

ARTICLE VIII
Rates, Charges and Fees¹

§ 81-43. General.

- A. The Township shall establish and revise, as necessary, such rates, charges and fees for the cost-effective operation and maintenance of the sewer system. Such rates, charges and fees shall be established by resolution and in conformance with local, state and federal laws and regulations.
- B. Sewer rental or charges are imposed upon and shall be collected from the owner of each improved property connected to the sewer system and any billing unit for their use of the sewer system. A tenant or an agent of the owner may apply for sewer services to be charged to the tenant or agent of the owner directly after submitting to the Township or its agent requesting said services and for all charges to be invoiced to the tenant or agent of the owner. The services and charges to the tenant or agent of the owner shall not relieve the owner of the responsibility for payment of any charges as set forth herein. [**Amended 5-18-2009 by Ord. No. 151**]

§ 81-44. Connection charges and tapping fees.

- A. Connection and tapping fee charges (pursuant to Act 209 of 1990²) are imposed for each connection made to the sewer system. Such fees shall be based on the adopted Schedule of Fees and Charges³ at the time of payment and shall be payable at the time of application for connection or at such other time as the owner and the Township agree, or, in the case of projects to service existing development, such fees shall be payable at a time to be determined by the Township. The fees are in addition to any charges assessed against the property for construction of a sewer main by the Township as well as any sewer rentals imposed by the Township.
- B. These fees may consist of any or all of the following components as applicable:
 - (1) Connection fee. A connection fee shall be imposed for all service laterals installed between a sewer main and property line or curb stop of the property so connected by or at the expense of the Township. This fee is based upon the costs to the Township of making such an installation. The connection fee may also be based on the average cost of previously installed connections of similar type and size. However, in no event shall the fee exceed the actual cost of installation.

¹ Editor's Note: The Schedule of Fees and Charges is on file in the Township offices.

² Editor's Note: See 53 P.S. § 10501-A et seq.

³ Editor's Note: The Schedule of Fees and Charges is on file in the Township offices.

- (2) Customer facilities fee. A customer facilities fee is based on the actual costs of facilities serving the connected property from the property line or curb stop to the proposed building to be served and is only chargeable if the Township installs the customer facilities. The customer facilities fee includes an administrative fee, which includes the establishment of a new account.
- (3) Tapping fee. A tapping fee is based on all of the following fee components as applicable and as determined through a capital charges study:
 - (a) Capacity part. The capacity part of the tapping fee is based upon the cost of such facilities, including, but not limited to, treatment, pumping, interceptor and outfall mains, sludge treatment or disposal, or other general system facilities. This fee may include facilities that provide existing service and/or those that will provide future service. The cost of existing facilities is based on their replacement cost. The cost of future facilities shall not exceed their reasonable estimated cost and may only be taken into consideration if the Township has taken action to construct or acquire such facilities.
 - (b) Collection part. The collection part of the tapping fee is based on the cost of wastewater collection facilities required to provide service, such as sewer mains and pump stations. This fee may include facilities that provide existing service and/or those that will provide future service. The cost of existing facilities is based on their replacement cost. The cost of future facilities shall not exceed their reasonable estimated cost.
 - (c) Special purpose part. The special purpose part of the tapping fee is applicable only to a particular group of customers, serving a particular purpose, or serving a specific area, and is based on the cost of such facilities, including, but not limited to, industrial wastewater treatment facilities. This fee may include facilities that provide existing service and/or those that will provide future service. The cost of existing facilities is based on their replacement cost. The cost of future facilities shall not exceed their reasonable estimated cost.
 - (d) Reimbursement part. The reimbursement part of the tapping fee is imposed only in those cases where it is necessary to recover costs to reimburse property owners at whose expense such facilities were constructed, as provided by Section (z) of Act 209 of 1990.⁴

⁴ Editor's Note: See 53 P.S. § 10501·A et seq.

§ 81-45. Reserve capacity charges.

