

## Chapter 8

### AUTHORITIES, MUNICIPAL

#### ARTICLE I

##### Mountain Top Area Joint Sanitary Authority Plan of Construction

- § 8-1. Plan approved; assessment of cost.  
§ 8-2. Option for determining assessment.

#### ARTICLE II

##### Mountain Top Area Joint Sanitary Authority Right of Entry

- § 8-3. Authorization for entry; conditions.  
§ 8-4. Right and easement granted.

[HISTORY: Adopted by the Board of Supervisors of the Township of Fairview as indicated in article histories. Amendments noted where applicable.]

#### GENERAL REFERENCES

Sewers — See Ch. 183.

Subdivision and land development — See Ch. 225.

#### ARTICLE I

##### Mountain Top Area Joint Sanitary Authority Plan of Construction [Adopted 12-23-1976 by Ord. No. 3-1976]

- § 8-1. Plan approved; assessment of cost.

The Board of Township Supervisors of the Township of Fairview, for purposes of Section 4B(s) of the Municipality Authorities Act of 1945,<sup>1</sup> as amended, approves the plan of construction for sanitary sewage collection facilities to serve the Township, as described in the report mentioned in the recitals hereto, as submitted by The Mountain Top Area Joint Sanitary Authority, and approves the estimated construction cost thereof, similarly submitted, in the amount of \$12,742,097, of which it is estimated that not more than \$3,391,266 will be assessed against all properties benefited, improved or accommodated by such facilities according to the foot-front rule of assessment.

- § 8-2. Option for determining assessment.

The approvals granted by § 8-1 hereof pursuant to Section 4B(s) of said Act shall not be deemed to preclude the Authority from charging or determining assessments by the so-called benefits method pursuant to Section 4B(r) of said Act in appropriate instances.

---

1. Editor's Note: The Municipality Authorities Act of 1945 was repealed June 19, 2001, by P.L. 287, No. 22. See the current provisions at 53 Pa.C.S.A. § 5601 et seq.

## ARTICLE II

**Mountain Top Area Joint Sanitary Authority Right of Entry  
[Adopted 12-23-1976 by Ord. No. 4-1976]****§ 8-3. Authorization for entry; conditions.**

For the purpose of constructing, extending, installing, maintaining, safeguarding or repairing its sewer facilities, The Mountain Top Area Joint Sanitary Authority is authorized to enter in, under and upon any and all streets or other ways now or hereafter in public use within this Township; subject, however, to the following conditions:

- A. The Authority shall cause as little inconvenience to the public in the use of such streets and ways as may be reasonably possible and shall comply with the reasonable requirements of the Board of Township Supervisors in such regard;
- B. Upon completion of any work the Authority shall restore such streets and ways as nearly as may be possible to the conditions prevailing before the work began; and
- C. The Authority shall indemnify the Township and its Board of Supervisors against all loss and expense by reason of injury to persons or damage to property resulting from operations of the Authority in such streets and ways or the maintenance of its facilities thereunder and, upon request of the Board of Township Supervisors, shall obtain insurance in reasonable amounts covering such risks.

**§ 8-4. Right and easement granted.**

The aforesaid Authority is hereby granted the right and easement to construct and maintain its sewer facilities under any and all streets or other ways now or hereafter in public use within this Township.