

TOWNSHIP OF SOUTH BEAVER
ORDINANCE NO. 54

AN ORDINANCE OF THE TOWNSHIP OF SOUTH BEAVER, BEAVER COUNTY, PENNSYLVANIA, AUTHORIZING THE BOARD OF SUPERVISORS TO ANNUALLY ASSESS, OR CAUSE TO BE ASSESSED, AND COLLECTED, THE COST AND EXPENSE FOR THE PLACING, REPLACING, OPERATING, MAINTAINING AND REPAIRING OF FIRE HYDRANTS TO WATER MAINS WITHIN THE TOWNSHIP FOR THE PURPOSE OF FIRE PROTECTION IN ACCORDANCE WITH THE SECOND CLASS TOWNSHIP CODE ON THE BASIS OF ASSESSMENT VALUE FOR COUNTY TAX PURPOSES AS TO INVOLVED PROPERTIES, AND FURTHER REPEALING ORDINANCE NO. 7 OF THE TOWNSHIP.

BE IT ENACTED AND ORDAINED by the Supervisors of the Township of South Beaver, Beaver County, Pennsylvania, and it is hereby enacted under the authority of Section 1802, and related provisions, of the Second Class Township Code, the following:

Section 1. The Board of Supervisors may and shall annually assess as necessary by appropriate Resolution adopted each year, the annual cost and expense of the placing, replacing, operating, maintaining and repairing of fire hydrants to water mains within the Township upon all property within seven hundred eighty (780) feet of any fire hydrant, whether or not exempt from taxation by existing law but exclusive of properties excluded per paragraph (a) of this Section, a millage rate not in excess of two (2) mills upon the assessment value for county tax purposes as to the involved properties.

(a) When assessments are made per this Ordinance, no assessment shall be made against any farmland or an airport which is privately owned and which is not open nor intended to be open to the public, provided however, a vacant lot between built-up sections of the Township, whether such vacant lot is tilled or not tilled, is not to be recognized or treated as farmland for the purposes of this Ordinance.

(b) When assessments are made per this Ordinance, the millage rate shall be equally assessed against all properties not excludable as aforesaid within the said seven hundred eighty (780) feet of each hydrant. The initial cost of the Township incurred for original placement/erection of a new fire hydrant as public water lines are extended/expanded in areas through out the Township shall be only assessed against those said properties directly benefitted by such initial placement/erection of the fire hydrant; the annual cost and expense thereafter of replacing, operating, maintaining and repairing of such fire hydrant shall thereafter be equally assessed against all properties similarly situate to a fire hydrant.

(c) The Board of Supervisors may adopt guidelines from time to time to apply for the determining of the assessment value of properties or portions thereof to be assessed per the provisions of this Ordinance.

Section 2. All assessments per this Ordinance shall be collected, deposited and reported by the Tax Collector per the provisions of the Second Class Township Code, including but not limited to Section 3301. The assessment may be billed on the annual real estate tax billing of and for the Township, or otherwise, as may be authorized by the Board of Supervisors. Any assessment remaining unpaid for a period of ninety (90) days from date of billing shall be deemed delinquent and subject to collection pursuant to the Second Class Township Code any and all related laws, together with all costs of collection, including but not limited to reasonable attorney fees if any, incurred by the Township.

Section 3. All resolutions, ordinances or parts of ordinances heretofore enacted by the Township which are inconsistent herewith, and specifically Ordinance No. 7 of the Township, are and/or is hereby repealed.

Section 4. Should any section, clause, part or word of this Ordinance be declared by a Court of competent jurisdiction as invalid, illegal or unconstitutional, such decision of the Court shall not affect the validity or impair any of the remaining sections, clauses, parts or words of this Ordinance; the provisions of this Ordinance being thus severable and declared valid.

Section 5. This Ordinance, following publication and adoption as required by law, shall become effective as of December 31, 1996.

ENACTED AND ORDAINED this 12th day of November, 1996.

Attest:

TOWNSHIP OF SOUTH BEAVER

Carol Miller
Secretary

Robert S Long
Supervisor

Thomas J Martin
Supervisor

David Shamba
Supervisor