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ORDINANCE

RING THAT ALL CUPIED BUILDINGS THE BOROUGH OF OUNT JOY, LANCASTER COUNTY, PENNSYLVANIA, BE CONNECTED WITH THE SANITARY SEWER SYSTEM; MAKING IT UNLAWFUL TO CONSTRUCT OR MAINTAIN PRIVIES, CESSPOOLS, SEPTIC TANKS, OR OTHER DEVICES FOR RECEIVING SEWAGE OR CONDUITS FOR THE DISCHARGE OF SEWAGE EXCEPT INTO SAID SANITARY SEWERS; PROVIDING FOR RULES AND REGULATIONS; AND PRESCRIBING PENALTIES.

WHEREAS, the Council of the Borough of Mount Joy, Lancaster County, Pa. in order to promote and benefit the people of the Commonwealth of Pennsylvania and of said Borough, by Ordinance duly enacted pursuant to the Municipality Authorities Act of 1945, P. L. 382, as amended, caused to be organized Mt. Joy Borough Authority and by another Ordinance designated that the project to be undertaken by said Authority is "to acquire, hold, construct, improve, operate, own, lease either as lessor or lessee, sewers, sewer systems or parts thereof and sewage treatment works, including works for treating and disposing of industrial waste, for the Borough of Mount Joy and for such other territory as it may be authorized to serve"; and

WHEREAS, in carrying out the project so designated said Authority prososes to construct a sanitary sewer collection system and sewage treatment plant together with appurtenant facilities (the "Sewer System") in and for said Borough and Authority will operate and maintain said Sewer System; and

The Council of the Borough of Mount Joy, Lancaster County, Pa. hereby ordains as follows:

Section 1. Definitions: As used in this ordinance, the following terms shall have the following meanings unless the context requires a different meaning:

a. "Authority" means Mt. Joy Borough Authority as presently or hereafter constituted, which has been created by said Borough Council and to which has been referred by said Borough Council the specific project of sewers.

b. "Industrial waste" means the liquid, gaseous or solid waste from industrial processes as distinct from domestic sewage.

c. "Lateral" means that part of the Sewer System extending from a public main or street sewer to curb line or property line if there is no curb, and where the main or street sewer line is laid under a sidewalk, the word "lateral" shall mean and refer to the "Y" connection from the main or street sewer line.

d. "Occupied building" means any structure erected and intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure sewage and industrial waste, or either thereof, is or may be discharged.

e. "Person" shall include natural persons and artificial persons existing only in contemplation of law, and shall be construed to include associations, partnerships, limited partnerships, joint stock companies, and corporations.

f. "Property accessible to the Sewer System" means real estate which adjoins, abuts on, or is adjacent to, the Sewer System, except that portion of such property from which sewage cannot be made to flow by gravity, to the Sewer System.

g. "Sewage" means the normal water-carried household and toilet wastes from residences, business buildings, institutions and industrial establishments.

h. "Sewer System" means thesanitary sewer collection system and sewage treatment plant together with appurtenant facilities presently to be constructed in and for the Borough of Mount Joy and any improvements, additions or extensions that hereafter may be made thereto by the Authority or to any part or parts of any or all thereof.

i. "Borough" means the Borough of Mount Joy, Lancaster County, Pa., or the duly constituted and elected municipal authorities thereof.

Section 2. Whenever the Sewer System or a usuable section thereof is completed and ready for public use it shall be the duty of the Borough to cause notice of the fact to be given by advertisement published once in one newspaper of general circulation in the Borough, and such advertisement shall state that said sewer may be used by all owners of property accessible thereto, subject to the payment of annual sewer rentals in amounts as may from time to time be fixed by the Authority.

Section 3.

a. All persons owning any occupied building now erected upon property accessible to the Sewer System shall at their own expense connect such building with the Sewer System within sixty days after the date of publication specified in Section 2. Provided, however, that Borough Council, or such officer as it may designate, may extend the time for making of a connection for a reasonable period in case of delays beyond the owner's control or in case of other hardship circumstances.

b. All persons owning any property accessible to the Sewer System upon which a building is hereafter erected shall, at the time of the erection of such building and at their own expense, connect the same with the Sewer System.

c. All persons owning any occupied building upon property which hereafter becomes accessible to the Sewer System shall, at their own expense, connect such building with the Sewer System within sixty days after notice to do so from the Borough.

