

WARWICK TOWNSHIP MUNICIPAL AUTHORITY

RESOLUTION NO. 02-16-16-01

A RESOLUTION AMENDING THE WARWICK TOWNSHIP MUNICIPAL AUTHORITY WATER SYSTEM RATES, RULES, AND REGULATIONS AND THE SEWER SYSTEM RATES, RULES, AND REGULATIONS TO ADD COLLECTION EXPENSES TO DELINQUENT ACCOUNTS.

WHEREAS, by Resolution No. 07-21-15-01 this Authority adopted rates, rules, and regulations dated July 21, 2015, for the water system owned and operated by this Authority (the "Water System Rates, Rules, and Regulations") and for the sanitary sewerage system owned and operated by this Authority (the "Sewer System Rates, Rules, and Regulations"); and

WHEREAS, this Authority desires to shift the expenses attributable to the collection of delinquent accounts to delinquent customers rather than forcing compliant ratepayers to bear the cost of collection; and

WHEREAS, this Authority has determined to amend the Water System Rates, Rules, and Regulations and the Sewer System Rates, Rules, and Regulations to add collection expenses to delinquent accounts.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Board of Warwick Township Municipal Authority as follows:

Section 1. The foregoing recitals are incorporated herein by reference and made a substantive part of this Resolution.

Section 2. Section X, Paragraph F, of the Water System Rates, Rules, and Regulations is hereby amended and restated to provide as follows:

F. In the event that the Authority institutes a civil action to collect delinquent water rates, charges, fees, or assessments, the Customer shall be responsible for all costs arising out of the civil action, including the costs of service of process (whether by certified mail or other means).

In the event the Authority incurs any costs, charges, attorneys' fees, commissions, contingency fees, or other expenses whether directly or through the use of a third-party collector ("Collection Expenses") in connection with or

related to collecting unpaid water rates, charges, fees, or assessments from a delinquent Customer, Consumer, Owner, user, or other person (the "Delinquent Persons"), the Delinquent Persons and the Improved Property receiving or required to receive water service shall be responsible for the payment of the Collection Expenses which shall be added to and be part of the account for the Improved Property. The imposition of Collection Expenses shall be subject to any prior notice required to be given to the Owner by Pennsylvania statutory law. It is the intent of the Board of this Authority to shift the cost of collection, including the Collection Expenses, to the Delinquent Persons rather than forcing compliant ratepayers to bear the cost.

Section 3. Section X, Paragraph F, of the Sewer System Rates, Rules, and Regulations is hereby amended and restated in its entirety to provide as follows:

F. In the event that the Authority institutes a civil action to collect delinquent sewer rates, charges, fees, or assessments, the Customer shall be responsible for all costs arising out of the civil action, including the costs of service of process (whether by certified mail or other means).

In the event the Authority incurs any costs, charges, attorneys' fees, commissions, contingency fees, or other expenses whether directly or through the use of a third-party collector ("Collection Expenses") in connection with or related to collecting unpaid sewer rates, charges, fees, or assessments from a delinquent Customer, Consumer, Owner, user, or other person (the "Delinquent Persons"), the Delinquent Persons and the Improved Property receiving or required to receive sewer service shall be responsible for the payment of the Collection Expenses which shall be added to and be part of the account for the Improved Property. The imposition of Collection Expenses shall be subject to any prior notice required to be given to the Owner by Pennsylvania statutory law. It is the intent of the Board of this Authority to shift the cost of collection, including the Collection Expenses, to the Delinquent Persons rather than forcing compliant ratepayers to bear the cost.

Section 4. All other resolutions of this Authority or parts thereof and amendments thereto are hereby repealed to the extent they are inconsistent herewith.

Section 5. Except to the extent inconsistent herewith or specifically repealed hereby, each and every other provision of the resolutions of this Authority shall remain in full force and effect as previously adopted and amended.

Section 6. The provisions of this Resolution are severable, and if any section, sentence, clause, part or provision of this Resolution shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Resolution. It is hereby

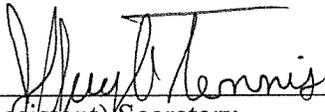
declared to be the intent of the Board that this Resolution would have been adopted if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

Section 7. The provisions of this Resolution shall not affect any actions pending or to be instituted to enforce any inconsistent resolutions, and all tapping fees, connection fees, water rates, sewer rates, assessments, penalties, interest, or other charges previously imposed by this Authority upon any person under any inconsistent resolution which remain due are expressly ratified and confirmed and shall not be considered forgiven, reduced, or otherwise impaired in any manner by the adoption of this Resolution.

Section 8. This Resolution shall become effective and be in force immediately.

DULY ADOPTED this 16th day of February, 2016, by the Board of Warwick Township Municipal Authority in lawful session duly assembled.

WARWICK TOWNSHIP MUNICIPAL
AUTHORITY

Attest: 
(Assistant) Secretary

By: 
(Vice) Chairman

[AUTHORITY SEAL]