Ordinance No. 2004-10 Deling Sewer Bills Date Enacted 08/09/04

TOWNSHIP OF HOPEWELL BEAVER COUNTY, PENNSYLVANIA

ORDINANCE NO. 2684-10

AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL, BEAVER COUNTY, PENNSYLVANIA, ESTABLISHING COLLECTION PROCEDURES FOR SANITARY SEWER CHARGES, IMPOSING PENALTIES AND INTEREST ON DELINQUENT SANITARY SEWER CHARGES, IMPOSING COSTS FOR COLLECTION OF DELINQUENT SANITARY SEWER CHARGES, IMPOSING REASONABLE ATTORNEYS FEES FOR THE COST OF COLLECTION OF DELINQUENT SANITARY SEWER CHARGES, ESTABLISHING PROCEDURES FOR IMPOSING A LIEN ON REAL ESTATE FOR DELINQUENT SANITARY SEWER CHARGES AND ADOPTING A PROCEDURE FOR SHUT-OFF OF WATER SERVICE UPON FAILURE TO PAY SANITARY SEWER CHARGES.

WHEREAS, the Township of Hopewell has incurred and will continue to incur considerable costs and expenses in collecting its delinquent sanitary sewer charges; and

WHEREAS, the Commissioners of the Township deem it to be in the best interests of the Township to establish a procedure for collection of delinquent sanitary sewer charges and impose costs, penalties and interest upon the owners of property serviced by the Township's sewer system who have failed to pay sanitary sewer charges; and

WHEREAS, pursuant to the First Class Township Code, 53 P.S. §56502 et seq., the Township's Board of Commissioners are authorized to make and adopt all such ordinances and resolutions as may be deemed necessary for the proper management, care and control of the Township, its property and finances; and

WHEREAS, this Ordinance is enacted pursuant to the Township Code, 53 P.S. §55101, et seq., and the Municipal Claims and Tax Lien Law, 53 P.S. §7101, et seq.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED AND ENACTED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF HOPEWELL, Beaver County Pennsylvania, and the authority of the same as follows:

Section 1. Short Title. This Ordinance shall be know as the "Sanitary Sewer Collection Ordinance".

Section 2. Definitions.

- A. Public Sanitary Sewer System ("Sewer System") shall mean all sanitary or combined sewers, pumping stations, inverted siphons, force mains, sewage treatment works, and any other sewage facilities owned or leased and operated by the Township for the collection, transportation and treatment of sanitary sewage and industrial wastes, together with their appurtenances, and any additions, extensions and improvements thereto. It shall also include sewers within the Township's service area which serve one or more persons and may not have been constructed by the Township and are not owned or maintained by the Township. It does not include separate storm sewers or culverts which have been constructed for the sole purpose of carrying storm and surface runoff, the discharge from which is not and does not become tributary to the sewage treatment facilities.
- B. <u>Sanitary Sewer User</u> shall mean any person, including natural persons, partnerships, associations and corporations and similar entities, public and private, owning or renting property within the Township's service area who are connected to the Public Sanitary Sewer System.
- C. <u>Sanitary Sewer Charges</u> shall mean the fees charged by the Township to persons connected to the Sanitary Sewer System. Said fees shall be imposed in accordance with rates established and adopted by the Township and in effect at the time of billing.
- D. <u>Real Estate</u> ('real estate or "property") shall mean real property located within the Township upon which a building or improvement exists that is connected to the Public Sanitary Sewer System.
- Section 3. Payment of Charges. All Sanitary Sewer Charges shall be rendered by the Township promptly after the meters are read or estimated, on a quarterly basis, except for persons who have a monthly water meter reading. In such cases monthly Sanitary Sewer Charge shall be issued. All Sanitary Sewer Charges for unmetered residential users on a private well system shall be rendered by the Township quarterly, on the basis of the current flat charge in effect. Payment in all cases shall be made by the due date listed on the Sanitary Sewer bill.
- Section 4. Penalty And Interest For Late Payment. All Sanitary Sewer Charges shall be subject to a 10% penalty if not paid on or before their due date ("delinquent Sanitary Sewer Charges"). If not paid within thirty (30) days after the due date, the net bill plus penalty shall bear interest at the rate of one (1%) percent per month or the fraction thereof until paid. Should any check for payment of Sanitary Sewer Charges be returned for any reason by the bank such check is written on, then, in event, an administrative fee of twenty-five (\$25.00) dollars together with the any actual fees assessed by the bank shall be assessed to the Sanitary Sewer User's account to which the returned check was applied.
- Section 5. <u>Lien of Real Estate.</u> All Sanitary Sewer Charges shall be a lien on the real estate charged with the payment thereof, from the effective date of this ordinance, and if not paid after thirty (30) days notice, may be collected in any manner provided by law.

Section 6. Costs of Collection and Attorneys Fees.

- A. All delinquent Sanitary Sewer Charges shall have added reasonable attorney's fees, charges and expenses incurred in the collection process subsequent to the proper notification to the Sanitary Sewer User of the intent to impose reasonable attorney's fees on delinquent Sanitary Sewer Charges. Such additional charges shall be collected in addition to such interest and penalties as are allowed by law. They shall further be collected in the same manner and with the full authority as other municipal claims of any nature, and shall be deemed to be a municipal claim and lienable as such.
- B. Such fees shall be reasonable and the same are hereby established in a fee rate as attached hereto and made a part hereof as Exhibit "A" ("Schedule of Fees"). Said Schedule of Fees is hereby deemed to be reasonable, fair and necessary in order to allow the Township to collect such sums due it for delinquent Sanitary Sewer Charges. The Schedule of Fees may be amended from time to time by a resolution adopted by the Township's Board of Commissioners.
- C. Any person or entity empowered to collect delinquent Sanitary Sewer Charges on behalf of the Township is directed to add such fees as are incurred to the extent allowed and set forth on Exhibit "A". Such sums collected pursuant to this Ordinance shall be in addition to any Sanitary Sewer Charge, penalty, interest, cost or fees already part of the delinquent account.
- D. Attorney fees incurred to the extent set forth on Exhibit "A" shall be added to all unpaid and delinquent Sanitary Sewer Charges imposed subsequent to the date of the adoption of this Ordinance, or which become delinquent or are re-determined to be delinquent subsequent to this date. Prior to the time when such fees are added to any underlying claim, the person or entity empowered to collect such amounts shall first give notice to the Sanitary Sewer User such notice as required by law. The person or entity empowered to collect such delinquent Sanitary Sewer Charges shall notify the Sanitary Sewer User by sending such notice to the Sanitary Sewer Users last known address by mailing a notice in the manner prescribed by 53 P.S. § 7101 et seq. entitled Municipal Claims and tax Liens, and generally as follows:

(i) Notice of Intention to Assess Attorneys' Fees.

