

ORDINANCE NUMBER 10
DONORA WATER COMPANY

AN ORDINANCE GRANTING TO THE Donora Water Company the right to supply water to the Borough of Donora and the residence thereof, and authorizing the making of a contract relating thereto.

SECTION 1. Be it ordained and enacted by the Burgess and Town Council of the Borough of Donora and it is hereby ordained and enacted by the authority of the same: That the Donora Water Company supplying water to the inhabitants of Donora, duly organized under the provisions of the Act of the General Assembly of the Commonwealth of Pennsylvania, entitled "An Act to provide for the incorporation and regulation of certain corporations," approved April 29th, 1874, and any supplements subsequently passed, or hereafter to be passed shall have the rights and privileges necessary to promote and complete water works and lay water mains and pipes upon, in and through the streets or alleys, and to erect fire hydrants along said mains, within the limits of said borough of Donora, and the right, at all times, to inspect and repair said mains, pipes, hydrants and the connections thereto doing the least possible damage to said streets, roads, lanes and alleys consistent with the execution of said work, and impairing and obstructing as little as possible the free use thereof; subject, however, to all the further provisions of this ordinance.

SECTION 2. If any of the streets, alleys, etc., of the said Borough shall have been ditched or excavated for the purpose aforesaid, they shall be immediately repaired, and in making said ditches or excavations, the stone if any removed therefrom shall be deposited in a separate place from the clay and shall be placed on top of the refilling, and the dirt or clay be so tamped or rammed into the trenches as to cause it all to go in, that said trenches may not afterwards sink, to the end that said streets, alleys, etc., may be in as good condition and repair after the operation as they were before the opening of said ditches or excavations.

SECTION 3. In no case shall the said Borough of Donora be held liable for any loss that may occur on account of any opening, repairing, or any loss, or injury, or damage done to or sustained hereafter by any persons, corporations or partnerships, by reason of the moving laying or using of any mains or pipes or of the digging or opening of trenches to lay the same, or from the bursting or breaking of any mains, or pipes, or through any other cause arising from the operation of said water works, or from the furnishing or conveying of said water. And in case the said Borough shall be compelled to pay any person or persons, corporations or part-

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nerships, for any loss, injury or damage sustained from any of the causes aforesaid, the same shall be fully paid and reimbursed to said Borough by the corporation aforesaid, with all costs and expenses connected therewith or arising therefrom, and the sum so paid shall be conclusive upon said corporation.

Section 4. The Donora Water Company as aforesaid shall furnish and supply a sufficient quantity, at all times of good and wholesome water to the inhabitants of the Borough of Donora for all public and private purposes at rates just and equitable. Provided, that nothing in this ordinance contained shall be a bar to the right of any citizen, partnership or corporation, who may consider himself or itself unreasonably charged for the use of said water, or who is dissatisfied with the quantity or quality of water furnished, from making complaint to the Court of Common Pleas of said County in accordance with the provisions of the Act of Assembly in such case made and provided. The Borough of Donora shall have the right, at its own expense, to put in flush sewer tanks and connect the same with the water mains of the Donora Water Company, and that the said Water Company shall provide a supply of water, for use through such tanks, in flushing the sewers; at the rate of twenty (20) cents per thousand gallons for all water so supplied and used through such flush tanks, the same to be measured by meters, to be put in by and at the expense of the said Water Company.

Section 5. The Donora Water Company aforesaid shall be and is hereby required to put, place and lay any and all water mains used for the purpose aforesaid at a depth of not less than three and one half ($3\frac{1}{2}$) feet below the grade of any street or alley used or occupied, and shall not interfere with the pipe or connections or any corporation already laid, unless the same shall be changed or modified by supplements to this ordinance; and the said mains and all pipes shall be laid and joined in a substantial, approved and skillful manner, by the best methods and devices known at the time of laying said mains and pipes, and shall occupy such parts or portion of said streets or alleys as hereinbefore provided and approved by said burgess and council.

Section 6. That the proper officers of the borough be, and they are hereby authorized to enter into an execute a contract with said Donora Water Company its successors and assigns, to furnish the borough a supply of water needed for fire protection, and other purposes, with such fire hydrants and other equipments necessary which they shall deem required to meet the needs of the borough, and to

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make said contract for such length of time and at such rates as they may deem equitable.

Section 7. All ordinances or parts of ordinances conflicting with this ordinance be and the same are hereby repealed in so far as they are in conflict with this ordinance.

Section 8. That all expenses incident to the enactment of this ordinance, including the publication shall be paid by Donora, Water Company.

ORDAINED AND ENACTED into a law this 14th day of June, A. D., 1901.

EDMOND JEFFRIES,

President of Council.

ATTEST:

C. E. MILLER,

Secretary of Council.

EXAMINED AND APPROVED by me this 15th day of June, A. D., 1901.

BERT W. CASTNER,

Burgess.

I HEREBY CERTIFY THAT
THIS IS A CORRECT COPY
OF ORDINANCE NO. 10
Y. W. Allen
BOROUGH CLERK