

**PERKASIE BOROUGH  
ORDINANCE NO. 1020**

**AN ORDINANCE OF THE BOROUGH OF PERKASIE, BUCKS  
COUNTY, PENNSYLVANIA, AMENDING CHAPTER 85 OF THE  
PERKASIE BOROUGH CODE OF ORDINANCES  
PERTAINING TO ELECTRICAL STANDARDS AND SERVICE**

**WHEREAS**, the Pennsylvania Borough Code at 8 Pa.C.S.A. § 101 *et seq.*, authorizes the Borough Council of the Borough of Perkasia (“Borough Council”) to make and adopt ordinances that are consistent with the Constitution and laws of the Commonwealth when necessary for the proper management, care and control of the Borough and the maintenance of peace, good government, health and welfare of the Borough and its citizens; and

**WHEREAS**, the Borough of Perkasia, in furtherance of the authority noted previously in this ordinance, has determined to amend the provisions of its Code of Ordinances so as to modify the provisions of Section 85-28. related to meters; and

**WHEREAS**, after public hearing, the Borough Council deems it to be in the best interest and general welfare of the citizens and residents of the Borough to amend its Code of Ordinances so as to modify the provisions of Section 85-28. related to meters; and

**WHEREAS**, Borough Council, after due consideration of the proposed ordinance at a duly advertised public meeting, has determined that the health, safety, and general welfare of the residents of Perkasia Borough will be served by this amendment to the Perkasia Code of Ordinances.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Borough Council of the Borough of Perkasia, Bucks County, Pennsylvania, and it is hereby enacted and ordained by the authority of same as follows:

**SECTION 1.** The Perkasia Borough Code of Ordinances shall be and is hereby amended by adding **Subsection 85-28 E** to read as follows:

E. In the event the Borough discovers that a faulty meter exists and the Borough will be invoicing customers for consumption that was not reported correctly, either through automated readings or by monthly estimates, the Borough will compare the reported consumption to the actual consumption that is recorded on the mechanical portion of the meter. Under those circumstances where the reported readings are less than the actual consumption, the Borough will calculate the amount owed by the customer by comparing the actual read versus the ERT (automated) reading and will charge the customer the difference between the actual and reported read, divided by the number of years that the last actual meter reading was conducted. The customer will be billed for a period not in excess of three (3) years for consumption that was not properly billed. If the meter malfunction resulted in overcharging the customer, the customer shall receive credit on account for future electrical service.

**SECTION 2.** All ordinances or parts of ordinances that are inconsistent herewith, are hereby repealed, it being understood and intended that all ordinances and the Borough Code of Ordinances that are not otherwise specifically in conflict or inconsistent with this Ordinance, shall remain in full force and effect, the same being reaffirmed hereby.

**SECTION 3.** The Council of the Borough of Perkasio does hereby reserve the right, from time to time, to adopt modifications of, supplements to, or amendments of this Ordinance, including this provision.

**SECTION 4.** If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional, by any court of competent jurisdiction, such provision shall be separate, distinct and independent, and such holding shall not affect the validity of the remaining portions of this Ordinance.

**SECTION 5.** The failure of the Borough of Perkasio to enforce any provisions of this Ordinance shall not constitute a waiver by the Borough of its rights of future enforcement hereunder.

**SECTION 6.** This Ordinance shall take effect immediately and be in force from and after its enactment as provided by law.

**SECTION 7.** Under the authority conferred by the Pennsylvania Borough Code at 8 Pa.C.S.A. § 101 *et seq.*, and other relevant statutory law, the Council of the Borough of Perkasio in the County of Bucks, Commonwealth of Pennsylvania does hereby enact and ordain this Ordinance for the Borough of Perkasio.

**Approved by the Borough Council of the Borough of Perkasio, this \_\_\_\_\_ day of \_\_\_\_\_, 2019.**

**Attest:**

**BOROUGH OF PERKASIE**

\_\_\_\_\_  
**Andrea L. Coaxum, Secretary**

\_\_\_\_\_  
**James Ryder, Council President**

Examined and approved this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
**John Hollenbach, Mayor**

**THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ENACTMENT AND SIGNATURE**