

CONNECTION AND TAPPING FEE RESOLUTION

THE MUNICIPAL AUTHORITY OF BUFFALO TOWNSHIP BUTLER COUNTY, PENNSYLVANIA FOR ANY SEWER TAPS INTO THE BUFFALO TOWNSHIP PHASE II SEWAGE SERVICE AREA

RESOLUTION NO. 2020-2

The Municipal Authority of Buffalo Township, Butler County, Pennsylvania, hereinafter referred to in this Resolution as the “Authority”, does hereby impose the following Tapping Fee for Phase II of its sewage system pursuant to Act 57 of 2003, and the Municipality Authorities Act of 1945, as codified and amended (53 Pa.C.S. §§ 5601 et seq., and specifically 53 Pa.C.S. § 5607(d)(24) and (30)-(32)).

ARTICLE 1: ENABLING LEGISLATION

A. Act 57 of 2003 as codified in of the Municipality Authorities Act of 1945, as amended, allows the Authority to charge certain enumerated fees to property owners who desire or are required to connect to the Authority’s sewer system.

ARTICLE 2: DEFINITIONS

- A. **CAPACITY** – The physical limits of a particular facility or system.
- B. **CAPACITY RELATED FACILITIES** – Facilities such as wastewater treatment plants, pumping stations, interceptors, and other similar components, the cost of which may be recovered through the capacity part of the tapping fee.
- C. **COLLECTION FACILITIES** – Facilities that are used for the collection of wastewater, typically collectors sewer mains to which individual properties are connected by means of lateral sewers. The cost of these facilities is recovered as part of the collection part of the tapping fee.
- D. **CONNECTION FEE** – A fee authorized under Act 57 to recover the Authority’s actual cost or average cost for facilities installed between the sewer mains and the property line of the property to be connected to the system.
- E. **CUSTOMER FACILITIES FEE** – A fee authorized under Act 57 to allow the Authority to recover its actual cost for facilities installed between the property line and the dwelling or building to be served.
- F. **DESIGN CAPACITY** – For residential customers, the permitted or rated capacity of facilities expressed in million gallons per day. For non-residential customers, design capacity may also be expressed in pounds of BOD₅ per day, pounds of

suspended solids per day or any other capacity-defining parameter that is separately and specifically set forth in the permit governing the operation of the system and based upon its original design as modified by those regulatory agencies having jurisdiction over these facilities.

G. SINGLE-FAMILY DWELLING – This is equivalent to one dwelling unit and includes one mobile home or one house trailer whether or not it is situated in a mobile home park.

H. TAPPING FEE – A four-part fee authorized under Act 57 whose total charge is determined by the summation of the component parts known as (1) the Capacity Part; (2) the Collection Part; (3) the Special Purposes Part; and (4) the Reimbursement Component.

FOR ALL DEFINITIONS, SEE ATTACHED SUMMARY AND DRAWING MARKED “A”.

ARTICLE 3: IMPOSITION OF FEES

A. CUSTOMER FACILITIES FEE – The Authority shall impose a fee any time the Authority installs any portion of a property owner’s sewer line and facilities that run from the property line of the property to the proposed dwelling or building to be served. This fee will be the amount equal to the ACTUAL COST to the Authority by constructing any line or facility. This fee is chargeable only in the event that the Authority, and not the property owner, installs the customer facilities.

B. CONNECTION FEE – There is hereby imposed a fee of \$2,100.00 for each time the Authority has funded the cost of any portion of the lateral leading from the Authority’s main, interceptor, or collector sewage line, to the property line of the property to be connected. This fee is based on the average actual cost of previous connections of a similar type and size.

