

RESOLUTION NO. 2 - 2011

A RESOLUTION OF THE BOARD OF THE KUTZTOWN MUNICIPAL AUTHORITY, BERKS COUNTY, PENNSYLVANIA, AMENDING RESOLUTION NO. 4-2010, ADOPTED ON July 21, 2010, SO AS TO AMEND THE CHARGES FOR THE DISTRIBUTION AND SUPPLY OF WATER SET FORTH IN SAID RESOLUTION.

WHEREAS, Kutztown Municipal Authority (the "Authority") is a municipal authority incorporated pursuant to appropriate action of the Council of the Borough of Kutztown and is existing under and is governed by provisions of the Pennsylvania Municipality Authorities Act of 1945, approved May 2, 1945, P.L. 382, as amended and supplemented; and

WHEREAS, the Authority owns and manages a water distribution system and a sewage and wastewater collection and treatment system, located outside of the corporate boundaries of the Borough of Kutztown; and

WHEREAS, the Authority, by virtue of Resolution 4 - 2010, amended certain charges for the distribution and supply of water to its customers; and

WHEREAS, the Authority now deems it beneficial and necessary to amend certain charges for the distribution and supply of water to its costumers as previously set forth in Resolution 4-2010 adopted on July 21, 2010, by the Authority.

NOW, THEREFORE, BE IT RESOLVED, AND IT IS HEREBY RESOLVED, by the Board of this Authority as follows:

SECTION 1. Section 9, Section 10 and Section 11 of Resolution 2-2002, as amended by Resolution No. 4 - 2010, is hereby amended and further restated in its entirety so as to henceforth read as follows, amending Sections 9, 11 and Section:

SECTION 9. The charge for the consumption of water provided by the water system of the Authority shall be a monthly charge for each calendar month, payable as hereinafter provided and computed as set forth in the Section 9.

Effective January 1, 2012: The charge for the consumption of water provided by the water system of the Authority shall be a monthly charge for each calendar month, payable as hereinafter provided and computed as set forth in the Section 9 effective January 1, 2012.

(a) The monthly charge to each consumer account shall be the sum of the following charges effective as of Janaury 1, 2012:

1. A “ready to serve” flat charge to be paid monthly by each water customer account, in the amount of Eleven Dollars and Eighty Six Cents (\$11.86).

2. An “equivalent dwelling unit” (hereinafter “EDU”) charge to each account customer served, to be calculated as follows:

$$\text{EDU Charge} = \$5.51 \times (\text{Customer Usage} \div \text{Annualized Average System EDU Equivalent})$$

where “Customer Usage” shall be equal to the total metered number of gallons of water consumed by the account customer during the month and where the “Average System EDU Equivalent” for each month shall be a quantity expressed in gallons constituting the average of the System EDU Equivalent for the preceding calendar year. The “System EDU Equivalent” for the preceding calendar year shall be determined by dividing the total number of gallons of water consumed during the preceding calendar year by all residential water customers of the Borough of Kutztown and the Kutztown Municipal Authority by the total number of residential water customer accounts of the Borough of Kutztown and the Kutztown Municipal Authority during said year.

4. Effective January 1, 2012: A “consumption” charge for water consumption by the consumer, based upon water consumption metered at the consumer’s property, to be calculated as follows, effective January 1, 2012:

- A. The first 250,000 gallons or less per month  
\$5.19 per 1,000 gallons
- B. The next 500,000 gallons or less per month  
\$5.27 per 1,000 gallons
- C. The next 1,000,000 gallons or less per month  
\$5.34 per 1,000 gallons
- D. The next 2,000,000 gallons or less per month  
\$5.42 per 1,000 gallons
- E. The next 4,000,000 gallons or less per month  
\$5.50 per 1,000 gallons

(h) The water consumption shall be measured by a meter or meters installed by the Authority, and all bills shall be calculated upon the basis of the registration of such meter or meters. If a meter ceases to register or is found defective, the quantity of water consumed

shall be determined by taking the average water consumption during the one year or lesser period if water service had not been furnished for a period of one year.

SECTION 10. Fire Hydrants.

