

**BOROUGH OF PENNINGTON
ORDINANCE # 2010-5**

**ORDINANCE AMENDING CHAPTER 98 OF THE CODE
OF THE BOROUGH OF PENNINGTON CONCERNING FEES**

WHEREAS, Borough Council of the Borough of Pennington seeks to revise the fees charged for Borough services while also incorporating as many fees as practicable into Chapter 98 of the Borough Code, pertaining to fees;

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Pennington, that the Code of the Borough of Pennington (“Code”) is hereby amended (with language to be deleted bracketed [] and new language underlined) as follows:

1. With respect to miscellaneous land use fees, Subsection D of Section 98-19 of the Code, is hereby amended to read:

“D. Certified list of property owners: .25 cents per name or \$10 whichever is greater.”

2. Section 34-28 of the Code is amended to read:

“Pursuant to the provisions of N.J.S.A. 40:55D-12c, the Borough’s designated representative shall within seven days after receipt of a request therefor, and upon receipt of payment of [a fee of \$10] the fee required by Chapter 98 of this Code, make and certify a list from the current tax duplicate of names and addresses of owners to whom the applicant is required to give notice pursuant to Article III, sec. 34-27B, of this article.”

3. Chapter 98 of the Borough Code is hereby amended to add a new Article V pertaining to Dog and Cat Control fees, as follows:

98-26. Annual fees related to the licensing of a dog as provided in Section 67-2 of this Code are the following:

- A. License fee: \$15. per dog.
- B. Registration tag: \$1. per dog.
- C. Surcharge for Pilot Clinic Fund: \$.20 per dog.
- D. Fee for not neutering dog: \$3. per dog.
- E. Fee for late registration: \$3 per month or part thereof per dog.

98-27. The fee for a replacement tag as required by Section 67-4 of this Code is \$5.

98-28. Annual license fees for kennels and pet shops as provided in Section 67-11 of this Code are the following:

- A. Kennel providing accommodations for 10 or fewer dogs: \$100.
- B. Kennel providing accommodations for more than 10 dogs: \$250.
- C. Pet shop: \$250.
- D. Shelter or pound: \$0.

98-29. Annual fees related to the licensing of a cat and for lost license tag or sleeve as required by Section 67-21 of this Code are the following:

- A. License fee: \$10. per neutered cat; \$13 per non-neutered cat.
- B. Fee for late registration: \$3 per month or part thereof per cat.
- C. Fee for a replacement license tag or sleeve: \$5.

4. Section 67-2 of the Code is amended to read:

“A. The owner of any newly acquired dog of licensing age or of any dog which attains licensing age shall make application for license and registration tag for such dog within 10 business days after such acquisition of [f]r age attainment. Dog licenses shall be issued by the Borough Clerk upon payment of a license fee [tax of \$5.50] for each dog, plus a charge [of \$1] for each registration tag, plus a surcharge [of \$0.20] for a Pilot Clinic Fund as required by the State of New Jersey Department of Health to provide funding for a pilot low-cost spay/neuter clinic for dogs and cats. In addition to the above license fees, there shall be a payment [of \$3] required for any dog of reproductive age which has not had its reproductive capacity permanently altered through sterilization for an Animal Population Control Fund as required by the State of New Jersey Department of Health. The owner shall state at the time application is made for such license and upon printed forms provided for such purpose, his/her name, address and telephone number and the

name, breed, color and sex of each dog owned or kept by him/her and shall present proof of compliance with all other ordinances and regulations relating to dogs. Dogs whose owners are nonresidents (temporarily within the Borough), dogs brought into the Borough for the purpose of participating in any dog show, dogs used as guides for blind persons and commonly known as "Seeing-eye" dogs, dogs used to assist handicapped persons and commonly known as "service dogs" or dogs used to assist deaf persons and commonly known as "hearing ear" dogs shall be licensed and registered as other dogs hereinabove provided for, except that the owner or keeper of such dog shall not be required to pay any fee therefor.

B. Licenses shall expire on December 31 and shall be renewed annually, subject to the same fees, charges and surcharges as for initial licensure.

[B] C. In addition to the license charge set forth in Subsection A above, the owner of any dog shall pay a late registration fee **[of \$1 per month]** for each month, or any portion thereof, for all licenses issued after February 1 of each year."

D. The dollar amounts of all fees, charges and surcharges required by this section are set forth in Section 98-26 of this Code.

5. Chapter 98 of the Borough Code is hereby amended to add a new Article VI pertaining to Miscellaneous Non-Land Use Fees, as follows:

98-30. The following miscellaneous fees shall be collected as required by the applicable sections of this code:

A. Annual license fee for body art establishments, as required by Section 76-1 of this Code: \$500.

B. Peddler's permit, as required by Section 147-6 of this Code: \$100.

6. Subsection B of Section 76-1 of this Code is hereby amended to read:

"B. Body art establishment licenses shall be issued on an annual basis upon payment of an annual license fee as set forth in Chapter 98 of this Code [of \$250] and upon satisfactory compliance with the New Jersey State Sanitary Code."

7. Section 147-6 of this Code is hereby amended to read:

"The amount of the required license fee is [hereby fixed at \$10] set forth in Article VI of Chapter 98 of this Code.

