

ORDINANCE NO. 2013- 02
NEWTOWN TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA

AN ORDINANCE AMENDING SECTIONS 130-8 [DEFINITIONS], SECTION 130-11 [DETERMINATION OF WATER CONSUMPTION], 130-12 [MEASURING DEVICES] AND SECTION 130-14 [DELINQUENT PAYMENTS] OF SECTION 130, ARTICLE II, OF THE CODE OF NEWTOWN TOWNSHIP, DELAWARE COUNTY

WHEREAS, the Newtown Township Board of Supervisors has determined that certain changes are appropriate to Article II, Chapter 130 "Sewers" of the Code of Newtown Township related to sewer rents.

NOW THEREFORE, the Township of Newtown hereby **ORDAINS** that:

Section 1. The Code of the Township of Newtown Chapter 130, Sewer Rents, Article II, is amended by adding and deleting portions of the Code, as follows:
Section 130-8 Definitions

WATER COMPANY –

Aqua, Pennsylvania, Inc. The Philadelphia Suburban Water Company or other private water company distributing water in any part of the area served by the sewer system.

Section 130-11. C. Properties where part of the water supplied does not enter the sewer system. ~~In the case where water is supplied to a swimming pool serving 25 or more people by fee or membership, the quantity of water used but not discharged into the sewer system may be excluded in determining the sewer rental for the property, provided that such quantity of water is measured by a device or devices installed pursuant to Section 130-12.~~ Whenever water is used which is not discharged into the sewer system and the quantity of water so used is measured by a meter approved by the Township and installed and maintained without cost to the Township, then readings from such meters shall be submitted to the Township, on a form approved by the Township Manager, formalong with a legible photograph of the meter reading, which is due by February 28 of each year. A fee which shall accompany the form shall be established by resolution. Using the information submitted, a credit shall be calculated and applied to the property owner's account.

Section 130-12 Measuring Devices. All meters or measuring devices used under the provisions of this article, except those provided by the water company, shall be furnished and installed by the property owner ~~unless the Township shall otherwise agree and, in either case, shall be~~ at the property owner's expense. All such meters or measuring devices, except those provided by the water company, shall be approved and shall be under the control of the Township and may be tested, inspected or repaired by the Township employees whenever the Township shall deem necessary. The owner of the property upon which any such meter or measuring device is installed shall be responsible for its maintenance, inspection and safekeeping, and all repairs thereto shall be made by the property owner, ~~unless the Township shall otherwise agree, and in any case shall be~~ at the property owner's expense, whether such repairs are made necessary by ordinary wear and tear or other causes. ~~Bills for any installation, maintenance meter readings and repairs rendered by the Township shall be due and payable within 30 days after presentation. Such bills from and after their due date shall constitute a lien upon the property upon which such meter or measuring device is installed. Unpaid bills shall accrue a ten percent penalty and interest at 6% per year from the date of default and shall be collectible by the Township in any manner permitted by law. The Township shall be responsible for the reading of all the aforementioned meters or measuring devices, and they shall be made available to the Township employees for reading at any reasonable time. A schematic drawing shall be provided by the property owner to document for Township records the physical location of the meter or measuring device. These devices shall be available for inspection by Township employees at all times.~~

Section 130-14. Delinquent Payments. All bills shall be payable on the date received. All sewer rental charges billed and unpaid shall be a lien against the property serviced by the sewer system until paid. If such bills are not paid within 30 days after the date they are mailed, but no earlier than ~~June 30th~~ May 1, a penalty of 10% thereof shall be added. It shall be the duty of the Township during and after the sixth month following the month in which the bills were mailed to certify the unpaid bills to the Township Solicitor, who shall proceed to collect such delinquent bills, together with interest at 6% per year, penalties and costs accrued thereon either by action at law or by filing a lien or liens, together with interest, penalty and costs accrued thereon, shall be filed and collected in accordance with law. All persons connected to the sewer system shall give the Township their correct address. Failure to receive bills shall not be considered an excuse for nonpayment nor permit an extension of the period during which bills are payable.

Section 2. Effective Date. This Ordinance shall be effective upon its adoption by The Township of Newtown.

Section 3. Repealer. All ordinances, resolutions or parts thereof inconsistent herewith are repealed, rescinded, canceled and annulled to the extent of such inconsistency.

Enacted by the Board of Supervisors of the Township of Newtown, Delaware County, Pennsylvania this 11 day of, MARCH, 2013.

BOARD OF SUPERVISORS OF THE
TOWNSHIP OF NEWTOWN

Attest:



Michael T. Trio, Secretary/Township Manager

By:



Joseph V. Catania, Chairman