

**BOROUGH OF TOPTON
BERKS COUNTY, PENNSYLVANIA**

ORDINANCE NO. 3-2023

**AN ORDINANCE OF THE BOROUGH OF TOPTON, BERKS COUNTY,
PENNSYLVANIA, AUTHORIZING THE DISCONNECTION AND
TERMINATION OF WATER SERVICES FOR FAILURE TO PAY SEWER
AND/OR WATER CHARGES**

WHEREAS, the Borough of Tipton, Berks County, Pennsylvania ("Borough"), provides sewage collection and treatment services and municipal water to residents of the Borough and to customers outside of the Borough who receive public water and/or sewer service by agreement;

WHEREAS, the Borough imposes a water charge and sanitary sewer fees to cover costs for sanitary sewage collection and treatment;

WHEREAS, the failure of some customers to promptly pay water and sewer charges when due is detrimental to the financial stability of the Borough, and unfair to the majority of customers who timely pay their water and sewer bills;

WHEREAS, the loss of revenue due to failure of some customers to timely pay water and sewer bills is detrimental to the health, safety, and welfare of Borough residents; and,

WHEREAS, the Water Services Act, 53 P.S. §§ 3102.101, et seq., allows for the shutoff of water for failure to pay sewer bills.

NOW, THEREFORE, be it enacted and ordained, and it is hereby enacted and ordained as follows:

Section 1. Notice of Delinquent Charges. The Borough shall send a notice to the owners of record of the premises demanding payment in the amount of the delinquent monies owed for the use of the water and/or sanitary sewers including delinquent

charges and charges for legal service owed to the Borough in connection with the delinquency.

Section 2. Contents of Notice. The above-referenced notice or demand for payment shall state the total amount of money owed, together with the notice of where said delinquent account may be paid. The demand for payment shall also contain a notice that if the amount owed is not paid within a period of thirty (30) days from the date of the notice, then the Borough, in addition to any other legal remedies it may have, may disconnect and terminate all water service to the property where there are outstanding delinquent water and sewer charges.

Section 3. Charge for Late Notice. In addition to the charges for the use of water and sanitary sewers, the Borough shall add a charge to cover the costs of the late notice in the amount of Ten Dollars (\$10.00).

Section 4. Amendment to Notice. The form of the notice or demand for payment referenced above may be amended by vote of the Borough Council on motion at any time.

Section 5. Disconnection of Service. In the event that the delinquent water and/or sanitary sewer charges, with all costs, penalty, attorney's fees and interest accrued is not paid within the period of thirty (30) days, the water service to the premises shall be disconnected and terminated until said bill, penalty, attorney's fees, interest, and all other costs are paid in full.

Section 6. Fees. In the event that it is necessary to disconnect and terminate the water service to the realty, the fee to disconnect the service and the fee to re-commence water service shall be added to the delinquent account and shall be payable in the same manner as the rates and charges.

Section 7. Reinstatement of Service. Upon payment of water and/or sanitary sewer fees, penalty, attorney's fees, interest, and all other costs incurred, including the disconnection and reconnection charges, water service may be reinstated.

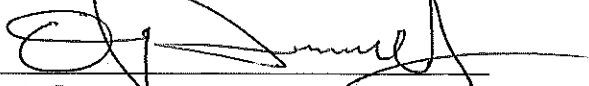
Section 8. Applicable Law. The termination of water service shall be made in accordance with the laws of the Commonwealth of Pennsylvania and all other applicable regulations.

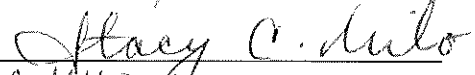
Section 9. Repealer. That any Ordinance, or part of Ordinance, conflicting with this Ordinance be and the same is hereby repealed.

Section 10. Effective Date. This Ordinance is effective on the earliest date allowed by law.

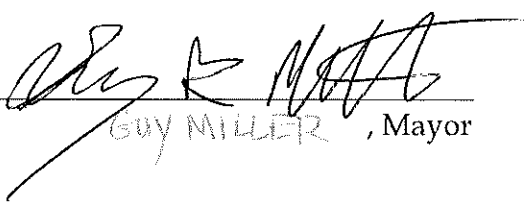
DULY ORDAINED AND ENACTED this 9th day of OCTOBER, 2023.

**BOROUGH OF TOPTON
BERKS COUNTY, PENNSYLVANIA**

By: 
ETHAN POLINSKY (Vice) President

Attest: 
STACY C. HILO Secretary

Approved as an Ordinance this 9th day of OCTOBER, 2023:

By: 
GUY MILLER, Mayor