8. Chapter 98 of the Borough Code is hereby further amended by the creation of a new Article VII providing for Fees Pertaining to Environmental Health Programs, as follows:

"98-31. License fees and related charges for retail food establishments as provided in Section 112-1 of this Code shall be:

A. Retail food establishments at a permanent location that prepare food: \$120 per year or any part thereof.

B. Retail food establishments at a permanent location that sell only prepackaged food items: \$60 per year or any part thereof.

C. Retail food establishments owned by charitable and/or non-profit organizations: \$30 per year or any part thereof.

D. Establishments for temporary events and not licensed as permanent establishment: \$30 per event or any part thereof.

E. Plan review fee required for all retail food establishments except those owned by charitable and/or non-profit organizations: \$120."

"98-32. License fees and related charges for food and beverage vending machines as provided in Section 112-2 of the Code shall be:

A. Vending machine permit fee, per machine: \$15.

9. Subsection A(4)(a) of Section 112-1 of the Code is hereby amended to read:

[1] For those establishments that prepare food: fee [\$100] per year or any part thereof provided in Chapter 98 of this Code.

[2] For those establishments which sell only prepackaged food items: fee [\$50] per year or any part thereof provided in Chapter 98 of this Code.

[3] For charitable and/or non-profit organizations: fee [\$25] per year or any part thereof provided in Chapter 98 of this Code.

[4] For those establishments that participate in temporary events and are not licensed as permanent establishments in Pennington Borough: fee [\$25] per event or any part thereof provided in Chapter 98 of this Code.

10. Subsection D of Section 112-1 of the Code is hereby amended to read:

“Menus and Floor and Equipment Plans shall be submitted and reviewed by the Health Department in conjunction with any new facilities, renovations, repair or alteration of all existing facilities and the issuance of any permits by the municipal construction office for said construction, renovation, repair or alteration. A plan review fee in the amount set forth in Chapter 98 of this Code [of \$100] is required for all retail food establishments.” [The plan review fee for charitable and/or non-profit organizations is waived.]

11. Subsection B of Section 112-2 of the Code is hereby amended to read:

“Permit fee per machine[.]: ~~t[T]~~he fee per machine is [\$10] provided in Chapter 98 of this Code.”

12. Chapter 98 of the Borough Code is hereby further amended by the creation of a new Article VIII providing for Fees Pertaining to Use of Borough Parks, as follows:

“98-33. Fees for use of Borough parks as provided in Section 143-4 of this Code shall be:

- A. Permit for use of park by documented non-profit \$25.
- B. All Others \$50.

13. Subsection B of Section 143-4 of the Code is amended to read as follows:

“Permits shall be issued upon the payment of [a] the fee [of \$50] provided in Chapter 98 of this Code.”

14. Chapter 98 of the Borough Code is hereby further amended by the creation of a new Article IX providing for Fees Pertaining to Solid Waste Disposal, as follows:

“98-34. Fees for bulk household trash and additional non-bulk trash as required by Section 172-11 of this Code shall be:

- A. Bulk trash stickers: 1 sticker per 40 pounds @ \$3 each.
- B. Non-bulk trash pick-up in excess of two 30 gallon trash containers on any one collection day: 1 sticker per container @ \$3 each. No container may exceed 40 pounds.

98-35. Fees for trash pick-up for non-taxpayers who are adjacent property owners pursuant to Section 172-13 of this Code shall be:

- A. \$325 per year for two 30-gallon containers twice/week. No container may exceed 40 pounds.
- B. Bulk trash stickers and stickers for pick-up in excess of two 30-gallon containers on any one collection day: 1 sticker per 40 pounds of bulk items and 1 sticker per excess container @ \$3 each. No container may exceed 40 pounds.

15. Subsection F of Section 172-11 of the Code is hereby amended to read:

“The collection fee for bulk household trash or additional nonbulk trash (i.e. sticker prices) shall be as set forth in Chapter 98 of this Code [determined by the Public Works Department on an annual basis and approved by the Borough Council as part of its budget process].

16. Subsection B of Section 172-13 of the Code is hereby amended to read:

“The adjacent property owner shall pay the Borough for the collection of his/her solid waste. The fee for said collection is set forth in Chapter 98 of this Code [shall be the yearly cost per dwelling for disposal of single-family dwelling solid waste as determined by the Public Works Department and approved by Borough Council as part of its annual budget process].”

17. Chapter 98 of the Borough Code is hereby further amended by the creation of a new Article X providing for Fees Pertaining to Streets and Sidewalks, as follows:

“98-36. Computation of charges for the costs incurred by the Borough for removal and remediation of snow and ice on sidewalks pursuant to Section 177-3 of this Code shall be based on the following rates:

A. Equipment hourly rates, including the time required to mobilize and demobilize from the site, shall be as follows:

- (1) Snow blower: \$25.00.
- (2) Service truck: \$75.00.
- (3) Dump truck: \$100.00.
- (4) Deicer: cost plus 15%.

B. Labor hourly rates, including the time required to mobilize and demobilize from the site, shall be as follows:

- (1) Foreman: \$85.00.
- (2) Operator: \$75.00.
- (3) Laborer: \$65.00.