- a. In all actions which attorneys' fees are incurred and claimed by the Township in collection of any delinquent Sanitary Sewer Charges, the Township through its Solicitor, Manager, Secretary or person or entity empowered to collect delinquent Sanitary Sewer Charges on behalf of the Township, shall notify the person responsible for payment of the delinquent Sanitary Sewer Charges by United States certified mail, return receipt requested, postage prepaid, of the Township's intention to assess attorneys' fees in connection with the collection of the delinquent Sanitary Sewer Charges to the person's last known post office address, as shown on the Township's tax records and the records of the Board of Property Assessment, Appeal and Review for Beaver County, Pennsylvania.
- b. If, within thirty (30) days of the mailing of the notice in accordance with subsection (a), the certified mail is refused or unclaimed, or the return receipt is not

received by the township, through its Solicitor, Manager, Secretary or person or entity empowered to collect delinquent Sanitary Sewer Charges on behalf of the Township shall mail to the person the notice by United States first class mail at least ten (10) days prior to assessing or imposing attorneys' fees in connection with the collection of the delinquent Sanitary Sewer Charges.

c. The notice required shall state the Township's intent to impose or assess attorneys' fees within thirty (30) days of the mailing of the notice pursuant to subsection (a) or within ten (10) days of the mailing of the notice pursuant to subsection (b), and the manner in which the imposition or assessment of attorneys' fees may be avoided pursuant to the Municipal Claim and Tax Lien Law.

Section 7. Discontinuance of Water Service for Nonpayment.

- A. The Township is empowered pursuant to 53 P.S. § 2261 et seq., to direct water utilities and authorities supplying water to shut-off water supply if an undisputed Sanitary Sewer Charge remains unpaid for a period of thirty (30) days after the due date. PROVIDED, HOWEVER, in no case shall the water supply be shut off until ten (10) days after written notice of an intention to do so has been mailed to the person liable for payment and a written notice has been posted at a main entrance to the premises where the water supply is to be shut off. If during such ten (10) day period, the person liable for payment delivers to the Township a written statement which states under oath or affirmation that such statement is not executed for purpose of delay and that he has a just defense to the claim for payment or to part of such claim, the water supply shall not be shut off until such claim has been judicially determined.
- B. Where a property is occupied by tenants, notice shall be given to the owner of the property by registered or certified mail, return receipt requested, or by hand delivery not less then thirty (30) days prior to termination of water service. Tenants shall have those rights regarding termination as are provided in the Utility Service Tenants' Rights Act, of November 26,1978, P.L. 1255, No. 299, 68 P.S. §§ 399.1 as amended.
- C. If water service is terminated under the conditions set forth in paragraph A, above, water service will not be resumed until all delinquent Sanitary Sewer Charges and delinquent water service charges, if any, are paid, together with a charge for turning off and turning on the water at the currently established rate and any other charges incurred by the Township as assessed by the applicable water utility or authority servicing the property. In cases where it becomes necessary to remove and reinstall a meter, the charge will be at the currently established meter reinstallation rate and re-connection charge shall be paid before water service is restored.
- D. The owner of the property served shall be responsible to the Township for payment for all Sanitary Sewer Charges provided to the property irrespective of any agreement between the property owner and a third party, and the Sanitary Sewer Charges shall in all cases be rendered to the owner of the property unless the Township is notified in writing by said owner to render the Sanitary Sewer Charges to some other person, and the Township agrees to such arrangements, in which case the owner shall nevertheless remain liable for the payment of all Sanitary Sewer Charges.

Section 8. Authorization. The proper officials of the Township are hereby authorized and directed to do all things necessary to effectuate the purpose of this Ordinance. The Township Manager is expressly authorized and empowered and directed to make such reasonable Rules and Regulations for the operation and enforcement of this Ordinance as he/she deems necessary. All Rules and Regulations issued pursuant to this Section shall be in writing and approved by the Township prior to such Rules and Regulations being effective.

Section 9. Repealer. All ordinances and parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeals shall be only to the extent of such inconsistence and in all other aspects this ordinance shall be cumulative of the other ordinances regulating and governing the subject matter covered by this Ordinance.

Section 10. Severability. If any section or provision or parts thereof in this ordinance shall be adjudged invalid or unconstitutional such invalidity or unconstitutionality shall not affect the validity of the ordinance as a whole or any other section or provision of the part thereof as if such invalid or unconstitutional provision had not been included in the Ordinance. To the extent possible the Court shall revise such invalid or unconstitutional provision to preserve the original intent of such provision.

Section 11. Effective Date. This Ordinance shall be in full force and effect form and after its passage and publication as required by law.

ORDAINED AND ENACTED INTO LAW this 9th day of Young 2004, by the Board of Commissioners of the Township of Hopewell, in this lawful session regularly assembled.

ATTEST:

Gerald G. Orsini.

Township Manager/Secretary

TOWNSHIP OF HOPEWELL

Tim Force, President

Board of Commissioners

SCHEDULE OF LEGAL FEES

DELINQUENT SANITARY SEWER CHARGES

1.	Prepare and mail Thirty-day Delinquent Notice.	\$ 50.00
2.	Prepare District Justice Complaint	\$ 75.00
3.	Attend District Justice Hearing.	\$ 250.00
4.	Attend Constable Execution Sale.	\$ 350.00
5.	Prepare Arbitration Complaint.	\$ 150.00
6.	Prepare General Docket Proceeding.	\$ 375.00
7.	Attend Trial.	\$ 350.00
8.	Negotiate and prepare Payment Plan Agreement.	\$ 75.00
9.	Prepare Writ of Scire Facias Sur Tax Lien in furtherance of Sheriff's Tax Sale.	\$ 600.00
10.	Prepare Reissue Writ.	\$ 125.00
11.	Title Search for Sheriff's Sale.	\$ 150.00
12.	Enter Default Judgment.	\$ 150.00
13.	Issue Writ of Execution.	\$ 250.00
14.	Attend Sheriff's Sale.	\$ 250.00
15.	Non-litigation Legal Work.	\$ 80.00/hr.
16.	Litigation Legal Work.	\$ 100.00/hr.
17.	All other clerical work not itemized above.	\$ 50.00/hr.

