

ORDINANCE 2010-05

AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL, BEAVER COUNTY, PENNSYLVANIA PROVIDING FOR THE ADOPTION OF SANITARY SEWER SERVICE CONNECTION FEES, PERMIT FEES AND INSPECTION FEES, AND SEWER RENTAL FEES, AND REGULATIONS WITH RESPECT THERETO TO BE FOLLOWED BY THE USERS OF THE SEWER SYSTEM OWNED AND OPERATED BY HOPEWELL TOWNSHIP. THIS ORDINANCE REPEALS RESOLUTION NO. R-2009-29; RESOLUTION NO. R-2009-07; RESOLUTION NO. R-2007-9; RESOLUTION NO. R-2006-03; RESOLUTION NO. R-2005-16; AND ORDINANCE NO. 98-5.

WHEREAS, under the provisions of duly enacted Township Ordinances 84-3 and 84-4, the Township of Hopewell has acquired ownership of the Township Sewer System pursuant to a refinancing as fully set forth in those Ordinances and by Authority of the same the Township has covenanted that it has adopted and will charge, maintain and collect, as long as any of the Township's bonds remain outstanding and funds for their payment have not been provided, reasonable sewer rates, rents and other charges for the use of the facilities of the sewer system and for the services rendered by the Township, all in accordance with Articles III and IV of Ordinance No. 84-3 and Section 2.07 of Article II of Ordinance No. 84-4; and

WHEREAS, the Consulting Engineer of the Township has recommended a Schedule of Sanitary Sewer Service Connection Fees; Schedule of Permit Fees and Inspection Fees, Sewer Rental Fees, and Regulations with respect thereto which meet the conditions of the Township's covenants in the said Ordinances.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF HOPEWELL, and it is hereby ordained by authority of the same;

Section 1. The Schedule of Sanitary Sewer Service Connection Fees; Schedule of Permit Fees and Inspection Fees, Sewer Rental Fees, and Regulations with respect thereto, as recommended by the Township's Consulting Engineer (certified copies of which are attached hereto and marked Exhibit "A") and copies of which are on file at the office of the Township Manager be and they are hereby are adopted by the Township.

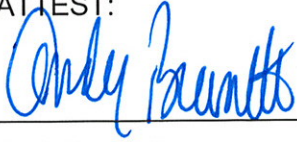
Section 2. Any person or entity who shall violate any of the Schedule of Sanitary Sewer Service Connection Fees; Schedule of Permit Fees and Inspection Fees, Sewer Rental Fees, and Regulations with respect thereto contained in this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than Five Hundred (\$500.00) Dollars, and costs of prosecution for each and every offense; provided, each day's violation of any of the provisions of such action shall constitute a separate offense. The Township Engineer and/or his designee shall generally be charged with the enforcement of the provisions of this Ordinance.

Section 3. Should any section or provision of this Ordinance be declared by a Court having jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part declared to be invalid.

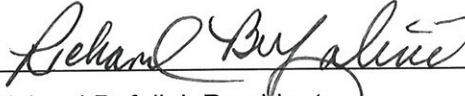
Section 4. This Ordinance shall take effect immediately upon final enactment.

ORDAINED by the Board of Hopewell Township Commissioners this 11 day of OCTOBER, 2010.

ATTEST:



Andy Brunette
Hopewell Township Manager/Controller



Richard Bufalini, President
Hopewell Township Board of Commissioners

EXHIBIT A

HOPEWELL TOWNSHIP SANITARY SEWER SYSTEM HOPEWELL TOWNSHIP, BEAVER COUNTY, PENNSYLVANIA SEWER SERVICE CONNECTION FEES; PERMIT FEES AND INSPECTION FEES; SEWER RENTAL FEES; AND REGULATIONS PERTAINING THERETO

SECTION 1 - SCHEDULE OF SANITARY SEWER SERVICE CONNECTION FEES

I. Definitions

A. Connection Fee

The Connection fee includes all costs associated with customer facilities installed from the system's trunk sewer to the property line (service line connection). A typical installation of facilities includes a wye at the main sanitary sewer line and all necessary piping and fittings to bring the service line connection to the property line or edge of the sanitary sewer right-of-way line.

B. Customer Facilities Fee

The Customer Facilities Fee includes all costs associated with the installation of customer-owned facilities from the property line to the structure (service line extension).

