

TULPEHOCKEN TOWNSHIP, BERKS COUNTY, PENNSYLVANIA

RESOLUTION NO. 2009-6

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF TULPEHOCKEN, BERKS COUNTY, PENNSYLVANIA, AMENDING RESOLUTION 2006-4 AMENDING THE TOWNSHIP'S WASTEWATER RULES AND REGULATIONS TO ALLOW THE TOWNSHIP TO BEGIN TO CHARGE SEWER USER FEES UPON THE ISSUANCE OF A USE & OCCUPANCY PERMIT FOR ANY NEWLY CONSTRUCTED RESIDENTIAL DWELLING CONNECTED TO THE PUBLIC SEWER SYSTEM WITHIN THE TOWNSHIP

WHEREAS, the Pennsylvania Second Class Township Code, Article VI, Section 1506, charges supervisors with the governance of the township necessary for the proper maintenance, care and control of the township and the maintenance of peace, good government, health and welfare of the township and its citizens, trade, commerce and manufacturers; and

WHEREAS, the Board of Supervisors of Tulpehocken Township ("Board") adopted Resolution Number 2006-4 which adopted Rules and Regulations ("Rules and Regulations") for direct and indirect contributors into the wastewater collection and treatment systems of Tulpehocken Township to enable it to comply with all applicable state and federal laws; and

WHEREAS, the Board intends to amend Resolution Number 2006-4 by adding a new Section 9 to the Rules and Regulations to allow the Township to begin to charge sewer user fees to a property owner upon the issuance of a use and occupancy permit for any newly constructed residential dwelling connected to the public sewer system within the Township;

NOW, THEREFORE, BE IT RESOLVED, that Resolution Number 2006-4 is hereby amended by adding a new Section 9 to the Rules and Regulations to allow the Township to begin to charge sewer user fees to a property owner upon the issuance of a use and occupancy permit for any newly constructed residential dwelling connected to the public sewer system within the Township.

FURTHER RESOLVED, that if any provision, sentence, clause, section, or part of this Resolution shall for any reason be found to be unconstitutional, illegal or invalid, such determination shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Resolution, and it is hereby declared to be the intent of the Board of Supervisors of Tulpehocken Township that this Resolution would have been adopted had such unconstitutional, illegal or invalid provision, sentence, clause, section or part not been included herein.

FURTHER RESOLVED, that all Resolutions or parts of Resolutions inconsistent with this Resolution are hereby superseded.

IN WITNESS WHEREOF, the Board of Supervisors of Tulpehocken Township has adopted this Resolution in lawful session this 9th day of March, 2008.

BOARD OF SUPERVISORS OF
TULPEHOCKEN TOWNSHIP, BERKS COUNTY,
PENNSYLVANIA

By: *Paul S. W. Lutz*
Chairman

[Signature]
Member

John A. Kuntz
Member

Attest: *Kathleen M. Boetz*
Secretary

