upon for the purpose of laying pipes to carry natural or manufactured gas, water or sewage between the 15th day of Novemeber and the 15th day of March, from and after the date of the passage of this ordinance; provided that this prohibition shall not apply to the laying of service lines from main to property lines.

Section 2. The center of all streets, highways, avenues, lanes and alleys not already occupied by water or gas mains are hereby reserved for sewers, and all water or gas mains hereafter laid shall be laid on either side of the street, avenue or highway under the direction of the street Committee, and not to exceed six feet from the curb lines of their respective sides.

Section 3. Whenever any person, firm or corporation shall desire to make any excavation upon any of the streets, avenues, or highways pf the said Borough of Ford City for the purpose of laying, repairing or taking up pipes used for the transmission of water, gas, sewage, or for any other purpose whatever, they shall first file with the Borough Clerk an application setting forth the nature of such proposed excavation and agree in said application to be governed by the provisions of this ordinance; and it shall be the duty of the Borough Clerk to refer such application to the Street Committee for approval, and in case the Street Committee shall authorize such excation to be made, then the said Borough Clerk shall issue a permit or certificate authorizing said excavation to be made, provided that in no case shall a permit be issued to excavate any street in said borough, unless the person, firm or corporation making application therefor shall deposit with the Borough Clerk, where said street which is to be excavated is an unimproved street, the sum of \$10.00 where the excavation shall not exceed fifty (50) feet in length or the sum of \$20.00 where said excavation shall not exceed one hundred

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(100) feet in length, and the sum of 25 cents for each additional foot in excess of 100 feet; and where said street which is to be excavated is an improved street, the sum of \$50.00 where said excavation shall not exceed 50 feet in length, and the sum of \$100.00 where said excavation shall not exceed 100 feet in length, and the sum of \$1.00 for each additional foot in excess of 100 feet, which said sum or sums, or as much thereof as shall be necessary, shall be applied by the borough for the restoration of said street, highway or alley to the same condition as it was in before said excavation, and the balance, if any, after said restoration has been made by the borough, shall be paid over to the person, firm or corporation taking out said permit: provided, however, if such sum should not be sufficient to complete said restoration the borough shall have the right to collect, and the person, firm or corporation taking out the permit shall pay such further sum as may be necessary to complete said restoration.

Section 4. Whenever any person, firm or corporation shall have received authority to excavate on any street, avenue or highway aforesaid for the said purposes, proper and lawful barricades shall be erected and maintained by them around all trenches dug and excavations made, to prevent accidents, and in addition red signal lights shall be placed at intervals of not more than 150 feet along the lines of such trenches or excavations, and said person, firm or corporation shall be liable for any, and all damages sustained by reason of such excavations, and shall as soon as fifty feet of any trench shall have been dug, at once lay the pipes and fill up excavations (all earth filled in to be thoroughly rammed and puddled under the supervision of the Borough Officer, and no earth dug from trenches to remain on the street longer than twenty-four hours,) and after said trenches have been filled in, the said person, firm or corporation shall notify the Borough Officer and the borough shall then complete the surfacing and restoration of said street, as provided for in Section 3 of this ordinance.

Provided that all trenches shall be dug and excavations made in such manner as not to prevent travel on the streets, avenues, highways, and sidewalks of said borough, and provided further that the laying of pipes and excavation of trenches shall be in conformity to the grades of the streets, avenues, highways, lanes and alleys as they now exist or may be established hereafter by the Borough of Ford City, or to any alterations which shall be made in the same and when pipes have been laid and the grades of said streets, avenues, highways or alleys shall sub-

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shall upon notice from the Street Committee, take up said pipes and relay them at their own expense. In case of failure to do so, the Street Committee shall take up said pipes and relay them at the expense of said person, firm or corporation.

Section 5. Any person violating any of the provisions of this ordinance shall be deemed guilty of an offence, and upon conviction shall be sentenced to pay a fine of not less than ten (\$10.00) dollars, nor more than one hundred (\$100.00) dollars, or undergo an imprisonment in the borough lock-up for a period not exceeding five (5) days, or in the county jail for a period not exceeding thirty (30) days.

Section 6. Section 4 of the ordinance relating to the issuing of permits for building purposes, and for digging up streets, etc., approved December 29, 1898, and Sections 2, 3, and 4 of Article II of the ordinance relating to the Water Works System, approved March 6, 1911, and the various supplements and amendments thereto, and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

ORDAINED AND ENACTED into law at a regular meeting of the Council of the Borough of Ford City, Armstrong County, Pennsylvania, held at Council Chambers, City Hall, Ford City, Pa., this 7th day of July, 1924.

Chas Stewart
President of Council

Attest:- A. B. Mohney
Secretary of Council

And now, to-wit, July 7th, 1924, the foregoing ordinance presented to me and the same is hereby approved.

Walter Campbell
Burgess Ford City Borough

I hereby certify that the foregoing ordinance was duly advertised and posted.

A. B. Mohney
Secretary of Council