

## **Article VII — Fees**

### **§ 67-701 Schedule of Fees.**

(a) **In General.** Borough Council is hereby authorized to establish, from time to time, by Resolution, a schedule of fees for the services provided under this Chapter to be imposed with respect to each developed property in the Borough on which solid municipal waste is generated or present (including industrial properties generating lunchroom or office waste), and/or with

respect to each bag, receptacle, or other unit of collectible municipal waste or collectible recyclable materials placed for collection by the Borough or its Contractor.

**(b) Methods of Imposing Fees.** Different methods of imposing fees may be charged with regard to different materials (*e.g.*, a “per bag” fee may be charged for leaf waste while a “per property” fee is charged for collectible municipal waste or other collectible recyclable materials), different methods of collection (*e.g.*, drop-off or curbside), or different volume levels (*e.g.*, a base fee for basic service, plus an additional fee [whether “per bag” or an annual fee] for additional volume).

**(c) Differentiation among Properties.** Different fees may be charged with respect to properties with different types of use (*e.g.*, residential, commercial, municipal, school, institutional, etc.), properties which generate different volumes of refuse, and/or properties which may be differentiated by any other reasonable criteria.

**(d) All Properties Charged for “Per Property” Fees.** Any “per property” fee shall be collected with respect to a property regardless of whether the property owner elects to utilize the services provided under this Chapter, except as provided under § 67-305 (relating to permits for private disposal of collectible municipal waste).

**(e) Sales of Required Receptacles.** A “per bag” fee may be imposed by charging a premium for authorized bags or other authorized receptacles sold for use in the Borough program for collecting collectible municipal waste and/or collectible recyclable materials, in addition to the cost of such bags or receptacles.

**(f) Incentives.** Any fee schedule may include incentives to encourage the recycling of collectible recyclable materials.

**(g) Limitation on Amount of Fees.** The aggregate fees charged under this Chapter shall not exceed the reasonably anticipated costs to be incurred by the Borough for collecting, transporting, and disposing collectible municipal waste and collectible recyclable materials (either directly or under contract with the Contractor), and administering and enforcing the provisions of this Chapter and any contract with a Contractor, plus a reasonable contingency.

**(h) Current Fee Schedule.** Unless and until changed or supplemented by action under the preceding subsections of this § 67-701, the schedule of fees for the services provided under this Chapter shall be as follows:

**(1) Residential.** The owner of a residential dwelling unit in the Borough shall pay a fee for the collection and disposition of municipal waste and recyclable materials under this Chapter of One Hundred Fifty-three Dollars (\$153.00) each calendar quarter for each residential dwelling unit owned, except for any residential dwelling unit not connected to the Borough water system for the entire quarter. The owner of a residential dwelling unit in the Borough who also conducts a business from the property shall pay a quarterly fee of One Hundred Fifty-three Dollars (\$153.00) per equivalent dwelling unit for the collection and disposition of municipal waste and recyclable materials under this Chapter. Each such property shall be assigned a number of equivalent dwelling units based on an estimate of the amount of collectible municipal waste hauled from that property divided by the amount of collectible municipal waste hauled from a typical residential dwelling unit. This number shall be set, from time to time, by the Borough, subject to appeal to the Borough Council. In the absence of any specific action establishing

equivalent dwelling units, the quarterly fee for such a residential dwelling unit shall be One Hundred Fifty-seven Dollars (\$157.00).

**(2) Nonresidential.** The owner of each nonresidential property in the Borough shall pay a quarterly fee of One Hundred Fifty-three Dollars (\$153.00) per equivalent dwelling unit for the collection and disposition of municipal waste and recyclable materials under this Chapter. Each nonresidential property shall be assigned a number of equivalent dwelling units based on an estimate of the amount of collectible municipal waste hauled from that property divided by the amount of collectible municipal waste hauled from a typical residential dwelling unit. This number shall be set, from time to time, by the Borough, subject to appeal to the Borough Council. In the absence of any specific action establishing equivalent dwelling units, the quarterly fee for a nonresidential property served by one or more dumpsters shall be computed on the basis of three (3) equivalent dwelling units per dumpster.

**(3) Excess Volume.** In addition to the fees payable under paragraphs (1) and (2), if an owner or occupant of a property in the Borough requires the collection and disposal of collectible municipal waste generated on that property in excess of the maximum amount which the Contractor is required to collect from that property under the terms of its contract with the Borough without the payment of an additional fee to the Contractor, then the owner or occupant shall make advance arrangements with the Borough Manager for the collection of such excess, and shall pay the Borough, in advance, an amount equal to the amount which the Borough must pay the Contractor for the collection of such excess.