

RESOLUTION 08-6

A RESOLUTION ESTABLISHING AND REGULATING SEWER USER FEES; CHARGES FOR FURNISHING SEWER SERVICE TO CUSTOMERS SERVED BY THE SEWER FACILITIES OF THIS AUTHORITY, PROVIDING FOR PAYMENT OF SUCH SEWER RATES AND CHARGES; AND ADOPTING CERTAIN RULES AND REGULATIONS FOR THE CONTROL AND ENFORCEMENT OF THIS RESOLUTION OF THE WASHINGTON TOWNSHIP MUNICIPAL AUTHORITY, WASHINGTON TOWNSHIP, FRANKLIN COUNTY, PENNSYLVANIA.

1. DEFINITIONS

A. "Authority" - The Washington Township Municipal Authority, a Pennsylvania Municipal Authority.

B. "Customer" - A property owner who prior to or after the effective date hereof, has contracted or shall contract for sewer service and/or a property owner who upon or after the effective date hereof is receiving or shall receive sewer service, all as defined herein. Customers shall be classified as Residential or Commercial/Industrial as follows:

(1) Residential Customer - Service provided to:

(a) A building or group of rooms under one roof and occupied by one family; or

(b) A group or combination of buildings on one deed; described tract of land occupied or utilized by one family; or

(c) Each side or the combination of a double building or house having a solid vertical or horizontal partition with each part providing living quarters for one family and having its separate water meter; or

(d) Each trailer or mobile home occupied by one family; or

(e) Each church building.

(2) Commercial/Industrial Customer - Service provided to:

(a) Any separate building, group of buildings, or room or group of rooms, on a parcel of land operated as a business enterprise for the sale and distribution of any product, commodity, article, and service, utilized for manufacturing, processing, cleaning, laundering, or assembling any article, product, or commodity.

(b) Any other structure, building, house, or any combination thereof, used or occupied by one or more businesses, including any business or

Commercial/Industrial customer operated as a part of a residence or within the same structure in common usage and metered commonly.

(c) Any structure, building, or group of rooms used for living or dwelling for more than one family or single individual units operated as an apartment building or rooming house having more than one individual unit or family on a single water meter.

(d) Each school building.

C. "Due Date" - A bill becomes due the first day of the quarter following the quarter the service was rendered.

D. "Delinquent" - An account becomes delinquent 30 days after the due date.

E. "EDU (Equivalent Dwelling Unit)" - Calculated volume of water used by a residential unit in one year; 54,000 gallons.

F. "Property Owner" - Any individual, partnership, association, government body, political subdivision, municipality, municipal authority, or other group or entity, having legal and/or equitable title to the premises being provided with sewer service by the Authority.

G. "Quarterly" - All billing periods begin the first day of the month and end the last day of the third month.

(1) Customers having the Authority's sewer and water service. The billing periods begin: December 1, March 1, June, and September 1.

(2) Customers having the Authority's sewer and water service from another source. The billing periods begin: January 1, April 1, July 1, and October 1.

H. "Sewer System" - The wastewater treatment plant, pumping stations, and other sewer collection system facilities, together with all appurtenant facilities which the Authority has or shall acquire, including all property, real, personal and mixed, which are owned, operated and maintained by the Authority, together with all appurtenant facilities which the Authority has or shall acquire, including all property real, personal, and mixed rights, powers, licenses, easements, right-of-ways, privileges, franchises, and all other property or interest in property of any nature, for use in connection with constructing, operating and maintaining said sewer facilities, and all additions, extensions, and improvements which hereafter, from time to time, may be made.

I. "Service Restoration" - Re-institution of service capability including reinstallation of a water meter. May only occur to properties having a zero account balance.

J. "Service Startup" - The initial service provided to properties connecting through the

Tapping Fee Regulations. There are no charges for service startup.

2. SEWER USER FEES, RENTAL, AND CHARGES

A. All residential customers shall be billed a minimum of one (1) EDU for sewer user fees.

B. Residential customers operating a small business from their home shall be billed a minimum of 1 ½ EDU's.

C. When Commercial/Industrial sewer users have more than one unit supplied by a single water meter, the sewer user fee shall be billed the greater of the calculations in 2.C. (1) or 2.C. (2). "Units" shall mean the total number of dwellings designed for occupancy for more than 90 days and premises (laundries, administrative buildings, etc.) located within the area being supplied by water, whether they are occupied or not, at the time the master meter is read.

(1) The total minimum sewer user fee shall be calculated by multiplying the sewer user fee by the number of units at the time the master meter is read.

(2) The consumption based user fee shall be calculated by water consumption. The master water meter usage for the latest billing cycle shall be divided by 54,000 gallons to determine the number of EDU's. The EDU's shall be multiplied by the quarterly sewer user fee per EDU.

