

RESOLUTION

MUNICIPAL AUTHORITY

**TREDYFFRIN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

WHEREAS, the Tredyffrin Township Municipal Authority (hereinafter: the "Authority") is empowered to enact and, from time to time, to revise a schedule of certain fees to be charged against property owners connecting to the Authority's sanitary sewage collection and transmission lines and utilizing a portion of the Authority's sewage treatment capacity; and

WHEREAS, Act 57 of 2003 altered the method by which such charges are to be calculated; and

WHEREAS, the factual information and calculations required by Act 57 of 2003 to support such charges are appended hereto as Appendix "A" and are made available for inspection by the public; and

WHEREAS, the said factual information and calculations required by Act 57 of 2003 permit a Tapping Fee – Capacity Part not to exceed \$9.82 per gallon per day ("gpd"); an a Tapping Fee – Collection Part not to exceed \$6.51 per gpd; and

WHEREAS, the Authority hereby to enact such charges consistent with Act 57 of 2003,

NOW, THEREFORE, be it and it is hereby RESOLVED this 22nd day of June 2005 as follows:

A. There is hereby fixed and imposed upon the owner of each property making any connection to the Sewer System directly or indirectly, including those changing the type of use of property previously connected or connecting one or more new uses of the types hereinafter referred to through an existing connection, regardless of whether such property is connected separately through one or more existing or new lateral sewers or sewer connections or collection mains installed by the Authority or by any party other than the Authority, the following charges, in conformance with Pennsylvania Act 57 of 2003:

Fee Component	Fee
1. Tapping Fee	
a. Capacity Part:	\$ <u>9.82</u> /gpd of capacity required for connection
b. Collection Part:	\$ 6.51/gpd of capacity required for collection

c Special Purpose Part: No charge at present

2. Other Charges Related to Sewer Extensions

The Authority reserves the right to charge the property owner/developer for such expenses as it may incur in connection with the property owner's or developer's extension of sewer mains or connection to the sewer system including, but not limited to, review of plans, specifications, and permit applications; construction inspection and testing; Township and Authority administrative expenses; legal services; engineering services; etc.

B. Capacity allocations for the purpose of determining the tapping fee shall be determined on the basis of a total wastewater flow (including water use and a reasonable infiltration/inflow allowance) of 213 gallons per day per residential unit and the following schedule of flow allowances for non-residential connections:

	Property to be Connected	Flow Allowance
1.	Each private dwelling unit or living unit (including each home, townhouse, condominium or apartment unit).	213 gpd/unit
2.	Each firehouse or municipal building.	213 gpd/connection
3.	Each Church.	213 gpd/connection
4.	Each retail store	0.06 gpd/sq. ft.
5.	Each enclosed shopping mall, in lieu of separate calculations for retail stores and restaurants.	0.10 gpd/sq. ft.
6.	Each office, office building, or portion of a building used for business and/or professional offices.	0.06 gpd/sq. ft.
7.	Each warehouse, in addition to office space.	0.01 gpd/sq. ft.
8.	Each industrial establishment, excluding process waste.	0.06 gpd/sq. ft.
9.	Industrial process waste or any wastewater discharge other than normal domestic waste.	Per gpd; minimum charge based on 213 gpd.
10.	Each Doctor's office.	107 gpd/examining room
11.	Each Dentist's office.	71 gpd/dental chair
12.	Each retail gas station without car washing facilities.	426 gpd/connection
13.	Each retail gas station with car washing facilities.	639 gpd/connection
14.	Each hotel or motel, in addition to restaurant or bar:	

	a. Each living unit without kitchen and/or laundry facilities in unit.	85 gpd/suite
	b. Each living unit with kitchen and/or laundry facilities in unit.	122 gpd /suite
	c. Each living unit with kitchen and/or laundry facilities in unit and more than one bedroom.	213 gpd/suite
15.	Each restaurant (other than Meal Caterers), barroom, or other commercial establishment (not otherwise classified herein) which regularly dispenses food and/or beverages.	21 gpd/seat
16.	Meal Caterers.	
	a. Where all meals are served on the premises.	7 gpd/seat (seating capacity basis)
	b. Where all meals are served off the premises.	0.10 gpd/sq. ft.
17.	Nonprofit general hospital.	142 gpd/bed
18.	Rest homes, nursing homes.	85 gpd/bed
19.	Funeral homes.	107 gpd/viewing room
20.	Each public or private day school (in accordance with rated capacity).	10.6 gpd/teacher, employee and pupil
21.	Each boarding school.	71 gpd/pupil
22.	Each Day Care School (in accordance with rated capacity).	11 gpd/teacher, employee and pupil
23.	Self-service Laundromat.	107 gpd/machine
24.	Theaters.	2 gpd/seat
25.	Bowling alleys, in addition to restaurant facilities.	43 gpd/lane
26.	Any other uses not classified above.	To be determined by Authority

C. Where two or more buildings are connected to the Sewer System through a single service connection or where two or more uses are made of the same improved property (i.e. motel with a restaurant, retail store with a restaurant, home with a professional office, etc.), the tapping fee determination shall be computed as though such building and each type of use were separate improved properties or uses with separate sewer connections.