C. For overtime (OT), a multiplier will be applied to labor rates equal to the highest applicable multiplier from the following:

- (1) Work before 7:30 a.m.: 1.5.
- (2) Work after 3:30 p.m.: 1.5.
- (3) Work on Saturday: 1.5.
- (4) Work on Sunday: 2.0.
- (5) Work on Borough-recognized holidays: 2.0.
- (6) Continuous work in excess of 12 hours.

98-37. Payments for road-opening permits pursuant to Sections 177-7 of this Code shall be made according to the following schedule:

<u>Type of Pavement</u>	<u>Fee Per Square Yard</u>	<u>Minimum Payment (less than 3 sq. yds)</u>	<u>Minimum Payment (3 or more sq. yds)</u>
<u>Stone block pavement, broken stone base</u>	<u>\$7.00</u>	<u>\$50.</u>	<u>\$100.</u>
<u>Granite pavement, concrete base</u>	<u>\$10.00</u>	<u>\$50.</u>	<u>\$100.</u>
<u>Concrete pavement</u>	<u>\$4.50</u>	<u>\$50.</u>	<u>\$100.</u>
<u>Bituminous pavement, concrete base</u>	<u>\$6.50</u>	<u>\$50.</u>	<u>\$100.</u>
<u>Bituminous pavement, broken stone base</u>	<u>\$6.00</u>	<u>\$50.</u>	<u>\$100.</u>
<u>Brick pavement, with portland cement, concrete or bituminous concrete base</u>	<u>\$8.00</u>	<u>\$50.</u>	<u>\$100.</u>
<u>Penetration macadem, stone base</u>	<u>\$3.00</u>	<u>\$50.</u>	<u>\$100.</u>
<u>Asphalt block pavement, concrete base</u>	<u>\$8.50</u>	<u>\$50.</u>	<u>\$100.</u>
<u>Macadem pavement, with or without surface treatment</u>	<u>\$2.00</u>	<u>\$50.</u>	<u>\$100.</u>
<u>Earth shoulder</u>	<u>\$0.50</u>	<u>\$50.</u>	<u>\$100.</u>

98-38. Fees for storage of materials pursuant to Section 177-15 of this Code shall be as follows:

A. Storage permit for first 15 days: \$50.

B. Storage permit for each day in excess of 15 days: \$10.

18. Section 177-3 of the Code shall be amended as follows:

“The cost paid and incurred by the Borough for removing such snow and ice from the sidewalk or for spreading same with salt, ashes or sand, as the case may be, shall be certified to the Mayor and Council of the Borough, which shall examine the certificate and, if found to be reasonable, shall cause such costs to be charged against the abutting lands. The amounts so charged shall thereupon become a lien and tax upon such real estate and be added to and become a part of the taxes next to be levied and assessed thereon. Computation of charges shall be based on the rates set forth in Chapter 98 of this Code. **[following rates:**

A. Equipment hourly rates, including the time required to mobilize and demobilize from the site, shall be as follows:

- (1) Snow blower: \$25.00
- (2) Service truck: \$60.80
- (3) Dump truck: \$60.80
- (4) Deicer: cost.

B. Labor hourly rates, including the time required to mobilize and demobilize from the site, shall be as follows:

- (1) Foreman: \$81.15
- (2) Operator: \$59.30
- (3) Laborer: \$59.30

C. For overtime (OT), a multiplier will be applied to labor rates equal to the highest applicable multiplier from the following:

- (1) Work before 7:30 a.m.: 1.5.
- (2) Work after 3:30 p.m.: 1.5.
- (3) Work on Saturday: 1.5.
- (4) Work on Sunday: 2.0.
- (5) Work on Borough-recognized holidays: 2.0.
- (6) Continuous work in excess of 12 hours.]”

19. Section 177-7 of this Code shall be amended to read:

“No permit will be granted under this article in excess of 15 yards unless first approved by the Mayor and Council. Payments for all permits whether or not in excess of 15 yards must be made according to the **[following]** applicable schedule in Chapter 98 of this Code. **[:]**”

[Type of Pavement	Fee Per Square Yard	Minimum Payment
Stone block pavement, broken stone base	\$7.00	\$25
Granite pavement, concrete base	\$10.00	\$50
Concrete pavement	\$4.50	\$25
Bituminous pavement, concrete base	\$6.50	\$50
Bituminous pavement, broken stone base	\$6.00	\$25
Brick pavement, with portland cement, concrete or bituminous concrete base	\$8.00	\$50
Penetration macadem, stone base	\$3.00	\$25
Asphalt block pavement, concrete base	\$8.50	\$50
Macadem pavement, with or without surface treatment	\$2.00	\$18

Earth shoulder	\$0.50	\$3
Storage permit for first 15 days	–	\$5]

20. Section 177-15 of the Code is hereby amended as follows:

“It shall be unlawful for any person, firm, corporation or municipality to store any materials on the right of way of any road or street in the Borough of Pennington (for the maintenance of which the Pennington Borough Council is responsible), for any purpose whatsoever without a written permit first had and obtained as hereinafter provided. The charge for such permit is set forth in Chapter 98 of this Code [shall be \$5 for the first 15 days and \$1 per day for each and every day thereafter].”

