

**WILLISTOWN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

ORDINANCE NUMBER 4 OF 2023

**AN ORDINANCE REPEALING ORDINANCE NO. 5 OF 2020
AUTHORIZING THE SALE OF THE TOWNSHIP SEWER
SYSTEM TO AQUA PENNSYLVANIA WASTEWATER, INC.**

WHEREAS, Township is a body corporate and politic, organized and existing under the Second Class Township Code of the Commonwealth of Pennsylvania, 53 P.S. §65101, et seq. (the “Code”), and

WHEREAS, the Township currently owns and operates a sanitary wastewater collection and disposal system (the “System”) that provides wastewater service to various customers primarily within the Township; and

WHEREAS, the Township previously decided to sell the System and adopted Ordinance 5 of 2020 authorizing the Township to enter into an Asset Purchase Agreement (the “Agreement”) with Aqua Pennsylvania Wastewater, Inc.; and

WHEREAS, the Township has terminated the Agreement in accordance with Section 1401 (b)(i) by Notice dated April 15, 2023; and

WHEREAS, the Township desires to repeal, rescind and/or vacate Ordinance No. 5 of 2020 authorizing the sale of the Township Sewer System to Aqua Pennsylvania Wastewater, Inc.

NOW, THEREFORE BE IT ORDAINED AND ENACTED by the Board of Supervisors of Willistown Township as follows:

Section 1. Ordinance No. 5 of 2020 - Vacated

The Board of Supervisors hereby repeals, vacates and rescinds Ordinance No. 5 of 2020 authorizing the sale of the Township Sewer System to Aqua Pennsylvania Wastewater, Inc.

Section 2. General Authorization

The Board of Supervisors hereby further authorizes the Township, its agents and employees to take any and all necessary actions required by the Code and other applicable law to complete the termination of the Agreement.

Section 3. Severability

The provisions of this Ordinance are intended to be severable, and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the

Board of Supervisors that this Ordinance would have been adopted even if such illegal, invalid or unconstitutional section, sentence, clause, part or provisions had not been included herein.

Section 4. Effective Date

This Ordinance shall take effect and be in force five (5) days from and after its approval as required under the Code.

Section 5. Repealer

All other ordinances and resolutions or parts thereof as they are inconsistent with this Ordinance are hereby repealed.

ENACTED AND ORDAINED this 22nd day of May, 2023

**BOARD OF SUPERVISORS
WILLISTOWN TOWNSHIP**

Molly H. B. Perrin, Chair

William R. Shoemaker, Vice Chair

Robert T. Lange, Member

ATTEST

Shanna Lodge, Secretary