Section 4. After the expiration of the particular period specified in Section 3 of this Ordinance, if any owner of an occupied building on property accessible to the Sewer System shall have failed to connect such property with the Sewer System as required by Section 3, the Borough shall cause to be served on the owner of such property, so failing to connect to said Sewer System, and also upon the occupants of the building in question, a copy of this Ordinance and a written or printed notice requiring such connection be made, and such notice shall further state that its requirements shall be complied with within sixty days from the date hereof.

Section 5. It shall be unlawful for any person owning any property accessible to the Sewer System to erect, construct, use or maintain, or cause to be erected, constructed, used or maintained, any privy, cesspool, sinkhole, septic tank or other receptacle on such premises for receiving sewage, after the expiration of the particular period specified in Section 3 hereof, or otherwise at any time to erect, construct, use or maintain any pipe, conduit, drain or other facility for the discharge of sewage except into the Sewer System.

Section 6. The erection, construction, use or maintenance of a privy, cesspool, sinkhole or septic tank on any property accessible to the Sewer System in violation of this Ordinance is hereby declared to be a public nuisance, and in addition to any other remedies available, may be abated by the Borough in such manner and by such officer or officers as Borough Council may direct, at the cost of the owners or occupiers of the premises.

Section 7. Connections to the Sewer System shall be made only in compliance with all applicable ordinances of the Borough and with such rules and regulations as the Borough or the Authority may from time to time adopt and promulgate.

Section 8. The provisions of this Ordinance are declared to be for the health, safety and welfare of the citizens of the Borough, and persons violating any provisions of this Ordinance upon conviction before the Burgess or any Justice of the Peace of the Borough shall be fined not less than $100, nor more than $100, and in default of payment shall be sentenced to imprisonment in the Lancaster County Prison for a period not exceeding 30 days. Each 30 day period during which such violation of such supervision shall continue shall be deemed to be a separate offense.

Section 9. If any provision, sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutioal, illegal or invalid, such unconstitutionality, illegality or invalidity shall not effect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Borough Council that this Ordinance would have been enacted had such unconstitutional, illegal, or invalid provision, sentence, section or part not been included herein.

Section 10. All ordinances or parts of ordinances in conflict, or inconsistent herewith are hereby repealed absolutely.

ENACTED AND ORDAINED this 23 day of May, 1956.

LLOYD MYERS
President of Boro. Council

BOROUGH SEAL

Attest:

VERA ALBERT
Secretary

Approved this 23rd day of May, 1956.

B. TITUS RUTT
Burgess

21-1c

A RESOLUTION OF MT. JOY BOROUGH AUTHORITY PROVIDING FOR THE ASSESSMENT OF CERTAIN OF THE COSTS OF CONSTRUCTION OF THE SEWER SYSTEM IN THE BOROUGH OF MOUNT JOY UPON PROPERTIES ABUTTING THEREON, BENEFITED, IMPROVED OR ACCOMMODATED BY SAID SEWER IN ACCORDANCE WITH THE FRONT FOOT RULE AT THE RATE OF $4.50 PER FRONT FOOT; FOR THE MANNER OF COLLECTION; FOR THE FILING OF LIENS; FOR THE PAYMENT OF THE AMOUNTS COLLECTED TO UNION NATIONAL MT. JOY BANK, TRUSTEE.

WHEREAS, Mt. Joy Borough Authority (the "Authority") by resolution duly adopted April 5, 1956, approved the Report and Plan of Joseph A. Michels, Consulting Engineer, Dallastown, Pa., dated March 16, 1956; determined that a portion of the cost of the Sewer System should be assessed against the properties benefited, improved or accommodated thereby according to the front foot rule, pursuant to Paragraph (s) Subdivision B of Section 4 of the Municipality Authorities Act of 1945, (being the Act of May 2, 1945, P. L. 382), as amended and submitted such Report and Plan and determination to assess to the Council of the Borough of Mount Joy (the "Borough"); and

WHEREAS, said Council, by Ordinance duly enacted April 5, 1956, and advertised as required by law approved said Report and Plan and said assessment; and