C. Tapping Fee

The Tapping Fee is the combined total sum of the Capacity Component, Collection Component, Special Purpose Component, and Reimbursement Component.

a. Capacity Component

The Capacity Component provides for cost sharing of general system facilities, including both existing and future service facilities. Such facilities consist of treatment plants, detention facilities, pump stations, interceptors, and related appurtenances.

b. Collection Component

The Collection Component establishes the amount charged for the cost of collection facilities such as trunk sewers and manholes.

c. Special Purpose Component

The Special Purpose Component reimburses costs applicable to a particular group of customers, or serving a particular purpose, or servicing a specific area. In the case of Hopewell Township, the cost of the sewer tap fee payable to the Municipal Water Authority of Aliquippa would be applicable to the geographic tributary area contributing wastewater flow to the Municipal Water Authority of Aliquippa Sewage Treatment Plant.

d. Reimbursement Component

The Reimbursement Component collects Tapping Fees from new connections to facilities that were constructed by other parties (i.e., Developers). The Reimbursement Component applies to any extension of the sanitary sewer line constructed by the Developer, but it does not apply to property within the development served by the sanitary sewer line

constructed by the Developer. Additionally, the Reimbursement Component is limited to ten (10) years from the date of dedication of facilities constructed by the Developer.

II. Sanitary Sewer Service Connection Fees

Tap-in Fee for Areas Served by Hopewell Township Wastewater Treatment Plants	
Connection Fee	\$2,740.35
Customer Facilities Fee	\$50.00
Tap-in Fee Capacity Portion	\$1,952.10
Collection Portion	\$507.55
Special Purpose Portion	\$0.00
TOTAL	\$5,250.00

Tap-in Fee for Areas Served by Aliquippa Wastewater Treatment Plants	
Connection Fee	\$2,723.37
Customer Facilities Fee	\$50.00
Tap-in Fee Capacity Portion	\$0.00
Collection Portion	\$507.55
Special Purpose Portion	\$1,069.08
TOTAL	\$4,350.00

SECTION 2 - SCHEDULE OF PERMIT FEES AND INSPECTION FEES

PERMIT FEES	
Restoration Permit (In Addition to Inspection Fees)	\$15.00
Excavator's Permit (Primary)	\$50.00
Excavator's Permit (Secondary) A Secondary Excavator's Permit is Required for Each Authorized Excavator	\$10.00

INSPECTION FEES	
First Inside and Outside Inspection (In Addition to Restoration Permit Fee)	\$60.00
Additional Inspections After 3:00 P.M.	\$60.00 Per Inspection
Saturdays	\$150.00 Additional Per Inspection
Sundays and Holidays	\$150.00 Additional Per Inspection
Inspection of Closed/Capped Sanitary Sewer Lateral	\$60.00
Grease Trap Inspection	\$100.00 Per Inspection

SECTION 3 - SEWER RENTAL FEES

All Owners of property connected to and having use of the sewers, sewerage system and sewage treatment plant (hereinafter sewer system) of Hopewell Township shall pay to the Township sewer rental fees as hereinafter provided for the use of such sewer system in accordance with the following schedule of rentals and the regulations provided.

I. Rates

The sewer rental fees hereby imposed shall be effective immediately (except as may hereafter be set forth) and thereafter and shall be a charge payable quarterly, based upon and in accordance with the following schedule of rates and classifications:

A. Residential EDUs

An Equivalent Dwelling Unit (EDU) with regard to Residential Customers shall be defined as each single family dwelling, dwelling in a double house, dwelling in the row of connecting houses, mobile home, dormitory room, group of rooms, enclosure or other facility occupied or intended for occupancy as separate living quarters by a family or other group or persons living together or by persons living alone. Each single family dwelling containing five (5) bedrooms or more shall be equivalent to one and one-half (1½ EDU).

The EDU equivalent of an apartment unit within an apartment building or complex shall be defined as follows:

Efficiency Apartment (<u>Single Occupant Only</u>)	0.50 EDU per Apartment Unit
One-Bedroom Apartment	0.75 EDU per Apartment Unit
Two-Bedroom Apartment or Larger	1.00 EDU per Apartment Unit

Each single family dwelling, dwelling in a double house, dwelling in a row of connecting houses, mobile home, dormitory room, or apartment, shall be billed as a separate entity. Any room, group of rooms, mobile home, etc. occupied or intended for occupancy as a separate living quarters by a family or other group of persons living together or by persons living alone, shall be classified a an equivalent domestic unit.

Each Residential EDU shall pay:

Minimum Quarterly Charge	\$48.00
Rate per 1,000 Gallons	\$6.70

The Township will, for unmetered single residential users on a private well system, bill these customers on a basis of 9,000 gallons per quarter, which amount shall represent estimated water use, unless the Owner, at his expense, provides meters for measuring the actual water consumption. The type of meters and installation must be approved by the Township. The property owner will be responsible for providing quarterly readings to the Township, and the Township will make one annual meter reading at a charge of \$5.00, which is to be paid by the property owner.

B. Commercial and Industrial EDUs

An Equivalent Dwelling Unit (EDU) with regard to Commercial and Industrial Customers shall be defined as any non-residential building or complex of buildings selling a product or rendering a service, including offices, stores, shops, restaurants, clubs, taverns, barber and beauty shops, service stations, car washes, laundromats, funeral homes, motels, hotels, hospitals, nursing homes, professional buildings, schools, churches, factories and any other commercial or industrial facilities. An Equivalent Dwelling Unit (EDU) for Commercial and Industrial Customers shall be defined as each 80,000 gallons or less of water used per year therein. Therefore, to determine the EDU equivalent for a particular commercial or industrial facility, the annual water usage of the facility shall be divided by 80,000 gallons. No commercial or industrial facility shall be considered less than one (1) EDU, regardless of the calculated or measured water usage. Hopewell Township reserves the right to review, on an annual basis, the historical water usage of any commercial or industrial customer and to recalculate the number of EDU's and then revise accordingly the monthly sanitary sewage collection, transportation, and treatment charges.

