

- G. Owner's Responsibilities. It shall be the responsibility of the property owner to have a space for the meter which will be frost-free and accessible to the meter reader. The property owner will be assessed the cost of labor and materials for the repair or replacement of damaged meters.
- H. Adjustment of Billing. Any adjustment in meter reading shall be at the discretion of the Borough Council.

Section 3. The provisions of Chapter 26, §103 of the Elkland Borough Code are hereby amended as follows:

§103 Water Rates

1. Basic Water Service Fee Each property owner shall pay a basic water service fee for each residence, commercial building, or residential unit within a multiparty residence (e.g. a building with five (5) units shall pay a fee of 5 times the base rate). The base rate will be established annually by the Borough Council. This fee shall be in addition to the water rates charged hereinafter.
2. Residential and Commercial Rates.
 - A. With Water Meter. For all water used per month, the rate shall be as set annually by the Borough Council.

Section 4. The provisions of Chapter 26, §104 of the Elkland Borough Code are hereby amended to read as follows:

§104 Penalties. Any person who fails to comply with the provisions of this Part shall, upon conviction thereof, be sentenced to pay a fine to the Borough of not less than one hundred (\$100.00) dollars nor more than six hundred dollars (\$600.00) plus costs of prosecution, and in default of such payment of fine and costs, to a term of imprisonment not to exceed thirty (30) days. Each day on which a violation shall continue shall constitute a separate offense.

Section 5 Repealer. All ordinances or parts thereof that are inconsistent with the provisions of this ordinance are hereby repealed to the extent necessary to give effect to the provisions of this ordinance.

Section 6 Savings Clause. The provisions of this 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 as 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 Elkland Borough Council that this ordinance would have been adopted had such unconstitutional, illegal or invalid provisions not been included herein.