WHEREAS, Authority has by separate resolution duly adopted April 5, 1956, authorized and directed the execution and delivery of certain contracts for the construction of the Sewer System; and

WHEREAS, Authority by separate resolution has authorized the issuance of Sewer Revenue Bonds in the total amount of $1,370,000 for the purpose of providing funds for the and toward the cost of construction, as defined in the Indenture hereinafter referred to, of the Sewer System and for initial working capital, and has arranged for the charging of connection charges and of sewer rentals and charges for the use thereof; and

WHEREAS, Authority desires to provide for the making of assessment of certain of the costs and expenses of the construction of said Sewer System against the properties benefited, improved or accommodated thereby and the manner of collections and payment, as hereinafter set forth;

NOW, THEREFORE, the Mt. Joy Borough Authority hereby resolves:

Section 1. Authority authorizes the construction of sanitary sewers and a sewage treatment plant together with all appurtenant facilities and interceptor sewers (the "Sewer System") in and for the Borough in accordance with the plans, drawings and specifications prepared by Joseph A. Michels, Consulting Engineer, Dallastown, Pa., and approved by the Sanitary Water Board, in the streets, alleys, roads, and rights of way as therein set forth, and hereby ratifies, confirms and validates all action taken awarding and executing the contracts providing for such construction.

Section 2. Certain of the costs of the construction of the Sewer System being constructed in and for the Borough are hereby charged and assessed against the assessable properties abutting on such Sewer System benefited, improved or accommodated thereby in accordance with the front foot rule, at the rate of $4.50 per front foot which is hereby declared and determined to be less than the assessable cost per front foot of the sewers to be so constructed.

Section 3. Such assessments shall be made in the following manner:

A. Whenever the construction of an assessable portion of the Sewer System has been completed and approved by Joseph A. Michels, Consulting Engineer, or any successor Consulting Engineer duly appointed by Authority, the said Consulting Engineer shall file with the Authority a statement certifying that such part of the Sewer System has been completed and approved by him, describing such portion in reasonable detail, certifying that such assessed costs do not exceed the estimated cost as approved by the Borough Council, describing the properties adjoining or adjacent to such part of the Sewer System benefited, improved or accommodated thereby and the amount of the proposed assessments at the rate of $4.50 per front foot, together with any costs of house connections and branches chargeable to the owner of each such property and the names of the owner or owners of such properties.

B. Upon receipt by the Authority of a certificate of the Consulting Engineer with respect to any such part of the Sewer System, the Authority shall examine the same and determine whether or not such certificates and the proposed assessments are in accordance with the provisions of this Resolution. After making such adjustments or determinations thereof, if any, the authority shall direct the preparation of proper assessment bills.

C. The assessment bills shall thereupon be signed on behalf of the Authority by its Chairman or Vice-Chairman and the seal of the Authority shall be duly affixed thereto, attested by the Secretary or Assistant Secretary; and shall be collected from the owner or owners of each of the properties against which such assessments are charged and assessed thereby.

D. A schedule of all assessments shall be filed with the Secretary of Authority and with Union National Mt. Joy Bank, Trustee under the Trust Indenture between the Authority and said Trustee, dated as of May 1, 1956, and a duplicate copy of all assessment bills shall be filed with the Treasurer of the Authority. The Secretary of the Authority may also cause a brief notice to be inserted in a newspaper or general circulation in the Borough that assessment bills have been prepared and will forthwith be served upon the property owners of a designated assessable unit.

E. Within 30 days of the filing with the Authority of the Certificate referred to in A above, the assessment bills so executed shall be served upon the owner or owners of such properties, either personally or by leaving the same with an adult member of the family with whom the said owner or owners reside. If the said owner or owners of said properties have no residence or cannot be found in the Borough, then the bill shall be posted upon the premises or a copy thereof left with the occupant, if there be one, and shall further be mailed by registered mail to the owner or owners or his or their agent or attorney at his or their last known address.

Section 4. Where any property shall be situate at the intersection of, and thus adjacent to or adjoining more than one street, road or alley, or other public highway, in which a sewer line shall be constructed, which sewer line shall therefore pass in front of, or be contiguous to, two or more sides of such property, the owner or owners of such assessable property shall be assessed for the full frontage of one, if unequal in length, then the shortest, side of such property, which shall be known and designated as the front thereof and shall be assessed for no part of the footage of any other side.

