

BIRDSBORO MUNICIPAL AUTHORITY
RESOLUTION NO. _____

BE IT RESOLVED AND IT IS HEREBY RESOLVED THAT THE BIRDSBORO MUNICIPAL AUTHORITY, BERKS COUNTY, PENNSYLVANIA, HAS VOTED IN THE MAJORITY OF ALL MEMBERS PRESENT TO ESTABLISH TAPPING FEES, CONNECTION FEES, PERMIT AND INSPECTION FEES, WATER RATES, RENTS AND CHARGES, AND GENERAL WATER SYSTEM REGULATIONS; SEWER RATES, USER CHARGES, STRONG WASTE SURCHARGES AND GENERAL SANITARY SEWER REGULATIONS

WHEREAS, the Birdsboro Municipal Authority (the Authority, together with its assignees and agents, the "Authority"), Berks County, Pennsylvania is a duly authorized municipal authority organized under and governed by the Commonwealth Pennsylvania.

NOW, THEREFORE, BE IT RESOLVED, that effective for the billing period commencing the 1st day of July, 2008:

A. WATER:

EQUIVALENT DWELLING UNIT

One (1) EDU or Equivalent Dwelling Unit shall be defined as:

One Hundred Fifty-Five (155) gallons per day

Average Quarterly Usage is defined as:

Fifteen Thousand (15,000) gallons per quarter

COSTS OF CONSTRUCTION AND CONNECTION

Tapping Fee

The Tapping Fee for each Residential User shall be:

Nine Hundred Seventy Five Dollars (\$975.00)

The estimated daily use Tapping Fee for each Nondomestic/Industrial User shall be:

Six Dollars (\$6.00) per gallon of estimated daily flow.

Connection Fee

The Connection Fee for installation of a Water Service from the Authority water line to the Improved Property curb line, or if there is no curb line, to the property line or easement line shall be:

the actual cost paid by the Authority for construction of said Water Service, including all services, materials, equipment, labor, transportation, construction equipment and machinery, tools, appliances, fuel, power, and all other incidentals necessary for the performance and completion of the work, plus 10% of this amount for overhead.

Permit Fee

The Permit Fee to cover the Authority’s administrative cost of issuing a permit for connection to the Water System shall be as follows:

Thirty Dollars (\$30.00)

Inspection Fee

The Inspection Fee to cover the Authority’s cost of inspecting, witnessing the testing of, and approving the Water Service upon completion of construction shall be:

Two Hundred Dollars (\$200.00)

If a re-inspection of the Water Service is required due to failure to pass the initial test, the re-inspection fee shall be paid directly to the Authority Inspector at the approved hourly rate for the actual time required.

WATER RATES, RENTS AND CHARGES

Metered Rate Schedule

Water rates, rents and charges for use of the Water System by any Improved Property shall be based upon and shall be computed in accordance with the following:

1. **Ready-to-Serve Charge.** Each shall pay the following ready-to-serve charge:

	<u>Per Consumer Unit Per Quarter</u>
Borough of <u>Birdsboro</u>	
Ready-to-Serve	\$15.68
Outside the <u>Borough</u>	
Ready-to-Serve	\$23.00

2. **EDU Charges-Water.** Each of the following classifications of user shall pay the following EDU charge per 1,000 gallons of usage:

Per Consumer Unit Per Quarter *

<u>Borough of Birdsboro</u>	<u>Domestic Establishment</u>	<u>Commercial Establishment</u>	<u>Industrial Establishment</u>	<u>Public Establishment</u>
EDU Charge	\$3.50	\$5.431	\$8.518	\$8.518

<u>Outside the Borough</u>	<u>Domestic Establishment</u>	<u>Commercial Establishment</u>	<u>Industrial Establishment</u>	<u>Public Establishment</u>
EDU Charge	\$5.15	\$7.0044	\$10.3428	\$10.3428

* To illustrate, a two-unit apartment building is charged the product of the above-applicable EDU charge times 2.