- A. The owner of property proposed for future improvement may request a sewer reservation from the Township by submitting a signed sewer capacity reservation agreement. A sewer reservation may be made in the name of the owner of the land proposed for improvement for a bona fide development project and shall not be transferable to any other property. **[Amended 5-18-2009 by Ord. No. 151]**
- B. Sewer reservations shall be allowed only upon determination by the Township that the requested capacity is available in the sewer system. Sewer reservations shall not be deemed to waive or diminish compliance with any other requirements for approvals or permits needed for a sewer system connection or extension as found in Articles III and IV of this chapter.
- C. A sewer reservation agreement, together with financial security, such as cash or a letter of credit, to pay the associated reserve capacity charges, shall remain in effect until the associated property, which may mean the entire property if only a single unit is to be connected, or individual units or lots in the case of a multiunit or multilot development, is connected to the sewer system, or for a period of five (5) years, whichever is shorter.

§ 81-46. Sewer billings.

- A. Imposition of rentals. Sewer rentals or charges are imposed upon and shall be collected from the owner of each improved property within the Township sewer service area, which are connected to the sewer system. Sewer rentals or charges shall commence and shall be effective as of the date of connection to the sewer system where the volume of water shall not be metered in connection with the water system. Where volume of water shall be metered in connection with the water system, the sewer rentals or charges shall commence and shall be effective as of the date of connection to both the water system and sewer system.
- B. Responsibility of payment. All sewer accounts shall be in the name of the owner of the improved property. The owner shall be responsible for payment of the sewer billings. The owner is responsible to provide the correct mailing address to the Township. Failure of any person to receive monthly sewer bills shall not be an excuse for nonpayment, nor shall such failure result in an extension of the period of time during which the net bill shall be payable. The owner is also responsible to notify the Township if a transfer of property ownership is to occur. The Township will calculate charges between former and current owners if notified prior to the transfer. A transfer fee may be assessed in accordance with the Schedule of Fees and Charges.⁵ In all cases, the current owner shall be responsible for all charges due on account.

⁵ Editor's Note: The Schedule of Fees and Charges is on file in the Township offices.

- C. Sewer rentals or charges shall be billed on a monthly basis and are due and payable within thirty (30) days of the due date set forth on the monthly invoice. **[Amended 5-18-2009 by Ord. No. 151]**
- D. Sewer rentals for metered users of the water system are imposed on the basis of a base rate and total metered water use for each month. Each cost shall be as specified in the Schedule of Fees and Charges. **[Amended 5-18-2009 by Ord. No. 151]**
- E. Sewer rentals for metered users of the sewer system are imposed on the basis of a base rate and total metered wastewater discharged each month. Each cost shall be as specified in the Schedule of Fees and Charges. **[Amended 5-18-2009 by Ord. No. 151]**
- F. Sewer rentals for non-metered users of the sewer system are imposed on the basis of a base rate and Township estimates of wastewater discharged each month. A sewer rental is imposed as specified in the Schedule of Fees and Charges. **[Amended 5-18-2009 by Ord. No. 151]**
- G. The Township may require the owner of a commercial, institutional or industrial establishment to install a meter for measuring the wastewater discharged to the sewer system from that establishment at the expense of the owner. The meter and subsequent installation shall be acceptable to the Township. The owner shall maintain the meter and make any necessary repairs at the owner's expense.
- H. Actions by owners, or by any other persons, such as, but not limited to, tampering with a meter, modifying a meter reading, bypassing a meter and similar acts such as theft, may be subject to enforcement action by the Township. **[Amended 5-18-2009 by Ord. No. 151]**
- I. The Township may charge for services rendered at the request of the customer for such items that include, but may not be limited to, research of historical billing information. The amount charged shall equal the actual cost, the cost of any materials used, the cost of labor and a ten percent (10%) administration fee.
- J. Whenever a potential user, not required to connect to the sewer system, desires to provide a connection to the sewer system during construction of a sewer extension, but will not connect a lateral to the building immediately, the connection shall be made by the Township upon application by the owner and payment of the requisite fees. After connection to the sewer system, but before connection to a building, the owner shall pay an inspection fee in accordance with the Schedule of Fees and Charges.⁶ At the time of connection to a building, the

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owner shall also pay a connection fee for new wyes and any necessary customer facility fees.

