

AN ORDINANCE

NO. 4292

AN ORDINANCE Enacted Pursuant To The Code Of The Township Of Lower Merion, Chapter 126, Sewers, Fixing The Amount Of The Annual Sanitary Sewer Rental Fee And Establishing The Amount Of \$4.51 As The Charge To Each Property Connected To The Township Sanitary Sewer System For Each 1,000 Gallons Of Water Consumed; And Fixing The Amount Of The Annual Sanitary Sewer Rental Fee For Each Property Directly Connected To The City Of Philadelphia Sanitary Sewer System As That Amount Charged By The City Of Philadelphia For Such Service.

The Board of Commissioners of the Township of Lower Merion hereby ordains:

Section 1. Water Used or Estimated to Have Been Used. Pursuant to § 126-9 of the Code of the Township of Lower Merion, the Board of Commissioners, upon information provided by Aqua America, Inc. (hereinafter called "The Water Company") and secured from other sources, does hereby find and compute that the total number of gallons of water used or estimated to have been used by consumers connected to the sanitary sewer system in the Township in the four quarterly periods used by the Water Company in rendering its bills and closely proximate in time to the end of calendar year 2023, as records of the Water Company and its schedule of water readings will permit, was approximately 1,557,000 billable gallons, including estimated consumption of water by properties which did not secure water from the Water Company but which discharged water into the Township sanitary sewers.

Section 2. Finances of Sanitary Sewer Fund. Pursuant to Chapter 126 of the Code of the Township of Lower Merion, the Sanitary Sewer Fund is structured as a separate fund sufficient to maintain and operate the sewer system. The Sanitary Sewer Fund is primarily resourced through the annual sanitary sewer rental fee. Pursuant to § 126-8 of the Code of the Township of Lower Merion the annual sewer rental shall be sufficient to meet all operating and debt service costs attributable to the Sewer Fund and a minimum fund balance level of 10% of annual expenditures.

Section 3. Amount to be charged each Property. The Board of Commissioners does hereby fix and determine \$4.51 per one thousand gallons of water used by properties connected with the sanitary sewage system of the Township as the amount to be charged to each property connected to the Township sanitary sewer system for the 2024 sanitary sewer rental fee and for each year thereafter until revised. No property shall be billed for less than 20,000 gallons of water usage. For those properties in Sewer District #5 that are directly connected to the City of Philadelphia sanitary sewer system, the charge shall be that amount billed to the Township by the City of Philadelphia for such service.

Section 4. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

Section 5. Nothing in this Ordinance or in Chapter 126 of the Code of the Township of Lower Merion, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 126 prior to the adoption of this amendment.

Section 6. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of this court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this ordinance. It is hereby declared to be the intent of the Board that this ordinance would have been adopted if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 7. This Ordinance shall take effect and be in force from and after its approval as required by law.

Approved by the Board this 15th day of May, 2024.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF LOWER MERION

Todd M. Sinai, President

ATTEST:

Jody L. Kelley, Secretary