21. Chapter 98 of the Borough Code is hereby further amended by the creation of a new Article XI containing Fees pertaining to Fire Prevention:

“98-39. The following fees are authorized by the Uniform Fire Safety Code (P.L. 1983, c. 383; N.J.S.A. 52:27D-192 et seq.) and N.J.A.C. 5:70:2.9(c) pursuant to Section 104-6 of this Code:

A. Life-hazard uses.

- (1) Type 1 permit: \$35.
- (2) Type 2 permit: \$138.
- (3) Type 3 permit: \$276.
- (4) Type 4 permit: \$414.
- (5) Type 5 permit: (Reserved)

B. Industrial and commercial uses.

(1) Fees for industrial and commercial uses not classified as life-hazard uses by the Uniform Fire Code shall be as follows:

<u>Gross Floor Area</u> <u>(square feet)</u>	<u>Fee</u>
<u>Under 1,000</u>	<u>\$25</u>
<u>1,001-5,999</u>	<u>\$50</u>
<u>6,000-9,999</u>	<u>\$75</u>
<u>10,000 or above</u>	<u>\$100</u>

(2) The payment of the above fees shall be the responsibility of the occupant of the premises.

C. Multiple-family dwellings.

(1) Fees for multi-family dwellings shall be as follows:

- (a) Three to five units: \$15.
- (b) Six to 25 units: \$50.
- (c) Twenty-five units and above: \$200.

(2) The payment of the above fees shall be the responsibility of the owner of the premises.

98-40. The fee for a certificate of compliance concerning required alarms, pursuant to Section 104-12 of this Code, shall be \$35.

22. Section 104-6 of the Code is hereby amended as follows:

“The [following] fees [are] authorized by the Uniform Fire Safety Code (P.L. 1983, c. 383; N.J.S.A. 52:27D-192 et seq.) and N.J.A.C. 5:70:2.9(c) [;] are set forth in Chapter 98 of this Code. The payment of required fees for life-hazard uses and other industrial and commercial uses shall be the responsibility of the occupant of the premises. The payment of fees required for multi-family dwellings shall be the responsibility of the owner of the premises. The above-described fees shall be paid by the responsible party on or before the date specified in the notice served upon said party by the Fire Official, which date shall be at least 30 days from the date of the notice.

[A. Life-hazard uses.

- (1) Type 1 permit: \$35.**
- (2) Type 2 permit: \$138.**
- (3) Type 3 permit: \$276.**

- (4) Type 4 permit: \$414.
- (5) Type 5 permit: (Reserved)

B. Industrial and commercial uses.

(1) Fees for industrial and commercial uses not classified as life-hazard uses by the Uniform Fire Code shall be as follows:

Gross Floor Area (square feet)	Fee
Under 1,000	\$25
1,001-5,999	\$50
6,000-9,999	\$75
10,000 or above	\$100

(2) The payment of the above fees shall be the responsibility of the occupant of the premises.

C. Multiple-family dwellings.

(1) The payment of the fees below shall be the responsibility of the owner of the premises:

- (a) Three to five units: \$15.
- (b) Six to 25 units: \$50.
- (c) Twenty-five units and above: \$200.

(2) The above-described fees shall be paid by the party as designated above on or before the date specified in the notice served upon said party by the Fire Official, which date shall be at least 30 days from the date of the notice.]

23. Section 104-12 of the Code is hereby amended as follows:

“In any case of change of occupancy of a structure subject to the requirements of Sec. 104-11, no owner shall sell, lease or otherwise permit occupancy of such structure for residential purposes [**of such structure**] without first obtaining a certificate of compliance. An application for the certificate of compliance shall be made by the owner to the local Fire Official on such forms as may be provided by said official and shall pay a fee [**of \$35**] at the time of filing the application as set forth in Chapter 98 of this Code. The local Fire Official shall promptly make an inspection of the structure to determine that the structure is equipped with the required alarm devices and , if the structure is so equipped, shall immediately issue the certificate of compliance.”

24. Chapter 98 of the Borough Code is hereby further amended by the creation of a new Article XII containing Fees pertaining to Water and Sewer Usage:

98-41. The quarterly base and usage charges for water and sewer customers pursuant to Section 206-1 of the Borough Code are the following:

A. Quarterly charges for water customers (per increments of one-thousand gallons or portion thereof):

<u>Usage Meter Size (inches)</u>	<u>Base Charge</u>	<u>First Excess Usage Block Charge</u>	<u>Second Excess Usage Block Charge</u>	<u>Third Excess Usage Block Charge</u>	<u>Fourth Excess Usage Block Charge</u>
	<u>4,000</u>	<u>4,001- 20,000</u>	<u>20,001- 60,000</u>	<u>60,001- 200,000</u>	<u>More than 200,000</u>
	<u>Less</u>	<u>Gallons</u>	<u>Gallons</u>	<u>Gallons</u>	<u>Gallons</u>
		<u>(per 1,000 gallons)</u>	<u>(per 1,000 gallons)</u>	<u>(per 1,000 gallons)</u>	<u>(per 1,000 gallons)</u>
Less than 1	\$26.87	\$6.24	\$6.43	\$6.61	\$7.30
1	\$41.01	\$6.24	\$6.43	\$6.61	\$7.30
2	\$116.55	\$6.24	\$6.43	\$6.61	\$7.30
3	\$261.44	\$6.24	\$6.43	\$6.61	\$7.30
4	\$384.20	\$6.24	\$6.43	\$6.61	\$7.30
6	\$717.91	\$6.24	\$6.43	\$6.61	\$7.30