(a) A Rental of Forty-four and 45/100 Dollars (\$44.45) per month is hereby imposed for each fire hydrant connected to the water distribution system of the Authority, whether such hydrant is located upon private property or located and placed along public streets and alleys.

SECTION 11. Sprinkler Systems.

(a) A monthly charge is hereby imposed upon the furnishing of stand-by fire protection to each consumer's property, by means of sprinkler systems served by the Authority, in addition to any other charge imposed by these regulations, as follows effective January 1, 2012:

1 inch service	\$6.05
1 1/2 inch service line	\$9.05
2 inch service line	\$13.65
3 inch service line	\$20.40
4 inch service line	\$30.00
6 inch service line	\$45.80
8 inch service line	\$68.65
10 inch service line	\$130.00
12 inch service line	\$154.55

SECTION 12. Reconnections.

(a) In the event that water service to a consumer has been terminated, the fee for reconnection to the KMA's water system shall be as follows and payable in full prior to reconnection:

1. Reconnections performed during the normal workday hours of the KMA and the Borough, based on current labor and equipment rates as established by Borough Resolution, shall equal the sum total of the following:

(a) Reconnection fee as established by the Borough of Kutztown by resolution and such charge is passed on to KMA, fee as of January 1, 2012 of \$15.00, or as set by Borough of Kutztown resolution.

(b) Utilities Division labor: one-hour labor rate (as established by the Borough of Kutztown by resolution by §

A231-2, and amended from time to time by resolution) and passed on to KMA.

(c) Truck time (using pickup truck): one-half hour equipment rate (as established by the Borough of Kutztown by resolution by § A231-2, and amended from time to time by resolution) and passed on to KMA.

(d) The sum total of Subsection 6(a)(1) (a), (b) and (c) which shall be rounded up to the nearest whole dollar.

(e) Plus delinquent bill (if any) and all other charges passed on from the Borough of Kutztown to KMA for such reconnection service.

2. Reconnections performed after the normal workday hours of the Borough and KMA, based on current labor and equipment rates, shall equal the sum total of the following:

(a) Reconnection fee established by the Borough of Kutztown, and changed from time to time by Borough resolution, and such charge is passed on to KMA, fee as of January 1, 2012 of \$35.00.

(b) Utilities Division labor: two-hour labor rate at the overtime rate (as established by the Borough of Kutztown by resolution by § A231-2, and amended from time to time by resolution) and passed on to KMA.

(c) Truck time (using pickup truck): one-half hour equipment rate (as established by the Borough of Kutztown by resolution by § A231-2, and amended from time to time by resolution) and passed on to KMA.

(d) The sum total of Subsection 6 (a)(2) (a), (b) and (c) which shall be rounded up to the nearest whole dollar.

(e) Plus delinquent bill (if any) and all other charges passed on from the Borough of Kutztown to KMA for such reconnection service.

SECTION 2. . This Resolution and the rates set forth herein shall become effective commencing with all consumption and charges included in the monthly billing for the period commencing on January 1, 2012, and for each calendar month thereafter. The Board shall have the right, however, to make such changes from time to time as in the opinion of the Board may be desirable or beneficial and the Board shall have the right to amend this Resolution or change the rates of charge in such manner and at such times as in the opinion of the Board may be desirable.

SECTION 3. If any of the provisions, sections, sentences, clauses or parts of this Resolution or the application of any provision hereof shall be held invalid, such invalidity shall not affect or impair any of the remainder of this Resolution, it being the intention of the Board that such remainder shall be and remain in full force and effect.

SECTION 4. Proper officers of this Authority are authorized and directed to execute all documents and to do all other acts as may be necessary and proper to carry out this Resolution and the Water Rate Regulations adopted by the authority of this Resolution.

SECTION 5. All resolutions or parts of resolutions inconsistent herewith are expressly repealed.

DULY ADOPTED as a Resolution this 14<sup>th</sup> day of December 2011 by the Board of the Kutztown Municipal Authority, in lawful session duly assembled.

KUTZTOWN MUNICIPAL AUTHORITY  
Berks County, Pennsylvania

By: \_\_\_\_\_  
Chairman

(AUTHORITY SEAL)

Attest: \_\_\_\_\_  
Secretary