Exhibit "A"

Ordinance No. 2004-10 Collection
Proceduses - Sewer

Date Enacted 9 my by

TOWNSHIP OF HOPEWELL BEAVER COUNTY, PENNSYLVANIA

ORDINANCE NO. 2684-10

AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL, BEAVER COUNTY, PENNSYLVANIA, ESTABLISHING COLLECTION PROCEDURES FOR SANITARY SEWER CHARGES, IMPOSING PENALTIES AND INTEREST ON **DELINQUENT SANITARY SEWER CHARGES, IMPOSING** COSTS FOR COLLECTION OF DELINQUENT SANITARY REASONABLE CHARGES, IMPOSING ATTORNEYS FEES FOR THE COST OF COLLECTION OF DELINQUENT SANITARY SEWER ESTABLISHING PROCEDURES FOR IMPOSING A LIEN ON REAL ESTATE FOR DELINQUENT SANITARY SEWER CHARGES AND ADOPTING A PROCEDURE FOR SHUT-OFF OF WATER SERVICE UPON FAILURE TO PAY SANITARY SEWER CHARGES.

WHEREAS, the Township of Hopewell has incurred and will continue to incur considerable costs and expenses in collecting its delinquent sanitary sewer charges; and

WHEREAS, the Commissioners of the Township deem it to be in the best interests of the Township to establish a procedure for collection of delinquent sanitary sewer charges and impose costs, penalties and interest upon the owners of property serviced by the Township's sewer system who have failed to pay sanitary sewer charges; and

WHEREAS, pursuant to the First Class Township Code, 53 P.S. §56502 et seq., the Township's Board of Commissioners are authorized to make and adopt all such ordinances and resolutions as may be deemed necessary for the proper management, care and control of the Township, its property and finances; and

WHEREAS, this Ordinance is enacted pursuant to the Township Code, 53 P.S. §55101, et seq., and the Municipal Claims and Tax Lien Law, 53 P.S. §7101, et seq.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED AND ENACTED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF HOPEWELL, Beaver County Pennsylvania, and the authority of the same as follows:

Section 1. Short Title. This Ordinance shall be know as the "Sanitary Sewer Collection Ordinance".

Section 2. Definitions.

- A. Public Sanitary Sewer System ("Sewer System") shall mean all sanitary or combined sewers, pumping stations, inverted siphons, force mains, sewage treatment works, and any other sewage facilities owned or leased and operated by the Township for the collection, transportation and treatment of sanitary sewage and industrial wastes, together with their appurtenances, and any additions, extensions and improvements thereto. It shall also include sewers within the Township's service area which serve one or more persons and may not have been constructed by the Township and are not owned or maintained by the Township. It does not include separate storm sewers or culverts which have been constructed for the sole purpose of carrying storm and surface runoff, the discharge from which is not and does not become tributary to the sewage treatment facilities.
- B. <u>Sanitary Sewer User</u> shall mean any person, including natural persons, partnerships, associations and corporations and similar entities, public and private, owning or renting property within the Township's service area who are connected to the Public Sanitary Sewer System.
- C. <u>Sanitary Sewer Charges</u> shall mean the fees charged by the Township to persons connected to the Sanitary Sewer System. Said fees shall be imposed in accordance with rates established and adopted by the Township and in effect at the time of billing.
- D. <u>Real Estate</u> ('real estate or "property'') shall mean real property located within the Township upon which a building or improvement exists that is connected to the Public Sanitary Sewer System.
- Section 3. Payment of Charges. All Sanitary Sewer Charges shall be rendered by the Township promptly after the meters are read or estimated, on a quarterly basis, except for persons who have a monthly water meter reading. In such cases monthly Sanitary Sewer Charge shall be issued. All Sanitary Sewer Charges for unmetered residential users on a private well system shall be rendered by the Township quarterly, on the basis of the current flat charge in effect. Payment in all cases shall be made by the due date listed on the Sanitary Sewer bill.
- Section 4. Penalty And Interest For Late Payment. All Sanitary Sewer Charges shall be subject to a 10% penalty if not paid on or before their due date ("delinquent Sanitary Sewer Charges"). If not paid within thirty (30) days after the due date, the net bill plus penalty shall bear interest at the rate of one (1%) percent per month or the fraction thereof until paid. Should any check for payment of Sanitary Sewer Charges be returned for any reason by the bank such check is written on, then, in event, an administrative fee of twenty-five (\$25.00) dollars together with the any actual fees assessed by the bank shall be assessed to the Sanitary Sewer User's account to which the returned check was applied.
- Section 5. <u>Lien of Real Estate.</u> All Sanitary Sewer Charges shall be a lien on the real estate charged with the payment thereof, from the effective date of this ordinance, and if not paid after thirty (30) days notice, may be collected in any manner provided by law.

Section 6. Costs of Collection and Attorneys Fees.

- A. All delinquent Sanitary Sewer Charges shall have added reasonable attorney's fees, charges and expenses incurred in the collection process subsequent to the proper notification to the Sanitary Sewer User of the intent to impose reasonable attorney's fees on delinquent Sanitary Sewer Charges. Such additional charges shall be collected in addition to such interest and penalties as are allowed by law. They shall further be collected in the same manner and with the full authority as other municipal claims of any nature, and shall be deemed to be a municipal claim and lienable as such.
- B. Such fees shall be reasonable and the same are hereby established in a fee rate as attached hereto and made a part hereof as Exhibit "A" ("Schedule of Fees"). Said Schedule of Fees is hereby deemed to be reasonable, fair and necessary in order to allow the Township to collect such sums due it for delinquent Sanitary Sewer Charges. The Schedule of Fees may be amended from time to time by a resolution adopted by the Township's Board of Commissioners.
- C. Any person or entity empowered to collect delinquent Sanitary Sewer Charges on behalf of the Township is directed to add such fees as are incurred to the extent allowed and set forth on Exhibit "A". Such sums collected pursuant to this Ordinance shall be in addition to any Sanitary Sewer Charge, penalty, interest, cost or fees already part of the delinquent account.
- D. Attorney fees incurred to the extent set forth on Exhibit "A" shall be added to all unpaid and delinquent Sanitary Sewer Charges imposed subsequent to the date of the adoption of this Ordinance, or which become delinquent or are re-determined to be delinquent subsequent to this date. Prior to the time when such fees are added to any underlying claim, the person or entity empowered to collect such amounts shall first give notice to the Sanitary Sewer User such notice as required by law. The person or entity empowered to collect such delinquent Sanitary Sewer Charges shall notify the Sanitary Sewer User by sending such notice to the Sanitary Sewer Users last known address by mailing a notice in the manner prescribed by 53 P.S. § 7101 et seq. entitled Municipal Claims and tax Liens, and generally as follows:

Notice of Intention to Assess Attorneys' Fees.