B. Quarterly charges for sewer customers (per increments of one-thousand gallons or portion thereof):

<u>Usage Meter Size (inches)</u>	<u>Base Charge</u>	<u>First Excess Usage Block Charge</u>	<u>Second Excess Usage Block Charge</u>	<u>Third Excess Usage Block Charge</u>	<u>Fourth Excess Usage Block Charge</u>
	4,000	4,001-	20,001-	60,001-	More than
	Gallons or	20,000	60,000	200,000	200,000
	Less	Gallons	Gallons	Gallons	Gallons
		(per 1,000 gallons)	(per 1,000 gallons)	(per 1,000 gallons)	(per 1,000 gallons)
All sizes	\$29.54	\$6.65	\$6.73	\$6.82	\$6.92
	per 1,000 gallons	per 1,000 gallons	per 1,000 gallons	per 1,000 gallons	per 1,000 gallons

C. The minimum quarterly base charge for multiunit residential or multiunit commercial or a combination thereof serviced through a single water meter shall be determined by the product of the number of units by the minimum quarterly base charge of a one-inch meter, regardless of the size of the meter(s) that feeds the units.

D. Sewage or other wastes containing unduly high concentrations of other substances which add to the operating costs of the sewage treatment works will be subject to a surcharge to be determined by the borough on the basis of the character and volume for such sewage and wastes. Where, in the opinion of the borough, sewage and other wastes of a deleterious character adversely affect the treatment processes, the borough reserves the right to require that such sewage and wastes be treated by the contributor to remove or neutralize the objectionable substances before discharge into the sewers.

E. Base and usage charges shall be due on March 1, June 1, September 1 and December 1.

F. Premises introducing water into a permanent private pool may be allowed a reduction in the charge of sewer usage in an amount equal to the volume of water introduced into the pool. This will require the installation and rental of a temporary meter in conformance with the Borough Code.

98-42. Quarterly standby fees for private fire-protection systems pursuant to Section 206-2 of this Code are as follows:

A. Quarterly standby fees for private fire-protection systems regardless of the rate or quantity of that service:

<u>Size of Private Lines (inches)</u>	<u>Fee (per connection)</u>
<u>2</u>	<u>\$119</u>
<u>4</u>	<u>\$439</u>
<u>6</u>	<u>\$907</u>
<u>8</u>	<u>\$1,545</u>

B. Customers who are late in making payment of the standby fee will be given notice as to their deficiency in payment, and a copy of this notice shall be sent to the customer's insurance carrier.

C. Standby fees shall be due on March 1, June 1, September 1 and December 1.

98-43. Connection fees pursuant to Section 206-3 of this Code are as follows:

A. Standard connection fees:

- (1) Standard water connection is \$1,400.
- (2) Standard sewer connection fee is \$2,400.

B. Connection fees shall be paid by all persons connecting to the water and/or sewer system, based upon the product of the connection fee multiplied by the number of equivalent dwelling units, as determined and/or approved by the Superintendent of Public Works, or designated representative.

C. Any change in use or increase in the same use of any existing property or facility shall be subject to review and reevaluation of the water and sewer connection service and the number of equivalent dwelling units assigned to the project. Any increase in the number of equivalent dwelling units shall subject the applicant to additional connection fees.

D. Connection fees shall be due prior to the installation of the physical connection.

98-44. Tapping fees pursuant to Section 206-4 of the Code are the following:

A. Water tapping fees.

(1) Water Type 1 (full service - full width) (30 feet or more): \$2,807. Full service includes all inspection, excavation, bedding, backfill, pavement restoration, parts, equipment and labor to install a complete service connection to the curb stop located just beyond the curblines. Service connections exceeding 60 feet or located within county roads will be assessed additional fees on a case-specific basis.

(2) Water Type 2 (full service - half width): \$2,400. Full service includes all inspection, excavation, bedding, backfill, pavement restoration, parts, equipment and labor to install a complete service connection to the curb stop located just beyond the curblines. Service connections located within county roads will be assessed additional fees on a case-specific basis.

(3) Water Type 3 (cut-in service): \$800. Cut-in service includes only the physical tapping of the water main, including the corporation stop, equipment and labor. The applicant's plumber provides for the remainder of the service connection. Road opening and inspection fees apply.

Note: Taps one inch and smaller must be performed by the borough. Taps greater than one inch must be performed by the applicant's plumber.

B. Sewer tapping fees.

(1) Water Type 1 (full service - full width) (30 feet or more): \$2,400. Full service includes all inspection, excavation, bedding, backfill, pavement restoration, parts, equipment and labor to install a complete lateral connection to the cleanout located just beyond the curblines. Lateral connections exceeding 60 feet or located within county roads will be assessed additional fees on a case-specific basis.

