

ORDINANCE NO. 23
OF THE
BOARD OF SUPERVISORS
OF
EAST LAMPETER TOWNSHIP
(Lancaster County, Pa.)

IMPOSING SEWER TAPPING OR CONNECTION FEES AND ALSO SEWER RENTALS OR CHARGES FOR THE USE OF THE SEWERS AND SEWER SYSTEM IN SEWER DISTRICT NO. 2 IN EAST LAMPETER TOWNSHIP UPON THE OWNERS OF PROPERTY SERVED, OR TO BE SERVED, BY SUCH SEWERS AND SEWER SYSTEM; PROVIDING FOR THE COLLECTION THEREOF; AND THE FILING OF LIENS THEREFOR; AND PROVIDING FOR RULES AND REGULATIONS

BE IT ENACTED AND ORDAINED by the Board of Supervisors of East Lampeter Township, Lancaster County, Pa., and it is hereby enacted and ordained by authority of the same as follows:

Section 1. DEFINITIONS:

- A. "Authority" means East Lampeter Sewer Authority as presently or hereafter constituted, which has been created by the Board of Supervisors and to which has been referred by the Board of Supervisors the specific project of sewers.
- B. "industrial waste" means 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.
- C. "owner" means any person vested with ownership legal or equitable, sole or partial, of any property served, directly or indirectly, by the Sewer System.
- D. "person" means any individual firm, company, association, society, corporation or group.
- E. "sanitary sewage" means the normal water carried household and toilet wastes from residences, business buildings, institutions, commercial and industrial establishments.

F. "Sewer System" means all temporary and permanent facilities at any time, and from time to time, owned or leased to and operated by the Township in Sewer District No. 2 and used or usable for, or in connection with, the collection, treatment and disposal of sanitary sewage.

G. "Township" means East Lampeter Township, Lancaster County, Pa., or the duly constituted and elected municipal authorities thereof.

Section 2. IMPOSITION OF TAPPING OR CONNECTION FEES: There is hereby imposed upon each owner of each property connecting to the Sewer System a tapping or connection fee of \$175 for each connection to be made to the Sewer System if paid prior to July 1, 1972. If paid on and after July 1, 1972, when the same is due and payable, the basic tapping or connection fee shall be increased to \$200.

Section 3. IMPOSITION OF SEWER RENT OR CHARGE: There is hereby imposed upon each owner of each property served by the Sewer System and having the use thereof an annual sewer rent or charge, payable quarterly as hereinafter provided, for the use, whether direct or indirect, of the Sewer System, based on the schedules of classifications and rates or charges hereinafter set forth.

Section 4. AMOUNT AND MANNER OF COMPUTATION OF SEWER RENTALS OR CHARGES - SANITARY SEWAGE ONLY:

The quarterly sewer rental or charge, imposed hereby upon the owner of each property served by the Sewer System shall be according to the following schedule:

Schedule of Quarterly Sewer Rates

CUSTOMER CLASSIFICATION	EQUIVALENT DWELLING UNITS (E.D.U.)	QUARTERLY RATE @ \$174.00/YR.
A. Private Dwelling or Living Units		
1. Each single family dwelling unit	1.0	\$ 43.50
2. Each apartment unit	1.0	43.50
3. Mobile home parks courts (ea. space)	1.0	43.50
B. Public Buildings, Churches and Schools		
1. Each municipal building	1.0	43.50
2. Each church	1.0	43.50
3. Each fire house	1.0	43.50
4. Each post office	1.0	43.50
5. Day school - ea. student, teacher, employee	0.1	4.35
6. Resident school per student	0.3	13.05
C. Commercial		
1. Motel or hotel units - per unit or room (restaurant and bars - separate billing)	0.4	17.40
2. Restaurant, bar room, other commercial establishment - not otherwise classified -		
per employee	0.1	4.35
per each customer seat	0.1	4.35
minimum	2.0	87.00

