

ORDINANCE NO. 2010 - 04

“2010 Amendment to Turnquist Street Lighting District Ordinance”

AN ORDINANCE OF LOWER MOUNT BETHEL TOWNSHIP, COUNTY OF NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE TURNQUIST STREET LIGHT DISTRICT ORDINANCE’S COLLECTION PROVISIONS; REPEALING ORDINANCES, RESOLUTIONS OR PARTS THEREOF IN CONFLICT HERewith; PROVIDING FOR THE SEVERABILITY OF PARTS OF THIS ORDINANCE DEEMED TO BE INVALID; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of Supervisors duly enacted the Turnquist Street Lighting District Ordinance, Ordinance No. 96-9, on September 3, 1996 to provide for the defraying or paying for the cost, charges, maintenance and expenses of lighting and illuminating certain highways, roads, and streets within Lower Mount Bethel Township;

WHEREAS, the Board of Supervisors wishes to supplement the collection procedures under the Turnquist Street Lighting District Ordinance, Ordinance No. 96-9; and

WHEREAS, the Board of Supervisors has determined that the health, safety, and general welfare of the citizens of Lower Mount Bethel Township be promoted and served by enacting Lower Mount Bethel Township Ordinance No. 2010-04 (“2010 Amendment to the Turnquist Street Lighting District Ordinance”).

BE IT ORDAINED AND ENACTED by the Board of Supervisors of Lower Mount Bethel Township, County of Northampton, Commonwealth of Pennsylvania, as follows:

SECTION 1. Short Title. This Ordinance shall be known as the “2010 Amendment to the Turnquist Street Lighting District Ordinance.”

SECTION 2. Enactment. This Ordinance is enacted pursuant to the authority conferred by the Second Class Township Code, Act 1995 – 60 of 1995, November 9, P.L. 350, No. 60, Section 1, effective in 180 days (53 P.S. § 65101 et seq.).

SECTION 3. Amended Collection Procedure. Section 7 of the Turnquist Street Lighting District Ordinance, Ordinance No. 96-9, is hereby amended and restated in its entirety as follows:

The annual assessment for the street lighting shall be collected by the Secretary/Treasurer of Lower Mount Bethel Township in the same manner as other assessments (such as garbage, other street light assessments, etc.) are collected. If any assessment remains unpaid ninety (90) days after the due date, it shall be turned over to the Township Solicitor and/or Township Secretary for collection by means of an action in assumpsit for recovery or a municipal lien filed against the property of the delinquent owner for the amount of the unpaid assessment, plus interest established by the Board of Supervisors from time to time, calculated from the date the assessment was due. The Township shall be entitled to recover all costs incurred in the collection of the unpaid assessment, including but not limited to attorneys' fees, expenses and court costs. When an owner has two or more lots against which there is an assessment for the same year, all such lots shall be included in one claim.

SECTION 4. Repeal. Any Ordinance, Resolution and/or other regulation of the Township, or any parts of Ordinances, Resolutions and/or other regulations of the Township, in conflict herewith are hereby repealed. All other provisions of the ordinances, resolutions and/or other regulations of Lower Mount Bethel Township, Northampton County, Pennsylvania shall remain in full force and effect.

SECTION 5. Severability. The provisions of this Ordinance are declared to be severable. If any article, section, subsection, paragraph, clause, phrase or provision of this Ordinance shall be held to be invalid or held unconstitutional, the same shall not affect the validity of this Ordinance as a whole or any part or provisions hereof, other than the part so judged to be invalid or held unconstitutional.

SECTION 6. Effective Date. This Ordinance shall become effective five (5) days following the date of adoption by the Board of Supervisors set forth below.

DULY ADOPTED (ENACTED AND ORDAINED) this 12th day of July, 2010 by a majority of the Board of Supervisors of the Township of Lower Mount Bethel, Northampton County, Pennsylvania, at a duly advertised meeting of the Board of Supervisors at which a quorum was present. As part of this Ordinance, the Board of

[Remainder of Page Intentionally Left Blank]

Supervisors has directed that the Chairman, or Vice-Chair in the absence of the Chairman, execute this Ordinance on behalf of the Board.

**TOWNSHIP OF LOWER MOUNT BETHEL
BOARD OF SUPERVISORS**

By: *Susan Disidore*
Chairman

ATTEST:

Lori A. Stauffer
Lori A. Stauffer
Township Secretary
(seal)