

TOWNSHIP OF UPPER DEERFIELD

ORDINANCE 672

**ORDINANCE AMENDING CHAPTER 396
OF THE CODE OF THE TOWNSHIP OF UPPER DEERFIELD
WITH RESPECT TO WATER USE AND FEES**

WHEREAS, the Township of Upper Deerfield, has completed significant improvements to its water supply system as a result of which additional capital and operational costs with respect to the supply of water to the residents of the Township of Upper Deerfield have been incurred and will be incurred; and

WHEREAS, it is deemed advisable and necessary by the Township Committee of the Township of Upper Deerfield to revise water rates and charges including connection fees as a contribution to capital costs and related costs together with fees and charges with respect to the provision and use of water provided by the Township of Upper Deerfield; and

WHEREAS, the Township Committee of the Township of Upper Deerfield is desirous of making amendments and changes to Chapter 396 of the Code of the Township of Upper Deerfield with respect to water supply systems in order to recapture costs incurred and to make provisions for adequate resources to provide water to the residents of the Township of Upper Deerfield; and

WHEREAS, the Township Committee of the Township of Upper Deerfield has conducted analyses with respect to the costs of construction, anticipated cost of maintenance and supply and related expenses and deems it necessary to make changes and amendments to Chapter 396 of the Code of the Township of Upper Deerfield;

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Upper Deerfield as follows:

Chapter 396-1 of the Code of the Township of Upper Deerfield is hereby amended to include the following subsections which shall be denominated as subsection (C) and (D).

“C. In the case of any development, building, or structure located on a property abutting or provided access from any street where there is located or will be located a public water main, such property shall be connected to the public water supply system of the Township, and said connection shall be made and operational prior to the issuance of a Certificate of Occupancy. If, in the opinion of the Engineer of the Township of Upper Deerfield, any new building or structure which is connected to the water supply system of the Township of Upper Deerfield shall require additional piping or continuous water flow distribution systems in order to maintain adequate pressure, flow, etc., then upon the recommendation of the Township Engineer, the construction and connection of additional water facilities may be required. Additional water facilities include, but are not limited to, continuation of the water system back to the main or trunk water distribution line. It is the expressed desire of the Township to have water mains looped back to the water distribution network.

D. For each connection to a building or dwelling of a meter, a tap into the water main or the installation of a vault or meter box the Township Water Superintendent, or his designee, shall be required to inspect such work and installations. The property owner shall be liable to pay the Township a fee of \$100 for inspection of any or all such work.”; and

BE IT FURTHER ORDAINED by the Township Committee of the Township of Upper Deerfield that Section 396-11(A) of the Code of the Township of Upper Deerfield is hereby amended to read as follows:

“A. All water service taps are to be made by the property owner at the expense of the property owner by a contractor approved by the Township or agent authorized by the Township of Upper Deerfield. All charges for water service taps shall be the sole responsibility of the property owner.”; and

BE IT FURTHER ORDAINED by the Township Committee of the Township of Upper Deerfield that the remaining provisions of Chapter 396-11(A) shall remain as heretofore and unaltered by the provisions hereof; and

BE IT FURTHER ORDAINED by the Township Committee of the Township of Upper Deerfield that the following provision shall be added to 396-11 of the Code of the Township of Upper Deerfield as subsection D.

“D. In addition to tapping fees or expenses, the applicant shall also pay for any road permit for road opening fees which may be incurred as a result of the application.”; and

BE IT FURTHER ORDAINED by the Township Committee of the Township of Upper Deerfield that Chapter 396-14 of the Code of the Township of Upper Deerfield together with Plates 1 through 7 and Tables A and B are hereby repealed and shall hereafter read as follows:

“Water main construction standards including but not limited to piping materials, fittings, valves, hydrants, valve boxes, restraints, thrust blocks, joints, as well as pressure testing, flushing and disinfection shall be constructed and performed up to and in accordance with current American Water Works Association and any other applicable standards and subject to the approval of the Township Engineer”; and

BE IT FURTHER ORDAINED by the Township Committee of the Township of Upper Deerfield that Chapter 396-15 of the Code of the Township of Upper Deerfield is hereby amended to add the following language at the end of this section:

“In the alternative, the property owner may install a box or vault for meters from approved vendors authorized by the Township of Upper Deerfield and the cost thereof shall be paid for by the property owner.”; and

BE IT FURTHER ORDAINED by the Township Committee of the Township of Upper Deerfield that Chapter 396-16A of the Code of the Township of Upper Deerfield is hereby deleted and shall hereafter read as follows:

“A. All meters used on the Township water system measuring the quantity of water consumed shall be purchased by the property owner either from the Township at the same cost incurred by the Township, or from a vendor qualified and authorized by the Township.”; and

BE IT FURTHER ORDAINED by the Township Committee of the Township of Upper Deerfield that Section 396-16B of the Code of the Township of Upper Deerfield is hereby deleted and shall hereafter read as follows:

“B. Water service shall include a water meter and mxu (meter transmitter) to accurately record water usage. In the event that a property owner refuses to make an approved connection in accordance with this Chapter and refuses to allow entry on the property and to pay for the Township to make the required installation, then in such event the Township shall be authorized to sever the existing water connection until the property owner shall comply with the provisions of this Chapter with respect to water service connection.”; and

