

WEST POTTSBGROVE TOWNSHIP, MONTGOMERY COUNTY, PA

ORDINANCE NUMBER 2022- 3

AN ORDINANCE OF THE TOWNSHIP OF WEST POTTSBGROVE, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING SECTION 19-142(F) OF ARTICLE V OF CHAPTER 19 OF THE CODE OF ORDINANCES OF THE TOWNSHIP OF WEST POTTSBGROVE, AS AMENDED, TO AMEND THE SECURITY THAT MUST BE POSTED TO PROVIDE FOR THE YEARLY COST OF MAINTENANCE, INSPECTION AND DISPOSAL OF THE CONTENTS OF SEWAGE HOLDING TANKS.

WHEREAS, the Board of Commissioners of the Township of West Pottsgrove may adopt any ordinance as may be expedient or necessary for the proper management, care and control of the Township and its finances, and the maintenance of peace, good government and welfare of the Township and its trade, commerce and manufactures pursuant to Section 1502.5 of The First Class Township Code; and

WHEREAS, the Board of Commissioners of the Township of West Pottsgrove has determined that it is in the best interests of the Township of West Pottsgrove and the inhabitants thereof to amend Section 19-142(F) of Article V of Chapter 19 of the Code of Ordinances of the Township of West Pottsgrove, as amended, to provide that the security that must be posted for the yearly cost of maintenance, inspection and disposal of the contents of sewage holding tanks be contained within the determined by the Township's Fee Schedule; and

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Board of Commissioners of West Pottsgrove Township, Montgomery County, Pennsylvania, and, IT IS HEREBY ENACTED AND ORDAINED by the authority of the same, that the Code of Ordinances of the Township of West Pottsgrove, as amended, is further amended as follows:

SECTION 1. AMENDMENT. Chapter 19, “Water And Sewers And Sewage Disposal”, Article V, “Holding Tanks”, Section 19-142, “Rights And Privilege Granted”, is amended as follows:

- F. That security be posted with the authority in an amount necessary to provide for the yearly cost of maintenance and inspection of the holding tank and the annual cost of disposal of holding tank contents, which security shall be deposited with the municipality prior to the issuance of a use permit for the holding tank. Such security shall be ~~in an amount no less than \$7,500 per tank~~ contained within and determined by the municipality’s Fee Schedule and shall be held by the municipality until the holding tank is no longer in use.

SECTION 2. SEVERABILITY. If a Court of competent jurisdiction declares any provisions of this Ordinance to be invalid, in whole or in part, the effect of such decision shall be limited to those provisions expressly stated in the decision to be invalid, and all other provisions of the Zoning Ordinance shall continue to be separately and fully effective.

SECTION 3. RE-ENACTMENT AND REPEALER. The remaining provisions of the Code of Ordinances of the Township of West Pottsgrove, and as in force immediately before the enactment of this Ordinance, are intended to be continued and, to the extent not inconsistent herewith, are hereby re-enacted and re-ordained; any Sections inconsistent with the amendments hereinbefore referenced are hereby repealed as referenced.

SECTION 4. EFFECTIVE DATE. This Ordinance, and all of its terms and provisions, shall become effective as provided by law.

ENACTED AND ORDAINED into law this 16th day of March, 2022, by
the Board of Commissioners of the Township of West Pottsgrove, Montgomery County,
Pennsylvania.

BY:

Steve Miller

Steve Miller, President, Board of Commissioners

ATTEST:

Courtney M. Harris

Courtney Harris, Secretary