

## **Article IV — Capital Construction Fees**

### **§ 65-401 Tapping Fee.**

The fee for a permit to tap into a sewer main shall be Five Hundred Dollars (\$500.00) to the Borough, plus the then-current tapping fee imposed by the County Authority for connections to the Sewer System which flow into the Interceptor System (whether imposed by the County Authority directly against the Person tapping into the sewer main, or indirectly against the Borough and passed through by the Borough to the Person tapping into the sewer main).

## Article V — Sewer Rental & System Usage Fees

### § 65-501 Imposition of Rents or Charges.

Sewer rentals or charges are imposed upon and shall be collected from the Owner of each Improved Property which shall be connected with the Sewer System, for use of the Sewer System, whether such use shall be direct or indirect, which sewer rentals or charges shall commence and shall be effective as of the date of connection of each Improved Property to the Sewer System and shall be payable as provided in this Article.

### § 65-502 Charges for Dwelling Units, Commercial Establishments, and Institutional Establishments.

(a) **Flat Rates.** Sewer rentals or charges for Sanitary Sewage discharged into the Sewer System from any Improved Property constituting a Dwelling Unit, a Commercial Establishment, or an Institutional Establishment shall be on a flat rate basis for the following classifications at the following rates per quarter annum:

(1) **Dwelling Units.** One Hundred Dollars (\$100.00) per Dwelling Unit (\$400.00/year).

(2) **Commercial Establishments.** One Hundred Twelve Dollars (\$112.00) per Commercial Establishment or combination Dwelling Unit and Commercial Establishment (\$448.00/year).

(3) **Institutional Establishments.**

(A) **Schools.** The charge for each public or private school is Seventy-one Dollars (\$71.00) plus—

(I) One Dollar and forty-five cents (\$1.45) for each full-time pupil, full-time teacher, or full-time employee, based on the daily average number of full-time pupils, teachers, and employees enrolled or employed on days when the school was in session during the immediately preceding full school year; plus

(II) Seventy-five cents (\$0.75) for each part-time pupil, part-time teacher, or part-time employee, based on the daily average number of part-time pupils, teachers, and employees enrolled or employed on days when the school was in session during the immediately preceding full school year.

(b) **Alteration of Flat Rate Classifications.** This Borough reserves the right, from time to time, to establish additional flat rate classifications and to establish quarter annum rates therefor; and this Borough further reserves the right, from time to time, to alter, modify, revise and/or amend flat rate classifications and the quarter annum rates applicable thereto.

(c) **Restaurants and Hotel Rooms.** Notwithstanding subsection (a), the sewer rentals or charges for Sanitary Sewage discharged into the Sewer System from any Commercial Establishment which includes a restaurant and/or one or more hotel rooms shall be determined in accordance with § 65-503 (relating to Charges for Industrial Establishments) as if that Commercial Es-

tablishment were an Industrial Establishment. The Borough reserves the right to require any of the other Units or Establishments described in subsection (a) to pay sewer rentals or charges in accordance with § 65-503 as if they were Industrial Establishments, rather than pay a flat rate under subsection (a).

**(d) Exceptional Strength Charges.** The sewer rentals or charges for Sanitary Sewage and Industrial Wastes discharged from any Improved Property constituting a Commercial Establishment or Institutional Establishment shall be increased above the base charges set forth in the preceding subsections of this Section by an exceptional strength charge if the wastes discharged have BOD greater than 210 mg/L, TSS greater than 230 mg/L, or TKN greater than 40 mg/L. The exceptional strength charges shall be equal to the amount of exceptional strength charges required to be imposed by the Borough on the Improved Property under agreements relating to the Interceptor System and/or the Treatment Plant to which the Borough is bound (or, if greater, the additional charges to the Borough by the County Authority and/or the City for exceptional strength discharges from the Improved Property), plus any additional costs for accelerated deterioration of the Borough Sewer System as may be established by resolution of Borough Council or in an agreement or arrangement with the Owner of the Improved Property.

### § 65-503 Charges for Industrial Establishments.

**(a) In General.** Sewer rentals or charges for Sanitary Sewage and Industrial Wastes discharged from any Improved Property constituting an Industrial Establishment shall be based on—

(1) the actual metered volume of discharge, as permitted in this Article, where discharge is metered;

(2) the volume of water usage, measured and adjusted, if appropriate, as provided in § 65-508, where the actual volume of Sewage discharge is not metered but the volume of water usage is metered in connection with the Water System or otherwise; or

(3) an estimate by this Borough of the water consumption of the Improved Property, when the actual volume of Sewage discharge is not metered as permitted in this Article, and the volume of water usage is not metered in connection with the Water System or otherwise.

