

PART A

Sewage Disposal and Sewer Connections

Preamble

WHEREAS, The State College Borough Council recognizes that new, intense development and redevelopment is taking place in the Borough. Such development is causing existing sewage collection, transmission and treatment facilities to be overtaxed. Although new collection, transmission, and treatment facilities are being constructed to provide additional capacity for this new development, it is equitable that new development contribute capital funds to help offset some of the costs of providing additional sewer system and treatment plant capacity; and

WHEREAS, In 1989, the Borough imposed a sewer tapping fee for the purpose of funding improvements to the sanitary sewer collection and transmission system, and

WHEREAS, The Borough is a member of the University Area Joint Authority (UAJA), an authority established under the Municipality Authorities Act of 1945, P.L. 382, as amended, and

WHEREAS, The UAJA is desirous of collecting a new tapping fee for the purpose of increasing the sewage treatment plant capacity in order to serve new development and redevelopment of the Borough and the Centre Region.

(Ordinance 1648, December 21, 2000.)

Section 101. Definitions. As used in this ordinance, the following terms shall have the meaning hereafter ascribed:

Authority. The State College Sewer Authority, Centre County, Pennsylvania.

Council. The group of elected officials acting as the governing body of the Municipality.

Director of Public Works. That person designated in the Home Rule Charter of the Municipality or his representative.

Expected Average Daily Flow. The expected average daily flow is the amount of sanitary sewage normally emanating from a premise. This flow is normally: 1) closely related to water usage as measured by the waterworks meter or 2) can be estimated as 90 gallons per person per day for residential times the census average household size for the Borough or 207 gallons per equivalent dwelling unit per day.

Industrial Wastes. Any solid, liquid or gaseous substance or water-borne wastes or form of energy rejected or escaping from any industrial, manufacturing, trade or business process or from the development, recovery or processing of natural resources, as distinct from sanitary sewage.

Meter. Any device for measuring, totalizing and recording fluid flow, which is acceptable in the opinion of the Director of Public Works.

Municipality. The Borough of State College, Centre County, Pennsylvania.

Premises. Any structure erected and intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure sewage and industrial waste, or may be discharged.

Person. An individual, firm, company, association, society, corporation or group.

Premises Sewerage System. Includes all the piping within a premises which conveys sewage or waste liquids to a point of disposal. It does not include the mains or municipal sewerage systems or its associated wastewater treatment plant.

Property. A lot or piece of land with or without buildings.

Property Accessible to the Sewer System. Property which adjoins, abuts on, is adjacent to, or via easement or right-of-way, has access to the sewer system.

Sanitary Sewage. The normal water-carried household and toilet wastes from residences, business buildings, institutions and commercial and industrial establishments.

Sewer System. All facilities operated by the Municipality for the collection and disposal of sanitary sewage.

Waterworks. All facilities for the collection and distribution of water to persons in the Municipality and shall also include the owner and/or operator of all such water facilities.

(Ordinance 986, November 5, 1980, Section 1, as amended by Ordinance 1488, January 18, 1996, Section 101., Ordinance 1814, July 18, 2005, Section 1.)

Section 102. Properties to be Connected to the Sewer System. All persons owning any occupied building now erected upon property accessible to the sewer system shall, at their own expense, connect such building with the sewer system within 45 days after notice to such persons requiring such connection.

All persons owning any property accessible to the sewer system upon which a building is hereafter erected shall, at the time of erection of such building, at their own expense, connect the same with the sewer system.

All persons owning any occupied building upon property which hereafter becomes accessible to the sewer system shall, at their own expense, connect such building with the sewer system within 45 days after notice to do so from the Municipality.

At the time the property is to be connected, each property owner shall, at their expense, obtain a permit from the Office of the Borough Engineer, which permit shall allow the property to connect to the sewer system. The permit fee shall be established by Resolution, which Borough Council may update from time to time, and covers the expenses of staff, recording and maintaining appropriate records and the physical inspection of the connection.