It is the intention of this Resolution to make equitable assessments against the assessable properties benefited, improved or accomodated by the Sewer System according to the front foot rule, and the Authority reserves the right to make such other adjustments as may be necessary to carry out such intention.

Section 5. All such assessments shall be payable forthwith to the Treasurer of the Authority who shall pay over to Union National Mount Joy Bank, Trustee under the Trust Indenture dated as of May 1, 1956, on the business day next succeeding the collection or receipt thereof all revenues received therefrom, together with the interest and penalties if any thereon, accompanied by a statement showing the amounts collected. Until so paid over, the Treasurer shall segregate all such revenues from any funds of the Authority not relating to the Sewer System and shall hold them in trust for the purposes of the Indenture above referred to. Union National Mount Joy Bank, Trustee, shall deposit all such revenues as provided in the Indenture.

Section 6. If any owner or owners against which an assessment shall have been made, refuse or neglect to pay such assessment within 60 days after notice thereof shall have been given in the manner as set forth in Paragraph E of Section 3 hereof, the Authority shall file a municipal claim or lien therefor, together with interest thereon at the rate of six (6%) per cent per annum from the date of such assessment, and unless such owner or owners have been granted the privilege of paying such assessments in installments as provided by Section 7 hereof, there shall be added a penalty of five per centum (5%). The Treasurer of the Authority shall certify to the Authority Solicitor all unpaid assessments, and the Authority Solicitor shall file municipal claims therefor in the proper office of Lancaster County as provided by law against the property or properties upon which such assessments shall have been made. The Authority Solicitor shall thereupon proceed to collect the same under the general law relating to the collection of municipal claims, including, if so directed by the Authority, the filing in assumpsit, unless the owner or owners shall have been granted the privilege of paying such assessment or assessments in installments as provided in Section 7 hereof and is currently not in default in such installment payments. In no event shall the municipal claims be filed later than the last day permitted by law for the filing of such municipal claims. The certificates of the Consulting Engineer filed with the Authority pursuant to Paragraph A of Section 3 shall be conclusive of the times of the completion as therein set forth.

Section 7. Any owner or owners of property against whom and which assessments have been made as above provided shall have the privilege, upon written request in the form prepared by the Authority filed with the Secretary of the Authority within thirty (30) days after notice of the assessment has been given as provided in Section 3, and upon payment of not less than one-fifth (1/5) of the amount of the assessment against the property of such owner or owners, of paying the balance of said assessment in four (4) equal annual installments, and the said installments shall bear iterest at the rate of six per cent (6) from the date of such assessment.

Provided, however, that the granting of such privilege of paying the assessment in installments shall not relieve the Authority of the duty of filing a lien or municipal claim for every assessment not paid in full within sixty (60) days of the notice of such assessment.

In case of default of any owner in the payment of any installment and interest as aforesaid for a period of sixty (60) days after the same shall become due, the entire balance of the assessment and accrued interest plus a penalty of five per cent (5%) on such balance, shall become due and payable; and it shall be the duty of the Authority Treasurer when any such default shall occur, to notify the Authority Solicitor thereof promptly; and the Authority Solicitor shall thereupon proceed to collect the same under the general law relating to the collection of municipal claims, including, if so directed by the Authority, the filing of suits in assumpsit.

Any such owner who has been granted the privilege of paying the assessment in installments as provided in this Section, may pay the balance remaining due in full at any time, with interest thereon to the next annual payment, and such payment shall discharge the lien or claim against such owner.

Section 8. The proper officers of the Authority are hereby authorized and directed to do all matters and things required to be done by the Acts of Assembly and by this Resolution for the purpose of carrying out the purposes thereof.

Section 9. Authority reserves the right to make any modifications supplements or amendments to this Resolution, provided that the assessment of $4.50 per front foot and the provisions as to interest, penalties and times of payment of the assessments or the installments and of the filing of municipal claims or liens shall not be changed.

DULY ADOPTED by the Board of Mt. Joy Borough Authority this 22nd day of May, 1956.