§ 81-47. Delinquent bills. [Amended 6-21-2004 by Ord. No. 132; 5-18-2009 by Ord. No. 151]

- A. If payment has not been received by the Township or its agent by the due date stated in § 81-46C of this chapter, an interest charge of one and one-half percent (1 1/2%) per month after the due date shall be added to the current bill.
- B. Notice and lien. **[Amended 1-4-2010 by Ord. No. 155]**
 - (1) All sewer rentals and charges imposed which are not paid by the due date as provided in Subsection A of this section, and which are three hundred dollars (\$300.) or more, shall receive a written notice informing the owner that his or her account must be paid within thirty (30) days of the date of the written notice or a lien shall be entered against the improved property connected to and served by the sewer system. The lien shall be filed in the office of the Prothonotary of Lebanon County, Pennsylvania, in the manner provided by law for the filing of municipal claims.
 - (2) All sewer rentals and charges imposed which are not paid by the due date as provided in Subsection A of this section, and which are three hundred dollars (\$300.) or more, shall receive a written notice informing the owner that his or her account must be paid within thirty (30) days of the date of the written notice or there will be a termination of the owner's water service pursuant to the time periods set forth in the agreement between North Londonderry Township and the Pennsylvania American Water Company, or its successor.
 - (3) Sewer accounts which are not paid in full, including payment of all late charges and other fees, within thirty (30) days of the above notice shall:
 - (a) Be responsible for all costs associated with filing the lien; termination of water service; restoration of water service; cost of lost revenue to the Pennsylvania American Water Company or its successor; attorney fees; an administrative fee; and any other related costs.
 - (b) Be required to pay their account in full by cash, cashier's check or money order prior to the water service being restored or lien satisfied.
- C. All delinquent bills shall be collected in any manner permitted and authorized by law.

- D. A check return fee shall be assessed in accordance with the Schedule of Fees and Charges⁷ and added to the account balance for checks returned by the bank to the Township.

§ 81-48. Water excluded from sewer system.

Exclusion of nonprocess, nonsanitary waters from the sewer system not requiring treatment is required in § 81-17 of this chapter. When such wastewaters are not discharged to the sewer system, sewer rentals shall be based on total water consumption less the water not discharged to the sewer system, provided a meter is installed to measure the excluded water. Such meters shall be acceptable to the Township.

§ 81-49. Strength-of-waste surcharge.

- A. Initial survey. The Township may make an initial survey of the discharge from nonresidential establishments to determine the applicability of a strength-of-waste surcharge. The survey shall consist of suitable sampling and analysis of the wastewaters for three (3) consecutive days during a period of normal industrial or commercial operation. Based on the survey results, the Township may institute the strength-of-waste surcharge and/or require the owner to provide such tests, equipment and information, which will provide a further basis for determination of the surcharge.
- B. Frequency of surcharge monitoring. Following the initial survey, the Township shall determine whether monthly monitoring shall be conducted or whether standard waste strengths based on a waste classification system established for similar operations may be imposed. Site-specific monitoring shall consist of no less than three (3) consecutive day samples, with the frequency to be determined by the Township. **[Amended 5-18-2009 by Ord. No. 151]**
- C. Data to determine surcharge. The surcharge shall be based on the volume of wastewater used for billing purposes for the appropriate period, and the concentration of surchargeable pollutants measured in a composite sample taken over the duration of the discharge or twenty-four (24) hours, whichever is shorter. In lieu of monitoring at certain nonresidential establishments for which waste-strength characteristics have been established, the published concentrations may be used if agreed upon by both the Township and the user. The cost of obtaining all information required to determine the surcharge shall be borne by the user. This includes, but not by way of limitation, the costs of sample collection, flow measurement, laboratory analysis and engineering analysis. In establishing pollutant concentrations for surcharge purposes, all analytical and sampling

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procedures shall be conducted in accordance with 40 CFR § 136, as amended, and in accordance with the provisions noted in § 81-40 of this chapter.

