

TOWNSHIP OF UPPER MACUNGIE  
LEHIGH COUNTY, PENNSYLVANIA

ORDINANCE NO. 2012-08  
(Duly Adopted December 6, 2012)

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF UPPER MACUNGIE, LEHIGH COUNTY, PENNSYLVANIA, AMENDING CHAPTER 18, PART 1 SECTION 103 OF THE CODE OF ORDINANCES OF THE TOWNSHIP OF UPPER MACUNGIE, PENNSYLVANIA, MODIFYING SEWER RENTALS OR CHARGES FOR USE OF THE SANITARY SEWER SYSTEM OPERATED BY UPPER MACUNGIE TOWNSHIP, UPON OWNERS OF IMPROVED PROPERTIES WHICH ARE CONNECTED TO SUCH SANITARY SEWER SYSTEM AS ARE CURRENTLY REFLECTED IN THE SAID CODE OF ORDINANCES OF UPPER MACUNGIE TOWNSHIP, SPECIFICALLY CHAPTER 18, PART 1 SECTION 103.

WHEREAS, previously, the Board of Supervisors has, by the adoption of Ordinance 2010-1 as the same is set forth in Chapter 18, Part 1, Section 103 previously amended sewer rentals and charges for the use of the Township's sanitary sewer system; and

WHEREAS, the Board of Supervisors has considered modifying the present sewer rentals and charges as were last increased by the adoption of 2010-10; and

WHEREAS, it is the intent of the Board of Supervisors, with the adoption of the within Ordinance 2012-08, to repeal and amend the sanitary sewer rentals and charges enacted by Ordinance 2010-10.

NOW, THEREFORE, it is hereby duly enacted and ordained as follows:

SECTION 1. Adoption of sewer rentals and charges for the use of the Upper Macungie Sanitary Sewer System:

A. FLAT RATES FOR DWELLING UNITS, COMMERCIAL ESTABLISHMENTS  
AND INSTITUTIONAL ESTABLISHMENTS

Sewer rentals or charges for Sanitary Sewage discharged into the Sewer System from any

Improved Property constituting a Dwelling Unit, a Commercial Establishment or an Institutional Establishment, and situated in Service Area A, B and C, unless otherwise determined by the Township and except where water meters are available for the Improved Property, shall be on a flat rate basis for the following classifications at the following rates per quarter-annum:

Classification:	Rate Per Quarter Annum
(1) Each Dwelling Unit	\$ 89.00
(2) Commercial Establishments:	
(a) Each social hall	\$91.52
(b) Each church	\$91.52
(c) Each retail gasoline station	\$137.31
(d) Each motel, hotel or other establishment providing overnight facilities and each nursing or convalescent home that has private toilet or washing facilities in or connected to a room	\$45.79
(e) Each motel, hotel or other establishment providing overnight facilities and each nursing or convalescent home that does not have private toilet or washing facilities in or connected to a room	\$30.51
(f) Each restaurant, barroom or other Commercial Establishment which regularly dispenses food or beverages for consumption on the premises . . . \$6.48 per quarter annum per employee, plus \$8.09 per quarter-annum for each seat regularly intended for customer use, subject to a minimum charge of \$161.84 per quarter. This sewer rental or charge shall be computed on the average daily number of employees for the quarter-annum immediately preceding the date of the bill. Any owner shall be considered an employee for the purpose of computing sewer rentals.	
(g) Each retail store, business or professional office, barber shop or beauty shop (not operated in a home by the homeowner or tenant of the home)	\$91.52
(h) All other Commercial Establishments not separately classified under (2) a, (2)b, (2)c, (2)d, (2)e, (2)f or (2)g above and not constituting a combination Dwelling	

Unit and Commercial Establishment in (3) below \$6.48 per quarter-annum per employee, plus \$64.59 per quarter-annum for each public restroom, subject to a minimum charge of \$121.06 per quarter. This sewer rental or charge shall be computed on the basis of the average daily number of employees for the quarter-annum immediately preceding the date of the bill. An owner shall be considered an employee for purposes of computing sewer rentals.

