

RESOLUTION NO. 22-2011

A RESOLUTION OF THE BOROUGH OF KUTZTOWN,
COUNTY OF BERKS, COMMONWEALTH OF
PENNSYLVANIA, AMENDING AND SUPERSEDING THE
CHARGES FOR THE COLLECTION AND TREATMENT OF
DOMESTIC SEWAGE AND INDUSTRIAL SEWAGE AS
CURRENTLY SET FORTH IN RESOLUTION NO. 3-2010,
ADOPTED ON JANUARY 4, 2010, BY THE COUNCIL OF
THE BOROUGH OF KUTZTOWN.

WHEREAS, the Borough of Kutztown (the "Borough") is a Pennsylvania municipal corporation organized and existing pursuant to the Borough Code of the Commonwealth of Pennsylvania, as adopted on February 1, 1965, P.L. 1656, No. 581, as amended and supplemented from time to time; and

WHEREAS, the Borough owns and manages a sanitary sewer collection and treatment system which collects and treats wastewater produced by the residents and businesses within the Borough of Kutztown; and

WHEREAS, the Borough has amended the service rates and fees associated with the collection and treatment of domestic sewage and industrial sewage collected within its sewer system and treated on behalf of its customers as previously set forth in Resolution 3-2010, adopted on January 4, 2010 by the Borough Council of the Borough of Kutztown; and

WHEREAS, the Borough desires to further amend the service rates and fees associated with the collection and treatment of domestic sewage and industrial sewage collected within its sewer system and treated on behalf of its customers by altering the definition of Average System EDU Equivalent by expressing it as a definitive twelve (12) month period, rather than a rolling twelve (12) month period.

NOW, THEREFORE, it is hereby resolved by the Council of the Borough of Kutztown, County of Berks, Commonwealth of Pennsylvania, as follows:

SECTION 1. The charges for the collection and treatment of sewer and wastewater in the Borough of Kutztown shall be as set forth below, until such time as amended by Resolution by the Borough Council:

SECTION 1
CHARGES FOR DOMESTIC SEWAGE

The charge for collection and treatment of Domestic Sewage and Industrial Sewage discharged into the Sewer System shall be either a monthly charge for each calendar month or a quarterly charge for each calendar quarter, payable as hereinafter provided, computed as set forth in Section 1 (a), (b), (c) and (d) below.

(a) In the event that the Borough Council of the Borough of Kutztown decides to institute a monthly sewer service the charge to each consumer account shall be the sum of the following charges:

1. A “ready to serve” flat charge to be paid monthly by each sewer customer account, in the amount of Six and 30/100 Dollars (\$6.30).

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

EDU Charge = \$11.44 x (Customer Usage ÷ 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 “Annualized Average System EDU Equivalent” for each month shall be a quantity expressed in gallons constituting 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.

3. A “consumption/treatment” charge for sewage discharged by the consumer, based upon water consumption metered at the consumer’s property, to be calculated as follows:

A. The first 250,000 gallons or less per month
\$3.60 per 1,000 gallons

B. The next 500,000 gallons or less per month
\$3.95 per 1,000 gallons

C. The next 1,000,000 gallons or less per month
\$4.63 per 1,000 gallons

D. The next 2,000,000 gallons or less per month
\$6.01 per 1,000 gallons

E. The next 4,000,000 gallons or less per month
\$8.74 per 1,000 gallons

(b) The monthly charge to the Kutztown Municipal Authority shall be the sum of the following charges:

1. A “ready to serve” flat charge to be paid monthly to be calculated by multiplying the amount of Six and 30/100 Dollars (\$6.30)

by the number of user accounts of the Kutztown Municipal Authority which are served by discharging to the Borough of Kutztown sewage system.

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

$$\text{EDU Charge} = \$11.44 \times (\text{Customer Usage} \div \text{Annualized Average System EDU Equivalent})$$

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 “Annualized Average System EDU Equivalent” for each month shall be a quantity expressed in gallons constituting 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.

3. A “consumption/treatment” charge for sewage discharged based upon water consumption metered at the user’s unit or user’s premises, for each Kutztown Municipal Authority customer, to be calculated as follows:

- A. The first 250,000 gallons or less per month
\$3.75 per 1,000 gallons
- B. The next 500,000 gallons or less per month
\$4.07 per 1,000 gallons
- C. The next 1,000,000 gallons or less per month
\$4.73 per 1,000 gallons
- D. The next 2,000,000 gallons or less per month
\$6.06 per 1,000 gallons
- E. The next 4,000,000 gallons or less per month
\$8.78 per 1,000 gallons

(c) In the event that the Borough Council of the Borough of Kutztown decides to institute a quarterly sewer service the charge to each consumer account shall be the sum of the following charges:

- 1. A “ready to serve” flat charge to be paid quarterly by each sewer customer account, in the amount of Eighteen and 84/100 Dollars (\$18.84).

