TOWN OF NEW WINDSOR

ORDINANCE NO. 85-16-11

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 That Section 205-44 be repealed in its entirety, and that section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 That Section 205-70 be repealed in its entirety and that section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, Town Clerk

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

Donna Alban, Town Clerk
Effective this 2nd day of June, 2011.

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

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