- a. All Owners of non-residential property connected to the sewer system shall pay a sewer rental based upon actual water consumption with exceptions as hereinafter noted. Each commercial and industrial EDU shall pay:

Minimum Quarterly Charge	\$48.00
Rate per 1,000 Gallons	\$6.70

- b. The volume of water to be used for billing sewer rentals to non-residential users of the sewer system shall include any and all metered water purchased from any private or public water company, and all water obtained from any other source (wells, streams, etc.) as determined (a) by meters installed and maintained by a water company; (b) by meters installed and maintained by the user as approved by the Township; or (c) from estimates or measurements made by the Township.
- c. Exclusion from the sewage system of non-contaminated wastewater used solely for cooling purposes may be required by the Township. When such waters are excluded, the sewer rental shall be based upon total water consumption, less water excluded, at the rates stipulated above.

Water excluded may be determined from meters installed and maintained by the user, from estimates or measurements made by the Township, or the user may elect to measure the volume of wastewater actually discharged to the sewer system as provided for in this Ordinance.

- d. The Township may require an industrial establishment, or the industrial establishment may elect to install, pay, and maintain a meter approved by the Township for measuring wastewater discharged into the sewer system, in which case the sewer rental shall be based on the actual volume of wastewater discharged to the sewer system; rentals shall be computed at the rates stipulated above.

- e. For unmetered multiple residential users and all other unmetered users, the Township will bill on a water consumption basis as estimated by the Township. The user may install a meter approved by the Township for measuring actual water consumption. All billings will be in accordance with the provisions of this Ordinance.
- f. For waste constituents compatible to the public sanitary sewage system and for which the sewage treatment works is to provide specific removal capability, the waste shall be subject to surcharge for such constituent concentration in excess of the average influent value upon which the plant design is based. Those constituents for which surcharges are applicable are BOD₅, suspended solids, ammonia nitrogen, phosphorous, ABS, and oil, greases and fats. The surcharges shall be in addition to the regular sewage collection, transportation and treatment charges set forth in this Ordinance. The surcharges shall be calculated per the Hopewell Township Sewer System Rules and Regulations, latest revision.
- g. The sewer rental for all community swimming pools (e.g. Independence Square, Clearview Swim and Health Club, Treehaven Swim Club, and Hillcrest Community Swimming Pool) shall be based upon water consumption and shall be computed as follows:

Minimum Quarterly Charge	\$48.00
Rate per 1,000 Gallons	\$6.70

- h. Additional classifications and sewer rentals or modifications of the above schedule of sewer rentals may be established by the Township from time to time as deemed necessary by Resolution.

C. Vacant Structures

A reduced sewer rental fee equal to 100% of the minimum quarterly charge plus 25% of the rate per 1,000 gallons, based upon 9,000 gallon of water per quarter used, shall be available to owners of vacant structures which are connected to the sewer system. To be eligible for the reduced quarterly sewer rental fee, a property owner must complete the Vacant Structure Agreement and must comply with the following requirements:

- a. The reduced quarterly sewer rental fee is only available for structures that will be vacant for at least three (3) months.
- b. The potable water service for the structure must be shut off.

Upon receipt of the Vacant Structure Agreement, the Township will verify the vacancy, and will then at the beginning of the following quarter, start billing at the reduced rate. The property owner is responsible for notifying the Township when the vacant structure becomes occupied. The Township will then bill the property owner at the current sewer rental fee per EDU as provided herein. The Township reserves the right to inspect the structure, at any time, to verify that the structure is vacant.

SECTION 4 - REGULATIONS

I. Township's Right to Control Connection, Use, and Wastewater Discharge

The Township reserves the right to refuse any request for permission to connect to the sewer system, to compel discontinuance of the use of any sewer, or to compel the pretreatment of industrial wastes by any industry where required to prevent discharge to the sewer system deemed harmful in any respect.

II. Commencement of Sewer Rental

Sewer rental shall commence on the date the connection is made to the sewer system. Owners of property connected during any calendar quarter shall pay a pro rata charge for service for the balance of the quarter.

III. Sewer Rental Billings

All billings for rentals shall be rendered quarterly, promptly after the meters are read, and shall be subject to a penalty if not paid by the due date listed on the sewer bill.

IV. Hopewell Township Representative's Right to Access

The Township representative shall have access at all times to industrial establishments and any meters used for establishing or determining water consumption, water excluded from the sewer system, or sewerage and/or wastewater discharged into the sewer system.