- a. In all actions which attorneys' fees are incurred and claimed by the Township in collection of any delinquent Sanitary Sewer Charges, the Township through its Solicitor, Manager, Secretary or person or entity empowered to collect delinquent Sanitary Sewer Charges on behalf of the Township, shall notify the person responsible for payment of the delinquent Sanitary Sewer Charges by United States certified mail, return receipt requested, postage prepaid, of the Township's intention to assess attorneys' fees in connection with the collection of the delinquent Sanitary Sewer Charges to the person's last known post office address, as shown on the Township's tax records and the records of the Board of Property Assessment, Appeal and Review for Beaver County, Pennsylvania.
- b. If, within thirty (30) days of the mailing of the notice in accordance with subsection (a), the certified mail is refused or unclaimed, or the return receipt is not

received by the township, through its Solicitor, Manager, Secretary or person or entity empowered to collect delinquent Sanitary Sewer Charges on behalf of the Township shall mail to the person the notice by United States first class mail at least ten (10) days prior to assessing or imposing attorneys' fees in connection with the collection of the delinquent Sanitary Sewer Charges.

c. The notice required shall state the Township's intent to impose or assess attorneys' fees within thirty (30) days of the mailing of the notice pursuant to subsection (a) or within ten (10) days of the mailing of the notice pursuant to subsection (b), and the manner in which the imposition or assessment of attorneys' fees may be avoided pursuant to the Municipal Claim and Tax Lien Law.

Section 7. Discontinuance of Water Service for Nonpayment.

- A. The Township is empowered pursuant to 53 P.S. § 2261 et seq., to direct water utilities and authorities supplying water to shut-off water supply if an undisputed Sanitary Sewer Charge remains unpaid for a period of thirty (30) days after the due date. PROVIDED, HOWEVER, in no case shall the water supply be shut off until ten (10) days after written notice of an intention to do so has been mailed to the person liable for payment and a written notice has been posted at a main entrance to the premises where the water supply is to be shut off. If during such ten (10) day period, the person liable for payment delivers to the Township a written statement which states under oath or affirmation that such statement is not executed for purpose of delay and that he has a just defense to the claim for payment or to part of such claim, the water supply shall not be shut off until such claim has been judicially determined.
- B. Where a property is occupied by tenants, notice shall be given to the owner of the property by registered or certified mail, return receipt requested, or by hand delivery not less then thirty (30) days prior to termination of water service. Tenants shall have those rights regarding termination as are provided in the Utility Service Tenants' Rights Act, of November 26,1978, P.L. 1255, No. 299, 68 P.S. §§ 399.1 as amended.
- C. If water service is terminated under the conditions set forth in paragraph A, above, water service will not be resumed until all delinquent Sanitary Sewer Charges and delinquent water service charges, if any, are paid, together with a charge for turning off and turning on the water at the currently established rate and any other charges incurred by the Township as assessed by the applicable water utility or authority servicing the property. In cases where it becomes necessary to remove and reinstall a meter, the charge will be at the currently established meter reinstallation rate and re-connection charge shall be paid before water service is restored.
- D. The owner of the property served shall be responsible to the Township for payment for all Sanitary Sewer Charges provided to the property irrespective of any agreement between the property owner and a third party, and the Sanitary Sewer Charges shall in all cases be rendered to the owner of the property unless the Township is notified in writing by said owner to render the Sanitary Sewer Charges to some other person, and the Township agrees to such arrangements, in which case the owner shall nevertheless remain liable for the payment of all Sanitary Sewer Charges.

Section 8. Authorization. The proper officials of the Township are hereby authorized and directed to do all things necessary to effectuate the purpose of this Ordinance. The Township Manager is expressly authorized and empowered and directed to make such reasonable Rules and Regulations for the operation and enforcement of this Ordinance as he/she deems necessary. All Rules and Regulations issued pursuant to this Section shall be in writing and approved by the Township prior to such Rules and Regulations being effective.

Section 9. Repealer. All ordinances and parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeals shall be only to the extent of such inconsistence and in all other aspects this ordinance shall be cumulative of the other ordinances regulating and governing the subject matter covered by this Ordinance.

Section 10. Severability. If any section or provision or parts thereof in this ordinance shall be adjudged invalid or unconstitutional such invalidity or unconstitutionality shall not affect the validity of the ordinance as a whole or any other section or provision of the part thereof as if such invalid or unconstitutional provision had not been included in the Ordinance. To the extent possible the Court shall revise such invalid or unconstitutional provision to preserve the original intent of such provision.

Section 11. Effective Date. This Ordinance shall be in full force and effect form and after its passage and publication as required by law.

ORDAINED AND ENACTED INTO LAW this 9th day of August 2004, by the Board of Commissioners of the Township of Hopewell, in this lawful session regularly assembled.

ATTEST:

Gerald G. Orsini,

Township Manager/Secretary

TOWNSHIP OF HOPEWELL

Tim Force, President

Board of Commissioners

SCHEDULE OF LEGAL FEES

DELINQUENT REFUSE CHARGES

1.	Prepare and mail Thirty-day Delinquent Notice.	\$ 50.00
2.	Prepare District Justice Complaint	\$ 75.00
3.	Attend District Justice Hearing.	\$ 250.00
4.	Attend Constable Execution Sale.	\$ 350.00
5.	Prepare Arbitration Complaint.	\$ 150.00
6.	Prepare General Docket Proceeding.	\$ 375.00
7.	Attend Trial.	\$ 350.00
8.	Negotiate and prepare Payment Plan Agreement.	\$ 75.00
9.	Prepare Writ of Scire Facias Sur Tax Lien in furtherance of Sheriff's Tax Sale.	\$ 600.00
10.	Prepare Reissue Writ.	\$ 125.00
11.	Title Search for Sheriff's Sale.	\$ 150.00
12.	Enter Default Judgment.	\$ 150.00
13.	Issue Writ of Execution.	\$ 250.00
14.	Attend Sheriff's Sale.	\$ 250.00
15.	Non-litigation Legal Work.	\$ 80.00/hr.
16.	Litigation Legal Work.	\$ 100.00/hr.
17.	All other clerical work not itemized above.	\$ 50.00/hr.

