

RESOLUTION NO. 91-116

A RESOLUTION OF THE TOWNSHIP OF HOPEWELL, REQUESTING AND DIRECTING THE CRESWELL HEIGHTS JOINT AUTHORITY TO SHUT-OFF WATER SUPPLY TO ALL PREMISES DURING FAILURE OR NEGLECT OF THE OWNER OR OCCUPANT THEREOF TO PAY OVERDUE SEWAGE RENTAL THEREON: FURTHER AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE CRESWELL HEIGHTS JOINT AUTHORITY TO PROVIDE FOR PAYMENT OF SHUT-OFF SERVICES, REIMBURSEMENT FOR ESTIMATED LOSS OF REVENUES RESULTING FROM SHUT-OFF, AND INDEMNIFICATION AGAINST ALL LIABILITY RESULTING FROM SHUT-OFF OF WATER SUPPLY WHEN SO DIRECTED BY THE TOWNSHIP OF HOPEWELL.

WHEREAS, Act 482 of April 14, 1949, as now amended, authorizes the shutting-off of water supply to all premises during the failure or neglect of the owner or occupant thereof to pay overdue sewage rental therefor following written notice thereof; and

WHEREAS, the Township of Hopewell is empowered to direct water utilities and authorities supplying water services to shut-off water supply as provided in the aforementioned Act of Assembly.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Township of Hopewell, a body politic and corporate, AND IT IS HEREBY RESOLVED:

1. That pursuant to the provisions of Act No. 482 of April 14, 1949 [53 P.S. 2261 et seq.], as amended, the Township of Hopewell (hereinafter, "Hopewell") hereby requests and directs the Creswell Heights Joint Authority (hereinafter, "Water Authority") to shut-off water supply to all premises during the failure or neglect of the owner or occupant thereof to pay overdue sewage rental therefor when, from time to time, written notice of the same shall be given by Hopewell to the Water Authority. That Hopewell

approves that certain Agreement between it and the Water Authority, a copy of which is annexed hereto and by reference, made a part hereof, providing, inter alia, for payment for shut-off services, reimbursement for loss of water revenues resulting from shut-off, and indemnification for liability resulting from shut-off services.

2. That the Chairman of the Board of Commissioners is hereby authorized and directed to execute said Agreement for and in behalf of Hopewell; and the Secretary is hereby authorized to attest the due execution thereof and to impress the seal of the Township of Hopewell thereto.

3. That _____, authorized agents, servants, workmen or employees of Hopewell are hereby delegated the responsibility of administering the provisions of said Agreement for shutting-off water supply, including without limitation, the responsibility and authority:

(a) To request shut-off of water service for failure or neglect to pay claims, liens, rentals and charges for sewers and sewage treatment and service;

(b) to certify compliance with all applicable provisions of Act No. 482, including but not limited to written notice to the delinquent owner and/or occupant and the posting of the premises; and

(c) to direct restoration of water service to the premises involved.

ADOPTED this 10 day of September, 1991.

TOWNSHIP OF HOPEWELL BOARD OF COMMISSIONERS

(SEAL)

By: Jim Fouse

ATTEST:

James McEwen
Secretary