

LOWER SALFORD TOWNSHIP AUTHORITY

57 Main Street
P.O. Box 243
Harleysville, PA 19438

RESOLUTION NO. 13-09-17b

RESOLUTION ESTABLISHING TAPPING FEES

WHEREAS, The Pennsylvania Municipality Authorities Act, 53 Pa.C.S.A. §§ 5601 – 5623, as reenacted as Pennsylvania Act 22 of 2001 and subsequently amended on occasion, authorizes the formation of the Lower Salford Township Authority ("LSTA") for the purpose of the collection, conveyance, and treatment of sewage; and provides LSTA with certain specified powers, including the power to fix, alter, charge and collect rates and other charges for its services; and

WHEREAS, Pennsylvania Act 57 of 2003 amended the Municipality Authorities Act with respect to the purposes and powers of an authority, said purposes and powers now being codified in the Pennsylvania Consolidated Statutes at 53 Pa.C.S.A. § 5607; and

WHEREAS, under Act 57 of 2003, a municipal sewer authority, including LSTA, may charge fees to property owners who desire to or are required to connect their property to the authority's sewer system, or to utilize a portion of the authority's sewage treatment capacity, said authorization being codified at 53 Pa.C.S.A. § 5607(d)(24); and

WHEREAS, the connection fees that LSTA is authorized to charge may include a connection fee, a customer facilities fee, and a tapping fee if the fees are separately set forth in a resolution adopted by LSTA as specified by 53 Pa.C.S.A. § 5607(d)(24)(i); and

WHEREAS, LSTA has not established and does not now desire to establish a connection fee and has not established and does not now desire to establish a customer facilities fee; and

WHEREAS, the tapping fee that LSTA is authorized to charge shall not exceed an amount based upon some or all of certain enumerated cost components set forth and established by resolution including a capacity part, a collection part, a special purpose part, and a reimbursement part as specified by 53 Pa.C.S.A. § 5607(d)(24)(i)(C); and

WHEREAS, through the professional services of Bursich Associates, Inc., LSTA has performed a study to determine the appropriate amount that it may charge as a tapping fee pursuant to Act 57 of 2003; and

WHEREAS, attached to this Resolution as Exhibit "A" is a report on the LSTA tapping fee study providing the method, data, and calculations used to determine each part of the tapping fees that LSTA is authorized to charge for connections to its sewer system; and

WHEREAS, the results of the LSTA tapping fee study indicate that LSTA may charge a tapping fee with a capacity part for residential uses of \$6,040.00 per connection and for non-

residential uses of \$6,390.00 per connection, and with a collection part for residential uses of \$525.00 per connection and for non-residential uses of \$555.00 per connection; and

WHEREAS, LSTA hereby desires to enact such charges consistent with Act 57 of 2003.

NOW, THEREFORE, it is hereby RESOLVED as follows:

1. There is hereby established, fixed and imposed upon the owner of each property making any connection to the LSTA sewer system directly or indirectly, including those changing the type of use of property previously connected or connecting one or more new uses of the types hereinafter referred to through an existing connection, regardless of whether such property is connected separately through one or more existing or new lateral sewers or sewer connections or collection mains installed by LSTA or by any party other than LSTA, the following charges, in conformance with the Pennsylvania Municipalities Authority Act:

a. Tapping Fee:

(1) Capacity Part:

- (a) Residential Use = \$6,040.00 per connection
- (b) Non-Residential Use = \$6,390 per connection

(2) Collection Part:

- (a) Residential Use = \$525 per connection
- (b) Non-Residential Use = \$555 per connection

(3) Special Purpose Part: Not applicable as of this date.

(4) Reimbursement Part: Not applicable as of this date.

b. LSTA reserves the right to charge a property owner or developer for such other expenses as it may incur in connection with the property owner's or developer's extension of sewer mains or connection to the LSTA sewer system including, but not limited to, review of plans, specifications, and permit applications; construction inspection and testing; administrative expenses; legal services; engineering services; etc.

2. Capacity allocations for the purpose of determining the tapping fees are determined on the basis of a total wastewater flow of 245 gallons per day per residential unit and 260 gallons per day per non-residential connection.

3. Where two or more buildings are connected to the LSTA sewer system through a single service connection or where two or more uses are made of the same improved property (e.g. motel with a restaurant, retail store with a restaurant, home with a professional office, etc.), the tapping fee determination shall be computed as though such building and each type of use were separate improved properties or uses with separate sewer connections.

4. Where any building connected to the LSTA sewer system shall be converted, enlarged or remodeled or additional buildings shall be constructed on a property and connected indirectly to the LSTA sewer system through an existing lateral, or connected directly through a new lateral so as to create or establish more extensive use or additional uses as classified in herein, an additional tapping fee in accordance with this Resolution, for each such additional use, shall be payable by the owner of the property so improved.

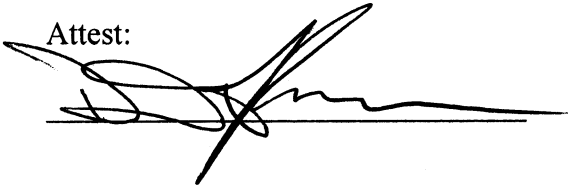
5. The fees imposed by this Resolution with respect to connection to the LSTA sewer system shall be in addition to any rental or other charges fixed, charged or imposed by LSTA by reason of the use, or availability for use, of the sewer system by such property.

6. The provisions of this Resolution shall be severable and if any provision shall be held to be unconstitutional, invalid, or void, such unconstitutional, invalid or void provisions shall not affect the validity of any of the remaining provisions of this Resolution. It is hereby declared that this Resolution would have been adopted if such unconstitutional, invalid or void provision had not been included.

RESOLVED AND ADOPTED, this 17th day of September, 2013.

LOWER SALFORD TOWNSHIP AUTHORITY

Attest:



By:

