

## RESOLUTION 09-7

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

### 1. DEFINITIONS

- (A) Authority shall mean Washington Township Municipal Authority, a Pennsylvania Municipal Authority.
- (B) Consumer shall mean a property owner who prior to or after the effective date hereof, has contracted or shall contract for water service for a consumer unit and/or a property owner who upon or after the effective date hereof is receiving or shall receive water service for a consumer unit, all as defined herein.
- (C) Consumer Unit shall mean a building or group of buildings or any combination thereof served through one meter.
- (D) Minimum Charge shall mean a fee charged to all consumers for access to the Authority's Water System, whether or not there is metered water use. The minimum charge is based upon the meter size according to the charts in 2.A.(1)(c) of this Resolution.
- (E) Property Owner shall mean 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 water service by the Authority.
- (F) Quarterly - All billing periods begin the first day of the month and end the last day of the third month.
  - (1) Beginning November 1, 2009, for all customers having the Authority's water service, the billing periods begin: February 1, May 1, August 1, and November 1.
- (G) Water System shall mean the water works, water supply works and other water distribution 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 other 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 water facilities, and all additions, extensions, and

improvements which hereafter, from time to time, may be made.

- (H) Service Restoration shall mean reinstatement of service capability including reinstallation of a water meter and may only occur to properties having a zero account balance.
- (I) Service Startup means the initial service provided to properties connecting through the Tapping Fee Regulations. This includes water turn-on and meter installation. There are no additional charges for service startup.
- (J) Service Termination shall mean either temporary or permanent abatement of service which *shall include removal* of the water meter and final billing.
- (K) Temporary Service Turn-off or Turn-on shall mean actual closing or opening of a service line valve by Authority personnel or verification of closing by other authorized personnel. *Minimum billing continues during this period.*
- (L) Volumes Billed means all volumes shall be rounded to the nearest 1,000 gallons for billing purposes.

## 2. WATER RATES, RENTS, AND CHARGES

A. The following rates, rents, charges, and fees are made, fixed, adopted, established, and imposed upon each consumer served or to be served by the Water System for use or availability thereof.

### (1) SCHEDULE OF WATER RATES FOR ALL METERED CUSTOMERS

- (a) The customer shall pay either the consumption charge or the minimum charge, whichever amount is greater.
- (b) Consumption Charge - In addition to the following applicable minimum charge, all metered consumers shall pay a consumption charge quarterly for consumption of water, as follows:
  - The first 5,000 gallons shall be billed at the rate of \$7.47 per thousand.
  - Any usage over the first 5,000 gallons shall be billed at the rate of \$4.77 per thousand.
- (c) Minimum Charge - Metered consumers shall be subject to the following minimum charges quarterly, whether or not there is metered water use. The minimum charge can only be cancelled by service termination. The minimum charge includes the use of a minimum amount of water according to meter size as indicated below.

<b>Meter Size</b>	<b>Quarterly Minimum Gallons / Charge</b>
5/8" or (5/8 x 3/4")	5,000 / \$37.35
3/4"	11,000 / \$65.97
1"	20,000 / \$108.90
1 1/2"	65,000 / \$323.55
2"	160,000 / \$776.70
3"	350,000 / \$1,683.00
4"	670,000 / \$3,209.40
6"	1,450,000 / \$6,930.00

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

(d) When a single meter supplies more than one unit, the charges will be determined using the metered consumption per unit (total metered consumption divided by number of units). Unit 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 water, whether they are occupied or not, at the time the master meter is read. The total minimum charge will be determined from the per unit minimum charge, based on the meter size required to serve each unit separately. The customer shall pay the metered consumption per unit as calculated or the total minimum charge, whichever is greater. This billing methodology shall apply to apartment buildings, mobile home parks, planned living communities, private water distribution systems, etc where a single meter supplies more than one unit.

**Billing Calculation Example - Multi-Unit Water Service (Single Line Serving More than One Unit)**

Example 1. Consumption under Minimum Usage

Usage: 142,000 gal/qtr Total Units: 34 (# units at time master meter read)  
 Usage per unit: 4,000 gal (142,000 gal - 34 units = 4,176) rounded to thousands  
 Minimum bill based on 5,000 gal/qtr per unit @ \$37.35 per unit  
 34 units x \$37.35= \$1,269.90

Example 2. Consumption over Minimum Usage

Usage: 474,000 gal/qtr Total Units: 75 (# of units at time master meter read)  
 Usage per unit: 6,000 gal (474,000 gal - 75 units = 6,320) rounded to thousands  
 75 units x \$42.12= \$3,159.00

(2) No non-metered customers shall be permitted to connect to the water system.

