

**LANSDALE BOROUGH
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION NO. 2023-16

**A RESOLUTION OF LANSDALE BOROUGH, MONTGOMERY COUNTY, PENNSYLVANIA
ESTABLISHING SEWER RATES AND CUSTOMER SERVICE CHARGES**

WHEREAS, the Pennsylvania Borough Code authorizes the Borough of Lansdale to adopt sewer rates and customer service charges for its sanitary sewer, sewer system, and sewage treatment works (8 Pa. C.S.A. § 2000 et seq.); and

WHEREAS, the Borough Council of the Borough of Lansdale (“Borough Council”) has the authority to establish and amend sewer rates pursuant to Chapter 317 of the Lansdale Borough Code (the “Code”); and,

WHEREAS, the Borough Council, by official action, desires to revise the sewer rates and customer service charges for the sewer services provided by the Borough of Lansdale which are presently set forth in Resolution No. 14-27.

NOW, THEREFORE, be it, and it is hereby **RESOLVED** by the Council of Lansdale Borough, and it is hereby **ADOPTED** and **RESOLVED** by authority of same that:

Section 1. The schedule of rates, fees, charges and penalties set forth in Resolution No. 14-27 shall hereby be repealed in its entirety, effective September 1, 2023.

Section 2. The schedule of rates, fees, charges and penalties attached hereto as Exhibit “A” is hereby adopted and applicable to all sewer services provided by the Borough on or after September 1, 2023.

ADOPTED and **RESOLVED** this 21st day of June, 2023.

ATTEST:

COUNCIL OF LANSDALE BOROUGH

John J. Ernst
Borough Secretary

Denton Burnell
Council President

EXHIBIT "A"

**SCHEDULE OF RATES, FEES, CHARGES AND PENALTIES
PURSUANT TO CHAPTER 317 OF THE LANSDALE BOROUGH CODE**

SECTION 1. RENTALS AND CHARGES.

(A) Annual unit charge.

- i. The annual unit charge referenced in Code §317-3.A shall be as follows:
 - (1) Two Hundred Ten Dollars and Twenty-Eight Cents (\$210.28) for each Sewer Rental Unit.

(B) Usage charge.

- i. The usage charge referenced in Code §317-3.B shall be as follows:
 - (1) Nine tenths (0.9) of the amount of water used at the property multiplied by Five Dollars and Seventy-Six Cents (\$5.76) per one hundred (100) cubic feet of water used. Therefore, the effective rate is Five Dollars and Eighteen Cents (\$5.18) per 100 cubic feet of water used.
 - (2) The amount of water used shall be calculated based upon the applicable method(s) of measuring volume set forth in Code §317-4.

(C) Sewer rental charges and billing frequency.

- i. The sewer rental charges shall be equal to the annual unit charge plus the usage charge as provided hereinabove in this Section 1 and shall be computed (and may be billed) on either on a monthly or quarterly basis.
- ii. Quarterly Users.
 - (1) Quarterly sewer rentals for Residential Users and quarterly meter reading nonresidential North Penn Water Authority customers:
 - a. A unit charge of Fifty-Two Dollars and Fifty-Seven Cents (\$52.57) per quarter per Sewer Rental Unit; plus,
 - b. Nine tenths (0.9) of the amount of water used at the property multiplied by Five Dollars and Seventy-Six Cents (\$5.76) per one hundred (100) cubic feet of water used. Therefore, the effective rate is Five Dollars and Eighteen Cents (\$5.18) per 100 cubic feet of water used.
 - (2) In the event that two (2) or more structures are served by a single water meter, the customer shall be assessed a unit charge for each Sewer Rental Unit.
 - (3) The preferred method of measuring water used by residential and quarterly metered nonresidential North Penn Water Authority Customers is set forth in Code §317-4.A.

iii. Monthly Users.

- (1) Sewer rentals for Nonresidential Users (except quarterly metering reading nonresidential North Penn Water Authority customers) and monthly meter reading North Penn Water Authority customers:
 - a. A unit charge of Seventeen Dollars and Fifty-Three Cents (\$17.53) per month per Sewer Rental Unit; plus
 - b. Nine tenths (0.9) of the amount of water used at the property multiplied by Five Dollars and Seventy-Six Cents (\$5.76) per one hundred (100) cubic feet of water used. Therefore, the effective rate is Five Dollars and Eighteen Cents (\$5.18) per 100 cubic feet of water used.
- (2) In the event that two (2) or more structures are served by a single water meter, the customer shall be assessed a unit charge for each Sewer Rental Unit.

SECTION 2. CAPACITY PERMIT FEES.

(A) Tapping Fee.