Exhibit "A"

ORDINANCE NO. 2004-12

AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL, COUNTY OF BEAVER, PENNSYLVANIA, AUTHORIZING THE BOARD OF COMMISSIONERS TO EXECUTE THE DOCUMENTS NECESSARY TO SECURE AN EMERGENCY LOAN IN THE AMOUNT OF \$300,000.00 FROM NATIONAL CITY BANK OF PENNSYLVANIA UNDER THE EMERGENCY MANAGEMENT SERVICES CODE, 35 Pa.C.S. § 7501(d), THEREBY NOT BEING REQUIRED TO FOLLOW THE PRE-BORROWING NOTICE REQUIREMENTS OF THE LOCAL GOVERNMENT UNIT DEBT ACT, 53 Pa.C.S.A. §§ 8001, ET SEQ. AND INCREASING THE INDEBTEDNESS OF THE TOWNSHIP OF HOPEWELL, BEAVER COUNTY, PENNSYLVANIA BY THE ISSUE OF A GENERAL OBLIGATION NOTE IN THE AMOUNT OF \$300,000.00 FOR CAPITAL PURPOSES; FIXING THE FORM, NUMBER, DATE, INTEREST, AND MATURITY THEREOF; MAKING A COVENANT FOR THE PAYMENT OF THE DEBT SERVICE ON THE NOTE; PROVIDING FOR THE FILING OF THE REQUIRED DOCUMENTS; PROVIDING FOR THE APPOINTMENT OF A SINKING FUND DEPOSITORY FOR THE NOTE; AND AUTHORIZING EXECUTION, SALE AND DELIVERY THEREOF.

WHEREAS, the Township of Hopewell, County of Beaver, Pennsylvania, has been included in a Declaration of Disaster Emergency by the Governor as a result of the recent flood; and,

WHEREAS, the Office of Chief Counsel, Department of Community and Economic Development of the Commonwealth of Pennsylvania has authorized, through correspondence dated October 15, 2004, by Jill Busch, Acting Chief Counsel, an emergency loan between National City Bank of Pennsylvania, Robinson Plaza Three, Suite 200, Pittsburgh, Pennsylvania 15205 and Hopewell Township, 1700 Clark Boulevard, Aliquippa, Pennsylvania 10051 in the amount of \$300,000.00 under the provisions of the Emergency Management Services Code, 35 Pa.C.S.A. § 7501(d) without prior formal approval of the Department; and,

WHEREAS, this authorization of the Office of Chief Counsel of the Department of Community and Economic Development of the Commonwealth of Pennsylvania waives the pre-borrowing notice requirements of the Local Government Unit Debt Act, 53 Pa.C.S.A. §§ 8001, et seq., but none of the requirements of the Pennsylvania Sunshine Act, 65 P.S. §§ 271, et seq.; and,

WHEREAS, the above loan will be used for capital improvements related to the recent flood disaster emergency declared by the Governor, specifically, the severe damage caused by the flood to Hopewell Township's recently renovated Raccoon Sewage Treatment Plant, 103 Pollack Lane, Aliquippa, Pennsylvania 15001; and,

WHEREAS, the Township of Hopewell has received preliminary realistic cost estimates from professional consultants indicating the sum of \$300,000.00 will be needed to complete the aforementioned project; and,

WHEREAS, the above borrowing must be approved by ordinance; and,

WHEREAS, pursuant to the Local Government Unit Debt Act at 53 Pa.C.S.A. § 8003(b), no later than fifteen days after the final enactment of this Ordinance, a notice of its enactment will be advertised once in the *Beaver County Times* which will contain a summary of the Ordinance prepared by the Solicitor and state that a copy of the Ordinance can be examined by the public in the Hopewell Township Municipal Building, Monday through Friday, 8:30 a.m. to 4:30 p.m.; and,

WHEREAS, the proposed increase of debt, together with its non-electoral indebtedness and its lease rental indebtedness presently outstanding, will not cause the limitations of Hopewell's debt incurring power, pursuant to constitutional and statutory authority to be exceeded; and,

WHEREAS, this loan will conform to the debt service requirements and provisions for a sinking fund as required by the Local Government Unit Debt Act; and,

WHEREAS, as soon as possible after securing this loan, Hopewell Township will cause to be filed formal debt proceedings seeking approval of this loan from the Department of Community and Economic Development of the Commonwealth of Pennsylvania conforming with the general provisions of the Local Government Unit Debt Act.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township of Hopewell, Beaver County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same as follows:

SECTION 1. That the aggregate principal amount of the Note of the Township of Hopewell, Beaver County, Pennsylvania, proposed to be issued is \$300,000.00, same to be issued for the foregoing purposes and same to be incurred as non-electoral debt.

SECTION 2. The period of useful life of the improvements for which this obligation is to be issued is estimated to be in excess of ten (10) years.

The principal of the Note shall be payable in installments as set forth

below:

		Principal Amount to be
Maturity Schedule	<u>Date</u>	Paid
Monthly beginning	July 20, 2005	\$25,000.00
• 5	August 20, 2005	\$25,000.00
	September 20, 2005	\$25,000.00
	October 20, 2005	\$25,000.00
	November 20, 2005	\$25,000.00
	December 20,2005	\$25,000.00
	January 20, 2006	\$25,000.00
	February 20, 2006	\$25,000.00
	March 20, 2006	\$25,000.00
	April 20, 2006	\$25,000.00
	May 20, 2006	\$25,000.00
	June 20, 2006	\$25,000.00

The Township of Hopewell reserves the right to anticipate any or all installments of principal or any payment of interest at any time prior to the respective payment dates thereof, without notice or penalty.

The principal and interest of said Note shall be payable at the office of the sinking fund depository selected for the Note as hereinafter provided.

