

**TOWNSHIP OF EAST WHITELAND
CHESTER COUNTY, PENNSYLVANIA
ORDINANCE NO. 287-2016**

AN ORDINANCE AMENDING THE EAST WHITELAND TOWNSHIP CODE, CHAPTER 154, SEWERS AND SEWAGE DISPOSAL PART 3, SEWER RENTS, ARTICLE X, RATES AND CHARGES, SECTIONS 154-106(D)(1-4) FOR THE PURPOSE OF ESTABLISHING THAT FUTURE SEWER RATES WILL BE ESTABLISHED BY RESOLUTION.

RECITALS:

A. The Township of East Whiteland (the “Township”) deems it to be in the best interest and general welfare of the citizens and residents of the Township to amend Chapter 154 of the Township’s Code Book of Ordinances for the purpose of establishing sewer rates by resolution.

B. Section 2511(a) of the Second Class Township Code permits a township to adopt sewer rates by resolution.

C. The Second Class Township Code authorizes the Township’s Board of Supervisors to make and adopt Ordinances that are consistent with the Constitution and the laws of the Commonwealth that it deems necessary for the proper management and control of the Township and welfare of the Township and its citizens.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors for East Whiteland Township, and it is hereby ordained and enacted, by the authority of the same, to wit:

SECTION 1. CODE AMENDMENTS.

A. Chapter 154-106, Imposition of Sewer Rent or Charge, is hereby amended in part to read as follows:

Section 154-106(D). Sewer Rates.

- (1) Sewer District A: The sewer rate shall be established by resolution of the Board of Supervisors and such rate resolution shall be amended from time to time as the Board of Supervisors deems appropriate.
- (2) Sewer District B: The sewer rate shall be established by resolution of the Board of Supervisors and such rate resolution shall be amended from time to time as the Board of Supervisors deems appropriate.
- (3) Sewer District C: The sewer rate shall be established by resolution of the Board of Supervisors and such rate resolution shall be amended from time to time as the Board of Supervisors deems appropriate.

- (4) Sewer District D: The sewer rate shall be established by resolution of the Board of Supervisors and such rate resolution shall be amended from time to time as the Board of Supervisors deems appropriate.
- (5) Sewer District E: The sewer rate shall be established by resolution of the Board of Supervisors and such rate resolution shall be amended from time to time as the Board of Supervisors deems appropriate.

SECTION 2. REPEALER.

All Ordinances or parts of Ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

SECTION 3. REVISIONS.

The East Whiteland Township Board of Supervisors does hereby reserve the right, from time to time, to adopt modifications of, supplements to, or amendments of its Ordinance, including this provision.

SECTION 4. SEVERABILITY.

In the event that any section, sentence, clause, phrase or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose enforcement of any of the remaining portions of this Ordinance.

SECTION 5. EFFECTIVE DATE.

This amendment shall become effective five (5) days after date of adoption.

SECTION 6. FAILURE TO ENFORCE NOT A WAIVER.

The failure of East Whiteland Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

ENACTED AND ORDAINED this 14th day of December, 2016 by the Board of Supervisors of East Whiteland Township.

**BOARD OF SUPERVISORS
EAST WHITELAND TOWNSHIP**

ATTEST:

Township Secretary

William Holmes, Chairman

Richard Orlow, Vice Chairman

Susan Drummond