

INFORMATION FOR WATER LINE PETITIONS

DATE: 06/03/96

Hempfield Township is bound by the procedures and limitations as set forth in the Second Class Township Code for the creation of water districts and in the Eminent Domain Code for the allocation of the costs associated with the construction upon the various properties affected by the water line. Any interested resident may obtain appropriate petition forms from the office of the Hempfield Township Secretary to attempt to meet the standards of the law for the creation of a water line. Procedurally, interested residents should be aware of the following:

1. **PETITIONS TO BE CIRCULATED:**

Interested residents should circulate a petition to be signed by those property owners desiring the installation of municipal water service. The individuals circulating the petition must also sign an affidavit verifying the facts of the petition.

2. **VERIFICATION OF THE PETITION:**

After the petition has been presented to the Township it will be submitted to the Hempfield Township Engineer for evaluation. By law, the Petition must be signed by the owners of at least 51% of the total assessed valuation of the property in the affected area. If the petition does not meet this standard, the process stops.

3. **COST ESTIMATES:**

Assuming a valid petition, Hempfield Township will then make inquiry to the Municipal Authority of Westmoreland County for the preparation of a cost estimate for the water line installation. The Township will also provide estimates of legal, engineering, and real estate expert witness expenses which will be incurred.

4. **INFORMATIONAL MEETING:**

Township representatives will schedule an informational meeting with notice to all properties which may be affected by the water line, including those owned by individuals who did not sign the petition. At the time of the informational meeting, the Township will be prepared to discuss the further procedures required, the costs estimated, and the potential assessments which individual property owners may be facing to cover the installation costs.

5. **OPPORTUNITY TO WITHDRAW:**

At and after the informational meeting, all persons who had signed the petition will be given an opportunity to withdraw their

name. If sufficient number of people withdraw to bring the petitioners under the 51~ standard, the process will end.

6. RESOLUTION AND CONTRACT:

Assuming the petition remains valid, the Board of Supervisors of Hempfield Township will adopt a resolution creating the water line and will go forward with the signing of the contract with the Municipal Authority of Westmoreland County. The water line will then be installed by the Municipal Authority at its earliest convenience.

7. ASSIGNMENT PROCESS:

After the completion of the water line and the receipt of a final bill, Hempfield Township will petition the court to appoint a Board of Viewers who will review the affected properties and allocate the total costs involved with the construction of the water line to those affected properties by means of a benefits assessment. The Board of Viewers will consider how much the value of each property has increased strictly as a result of the water line installation. All property owners affected by the water line will be given notice of the hearing to be held with the Board of Viewers and will have an opportunity to participate in the hearing and to introduce any evidence in their own behalf. The Board of Viewers will then issue a final report allocating the total costs and this report will act as an assessment lien on the properties.