(3) Additional Charges (For All Customers)

- (a) For each service turn-off or turn-on whether at the curb, meter pit, or house valve shall be \$35.00 during regular work hours and \$85.00 for all other hours.
- (b) Service termination (either temporary or permanent) which shall include turn-off and removal of meter shall be \$100.00.
- (c) Service restoration which shall include installation of meter and turn-on of service shall be \$100.00.
- (d) Tapping Fees shall be charged according to Act 57 requirements and Authority resolutions.
- (e) All costs and expenses including but not limited to legal fees, liens, or maintenance required for servicing an account due to customer error or neglect or abuse including but not limited to equipment damage or rental and delinquency shall be billed that account and include penalty fees and interest fees as identified below in Section 3. Billing and Payment.
- (f) The Authority's labor rate shall be \$35.00 per hour during regular work hours, with a minimum of one hour. The Authority's labor rate shall be 1 ½ times this rate after normal business hours, with a 'call out' charge of \$85.00, which shall include the first hour of work. However, the labor rate for the Washington Township Supervisors shall be discounted 20%, unless otherwise specified.
- (g) All inspection fees for a property owner intending to connect his single family dwelling to the Authority's water system shall consist of a fee of \$70.00 per connection and is due and payable at the time application is made to the Authority to make such a connection. This fee shall cover up to two (2) inspections of the water connections. All additional inspections will be charged at the hourly rate with a minimum of one hour per visit.
- (h) All inspection fees for a property owner intending to connect multiple dwelling units of commercial, industrial, or institutional units to the Authority's Water System shall be charged at the rate of \$35.00 per hour during regular hours for time spent by the Authority's representative in inspecting, testing, and approving said connection or connections. Although the Authority does not perform routine inspections after regular hours, in the event it should be necessary to do so, the rate shall be 1 ½ times the normal regular rate, with a minimum of two hours charged. All inspection fees shall be due and payable within ten (10) days of the mailing of the Authority's invoice for such services. A minimum fee of \$70.00 per connection shall be charged.
- (i) A \$10.00 charge will be made if the Authority reads a water meter at the

customer's request for the determination of a final water bill.

### 3. BILLING AND PAYMENT

- A. Billing shall be done on the first business day after the close of a quarterly period as defined in Section 1.G, or as soon thereafter as practicable and shall represent the amount due for water service rendered during the preceding quarterly period.
- B. All bills for sewer service shall be due and payable not later than thirty (30) days after the billing date printed on the invoice ("Invoice Date"). If any bill for sewer service is not paid within thirty (30) calendar days after the Invoice Date, the bill shall be deemed delinquent and a penalty of 7% shall be added,

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 for a consumer unit shall remain unpaid for a period of 60 days after the same shall have become due and payable, the service connection shall be terminated upon completion of the following:

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

- (2) A service termination notice will 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 delinquent bill, together with all related penalties and fees, are paid.

- (5) If a bill shall remain unpaid for a period of 120 days after the same shall have become due and payable, or if termination of the water service connection is not possible, the WTMA will pursue the filing of a Municipal Claim or lien for past due balances. Claims or liens will be released when the gross bill, together with all delinquent charges and related filing fees have been paid in full. Such Liens and/or Claims will be updated with new balances periodically.

- D. When water service to any consumer unit shall begin any day after the first day or shall terminate any day before the last day of any quarterly period, if minimum water rates, rents, and charges for such period apply, they shall be prorated on a daily basis.

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

However, in the case where a customer states they did not receive a water 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 water bill in the mail and provides a signed statement.
2. From the date of the last billing, the customer has paid their water 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, property owners may request bills for service be sent directly to their tenants. The Authority reserves the right to deny any such requests. The property owner shall have full responsibility for payment for water use and other charges associated with his or her property. Failure of the owner to make payment will require the billing to remain in the owner's name for all future tenants.

- 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 is notified.

#### 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 water rates, rents, and charges established and imposed hereby and otherwise to carry out provisions hereof.

#### 5. EFFECTIVE DATE

This Resolution 09-7 shall be effective 07-21-2009, 2009

#### 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

water system and which shall govern and control the distribution and supply of water by this Authority to consumers.

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

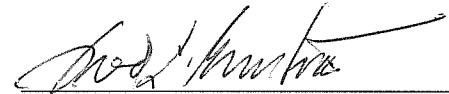
In the event a section of this policy is found to be in violation of a township, county, state, or federal regulation or law, that section shall be voided without impact to the enforcement of those sections not in violation of said regulations or laws.

#### 8. REPEALER

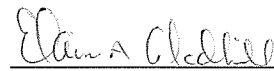
All resolutions and regulations, or parts of resolutions and regulations in effect on the date of the adoption of this resolution and not inconsistent herewith, shall continue in full force and effect. Resolution 08-5 and all other resolutions and regulations, or parts of resolutions and regulations inconsistent herewith, are expressly repealed.

ENACTED AND RESOLVED THIS 21<sup>st</sup> DAY OF July 2009 IN DUE AND LAWFUL SESSION.

Washington Township Municipal Authority



Fred Eisenhart, Chairman



Lori Frantz, Secretary/Treasurer

Elan A. Gledhill Assist