No connection to or repair or replacement of a sanitary sewer lateral shall be made to the Sanitary Sewer system except in compliance with the ordinances and resolutions, as well as such Rules and Regulations as may, from time to time, be enacted, adopted, approved or promulgated by the Borough. Before an existing private lateral is repaired, replaced or upgraded, the property owner, or his/her designee, shall obtain a permit from the Borough Engineer at a fee as established by Resolution which Borough Council may update, from time to time. The permit shall cover an initial inspection and test of the installation, replacement, repair or upgrade by the Borough Engineer or his/her designee. The inspection and test shall be based upon the requirements within the International Plumbing Code and such inspection and test must pass before approval will be granted to connect or reconnect to the Sewer System. If the inspection or test fails, then the property owner or his/her designee shall be responsible for corrections until such time that the inspection and/or test pass. Any inspection or test in addition to the initial inspection and test shall be charged at a fee as established by Resolution which Borough Council may update, from time to time. Inspections must be scheduled at least 2 working days in advance and shall be conducted during normal business hours, unless under emergency conditions.

The property owner shall be responsible for the sanitary sewer lateral from the structure to the mainline unless or until a means to access the lateral is provided to the Borough, at the expense of the property owner. The access to the lateral must be located within the right-of-way or easement, unless an exception is granted by the Borough Engineer.

At any time that the property owner or his/her contractor secures a permit to work on the sanitary sewer lateral within the street right-of-way or easement, the property owner must provide the Borough with a bond or surety equal to the amount of the construction for the time that the work occurs within the right-of-way. The property owner or his/her contractor must also provide the Borough with proof of insurance.

(Ordinance 986, November 5, 1980, Section 2, as amended by Ordinance 1268, December 12, 1989, Section 1, Ordinance 1488, January 18, 1996, Section 102, and by Ordinance 1768, January 23, 2004, Section 1, and by Ordinance 1904, August 1, 2008, Section 1.)

Section 103. Privies, Septic Tanks, and Other Receptacles Unlawful. It shall be unlawful for any person owning any property accessible to the sewer system to erect, construct or use or maintain or cause to be erected, constructed, used or maintained any privy, cesspool, sinkhole, septic tank or other receptacle on such premises for receiving sanitary sewage after the expiration of the particular period specified in Section 102 hereof, or otherwise at any time to erect, construct, use or maintain any pipe, conduit, drain or other facility for the discharge of sanitary sewage, including wash water drains, except into the sewer system.

Any person who erects, constructs, uses or maintains a privy, cesspool, sinkhole or septic tank on any property accessible to the sewer system in violation of this ordinance shall be deemed and shall be declared to be erecting, constructing and maintaining a nuisance, which nuisance the Municipality is hereby authorized and directed to abate in the manner provided by law.²⁰

(Ordinance 986, November 5, 1980, Section 3, as amended by Ordinance 1488, January 18, 1996, Section 103.)

Section 104. Notice to Make Connections. If any owner of an occupied building or property accessible to the sewer system shall fail to connect such property with the sewer system as required, the Municipality shall cause to be served on the owner of such property a written notice requiring such connection to be made, and such notice shall further state that its requirements shall be complied with within 45 days from the date thereof. (Ordinance 986, November 5, 1980, Section 4, as amended by Ordinance 1488, January 18, 1996, Section 104.)

Section 105. Sewer Connections to Conform to Regulations. No connection shall be made to the sewer system except in compliance with the ordinances and resolutions as may, from time to time, be enacted, adopted, approved or promulgated by the Municipality. (Ordinance 986, November 5, 1980, Section 5, as amended by Ordinance 1488, January 18, 1996, Section 105.)

Section 106. Industrial Wastes. The Municipality reserves the right to refuse connection to the sewer system or to compel discontinuance of use of any sewer or to compel pretreatment of industrial wastes by any property owner or person in order to prevent discharges into the sewer system deemed to be harmful thereto or have a deleterious effect on the treatment of sewage or sludge handling process. It being intended that the sewer system shall receive and transport sanitary sewage only, or its equivalent. (Ordinance 986, November 5, 1980, Section 6, as amended by Ordinance 1488, January 18, 1996, Section 106.)