- i. The tapping fee referenced in Code §317-7 shall be as follows:
 - (1) Residential Tapping Fee:
 - a. Three Thousand Five Hundred Twenty Dollars (\$3,520) per Sewer Rental Unit.
 - (2) Non-Residential Tapping Fee:
 - a. Three Thousand Eight Hundred Fifty Dollars (\$3,850) per Sewer Rental Unit.

(B) Additional Sewer Rental Unit Usage.

- i. Any User whose use exceeds the volume of usage for which the property is registered, as measured during any four (4) successive sequential prior quarters at any time after initial connection, shall pay a tapping fee at the rate provided in Section 2(A)(I) for the excess volume calculated as follows:
 - (1) Excess volume divided by 33.4 cubic feet (250 gallons) of water per day rounded up to the next whole Sewer Rental Unit (an annual usage of 12,190 cubic feet per year) multiplied by the applicable tapping fee provided in Section 2(A).
 - (2) Excess volume shall be calculated by subtracting the volume for which the property is registered from the actual or estimated volume usage at the property.

SECTION 3. INDUSTRIAL USER PERMIT FEES; PRETREATMENT CHARGES AND FEES.

(A) Class I Industrial User permit.

- i. All Industrial Users (except Significant Industrial Users as defined herein below) shall be required to obtain a Class I Industrial User permit in addition to a capacity permit.
- ii. The Class I Industrial User permit fee referenced in Code §317-8.A(1) shall be as follows:
 - (1) Two Hundred Twenty Dollars (\$220).

(B) Significant Industrial User permit.

- i. All Significant Industrial Users shall be required to obtain a Significant Industrial User permit.
- ii. The Significant Industrial User fee referenced in Code §317-8.A(2) shall be as follows:
 - (1) Two Hundred Seventy-Five Dollars (\$275), plus applicable time and materials and/or engineering expenses.
- iii. The term Significant Industrial User as used herein and in Code §317-8.A(2) shall mean:
 - (1) Users subject to categorical pretreatment standards; or
 - (2) Any User with pretreatment facilities or required to have pretreatment in order to comply with the discharge limits contained in Code sections pertaining to such discharge limits; or
 - (3) Any other User that:
 - a. Discharges an average of twenty-five thousand (25,000) gallons per day or more of process wastewater; or
 - b. Contributes a process wastestream that makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the Municipal Wastewater System; or
 - c. Is designated as "significant" by the Borough on the basis that the User has a reasonable potential for adversely affecting the Wastewater System's operation or for violating any pretreatment standard, requirement, or local limit, including without limitation, Users whose discharge contains individual constituent levels that are within ninety percent (90%) or more of established local limits contained in the Code sections pertaining to such limits, as determined and amended from time to time by the Borough.

(C) Pretreatment program charges and fees.

- i. The fee for monitoring a User using a twenty-four (24) hour composite sample referenced in Code §317-8.B(1) shall be as follows:
 - (1) One Hundred Ten Dollars (\$110) per day.
- ii. The fee for filing an appeal regarding pretreatment requirements with the Lansdale Borough Council referenced in Code §317-8.B(2) shall be as follows:
 - (1) One Hundred Dollars (\$100) per appeal.

SECTION 4. RECONNECTION CHARGE.

- (A) The reconnection charge referenced in Code §317-9.B shall be as follows:
 - i. Sixty Dollars (\$60.00).

SECTION 5. SEWER CERTIFICATION FEE.

- (A) The sewer certification fee referenced in Code §317-11 shall be as follows:
 - i. Twenty Dollars (\$20.00).

SECTION 6. DELINQUENCY CHARGES AND PENALTIES.

- (A) The charges and penalties added to a sewer rental bill referenced in Code §317-13.B shall be as follows:
 - i. Any costs incurred by the Borough in the discontinuance and/or restoration of service.

SECTION 7. VIOLATIONS AND PENALTIES.

- (A) The fines and penalties referenced in Code §317-14 shall be as follows:
 - i. An person or entity who violates a provision or fails to comply with any requirement of Code Chapter 317 or of any other applicable law, code or ordinance relating to the services provided under Code Chapter 317, unless otherwise provided, shall be liable, upon conviction, to pay a fine of up to Three Hundred Dollars (\$300), plus costs of prosecution, and, in default of payment of such fine and costs, to imprisonment not exceeding ten (10) days, for each and every day the violation exists, at the discretion of the District Justice, the Court of Common Pleas of Montgomery County, or any other Court having jurisdiction.
 - ii. Whenever such person or entity has been notified by the Borough of Lansdale, through its duly constituted representatives or by service of a summons or prosecution or in any other way that a violation has been committed, each day that such person or entity shall continue in such violation(s) shall constitute a separate offense, punishable by a like fine or penalty hereinbefore set forth in Section 7(A)(I).