C. TAPPING FEE – There is hereby imposed a total Tapping Fee of \$ 3,450- for each Equivalent Dwelling Unit (“EDU”) based on the summation of the following component parts:

1. CAPACITY PART AND COLLECTION PART: These fees are imposed for capacity-related facilities and the cost of collection facilities. This fee is \$ 3,450- per EDU.

a. The Capacity Part is \$ 2,430- and defined as follows:

(1) The sum of \$1,500.00 per EDU payable to Upper Allegheny Joint Sewer Authority (UAJSA) for treatment facilities; and

2) The sum of \$930.00 per EDU payable to Harrison Township, Allegheny County, Pennsylvania for transmission facilities.‡

b. The Collection Part is \$ 1,020- per EDU as follows:‡

(1) The sum of \$ 1,020- per EDU payable to the Authority for its collection facilities.

2. SPECIAL PURPOSES PART: This is not charged by the Authority.

3. REIMBURSEMENT PART: This is not charged by the Authority.

ARTICLE 4: MISCELLANEOUS MATTERS

A. MULTI-FAMILY DWELLINGS – The Tapping Fee Component shall be the sum of \$ 3,450- per dwelling unit contained within each building plus the same sum for all other uses within the building other than dwelling units, for each EDU.

B. MULTIPLE EDU'S IN ONE BUILDING – All determinations shall be based on a flow estimate prepared by the Engineer for the Authority or approved by said Engineer. The Tapping Fee shall be the sum of \$ 3,450- multiplied by the number of projected EDU's.

1. ESTIMATED EDU'S TOO HIGH OR TOO LOW: After one year of the imposition of the estimated tapping fees and regular use by the customer, an actual average calculation can be made of the EDU's, only after the Authority's approval upon receiving advice and recommendation of their engineer. If actual use is higher than the estimated use, additional Tapping Fees shall be paid to the Authority; if actual use is lower than the estimate use, Tapping Fees will be refunded by the Authority.

2. CHANGE IN OCCUPANCY USE – If the occupancy of a building changes that was previously connected to the Authority's sanitary sewer, a tapping fee will be redetermined in accordance with this Article and from which will be deducted the amount of any tapping fee previously paid for the same building. No reimbursement for less usage will be given.

ARTICLE 5: REIMBURSEMENT OF COLLECTION PART

A. MANDATORY REIMBURSEMENT – When a property owner constructs or causes to be constructed at his expense any extension of the sanitary sewer system which thereafter is dedicated to the Authority, or is under agreement to be dedicated to the Authority, that property owner shall be entitled to be reimbursed a sum equal to the Collection Part of each Tapping Fee Component collected when the owner of another property not in the development for which the extension was originally constructed connects a service line DIRECTLY to the extension within ten (10) years of the date of the dedication of said extension to the Authority, provided that there shall be deducted from such reimbursement a sum equal to 5% of the Collection Part, which shall be deemed to represent the appropriate Authority charge for

administrative expenses and services rendered in calculating, collecting, monitoring, and disbursing the reimbursement payment to the property owner, and subject to the following:

1. No reimbursement of the Collection Part shall be permitted for any sewer line or lines which have been paid for by the Authority.
2. The right to receive the Collection Part shall be subject to the provision that the property owner who is entitled to the reimbursement shall have previously entered into a Developer's Agreement with the Authority.
3. This reimbursement shall also be regulated and subject to all restrictions and regulations found in 53 Pa.C.S. § 5607(d)(31), as may be amended.

ARTICLE 6: TIME OF PAYMENT – The time of payment for the Fees imposed by this Resolution shall be due and payable as follows:

- A. NO PLANNING MODULES REQUIRED: All Fees shall be due and payable on or before the time of application for a sewer connection and inspection permit.
- B. PLANNING MODULES REQUIRED: All Fees shall be due and payable for the entire planned development on or before the commencement of any construction of any of the sewer line extensions contemplated for the development by the property owner.

ARTICLE 7: OTHER FEES – The fees imposed herein shall be in addition to any charges assessed against the property of the property owner resulting from the construction of any sewer lines by the Authority in accordance with Act 57 as well as any user charges imposed by the Authority pursuant to Act 57.