(3) Combination Dwelling Units and Commercial Establishments:

Combination Dwelling Unit and Commercial Establishment located in one structure and owned or occupied and operated by the same Person; provided, however, that this subsection (3) shall not be applicable in those cases where the Commercial Establishment shall constitute a restaurant, barroom or other Commercial Establishment which regularly dispenses food and/or beverage for consumption on the premises

\$137.31

(4) Institutional Establishments:

(a) Each public or private school per full-time pupil, based upon the daily average number of full-time pupils enrolled on days when the school was in session during the immediately preceding full school term. Teachers and employees shall be classified and treated as pupils for purposes of this Ordinance

\$5.45

(b) Each public or private school per part-time pupil, based upon the daily average number of part-time pupils enrolled on days when the school was in session during the immediately preceding full school term. Teachers and employees shall be classified and treated as pupils for purposes of this Ordinance

\$2.73

The Township reserves the right to require any of the above Units or Establishments to pay sewer rentals or charges on the basis of metered rates. In such cases, such Units or Establishments shall pay the same rentals or charges as are provided herein for Establishments; provided, however, that such Units or Establishments shall not pay less than the above flat rates.

B. METERED RATE SCHEDULE FOR INDUSTRIAL, COMMERCIAL  
INSTITUTIONAL ESTABLISHMENTS.

Sewer rentals or charges for Sanitary Sewage discharged into the Sewer System from any Improved Property situate in Service Areas A, B and C constituting an Industrial, Commercial or Industrial Establishment may be based upon: (a) volume of water usage, adjusted, if appropriate, as provided in this Ordinance, where the volume of water usage shall be metered in connection with the Water System or otherwise, or (b) actual metered volume of discharge, as permitted in this Ordinance.

In either of the foregoing cases, such sewer rentals or charges shall be computed in accordance with the following metered charge per quarter-annum or, regardless of volume of water usage or of volume of actual metered waste discharge, a minimum charge of \$105.09 per quarter-annum or \$8.39 per employee, based upon the daily average number of employees for the quarter-annum immediately preceding the quarter-annum for which the bill is rendered, whichever is larger.

1. Metered Rate Schedule Applicable to Industrial Commercial and Institutional Establishments:

\$105.09 per quarter for first 21,541 gallons and  
\$4.90 per thousand gallons for all gallons in excess of  
the first 21,541 gallons

2. Metered Rates for Residential Dwelling Units:

(a) Sewer rentals or charges for Sanitary Sewage and Wastes discharged from any Improved Property situate in Service Areas A, B and C constituting a Residential Dwelling Unit may be based upon: (1) volume of water usage, adjusted, if appropriate, as provided in this Ordinance, where the volume of water usage shall be metered in connection with the Water

System or otherwise; or (2) actual metered volume of discharge, as permitted by this Ordinance.

In either of the foregoing cases, such sewer rentals or charges shall be computed in accordance with the following metered charge per quarter-annum or regardless of volume of

water usage or of volume of actual metered waste discharge, a minimum of \$89.00 per quarter-annum.

3. Metered Rate Schedule Applicable to Residential Dwelling Units:

\$89.00 per quarter for first 21,466 gallons and  
\$4.18 per thousand gallons for all gallons in excess  
of the first 21,466 gallons

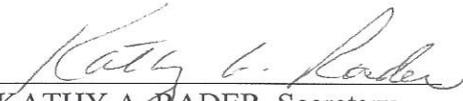
SECTION 2. The rates set forth herein shall be effective January 1, 2013 and shall apply to all bills for sewer rentals and charges which are rendered thereafter.

SECTION 3. The provisions of this Ordinance are severable, and if any provisions or parts thereof shall be held invalid, constitutional or inapplicable to any person or circumstances, such invalidity, unconstitutionally and inapplicability shall not affect or impair the remaining provisions or parts thereof of the Ordinance.

DULY ENACTED AND ORDAINED this 6<sup>th</sup> day of December, 2012, by the Board of Supervisors of the Township of Upper Macungie, Lehigh County, Pennsylvania, in a lawful session duly assembled.

Attest:

TOWNSHIP OF UPPER MACUNGIE  
LEHIGH COUNTY, PENNSYLVANIA

  
KATHY A. RADER, Secretary

BY:   
EDWARD J. EARLEY, Chairman