Section 107. Release of Liability. In consideration of the right to connect to the sewer system, the Municipality shall not be liable for any damage or expense resulting from leaks, stoppages or defective plumbing or from any other cause occurring to any premises or within any house or building. It is hereby expressly agreed by all persons making connection with the sewer system that no claims shall be made against the Municipality on account of the breaking or stoppage of, or any damage to, any service line or connection when the cause thereof is found to be in such house lateral or connection. The Municipality shall not be liable for a deficiency or

failure when occasioned by an emergency or repairs or failure for any cause beyond its control. (Ordinance 986, November 5, 1980, Section 7, as amended by Ordinance 1488, January 18, 1996, Section 107.)

Section 108. Sewage Discharge. No substance, other than sanitary sewage or approved pretreated industrial wastes, shall be discharged into the sewerage system that would impair or interfere with, or be capable of causing obstruction to, the municipal sewerage system or with the function of processes of sewage treatment.

Surface water inflow and ground water infiltration are prohibited from being discharged into the municipal sewerage system, including the following:

- (a) Inflow from sump pumps, floor drains, rain conductors and others which may occur.
- (b) Infiltration of ground and surface water into broken, cracked or damaged pipe and pipefittings and connections to the sanitary sewer system.

Every premises sewerage system shall be maintained free of infiltration and inflow and kept in good repair by the owner of such premises.

All sewage discharged into the sewer system shall meet the following requirements:

- a. The 5-day biochemical oxygen demand (BOD) shall not exceed 400 parts per million by weight (ppm);
- b. The suspended solids (SS) shall not exceed 400 parts per million by weight (ppm);
- c. The total other soluble grease (grease, fats or oils) shall not exceed 100 parts per million by weight (ppm);
- d. The sewage shall be free of flammable or explosive liquids, solids or gas, such as gasoline, benzene, naphtha or fuel oil;
- e. The sewage shall be free of unshredded garbage;
- f. The pH (hydrogen ion concentration) of the sewage shall be between 4.5 and 9.0; and,
- g. The sewage shall be free of toxic or poisonous substances in quantities sufficient to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals or create any hazard in the stream receiving the effluent from the sewage treatment plant.

The following local limits have been set for industrial discharge to the Borough's Sanitary Sewer system for treatment at the Spring Creek Pollution Control Facility:

<u>Pollutant</u>	<u>Limit (mg/l)</u>	<u>Basis of Limit</u>
Arsenic	2.43	Inhibition
Cadmium	0.11	Water Quality
Copper	3.63	Water Quality
Cyanide	0.35	Water Quality
Hexavalent Chromium	0.53	Water Quality
Lead	0.31	Water Quality
Mercury	Not Detectable (<0.0001)	Water Quality
Molybdenum	0.90	Sludge
Nickel	3.59	Sludge
Selenium	0.62	Sludge
Silver	4.1	Inhibition
Thallium	0.19	Water Quality
Zinc	2.05	Inhibition

The following limits are imposed upon said pollutant:

<u>Pollutant</u>	<u>Limit (mg/l)</u>
Chloroform	0.11
Methylene Chloride	1.0
Toluene	0.5
1,1,1 Trichloroethane	1.5
Total Xylene	2.1

(Ordinance 986, November 5, 1980, Section 8, as amended by Ordinance 1488, January 18, 1996, Section 108, and by Ordinance 1768, January 23, 2004, Section 2.)

Section 109. Traps. Suitable, approved traps shall be installed by garages washing, cleaning or repairing automobiles to insure that no inflammable or explosive mixture enters the sewer system. All premises discharging matter likely to obstruct or injure the sewer system or the waste water treatment plant, or to cause a nuisance, shall not connect to any sewer except through one or more intervening treatment devices as may be prescribed by the Director of Public Works and, if the substances discharged by the establishment cannot (in the opinion of the Director of Public Works) be rendered harmless to the sewer system or to the waste water treatment plant, it shall be excluded from the sewer system entirely. (Ordinance 986, November 5, 1980, Section 9, as amended by Ordinance 1488, January 18, 1996, Section 109.)

Section 110. Imposition of Sewer Charge. There is hereby imposed upon each premises served by the sewer system and having the use thereof a quarterly sewer rent or charge payable, as hereinafter provided, for the use, whether direct or indirect, of the sewer system, based on the rates hereinafter set forth. (Ordinance 986, November 5, 1980, Section 10, as amended by Ordinance 1488, January 18, 1996, Section 110.)

Section 111. Measuring Volume.

a. Methods.

