

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE 2016-261

**AN ORDINANCE AMENDING TOWNSHIP CODE, CHAPTER 4,
AUTHORITIES, ESTABLISHING A DESIGNATED SERVICE AREA
FOR THE NORTH PENN WATER AUTHORITY.**

WHEREAS, on June 10, 1964, the Board of Supervisors of Worcester Township (“Township”), with six other municipalities, created North Penn Water Authority (“Authority”); and,

WHEREAS, the Authority was created for the purpose of acquiring, holding, constructing, improving, interconnecting, maintaining, owning and operating a public water supply system within the various municipalities, including the Township; and,

WHEREAS, throughout the years, in addition to the Authority, other water service providers have been utilized to provide water service in the Township; and,

WHEREAS, after due consideration, including the distinctions between public versus private water service, the Board of Supervisors has determined that the general welfare of the citizens and residents of the Township will be served by designating the Authority as the preferred water service provider in the Township and establishing the Authority’s designated service area.

NOW, THEREFORE, the Board of Supervisors of Worcester Township, Montgomery County, Pennsylvania hereby ordains and enacts as follows:

SECTION I – Chapter 4, Authorities, Municipal, is hereby amended by adding the following as Section 4-8:

1. §4-8. North Penn Water Authority Service Area. The Township hereby establishes North Penn Water Authority’s service area as that service area noted on the Water Service Area Map attached hereto and made a part hereof as Exhibit A. In this area all new connections proposed to be made to a public water system shall be made to the North Penn Water Authority system, if the North Penn Water Authority is agreeable to providing service, in its sole discretion. If the North Penn Water Authority does not wish to provide said service, public water service may be obtained from another provider.

SECTION II

1. In the event that any section, subsection or portion of this Ordinance shall be declared by any competent court to be invalid for any reason, such decision shall not be deemed to affect the validity of any other section, subsection or portion of this Ordinance. The invalidity of section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance, which can be given effect without such invalid part or parts. It is hereby declared to be the intention of the Township that this Ordinance would have been adopted had such invalid section, clause, sentence, or provision not been included therein.

2. To the extent this Ordinance is inconsistent with the Code of Worcester Township, the provisions of this Ordinance shall take precedence. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.
3. The failure of the Township to enforce any provision of this ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.
4. This Ordinance shall become effective immediately upon enactment.

ENACTED AND ORDAINED by the Supervisors of the Township of Worcester, Montgomery County, Pennsylvania on this 21st day of September, 2016.

FOR WORCESTER TOWNSHIP

By: _____
Susan G. Caughlan, Chair
Board of Supervisors

Attest: _____
Tommy Ryan, Secretary

DRAFT

EXHIBIT A

