

ORDINANCE NO. 05-09-2005

AN ORDINANCE OF THE BOROUGH OF ELKLAND, TIOGA COUNTY, PENNSYLVANIA TO AMEND CHAPTER 26 OF THE ELKLAND BOROUGH CODE (WATER) TO ESTABLISH RESPONSIBILITY FOR BILLING TO THE CONSUMER REQUESTING SERVICE; CONTAINING REPEALER PROVISIONS; CONTAINING A SAVINGS CLAUSE; AND SETTING THE EFFECTIVE DATE OF THE ORDINANCE.

WHEREAS, the Borough Council has established certain policies relating to water service; and

WHEREAS, the Borough Council desires to amend certain provisions of the Elkland Borough Code relating thereto; and

WHEREAS, the Borough council finds such changes to be in the best interest of the health, safety and welfare of the residents of the Borough of Elkland;

NOW, THEREFORE, be it **ENACTED** and **ORDAINED** by the Borough Council of Elkland Borough, Tioga County, Pennsylvania and it is hereby **ENACTED** and **ORDAINED** by the authority of the same as follows:

Section 1. The provisions of Chapter 26 §102 of the Elkland Borough Code are amended to read as follows:

§102 General Policies

3. Billing Responsibilities. It shall be the responsibility of the consumer who requests water service and/or who has paid the service deposit, to pay all billings. However, whether or not the services are billed to a tenant, property owners shall be responsible for payment of any unpaid services at the time of final meter reading after applying the deposit and upon written notification by the Borough to said owner that the tenant's bill is delinquent.

Section 2. All Ordinances or parts of Ordinances which are inconsistent with the provisions of this Ordinance are repealed to the extent necessary to give effect to the provisions of this Ordinance.

Section 3. The provisions of the Ordinance are severable, so that if any sentence, clause, or section of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect the validity of the remaining provisions of this Ordinance. It is hereby declared as the legislative intent of the Borough Council of Elkland Borough that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid provision not had been included herein.