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

$$\text{EDU Charge} = \text{Thirty-Four and } 26/100 \text{ Dollars} \\ (\$34.26) \times (\text{Customer Usage} \div \text{Annualized Average} \\ \text{System EDU Equivalent})$$

where “Customer Usage” shall be equal to the total metered number of gallons of water consumed by the account customer during the quarter and where the “Annualized Average System EDU Equivalent” for each quarter 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.

3. A “consumption/treatment” charge for sewage discharged by the consumer, based upon water consumption metered at the consumer’s property, to be calculated as follows:

- A. The first 750,000 gallons or less
per quarter
\$3.60 per 1,000 gallons
- B. The next 1,500,000 gallons or less
per quarter
\$3.95 per 1,000 gallons
- C. The next 3,000,000 gallons or less
per quarter
\$4.63 per 1,000 gallons
- D. The next 6,000,000 gallons or less
per quarter
\$6.01 per 1,000 gallons
- E. The next 12,000,000 gallons or less
per quarter
\$8.74per 1,000 gallons

(d) The quarterly charge to the Kutztown Municipal Authority shall be the sum of the following charges:

1. A “ready to serve” flat charge to be paid quarterly to be calculated by the amount of Eighteen and 84/100 Dollars (\$18.84) by the number of user accounts of the Kutztown Municipal Authority which are served by discharging to the Borough of Kutztown sewage system.

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

$$\text{EDU Charge} = \text{Thirty-Four and } 26/100 \text{ Dollars} \\ (\$34.26) \times (\text{Customer Usage} \div \text{Annualized Average} \\ \text{System EDU Equivalent})$$

where “Customer Usage” shall be equal to the total metered number of gallons of water consumed by the account customer during the quarter and where the “Annualized Average System EDU Equivalent” for each quarter 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 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.

3. A “consumption/treatment” charge for sewage discharged based upon water consumption metered at the consumer’s property, for each Kutztown Municipal Authority customer, to be calculated as follows:

A. The first 750,000 gallons or less
per quarter
\$3.75 per 1,000 gallons

B. The next 1,500,000 gallons or less
per quarter
\$4.07 per 1,000 gallons

- C. The next 3,000,000 gallons or less
per quarter
\$4.73 per 1,000 gallons
- D. The next 6,000,000 gallons or less
per quarter
\$6.06 per 1,000 gallons
- E. The next 12,000,000 gallons or less
per quarter
\$8.78 per 1,000 gallons

SECTION 2. Reconnections.

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

1. Reconnections performed during the normal workday hours of the Borough shall equal the sum total of the following:

(a) Reconnection fee of \$15.00.

(b) Utilities Division labor: one-hour labor rate (as established by § A231-2, as amended from time to time by Resolution).

(c) Truck time (using pickup truck): one-half hour equipment rate (as established by § A231-2, as amended from time to time by Resolution).

(d) The sum total of Subsection 2(a)(1) (a), (b) and (c) which shall be rounded up to the nearest whole dollar.

(e) Plus delinquent bill (if any).

2. Reconnections performed after the normal workday hours of the Borough shall equal the sum total of the following:

(a) Reconnection fee of \$35.00.

(b) Utilities Division labor: two-hour labor rate at the overtime rate (as established by § A231-2, as amended from time to time by Resolution).

(c) Truck time (using pickup truck): one-half hour equipment rate (as established by § A231-2, as amended from time to time by Resolution).

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

(e) Plus delinquent bill (if any).

SECTION 2. This Resolution and the rates set forth herein shall become effective commencing with all consumption and charges included in the first monthly or quarterly billing for the period commencing on January 1, 2012, and for each calendar month or quarter thereafter. The Borough Council shall have the right, however, to make such changes from time to time as in the opinion of the Borough Council may be desirable or beneficial and the Borough Council 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 Borough Council 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 Borough Council that such remainder shall be and remain in full force and effect.

SECTION 4. All Resolutions or parts of Resolutions inconsistent herewith are expressly repealed.

DULY ADOPTED as a Resolution by the Council of the Borough of Kutztown, Berks County, Pennsylvania, in lawful session duly assembled this 20th day of December, 2011.

BOROUGH OF KUTZTOWN

By: _____
Malcolm A. Eidle
Borough Council President

Attest: _____
Gina M. Wiand
Secretary of the Borough

Approved as a Resolution this 20th day of December, 2011.

Sandra Green, Mayor