MT. JOY BOROUGH AUTHORITY
By S. H. Miller,
Chairman

(AUTHORITY SEAL)

Attest:
Grant D. Gerberich
Secretary

21-1c

A RESOLUTION OF THE BOARD OF MT. JOY BOROUGH AUTHORITY, IMPOSING SEWER CONNECTION CHARGES AND ALSO SEWER RENTALS AND CHARGES FOR THE USE OF THE SEWERS AND SEWER SYSTEM OF THE AUTHORITY IN THE BOROUGH OF MOUNT JOY AND CERTAIN ADJACENT AREAS, UPON THE OWNERS OF PROPERTY SERVED BY SUCH SEWERS; PROVIDING FOR THE COLLECTION THEREOF AND THE FILING OF LIENS THEREFOR; AND PROVIDING FOR RULES AND REGULATIONS.

WHEREAS, Mt. Joy Borough Authority by separate Resolutions has authorized the issuance of Sewer Revenue Bonds - Series of 1956, of the Authority in the total principal amount of $1,370,000 for the purpose, inter alia, of paying the cost of construction of the Sewer System in the Borough of Mount Joy and certain adjacent areas has pledged revenues to be received from the Sewer System as part of the security for such Bonds, and has provided for the assessment of the properties benefited, improved or accommodated thereby in accordance with the front footage thereof; and

WHEREAS, the Authority desires to provide for the imposition of sewer connection charges and sewer rentals and charges and for the establishment of Rules and Regulations for the use of the Sewer System; and

WHEREAS, the Borough, by ordinance duly enacted May 23rd, 1956 has directed that all persons owning any occupied building or premises accessible to the Sewer System shall, at their own expense, connect with the Sewer System within 60 days after public or written notice to do so, and set forth therein certain provisions relating to such connections and certain penalties for failure to make such connections;

NOW, THEREFORE, the Board of Mt. Joy Borough Authority, hereby resolves:

Section 1. Definitions:

The following words and terms as used in this Resolution, shall be construed or defined as follows, unless the context clearly indicates otherwise:

(a) "Authority" means Mt. Joy Borough Authority, Lancaster County, Pennsylvania.

(b) "Borough" means Borough of Mount Joy, Lancaster County Pennsylvania

(c) "Commercial establishment" means any enterprise which is not a dwelling, industrial establishment, green house or garage or service station and specifically includes any structure which is used, in combination, for a dwelling and for any other purpose or purposes.

(d) "Green house" means a structure which is used in the business of raising, propagating, and/or selling plants, flowers, shrubbery, seeds or seedlings.

(e) "Industrial establishment" means any structure used wholly, or in part, for the manufacturing, fabricating, processing, cleaning, laundering, bottling or assemblying of any product, commodity or article.

(f) "Industrial waste" means any liquid, gaseous or solid substance or form of energy rejected or escaping or resulting from any manufacturing or industrial processes.

(g) "Person" includes natural persons, partnership, organizations and corporations

(h) "Sewage" means household waste, liquids, human or animal excretion and all substances commonly known as sewage, but shall not include roof or surface waters, exhaust, steam, oils, tar, grease, gasoline, benzine or other combustible gases and liquids, and offal or insoluable solids, industrial waste or substances which would impair, impede, effect, interfere with, or endanger the Sewer System or any part thereof in any manner whatsoever, or the functioning of the process of sewage treatmet.

(i) "Sewer Manager" means any person who may, from time to time, be placed in general charge of the Sewer System.

(j) "Sewer System" means he sewage collection system and sewage treatment plant acquired, constructed and operated by the Authority, and all additions, extensions and improvements thereto.

(k) "Water System" means the present system owned and operated by the Authority for the collection and distribution of water in the Borough and certain adjacent areas.

(l) "Water service outlet" means a single water spigot, faucet or tap.

Section 2. Connection Application and Imposition of Connection Charge:

Within 60 days after the notice provided for in the Ordinance, referred to above of the Borough, the owner of each improved property accessible to the Sewer System shall make an application to connect thereto, to the Authority. There is hereby imposed a connection charge of $200 for each connection to the Sewer System which shall be paid at the ime such application is made. Such connections shall be made in accordance with the ordinance of the Borough, referred to above, and with the Rules and Regulations of Authority.

