

ORDINANCE NO. 2008-09

AN ORDINANCE OF BETHEL TOWNSHIP, BERKS COUNTY, PENNSYLVANIA, AMENDING ORDINANCE 2007-05 KNOWN AS THE "BETHEL TOWNSHIP PUBLIC SEWER REGULATIONS" TO CLARIFY CONNECTION OBLIGATIONS AND REGULATIONS

WHEREAS, Bethel Township, Berks County, PA (The Township) adopted Ordinance 2007-05 on December 17, 2007; and

WHEREAS, the Board of Supervisors of The Township find that several sections concerning mandatory connection are not written as clearly as possible; and

WHEREAS, the Township desires to clarify the nature of the Ordinance and the obligations for connection to the public sewer system there under.

NOW THEREFORE, the Board of Supervisors of Bethel Township, Berks County, Pennsylvania, hereby ENACTS and ORDAINS as follows:

1. Amendment to Short Title.

Section 1 of Bethel Township Ordinance No. 2007-05, Section 1 entitled "Short Title" is hereby amended to read as follows: "This Ordinance shall be known and may be cited as the Bethel Township Sewer Connection and Public Sewer Regulation Ordinance.

2. Mandatory Connection Amendments.

a. Bethel Township Ordinance No. 2007-05, Section 5 Mandatory Connection to Sewer System is hereby amended by replacing the existing language of Subsection (b) with the following language: "(b) All principal buildings which presently exist on any improved property within the boundaries of the sewered areas shall be connected to the public sewage collection lines installed by the Authority, if the property is adjoining or adjacent to, or if any portion of the principal building (or any principal building if more than one) is within one hundred fifty (150) feet of the sewage collection line."

b. Bethel Township Ordinance No. 2007-05, Section 5 Mandatory Connection to Sewer System is hereby amended by replacing the existing language of Subsection (c) with the following: “ (c) After the effective date of this Ordinance, every newly constructed or newly occupied residential building, if the property is adjoining or adjacent to or any portion of the principal building (or any principal building if more than one) is within one hundred fifty (150) feet of the sewage collection line shall be connected to the sewage system as a condition precedent to occupancy. New commercial and industrial buildings may be connected only by agreement with the Authority.”

c. Bethel Township Ordinance No. 2007-05, Section 5 Mandatory Connection to Sewer System is hereby amended by replacing the existing language of Subsection (d) with the following: “(d) Every principal building, which is more than one hundred fifty (150) feet from the sewer collection lines, or which is not on property adjoining or adjacent to the sewer collection lines, whether presently existing or constructed after the affected date of this Ordinance may be connected to the sewer system only by agreement with the Authority.”

3. Section 3. General Intent.

The intent of this Ordinance in amending Ordinance No. 2007-05 is to carry out the original intention of the Township in providing public sewer service within the sewer districts created by Ordinance No. 2007-05. The amending language is intended to clarify and supplement, the original Ordinance, and this Ordinance shall be construed in that manner.

4. Severability.

If any section, paragraph, clause or provision of this Ordinance is held invalid, such invalidity shall not affect any of the other provisions of this Ordinance, it being the intent of the Township that such remaining provisions shall be enforceable and remain in full force and effect.

5. Binding Effect.

All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed insofar, but only insofar, as the same are inconsistent herewith.

6. Effective Date.

This Ordinance shall be effective five (5) days after the day of adoption.

ORDAINED AND ENACTED by the Board of Supervisors of Bethel Township, Berks County, Pennsylvania, this 17 day of November, 2008.

BETHEL TOWNSHIP BOARD OF
SUPERVISORS


Randall G. Haag, Chairman


Kenneth W. Norton, Member

absent
Michael R. Orendo, Member

ATTEST:


Jayne K. Seifrit, Secretary