

TOWN OF NEW WINDSOR

ORDINANCE NO. 05-16-11

AN ORDINANCE TO REPEAL SECTIONS OF THE TOWN CODE WHICH ESTABLISH WATER AND SEWER CONNECTION CHARGES AND TO PROVIDE THAT THOSE CHARGES ARE TO BE ESTABLISHED BY RESOLUTION.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF NEW WINDSOR AS FOLLOWS:

ARTICLE 1. That Town Code Section 205-37 be amended to read as follows:

§205-37. Water and sewer[s] charges established.

The Mayor and Council shall from time to time establish by resolution a water connection charge, a sewer connection charge, [a water consumption charge and a sewer usage charge] water usage rates and sewer usage rates. Said resolution shall also impose [such] penalties for delinquent payment of charges [as it deems proper].

ARTICLE 2. That Section 205-44 be repealed in its entirety, and that section number reserved.

ARTICLE 3. That Section 205-70 be repealed in its entirety and that section number reserved.

ARTICLE 4. Severability.

If any section, subsection, sentence, clause, phrase, or portion of this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this chapter, it being the intent of the town that this chapter shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion thereof.

ARTICLE 5. Section Headings, Chapter Headings, Titles.

Section headings, chapter headings, titles, etc., are for the purpose of description or ease of use and do not form a part of the text of this Ordinance or any Code or test adopted hereby.

ARTICLE 6. Existing Liabilities.

This Ordinance shall not discharge, impair or release any contract, obligation, duty, liability or penalty whatever existing on the date of its enactment. All suits and actions, both civil and criminal pending or which may hereafter be instituted for causes of action now existing or offenses already committed against any law or ordinance affected by the adoption of this Ordinance shall be instituted, proceeded with and prosecuted to final determination and judgment as if this Ordinance had not become effective.

ARTICLE 7. Effective Date.

This Ordinance shall take effect on the 22nd day of June, 2011. Any charges established by Resolution adopted pursuant to this Ordinance shall be effective July 1, 2011.

Introduced this 16th day of May, 2011.

Donna Alban
Donna Alban, Town Clerk

Passed this 1st day of June, 2011, by a vote of 5 members in favor and 0 Council members opposed.

Donna Alban
Donna Alban, Town Clerk

ATTEST:

Donna Alban
Donna Alban
Town Clerk

Neal C. Roop
Neal Roop
Mayor

Effective this 22nd day of June, 2011.

Approved as to form and legal
sufficiency this 1st day of
June, 2011.

By: Michelle M. Ostrander
Michelle M. Ostrander

NOTE: Matter in [brackets] is proposed for deletion from existing law.
Matter underlined is new material proposed to be added to existing law.

