

**BOROUGH OF PENNDEL
BUCKS COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2023-3

**AN ORDINANCE OF THE BOROUGH OF PENNDEL, BUCKS COUNTY,
PENNSYLVANIA AMENDING CHAPTER 322 – “SEWERS,” ARTICLE II – “SEWER
RENTS” OF THE PENNDEL BOROUGH CODE OF ORDINANCES; AMENDING
SEWER RENT RATES; REPEALING PRIOR INCONSISTENT ORDINANCES;
CONTAINING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, the Borough of PennDEL is organized and operating in accordance with the laws of the Commonwealth of Pennsylvania; and

WHEREAS, pursuant to the Borough Code of the Commonwealth of Pennsylvania, the Borough Council of PennDEL Council (hereinafter referred to as the “Council”) has the authority to enact, amend, and repeal the provisions of the PennDEL Borough Code of Ordinances (hereinafter referred to as the “Code”); and,

WHEREAS, the Council previously established sewer rent rates for private dwellings or living units and the sewer rent rates for industrial and commercial establishments utilizing the public sewer system; and

WHEREAS, the Council has the authority to modify the foregoing sewer rent rates; and

WHEREAS, the Council has been informed of a rate increase by the Bucks County Water and Sewer Authority (“Authority”) that necessitates a change in the rates under the Code; and

WHEREAS, the Council has determined that it is in the best interest of the community to modify the sewer rent rate as set forth herein, resulting in an increase of the rates.

NOW, THEREFORE, be it and it is hereby **ORDAINED** and **ENACTED** as follows:

SECTION I. FLAT RATES FOR PRIVATE DWELLINGS OR LIVING UNITS.

The Penn del Borough Code, Chapter 322 – “Sewers,” Article II – “Sewer Rents,” Section 9 – “Flat Rates for Private Dwellings or Living Units,” Subsection A (§322-9(A) of the Code) is hereby repealed in its entirety and replaced with the following:

- A. Each private dwelling or living unit shall pay a rental of \$159.12 per quarter (every 3 months) for the use of the sewer system.

Subsection B of Section 322-9 “Flat Rates for Private Dwellings or Living Units” shall remain in full force and effect.

SECTION II. METER AND FLAT RATES FOR INDUSTRIAL AND COMMERCIAL ESTABLISHMENTS.

The Penn del Borough Code, Chapter 322 – “Sewers,” Article II – “Sewer Rents,” Section 10 – “Meter and Flat Rates for Industrial and Commercial Establishments,” Subsection A – “Sanitary Sewage and Normal Industrial Waste,” Subpart 2 – “Flat Rates” (§322-10(A)(2) of the Code) is hereby repealed in its entirety and replaced with the following including new subpart (3):

- A. Sanitary Sewage and Normal Industrial Waste.

- (2) Flat Rates. Industrial and commercial establishments whose sewer rates are not measured by meter shall pay sewer rates on a quarterly basis. Regardless of water consumption, the minimum quarterly charge for sanitary sewage from industrial or commercial establishments under § 332-10(A)(1) shall be \$309.79 per quarter (every three months).

The remainder of Section 322-10 “Meter and Flat Rates for Industrial and Commercial Establishments” shall remain in full force and effect.

SECTION III. REPEALER.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of any inconsistency.

SECTION IV. SAVINGS CLAUSE.

If any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Borough Council hereby declares that it would have enacted this ordinance, and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

SECTION V. EFFECTIVE DATE.

This Ordinance shall be effective January 2, 2024.

ENACTED AND ORDAINED BY THE BOROUGH OF PENNDEL THIS 2ND DAY OF JANUARY, 2024.

BOROUGH COUNCIL
PENNDEL BOROUGH

By: _____,
John Stratz, Council President

ATTEST:

Marie Serota, Borough Secretary/Treasurer

EXAMINED and **APPROVED** by me this 2nd day of January, 2024.

Thomas C. Sodano, Jr., Mayor