

BOROUGH OF BRIDGEVILLE
Allegheny County, Pennsylvania

ORDINANCE No. 1019

AN ORDINANCE OF THE BOROUGH OF BRIDGEVILLE, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING THE BOROUGH'S CODE OF ORDINANCES, CH. 18, PART 3, SEWAGE RATES & COLLECTION, TO ESTABLISH SEWAGE RATES FOR 2021, TO CLARIFY AND UPDATE RULES FOR BILLING AND COLLECTION, AND TO PROVIDE FOR SEWAGE RATE ADJUSTMENTS TO BE ADOPTED BY RESOLUTION OF BOROUGH COUNCIL, AS AUTHORIZED UNDER LAW.

WHEREAS, the Borough is authorized under the laws of the Commonwealth of Pennsylvania (53 P.S. § 2231), to establish and adopt, by ordinance or resolution, annual or other periodic user rates and charges for the costs associated with the maintenance and operation of its municipal sewer system, including for the costs charged to the Borough by ALCOSAN for sewer collection, conveyance, treatment or other sewerage services provided to the Borough;

WHEREAS, Borough Council has by ordinance previously established and periodically adopted updated sewer rates within the Borough, along with associated rules and procedures, as currently set forth in the Borough's Code of Ordinances, at Chapter 18, Part 3;

WHEREAS, as a result of increased fees charged to the Borough by ALCOSAN for sewerage and related services provided to the Borough, effective January 1, 2021, the Borough will need to adjust its schedule of rates accordingly, as customary, as necessary to recoup those increased costs imposed upon the Borough by ALCOSAN;

WHEREAS, Borough Council wishes by this Ordinance, firstly, to establish updated sewer rates in order to pass along and thus recoup, as customary, the increased ALCOSAN charges, effective January 1, 2021, and, secondly, to clarify and update billing and collection provisions; and thirdly, in order to save future administrative costs, to authorize Borough Council to adopt future sewer rate adjustments by resolution, as authorized under state law.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Borough Council of the Borough of Bridgeville, and with the authority of the same, as follows:

Article I. That the Borough's Code of Ordinances, Ch. 18, Part 3, Sewage Rates & Collection, is hereby amended, repealed, and restated in its entirety, to read in full upon enactment, as follows:

§18-301. Established Rates and Charges. There is hereby set, established, and imposed the following rates and charges for the use of, and for services provided in relation to, the Borough's sanitary sewer system, said rates and charges being based on the quantity of water delivered to the user as measured by the water utility's meter readings (or upon estimated water usage in the case of flat rate water users, or when interim periodic ALCOSAN invoices to the Borough are based on estimated water usage).

The Borough basic sewage rates, together with applicable ALCOSAN sewage treatment and disposal charges, shall be assessed to each user of the Borough's sanitary sewer system, and shall be invoiced by and payable to the Borough, on a periodic basis (either monthly or quarterly at the Borough's discretion), as follows:

BASIC RATE (Borough):

- **\$6.73 per 1,000 gallons** of water delivered [unchanged]*
- **Flat Rate Water Users - Residential Rate:** The sewer rate for flat rate water users shall be a flat sewer rate based upon an equivalent residential unit basis (ERU), with the average ERU currently estimated at ***20,000 gallons per quarter***. Each resident flat rate user shall be billed sewer service based upon the average ERU (subject to adjustment upon submission of satisfactory evidence that the user's actual water usage is less than the average ERU).*
- **Commercial and Industrial Water Users-Surcharges and Grinder Fees*:** For all commercial or industrial water users whose wastes have an unusually high concentration of suspended solids and/or biochemical oxygen demand and/or an unusually high chlorine demand as determined by ALCOSAN, the basic and ALCOSAN sewage user rates as established and set hereby shall be further adjusted and increased, such that said charges shall be equal those as based upon to ALCOSAN's existing surcharge formulas, plus a 122%. In addition, commercial users with garbage grinders shall also pay an grinder fee in such amount as determined per ALCOSAN's then-current formula (currently \$172.37 per grinder/per horsepower capacity).

ALCOSAN Treatment & Service Charges (added to Basic Rate): *The following ALCOSAN rates and charges are exclusive of, and in addition to the Borough basic rates, fees and charges, and all ALCOSAN fees and charges levied upon the Borough for sewage treatment/disposal services shall be added to the above Borough sewer rate(s) and shall become part of the total Borough Rates and Charges to be invoiced to and payable by the user to the Borough:*

- *ALCOSAN sewage treatment and disposal charges as billed to the Borough and passed on to the rate payer, as part of the total rates and charges established hereby, as follows: **\$9.10 per 1,000 gallons**, for ALCOSAN Sewage Treatment/Services, plus ALCOSAN's Sewage Service Charge of **\$6.37 per month**.*

§ 302. Billing and Payments.

A. Sewer User charges shall be billed monthly. Payment shall be due and payable within 30 days of the billing date or as indicated on the invoice.

B. For rental/leased properties, and other properties not occupied by the owner, the Landlord/Property Owner shall in all cases be included as a responsible party on all accounts and invoices.

§ 303. Penalties and Interest on Late Payments.

A. Penalty Fee: In the event that any monthly or other periodic statement/invoice reflecting charges for any Sanitary Sewer System services remains unpaid in whole or in part past the payment due date, any such unpaid balance is hereby declared to be delinquent, and a late Penalty fee in the amount of ten dollars (\$10.00) shall be assessed on the account and added to the total account balance due thereon, such that the penalty shall upon imposition become part of the total account balance due on the account for the period for which the statement was issued.

B. Interest on Delinquent Accounts: In the event that any monthly or other periodic statement/invoice reflecting charges for said Sanitary Sewer System service remains unpaid in whole or in part the payment due date, such charges are hereby declared to be delinquent, and Interest shall accrue daily on any such unpaid delinquent account balance at the rate of 1.5% per month (or .05% [.0005] per diem), which interest charges shall be added to and included in each subsequent periodic delinquent statement balance until all delinquent balances on the account have been satisfied in full.

C. Unpaid sewer user charges shall be a lien on the property serviced and may be collected in any manner provided by law.

D. Borough Council is hereby authorized to hire a third party agency to invoice, levy, and collect, current or past due user rates and charges.

§304. Rules and Regulations; Adoption of Sewer Rates by Resolution. Borough Council is hereby authorized to adopt by resolution rules and regulations for the implementation and enforcement of this Part. Borough Council may in its discretion adopt future changes to the sewer rates and charges authorized and established under this Part from time to time by resolution of Borough Council.

§ 305. Reserve Fund. All moneys received from sewer user rates, fees, and charges established hereunder shall be deposited as a special reserve interest bearing fund and shall be used only for costs associated with the operation, maintenance, rehabilitation, or replacement of the sewage system, including but not limited to all sewer service charges imposed by ALCOSAN; repair and purchase of equipment and sewer facilities, and related administrative costs; and reimbursement to the general fund for any moneys used from the general fund for a qualified sewer expenditure, and no charge shall be made against the reserve fund without Council approval or ratification.

Article II. That this Ordinance shall take effect as provided by law, with the rates adopted hereby effective as of January 1, 2021.

Article III. That any ordinances or any parts of ordinances in conflict herewith are repealed to the extent of such conflict.

ORDAINED AND ENACTED into law this _____ day of _____, 2020.

ATTEST:

BRIDGEVILLE BOROUGH COUNCIL

Joseph Kauer, Borough Secretary-Manager

By: _____
William Henderson, President

*Examined & Approved on this _____ day
of _____, 2020, by:*

Hon. Betty Copeland, Mayor

Approved as to form by:

Thomas P. McDermott, Solicitor