

RUSH TOWNSHIP, SCHUYLKILL COUNTY, PENNSYLVANIA
ORDINANCE # 158

ORDINANCE OF THE RUSH TOWNSHIP BOARD OF SUPERVISORS, MODIFYING THE SEWER TAPPING FEE FOR ALL CONNECTIONS TO THE TOWNSHIP'S HOMETOWN AND LAKE HAUTO SANITARY SEWER COLLECTION SYSTEM, AS REQUIRED BY ACT 57 AND ESTABLISHING AN INSPECTION FEE FOR EACH CONNECTION THERETO.

WHEREAS, Rush Township, Schuylkill County, Pennsylvania is a second class township established under the laws of the Commonwealth of Pennsylvania and has the authority to establish, operate and maintain sewage collection and treatment systems; and

WHEREAS, Rush Township has constructed and maintained several different sewage collection systems served by independent collection and treatment facilities and financed by different mechanisms at different times resulting in different costs to operate and maintain the said separate systems; and

WHEREAS, by prior actions of Rush Township (the Township), a tapping fee was established for all new connections to those sanitary sewer collection systems operated and maintained by the Township; and

WHEREAS, the said tapping fee established by those prior actions was calculated in accordance with the provisions with *Act 203* and *Act 209 of 1990*; and

WHEREAS, *Act 57 of 2003* changed the manner in which a tapping fee is to be calculated; and,

WHEREAS, as a result of the enactment of *Act 57 of 2003*, the Township must recalculate the tapping fee charged for connections to the Hometown sanitary sewer system and the Lake Hauto Sanitary Sewage Collection System; and

WHEREAS, the Township wishes to institute an inspection fee and administrative fee for each connection to the said sanitary sewer systems.

NOW THEREFORE IT IS HEREBY ORDAINED AS FOLLOWS:

Section 1. Tapping Fees for Hometown Sanitary Sewage Collection System

a. The tapping fee for the Hometown Sanitary Sewage Facility in the amount of three thousand (\$3,000.00) dollars per connection imposed by prior action of the Township, is hereby repealed effective July 1, 2005.

b. Based on the calculations of Keystone Alliance Consulting, a copy of which is incorporated herein and made a part hereof as Exhibit 1, a tapping fee for the Hometown Sewage Collection System in the amount four thousand seven hundred seventy-five (\$4,775.00) dollars per Equivalent Dwelling Unit (EDU) is hereby established for all connections made to the Hometown Sanitary Sewage Collection System on or after July 1, 2005.

Section 2. Additional fees for the Hometown System

a. An inspection fee of one hundred and fifty (\$150.00) dollars is established for each connection to the Hometown Sanitary Sewage Collection System.

b. An administrative fee of seventy-five (\$75.00) dollars is hereby established for each connection to the Hometown Sanitary Sewage Collection System.

Section 3. The tapping fee for the Lake Hauto Sewage Collection System.

a. The tapping fee imposed by prior action of the Township is hereby repealed effective July 1, 2005.

b. Based on the calculations of the Keystone Alliance Consulting Firm, a copy of which is incorporated herein and made a part hereof as Exhibit 2, a tapping fee for the Lake Hauto Sanitary Sewage Collection System in the amount of four thousand seven hundred and seventy-five (\$4,775.00) dollars per EDU is hereby established for all connections made to the Lake Hauto Sanitary Sewage Collection System on or after July 1, 2005.

Section 4. Additional fees for the Lake Hauto facility

a. An inspection fee of one hundred and fifty (\$150.00) dollars is hereby established for each connection to the Lake Hauto Sanitary Sewage Collection System.

b. An administrative fee of seventy-five (\$75.00) dollars is hereby established for each connection to the Lake Hauto Sanitary Sewage Collection System.

Section 5. Additional Chargers for both Hometown and Lake Hauto Sanitary Sewage Collection Systems.

a. In addition to the tapping fees, inspection and administrative fees the Township reserves the right to charge any costs or expenses for the construction, purchase and installation of any devices, or equipment, such as, pumps, grinder

pumps or the like which in the judgement of the Township is necessary to serve the individual property. This cost and expense shall be collected by the Township from the applicant and installed pursuant to the specifications of the Township and no connection shall be finalized or permitted until all costs, fees, inspections and the like are completed to the satisfaction of the Township.

b. The tapping fees do not include the cost associated with actually making connection to the Township Sanitary Sewer System or the cost of any pumps, valves, fittings or appurtenances needed to make such a connection. These costs are the property owner's responsibility.

Section 6. Miscellaneous

a. All provisions in any Ordinance or Resolution or prior action of this Board inconsistent with the provisions herein, are hereby repealed. All other Ordinances or parts of the same or Resolutions or actions of the Board not inconsistent with provisions of this Ordinance, shall remain in full force and effect.

b. If this Ordinance or any sentence, clause, section or part of this Ordinance is for any reason deemed to be incomplete with respect to *Act 57 of 2003* or inconsistent with the requirements of that act, then the requirements of that act shall control and be deemed to be a part of this Ordinance.

c. The Township Board of Supervisors is hereby authorized to alter, amend or adjust the amount of the tapping fee, inspection fee and/or the administrative fee by subsequent Resolution duly adopted at a lawfully advertised public meeting.

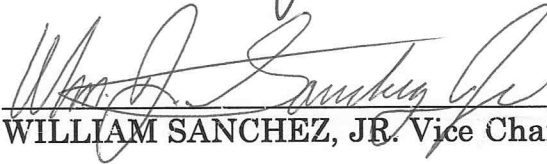
d. In the event that any part of this Ordinance is found to be unenforceable for any reason by a Court of competent jurisdiction, then that part, provision, sentence or clause only shall be deemed to be unenforceable or invalid and the remainder of the Ordinance remains in full force and effect. This Ordinance shall become effective at the earliest date permitted by law.

ADOPTED AND ORDAINED this 16th day of August,
2005, by proper action of Board of Supervisors at a duly advertised meeting.

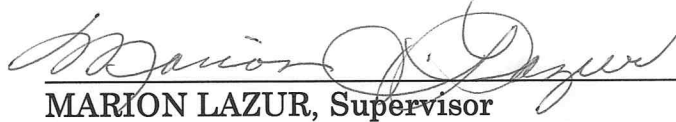
RUSH TOWNSHIP BOARD OF SUPERVISORS:



FRANK BERLETH, Chairman

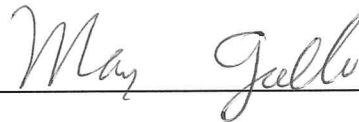


WILLIAM SANCHEZ, JR. Vice Chairman



MARION LAZUR, Supervisor

ATTEST:



Secretary