(1) Whenever a person purchasing all water used from the waterworks discharges sanitary sewage into the sewer system, the volume of water used, as determined from meter readings of the waterworks, shall be used in computing the sewer rental.

(2) In cases where a person has sources of water supply in addition to or other than from the waterworks and discharges sanitary sewage into the sewer system, those persons shall provide a meter on such additional or other source of supply. The total amount of water consumed, as shown by these meter readings, will be used in computing sewer rental.

(3) In cases where a person uses water from the waterworks and/or from an independent supply for purposes such that all or any part of the water so used is not discharged into the sewer system, the quantity of water used to determine the sewer rental may, at the option of such persons, be computed by one of the following methods:

Method 1. By placing a meter or measuring device on the water lines supplying the fixtures, the wastes of which are not returned to the sanitary sewer. The readings on this meter shall be used in computing the sewer rental.

Method 2. When, in the opinion of the Director of Public Works, it is not practical to install measuring devices to continuously determine the quantity of water not discharged to the sewer system, the Director of Public Works will determine, in such manner and by such method as he may prescribe, the percentage of the total metered water supplied to the premises and discharged into the sewer system, and the quantity so determined shall be the base for computing the sewer rental.

(4) In cases where a sewer connection serving four or more equivalent dwelling units is determined to have an "infiltration/inflow" of water into their premises sewerage system in excess of two times the expected average daily flow, the Director of Public Works may require a person to install a wastewater flow metering unit. The Director of Public Works shall make the determination of the excess flow by such standard engineering methods as he may prescribe.

b. Devices. All meters not provided by the waterworks but required to be used under the provisions of this ordinance shall be furnished and installed by the property owner. The meter and installation shall be subject to the approval of the Director of Public Works. The meter shall be under the control of the Municipality and may be tested, inspected or repaired by municipal employees whenever the Municipality deems necessary. The owner of the property upon which such measuring device is installed shall be responsible for its maintenance and safekeeping and all repairs thereto shall be made at the property owner's expense, whether such repairs are made necessary by ordinary wear and tear or other causes. Bills for such repairs, if made by the Municipality, shall be due and payable at the same time and collected in the same manner as are

the bills for sewer services. Such bills, from and after their due date, shall constitute a lien upon the property upon which said measuring device is installed.

c. **Readings.** The Municipality shall be responsible for the reading of all meters and such meters shall be accessible to municipal employees for meter reading at any reasonable time.

(Ordinance 986, November 5, 1980, Section 11, as amended by Ordinance 1488, January 18, 1996, Section 111.)

Section 112. Failure to Remedy Unsatisfactory Condition. If a person fails or refuses, upon receipt of a notice in writing from the Municipality, to remedy any unsatisfactory condition with respect to premises sewerage system within 30 days of receipt of such notice, the Municipality may proceed with the penalty provisions or, in case of adverse public health/sanitation conditions, may enter upon the property to correct the condition. Unsatisfactory conditions include but are not limited to broken or missing sewer caps.

Section 113. Fees. All persons owning property connected to the sewer system and served with metered service by the State College Borough Water Authority shall pay a quarter-yearly rental for sanitary sewage services based on quantity of water used, as evidenced by meter readings of water meters installed for the purpose of measuring water purchased from and furnished by the Authority and/or such other water or sewer meters as may be installed pursuant to any provisions of this ordinance, all as follows:

The sewer rental fee for cost per thousand gallons per quarter is \$9.35, and the minimum charge per quarter (based on 3,000 gallons per quarter) is \$28.05.

No sanitary sewage shall be received into the sewer system from property outside the municipal limits, except upon payment of rates which may, from time to time, be fixed by Council, and then also subject to all other provisions of this ordinance and any rules and regulations as may, from time to time, be promulgated hereunder.

(Ordinance 986, November 5, 1980, Section 12, as amended by Ordinance 990, December 19, 1980, Ordinance 1017, December 15, 1981, Ordinance 1067, December 14, 1983, Ordinance 1162, December 22, 1986, Ordinance 1188, December 21, 1987, Ordinance 1268, December 12, 1989, Section 2, Ordinance 1298, December 19, 1990, Ordinance 1357, December 17, 1991, Ordinance 1399, December 14, 1992, Ordinance 1458²⁵, December 20, 1994, Section 1, Ordinance 1488, January 18, 1996, Section 113, Ordinance 1519, December 23, 1996, Section 1, Ordinance 1555, December 23, 1997, Ordinance 1611, December 23, 1999, Ordinance 1722, December 23, 2002²⁷, Ordinance 1768, January 23, 2004, Section 3, Ordinance 1861, December 28, 2006, Section 1, and by Ordinance 1889, December 17, 2007, Section 5, and by Ordinance 1914, December 15, 2008, Section 27, Ordinance 1939, December 21, 2009, Section 1, Ordinance 1981, December 19, 2011, Section 1, and by Ordinance 2035, February 3, 2014, Section 1.)

Section 114. Billing for Service. Except as otherwise provided in special circumstances, all bills for sewer service shall be rendered quarterly as part of State College Water Authority bills, and are due twenty (20) days following the date of mailing by the Authority as disclosed by the United States postmark on the bill card. Penalties for non-payment beyond 20 days shall be established by resolution of the Borough from time to time. (Ordinance 986, November 5, 1980, Section 13, as amended by Ordinance 1048, March 9, 1983, Section 1, and by Ordinance 1488, January 18, 1996, Section 114.)

Section 115. Segregation of Sewer Rentals. All money received by the Municipality from the collection of sewer rentals and all penalties thereon, as herein provided for, and any fines collected by the Municipality in connection with the sewer system shall be segregated and kept separate and apart from all other funds of the Municipality and shall be used only for the purpose of defraying the expenses of the Municipality in the operation, maintenance, repair, alteration, inspection, depreciation, current improvements, or capital additions, or other expenses in relation to such sewer system and for such payment as the Municipality may be required to make under the lease or agreement it may enter into for and of, or in connection with, said sewer system with the Authority in accordance with the provisions of the Act of May 2, 1945, P.L. 382, as amended. (Ordinance 986, November 5, 1980, Section 14, as amended by Ordinance 1488, January 18, 1996.)

Section 116. Penalty for Violation.

a. The provisions of this ordinance are declared to be for the health, safety and welfare of the citizens of the Municipality, and any person violating any provision of Sections 102 through 114 and Sections 118 through 125 of this Chapter shall, upon conviction thereof before a District Magistrate, be sentenced to pay a fine of not less than \$300.00 nor more than \$600.00 and costs of prosecution and, in default of payment of such fine and costs, to imprisonment in the County Jail for not more than 30 days. Each day during which any violation of such provision shall continue shall be deemed a separate offense.

b. Upon the discovery of any violation under the terms of this Ordinance, the Municipality shall, through its authorized agents, give notice to the owner of a violation hereunder, either by personal delivery to such owner, by United States mail directed to the last known address of such person or person, as shown in the real estate registry records of the Municipality, or by leaving the same on the premises where such violation occurs.

If such person shall, within 7 days after delivery, mailing or leaving of such notice, pay to the Treasurer of the Municipality the sum of \$50.00 for the violation, the same will constitute full satisfaction for the violation noted in said notice. The failure of such person to make payment, as aforesaid, within 7 days, shall render such owner subject to the penalties as provided in subsection a. above.

(Ordinance 986, November 5, 1980, Section 15, as amended by Ordinance 1350, September 6, 1991, Section 1, and by Ordinance 1488, January 18, 1996, Section 116, and by Ordinance 1889, December 17, 2007, Section 5.)

Section 117. Other Drainage Not to be Discharged. It shall be unlawful for any person to allow drainage of any house refuse, offal, waste water from sinks or kitchen or other liquid refuse to flow, be thrown or cast in or upon any street, lane or alley of said Municipality from any dwelling house, hotel, eating house, restaurant, manufactory, place of business or stable whatsoever or to allow any overflow from any sink or cesspool or waste from any manufactory, place of business or stable to escape into any street, lane or alley or into any private or public ground, or unimproved lot or lots within the Municipality.

