

TOWNSHIP OF RUSH

Schuylkill County, Pennsylvania

---

ORDINANCE NO. 101

---

AN ORDINANCE

OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF RUSH, SCHUYLKILL COUNTY, PENNSYLVANIA, GRANTING TO TAMAQUA AREA WATER AUTHORITY CERTAIN RIGHTS AND PRIVILEGES IN, ALONG, OVER AND UNDER ROADS, STREETS, LANES, ALLEYS, COURTS AND PUBLIC SQUARES AND OTHER PROPERTIES OF THIS TOWNSHIP FOR USE IN CONNECTION WITH SAID AUTHORITY'S WATER SYSTEM; AND PROVIDING FOR REGULATING THE MANNER IN WHICH SUCH RIGHTS AND PRIVILEGES SHALL BE EXERCISED.

---

WHEREAS, Tamaqua Area Water Authority (the "Authority") has agreed to acquire and construct a complete water supply, treatment, transmission and distribution system, including all related and necessary appurtenant facilities, in, adjacent to and for rendering water service in and for certain portions of this Township and areas adjacent thereto (the "Water System").

NOW, THEREFORE, BE IT ENACTED AND ORDAINED and it is enacted and ordained by the Board of Supervisors of the Township of Rush, Schuylkill County, Pennsylvania, as follows:

SECTION 1. This Township does grant to the Authority, its successors and assigns, all easements, rights of way and other rights necessary and desirable in, along, over and under roads, streets, lanes, alleys, courts and public squares and other properties of this Township, together with free ingress, egress and regress therein and thereto, along with other persons having interests or rights therein, for use in connection with constructing, operating, replacing, repairing, altering and maintaining the Water System to be acquired and constructed by the Authority, as the same shall exist, from time to time.

SECTION 2. The rights and privileges granted to the Authority under Section 1 shall be exercised by the Authority under and subject to such reasonable rules, regulations and conditions as shall be adopted and specified, from time to time, by resolution or ordinance of this Township; and this Township does reserve the right to adopt and specify, from time to time, such reasonable rules, regulations and conditions in connection with exercise by the Authority of such rights and privileges.

SECTION 3. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of this Township that such remainder shall be and shall remain in full force and effect.

SECTION 4. All other ordinances or parts of ordinances inconsistent herewith shall be and the same expressly are repealed.

SECTION 5. This Ordinance shall become effective as provided by law.

DULY ENACTED AND ORDAINED this 12<sup>th</sup> day of August, 1993, by the Board of Supervisors of the Township of Rush, Schuylkill County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF RUSH,  
Schuylkill County, Pennsylvania

By: Ronald T. Werner  
Chairman of Board of Supervisors

ATTEST:

Carol Ann Ost  
Secretary

(SEAL)