Section 3. Imposition of Sewer Rental:

There is hereby imposed upon each property served by the Sewer System and having the use thereof, a semi-annual sewer rental, as hereinafter provided, for the use, whether direct or indirect, of the Sewer System, based on the rates hereinafter set forth.

Section 4. Sewer Rents for Metered Water Users:

A. All persons owning property connected to the Sewer System and served with metered water service by the Water System shall pay a semi-annual rental for sanitary sewage services based on quanity of water used, as evidenced by meter readings of water meters installed for the purpose of measuring water purchased from and furnished by the Water System and such other meters as may be installed pursuant to any provisions of this Resolution, all as follows:

	Half Yearly Rate Per 1000 Gallons
(1) First 50,000 gallons or less, per 6 months	$1.50
(2) Over 50,000 gallons per 6 months	.50

B. Whenever any industrial establishment has elected to exercise the option of measuring volume of sanitary sewage in accordance with the provisions of Section 5A (3) of this Resolution, then the semi-annual rental for sewage service shall be based upon the volume of sanitary sewage as so determined, all as follows:

	Half Yearly Rate Per 1000 Gallons
(1) First 50,000 gallons or less, per 6 months	$2.25
(2) Over 50,000 gallons per 6 months	.75

Section 5. Measuring Volume of Sanitary Sewage:

A. Methods of Measuring Volume (for the purpose of Section 4):

(1) Whenever a person purchasing all water used from the Water System discharges sanitary sewage into the Sewer System, the volume of water used, as determined from meter readings of the Authority shall be used in computing the sewer rental.

(2) In cases where dwellings and establishments have sources of water supply in addition to, or other than from the Water System and discharge sanitary sewage into the Sewer System, those establishments shall provide a meter on such additional or other source of supply. The total amounts of water consumed as shown by these meter readings will be used in computing the sewer rental.

(3) In cases where industrial establishments use water from the water System and/or from an independent supply for industrial purposes and/or for cooling air conditioning purposes, such that all or any part of the water so used is not discharged into the Sewer System, the quantity of water used to determine the sewer rental may, at the option of such establishment, be computed by one of the following methods:

Method No. 1

By placing a meter or measuring device on the sewer connection. The readings from this meter or measuring device shall be used in computing the sewer rental.

Method No. 2

By placing a meter or measuring device on the effluent not discharging into the Sewer System, the readings from this meter or measuring device will then be deducted from the total water meter readings and the remainder will be used in computing the sewer rental.

Method No. 3

When in the opinion of he Sewer Manager it is not practical to install measuring devices to continuously determine the quantity of water not discharged to the Sewer System, the Sewer Manager will determine, in such manner and by such method as he may prescribe, the percentage of metered water discharged into the Sewer System and the quantity of water used to compute the sewer rental shall be the percentage so determined of the quantity measured by the water meter or meters. Any dispute as to the estimated amount shall be submitted to the Authority after notice of the estimate, whose decision on the matter shall be final for the current calendar year.

(B) Measuring Devices

All meters or measuring devices not provided by the Authority in connection with the Water System but required to be used under the provisions of this Resolution shall be furnished and installed by the property owner and shall be under the control of the Authority, and may be tested, inspected or repaired by Authority employees whenever Authority deems necessary. The owner of the property upon which such measuring device is installed shall be responsible for its maintenance and safe keeping, and all repairs thereto shall be made at the property owner's expense, whether such repairs are made necessary by ordinary wear and tear or other causes. Bills for such repairs, if made by the Authority, shall be due and payable at the same time, and collected in he same manner as are the bills for sewer services; such bills from and after their due date shall constitute a lien upon the property upon which such measuring device in installed.

C. Meter Readings

Authority shall be responsible for the reading of all meters or measuring devices, and they shall be made available to Authority employees for meter reading at any reasonable time.