ARTICLE 8: EFFECTIVE DATE

- A. PUBLIC MEETING – It is acknowledged that this Resolution is being adopted at a public meeting of the Authority and the Effective Date for all fees shall be January 16, 2020, and the meeting at which the Authority voted by majority vote to impose all fees defined by this Resolution was January 16, 2020.
- B. ENGINEERING CALCULATIONS – It is acknowledged that this Resolution is being adopted after review by the Authority of engineering calculations prepared by the Engineer, and the engineers for UAJSA and Harrison Township, concerning these matters as set forth by Act 57, that said engineering calculations shall be made available for public inspection at any time hereafter while any of the fees imposed herein are in effect.

ARTICLE 9: PREVIOUS FEES SUPERCEDED – All connection fees, impact fees, tapping or other fees imposed upon connection to the Authority Sewer System heretofore adopted by the Authority shall be superceded by the fees established herein.


ARTICLE 10: ENFORCEABILITY – Any fees due and payable under this Resolution may be enforced by the Authority in accordance with the enforcement provisions otherwise granted to the Authority under applicable state law.

ARTICLE 11: SEVERABILITY – In the event that any portion of this Resolution is rendered invalid by any Court of Law, the remainder of the Resolution shall remain in effect and undisturbed.

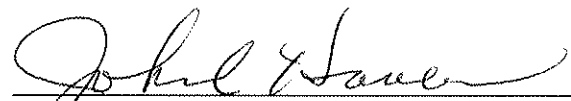
DATED THIS 16th DAY OF JANUARY, 2020.

ATTEST:

MUNICIPAL AUTHORITY OF
BUFFALO TOWNSHIP, BUTLER
COUNTY, PENNSYLVANIA



Secretary (seal)



Chairperson

Municipal Authority of Buffalo Township
ACT 57
TAP FEE CALCULATION
Phase II
January-2020

Current Municipal Authority of Buffalo Township calculations are based on 400 GPD/EDU.

- * New State Regulations require that Municipal Authority of Buffalo Township taps be based on current census data @ 90 GPD per EDU.

This results in the following calculation

$$2.67 \text{ Residents/EDU} \times 90 \text{ GPD/Resident} = 240 \text{ GPD/EDU}$$

This value will be used for calculation of the tap fees under Act 57

Municipal Authority of Buffalo Township

ACT 57

TAP FEE CALCULATION

Phase II

January-2020

Component I

Calculation of Connection Fee

Based on Authority's records of average cost to install taps for past 5 years value is \$2,150

Note: If Developer makes connection to main line or installs taps to property, delete this cost.
New taps in development where tap was not set is still charged this fee.

Component II

Customer Facilities Fee

Not applicable for Authority charges. Homeowner or Developer bears all costs inside the development.

Component III

Collection and Treatment Costs

Note: Treatment is done by the UAJSA at their East Deer plant, their present Tap Fee is \$1,500/EDU.

Collection Component

Total Cost (1990)

\$1,053,882 Using the Construction Cost Index

$$\frac{\text{Cost Index 2019}}{\text{Cost Index 1990}} \times \text{Total Cost (1990)} = \text{Adjusted Cost (2019)}$$

$$\frac{(227.3) \text{ Index 2019}}{(94.3) \text{ Index 1990}} \times \$1,053,882 = \$2,540,269$$

Total EDU = 232 (see attached)

Average 2019 Flow = 25,360 GPD
(From Authority Records)

Maximum Capacity Available
(8" Dia. Pipe @ Min. Slope) 528,000 GPD - 25,360 GPD = 502,364 GPD
of .4% = 528,000 GPD

$$\frac{502,364 \text{ GPD}}{240 \text{ GPD/EDU}} = 2093 \text{ EDU Available}$$

$$\frac{\text{Adjusted Cost } (\$2,540,269)}{2093 \text{ EDU Available}} = \$1,200/\text{EDU}$$

Component 1 Connection Fee	\$	2,150
Component II (N/A)		-
Collection Component III	\$	1,200
Treatment Component III	UAJSA + Harrison Twp.	
TOTAL	\$	3,350

Total Tap Fee Justified \$3,350 + UAJSA + Harrison Twp. = \$ 5,780