

ORDINANCE NO. 35

An Ordinance granting unto the Citizens Water Co., its successors and assigns the right to lay, maintain and operate water mains, lines and pipes in the streets, alleys and lanes of the Borough of Clymer, Indiana County, Pennsylvania, and providing for the supply of water to consumers.

Be it ordained and enacted by the Town Council of the Borough of Clymer, in the county of Indiana, and the State of Pennsylvania, and it is hereby ordained and enacted by the authority of the same.

Section 1. That the Citizens Water Co., its successors and assigns be authorized and empowered and are hereby authorized and empowered to lay, construct, operate and maintain water mains, lines and pipes in the street, alleys and lanes, in said Borough to the houses, residences works, manufacturing establishments and places of business within said Borough and adjacent thereto, for the purpose of supplying water to the residents in the Borough and adjacent thereto, subject to the conditions and regulations hereinafter imposed.

Section 2. That all mains, lines and pipes laid by the said Citizens Water Co., its successors and assigns, upon the streets, alleys and lanes within the Borough shall be put in and constructed under the supervision and direction of the Street Committee, and shall be located and placed at such depth as said Committee shall direct, and all streets, alleys and lanes on which mains, lines and pipes may be placed shall be put into as good condition by the said Citizens Water Co., its successors and assigns, as they were before the same was laid.

Section 3. The said Citizens Water Co., its successors and assigns, shall make any all necessary changes in its lines as may be required by change of streets, street grades, or otherwise, when directed so to do; and shall be governed by all ordinances of a general nature now in force or that may hereafter be enacted.

Section 4. That the said Citizens Water Co., its successors and assigns shall furnish a sufficient quantity of good water for domestic use to such residents within the Borough limits as may desire the same, on such streets as they have occupied with their mains, lines and pipes, at such a schedule of prices, or rates as said Company shall establish, provided that such rates shall be excessive or unreasonable.

Section 5. That the Borough shall have the right to purchase the lines, pipes, meters, reservoirs, springs, leases and property of whatever kind and description belonging unto the said Citizens Water Co., at its market value, at any time that the said Citizens Water Co., its successors and assigns shall fail to comply with the provisions of this ordinance, and on failure of the Borough to agree with said Citizens Water Co., its successors and assigns, on a price, then the said Borough shall select a referee, the said Citizens Water Co., its successors or assigns, a referee and the tow thus selected shall choose an umpire who shall appraise and value the property of the said Citizens Water Co., either party to have the right to appeal to the Court of Common Pleas, of Indiana County for the appraisement or valuation of said board of reference.

Section 6. That any and all ordinances conflicting with the provisions of this ordinance, be, and the same are hereby repealed.

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Ordained and enacted by the Town Council lawfully assembled in said Borough, this fourth day of October, 1909.

H. Ney Prothero,  
President of Council

Attest:- W. N. Templeton,  
Secretary

Approved this fourth day of October, 1909.

BURGESS

I do certify that an Ordinance entitled "An Ordinance granting unto the Citizens Water Company, its successors and assigns, the right to lay, maintain and operate water mains, lines and pipes in streets, alleys and lanes of the Borough of Clymer, Indiana County, Pennsylvania, and providing for a supply of water to consumers, was presented to the Burgess on the fourth day of October, 1909, and the same not having been returned by him to the Council of the Borough of Clymer at its next regular meeting, it has agreeably to the act of Assembly in such case made and provided, become a law in like manner as if he had signed it.

W. N. Templeton  
Secretary