

TOWAMENCIN TOWNSHIP

ORDINANCE NO. 24-04

AN ORDINANCE AMENDING CHAPTER 127 [SEWERS] BY: (1) MAKING RESIDENTIAL AND NONRESIDENTIAL SEWER RENTALS CHARGED/PAYABLE QUARTERLY IN SECTION 127-33 [BASIC RENTAL]; (2) REDUCING THE WATER VOLUME CONSIDERATION PERIOD FROM SIX-MONTHS TO THREE-MONTHS FOR CONSUMPTION-BASED NONRESIDENTIAL ACCOUNTS AND PROVIDING FOR QUATERLY COLLECTION OF METER INSTALLATION AND MAINTENANCE COSTS IN SECTION 127-35 [NONRESIDENTIAL USERS; PRIVATE SYSTEMS; INDUSTRIAL ESTABLISHMENTS] AND SUB-SECTION F, RESPECTIVELY; (3) REPLACING ANNUAL WITH QUARTERLY RESIDENTIAL SEWER RENTAL BILLING AND THE AFTER 120 DAY 10% PENALTY WITH AN AFTER 30 DAY 10% PENALTY IN SECTION 127-36(A) AND (B) [TIME AND METHOD OF PAYMENT; PENALTIES AND INTEREST], RESPECTIVELY; AND (4) REPLACING ANNUAL BILLING APPORTIONMENT WITH QUARTERLY BILLING APPORTIONMENT IN SECTION 127-37 [APPORTIONMENT OF RECENTS]

ENACTED

June 12, 2024

TOWAMENCIN TOWNSHIP

ORDINANCE NO. 24-04

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ATTESTATION

The attached is an attested copy of Ordinance 24-04 that was enacted by the Board of Supervisors at its June 12, 2024 Meeting.

TOWAMENCIN TOWNSHIP



ROBERT J. IANNOZZI JR.

Solicitor

Date: June 13, 2024

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It is hereby enacted and ordained by the Board of Supervisors that Township Code Chapter 127 [Sewers] is amended in furtherance of the Township's health, safety, and welfare as follows:

SECTION 1. AMENDMENT TO CHAPTER 127 [SEWERS], SECTION 127-33 [BASIC RENTAL]

Chapter 127 [Sewers], Section 127-33 [Basic Rental] shall be amended to read as follows:

The annual sewer rental for each EDU shall be established by resolution of the Board of Supervisors. Said sewer rental as established shall be payable in quarterly installments for residential units in accordance with §127-36. Nonresidential users shall be charged quarterly in accordance with §127-35 For all residential users, whether their system is a private system or public, the rate shall be as set forth in said resolution.

SECTION 2. AMENDMENT TO CHAPTER 127 [SEWERS], SECTION 127-35 [NONRESIDENTIAL USERS; PRIVATE SYSTEMS; INDUSTRIAL ESTABLISHMENTS] AND SUB-SECTION F

Chapter 127 [Sewers], Section 127-35 [Nonresidential Users; Private Systems; Industrial Establishments] shall be amended to read as follows:

The sewer rental for nonresidential uses shall be calculated as the greater of the basic sewer rental for one EDU or the product of multiplying the number of EDUs applicable to such use, calculated based upon the three-month volume of actual water consumption or measured volume of wastewater, by the basic sewer rental.

Chapter 127 [Sewers], Section 127-35 [Nonresidential Users; Private Systems; Industrial Establishments], Sub-Section F shall be amended to read as follows:

- F.** Installation and maintenance of meters. If the owner of any industrial establishment shall be required pursuant to the foregoing provisions to install a water meter or meters or a meter or meters for measuring wastewaters, it shall be the duty of such owner to furnish and install such meter at his own expense, and in such case and also if such owner shall have voluntarily installed such meter or meters, such owner shall be required to maintain the same in good operating condition and make all necessary repairs and replacements. If the owner, being obligated so to do, shall fail to furnish or install such meter or meters or shall fail to maintain the same as above provided, then in any such case after 10 days' written notice by the Township to perform such obligation, the Township may enter onto such property at all reasonable times and install such meter or meters or repair and maintain the same, as the case may be, and charge the cost of such installation or repair to such owner. Bills for such installation or repairs if made by the Township shall be due and payable immediately upon completion of the work and then shall be collected in the same manner as quarterly bills for sewer rentals and charges.

Note: Chapter 127 [Sewers], Section 127-35 [Nonresidential Users; Private Systems; Industrial Establishments] Sub-Sections A through E and G shall remain the same.

SECTION 3. AMENDMENT TO CHAPTER 127 [SEWERS], SECTION 127-36(A) [TIME AND METHOD OF PAYMENT; PENALTIES AND INTEREST]

Chapter 127 [Sewers], Section 127-36(A) [Time and Method of Payment; Penalties and Interest] shall be amended to read as follows:

- A.** Sewer rentals for residential units shall be billed quarterly on the first day of March, June, September, December, respectively, commencing on the first day of the quarterly billing period next succeeding the date upon which the Township certifies the connection of the property to the sewer system as complete, and shall be due and payable immediately. Apportionment of sewer rentals for properties connected for less than the quarterly billing period shall be in accordance with § **127-37** of the Towamencin Township Code. Sewer rentals for industrial establishments and nonresidential users shall be billed quarterly on such dates or as soon thereafter as necessary data to prepare such bills for the quarterly period next preceding such dates shall become available and shall be due and payable immediately.
- B.** If the full amount of such bills shall not be paid within 30 days from the date of billing, 10% of the face amount of the bill shall be added thereto, which together with the face amount of the bill shall become the gross amount thereof. In the event any bill shall remain unpaid as of December 31 of any year, the Township shall proceed to collect all sums due in accordance with law.

SECTION 4. AMENDMENT TO CHAPTER 127 [SEWERS], SECTION 127-37 [APPORTIONMENT OF RENTS]

Chapter 127 [Sewers], Section 127-37 [Apportionment of Rents] shall be amended to read as follows:

Whenever sewer service to any property begins after the first of a quarterly billing period, the sewer rentals for such property shall be for that portion of the quarterly billing period during which the property is served. However, in making such apportionment, a fraction of a month amounting to 1/2 or more of a month shall be counted as a full month, and a fraction of a month amounting to less than 1/2 of the month shall be disregarded.

SECTION 5. SEVERABILITY

This Ordinance's provisions are intended to be severable. If any section, sentence, clause, part, or provision of this ordinance is determined to be illegal, invalid, or unconstitutional by any court of competent jurisdiction, such determination shall not affect or impair this Ordinance's remaining sections, sentences, clauses, parts, or provisions.

Furthermore, it is hereby declared to be this Board's express intent that this ordinance still be adopted even if such an illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included.

SECTION 6. REPEALER

All other ordinances and resolutions or parts thereof as they are inconsistent with this Ordinance are hereby repealed.


SECTION 7. EFFECTIVE DATE

This Ordinance shall take effect five days from this Board's approval of it as required by Pennsylvania law.

[Signatures on Next Page]


ENACTED and **ORDAINED** by this Board at its public meeting on this 12th day of June 2024.

TOWAMENCIN TOWNSHIP
BOARD OF SUPERVISORS



H. Charles Wilson III, *Chairman*

Attest:



Joyce F. Snyder, *Secretary*