

**CHAPTER IV  
RULES AND REGULATIONS  
SEWERAGE SERVICE FEES AND CHARGES**

**SECTION 1. DEFINITIONS**

Unless the context specifically indicates otherwise, the meaning of terms used in this Chapter IV shall be as follows:

- a. "Department" means Concord Township Department.
- b. "Commercial Establishment" means any structure intended to be used wholly or in part for the purposes of carrying on a trade, business or profession or for social, amusement, religious, educational, charitable or public uses.
- c. "Industrial Establishment" shall mean any structure intended to be used wholly or in part for the manufacturing, fabricating, processing, cleaning, laundering or assembly of any product commodity or article.
- d. "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.
- e. "Private dwelling or living unit" means any structure intended to be occupied as a whole or by one family or an apartment intended to be occupied by one family or any other one-family living unit.
- f. "Sanitary Sewage" means the normal water-carried household and toilet wastes from residences, business, buildings, institutions and commercial and industrial establishments. All sewage shall be of domestic strength.
- g. "Sanitary Manager" means any person who may, from time to time, be placed in general charge of the Sewer System.
- h. "Sewer System" means all facilities owned and operated by the Township for the collection, transportation, treatment or disposal of Sanitary Sewage.
- i. "Township" means the Township of Concord, Delaware County, Pennsylvania.

**SECTION 2. IMPOSITION OF SEWER RENT OR CHARGE AND SEWER CONNECTION CHARGE**

- a. There is hereby imposed upon each property located within the Township and served by the Sewer System quarterly sewer rents or charges at the rates and payable as provided by separate resolution for the use, whether direct or indirect,

of the Sewer System.

b. There is hereby imposed upon each owner of each property connecting to the Sewer System a connection charge of \$180.00 for each connection made. Application for connection shall be made on the form prescribed by the Township. Upon payment of such charge, each dwelling and each commercial or industrial establishment shall be entitled to a permit to make such connection at their own expense. The Township shall construct a connecting sewer line from the sanitary sewer in the street to the curb line of the applicant's property. The connection shall be subject to the terms and conditions of Chapter II - Rules and Regulations, as the same may be amended.

c. Annual Monitoring of Permitted Flow Capacity<sup>1</sup>:

- (1) All applications for sewer service connection submitted by owners of private dwellings, commercial or industrial establishments shall include an estimate of the gallons per day of expected discharge into the sewer system or estimated EDU, which when reviewed and approved by the Township shall become the permitted flow capacity. The capacity fee payable with respect to such applications shall be calculated on the basis of the permitted flow capacity. Such original approved permitted flow capacity shall be included in a Capacity Purchase Agreement between the owner of commercial or industrial establishments and the Township.
- (2) After a commercial or industrial establishment has been connected to the sewer system, the Township shall, on an annual basis, monitor the average daily flow from each property. The Township shall make an analysis of actual usage of flow capacity of commercial or industrial establishment properties and shall thereafter adjust the capacity based upon the highest actual monthly usage. The Township shall bill the owner a fee based on the additional flow needed from the most recently completed fiscal year that exceeds the current permitted flow capacity. Any additional amount due from an owner shall be payable within thirty (30) days upon invoicing thereof to the owner. Failure to pay the amount due shall subject the owner to enforcement proceedings pursuant to Chapter V, Section 8. The Township and owner shall modify the Capacity Purchase Agreement to reflect the increased flow capacity from such property. This increased permitted flow capacity shall become the basis upon which any such future determinations of additional permitted flow capacity as required shall be calculated, until which time additional permitted capacity is again purchased.

<sup>1</sup>Section 2, Subsection C.1,2,3. added February 3, 2015 via Resolution 18-2015 by unanimous vote of Board of Supervisors at 2/03/15 public meeting.

- (3) In the event a property owner desires to add or construct additional space to an improved private dwelling, commercial or industrial establishment or additional individual dwelling units to improved property, the additional flow or EDUs created by the addition or construction, shall not be connected to the sewer system until the property owner pays for the additional capacity.

d. The fee for inspection of a sewer lateral of private dwellings or commercial establishments by the Township Sewer Department shall be \$100.00. The fee shall remain effective until revised, modified or altered by Resolution of other official action of the Board of Supervisors.<sup>2</sup>

### **SECTION 3. SEWER RATES**

Quarterly rates will be established by separate resolution for single family homes. In addition separate rates based on gallonage (volume) will be established for all other uses. In no case shall the amount charged based on gallonage be less than that for a single family home.

### **SECTION 4. METER RATES FOR OTHER THAN SINGLE FAMILY HOMES**

- a. Sanitary Sewage:

The quarterly sewer rates or charges shall be based on the quantity of water used as evidenced by meter readings of water meters installed by the water supplier for the purpose of measuring water purchased from said water supplier and/or such other meters or measuring devices as may be installed pursuant to any provisions of these Rules and Regulations.

- b. Industrial Commercial Waste:

The Township will accept domestic strength sewage only. Industrial/commercial sewage of other than domestic strength will be pretreated by the owner at his expense to domestic strength.

### **SECTION 5. MEASURING VOLUME FOR THE PURPOSES OF SECTION 4**

- a. Methods of Measuring Volume:

- (1) Whenever a person purchasing all water used from the water supplier discharges sanitary sewage and/or industrial waste into the Sewer System, the volume of water used, as determined from meter readings made by, or made available to, the Township, shall be used in computing the sewer rentals.

<sup>2</sup>Section 2, Subsection d. added August 4, 2015 via Resolution 50-2015 by unanimous vote of Board of Supervisors at 8/04/15 public meeting.

