

Lilly Borough Sewer Authority

LILLY, PENNSYLVANIA

RESOLUTION

Resolution No.: 2021-December-1

*A Resolution of the Lilly Borough Sewer
Authority Amending Article VII
of the Lilly Borough Sewer Authority
Sanitary Sewer System Rules and Regulations
Providing for the Abatement of Rentals and
Service Charges in Limited Circumstances*

WHEREAS, the Lilly Borough Sewer Authority ("LBSA") has previously adopted the Lilly Borough Sewer Authority Sanitary Sewer System Rules and Regulations ("Rules and Regulations"); and

WHEREAS, the LBSA is desirous of amending Article VII of the Rules and Regulations to provide for relief from the imposition of rentals and charges on customers whose structures have become uninhabitable through no fault of their own.

NOW THEREFORE, **BE IT RESOLVED** by the LBSA as follows:

Section 1. Article VII of the Rules and Regulations is hereby amended to read as follows:

Section 701. *Except as provided in Section 702*, there shall be no abatement of sewer rentals or service charges imposed by the Sewer Rate Resolution of the Authority unless the property with respect to which an abatement is requested shall have removed all internal plumbing capable of handling water under pressure and shall have permanently physically disconnected from the sewer system and abandoned its tap in a manner satisfactory to the Authority. It is intended by this Section to prohibit any abatement of sewer rentals or service charges for any period during which a property connected to the sewer system shall have been vacant or unoccupied unless the

property is permanently physically disconnected, as aforesaid. Further, there shall be no abatement of sewer rentals or service charges imposed by the above-referenced Resolution during the time period in which an occupied building connected to the sewer system is seasonably vacant. There shall be no abatement of sewer rentals or service charges imposed by the Sewer Rate Resolution of the Authority for properties subject to mandatory tap ordinances unless all plumbing is removed from the building. A property so abandoning service shall be liable for payment of a new tap in fee should the owner(s) desire to again use plumbing for water under pressure.

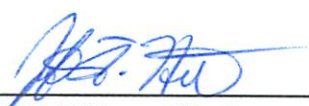
Section 702. Customers who have had connected structures rendered uninhabitable through no fault of their own shall be eligible for a suspension of sewer rentals and service charges upon written request to the Authority on a form approved by the Authority. What constitutes "no fault" shall be determined on a case by case basis at the sole discretion of the Authority. If a suspension is granted, it shall be reviewed on a monthly basis and the property owner(s) shall either submit monthly written updates as to the status of the suspended property or appear in person at the monthly Authority meeting. Failure to provide a monthly update shall be cause for the Authority to terminate the suspension and reinstate the rental and service charges.

Section 2. In all other respects, the Rules and Regulations shall remain in full force and effect except those provisions inconsistent herewith.

RESOLVED this first day of December, 2021

**LILLY BOROUGH SEWER
AUTHORITY**

By: _____


Jeffrey T. Hite - Chairman

Attest: _____

 (Seal)
Claudine M. Falger - Secretary