

BOARD OF SUPERVISORS  
TOWNSHIP OF MIDDLE SMITHFIELD  
MONROE COUNTY, PENNSYLVANIA

**RESOLUTION 7-2018-1**

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF MIDDLE SMITHFIELD AMENDING RESOLUTION 05-2014-1 CONCERNING THE TOWNSHIP'S RULES AND REGULATIONS REGARDING USER CHARGES FOR THE TOWNSHIP SEWER SYSTEM TO ADD THE CATEGORY "TREATMENT CENTER" TO THE EQUIVALENT DWELLING UNIT SCHEDULE

WHEREAS, the Township of Middle Smithfield (hereinafter the "Township") is a Township of the Second Class duly organized and situated in the County of Monroe, Commonwealth of Pennsylvania; and

WHEREAS, the Township previously established the Middle Smithfield Township Municipal Authority ("MSTMA") for the purpose of owning and operating, *inter alia*, the Middle Smithfield Township sanitary sewer system (the "Sewer System");

WHEREAS, on July 11, 1995, the MSTMA previously adopted Resolution No. 7-95-1, adopting rules and regulations governing use of the Sewer System, and imposing user charges, *inter alia*;

WHEREAS, on December 9, 2009, the Township Board of Supervisors adopted Resolution 12-2009-02, directing dissolution of the MSTMA, and assuming ownership and operation, *inter alia*, of the Sewer System;

WHEREAS, on the same date, the Township Board of Supervisors further adopted Resolution No. 12-2009-02, adopting the MSTMA's rules and regulations regarding the operation of the sewer system immediately in effect prior to dissolution of the MSTMA;

WHEREAS, on May 22, 2014, the Township Board of Supervisors adopted Resolution 05-2014-1, amending and restating in its entirely Article II, User Charge, of the Middle Smithfield Township's Municipal Authority Resolution No. 7-95-1;

WHEREAS, pursuant to Section 2511 of the Pennsylvania Second Class Township Code, the Board of Supervisors by resolution may impose a charge against persons whose property is connected to the sewer system for use of the Sewer System;

WHEREAS, the Board of Supervisors desires to amend Article II, Section 2.03, as set forth under Resolution 05-2014-1 regarding user charges for the Sewer System in order to add the category "Treatment Center" to the Equivalent Dwelling Unit ("EDU") schedule, with the EDU assignment of 0.3 EDU's per bed.

NOW, THEREFORE, BE IT HEREBY RESOLVED AND ADOPTED by the Board of Supervisors of Middle Smithfield Township, Monroe County, Pennsylvania, and it is hereby resolved as follows:

Section 1: The Board of Supervisors amends Article II, Section 2.03, as set forth under Resolution 05-2014-1 to add the following to the Equivalent Dwelling Unit schedule:

DESCRIPTION OF IMPROVED PROPERTY	UNIT OF MEASUREMENT	NUMBER OF EQUIVALENT DWELLING UNITS PER UNIT OF MEASUREMENT
Treatment Center	Per bed	0.3 EDU

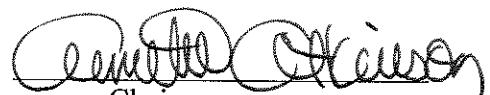
The remaining rules and regulations contained in Resolution 05-2014-1 shall continue in effect, including any previous amendments by the MSTMA Board or Township Board of Supervisors.

Section 2: Severability. The provisions of this Resolution shall be severable, and if any of the provisions hereof shall be found to be invalid or unenforceable, the remaining provisions shall remain in effect.

Section 3: Repeal. Any resolution conflicting or inconsistent with any of the provisions in this Resolution is hereby repealed, but only insofar as they are inconsistent. To the extent the rules and regulations adopted by this Resolution are the same as any provisions contained in rules and regulations in force immediately prior to adoption of this Resolution, the provisions of this Resolution are intended as a continuation of such prior provisions and not as new provisions. The provisions of this Resolution shall not affect any act done or liability incurred, nor shall such provisions affect any suit or prosecution pending or to be initiated to enforce any right or penalty or to punish any offense under the authority of any Resolution in force prior to adoption of this Resolution.

Section 4: Effective Date. This Resolution shall become effective immediately and shall remain in effect until modified, revoked or repealed by further Resolution of the Board of Supervisors.

RESOLVED THIS 27TH DAY OF JULY, 2018, BY THE BOARD OF SUPERVISORS OF  
MIDDLE SMITHFIELD TOWNSHIP AT A LAWFUL SESSION DULY ASSEMBLED.



Jennifer O'Keeffe  
Chairperson

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Vice Chairperson



Mark A. Dwyer  
Supervisor

ATTEST:



Michele J. Clewell  
Secretary