SECTION 4. The said Note is hereby declared to be a general obligation of the Township of Hopewell, Beaver County, Pennsylvania. The Township of Hopewell hereby

covenants that it shall include the amount of debt service on the Note for each fiscal year in which such sums are payable in its budget for that year; shall appropriate such amounts to the payment of such debt service; and shall duly and punctually pay or cause to be paid the principal of the Note and the interest thereon at the dates and places and in the manner stated in the Note according to the true intent and meaning thereof, and for such proper budgeting, appropriation, and payment, the full faith, credit and taxing power of the Township of Hopewell is hereby irrevocably pledged.

The amounts which the Township of Hopewell hereby covenants to pay in each of the following fiscal years on the basis of the aforementioned prime rate of interest are according to the debt service schedule as attached as Exhibit "1".

SECTION 5. The form of said note shall be substantially as set forth in the attached Exhibit "2".

SECTION 6. The said Note shall be executed in the name and under the corporate seal of the Township of Hopewell by the President, Tim Force, and Vice President, Ed Zimmerman, of the Hopewell Township Board of Commissioners and attested to by the Manager, Gerald V. Orsini. The Finance Manager, Andrew Burnette, is hereby authorized and directed to deliver said note to the purchaser, and receive payment therefor on behalf of the Township of Hopewell. The Manager and Finance Manager of the Township of Hopewell are authorized and directed to prepare, verify and file the debt statement required by Section 8110 of the Act and to take other necessary action, including, if necessary or desirable, any statements required to qualify any portion of the debt from the appropriate debt limit as self-liquidating or subsidized debt.

SECTION 7. National City Bank of Pennsylvania, New Sheffield Branch, is hereby designated as the Sinking Fund Depository for the obligation herein authorized, and there is hereby created and established a Sinking Fund, to be known as "Sinking Fund 2004 General Obligation Note" for the payment of the principal and interest thereon which shall be deposited into the Sinking Fund no later than the date upon which the same becomes due and payable. The Finance Manager shall deposit into the Sinking Fund, which shall be maintained until such obligation is paid in full, sufficient amounts for payment of principal and interest on the obligation no later than the date upon which such payments shall be come due. The Sinking Fund Depository shall, as and when said payments are due, without further action by the Township of Hopewell, withdraw available monies in the Sinking Fund and apply said monies to payment of principal and interest on the obligation.

SECTION 8. The President and Vice President of the Hopewell Township Board of Commissioners are hereby authorized to contract with National City Bank of Pennsylvania, New Sheffield Branch for its services as Sinking Fund Depository for the Note and paying agent for the same.

SECTION 9. In compliance with Section 8161 of the Act, the members of the governing body have determined that a private sale by negotiation rather than public sale is in the best financial interest of the Township of Hopewell. Therefore, the general obligation Note in the amount of \$300,000.00, herein authorized to be issued and sold is hereby awarded and sold to National City Bank of Pennsylvania, New Sheffield Branch and is in the form set forth in this Ordinance as Exhibit "3"; and further provided that the proceedings have been approved by the Department of Community and Economic Development if such approval is required under the provisions of the Act.

SECTION 10. The action of the proper officers and the advertising of a summary of this Ordinance as required by law in the Beaver County Times, a newspaper of general circulation, is ratified and confirmed. The advertisement in said paper of the enactment of the ordinance is hereby directed within fifteen (15) days following the day of final enactment.

ORDAINED AND ENACTED into an ordinance this 25 day of October, 2004.

BOARD

HOPEWELL

ATTEST:

Gerald G. Orsini, Manager

Rv.

Ed Zimmerman

Vice President

OF COMMISSIONERS OF

TOWNSHIP

(SEAL)



TOWNSHIP OF HOPEWELL BEAVER COUNTY, PENNSYLVANIA

ORDINANCE NO. 2604-10

AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL. BEAVER COUNTY, PENNSYLVANIA, ESTABLISHING COLLECTION PROCEDURES FOR SANITARY SEWER CHARGES, IMPOSING PENALTIES AND INTEREST ON DELINQUENT SANITARY SEWER CHARGES, IMPOSING COSTS FOR COLLECTION OF DELINQUENT SANITARY SEWER CHARGES, IMPOSING REASONABLE ATTORNEYS FEES FOR THE COST OF COLLECTION OF DELINQUENT SANITARY SEWER CHARGES. ESTABLISHING PROCEDURES FOR IMPOSING A LIEN ON REAL ESTATE FOR DELINQUENT SANITARY SEWER CHARGES AND ADOPTING A PROCEDURE FOR SHUT-OFF OF WATER SERVICE UPON FAILURE TO PAY SANITARY SEWER CHARGES.

WHEREAS, the Township of Hopewell has incurred and will continue to incur considerable costs and expenses in collecting its delinquent sanitary sewer charges; and

WHEREAS, the Commissioners of the Township deem it to be in the best interests of the Township to establish a procedure for collection of delinquent sanitary sewer charges and impose costs, penalties and interest upon the owners of property serviced by the Township's sewer system who have failed to pay sanitary sewer charges; and

WHEREAS, pursuant to the First Class Township Code, 53 P.S. §56502 et seq., the Township's Board of Commissioners are authorized to make and adopt all such ordinances and resolutions as may be deemed necessary for the proper management, care and control of the Township, its property and finances; and

WHEREAS, this Ordinance is enacted pursuant to the Township Code, 53 P.S. §55101, et seq., and the Municipal Claims and Tax Lien Law, 53 P.S. §7101, et seq.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED AND ENACTED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF HOPEWELL, Beaver County Pennsylvania, and the authority of the same as follows:

Section 1. Short Title. This Ordinance shall be known as the "Sanitary Sewer Collection Ordinance".

Section 2. Definitions.

