

ORDINANCE NO. 206

AN ORDINANCE OF THE BOROUGH OF CLYMER, PENNSYLVANIA, REQUIRING ALL LANDOWNERS TO CONSTRUCT AND MAINTAIN ADEQUATE DRAINAGE FACILITIES UNDER ACCESS ROADS FROM PROPERTY ABUTTING ON OR ADJOINING ANY STREET, ALLEY OR HIGHWAY WITHIN THE BOROUGH AND AUTHORIZING THE STREET COMMITTEE OF THE BOROUGH OF CLYMER TO ESTABLISH A SYSTEM OF SURFACE DRAINAGE AND TO PRESCRIBE THE NECESSARY DRAINAGE FACILITIES FOR THE PROTECTION OF PUBLIC HEALTH AND ESTABLISHING PENALTIES FOR ANY LANDOWNER WHO FAILS TO COMPLY WITH THE REQUIREMENTS OR PROVISIONS OF THIS ORDINANCE.

BE IT ENACTED AND ORDAINED, by the Borough of Clymer, County of Indiana and State of Pennsylvania, as follows:


SECTION 1. That the Borough of Clymer may establish a system for surface drainage and establish regulations for drainage facilities within the Borough limits under access roads and rights-of-ways to property abutting on or adjoining any street, alley or highway where necessary for the protection of public health. The costs of installation and maintenance shall be born by the landowner and where said landowner refuses to meet standards required by this ordinance the Borough shall and is authorized to install and construct appropriate facilities and charge the landowner which charge shall constitute a lien, until paid against the property affected, and the amount thereof may be recovered by due process of law.

SECTION 2. The Street committee of the Clymer Borough Council shall be authorized and empowered to establish a system for surface drainage and to determine reasonable and appropriate facilities for surface drainage under access road or rights-of-way to property abutting on or adjoining any street, alley, or highway within the Borough where necessary for the protection of public health.

SECTION 3. In addition to other remedies provided by law, and in order to promote public health, safety and general welfare of the Borough of Clymer, any person, partnership, business or corporation which fails to comply with any or all of the requirements or provisions of this Ordinance shall be guilty of an offense and upon conviction shall pay a fine to the Borough of Clymer not to exceed the sum of Five Hundred & 00/100 (\$500.00) dollars plus costs of prosecution.

SECTION 4. Any ordinance or part of ordinance conflicting with the provisions of the Ordinance are hereby repealed insofar as the provisions affect this Ordinance.

ORDAINED AND ENACTED at a regular meeting of the Clymer Borough Council held this 13th day of June 1978.

  
William Britsky  
President of Council

Bruce Phillips  
Secretary for Council

Approved this 13th day of June, 1978.

  
Norman Richardson  
Mayor