

ORDINANCE NO. 106

AN ORDINANCE OF THE TOWNSHIP OF WINFIELD, BUTLER COUNTY, PENNSYLVANIA, PROVIDING FOR MINIMUM DIAMETER OF DRAINAGE PIPES ON OR ADJACENT TO TOWNSHIP ROADS, RESPONSIBILITY FOR REMOVAL OR REPLACEMENT OF UNLAWFUL DRAINAGE PIPES AND PROVIDING PENALTIES FOR VIOLATION OF THIS ORDINANCE AND PROVIDING FOR A PERMIT FOR INSTALLATION OF DRAINAGE PIPES AND PENALTIES FOR VIOLATIONS THEREOF.

BE IT ORDAINED by the Township of Winfield, County of Butler, PA, as follows:

SECTION I: Definitions and Interpretations. The word "person" as used in this ordinance shall mean and include any natural person, partnership, association, firm or corporation. The singular shall include the plural and the masculine shall include the feminine and the neuter.

SECTION II: Minimum Diameter for Drainage Pipes on or Adjacent to Township Roads. No person shall install at any point on or adjacent to any township road in the Township of Winfield any drainage pipe of less diameter than twelve (12) inches.

SECTION III: Responsibility for Removal and Replacement of Unlawful Drainage Pipes. Any person who shall hereafter install any drainage pipe contrary to the provisions of this ordinance, shall, upon ten (10) days' written notice thereof from the Board of Township Supervisors, remove such unlawful drainage pipes and replace the same with a drainage pipe of at least twelve (12) inches diameter, in default of which the Board of Township Supervisors, or their duly appointed agent, may cause the same to be removed and replaced and shall thereupon collect the cost of such removal and replacement from such person failing to conform to such notice.

SECTION IV: Certain Tanks Not to Be Used for Drainage Purposes, Material for Drainage and Culvert Pipes. No person, firm or corporation shall lay or construct or cause to lay or construct across any lane or driveway leading from a road or public highway in Winfield Township to private property any used hot water tanks or secondhand water tanks for drainage purposes or as culvert pipes, and wherever a culvert pipe or drainage pipe is used for said purpose, it shall in all cases be of corrugated iron or concrete of a size to properly carry off the heaviest volume of water occurring at that point at any time but not less than a minimum of twelve (12) inches in diameter properly laid so as not to turn any water upon any other private property or upon the highways or roads of the township.

SECTION V: Supervision Over Laying, Installation and Construction of Drainage Pipes; Inspection. The laying, installation and construction of drains or pipes for drainage purpose on, over or under private roads, driveways or ditches shall first be approved by the Board of Supervisors or their duly appointed agent after inspection and for that purpose before laying or constructing of same application for approval of the proposed construction must be made to the township secretary in writing upon blanks furnished by the township setting forth the name of the applicant, the exact location of the proposed installation and the approximate width or depth thereof.

SECTION VI: Permit Fees. Before any permit shall be issued to lay, install or construct drains or pipes for drainage purposes only over or adjoining any private roads or township roads, the applicant shall pay to the township secretary a permit fee of Ten (\$10.00) Dollars.

SECTION VII: Penalty for Violation of Provisions of This Ordinance. Any person, persons or corporation who or which shall violate any of the provisions of this ordinance shall upon conviction thereof be sentenced to pay a fine of not more than One Hundred (\$100.00) Dollars and cost of prosecution and in default of payment of such fines and costs, shall be committed to the Butler County Correctional Institution for a period of not more than five (5) days.

SECTION VIII: The provisions of this ordinance shall be severable and if any provision thereof shall be declared unconstitutional, illegal or invalid, such decision shall not affect the validity of any of the remaining provisions of this ordinance.

ORDAINED AND ENACTED by the Supervisors of Winfield Township, Butler County, Pennsylvania, this 25th day of March, 1982.

WINFIELD TOWNSHIP BOARD OF SUPERVISORS

Richard G. Anderson
Chairman

Joseph J. Schneider

Attest:

Margaret McClellan
Secretary