BE IT FURTHER ORDAINED by the Township Committee of the Township of Upper Deerfield that the first sentence of Section 396-30 of the Code of the Township of Upper Deerfield is hereby deleted and shall hereafter read as follows:

“Meters shall be read monthly for water services rendered. Bills shall be due not later than 30 days following the first day of the month following the billing period or such other billing due date that the Township Committee may determine the due date of which shall be shown upon the billing”.; and

BE IT FURTHER ORDAINED by the Township Committee of the Township of Upper Deerfield that Section 396-37B is hereby amended with respect to unmetered residential and nonresidential rates and subsections B(1) and (2) shall hereafter read as follows:

“(1) Residential building: \$20
(2) Nonresidential: \$80”; and

BE IT FURTHER ORDAINED by the Township Committee of the Township of Upper Deerfield that Section 396-38 of the Code of the Township of Upper Deerfield is hereby deleted and shall hereafter read as follows:

“Effective July 1, 2011, the monthly charges for water service shall be:

A. Minimum charges based on not more than 6,000 gallons monthly: \$20

B. Water consumption in excess of the monthly allowance of 6,000 gallons shall be charged at the rate of \$3.25 per each additional 1,000 gallons. Billings above 6,000 gallons shall be rounded to the nearest 1,000 gallons of usage.

C. Senior Citizen Discount. Any senior citizen occupying a dwelling or rental unit where a senior citizen is responsible for payment of water usage charges shall be entitled to a 10% discount from the \$20 monthly rate. All usage by a senior citizen above 6,000 gallons per month shall be paid at the rate set forth in subsection B of this section. To qualify as a senior citizen, a resident must be 65 years of age and provide adequate proof thereof to the Township. Any Senior Citizen discount shall apply prospectively only.

D. Commercial Accounts. Commercial accounts shall be charged for water usage in accordance with the foregoing sections. Commercial accounts are required to have a separate water meter to meter for nonpotable irrigation purposes. The charge for water use for irrigation shall be

\$3.50 per 1,000 gallons. In the alternative a commercial user may apply to the Township of Upper Deerfield to have a private well which shall be used for nonpotable irrigation purposes only.

E. Discount for Volume Users. Volume users of water shall be billed as follows:

1. \$20 per month for the first 6,000 gallons of usage.
2. From 6,001 to 2,500,000 gallons shall be charged at the rate of \$3.25 per 1,000 gallons.
3. From 2,500,001 to 5,000,000 gallons shall be paid at the rate of \$3.10 per 1,000 gallons.
4. From 5,000,001 gallons and above shall be paid at the rate of \$2.95 per 1,000 gallons.

F. Rate Schedule: Private Fire-Protection Service.

1. Applicability. The following rate schedule shall be applicable throughout the service area of the Township Sewer and Water Utility for service furnished exclusively for fire protection.

2. Rates. The following rates shall apply with respect to water service provided for fire protection service or sprinkler service:

Description	Rate per quarter
For each 4" service or smaller	\$164
For each 6" service	\$368
For each 8" service	\$654

3. Special provisions. (a) No additional service charge shall be made for sprinkler heads, or other fire fighting facilities which may be attached to a private fire service connection, and no charge shall be made for water used in extinguishing fires or for underwriters tests where a service is furnished pursuant to this schedule. (b) The rates provided in this schedule shall be available only for service connections used exclusively for the extinguishing of fire and testing of private fire service connections. If water is used for other purposes, then the general metered rate shall apply.

G. Rate schedule: Public fire hydrant protection service.

(1). Rate. There shall be a fire hydrant charge of \$75 per quarter for each fire hydrant located on private property outside of the Township right-of-way within the service area and intended for private fire protection. Whenever service is established or is disconnected, all applicable charges shall be pro rated to the date of establishment of discontinuance of service.; and

BE IT FURTHER ORDAINED by the Township Committee of the Township of Upper Deerfield that Section 396-39 of the Code of the Township of Upper Deerfield is hereby repealed and shall hereafter read as follows:

“Water Connection Capital Expense Fee.

A. For each new metered user connected to the water supply system of the Township of Upper Deerfield there shall be a fee charged as a water connection capital expense fee in the amount of \$3,864 per user.

B. For all new residential or commercial construction the water connection capital expense fee shall be paid prior to the issuance of a Certificate of Occupancy or a Temporary Certificate of Occupancy.

C. Connections to existing dwellings and commercial buildings. Whenever, by reason of extension of the water distribution system of the Township of Upper Deerfield, residential or commercial users shall be required to connect to the system, then in such event the connection fee shall be paid within 30 days of the date of the service connection. In the alternative, and upon application to the Township Committee of the Township of Upper Deerfield, the Committee may, by resolution, make such other payment arrangements with respect to the water connection capital expense fee as may be deemed appropriate and upon such terms and conditions as the Township Committee may set forth.”; and

BE IT FURTHER ORDAINED by the Township Committee of the Township of Upper Deerfield that Section 396-41A is amended to include the following language at the end of said section: “..., or as otherwise set forth herein.”

BE IT FURTHER ORDAINED by the Township Committee of the Township of Upper Deerfield that in all other respects Chapter 396 shall remain as heretofore and unaltered by the provisions hereof.

James Crilley, Chairman

Finally June 2, 2011

Attested:

Roy J. Spoltore, Township Clerk