

TOWNSHIP OF HONEY BROOK

Chester County, Pennsylvania

ORDINANCE NO. 60-1994

AN ORDINANCE

OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF HONEY BROOK, CHESTER COUNTY, PENNSYLVANIA, GRANTING TO THE CAERNARVON TOWNSHIP AUTHORITY CERTAIN RIGHTS AND PRIVILEGES IN, ALONG, OVER AND UNDER CERTAIN STREETS, ROADS, LANES, COURTS, PUBLIC SQUARES, ALLEYS, HIGHWAYS AND OTHER PROPERTIES OF THIS TOWNSHIP FOR USE IN CONNECTION WITH THE WATER SYSTEM OWNED BY SAID AUTHORITY; AND PROVIDING FOR REGULATING THE MANNER IN WHICH SUCH RIGHTS AND PRIVILEGES SHALL BE EXERCISED; AND REQUIRING CERTAIN OWNERS OF IMPROVED PROPERTY LOCATED WITHIN THIS TOWNSHIP AND ABUTTING ON THE WATER SYSTEM OWNED BY THE CAERNARVON TOWNSHIP AUTHORITY TO CONNECT THERETO; REGULATING THE MANNER OF MAKING CONNECTIONS; ADOPTING CERTAIN RULES AND REGULATIONS AND PROVIDING FOR ADOPTION OF ADDITIONAL RULES AND REGULATIONS.

The Board of Supervisors of the Township of Honey Brook, Chester County, Pennsylvania, enacts and ordains as follows:

ARTICLE I

DEFINITIONS

SECTION 1.01. Unless the context specifically and clearly indicates otherwise, the meaning of terms used in this Ordinance shall be as follows:

ARTICLE II

PROVISION FOR WATER SERVICE BY AUTHORITY

SECTION 2.01. The Township agrees and ordains that the Authority shall have the right to distribute and serve water within certain limited parts of the geographic area of the Township, limited at this time to those lands leased from, or conveyed from certain lands owned by Henrietta Hankin, known as the Morgantown Business Park, and adjoining lands of Hankin, as more particularly described at Record Book Volume 1889, page 575, Chester County Records. It is further resolved and agreed that the Authority shall have the right and power to establish rates and assessments, connection fees and other charges permitted by law, and to impose and enforce the same directly against users of water supplied by the Authority. Further, the Authority shall be permitted to establish Rules and Regulations from time to time pursuant to law governing the terms and conditions applicable to service by the Authority to its customers, including those customers situate in Honey Brook Township, Chester County, PA.

ARTICLE III

USE OF PUBLIC WATER SYSTEM REQUIRED

SECTION 3.01. The Owner of any Improved Property abutting the Water System, other than industries and farms which have their own supply of water for uses other than human consumption, shall connect such Improved Property to the Water System in such manner as the Township and the Authority may require, within forty-five (45) days after notice to such Owner from the Authority to make

permit, in writing, from the Authority. Such application shall be made on a form to be provided by the Authority.

SECTION 4.02. All connections to the water mains and the installation of any service line to an Improved Property shall be accomplished in conformance with the rules and regulations of the Authority.

SECTION 4.03. Only Persons property authorized by the Authority shall be permitted to make service line and service connection installations.

ARTICLE V

GRANT OF EASEMENT

SECTION 5.01. This Township grants to the Authority, its successors and assign, all easements, rights of way and other rights and privileges necessary and desirable in, along, over and under streets, roads, lanes, courts, public squares, alleys, highways, and other properties of this Township, together with free ingress, egress and regress therein and thereto, along with other persons having interests, rights or privileges therein, for use in connection with constructing, expanding, improving, replacing, repairing, altering, maintaining and operating the Water System, as the same shall exist, from time to time.

SECTION 5.02. The rights and privileges granted to the Authority under Section 5.01 shall be exercised by the Authority under and subject to such reasonable rules, regulations and conditions as shall be adopted and specified, from time to time, by this Township; and this Township reserves the right to adopt and

intent of this Township that such remainder shall be and shall remain in full force and effect.

ARTICLE IX

DECLARATION OF PURPOSE

SECTION 9.01. It is declared that enactment of this Ordinance is necessary for the protection, benefit and preservation of the health, safety and welfare of inhabitants of this Township.

ARTICLE X

REPEALER

SECTION 10.01. All ordinances or parts of ordinances inconsistent with this Ordinance shall be and the same expressly are repealed.

DULY ENACTED AND ORDAINED this 12th day of October, 1994, by the Board of Supervisors of the Township of Honey Brook, Chester County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF HONEY BROOK
Chester County, Pennsylvania

By: Dallas D. Foref
Chairman
Board of Supervisors

Attest: Ruby M. Titman
Secretary

(SEAL)