- D. Surcharge limits and calculation. Although the wastewater treatment facilities may be capable of treating industrial wastewater in excess of typical domestic wastewater concentrations, the actual treatment of such wastewaters may increase the cost of operating and maintaining the wastewater treatment facilities. Therefore, a surcharge shall be imposed on each user discharging wastewater in excess of the concentrations as set forth in the Schedule of Fees and Charges. **[Amended 5-18-2009 by Ord. No. 151]**
- E. Payment of waste surcharge. Quarterly waste surcharges are due and payable within thirty (30) days of the billing date. **[Amended 5-18-2009 by Ord. No. 151]**

§ 81-50. Pretreatment charges and fees.

The Township may adopt charges and fees for reimbursement of costs for the development, implementation and operation of an industrial pretreatment program as follows:

- A. Fees for wastewater discharge permit applications including the cost of processing such applications.
- B. Fees for monitoring, inspections and surveillance procedures, including the cost for the sampling and analysis of a user's wastewater discharge, and reviewing monitoring reports submitted by users.
- C. Fees for reviewing and responding to accidental discharges and construction.
- D. Fees for filing appeals.
- E. Other fees as the Township may deem necessary to carry out the requirement contained herein. These fees relate solely to the matters covered by this chapter and are separate from all other fees, fines and penalties chargeable by the Township.

NORTH LONDONDERRY TOWNSHIP
LEBANON COUNTY, PENNSYLVANIA

SEWER - SCHEDULE OF FEES AND CHARGES

Effective Date: January 1, 2011

I. CONNECTION FEES

A. Connection Fee:

- Authority-Installed Extensions
 - (1) Customer-Constructed (Per Connection) Actual Township Cost plus 10%
 - (2) Developer-Constructed (Per Connection) Actual Township Cost plus 10%
- Township Constructed Actual Township Cost plus 10%

B. Customer Inspection Fee:

- For Building Sewers ≤ 150 Feet (Per Connection) \$ 50.00
- For Building Sewers > 150 Feet (Per Connection) Actual Township Cost plus 10%

C. Tapping Fee:

EDU = 150 GPD (average water usage, based on actual customer water meter readings)

- Capacity Part (Capacity Fee-Per EDU) \$ 1,800.00
- Collection Part (Main Line Installation Fee-Per EDU) \$ 1,000.00
- Special Purpose Part N/A
- Reimbursement Part As Required

D. Inspection Fee: \$ 50.00

II. SEWER RATES

A. For Metered Users of the Water System:

- Base Rate Per Month \$ 25.00
- Rate Per 1,000 Gallons Metered Water Consumption Per Month \$ 6.30

B. For Metered Users of the Sewer System:

- Base Rate Per Month \$ 25.00
- Rate Per 1,000 Gallons Metered Wastewater Discharged Per Month \$ 6.30

C. For Non-Metered Users:

- Base Rate Per Month \$ 25.00
- Rate Per 1,000 Gallons Water Consumption Per Month \$ 6.30
- Minimum Rate Per Month \$ 28.36

III. MISCELLANEOUS CHARGES

- A. Service Lateral Repair:
 - No Fault of Customer Actual Cost plus 10%
 - Fault of Customer Actual Cost plus 10%

- B. Sewer Extensions:
 - Constructed By Township Design, Inspection & Construction
Costs; Administrative Fees
 - Not Constructed By Township Plan Review & Inspection Fees

- C. Deduct For Uncontaminated Wastewater:
 - Rate Per 1,000 Gallons Metered Water \$ 6.30

- D. Check Return Fee: \$ 20.00

- E. Administrative Fees:
 - Delinquency Notification \$ 25.00
 - Lien Processing \$ 50.00

IV. INDUSTRIAL WASTEWATER CHARGES

- A. Industrial Wastewater Discharge Permit Application Fee \$ 500.00

- B. Industrial Pretreatment Inspection Actual Cost plus 10%

- C. Surcharge For Excess Strength Wastewater:
 - Table of Surcharges:

<u>Pollutant</u>	<u>Surcharge Limit</u>	<u>Surcharge per Pound</u>
BOD	300 mg/L	\$0.60
NH ₃ -N	25 mg/L	\$0.90
TP	7 mg/L	\$2.45
TSS	210 mg/L	\$0.50