

SMITHFIELD SEWER AUTHORITY

RESOLUTION 2-2010

TRANSFER OF EDU(S)

JANUARY 11, 2010


BE IT RESOLVED, by the Smithfield Sewer Authority with an office located at 1155 Red Fox Road, East Stroudsburg, Monroe County, Pennsylvania hereby adopts a policy regarding the retention or transfer of Equivalent Dwelling Units (EDU) previously purchased and paid in full or reserved, by a property owner in order for the said property to be connected to the Smithfield Sewer System, which amends a previous Resolution of the Authority dated March 12, 2001, as follows:

The Authority shall permit the purchased EDU(S) to remain with the original property, or at the option of the property owner, transfer those EDU(S) to another property within the Township owned by the same person or entity, such entity with the same partners and/or shareholders vested with legal title of said property, subject to the following conditions:

- 1) The property owner intends to use transferred EDU(S) to obtain a sewage permit from the Authority and a building permit from the Township. If permits are not obtained within 6 months from the date of the transfer, the Authority shall have the right to charge fees to property owner(s), applicable sewer rates, rents and charges, in accordance with Resolution 5-2008, as amended.

- 2) The property owner must withdraw or amend the application for the sewage permit and building permit issued by the Authority and Smithfield Township respectively for the original property.
- 3) The property owner must abandon or amend the planning module or planning module exemption for the original property.
- 4) The EDU(S) may be transferred to another property within the Township located in the same service area of the sewer system, unless the Authority authorizes the transfer to property in another service area, provided there is sufficient capacity in the alternate service area.
- 5) The purchased EDU(S) must be of equal value to the cost of the EDU(S) in the alternative service area, or the property owner shall pay the additional cost of the EDU(S) in the alternate service area.

ADOPTED, this 11th day of January, 2010.



RUSSELL D. SCOTT III, CHAIRMAN
SMITHFIELD SEWER AUTHORITY