Billing Calculation Examples - Multi-unit Sewer Service (Single Line Serving More Than One Unit)

Example 1: Minimum Sewer User Fee

10 units x \$69.62 (quarterly user fee) = \$696.20 Total Minimum Quarterly Sewer User Fee

Example 2: Consumption Based User Fee

Actual water usage 568,000 gal/yr
568,000 gal/yr - 54,000 gal/yr/EDU = 10.5 EDU's
10.5 EDU's x \$69.62 (quarterly user fee) = \$731.01

(3) The customer shall pay the total minimum sewer user fee or the consumption based user fee, whichever is greater.

D. Commercial/Industrial customers shall be billed by EDU's based on annual water consumption when available except as noted in Article 2, Section C, above. When the volume of water to be used for billing purposes cannot be determined for a customer, the

bill shall be calculated using the EDU calculations as set forth by separate Authority resolution establishing sewer benefit fees.

(1) Each commercial/industrial customer shall be billed equal amounts quarterly. The billing cycles shall commence:

(A) June 1 for customers having the Authority's sewer and water service.

(B) July 1 for customers having the Authority's sewer and water service from another source.

(2) The number of EDU's to be assessed shall be calculated by using the last four quarters of water usage available divided by 54, 000 gallons per EDU. All calculations shall be rounded to the nearest half.

E. The annual sewer service rate shall be \$278.48 per EDU with a quarterly rate of \$69.62 per EDU.

3. BILLING AND PAYMENT

A. Bills shall be rendered for sewer service supplied on the first day of the month of the quarterly period in effect or as soon after the first day of each of the quarterly periods as is possible and shall represent the amount due for sewer service rendered during the preceding quarterly period.

B. All bills for sewer service shall constitute the net bill and shall be due and payable as of the billing date shown. If any such net bill for sewer service shall not be paid within 30 calendar days after the same becomes due and payable, such net bill shall be deemed delinquent and a penalty of 7% shall be added to such net bill, which net bill plus such penalty shall constitute the gross bill.

Payment made or mailed and postmarked on or before the last day of such 30 day period as above set forth, shall constitute payment within such period. If the end of such 30 day period shall fall on a legal holiday or a Saturday or Sunday, payment made or mailed and postmarked on the next succeeding business day which is not a legal holiday shall constitute payment within such 30 day period.

C. If a bill shall remain unpaid for a period of 60 days after the same shall have become due and payable, the water service connection shall be terminated using the following procedures:

(1) A notice will be posted on the property ten days prior to service termination.

(2) A service termination notice shall be mailed to the person liable for payment of the charges.

(3) A ten dollar (\$10.00) posting fee shall be assessed to the delinquent account.

(4) The water service shall be restored when the gross bill, together with all other charges at that time, are paid.

D. Whenever sewer service to any customer shall begin after the first day or shall terminate before the last day of any quarterly period, the sewer rates, rents, and charges for such period shall be prorated on a daily basis.

E. Each bill for a customer for sewer service shall be made out in the name of the property owner. Each customer initially shall provide this Authority with, and thereafter shall keep this Authority advised of his correct address. Failure to receive a bill for sewer service shall not be considered an excuse for nonpayment, nor shall such failure result in an extension of the period of time during which such bill shall be payable without penalty.

However, in the case where a customer states they did not receive a sewer bill in the mail and they meet the following criteria:

1. The customer contacts the Authority's office to advise they did not receive their sewer bill in the mail and provides a signed statement.
2. From the date of the last billing, the customer has paid their sewer billings for the preceding three years in a timely manner. However, in the case where a customer has not had service with the Authority for a three year period, then the customer would be required to have paid in a timely manner from the date of initial service thru the date of the last billing.

The Authority will then waive the current penalty fee for this customer. Each customer would be eligible for one waiver only.

F. Upon written request on a form provided by the Authority, bills for service will be sent directly to another address (tenant, etc.). The property owner retains the full responsibility for payment for sewer use and other charges associated with his or her property.

G. Property owners are required to notify the Authority in advance of service termination dates. Failure to do so will require the owner to pay charges up to the date the Authority terminated service.

4. ENFORCEMENT

Proper officers of this Authority are authorized and directed to do things and take all legal action necessary, including the filing of municipal claims in accordance with law, to

enforce collection of sewer rates, rents, and charges established and imposed hereby and otherwise to carry out provisions hereof.

5. EFFECTIVE DATE

This Resolution 07-12 shall be retroactive to December 1, 2007.

6. RULES AND REGULATIONS

A. This Authority, from time to time, in accordance with law, by appropriate resolution, may adopt such additional rules and regulations, as in the opinion of the Board of this Authority, may be desirable, beneficial, or necessary for, or in connection with use and operation of the sewer system.

B. Any such rules and regulations shall be construed in conjunction with provisions hereof and shall become effective upon the date fixed by this Authority upon adoption thereof.

7. SEVERABILITY

In the event a section of this policy is found to be in violation of a Township, County, State, or Federal Regulation or Law, that section shall be voided without impact to the enforcement of those sections not in violation of said regulations or laws.

8. . REPEALER

Resolution 07-12 (and its Addendum) as well as all resolutions or parts of resolutions inconsistent herewith are expressly repealed.

Enacted and resolved this 1st day of April 2008 in due and lawful assembly.

Approved 1/8/2008 by Jeffrey Geesaman / Chairman