Section 6. Sewer Rents for Unmetered Water Users:

A. All persons owning property connected to the Sewer System and served with unmetered water service by the Water System shall pay a semi-annual rental for sanitary sewage service based on the following classifications and amounts:

Classification	Sewer Rentals, Per 6 Months Period
A dwelling having only one water service outlet	$16.50
A dwelling having more than one water service outlet, or a toilet	$30.00
Industrial establishment	$125.00
Green house without a toilet	$22.00
Green house with a toilet	$30.00
Garage or service station without a toilet	$22.00
Garage or service station with a toilet	$30.00
Commercial establishment without a toilet	$22.00
Commercial establishment with a toilet	$30.00

B. Rates and additional classifications and for fixtures not enumerated above in paragraph A., may be fixed and established by the Authority from time to time.

Section 7. Industrial Wastes:

A. No industrial establishment shall begin or continue to discharge any industrial waste into the Sewer System until it has first submitted a written application to the Authority for permission to do so, accompanied by a detailed report prepared by a sanitary engineer, registered in Pennsylvania, and satisfactory to Authority, setting forth such information relating to such industrial waste as Authority may require. Should Authority determine to accept such industrial wastes, the same will be accepted only after satisfactory agreements are entered into between the Authority and each such industrial establishment, providing for the payment of rates for the sewage service to be rendered thereunder.

The Authority reserves the right to refuse connection to the Sewer System or to compel discontinuance of use of any sewer or to compel pretreatment of industrial wastes by any industrial establishment in order to prevent discharges to the sewer deemed to be harmful to the Sewer System, or to have a deleterious effect on the sewage treatment or sludge handling processes.

Section 8. Time of Payments:

Bills for the payment of rates for services pursuant to this Resolution shall be rendered, and be due and payable on January 1 and July 1 of each year, beginning January 1, 1957, for the previous 6 months period.

Section 9. Penalties, Delinquent Rentals and Liens.

Semi-annual charges for services under this Resolution shall be subject to five percent (5%) penalty if not paid within thirty (30) days after the date of the bill. If not paid within ninety (90) days after such date, the bill plus the penalty shall thereafter bear interest at the rate of one-half percent (½%) per month or fraction thereof until paid, and the Authority shall have the right to cut off service from the delinquent premises and not to restore the same until all delinquent bills against the same and the costs of cutting off and restoring service shall have been paid.

All persons connected to the Sewer System must give the Authority their correct address. Failure to receive bills will not be considered an excuse for non-payment nor permit an extension of the period during which bills are payable at face.

All rentals for services under this Resolution, together with all penalties thereon, not paid on or before the end of one year from the date of each bill shall be deemed to be delinquent. All delinquent rentals and all penalties thereon shall be a lien on the property served and shall be entered as a lien against such property in the office of the prothonotary of Lancaster County, and shall be collected in the manner provided by laws for the filing and collection of such liens.

Section 10. Service during Portion of Period:

Whenever service under this Resolution, to any property begins after the first day or terminates before the last day of any semi-annual period herein set forth, the rental for such period shall be a pro rata amount for that portion of the period during which said property is served; provided, however, that in making any such apportionment, a fraction of a calendar month, amounting to one-half or more of a calendar month, shall be counted a full month, and a fraction of a calendar month amounting to less than one-half of a calendar month shall be disregarded.

Section 11. Rules and Regulations:

The Authority reserves the right to, and may from time to time, adopt, revise, amend and readopt such Rules and Regulations as it deems necessary and proper for the use and operation of the Sewer System, and all such Rules and Regulations shall be and become a part of this Resolution.

Section 12. Effective Date:

This Resolution and any Rules and Regulations hereunder shall become effective at once and shall be applicable, on and after February 1, 1957, to all properties then connected, or as soon as they respectively become connected with and have the right to use, the Sewer System. Authority reserves the right to make such changes from time to time as in its opinion may be desirable or beneficial, and to amend this Resolution or to change the rates or charges in such manner and at such times as in its opinion may be advisable.

Section 13. Construction and Severability:

If any of the provisions, sections, sentences, clauses or parts of this Resolution or the application of any provision hereof shall be held invalid, such invalidity shall not affect or impair any of the remainder of this Resolution, it being the intention of the Authority that such remainder shall be and remain in full force and effect.

DULY ADOPTED by the Board of Mt. Joy Borough Authority this 22nd day of May, 1956.

MT. JOY BOROUGH AUTHORITY
By S. H. Miller,
Chairman

(AUTHORITY SEAL)

Attest:
Grant D. Gerberich
Secretary

21-1c

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