

**ORDINANCE NO. \_\_\_\_\_**

**SEWER RATE ORDINANCE OF BOROUGH OF MARKLEYSBURG**

WHEREAS, under the terms of its financing arrangements, the Borough of Markleysburg (“Borough”) has agreed that it will adopt and will charge, maintain and collect reasonable sanitary sewage collection, transportation and treatment charges, and connection fees within the Borough’s service area for the sanitary sewage collection and transportation, and the sewage treatment and disposal services rendered by the Sewer System as operated and maintained by the Borough.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED AS FOLLOWS:

SECTION A. The schedule of sanitary sewage collection transportation and treatment charges for the sewer service, and connection fees that is set forth in Schedule “A” attached hereto and made a part hereof by and it is hereby adopted by the Borough.

SECTION B. All bills for sanitary sewage collection, transportation and treatment charges shall be computed in accordance herewith and shall be rendered to the owner who shall be responsible for proper and timely payment. All bills for connection fees shall be computed in accordance herewith and shall be rendered to the owner of the premises to which the sewer service is furnished.

SECTION C. The Borough shall have charge and management of the Sewer System and has issued Rules and Regulations governing the use, operation and maintenance of said Sewer System. The Borough reserves the right to refuse permission to connect directly or indirectly to the Sewer System, to compel discontinuance of use of the Sewer System, or to compel pretreatment of sewage and industrial wastes by any establishment in order to prevent discharges deemed harmful or to have a deleterious effect upon any portion of the Sewer System or

treatment facilities. Non-residential establishments having large variations in rates of waste discharge may be required to install such devices at their own expense as may be required and approved by the Borough for equalizing waste discharge rates. The Borough's representatives shall have access at all reasonable times to both residential and non-residential establishments for the purpose of establishing, determining or checking water consumption and employees, wastewaters discharged to or excluded from the Sewer System, inspection of water meter or meters, and the character of discharges to the Sewer System.

SECTION D. All bills imposed hereunder shall be due to sanitary sewage collection, transportation and treatment charges and payable immediately upon receipt of the bill by the owner and/or tenant and shall be paid no later than the due date appearing on the individual bills. Said charges shall be subject to a ten percent (10%) penalty if not paid within twenty (20) days from the bill date. If not paid within twenty (20) days after said due date, the charge plus penalty shall bear interest at the rate of one percent (1%) per month or any fraction thereof until paid.

SECTION E. Any required connection fee shall be due at the earlier of (a) at time of making application for permission to connect to the system or (b) on a date sixty days after notice to connect to the system is given unless the Borough, in its sole discretion, chooses to provide additional time for such collection to be made. Said charges shall be subject to a ten percent (10%) penalty if not paid within twenty (20) days from their due date. If not paid within twenty (20) days after said due date, the charge plus penalty shall bear interest at the rate of one percent (1%) per month or any fraction thereof until paid.

SECTION F. All sanitary sewage collection, transportation and treatment charges, and connection fees received by the Borough shall be promptly deposited to the appropriate Borough

account established under its financing arrangements and shall be used solely for the Sewer System's operation, maintenance and debt service retirement.

SECTION G. The sanitary sewage collection, transportation and treatment charges, and connection fees imposed hereunder shall become effective as set forth hereinafter in "Section A" attached hereto. Appropriate bills by the Borough shall commence promptly thereafter.

SECTION H. All resolutions or parts of resolutions of this Borough not in accord with this Ordinance are hereby repealed insofar as they affect this Ordinance.

ORDAINED AND ENACTED this \_\_\_\_ day of \_\_\_\_\_, 2004.

