

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. "Sewer Manager" means the Township Manager or any person designated by the Township Manager to enforce administration or duties 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.
- j. "Meter" means any device that reads
 1. Water consumption from a public water supplier and water from a private water source or device;
 2. Sewage effluent in a force main utilizing a magnetic flow meter or effluent in a gravity sewer utilizing an ultrasonic sonic meter with a flume or an area/velocity meter.

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. 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 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 Capacity¹:

(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 average of the three highest consecutive months of flow. 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.

(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 Township Council.

SECTION 3. SEWER RATES

All sewer rates are established annually by resolution.

SECTION 4. RATES FOR RESIDENTIAL & COMMERCIAL ACCOUNTS

a. Residential Sanitary Sewage - Properties Connected to Public Water:

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. Residential Sanitary Sewage - Properties NOT Connected to Public Water:

The quarterly sewer rates shall be a fixed rate based on the number of EDUs and as established by Township Resolution.

c. Industrial, Institutional and Commercial Waste:

The Township will accept domestic strength sewage only. Industrial/commercial sewage of other than domestic strength will be pretreated and disposed separately by the owner at his expense unless preapproval is given by the Township to discharge to the public sewer system.

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.

- (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 as reported by said water supplier as other usage is deemed discretionary by property owners:
- (4) In cases where persons use water from a private well, the Township may require a meter on the well as determined by the Township Sewer Engineer. Determination shall be made by the Township at the time of application to connect to the sewer system.

b. Measuring Devices:

- (1) All meters or measuring devices not provided by the water supplier will not be considered for determining usage for calculating quarterly sewer consumption.

c. Meter Reading:

- (1) Township will process quarterly sewer consumption billing based on meter readings provided by said water companies with any adjustments for estimate usage reported to be made only when said water companies supply information.

SECTION 6. EXCLUSIVE OF INDUSTRIAL WASTE

The Township will accept domestic strength sewage only. Industrial/commercial sewage of other than domestic strength will be pretreated and disposed separately by the owner at his expense unless preapproval is given by the Township to discharge to the public sewer system.

SECTION 7. EXCLUSION OF HARMFUL WASTE

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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 due within 30 days of the billing date. 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 flat 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 percent³ (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 Judicial Support, Prothonotary for the Court of Common Pleas, 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

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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. The Manager is authorized to enforce the Rules and Regulations as adopted by Council. The Manager shall also keep full, accurate and complete records of all sewer rentals or charges, bills, receipts, payments and transmittals of money to the Township.