It shall be the duty of each Police Officer, the Health Officer and the Manager, or any of them, upon their own observation or knowledge or upon information of any other persons that such nuisance or nuisances as are described exists on any pavement, foot walk, street, lane or alley, public or private lot, or in any gutter or drain within the Municipality to notify the person whether owner or owners, tenant or tenants, occupier or occupiers, verbally or in writing, the time of which notice he or they shall make note of such nuisance or nuisances, and demand the removal or abatement thereof within 3 hours after such notice has been given.

If such nuisance or nuisances has not been removed or abated within the time specified, it shall be the duty of the Manager, Health Officer or any of the said Police Officers to remove or abate the nuisance or nuisances and the owner or owners, tenant or tenants, occupier or occupiers of the premises in front of, along which or on which such nuisance or nuisances were found to exist shall be subject to a fine and costs of removal or abatement of such nuisances as provided for in this Section.

Any person violating any of the provisions of this Section shall be taken to be guilty of maintaining a nuisance and shall, upon notice given, abate the same within 3 hours, or be liable for the expense of the abatement and remedy thereof, and to a penalty not less than \$25.00 nor more than \$300.00 for each offense. Each day the same exists shall be considered a separate offense.

(Ordinance 986, November 5, 1980, Section 16, as amended by Ordinance 1350, September 6, 1991, Section 2, and by Ordinance 1488, January 18, 1996, Section 117.)

Section 118. Tapping Fee Imposed.³² There is hereby fixed and imposed upon the owner, lessor, lessee or occupant 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 or through one or more existing or new lateral sewers or sewer connections or collection lines owned by any owner other than the Sanitary Sewer Authority or Borough, a total tapping fee of \$7,583.00 per residential connection and \$33.92 per gallon per day for non-residential connections of which \$2,575 for residential and \$12.44/gpd for non-residential will be retained by the Borough of State College for sewer collection and transmission improvements, while \$5,008.00 per residential connection and \$21,48/gpd for non-residential will be forwarded to the UAJA by the Borough for sewer treatment plant expansion costs in accordance with the Agreement between the Borough and UAJA. The tapping fee shall be determined as follows:

Tapping Fee Components					
	Capacity Component	Collection Component		Treatment Expansion	
	Borough		Total Borough Fee	UAJA	Total Tapping Fee
Residential*	\$1,368.00 per connection	\$1,207.00 per connection	\$2,575.00 per connection	\$5,008.00 per connection	\$7,583.00 per connection
Non-Residential**	\$6.61/GPD	\$5.83/GPD	\$12.44/GPD	\$21.48/GPD	\$33.92/GPD

*Residential shall include each dwelling unit, that is a single unit providing complete independent living facilities for 1 or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation, or living unit (including each home, townhouse, condominium or individual apartment unit. Within Residential Zoning Districts as classified within the Borough's Zoning Ordinance, an apartment of no greater than 500 gross square feet and containing no more than 1 bedroom within or attached to a main residential structure shall be exempt from the tapping fee.

** The Non-Residential water flow rates shall be determined by current Architectural Standards for the proposed use and number and type of fixtures.

Any change in use or number of fixtures shall constitute a recalculation of estimated flow and shall be subjected to additional tapping fees as appropriate.

(Ordinance 1238, February 23, 1989, Section 1, as amended by Ordinance 1350, September 6, 1991, Section 3, Ordinance 1386, August 19, 1992, Ordinance 1411, April 22, 1993, Ordinance 1488, January 18, 1996, Section 118, Ordinance 1648, December 21, 2000, Section 1, Ordinance 1688, December 18, 2001, Section 1, Ordinance 1721, December 23, 2002, Section 1, Ordinance 1768, January 23, 2004, Sections 4, 5, and 6, Ordinance 1808, December 22, 2004, Section 1, Ordinance 1814, July 18, 2005, Sections 2 and 3, Ordinance 1826, November 29, 2005, Section 1, Ordinance 1857, November 20, 2006, Section 1., Ordinance 1882, November 5, 2007, Section 1, Ordinance 1914, December 15, 2008, Section 28, Ordinance 1939, December 21, 2009, Section 3, Ordinance 1959, December 20, 2010, Section 1, Ordinance 2011, January 7, 2013, Section 1, Ordinance 2035, February 3, 2014, Section 3, Ordinance 2050, November 3, 2014, Section 1, and by Ordinance 2066, December 21, 2015, Section 7, Ordinance 2084, December 19, 2016, Section 1.)