**BOROUGH OF MARKLEYSBURG**

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
President

APPROVED:

\_\_\_\_\_  
Mayor

## **“SCHEDULE A”**

ARTICLE I. The monthly sanitary sewage collection, transportation and treatment charges, and the connection fees to be charged for sanitary sewage collection, transportation and treatment services to be furnished by the sewer system of the Borough to customers in the Borough’s service area which shall take effect and begin to accrue with respect to any owner and/or users connecting directly or indirectly to the Sewer System of the Borough or any extensions thereto from and after the earlier of (a) when the owners, users and/or Borough connects owner during the construction to the Sewer System or (b) on a date sixty (60) days after notice to connect to the Sewer System is given unless the Borough, in its sole discretion, grants additional time for such connection to be made, shall be as follows:

### SECTION A. CHARGES:

Connection fees and monthly sanitary sewage collection, transportation and treatment service charges will be charged for each Equivalent Dwelling Unit (“EDU”), as hereinafter defined, connected or to be connected to the Sewer System. Unless written permission is obtained from the Borough, separate connection, and corresponding connection fee and monthly sanitary sewage collection, transportation and treatment service charges, will be required for each individual occupied building unit, whether constructed as a detached unit or as one of a pair (duplex) or row, but a single connection, with payment of the connection fee and monthly sanitary sewage collection, transportation and treatment service charges for the appropriate number of actual EDU’s served, will be permitted to serve a school, factory, mobile home park, apartment house or other multiple unit structure whose individual apartments or units may not be subject to separate ownership.

The charges for sewer service rendered to sewer premises in the Borough's service area shall be as follows:

1. Connection Fees

(a) For each Equivalent Dwelling Unit (EDU) connected to the Sewer System, a connection fee of \$350.00 for all properties involved in the initial 2004 PennVest Project. Thereafter, for each Equivalent Dwelling Unit connected to the sewer system, a connection fee of \$1,000.00 shall apply.

2. Monthly Sanitary Sewage Collection, Transportation and Treatment Service Charges

(a) For each Equivalent Dwelling Unit (EDU) a monthly service charge of \$25.00 for each EDU on each property connected to the Sewer System shall be payable.

3. Equivalent Dwelling Units (EDU's)

(a) An Equivalent Dwelling Unit (EDU) for Residential Customers shall be as defined in the following schedule:

<u>Type of Use</u>	<u>EDU'S</u>
Single Family Resident (including Mobile Homes)	1.0
Duplex	2.0
Triplex	3.0

Apartments:

Efficiency and one bedroom	Number of Units x 0.75
Two or more bedrooms	Number of Units x 1.0

(b) An Equivalent Dwelling Unit (EDU) for Commercial and

Industrial Customers which includes offices, stores, shops, restaurants, clubs, taverns, barber and beauty shops, service stations, car washes, laundromats, funeral homes, motels, hotels, nursing homes, personal care homes, professional buildings, schools, churches, factories and any other commercial or industrial facilities shall be defined as each 48,000 gallons or less of water used per year therein. Therefore, to determine the EDU for a particular commercial or industrial facility, the annual water usage of the facility is divided by 48, 000 gallons. No facility shall be rated as less than 1.0 EDU. The Borough reserves the right to review, at the beginning of each year, the annual water usage of any commercial or industrial customer and to recalculate the number of EDU's, and to then revise the monthly sanitary sewage collection, transportation and treatment charges.

4. Cost of Construction of a New Service Lateral

The entire cost of the construction of a new service lateral, including connection to the Borough's main line, to serve a structure, or a vacant lot shall be paid by the property owner who requests service.

The construction of the service lateral from the Borough's main line to the property line shall be done by the Borough. The Borough will send a bill to the property owner for the actual cost of the construction. The construction of the remainder of the service lateral from the property line to the structure to be served shall, in all instances, be done by the property owner.

**SECTION B. SURCHARGES APPLICABLE TO COMMERCIAL AND INDUSTRIAL USERS:**

In any case in which any commercial or industrial user's wastes have an usually high strength, the Monthly Service Charges, calculated as hereinabove provided, shall be increased with appropriate surcharges according to the provisions of this Borough's Sewer System Rules and Regulations then in effect.

**SECTION C. ANNUAL RATE REVIEW:**

The Borough specifically covenants and provides herein that it shall review the User Charges provided for in this "Schedule A" annually and review them periodically to reflect actual sanitary sewage collection, transportation and treatment service operation and maintenance and debt service costs.