**(b) Volume Rates.** Base sewer rentals or charges for Sanitary Sewage and Industrial Wastes discharged from any Improved Property constituting an Industrial Establishment shall be equal to the greatest of the amounts determined under paragraphs (1), (2), (3), and (4):

(1) **Volume Rate Schedule.** The amount computed in accordance with the following schedule based on the number of gallons discharged (determined under the method set forth in subsection (a)):

<u>Gallons Discharged</u>	<u>Base Amount</u>	<u>plus</u>	<u>Marginal Rate</u>	<u>For volume over</u>
0 – 15,000	\$95.25	+	0	0 gallons
15,001 – 30,000	\$95.25	+	\$1.33 / 1000 gal	15,000 gallons
30,001 – 100,000	\$115.20	+	\$1.12 / 1000 gal	30,000 gallons
100,001 – 200,000	\$193.60	+	\$0.73 / 1000 gal	100,000 gallons
200,001 – 1,000,000	\$266.60	+	\$0.58 / 1000 gal	200,000 gallons
1,000,001 – 3,000,000	\$730.60	+	\$0.49 / 1000 gal	1,000,000 gallons
3,000,001 – 9,000,000	\$1,710.60	+	\$0.35 / 1000 gal	3,000,000 gallons
over 9,000,000	\$3,810.60	+	\$0.33 / 1000 gal	9,000,000 gallons

(2) **Minimum Flat Charge.** A minimum quarterly charge of Ninety-five Dollars and twenty-five cents (\$95.25); or

(3) **Minimum Employee Charge.** A minimum quarterly charge of Seventy Dollars and ninety-two cents (\$70.92) plus an additional One Dollar and ninety-four cents (\$1.94) per employee, based upon the daily number of employees for the quarter-annum immediately preceding the quarter-annum for which the bill is rendered.

(4) **Historical Minimum Charge.** A minimum quarterly charge of seventy-five percent (75%) of the average sewer rental or charge paid by the Industrial Establishment during the same quarter annum period of the two (2) preceding calendar years or, if said Industrial Establishment did not pay rentals or charges during such two (2) previous years, then seventy-five percent (75%) of the sewer rental or charges paid by said Industrial Establishment during the same quarter annum of the previous year.

(c) **Exceptional Strength Charges.** The sewer rentals or charges for Sanitary Sewage and Industrial Wastes discharged from any Improved Property constituting an Industrial Establishment shall be increased above the base charges set forth in subsection (b) by an exceptional strength charge if the wastes discharged have BOD greater than 210 mg/L, TSS greater than 230 mg/L, or TKN greater than 40 mg/L. The exceptional strength charges shall be equal to the amount of exceptional strength charges required to be imposed by the Borough on the Improved Property under agreements relating to the Interceptor System and/or the Treatment Plant to which the Borough is bound (or, if greater, the additional charges to the Borough by the County Authority and/or the City for exceptional strength discharges from the Improved Property), plus any additional costs for accelerated deterioration of the Borough Sewer System as may be established by resolution of Borough Council or in an agreement or arrangement with the Owner of the Improved Property.

## **§ 65-510 Administrative Charges and Fees.**

(a) **Authorization.** The Borough may adopt, by Resolution, reasonable fees for reimbursement of costs of setting up and operating the Borough's industrial Wastewater discharge program, which may include—

(1) Fees for Wastewater Discharge Permit applications, including the cost of processing such applications;

(2) Fees for monitoring, inspection, and surveillance procedures, including the cost of collecting and analyzing a User's discharge, and reviewing monitoring reports and certifications submitted by Users;

(3) Fees for reviewing and responding to accidental discharge procedures and construction;

(4) Fees for filing appeals;

(5) Reimbursement of costs imposed on the Borough by the City or the County Authority in setting up and operating their industrial Wastewater discharge programs; and

(6) Fees to recover administrative and legal costs associated with the enforcement activity taken by the Borough and/or the City to address User noncompliance with the requirements of this Chapter;

(7) Other fees as the Borough may deem necessary to carry out the requirements of this Chapter. These fees relate solely to the matters covered by this Chapter and are separate from all other fees, fines, and penalties chargeable by the Borough.

Until such a Resolution is adopted, and thereafter to the extent not covered by such a Resolution, the Borough hereby establishes fees and costs for the items set forth in paragraphs (1), (2), (3), (5), and (6) above at a rate equal to the costs reasonably incurred by the Borough for such items from its outside contractors and consultants and/or the County Authority or the City, plus the time incurred by Borough employees for such items at the hourly cost to the Borough for such employees (including but not limited to compensation, benefits, and taxes). A tentative fee for a Wastewater Discharge Permit application shall be paid at the time the application is filed, based on the Borough's reasonable estimate of the ultimate charge; any additional amount due shall be payable within fifteen (15) days of any monthly billing by the Borough and before issuance of the Permit, and any excess amount shall be refunded promptly after withdrawal of the application or issuance of the Permit.

**(b) Reimbursement of Borough Costs By Violators.** In the event a Person shall violate any of the requirements of Article VI (relating to General Sewer Use Requirements), as determined by a test performed by the Borough, the City, or the County Authority, the Person shall reimburse the Borough for all costs and penalties assessed against the Borough by the City or the County Authority with respect to the violation.