(2) Water Type 2 (full service - half width): \$1,900. Full service includes all inspection, excavation, bedding, backfill, pavement, connection restoration, parts, equipment and labor to install a complete lateral connection to the cleanout located just beyond the curblines. Lateral connections located within county roads will be assessed additional fees on a case-specific basis.

(3) Water Type 3 (cut-in service): \$800. Cut-in service includes only the physical tapping of the sewer main, including the tee saddle, equipment and labor. The applicant's plumber provides for the remainder of the lateral connection. Road opening and inspection fees apply.

Note: Lateral taps greater than four inches must be performed by the applicant's plumber.

D. Tapping fees shall be due prior to the physical connection.

98-45. Meter fees charged pursuant to Section 206-5 of the Code are as follows:

A. Meters one inch or less in size shall be purchased from the borough. Meters greater than one inch are provided by the applicant and must be approved by the Superintendent of Public Works or designated representative.

<u>Cost</u>	<u>Meter Size (inches)</u>
<u>120.00</u>	<u>5/8 and 3/4</u>
<u>\$220.00</u>	<u>one (1)</u>

B. Meter fees are due at the time of delivery of the meter.

98-46. Inspection and field service fees pursuant to Section 206-6 of the Code are as follows:

A. Inspection fees are:

- (1) Service connections: \$160.
- (2) Lateral connections: \$160.
- (3) Certified construction cost, off-site improvements (escrow): 7.8%

B. Equipment hourly rates are as follows:

- (1) Backhoe: \$120.00.
- (2) Service truck: \$75.00.
- (3) Dump truck: \$100.00.
- (4) Parts: 172%

Note: Includes the time required to mobilize to and demobilize from the site.

C. Labor hourly rates:

(1) Base hourly rates are as follows:

- (a) Foreman: \$85.00.
- (b) Operator: \$75.00.
- (c) Laborer: \$65.00.

Note: Includes the time required to mobilize and demobilize from the site.

(2) Overtime (OT) hourly rates are determined by applying the following multipliers to the base labor rates:

- (a) Work before 7:30 a.m.: 1.5.
- (b) Work after 3:30 p.m.: 1.5.
- (c) Work on Saturday and Sunday: 1.5.
- (d) Work on borough-recognized holidays: 2.0.
- (e) Continuous work in excess of 12 hours: 2.0.

D. Line stopping fees are as follows:

- (1) Nondisruptive or minor disruptive: \$250.
- (2) Major disruptive: \$1,200.

E. Temporary meter charges are as follows:

- (1) Meter installations: \$75.00.
- (2) Rental (two week maximum): \$50.00.
- (3) Removal and recording: \$75.00.
- (4) Special billing: \$25.00.

98-47. Administrative fees pursuant to Section 206-7 of the Code shall be charged as follows:

- A. Interest will be charged at the same rate as the interest on tax bills.
- B. Returned checks: \$20.00.

C. Account closeout (shutoff): \$[57]65.

D. Account setup (turn-on): \$[26]30.

E. Non-quarterly or additional meter readings: \$[52]60. (On non-quarterly billings, if the reading is requested due to an actual error by the Borough, the fee will be waived.)

F. House Inspections: \$60.

98-48. Application and review fees pursuant to Section 206-8 of the Code are the following:

A. Per EDU for first EDU: \$15.60.

B. Per EDU for subsequent EDU: \$78.

C. Request for availability of service: \$62.40.

D. Certified construction cost, off-site improvements (escrow): 3.2%

98-49. Fees for inspections on sale of property pursuant to Section 206-15 of the Code are as follows:

A. Fee for inspection with required 10-day notice: \$30.

B. Fee for inspection without required 10-day notice: \$60.

25. Section 206-1 of the Code is hereby amended as follows:

A. There are hereby established [**the following**] quarterly charges for water customers as set forth in Chapter 98 of this Code, as may be amended from time to time. [:

Usage Meter Size (inches)	Base Charge	First Excess Usage Block Charge	Second Excess Usage Block Charge	Third Excess Usage Block Charge	Fourth Excess Usage Block Charge
	4,000 Gallons or Less	4,001- 20,000 Gallons (per 1,000 gallons)	20,001- 60,000 Gallons (per 1,000 gallons)	60,001- 200,000 Gallons (per 1,000 gallons)	More than 200,000 Gallons (per 1,000 gallons)
Less than 1	\$26.87	\$6.24	\$6.43	\$6.61	\$7.30
1	\$41.01	\$6.24	\$6.43	\$6.61	\$7.30
2	\$116.55	\$6.24	\$6.43	\$6.61	\$7.30
3	\$261.44	\$6.24	\$6.43	\$6.61	\$7.30
4	\$384.20	\$6.24	\$6.43	\$6.61	\$7.30
6	\$717.91	\$6.24	\$6.43	\$6.61	\$7.30

NOTE: Usage charges are per one-thousand-gallon increments, or portion thereof.]

