

TOWNSHIP OF SHAMOKIN
NORTHUMBERLAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 954

AN ORDINANCE

OF THE TOWNSHIP OF SHAMOKIN, NORTHUMBERLAND COUNTY, PENNSYLVANIA, AUTHORIZING AND APPROVING AN AGREEMENT BETWEEN THE TOWNSHIP OF SHAMOKIN, ON THE ONE HAND, AND THE SHAMOKIN TOWNSHIP MUNICIPAL AUTHORITY, ON THE OTHER HAND, HEREBY SAID AUTHORITY WILL COVENANT TO ACQUIRE, TO CONSTRUCT, TO OWN AND TO OPERATE A CERTAIN COLLECTION, TRANSMISSION AND TREATMENT SYSTEM FACILITIES REQUIRED FOR RENDERING A SANITARY SEWAGE SYSTEM IN, TO AND FOR THE TOWNSHIP OF SHAMOKIN, PROVIDING FOR CERTAIN COVENANTS AND AGREEMENTS ON BEHALF OF THE TOWNSHIP OF SHAMOKIN WITH RESPECT TO THE SANITARY SEWAGE SYSTEM OWNED AND OPERATED BY SAID AUTHORITY, INCLUDING, INTER ALIA: (1) THE OPERATION OF A SANITARY SEWAGE SYSTEM; (2) GRANTING OF CERTAIN EASEMENTS, RIGHTS-OF-WAYS, RIGHTS AND PRIVILEGES TO THE SAID AUTHORITY; (3) THE ENFORCEMENT AUTHORITY UNDER THE MANDATORY CONNECTION ORDINANCE PREVIOUSLY ADOPTED BY THE TOWNSHIP OF SHAMOKIN; AND (4) OTHER RELATED MATTERS; AUTHORIZING AND DIRECTING EXECUTION, ACKNOWLEDGEMENT AND DELIVERY OF SAID AGREEMENT ON BEHALF OF THE TOWNSHIP OF SHAMOKIN; AND AUTHORIZING AND DIRECTING OTHER NECESSARY AND PROPER ACTION.

BE IT ORDAINED and ENACTED, by the Board of Supervisors of the Township of Shamokin, Northumberland County, Pennsylvania, (hereinafter referred to as the "Township"), and it hereby is Enacted and Ordained by and with the authority of the same, as follows:

Section 1.

The Township shall enter into an Agreement (the "Agreement") with The Shamokin Township Municipal Authority (the "Authority"), whereby, inter alia, the Authority will covenant and agree to construct and to make alterations, additions and improvements to certain collection, storage and treatment facilities required for rendering sanitary sewage service in, to and for the Township, and the Township shall make certain covenants and agreements with respect to the sanitary sewage system owned and operated by the Authority, including (1) the enforcement of requirements for connection to and use of such sewage system; (2) the granting of certain easements, rights-of-way, rights and privileges to the Authority; (3) the granting of the right to the Authority to enforce the Mandatory Connection Ordinance previously adopted by the Township and (4) other related matters. This Agreement shall be in substantially the form presented to this meeting, which Agreement is attached to this Ordinance, made a part hereof by this reference and hereby approved.

Section 2.

A copy of the Agreement, in the form so presented to this meeting and so approved, shall be filed with the Secretary of the Township of Shamokin, and shall be made available for inspection at reasonable times by all interested persons requesting such inspection.

Section 3.

The Chairman of the Board of Supervisors of Shamokin Township, and the Secretary thereof, as applicable and appropriate, are authorized and directed to execute, attest, acknowledge and deliver the Agreement, on behalf of said Township, in the form so approved.

Section 4.

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

Section 5.

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 the Township that such remainder of this Ordinance shall be and shall remain in full force and effect.

Section 6.

It is declared that enactment of this Ordinance and the execution, acknowledgement and delivery of the Agreement is necessary for the protection, benefit and preservation of the health, safety and welfare of the inhabitants of the Township.

Section 7.

All ordinance and parts of ordinances inconsistent herewith

shall be and the same expressly are repealed hereby.

DULY ENACTED AND ORDAINED, this 14th day of October, 1995,
by the Chairman of the Board of Supervisors of the Township of
Shamokin, Northumberland County, Pennsylvania, in lawful session
duly assembled.

ATTEST:

TOWNSHIP OF SHAMOKIN

Secretary

BY: _____
Chairman

(SEAL)