D. For purposes of this Resolution, Meal Caterers shall be defined as any business, which prepares and serves food only for pre-arranged social gatherings, but does not maintain regular meal serving hours and does not serve meals to the general public. For Meal Caterers that serve meals both on and off premises, the higher of the flow allowances shown in Section B.16 above shall be used to compute the tapping fee.

E. Where any building connected to the Sewer System shall be converted, enlarged or remodeled or additional buildings shall be constructed on a property and

connected indirectly to the Sewer System through an existing lateral, or connected directly through a new lateral so as to create or establish more extensive use or additional uses as classified in paragraph B above, an additional tapping fee in accordance with Paragraph B, for each such additional use, shall be payable to the Authority by the owner of the property so improved.

F. Where square footage is used to determine tapping fee values, the gross floor area of the building shall be used.

G. Subsequent to the connection of a non-residential property to the sewer system, should the actual volume of sewage or the volume of water used over any quarterly period exceed the allowances set forth in Section B of this Resolution, the property owner shall pay an additional tapping fee for the additional use at the rates specified in this Resolution. Once a tapping fee has been paid, it will not be decreased and no refunds will be made for wastewater discharges less than the allowable. This section does not apply to private dwelling or living units, firehouses, municipal buildings, or churches.

H. The Municipal Authority, or the Township acting on behalf of the Municipal Authority, may direct a non-residential user to monitor and measure the wastewater flow discharged from the non-residential user's property for a period of time. It shall be the responsibility of the property owner to obtain and install flow metering equipment at the property owner's expense. The type of metering equipment, the flow metering location point, and the flow meter installation are subject to Township approval prior to the installation of the meter and the commencement of metering. The duration of the flow metering shall be at the Township's sole discretion. The Municipal Authority, or the Township acting on behalf of the Municipal Authority, reserves the right to require the installation of a permanent flow metering facility.

I. The fees imposed hereunder with respect to property connected shall be in addition to any rental or other charges fixed, charged or imposed by the Authority or Township by reason of the use, or availability for use, of the Sewer System by such property.

J. Payment of all fees and charges specified by this Resolution are due and payable to the Township no later than 12 months from the date of the Pennsylvania Department of Environmental Protection's approval of Sewage Facilities Planning Modules or a Sewage Facilities Planning Exemption Request for the proposed project. In situations where the Pennsylvania Department of Environmental Protection's approval is not required, payment of all fees and charges specified by this Resolution are due and payable upon approval of the connection by the Township. Capacity within the sewer system and/or the receiving sewage treatment plant shall not be reserved until all fees and charges have been paid to the Township. No connection shall be approved or made until such time as the Pennsylvania Department of Environmental Protection and Tredyffrin Township have approved the connection and all fees set forth in this Resolution have been paid to the Township.


K. The provisions of this Resolution shall be severable and if any provision or provisions shall be held to be unconstitutional, invalid, or void, such unconstitutional, invalid or void provisions shall not affect the validity of any of the remaining provisions of this Resolution. It is hereby declared that this Resolution would have been adopted if such unconstitutional, invalid or void provision or provisions had not been included.

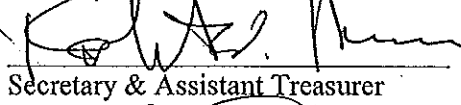
I. The Authority hereby appoints the Township as its agent to collect the tapping fees hereby imposed and to do all acts necessary or desirable to determine, change and collect the same.

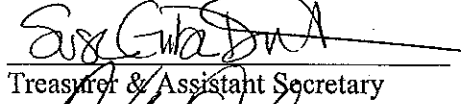
M. All resolutions or parts of resolutions, insofar as they are inconsistent herewith are hereby rescinded.

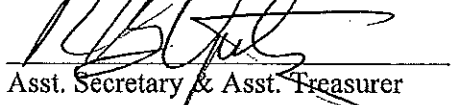
TREDYFFRIN TOWNSHIP
MUNICIPAL AUTHORITY


Chairman

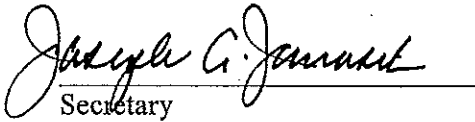

Vice Chairman/Asst. Treas./Asst. Sec.


Secretary & Assistant Treasurer


Treasurer & Assistant Secretary


Asst. Secretary & Asst. Treasurer

Attest:


Secretary