Section 119. Minimum Fee. The minimum tapping fee for each residential connection to the sewer system shall be \$7,583.00 and for each non-residential connection shall be \$33.92 per gallon per day for the estimated flow rate for the proposed use.

(Ordinance 1238, February 23, 1989, Section 2, as amended by Ordinance 1488, January 18, 1996, Section 119, Ordinance 1648, December 21, 2000, Section 2, Ordinance 1721, December 23, 2002, Section 2, Ordinance 1768, January 23, 2004, Section 7, Ordinance 1808, December 22, 2004, Section 2., Ordinance 1814, July 18, 2005, Section 4, and by Ordinance 1826, November 29, 2005, Section 2, Ordinance 1857, November 20, 2006, Section 2, Ordinance 1882, November 5, 2007, Section 2, Ordinance 1914, December 15, 2008, Section 29, Ordinance 1939,

December 21, 2009, Section 4, Ordinance 1959, December 20, 2010, Section 2, Ordinance 2011, January 7, 2013, Section 2, Ordinance 2035, February 3, 2014, Section 4, Ordinance 2050, November 3, 2014, Section 2, Ordinance 2066, December 21, 2015, Section 7, and by Ordinance 2084, December 19, 2016, Section 2.)

Section 120. Single-Service Connection Fee. 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), the tapping fee shall be determined by computing the arithmetic sum of EDU values or projected flow rates as though such building and each type of use were separate improved properties or uses with separate sewer connections. (Ordinance 1238, February 23, 1989, Section 3, as amended by Ordinance 1488, January 18, 1996, Section 120, and by Ordinance 1826, November 29, 2005, Section 3.)

Section 121. Additional Use, Single-Service Connection Fee. 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 Section 118 above, an additional tapping fee, in accordance with Section 118, for each such additional use, shall be payable to the Borough by the owner of the property so improved. Where a building is torn down, for which a tap fee has not previously been paid, no credit will be granted for the previous units attached to the sewer. Additions, enlargements, remodeling, or replacement of single-family dwellings where no change in use occurs are exempt from this Section. (Ordinance 1238, February 23, 1989, Section 4, as amended by Ordinance 1488, January 18, 1996, Section 121.)

Section 122.³³

Section 123. Fractional Use Fee When the EDU value results in a fractional number, the value will be rounded up to the next whole number. (Ordinance 1238, February 23, 1989, Section 6, as amended by Ordinance 1488, January 18, 1996, Section 123, and by Ordinance 1826, November 29, 2005, Section 4.)

Section 124. Use Metered. The owner of any building or property, for which a tapping fee has been paid, shall be entitled to discharge a maximum of 90 gallons per day per capita of water or wastewater for residential use or the estimated daily flow in gallons per day for which the tapping fee has been paid for non-residential uses. The determination shall be based upon quarter-annual meter readings and the total tapping fee paid, as determined from Borough records. Should the metered water volume over any quarter-annual period exceed the allowable volume, either residential or non-residential, the owner shall pay an additional tapping fee, for the excess discharge at the rate established in Section 118. Upon payment of the additional tapping fee, the Borough shall adjust the tapping fee value of the property on its records. 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 dwelling units or municipal buildings.

(Ordinance 1238, February 23, 1989, Section 7, as amended by Ordinance 1488, January 18, 1996, Section 124, Ordinance 1648, December 21, 2000, Section 3, Ordinance 1688, December 18, 2001, Section 2, Ordinance 1721, December 16, 2002, Section 3, Ordinance 1768, January 23, 2004, Section 8, and by Ordinance 1808, December 22, 2004, Section 3., and by Ordinance 1814, July 18, 2005, Section 6.)

Section 125. Tapping Fee an Additional Charge. The tapping fees imposed hereunder, with respect to property connected, shall be in addition to:

a. any connection, benefit or front-footage assessment, fee or inspection charge imposed by the Authority or the Building Code or the Borough; and

b. any rental or other charges fixed, charged or imposed by the Authority, Building Code or Borough by reason of the use, or availability for use, of the Sewer System by such property.

(Ordinance 1238³⁴, February 23, 1989, Section 8³⁶, as amended by Ordinance 1488, January 18, 1996, Section 125.)