- A. <u>Public Sanitary Sewer System</u> ("Sewer System") shall mean all sanitary or combined sewers, pumping stations, inverted siphons, force mains, sewage treatment works, and any other sewage facilities owned or leased and operated by the Township for the collection, transportation and treatment of sanitary sewage and industrial wastes, together with their appurtenances, and any additions, extensions and improvements thereto. It shall also include sewers within the Township's service area which serve one or more persons and may not have been constructed by the Township and are not owned or maintained by the Township. It does not include separate storm sewers or culverts which have been constructed for the sole purpose of carrying storm and surface runoff, the discharge from which is not and does not become tributary to the sewage treatment facilities.
- B. <u>Sanitary Sewer User</u> shall mean any person, including natural persons, partnerships, associations and corporations and similar entities, public and private, owning or renting property within the Township's service area who are connected to the Public Sanitary Sewer System.
- C. <u>Sanitary Sewer Charges</u> shall mean the fees charged by the Township to persons connected to the Sanitary Sewer System. Said fees shall be imposed in accordance with rates established and adopted by the Township and in effect at the time of billing.
- D. <u>Real Estate</u> ('real estate or "property") shall mean real property located within the Township upon which a building or improvement exists that is connected to the Public Sanitary Sewer System.
- Section 3. Payment of Charges. All Sanitary Sewer Charges shall be rendered by the Township promptly after the meters are read or estimated, on a quarterly basis, except for persons who have a monthly water meter reading. In such cases monthly Sanitary Sewer Charge shall be issued. All Sanitary Sewer Charges for unmetered residential users on a private well system shall be rendered by the Township quarterly, on the basis of the current flat charge in effect. Payment in all cases shall be made by the due date listed on the Sanitary Sewer bill.
- Section 4. Penalty And Interest For Late Payment. All Sanitary Sewer Charges shall be subject to a 10% penalty if not paid on or before their due date ("delinquent Sanitary Sewer Charges"). If not paid within thirty (30) days after the due date, the net bill plus penalty shall bear interest at the rate of one (1%) percent per month or the fraction thereof until paid. Should any check for payment of Sanitary Sewer Charges be returned for any reason by the bank such check is written on, then, in event, an administrative fee of twenty-five (\$25.00) dollars together with the any actual fees assessed by the bank shall be assessed to the Sanitary Sewer User's account to which the returned check was applied.
- Section 5. <u>Lien of Real Estate.</u> All Sanitary Sewer Charges shall be a lien on the real estate charged with the payment thereof, from the effective date of this ordinance, and if not paid after thirty (30) days notice, may be collected in any manner provided by law.

Section 6. Costs of Collection and Attorneys Fees.

- A. All delinquent Sanitary Sewer Charges shall have added reasonable attorney's fees, charges and expenses incurred in the collection process subsequent to the proper notification to the Sanitary Sewer User of the intent to impose reasonable attorney's fees on delinquent Sanitary Sewer Charges. Such additional charges shall be collected in addition to such interest and penalties as are allowed by law. They shall further be collected in the same manner and with the full authority as other municipal claims of any nature, and shall be deemed to be a municipal claim and lienable as such.
- B. Such fees shall be reasonable and the same are hereby established in a fee rate as attached hereto and made a part hereof as Exhibit "A" ("Schedule of Fees"). Said Schedule of Fees is hereby deemed to be reasonable, fair and necessary in order to allow the Township to collect such sums due it for delinquent Sanitary Sewer Charges. The Schedule of Fees may be amended from time to time by a resolution adopted by the Township's Board of Commissioners.
- C. Any person or entity empowered to collect delinquent Sanitary Sewer Charges on behalf of the Township is directed to add such fees as are incurred to the extent allowed and set forth on Exhibit "A". Such sums collected pursuant to this Ordinance shall be in addition to any Sanitary Sewer Charge, penalty, interest, cost or fees already part of the delinquent account.
- D. Attorney fees incurred to the extent set forth on Exhibit "A" shall be added to all unpaid and delinquent Sanitary Sewer Charges imposed subsequent to the date of the adoption of this Ordinance, or which become delinquent or are re-determined to be delinquent subsequent to this date. Prior to the time when such fees are added to any underlying claim, the person or entity empowered to collect such amounts shall first give notice to the Sanitary Sewer User such notice as required by law. The person or entity empowered to collect such delinquent Sanitary Sewer Charges shall notify the Sanitary Sewer User by sending such notice to the Sanitary Sewer Users last known address by mailing a notice in the manner prescribed by 53 P.S. § 7101 et seq. entitled Municipal Claims and tax Liens, and generally as follows:

Notice of Intention to Assess Attorneys' Fees.

- a. In all actions which attorneys' fees are incurred and claimed by the Township in collection of any delinquent Sanitary Sewer Charges, the Township through its Solicitor, Manager, Secretary or person or entity empowered to collect delinquent Sanitary Sewer Charges on behalf of the Township, shall notify the person responsible for payment of the delinquent Sanitary Sewer Charges by United States certified mail, return receipt requested, postage prepaid, of the Township's intention to assess attorneys' fees in connection with the collection of the delinquent Sanitary Sewer Charges to the person's last known post office address, as shown on the Township's tax records and the records of the Board of Property Assessment, Appeal and Review for Beaver County, Pennsylvania.
- b. If, within thirty (30) days of the mailing of the notice in accordance with subsection (a), the certified mail is refused or unclaimed, or the return receipt is not

received by the township, through its Solicitor, Manager, Secretary or person or entity empowered to collect delinquent Sanitary Sewer Charges on behalf of the Township shall mail to the person the notice by United States first class mail at least ten (10) days prior to assessing or imposing attorneys' fees in connection with the collection of the delinquent Sanitary Sewer Charges.

c. The notice required shall state the Township's intent to impose or assess attorneys' fees within thirty (30) days of the mailing of the notice pursuant to subsection (a) or within ten (10) days of the mailing of the notice pursuant to subsection (b), and the manner in which the imposition or assessment of attorneys' fees may be avoided pursuant to the Municipal Claim and Tax Lien Law.

Section 7. Discontinuance of Water Service for Nonpayment.