3. Grocery Stores -		
per employee	0.1	4.35
minimum	3.0	130.50
4. Drug stores or pharmacies -		
per employee	0.1	4.35
minimum	1.0	43.50
5. Retail stores (less than 10 employees)	1.0	43.50
6. Service Stations W/O washing facilities	1.0	43.50
7. Beauty salons per operator's chair	1.0	43.50
8. Barber shops	1.0	43.50
9. Financial Institutions - (banks, etc.)	1.0	43.50
10. Funeral homes	1.5	65.25
D. Industrials - less than 10 employees and no Industrial waste	1.0	43.50
E. Metered Rates		
Laundramats, car washes, service stations with car washing facilities, bowling alleys, nursing homes, country and private clubs, photofinishers theatres, hospitals, swim clubs, dry cleaners, bakeries		
From 0 to 15,000 q.p.q. (min.)		43.50
All over 15,000 q.p.q.		\$2.90/1000 gal

If two or more dwellings, apartments, stores, offices, industrial units, etc., are connected through a single lateral, or if two or more families use separate cooking and/or toilet facilities in a single dwelling, or if two or more types of use are made of the same property, the sewer rent payable under the foregoing schedule shall be computed as though each such dwelling, apartment, store, office, industrial unit, etc., and each such family and each such type of use were a separate property or user with a separate connection to the sewer.

Sewer rent for day schools shall be based upon the daily average number of pupils enrolled on days when the school was in session during the full school term immediately preceding the date of each periodic bill. Teachers and employees shall be classified as pupils for sewage rental purposes.

Sewer rent for business or industrial units and resident schools payable under the foregoing schedule shall be computed on the basis of the average number of employees or in the case of resident schools, pupils, teachers and employees, for the calendar quarter preceding the date of the quarterly bill.

In the event that the Township is not provided, upon request, with accurate information, including supporting documentation, to determine the number of employees or pupils using any property or such other data as may be necessary to determine a user classification or rate, the Township's estimate or determination thereof shall be conclusive.

The Township reserves the right to change rental unit values from time to time, to add or delete property classifications, and, in cases of dispute, to determine the proper classification of a given property.

Section 5. EXCLUSION OF CERTAIN WATER AND HARMFUL WASTE: No person or industry shall discharge into the Sewer System any storm, roof, surface or cellar or ground water or the discharge from any tile fields or any industrial wastes, chemicals or other matter:

- a. having a temperature higher than 150°F;
- b. containing more than 100 parts per million, by weight of fat, oil or grease;
- c. containing any gasoline, benzine, naptha, fuel oil or other inflammable or explosive liquids, solids or gas;
- d. containing any unground garbage;
- e. containing any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure or any other solid or viscous substance capable of causing obstruction or other interference with the operation of the Treatment Plants of Lancaster City Sewer Authority;
- f. having a "pH" as determined by Consulting Engineers for the City of Lancaster, lower than 6.0 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment or personnel of the Treatment Plants of Lancaster City Sewer Authority;
- g. containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals or create any hazard in the receiving waters of the Treatment Plants of Lancaster City Sewer Authority.
Toxic wastes shall include wastes containing cyanide or copper, chromium or other toxic metallic ions;
- h. containing total solids of such character or in such quantity that unusual attention or expense is required to handle such materials at the Treatment Plants of Lancaster City Sewer Authroity; and
- i. containing noxious, malodorous gas or substance capable of creating a public nuisance.

Section 6. CHANGES IN CLASSIFICATIONS, ADDITIONAL CLASSIFICATIONS AND MODIFICATIONS:

If use or classification or any property should change within any calendar year, the difference in sewer rental, if any, pro-rated on a monthly basis to the end of the current calendar quarter will be charged or credited, as the case may be, on the bill for the succeeding calendar quarter. Additional classifications and additional sewer rentals may be established by the Township from time to time.

