

RESOLUTION NO. 201

A RESOLUTION OF THE MUNICIPAL AUTHORITY OF THE TOWNSHIP OF SOUTH FAYETTE, ALLEGHENY COUNTY, PENNSYLVANIA, REGARDING THE ADOPTION OF THE UPDATED ACT 57 STUDY PERFORMED BY ITS ENGINEER AND ESTABLISHING UNIFORM CONNECTION FEE RATES AND TAP FEE RATES FOR MUNICIPAL SANITARY SEWER USE IN THE TOWNSHIP OF SOUTH FAYETTE.

WHEREAS, the **MUNICIPAL AUTHORITY OF THE TOWNSHIP OF SOUTH FAYETTE** (hereinafter "the Authority"), is a municipal Corporation organized and existing under the Municipalities Authorities Act of 1945, as amended 53 Pa. C.S.A. Section 5601 et seq., with a principal business address of 900 Presto Sygan Road, Bridgeville, Pennsylvania 15017;

WHEREAS, the Authority is authorized to construct and operate a sanitary sewer system in the Township of South Fayette;

WHEREAS, the Authority has deemed it necessary and proper to engage KLH Engineers, Inc., to update an ACT 57 Study, in accordance with Commonwealth statutory requirements codified at 53 Pa. C.S.A. Section 5601 et seq., of the Municipal Authorities Act, to establish uniform connection fee and tap fee rates;

WHEREAS, the aforesaid municipal engineers have outlined the maximum tap-in fee for the sanitary sewer system and submitted to the Authority the Act 57 Study dated December, 2018, which is attached hereto as Exhibit "A";

WHEREAS, the Authority has reviewed the Act 57 Study dated December, 2018 and deems said fees as outlined therein to be reasonable; and

NOW THEREFORE, be it resolved and enacted by the Municipal Authority of the Township of South Fayette, Allegheny County, Pennsylvania, as follows:

1. ASSESSMENT AMOUNT

The Act 57 Study of KLH Engineers, Inc. dated December, 2018, establishing the basis for uniform tap and connection fees is hereby approved. Pursuant to same, the fee(s) for the tapping and connecting to the Municipal Authority of the Township of South Fayette's sanitary sewers is hereby established as Six Thousand Eight Hundred and Ninety Four (\$6,894.00) Dollars, subject to the below listed limitations and adjustments and/or Board discretion;

2. CLASSIFICATION

The sewer tap-in charge shall be paid by owners of property who may hereafter connect to the system. The subject fee shall be assessed against the properties specifically benefited, improved and accommodated thereby, in accordance with the Pennsylvania Municipalities Authorities Act of 1945, 53 Pa. C.S.A. Section 5601 et seq.,

The property owner shall be responsible for the payment of each connection/tap-in fee assessed, regardless of the number of units located on a single tax parcel. The assessments shall be made as follows:

- (A) Single Family Dwellings with a single lateral shall pay Six Thousand Eight Hundred Ninety Four (\$6,894) Dollars per connection.
- (B) For Multi-Family Dwellings, Mobile Homes, Pre-fabricated Homes, Apartment Complexes, Town homes and Condominiums, each residential living unit is assessed a tap-in fee of Six Thousand Eight Hundred Ninety Four (\$6,894) Dollars.
- (C) Commercial Structures, Industrial Structures, Institutional Structures and/or other non-residential structures to be connected to or utilizing the system shall be assessed a tap-in fee of Six Thousand Eight Hundred Ninety Four (\$6,894) for each Equivalent Dwelling Unit (EDU). An EDU is defined as Two Hundred Twenty Five (225) Gallons Per Day (GPD) of water consumption as calculated in accordance with the Act 57 Study

approved and adopted herein.

- (D) At least one separate sewer connection charge shall apply for each and every structure utilizing the system.
- (E) **In all cases described in paragraphs (A), (B), (C) above, in the event the Authority has not provided a point of connection to the existing system, thereby necessitating that this work be done by the property owner, the tap-in fee will be reduced by the amount of One Thousand Eight Hundred Ninety Four (\$1,894.00) Dollars per dwelling unit or EDU.**
- (F) **In all cases described in paragraphs (B) and (C) above, where a single lateral serves more than 1 equivalent dwelling unit (EDU), the tap-in fee will be reduced Five Hundred and Eighty (\$580) Dollars for each EDU per structure after the initial (first) EDU.**

3. **MANDATORY CONNECTIONS/CHARGES**

All connection/tap- in fee charges referenced above are mandatory. Tap fees/connection charges are due no later than at the time of application for a building permit relevant to any structure referenced above.

4. **RULES AND REGULATIONS**

The Authority's Rules and Regulations apply to existing structures and matters not covered herein. The Authority may amend its Rules and Regulations to ensure that they comport with the terms and conditions of the Act 57 Study, if necessary.

5. **SUPERVISING AUTHORITY**

All sewer connections, materials, and methods used, shall at all times be subject to the direction, supervision and approval of the Authority or its duly appointed agent for such purpose.

6. ENFORCEMENT

All notices and acts requiring connection to the Authority's public sanitary sewer system shall be made in accordance with the Authority's Rules, Regulations, and /or Resolutions, and to the extent applicable and/or relevant, the Township of South Fayette Ordinances. Any person or entity violating any of the provisions of this Resolution shall, upon conviction thereof before any magistrate, be sentenced to pay a fine of not more than One Thousand (\$1,000.00) Dollars and not less than One Hundred (\$100.00) Dollars for each and every offense and costs of prosecution, including but not limited to any reasonable costs, expenses, fees, and attorney fees as may from time to time be assigned/incurred by the Authority whenever such person or entity is notified in writing by the Authority or its duly appointed agent for such purpose, that he/she/it is violating this Resolution, each full day that the violation continues after receipt of the notification shall constitute a separate offense punishable by a like fine as set forth herein upon conviction thereof.

7. LEGAL AUTHORITY

The Solicitor of the Authority is further authorized and empowered to prosecute said assessments as same may be finally determined by any court of competent jurisdiction and to prosecute for the collection of any sums legally determined to be due, in any manner provided by law.

8. REPEALER

Any Resolutions inconsistent herewith are hereby repealed to the extent of such inconsistency.

9. INVALIDITY

The invalidity of any one part of this Resolution shall not affect the validity of any other part of this Resolution.


10. **ENACTMENT**

The fees set forth herein shall become effective July 1, 2019.


RESOLVED AND ENACTED, THIS 2nd day of MAY, 2019.

ATTEST:

**THE MUNICIPAL AUTHORITY OF
THE TOWNSHIP OF SOUTH
FAYETTE**



Secretary


BY: _____
Chairman