

TOWNSHIP OF WASHINGTON

Franklin County, Pennsylvania

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ORDINANCE NO. 40

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AN ORDINANCE

OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF WASHINGTON, FRANKLIN COUNTY, PENNSYLVANIA, ACCEPTING A PETITION OF THE OWNERS OF A MAJORITY OF THE LINEAL FEET FRONTAGE ALONG CERTAIN ROADS, HIGHWAYS, OR PORTION THEREOF WITHIN THE VICINITY OF ROUZERVILLE, WASHINGTON TOWNSHIP, FRANKLIN COUNTY, PENNSYLVANIA; ENTERING INTO AN AGREEMENT WITH THE ELECTRIC COMPANY TO LIGHT AND ILLUMINATE SAID ROADS, HIGHWAYS, AND OTHER PUBLIC PLACES; ASSESSING THE COSTS AND EXPENSES OF THE MAINTENANCE OF SAID LIGHTS IN THE MANNER AND METHOD PROVIDED FOR IN THE ACT OF GENERAL ASSEMBLY OF 1933, MAY 1 P.L. 103 ART. VII, §702, C/S I, II; ET SUPPLEMENTS AND AMENDMENTS;

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WHEREAS, the Supervisors of Washington Township, Franklin County, Pennsylvania, have received a petition of the owners purporting to be the majority of the lineal feet frontage along certain roads, highways, or portion thereof within or near the vicinity of Rouzerville, Washington Township, Franklin County, Pennsylvania; and

WHEREAS, said petition being in proper form and the Assessor of Washington Township, Franklin County, Pennsylvania, having certified that the owners of a majority of the lineal feet frontage along certain roads, highways, or portions thereof referred to in said petition have executed said Petition; and

WHEREAS, this Township desires to enter into a contract with the electric light company to light and illuminate said roads, highways and other public places; and

WHEREAS, this Township shall assess the cost and expenses of the maintenance of said lights in the manner and methods provided for in the Act of the General Assembly of 1933, May 1, P. L. 102 ART. VII, §702, C/S I, II, its supplements and amendments.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, and it is enacted and ordained by the Board of Supervisors of this Township as follows:

SECTION 1. This Township accepts the petition of the owners of a majority of the lineal feet frontage along the certain roads, highways, or portion thereof in that vicinity of Washington Township known as Rouzerville as follows:

Main Street (Route 16); Broad Street (Route 355); Cross Alley (Route 355); Mentzer Lane (Route 358); Edgemont Road (Route 367); Airport Road (Route 369); Little Africa (Route 369); Grandview Drive (Route 391); Crest Avenue (Route 397); East Avenue (Route 807); Ski Way (Route 808); North Avenue (Route 809); Airport Road (Route 28024); Old Forge Road (Route 28024); Pen Mar Road (Route 28026); Midvale Road (Route 28045); and Main Street (Route 28068).

SECTION 2. This Township shall enter into an agreement (The "Agreement") with THE POTOMAC EDISON COMPANY OF PENNSYLVANIA which shall be substantially in the form presented to this meeting, which form is approved; and a copy of the Agreement, in the form so presented to this meeting and so approved, shall be filed with the Secretary of this Township and shall be made available for inspection at such reasonable times as interested persons request such inspection. The Chairman and Secretary of the Board of Supervisors are authorized and directed to execute, to attest, to acknowledge and deliver the Agreement, in behalf of this Township.

SECTION 3. ASSESSMENT:

The manner and method of assessing the costs and expense of providing the lights and lighting along said roads shall be as follows:

A. The Supervisors of this Township shall annually assess, or cause to be assessed, the cost and expense of maintenance of said lights by an equal assessment on all property within Two hundred fifty (250) feet of such lighting in proportion to the number of feet the same fronts on said roads, streets, highways or public places or portions thereof to be lighted.

B. The Supervisors of this Township in their discretion may provide for an equitable reduction from the frontage of lots in intersections or where, from the peculiar or pointed shape of lots, an assessment of the full frontage would be inequitable.

C. No assessment shall be made against any farm land, but vacant lots between built up sections, whether tilled or untilled, shall not be deemed to be farmlands: provided, however, the assessment per front feet along vacant lots shall be only twenty-five (25%) per cent of the assessment per front feet against property with improvements thereon.

#### SECTION 4. COLLECTION:

A. All such assessment for street lighting shall be filed with the Tax Collector for this Township, who shall give Thirty (30) days written or printed notice that the assessments are due and payable, stating the due date to each party assessed, either by service on the owner of the property or by mailing such notice to the owner at his last known post office.

B. The Tax Collector shall be entitled to the same commission for collection of such assessments as he is entitled to by law for the collection of the Township Road tax. The commission of the Tax Collector and charges made by the Township Assessor, shall be included in the cost and expense of maintenance of said lights and apportioned among the property owners as hereinbefore provided.

C. Should any assessment remain unpaid at the expiration of Sixty (60) days from the due date specified by the Tax Collector, they shall be placed in the hands of the Township Solicitor for collection.

D. The Township Solicitor shall collect the same as provided by law, together with Five (5%) per cent as attorney's commission, together with interest from the due date of such assessment by municipal claim filed against the property of the delinquent owner in like manner as municipal claims are by law filed and collected.

E. All assessments, when collected, shall be paid over to the Township Treasurer, who receives and shall keep the same in a separate account, and pay out the same only upon orders signed by the Chairman of the Township Supervisors, and attested by the Secretary. The Tax Collector and Treasurer shall make a report to the Auditors of the Township annually.

#### SECTION 5.

In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of this Township that such remainder shall be and shall remain in full force and effect.

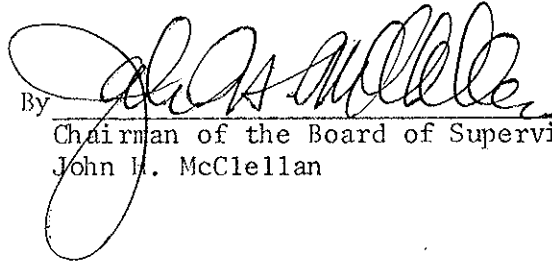
#### SECTION 6.

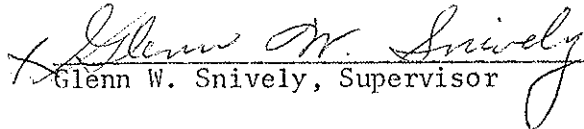
All other ordinances or parts of ordinances inconsistent herewith shall be and the same expressly are repealed.

DULY ENACTED AND ORDAINED, this 19<sup>th</sup> day of July, 1972, by the Board of Supervisors of the Township of Washington, Franklin County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF WASHINGTON  
Franklin County, Pennsylvania

ATTEST:

By   
Chairman of the Board of Supervisors  
John W. McClellan

  
Glenn W. Snively, Supervisor

  
Andrew S. Fitz, Supervisor