Section 7. TIME OF PAYMENT - COMPUTATION OF AMOUNT - INITIAL BILLING:

The tapping fee or connection charge shall be due and payable either (a) prior to July 1, 1972 or (b) at such time on and after July 1, 1972 at the time application is made to the Township to make any connection to the Sewer System, as provided herein, or upon the date when the Township shall connect any such improved property to the Sewer System at the cost and expense of the owner if such owner shall have failed to make such connection as required by the Township in the ordinance or ordinances then in effect requiring such connection.

Sewer rentals or charges shall be paid quarterly and billings for sewer rentals shall be made by bills dated, on the first day of each quarter for the calendar quarter immediately preceding the date of the bill. The bills for sewer rentals under Section 4 of the first quarter during which a property is connected will be pro-rated on the basis of the quarter-annual rate. All bills shall be due and payable on their respective dates.

Section 8. PENALTIES, DELINQUENT SEWER RENTALS AND LIENS: The quarter-annual charges for sewer service shall be subject to five (5%) per cent penalty if not paid within thirty (30) days after they are due. If not paid within sixty (60) days after becoming due, the bill plus the penalty shall bear interest from the due date at the rate of one-half (1/2%) per cent per month or fraction thereof until paid and the Township shall have the right to cut off sewer service from the delinquent premises and not to restore the same until all delinquent bills against the same and the cost of cutting off and restoring service shall have been paid.

All persons connected to the Sewer System must give the Township their correct address. Failure to receive bills will not be considered an excuse for non-payment nor permit an extension of the period during which bills are payable at face.

Payments made, as evidenced by the United States Post Office Mark, on or previous to the end of the period during which the bills are payable at face, will be deemed to be a payment within such period.

All sewer rentals, together with all penalties thereon, not paid on or before the end of one year from the date of each bill shall be deemed to be delinquent. All delinquent sewer rentals and all penalties thereon shall be a lien on the property served and shall be entered as a lien against such property in the Office of the Prothonotary of Lancaster County and shall be collected in the manner provided by law for the filing and collection of such liens.

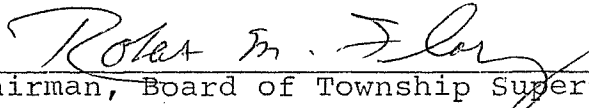
Section 9. SEGREGATION OF SEWER REVENUES: The funds received by the Township from the collection of the sewer rentals and charges and all penalties and interest thereon, as herein provided for, shall be segregated and kept separate and apart from all other funds of the Township and shall be used only for the purpose of defraying the expenses of the Township in the operation, maintenance, repair, alteration, inspection, depreciation or other expenses in relation to such Sewer System and for such payments as the Township may be required to make under any lease or agreement it may enter into in connection with, or the financing of, the Sewer System, in accordance with the provisions of the Act of May 2, 1945, P.L. 382, as amended.

Section 10. RULES AND REGULATIONS: The Township reserves the right to, and may from time to time, adopt, revise, amend and readopt such Rules and regulations as it deems necessary and proper for the use and operation of the Sewer System, and all such Rules and Regulations shall be and become a part of this Ordinance.

Section 11. EFFECTIVE DATE: This Ordinance and any Rules and Regulations hereunder shall become effective immediately. Township reserves the right to make such changes from time to time as, in its opinion, may be desirable or beneficial and to amend this Ordinance or to change the rates or charges in such manner and at such times, as in its opinion, may be advisable.

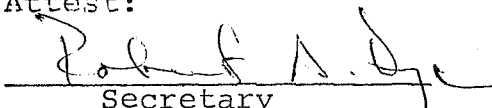
Section 12. CONSTRUCTION AND SEVERABILITY: If any of the provisions, sections, sentences, clauses, or parts of this Ordinance or the application of any provision hereof shall be held invalid, such invalidity shall not affect or impair any of the remainder of this Ordinance, it being the intention of the Township that such remainder shall be and remain in full force and effect.

DULY PRESENTED AND UNANIMOUSLY ENACTED at a meeting of the Board of Supervisors of East Lampeter Township, Lancaster County, Pennsylvania, held the 8TH day of June, 1971.


Chairman, Board of Township Supervisors

[TOWNSHIP SEAL]

Attest:


Secretary