

LANCASTER AREA SEWER AUTHORITY

**RESOLUTION
24-02-001**

**AMENDING AND RESTATING
RESOLUTIONS IMPOSING TAPPING FEES AND RESERVATION OF
CAPACITY FEES**

WHEREAS, Lancaster Area Sewer Authority (the "Authority" or "LASA") maintains and serves the Boroughs of Columbia, East Petersburg and Mountville, and the Townships of East Hempfield, Lancaster, Manor, Manheim, West Hempfield, and West Earl, Lancaster County, Pennsylvania, with its sewer system; and

WHEREAS, the Authority at a meeting duly called and held on June 21, 1972, adopted a Resolution entitled "Resolution Imposing Sewer Rental Charges for the Use of the Sewer System of Lancaster Area Sewer Authority; Providing for the Collection of such Rentals and Charges, Including the Filing of Liens Therefore; and Authorized Related Action (the "Rate Resolution") to be effective as of June 21, 1972; and

WHEREAS, the Authority pursuant to provisions of Section 4B (t) of the Municipality Authority's Act of 1945 (the Act of May 2, 1945, P.L. 382, as amended and supplemented), (the "Act") on December 20, 1973 adopted a "Resolution Imposing Tapping and Connection Fees; and

WHEREAS, the Pennsylvania State Legislature in December of 1990 adopted Act 203 of 1990 ("Act 203"), which legislation became effective on June 17, 1991, under the terms of which legislation the Act was amended so that the Tapping and Connection Fees are defined by the Act and authorities which impose such fees must calculate such fees in accordance with the Act; and

WHEREAS, the Authority on May 23, 1991 and July 28, 1994 adopted Resolutions amending and restating Resolutions Imposing Tapping Fees and Connection Fees as per the Act; and

WHEREAS, the Authority at a meeting duly called and held on May 22, 1997, adopted Resolution 97-05-001 amending, restating and consolidating the aforesaid Resolutions into a document entitled "Schedule of Rates, Charges and Fees"; and

WHEREAS, the Pennsylvania State Legislature in December of 2003 adopted Act 57 of 2003 ("Act 57"), which legislation effective December 30, 2003, amended parts of the Municipality Authorities Act, General Local Government Code (53 PA. C.S.), amending parts of section 5607 (d) Powers are: 5607 (d) 17 dealing with general powers and rules and regulations and 5607 (d) (24) dealing with tapping fees; and

WHEREAS, the Authority at a meeting duly called and held on May 26, 2005, adopted Resolution 05-05-001 amending and restating “Appendix B of the Schedule of Rates, Charges and Fees”; and

WHEREAS, the Authority at a meeting duly called and held on July 24, 2008, adopted Resolution 08-07-001 adopting the Consolidated Rules and Regulations as prepared by General Code and presented at the meeting of July 24, 2008 and repealing all Rules and Regulations of the Authority in effect prior to July 24, 2008; and

WHEREAS, the Authority at a meeting duly called and held on August 25, 2011, adopted Resolution 11-08-001 amending and restating Appendix BB – Tapping, Connection and Special Facilities Fees of the Consolidated Rules and Regulations; and

WHEREAS, the Authority at a meeting duly called and held on May 26, 2021, adopted Resolution 21-05-001 amending and restating Appendix BB – Tapping, Connection and Special Facilities Fees of the Consolidated Rules and Regulations and said Resolution 21-05-001 was further amended at a meeting duly called and held on June 23, 2021 by Resolution 21-06-001 and further amended at a meeting duly called and held on July 28, 2021 by Resolution 21-07-002 ; and

WHEREAS, the Authority at a meeting duly called and held on December 21, 2023, adopted Resolution 23-12-001 amending and restating Appendix BB – Tapping, Connection and Special Facilities Fees of the Consolidated Rules and Regulations; and

WHEREAS, it is necessary to correct the calculation of the tapping fee approved in Resolution 23-12-001 and extend the effective date of Resolution 23-12-001 to allow timely communication to all stakeholders prior to the effective date of April 1, 2024. Appendix BB - Tapping, Connection and Special Facilities Fees of the Consolidated Rules and Regulations will need to be amended to incorporate the corrected tapping fee and extend the effective date;

NOW, THEREFORE, BE IT RESOLVED by the Board of Lancaster Area Sewer Authority as follows:

1. Intent. It is the intent of the Authority, pursuant to this resolution, to amend the tapping fee approved in Resolution 23-12-001 and to establish an effective date for the amended tapping fee. The fees established by Resolution 21-05-001 and Resolution 21-07-001 will remain in effect until the effective date of this Resolution 24-02-001. The tapping fee established by this Resolution 24-02-001 are based on the calculations included herewith at Appendix A.
2. Appendix BB - Tapping, Connection and Special Facilities Fees, Subsection “Tapping fee for individual dwelling units” shall be amended to read:

Tapping fee for individual dwelling units.

A. The tapping fee payable for individual dwelling units is as follows:

Capacity component: \$2,576.00 per EDU
Collection component: \$2,274.00 per EDU

Special purpose component: Letort Manor/Perth Hills collection system - \$4,138.00 per EDU

Tapping fee for properties with no individual dwelling units.

A. Tapping fee for properties with no individual dwelling units. The tapping fee payable for properties with no individual dwelling units is as follows:

Capacity component: \$11.10 per gallon, with a minimum 232 gallons
Collection component: \$9.80 per gallon, with a minimum 232 gallons

Special purpose component: Letort Manor/Perth Hills collection system - \$17.84 per gallon, with a minimum 232 gallons.

3. Appendix BB - Tapping, Connection and Special Facilities Fees, Subsection "Reservation of capacity fee" shall be amended to read:

Reservation of capacity fee

A. Reservation of capacity fee payable for properties with individual dwelling units is as follows: Annual reservation of capacity fee shall be \$175 per IDU. For example, to reserve capacity for two IDUs the reservation of capacity fee would be \$350 per year (2 x \$175).

B. Reservation of capacity fee payable for properties with no individual dwelling units is as follows: Annual reservation of capacity fee shall be \$0.75 per gallon per day of flow with a minimum rate of 232 gallons per day. For example, to reserve capacity for an average flow of 280 gallons per day, the reservation of capacity fee would be \$210 per year (0.75×280). As another example, to reserve capacity for an average flow of 200 gallons per day, the reservation of capacity fee would be \$175 per year (minimum 232 gallons).

4. Appendix BB - Tapping, Connection and Special Facilities Fees, Subsection "Temporary leasing of capacity" shall be amended to read:

Temporary leasing of capacity

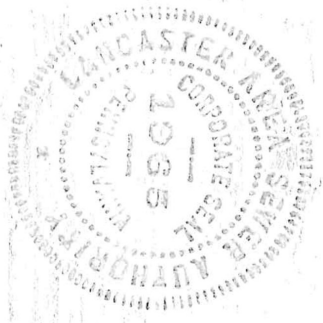
The monthly rate for temporarily leasing capacity shall be based on the total tapping fee payable per gallon for properties with no individual dwelling units amortized over 20 years at 5%. The current rate is calculated as \$0.14 per gallon per month.

5. Effective Date. The amendment to Appendix BB Tapping, Connection and Special Facilities Fees, Subsections "Tapping fee for individual dwelling units", "Tapping fee for properties with no individual dwelling units", "Reservation of capacity fee", and "Temporary leasing of capacity" shall take effect June 1, 2024.

LANCASTER AREA SEWER AUTHORITY

By:  _____
(Vice) Chairman

Attest:  _____
(Assistant) Secretary



Adopted: 2/22/24

