

AN ORDINANCE

NO.

AN ORDINANCE Of The Township Of Lower Merion To Provide For The Construction Of An Extension To The Township Sanitary Sewer System So As To Provide Sanitary Sewer Service For Certain Properties With Frontage On Mt. Moro Road In The Township Specifically As Follows: 726, 727, 731, 736, 738, 742, 746, 750, 753, 754, 758, 761, 764, 768, 769 and 775 Mt. Moro Road And 732 And 733 Mustin Lane; To Require The Properties Served And Having Buildings Within 200 Feet Thereof To Connect Thereto; And To Provide For An Assessment Against The Properties Benefited, Improved Or Accommodated By Such Sanitary Sewer Extension And Construction.

The Board of Commissioners of the Township of Lower Merion ordains as follows:

Section 1. The system of Township sanitary sewers, as established by Ordinance dated April 16, 1902, and thereafter extended, shall hereby be further extended by the construction of a branch sanitary sewer to service certain properties situated on both sides of Mt. Moro Road, Villanova, as follows: 726, 727, 731, 736, 738, 742, 746, 750, 753, 754, 758, 761, 764, 768, 769 and 775 Mt. Moro Road and 732 and 733 Mustin Lane. The sewer main, tees, and laterals shall be constructed to comply with Township Codes and constructed to allow each listed property to connect in accordance with Chapter 126 of the Code of the Township of Lower Merion, entitled Sewers.

Section 2. The extension of the Township's sanitary sewer system shall be in compliance with the Township's Official Sewer Facilities Plan, the updated revision of which is presently pending with respect to the Mt. Moro Road area, enacted pursuant to the Act of January 24, 1966, P.L. 1535, No. 537, known as the "Pennsylvania Sewage Facilities Act."

Section 3. Upon completion of said construction, the owners of the aforesaid properties having buildings within 200 feet of the sewer extension shall be required to obtain a connection permit, and to connect the respective building laterals to the branch sanitary sewer in accordance with Township regulations and specifications.

Section 4. Total project costs shall be assessed against the aforesaid properties benefited, improved, or accommodated by the branch sewer hereby ordained according to such manner as the Board shall hereinafter ordain. Municipal liens shall be filed against any of the aforesaid properties in which assessments are not paid within 60 days of notification. Nothing in this ordinance shall prevent the Township from entering into an agreement with a developer to provide for the cost of construction to be paid by the developer with reimbursement to be made as provided by law.

Section 5. Nothing in the Ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing prior to its adoption, nor shall any just or legal rights or remedy of any character be lost, impaired or affected by this Ordinance.

Section 6. The provisions of this Ordinance are severable, and if any section, clause, sentence, part or provision thereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

Section 7. The provisions of the Ordinance shall take effect and be in force from and after its approval as required by law.

Approved by the Board this day of , 2020.

BOARD OF COMMISSIONERS OF
TOWNSHIP OF LOWER MERION

By: _____
Daniel B. Bernheim, President

Attest:

Jody L. Kelley, Secretary