3. **Consumption Charges.** In addition the ready-to-serve meter charge and the minimum EDU charge, the following consumption charges are applicable to the excess consumption per meter over that allowable under the minimum charge:

Borough of Birdsboro

Per Consumer Unit

All water consumption up to Quarterly Average	\$4.992 per 1,000 gallons
From Quarterly Average to 2x Quarterly Average	\$7.462 per 1,000 gallons
From 2x to 3x Quarterly Average	\$7.54 per 1,000 gallons
From 3x and up	\$7.553 per 1,000 gallons or any portion thereof

Outside the Borough

All water consumption up to Quarterly Average	\$7.371 per 1,000 gallons
From Quarterly Average to 2x Quarterly Average	\$10.985 per 1,000 gallons
From 2x to 3x Quarterly Average	\$11.83 per 1,000 gallons
From 3x and up	\$11.843 per 1,000 gallons or any portion thereof

4. For all consumers now or hereafter located or to be located in the Borough's Keystone Opportunity Zone ("KOZ"), who are or would be considered in the rate category of "Industrial Establishment," as of January 16, 2012, such consumers shall be billed in the "Commercial Establishment" category. In addition, for such consumers and all other consumers in the KOZ billed as a "Commercial Establishment," the consumption charges set forth at Section A.3. above are revised as of January 16, 2012, and the following consumption charges shall be applied:

<u>In the KOZ</u>	<u>Per Consumer Unit</u>
All water consumption up to Quarterly Average	\$4.992 per 1,000 gallons
From Quarterly Average to 2x Quarterly Average	\$7.462 per 1,000 gallons
From 2x Quarterly Average and up	\$7.54 per 1,000 gallons or any portion thereof

B. SEWER:

EQUIVALENT DWELLING UNIT

One (1) EDU or Equivalent Dwelling Unit shall be defined as:

One Hundred Fifty-Five (155) gallons per day for Residential

Average Quarterly Usage is defined as:

Fifteen Thousand (15,000) gallons per quarter

COSTS OF CONSTRUCTION AND CONNECTION

Tapping Fee

The Tapping Fee for each Residential User shall be:

One Thousand Nine Hundred Fifty Dollars (\$1,950)

The estimated daily use Tapping Fee for each Nondomestic/Industrial User shall be:

Eight Dollars (\$8.00) per gallon of estimated daily flow.

Connection Fee

The Connection Fee for installation of a Lateral from the Authority Sewer to the Improved Property curb line, or if there is no curb line, to the property line or easement line shall be:

the actual cost paid by the Authority for construction of said Lateral, including all services, materials, equipment, labor, transportation, construction equipment and machinery, tools, appliances, fuel, power, and all other incidentals necessary for the performance and completion of the work, plus 10% of this amount for overhead.

Permit Fee

The Permit Fee to cover the Authority's administrative cost of issuing a permit for connection to the Sewer System shall be as follows:

for each Residential User	\$35.00
for each Commercial or Institutional User	\$50.00 plus all engineering costs associated with review and approval of the permit application
for each Industrial User	\$100.00 plus all engineering costs associated with review and approval of the permit application

Inspection Fee

The Inspection Fee to cover the Authority's cost of inspecting, witnessing the testing of, and approving the Building Sewer upon completion of construction shall be:

Three Hundred Dollars (\$300.00)

If a re-inspection of the Building Sewer is required due to failure to pass the initial test, the re-inspection fee shall be paid directly to the Authority Inspector at the approved hourly rate for the actual time required.

SEWER RATES, RENTS AND CHARGES

Metered Rate Schedule

Sewer rates, rents and charges for use of the Sewer System by any Improved Property shall be based upon and shall be computed in accordance with the following:

1. **Ready-to-Serve Charge.** Each shall pay the following ready-to-serve charge:

	<u>Per Consumer Unit Per Quarter</u>
Borough of <u>Birdsboro</u>	
Ready-to-Serve	\$21.62

2. **EDU Charges-Sewer.** Each of the following classifications of user shall pay the following EDU charge per 1,000 gallons of water usage:

Per Consumer Unit Per Quarter*

<u>Borough of Birdsboro</u>	<u>Domestic Establishment</u>	<u>Commercial Establishment</u>	<u>Industrial Establishment</u>	<u>Public Establishment</u>
EDU Charge	\$6.8822	\$7.579	\$9.9372	\$9.9372

* To illustrate, a two-unit apartment building is charged the product of the above- applicable EDU charge times 2.

