

ORDINANCE NO. 2 of 2022

**AN ORDINANCE OF THE BOROUGH COUNCIL OF  
THE BOROUGH OF LARKSVILLE APPROVING AMENDMENTS  
TO CHAPTER 7 GOVERNING “AUTHORITIES, MUNICIPAL”**

**WHEREAS**, Larksville is in the process of selling its sanitary collection system to the Wyoming Valley Sanitary Authority (“WVSA”); and

**WHEREAS**, the sale requires certain amendments to the language of existing Ordinances; and

**WHEREAS**, the Borough Council of the Borough of Larksville desires to amend Chapter 7 “Authorities, Municipal” as a result of the sale of the sanitary collection system to the WVSA.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Borough Council of the Borough of Larksville and it is hereby ordained and enacted by the authority of the same as follows:

1. Chapter 7 §7-1 of the Borough of Larksville Code of Ordinances is hereby amended to read as follows:

**§ 7-1. Rights granted to maintain sewer facilities; conditions.**

For the purpose of constructing and extending, installing, maintaining, safeguarding or repairing its sewer facilities in the Borough of Larksville, the Wyoming Valley Sanitary Authority (the “Authority”) is authorized to enter in, under and upon any and all streets, public property or other ways now or hereafter in public use within the Borough, 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 Borough Council 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 in conformity with the prevailing paving and street ordinances of Larksville Borough.
- C. The Authority shall indemnify the Borough and its Borough Council against all loss and expense by reason of injury to persons or damage to property resulting from operations of the Authority on such streets, properties and ways or the maintenance of its facilities thereunder and, upon request of the Borough Council, and shall maintain such insurance in reasonable amounts covering such risks.

2. Repealer.

All Ordinances or parts of Ordinances of the Borough of Larksville in conflict with this Ordinance to the extent of such conflict, and no further, are hereby repealed.

3. Severability.

The provisions of this Ordinance are severable and if any section, sentence, clause, revision, part or other portion hereof shall be held unconstitutional, illegal, invalid or otherwise ineffective, the validity of the remaining provisions shall be unaffected thereby. It is the intention of the Borough Council of the Borough of Larksville that this Ordinance would have been adopted had such unconstitutional, illegal, invalid, or otherwise ineffective section, sentence clause, or provision, part or other portion not been included herein.

4. Remaining Provisions.

All the remaining provisions of Ordinance No. 5 of 1978 shall remain in full force and effect.

5. Effective Date.


This Ordinance shall become effective immediately upon the conveyance of the sanitary collection system to the WWSA.

ORDAINED AND ENACTED by the BOROUGH COUNCIL OF THE BOROUGH OF LARKSVILLE, this 16 day of August, 2022.

ATTEST:

  
\_\_\_\_\_  
IRENE VALATKA, Borough Secretary

BOROUGH OF LARKSVILLE

  
\_\_\_\_\_  
MIKE LEHMAN, President of Council

Approved: \_\_\_\_\_