- (2) In cases where persons have sources of water supply in addition to or other than from the water supplier and discharge sanitary sewage and/or industrial waste into the Sewer System, those persons may provide a meter on such additional or other sources of supply. The total amount of water used as shown by these meter readings will be used in computing the sewer rentals. If no such meter is installed, the Sewer Manager shall estimate the total amount of water used for the purpose of determining the sewer rentals.
- (3) In cases where persons use water from the water supplier and/or from any other source 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 rentals shall be computed by one of the following methods:

Method No. 1. By placing a meter or measuring device on the sewer connection. The readings from this meter or measuring device shall be used in computing the sewer rentals.

Method No. 2. By placing a meter or measuring device on the effluent not discharging into the Sewer System, the reading from this meter or measuring device will then be deducted from the total water meter readings and the remainder will be used in computing the sewer rentals.

Method No. 3. When in the opinion of the Sewer Manager it is not desirable or practical to install devices to continuously determine the quantity of water not discharged to the Sewer System, the Sewer Manager will determine in such manner and by such method as he may prescribe the percentage of metered water discharged into the Sewer System and the quantity of water used to compute the sewer rentals shall be the percentage so determined of the quantity measured by the water meter or meters. Any dispute as to the estimated amount shall be submitted to the Township after notice of the estimate, whose decision on the matter shall be final for the current calendar year.

b. Measuring Devices:

All meters or measuring devices not provided by the water supplier, but otherwise used under the provisions of this Chapter may be furnished and installed by the Township at the expense of the property owner and shall be owned by and under the control of the Township and may be tested, inspected or repaired by Township employees whenever deemed necessary. The owner of the property upon which such measuring devices is installed shall be

responsible for its maintenance and safe-keeping and all repairs thereto shall be made by the Township at the property owner's expense, whether such repairs are made necessary by ordinary wear and tear or other causes. Bills for such installation and repairs 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 such measuring device is installed.

c. Meter Reading:

Township shall be responsible for the reading of all meters or measuring devices, unless such readings are otherwise made available to the Township by the water supplier, and they shall be made available to Township employees for meter reading at any reasonable time.

**SECTION 6. EXCLUSIVE OF INDUSTRIAL WASTE**

All industrial or commercial waste discharged into the system will be of domestic strength only. If sewage must be pretreated to reach this strength, this will be done by those discharging the sewage at their cost.

**SECTION 7. EXCLUSION OF HARMFUL WASTE**

No person shall discharge into the Sewer System any exhaust steam or any oils, tar, grease, gas, benzine or other combustible gases or liquids, or any garbage (unless treated in an approved manner), offal, insoluble solids or other dangerous or harmful substances which would adversely affect the functioning of the Sewer System or the processes of sewage treatment.

**SECTION 8. CHANGES IN CLASSIFICATION, ADDITIONAL CLASSIFICATIONS AND MODIFICATIONS**

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

**SECTION 9. TIME AND METHODS OF PAYMENTS**

The connection fees imposed and collected by the Township shall be payable upon application for permit to make such connection.

Sewer rentals or charges shall be paid quarterly and quarterly billings for sewer rentals shall be made by bills dated on the first days of January, April, July and October of each year for the quarterly calendar period immediately succeeding the date of the bill. The bills for sewer rentals under Section 3 for the first quarter during which a property is connected will be

pro-rated on the basis of the quarterly rate. All bills shall be due and payable on their respective dates.

## **SECTION 10. PENALTIES; LIENS; COLLECTION**

All bills shall be payable on the date received. All sewer rental charges billed and unpaid shall be a lien against the property serviced by the sewer system until paid. If said bills are not paid within thirty (30) days after the date they are mailed, a penalty of one and one half percent<sup>3</sup> (1.5%) thereof shall be added each thirty (30) day period which said bill remains unpaid. It shall be the duty of the Township Manager during or after the sixth month following the month in which bills were mailed to certify the unpaid bills to the Solicitor who shall proceed to collect such delinquent sewer rentals, together with penalties and costs accrued thereon either by action at law or by filing a lien or liens for the same in the Office of the Prothonotary of the Court of Common Pleas of Delaware County, Pennsylvania, and such liens, together with penalty and costs accrued thereon, shall be filed and collected in accordance with law. All sewer rentals not paid within six months following the month in which bills were mailed shall be deemed to be delinquent. 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 nonpayment nor permit an extension of the period during which bills are payable at face.

## **SECTION 11. SEGREGATION OF SEWER REVENUES**

The funds received by the Township from the collection of the connection charges imposed by the Township and to be collected by the sewer department as its agent, from sewer rentals and charges and all penalties thereon, as herein provided for, any fines collected by the Township in connection with the sewer system and any other funds received in connection with the sewer system shall be segregated, earmarked and deposited in a separate fund, to be designated "Sewer Revenue Account," and shall be used only for the purpose of defraying the expenses of the sewer department in the operation, maintenance and repair of the sewer system 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 for, and of, or in connection with said Sewer System with the Township in accordance with the provisions of the Municipality Authorities Act of 1945, Act of May 2, 1945, P.L. 382, as amended.

## **SECTION 12. SEWER MANAGER; REGULATIONS**

The Sewer Manager is hereby charged with the duties of collecting all sewer charges and collection charges imposed by the Township. He is authorized to adopt such regulations with respect to the subjects covered in these Rules and Regulations as may in his discretion seem fit and proper. He shall also keep full, accurate and complete records of all sewer rentals or charges, bills, receipts, payments and transmittals of money to the Township.

<sup>3</sup> Section 10, amended August 4, 2015 via Resolution 50-2015 by unanimous vote of Board of Supervisors at 8/04/15 public meeting.