- A. The Township is empowered pursuant to 53 P.S. § 2261 et seq., to direct water utilities and authorities supplying water to shut-off water supply if an undisputed Sanitary Sewer Charge remains unpaid for a period of thirty (30) days after the due date. PROVIDED, HOWEVER, in no case shall the water supply be shut off until ten (10) days after written notice of an intention to do so has been mailed to the person liable for payment and a written notice has been posted at a main entrance to the premises where the water supply is to be shut off. If during such ten (10) day period, the person liable for payment delivers to the Township a written statement which states under oath or affirmation that such statement is not executed for purpose of delay and that he has a just defense to the claim for payment or to part of such claim, the water supply shall not be shut off until such claim has been judicially determined.
- B. Where a property is occupied by tenants, notice shall be given to the owner of the property by registered or certified mail, return receipt requested, or by hand delivery not less then thirty (30) days prior to termination of water service. Tenants shall have those rights regarding termination as are provided in the Utility Service Tenants' Rights Act, of November 26,1978, P.L. 1255, No. 299, 68 P.S. §§ 399.1 as amended.
- C. If water service is terminated under the conditions set forth in paragraph A, above, water service will not be resumed until all delinquent Sanitary Sewer Charges and delinquent water service charges, if any, are paid, together with a charge for turning off and turning on the water at the currently established rate and any other charges incurred by the Township as assessed by the applicable water utility or authority servicing the property. In cases where it becomes necessary to remove and reinstall a meter, the charge will be at the currently established meter reinstallation rate and re-connection charge shall be paid before water service is restored.
- D. The owner of the property served shall be responsible to the Township for payment for all Sanitary Sewer Charges provided to the property irrespective of any agreement between the property owner and a third party, and the Sanitary Sewer Charges shall in all cases be rendered to the owner of the property unless the Township is notified in writing by said owner to render the Sanitary Sewer Charges to some other person, and the Township agrees to such arrangements, in which case the owner shall nevertheless remain liable for the payment of all Sanitary Sewer Charges.

Section 8. Authorization. The proper officials of the Township are hereby authorized and directed to do all things necessary to effectuate the purpose of this Ordinance. The Township Manager is expressly authorized and empowered and directed to make such reasonable Rules and Regulations for the operation and enforcement of this Ordinance as he/she deems necessary. All Rules and Regulations issued pursuant to this Section shall be in writing and approved by the Township prior to such Rules and Regulations being effective.

Section 9. Repealer. All ordinances and parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeals shall be only to the extent of such inconsistence and in all other aspects this ordinance shall be cumulative of the other ordinances regulating and governing the subject matter covered by this Ordinance.

Section 10. Severability. If any section or provision or parts thereof in this ordinance shall be adjudged invalid or unconstitutional such invalidity or unconstitutionality shall not affect the validity of the ordinance as a whole or any other section or provision of the part thereof as if such invalid or unconstitutional provision had not been included in the Ordinance. To the extent possible the Court shall revise such invalid or unconstitutional provision to preserve the original intent of such provision.

Section 11. Effective Date. This Ordinance shall be in full force and effect form and after its passage and publication as required by law.

ORDAINED AND ENACTED INTO LAW this 9th day of August 2004, by the Board of Commissioners of the Township of Hopewell, in this lawful session regularly assembled.

ATTEST:

1) [///

Gerald G. Orsini,

Township Manager/Secretary

TOWNSHIP OF HOPEWELL

Tim Force, President

Board of Commissioners

Beaver County Times/Allegheny Times

400 FAIR AVENUE BEAVER, PA 15009-0400 (724) 775-3200

LEGAL ADVERTISING INVOICE

Account Number: 7243781460A

Invoice Date: 8/6/04

Invoice Number: 10000176434-0802

ORDINANCE NOTICE INTENT TO ADOPT
NOTICE is hereby given that
the Hopewell Township Board of
Commissioners will consider to

Commissioners will consider to take action at a public meeting to approve Ordinance No. 2004–10 on Monday August 9th, 2004 at 6:30 P.M. prevailing time at the Municipal Building, 1700 (Clark Boulevard, Aliquippa PA 15001. The Ordinance may be summarized as follows: An Ordinance of the Township of Hopewell, Beaver County Pennsylvania, establishing collection procedures for sanitary sewer charges, imposing costs for collection of delinquent sanitary sewer charges, imposing costs for collection of delinquent sanitary sewer charges, imposing costs for collection of delinquent sanitary sewer charges, imposing

tary sewer charges, imposing reasonable attorneys fees for the cost of collection of delin-

quent sanitary sewer charges, and establishing procedures for imposing a lien on real estate

for delinquent sanitary charges and adopting a procedure for shut-off of water service upon

failure to pay sanitary sewer

charges.

A copy of the full text of the proposed Ordinance is available for inspection by any citizen at the Manager's office, at the aforesaid address between the hours of 8.30 A.M. and 4:30 P.M., Monday thru Friday, and, the Beaver County Law Library

charges.

Balance: \$ 121.35

HOPEWELL TOWNSHIP 1700 CLARK BLVD ALIQUIPPA, PA 15001

PROOF CHARGE IS \$3.00 FOR AFFFIDAVIT, \$9.00 FOR CLERICAL FEE

REMITTANCE - DETACH & RETURN THIS PORTION WITH PAYMENT

ACCOUNT #	INVOICE DATE	DESCRIPTION	LINES	TIMES	PROOF	TOTAL CHARGES
7243781460A	8/6/04	ORDINANCE NOTICEINTENT T	1.00 x 45Lines	1	12.00	\$ 121.35
8/2/04						1
		DATES APPEARED				

PROOF OF PUBLICATION

The Beaver County Times/Allegheny Times, a daily newspaper of general circulation, published by BEAVER NEWSPAPERS, INC., a Pennsylvania corporation, 400 Fair Avenue, West Bridgewater, Beaver County, Pennsylvania, was established in 1946, and has been issued regularly, except legal holidays since said date.

The attached advertisement, which is exactly as printed and published, appeared in the regular issue on

8/2/04

BEAVER NEWSPAPERS

STATE OF PENNSYLVANIA

COUNTY OF BEAVER,

160 Debbie L. Hays Inter Finance Bridgewater Boro, Lua La Cambri My Commission Emphas I May 1

Before me, a Notary Public in and for such county and state, personally appeared EDWIN METZGER , who being duly sworn according to law says that he is CONTROLLER of BEAVER NEWSPAPERS, INC.; that neither affiant nor said corporation is interested in the subject matter of the attached advertisement; and that all of the allegations of the foregoing statement including those as to the time, place and character of publication are true.

Sworn to and subscribed before me this 6th day of August 2004

> The costs of advertising and has been paid.

hours of Monday thru Friday, and, the Beaver County Law Library, Beaver, Pennsylvania, and, the Beaver County Times.

Gerald G. Orsini
Township Manager

8/2/04 \$ 121.35

BEAVER NEWSPAPERS, INC.

Wember, Pennsylv **BEAVER COUNTY TIMES**

400 FAIR AVE.

BEAVER, PA. 15009