

TOWNSHIP OF HONEY BROOK

ORDINANCE NO. 65 - 1995

AN ORDINANCE SIGNIFYING THE INTENTION AND DESIRE OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF HONEY BROOK, CHESTER COUNTY, PENNSYLVANIA TO ENFORCE THE RULES AND REGULATIONS OF THE NORTHWESTERN CHESTER COUNTY MUNICIPAL AUTHORITY CONCERNING CONNECTION TO AND USE OF THE SEWER SYSTEM

IT IS HEREBY ORDAINED by the Board of Supervisors of the Township of Honey Brook, Chester County, Pennsylvania, that:

Section 1. The Board of Supervisors has organized the Northwestern Chester County Municipal Authority (the "Authority") jointly with the Borough of Honey Brook under the provisions of the Municipalities Authorities Act of 1945.

Section 2. The Northwestern Chester County Municipal Authority has adopted a resolution entitled "Resolution Establishing Rules and Regulations Concerning Connection to and Use of the Sewer System" dated December 15, 1993 and a resolution entitled "Resolution of Northwestern Chester County Municipal Authority Imposing Rates and Charges with Respect to the Authority's Sewer System; and Establishing Rules and Regulations in connection with Non Domestic Waste Discharges" dated May 16, 1989 as amended September 21, 1994 (jointly the "Rules and Regulations").

Section 3. It is the intention of the Board of Supervisors of this Township to enforce the Rules and Regulations of the Authority, including such amendments which shall be made to the Rules and Regulations by the Authority from time to time. A copy of the Rules and Regulations, as amended shall be kept on file at the Township Building.

Section 4. In pursuance of such intention, the Board of Supervisors of this Township hereby adopts the Rules and Regulations, as they may be amended from time to time. The Board of Supervisors, the Township Manager, the Authority or the Solicitor for the Authority may, and are hereby authorized to, institute summary proceedings, in accordance with the applicable Rules of Court for violations of the Rules and Regulations, including such amendments of the Rules and Regulations as may be made from time to time. This action shall be brought in the name

of the Township and any person convicted of violating the Rules and Regulations, as amended, shall upon conviction thereof, be sentenced to pay a fine of not more than \$300 and costs of prosecution, and in default of such fine and costs, such person shall undergo imprisonment for not more than thirty (30) days. A separate offense shall be deemed committed on each date on which, or during which, a violation occurs or continues.

Section 5. In addition to the remedies provided in Section 4, above, any continued violations of the Rules and Regulations which shall constitute a nuisance in fact or which shall, in the opinion of the Board constitute a nuisance may be abated by proceeding against the violator in a court of equity for relief. Such proceedings may be instituted by the Township or by the Authority on behalf of and in the name of the Township.

Section 6. If any section of this Ordinance shall be found to be invalid, the other sections of this Ordinance shall not be affected thereby.

Section 7. This Ordinance shall become effective five (5) days after final passage and approval by the Board of Supervisors.

ORDAINED AND ENACTED formally into law by the Board of Supervisors of the Township of Honey Brook this 10 day of MAY, 1995.

BOARD OF SUPERVISORS
TOWNSHIP OF HONEY BROOK

Dallas D. Ford
Chairman

Gene Super
Supervisor

Donald Johnson
Supervisor

ATTEST:

Ruby M. Kitzman
Secretary