

TOWNSHIP OF WASHINGTON

Franklin County, Pennsylvania

ORDINANCE NO. 55

AN ORDINANCE

OF THIS MUNICIPALITY AUTHORIZING AND APPROVING A SEWAGE TRANSPORTATION AGREEMENT BETWEEN THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA, AND WAYNESBORO BOROUGH AUTHORITY, ON THE ONE HAND, AND THIS TOWNSHIP AND WASHINGTON TOWNSHIP MUNICIPAL AUTHORITY ON THE OTHER HAND, RELATING TO SEWAGE SERVICES UNDERWHICH SEWAGE TRANSPORTATION AGREEMENT SAID TOWNSHIP AND/OR SAID TOWNSHIP'S AUTHORITY SHALL COVENANT AND AGREE TO MAKE CERTAIN ANNUAL PAYMENTS TO THE BOROUGH FOR SEWAGE; UNDER WHICH SEWAGE TRANSPORTATION AGREEMENT THE BOROUGH WILL COVENANT AND AGREE TO PROVIDE SAID SEWAGE SERVICES; AND UNDER WHICH SEWAGE TRANSPORTATION AGREEMENT THIS TOWNSHIP WILL AGREE WITH RESPECT TO CERTAIN RELATED MATTERS; DESCRIBING THE FORM OF SAID SEWAGE TRANSPORTATION AGREEMENT; AUTHORIZING AND DIRECTING EXECUTION, ATTESTATION AND DELIVERY OF SAID SEWAGE TRANSPORTATION AGREEMENT IN BEHALF OF THIS TOWNSHIP AND AUTHORIZING AND DIRECTING OTHER NECESSARY AND PROPER ACTION.

BE IT ENACTED AND ORDAINED, and it is enacted and ordained, by the Board of Supervisors of the Township of Washington, Franklin County, Pennsylvania, as follows:

SECTION 1. This Township together with Washington Township Municipal Authority ("Township Authority") shall enter into a Sewage Transportation Agreement (the "Agreement"), with the Borough of Waynesboro, Franklin County, Pennsylvania (the "Borough") and Waynesboro Borough Authority (the "Borough Authority") substantially in the form referred to in Section 2 under terms and provisions of which Agreement this Township and/or Township Authority shall covenant and agree to make certain payments to the Borough; under terms and provisions of which Agreement the Borough will covenant and agree to provide certain sewage services to this Township and/or Township Authority relating to certain portions of the Township described therein; and under terms and provisions of which Agreement the Borough and Borough Authority, on the one hand, and this Township and Township Authority, on the other hand, will agree with respect to certain related matters.

SECTION 2. The Agreement shall be substantially in the form presented to this meeting, together with changes approved by the officers of this Township executing and delivering the same, said approval to be deemed to have been given upon said execution and delivery thereof, which form is approved; and a copy of the Agreement, in the form so presented to this meeting and so approved, shall be filed with the Secretary of this Township and shall be made available for inspection at reasonable times by interested persons requesting such inspection.

SECTION 3. The Chairman of the Board of Supervisors and the Secretary of this Township are authorized and directed to execute, to attest and to deliver the Agreement, in behalf of this Township, substantially in the form approved in Section 2.

SECTION 4. Proper officers of this Township are authorized and directed to execute all documents and to do all other acts as may be necessary and proper to carry out this Ordinance and the undertakings of this Township under the Agreement.

SECTION 5. This Ordinance shall become effective in accordance with law.

SECTION 6. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of this Township that such remainder shall be and shall remain in full force and effect.

SECTION 7. It is declared that enactment of this Ordinance is necessary for the protection, benefit and preservation of the health, safety and welfare of the inhabitants of this Township.

SECTION 8. All other ordinances or parts of ordinances inconsistent herewith shall be and the same expressly are repealed.

DULY ENACTED AND ORDAINED, this 6th day of December, 1976, by the Board of Supervisors of the Township of Washington, Franklin County, Pennsylvania, in lawful session duly assembled.

Attest:

Philip J. Grov
Secretary

TOWNSHIP OF WASHINGTON, Franklin
County, Pennsylvania

Merle C. Eigenbrode
Merle C. Eigenbrode, Chairman

Melvin T. Sease
Melvin T. Sease, Vice-Chairman

Andrew S. Fitz
Andrew S. Fitz, Supervisor