3. **Consumption Charges-Sewer.** The Consumption Charges relating to sewer service are hereby amended, as follows:

<u>Borough of Birdsboro</u>	<u>Per Consumer Unit</u>
All water consumption up to Quarterly Average	\$7.215 per 1,000 gallons
From Quarterly Average to 2x Quarterly Average	\$9.23 per 1,000 gallons
From 2x to 3x Quarterly Average	\$9.269 per 1,000 gallons
From 3x and up	\$9.282 per 1,000 gallons or any portion thereof

Non-Metered Rate Schedule-Sewer

For all customers of the Authority’s sewer services which are not customers of the Authority’s water services or otherwise do not have any metered water service, the following flat rate shall apply to each of the following classification of user:

Per Customer Unit Per Quarter*

<u>Borough of Birdsboro</u>	<u>Domestic Establishment</u>	<u>Commercial Establishment</u>	<u>Industrial Establishment</u>	<u>Public Establishment</u>
Flat Rate:	\$108.225	\$138.45	\$139.035	\$139.23

* To illustrate, a two-unit apartment building is charged the product of the above-applicable charge times 2.

4. For all consumers now or hereafter located or to be located in the Borough’s Keystone Opportunity Zone (“KOZ”), who are or would be considered in the rate category of “Industrial Establishment,” as of January 16, 2012, such consumers shall be billed in the “Commercial Establishment” category. In addition, for such consumers and all other consumers in the KOZ billed as a “Commercial Establishment,” the consumption charges set forth at Section B.3. above are revised as of January 16, 2012, and the following consumption charges shall be

<u>In the KOZ</u>	<u>Per Consumer Unit</u>
All water consumption up to Quarterly Average	\$7.215 per 1,000 gallons
From Quarterly Average to 2x Quarterly Average	\$9.23 per 1,000 gallons
From 2x Quarterly Average and up	\$9.269 per 1,000 gallons or any portion thereof

Strong Waste Surcharge

There shall be additional charges for Nondomestic Wastes discharged to the Sewer System from any industry, business, or commercial enterprise, and having Total Suspended Solids or Biochemical Oxygen Demand (BOD₅) values in excess of the average Total Suspended Solids and BOD₅ of normal Domestic Waste. The average values of normal domestic waste are defined in the Borough’s Sewer Use Ordinance. These additional charges are determined at the beginning of each year based upon budgeted operating costs, and adopted by Resolution of the Authority. The following Strong Waste Surcharge factors will be applied:

TA	Surcharge rate for per 1,000 pounds of Biochemical Oxygen Demand	- \$447.72
TB	Surcharge rate for per 1,000 pounds of Total Suspended Solids	- \$474.253
TC	Surcharge rate for per 1,000 pounds of Ammonia Nitrogen	- \$1,535.794

C. MISCELLANEOUS:

Fire Protection

All customers of all classification types receiving fire protection services from the Authority shall pay a flat rate of \$170 per quarter per customer unit.

Failure to Timely Pay
Water and/or Sewer Charges

Any customer who fails to pay when due any or all of its outstanding water and/or sewer charges for such services provided by the Authority shall immediately accrue a 10% late fee of all such amounts not paid. Thereafter, for each billing cycle, any new charges that remain unpaid when due will accrue a 10% late fee. Partial payments received by the Authority shall be applied first to the earliest charges outstanding prior to the reduction of any other more recent outstanding amounts payable.

The above-described penalty is not exclusive and shall be in addition to all other remedies available to the Authority with respect to delinquent accounts and collection thereof, including but not limited to, termination of water service and referral to collection agencies as well as filing municipal liens and other legal action for collection, all in conformity to policies previously adopted by the Authority.

Rules of Interpretation

1. The classification attributed to a customer for billing purposes shall be determined by the customers usage of the consumer unit receiving water and/or sewer services of the Authority.

2. If a consumer unit or consumer units of a customer consist of mixed use by such customer, the use which is subject to the highest rate classification shall apply to the entire bill.

DULY PRESENTED AND ADOPTED, by the Board of the Birdsboro Municipal Authority at a public meeting held on this the ____ day of _____, 2012.

Birdsboro Municipal Authority

BY: _____
Chairman

ATTEST:

Secretary