B. There are hereby established [**the following**] quarterly charges for sewer customers as set forth in Chapter 98 of this Code, as may be amended from time to time. [:

Usage Meter Size (inches)	Base Charge	First Excess Usage Block Charge	Second Excess Usage Block Charge	Third Excess Usage Block Charge	Fourth Excess Usage Block Charge
	4,000 Gallons or Less	4,001- 20,000 Gallons (per 1,000 gallons)	20,001- 60,000 Gallons (per 1,000 gallons)	60,001- 200,000 Gallons (per 1,000 gallons)	More than 200,000 Gallons (per 1,000 gallons)
All sizes	\$29.54 per 1,000 gallons	\$6.65 per 1,000 gallons	\$6.73 per 1,000 gallons	\$6.82 per 1,000 gallons	\$6.92 per 1,000 gallons

NOTE: Usage charges are per one-thousand-gallon increments, or portion thereof.]

C. The minimum quarterly base charge for multiunit residential or multiunit commercial or a combination thereof serviced through a single water meter shall be determined by the product of the number of units by the minimum quarterly base charge of a one-inch meter, regardless of the size of the meter(s) that feeds the units.

D. Sewage or other wastes containing unduly high concentrations of other substances which add to the operating costs of the sewage treatment works will be subject to a surcharge to be determined by the borough on the basis of the character and volume for such sewage and wastes. Where, in the opinion of the borough, sewage and other wastes of a deleterious character adversely affect the treatment processes, the borough reserves the right to require that such sewage and wastes be treated by the contributor to remove or neutralize the objectionable substances before discharge into the sewers.

E. Base and usage charges shall be due on March 1, June 1, September 1 and December 1.

F. Premises introducing water into a permanent private pool may be allowed a reduction in the charge of sewer usage in an amount equal to the volume of water introduced into the pool. This will require the installation and rental of a temporary meter in conformance with the Borough Code.

26. Section 206-2 of the Code is hereby amended as follows:

A. There is hereby established a quarterly standby fee for private fire-protection systems regardless of the rate or quantity of that service **[as follows]**. The amounts of the fee, which shall vary by size of private line and be collected on a per-connection basis are set forth in Chapter 98 of this Code as may be amended from time to time. [:

Size of Private Lines (inches)	Fee (per connection)
2	\$119
4	\$439
6	\$907
8	\$1,545]

B. Customers who are late in making payment of the standby fee will be given notice as to their deficiency in payment, and a copy of this notice shall be sent to the customer's insurance carrier.

C. Standby fees shall be due on March 1, June 1, September 1 and December 1.

27. Section 206-3 of the Code is amended as follows:

A. There are hereby established **[the following]** standard connection fees as set forth in Chapter 98 of this Code as may be amended from time to time. [:

- (1) Standard water connection is \$1,341.**
- (2) Standard sewer connection fee is \$2,316.]**

B. Connection fees shall be paid by all persons connecting to the water and/or sewer system, based upon the product of the connection fee multiplied by the number of equivalent dwelling units, as determined and/or approved by the Superintendent of Public Works, or designated representative.

C. Any change in use or increase in the same use of any existing property or facility shall be subject to review and reevaluation of the water and sewer connection service and the number of equivalent dwelling units assigned to the project. Any increase in the number of equivalent dwelling units shall subject the applicant to additional connection fees.

D. Connection fees shall be due prior to the installation of the physical connection.

28. Section 206-4 of the Code is hereby amended as follows:

A. There are hereby established tapping fees to cover the efforts required by the Borough for new connections to the water and sewer system.

B. Water tapping fees. The amounts of fees for new connections to the water system are set forth in Chapter 98 of this Code, as may be amended from time to time. The categories of fees are the following:

- (1) Water Type 1 (full service - full width) (30 feet or more): **[\$2,807.]** Full service includes all inspection, excavation, bedding, backfill, pavement restoration, parts, equipment and labor to install a complete service connection to the curb stop located just

beyond the curblin. Service connections exceeding 60 feet or located within county roads will be assessed additional fees on a case-specific basis.

(2) Water Type 2 (full service - half width): **[\$2,339.]** Full service includes all inspection, excavation, bedding, backfill, pavement restoration, parts, equipment and labor to install a complete service connection to the curb stop located just beyond the curblin. Service connections located within county roads will be assessed additional fees on a case-specific basis.

(3) Water Type 3 (cut-in service): **[\$781.]** Cut-in service includes only the physical tapping of the water main, including the corporation stop, equipment and labor. The applicant's plumber provides for the remainder of the service connection. Road opening and inspection fees apply.

Note: Taps one inch and smaller must be performed by the borough. Taps greater than one inch must be performed by the applicant's plumber.

B. Sewer tapping fees. The amounts of fees for new connections to the sewer system are set forth in Chapter 98 of this Code, which may be amended from time to time. The categories of fees are the following:

(1) Water Type 1 (full service - full width) (30 feet or more): **[\$2,339.]** Full service includes all inspection, excavation, bedding, backfill, pavement restoration, parts, equipment and labor to install a complete lateral connection to the cleanout located just beyond the curblin. Lateral connections exceeding 60 feet or located within county roads will be assessed additional fees on a case-specific basis.

(2) Water Type 2 (full service - half width): **[\$1,870.]** Full service includes all inspection, excavation, bedding, backfill, pavement, connection restoration, parts, equipment and labor to install a complete lateral connection to the cleanout located just beyond the curblin. Lateral connections located within county roads will be assessed additional fees on a case-specific basis.

(3) Water Type 3 (cut-in service): **[\$781.]** Cut-in service includes only the physical tapping of the sewer main, including the tee saddle, equipment and labor. The applicant's plumber provides for the remainder of the lateral connection. Road opening and inspection fees apply.

Note: Lateral taps greater than four inches must be performed by the applicant's plumber.

D. Tapping fees shall be due prior to the physical connection.

29. Section 206-5 of the Code is hereby amended as follows:

A. Meters one inch or less in size shall be purchased from the Borough. Meters greater than one inch are provided by the applicant and must be approved by the Superintendent of Public Works or designated representative.

B. The charges for meters purchased from the Borough are set forth in Chapter 98 of this Code as may be amended from time to time.

[Cost	Meter Size (inches)
109.15	5/8 and 3/4
\$210.50	one (1)]

[B] C. Meter fees shall be due at the time of delivery of the meter.

30. Section 206-6 of the Code is hereby amended as follows:

A. Inspection fees for service connections, lateral connections and determination of construction cost for off-site improvements shall be established as set forth in Chapter 98 of this Code as may be amended from time to time. [shall be as follows:

(1) Service connections: \$157.

(2) Lateral connections: \$157.

(3) Certified construction cost, off-site improvements (escrow): 7.8%]

B. Use of Borough equipment in connection with inspections and field service shall be charged at [Equipment] hourly rates set forth in Chapter 98 of this Code as may be amended from time to time.[shall be as follows:

- (1) **Backhoe: \$101.35.**
- (2) **Service truck: \$60.80.**
- (3) **Dump truck: \$60.80.**
- (4) **Parts: 172%]**

[Note:] The rates shall [I]include[s] the time required to mobilize to and demobilize from the site.

C. The labor of Borough personnel in connection with inspections and field service shall be charged at [Labor] hourly rates set forth in Chapter 98 of this Code as may be amended from time to time.

[(1) Hourly rates shall be as follows:

- (a) **Foreman: \$81.15.**
- (b) **Operator: \$59.30.**
- (c) **Laborer: \$59.30.**

[Note:] The rates shall [I]include[s] the time required to mobilize to and demobilize from the site.

(2) Overtime (OT) hourly rates are determined by applying the following multipliers to the base labor rates:

- (a) **Work before 7:30 a.m.: 1.5.**
- (b) **Work after 3:30 p.m.: 1.5.**
- (c) **Work on Saturday and Sunday: 1.5.**
- (d) **Work on borough-recognized holidays: 2.0.**
- (e) **Continuous work in excess of 12 hours: 2.0.**

D. Line stopping fees are as follows:

- (1) **Nondisruptive or minor disruptive: \$235.**
- (2) **Major disruptive: \$1,169.**

E. Temporary meter charges are as follows:

- (1) **Meter installations: \$70.15.**
- (2) **Rental (two week maximum): \$39.05.**
- (3) **Removal and recording: \$70.15.**
- (4) **Special billing: \$23.45.]**

31. Section 206-7 of the Code is hereby amended as follows:

“The Borough shall be reimbursed for administrative charges, including interest on unpaid accounts, returned checks, account setups and closeouts and non-quarterly or additional meter readings, as set forth in Chapter 98 of this Code, as may be amended from time to time.”

[A. Interest will be charged at the same rate as the interest on tax bills.

B. Returned checks: \$20.00.

C. Account closeout (shutoff): \$57.

D. Account setup (turn-on): \$26.

E. Non-quarterly or additional meter readings: \$52. (On non-quarterly billings, if the reading is requested due to an actual error by the Borough, the fee will be waived.)]

32. Section 206-8 of the Code is hereby amended as follows:

Application and review fees payable to the Borough are set forth in Chapter 98 of this Code.

[A. Per EDU for first EDU: \$15.60.

B. Per EDU for subsequent EDU: \$78.

C. Request for availability of service: \$62.40.

D. Certified construction cost, off-site improvements (escrow): 3.2%]

33. Section 206-15 of the Code is hereby amended as follows:

“Upon the sale of a property served by the water or sewer system, an inspection of the interior of the unit shall be required in order to ensure that the water and/or sewer service connections have not been altered or damaged (including meters, readers, sump pump connections, etc.). Any alterations or damages required to be repaired will be the responsibility of the seller of the property. Notice of the impending sale shall be given to the Borough at least ten days prior to the anticipated closing date. The fee for this inspection is set forth in Chapter 98 of this Code, as may be amended from time to time. **The fee is doubled for an inspection on less than the required 10-day notice [shall be \$30, provided, however, that if the required notice is not provided the fee shall be \$60].** The fee for this inspection will be covered under the account closeout line item.”

34. This ordinance shall take effect upon passage and publication as provided by law except the Dog and Cat Control Fees, as set forth in proposed new Borough Code Sections 98-26 through 98-29 and corresponding amendments to existing Borough Code Sections 67-2, 67-4, 67-11 and 67-21 shall not be effective until January 1, 2011.

Introduced: March 1, 2010
Advertised: March 11, 2010
Public Hearing: April 5, 2010
Adoption: April 5, 2010
Final Publication: April 15, 2010

ATTEST:

APPROVED:

Elizabeth Sterling, Borough Clerk

Anthony Persichilli, Mayor