

Article 7. Sewer Rentals.

Section 7.01 Sewer Rentals are hereby established which shall be payable by the Owner of each Sewer Rental Unit. The sewer rentals or charges shall be computed as follows:

A. Quarterly sewer rentals are based on water consumed as determined by the quarterly readings of water meters by the Pennsylvania American Water Company, or by quarterly readings of such discharge or other meters as may be installed pursuant to Subsection Section 7.01D or Section 7.01F of this Section as follows:

1. 3,000 gallons of water or less \$20.00 (Minimum Charge)
2. 30,000 gallons of water or less $\$ 20.00 + \frac{\text{usage} - 3,000}{1,000} \times \8.00
3. Greater than 30,000 gallons $\$222.50 + \frac{\text{usage} - 30,000}{1,000} \times \8.00

B. Each Connection Unit which contains more than one (1) Sewer Rental Unit shall be billed at the rate of Thirteen (\$13.00) Dollars per quarter for each Sewer Rental Unit in excess of one (1). If more than one (1) Connection Unit is served by a single water meter, then each Connection Unit so served shall be billed for one (1) minimum charge in addition to the charge provided in Section 7.01A.

C. Connection Units that do not have water meters are charged a quarterly sewer rental of Eighty-seven (\$87.00) Dollars for each Connection Unit. If any unmetered Connection Unit contains more than one (1) Sewer Rental Unit, the quarterly sewer rental of Eighty-seven (\$87.00) Dollars shall apply to each additional unit.

D. Whenever an owner demonstrates to the satisfaction of the Authority that a substantial part of the water measured by a water meter is not discharged into the sewer system, the Authority may permit installation of a water meter or other method approved by the Authority at the Owner's expense in order to determine the rate of waste

actually discharged in the MWS. An annual water meter reading must be provided to the Authority by the owner. If an annual water meter reading is not performed a final notice will be sent to the customer making the credit meter inactive. This meter may be reactivated by a request from the owner followed by an inspection of the water meter performed by the Authority.

E. Whenever a property connected to the MWS uses water from a source other than that of the Pennsylvania American Water Company or Easton Suburban Water Authority, Owner shall, at his expense, install a water meter and an outside read or other method approved by the Authority in order to determine the rate of waste actually discharged into the MWS. All water meters installed will be fitted with a meter seal by the Authority. Tampering with the meter seal constitutes a violation of these Rules and Regulations, subjecting the Owner to penalty. Owner must provide adequate access to the outside read to allow the Authority to read the water meter quarterly. Failure to provide adequate access shall constitute a violation of these Rules and Regulations and subject the Owner to penalty.

F. Whenever an Owner demonstrates to the satisfaction of the Authority that a water leak occurred outside the Connection Unit, which leak has been certified by Pennsylvania American Water Company, or an approved plumber, then the Authority may grant Owner a reduction in the sewer rental measured by taking the high use quarter of the prior four quarters and substituting that usage for the billing period in which the leak occurred to determine the sewer rental for the period.

G. After any section of the MWS constructed by the Authority shall have been completed, and after all Connection Units required to be connected to such section shall have been so connected, any Person desiring to do work with respect to the connection of any additional Sewer Rental Unit to such section shall first obtain the permit required by Section 3.01.

Section 7.02 The sewer rentals shall be payable within thirty (30) days of the mailing date of bills. If the full amount of the bill shall not be paid on or before that date, a penalty of ten (10%) percent of the face

amount of the bill shall be added thereto. Failure of Owner to pay this bill for sewer services, together with the penalty thereon, within one (1) month after the same shall become due, shall be cause for termination of service. All bills overdue more than ninety (90) days shall be charged additional interest at the rate of one and one-quarter (1¼%) percent per month on the accrued and uncollected balance for each month the same remains unpaid thereafter.

Section 7.03 Strength Surcharge

A. Any nonresidential user discharging waste to the Authority's MWS with a monthly average suspended solids content greater than two hundred fifty (250) milligrams per liter (mg/l) and/or a BOD content greater than two hundred (200) mg/l and ammonia nitrogen greater than 40 mg/l, in each case measured at the source, shall pay a strength-of-waste surcharge, in addition to the applicable volume charge, equal to five (5%) percent of applicable volume charges for each one hundred (100) mg/l by which the suspended solids concentration of the total waste discharge from the user exceeds two hundred fifty (250) mg/l and/or five (5%) percent for each one hundred (100) mg/l by which the BOD concentration exceeds two hundred (200) mg/l and 5% for each 20 mg/l by which ammonia nitrogen exceeds 40 mg/l.

B. The strength of the total wastes used for establishing surcharges shall be determined at intervals deemed advisable by the Authority or as may be requested by the industrial establishment. Combined waste strength may be determined:

1. By sampling and analysis over a three-day period, during which time the strength of the combined discharge or production is at a maximum; or
2. By relating production and combined waste strengths at the time of sampling to waste strengths at maximum production if sampling is not performed at maximum production; or
3. From estimates made by the Authority; or

4. From known relationships of products produced to strengths of wastes for those industries where such factors have been established.

Section 7.04 Apportionment Whenever the ownership of a Sewer Rental Unit changes during a quarter, a prorated sewer rental charge will be prepared. The prorated sewer usage for a quarter shall be based on the number of days during a given quarter that the unit is owned divided by ninety two (92) days times the average quarterly usage over the previous year. The sewer rental charge shall be calculated in accordance with the current rate schedule.

Section 7.05 Municipal Lien Sewer rentals and charges imposed by these Rules and Regulations shall be a lien on property served by the MWS, and any such sewer rentals and charges shall be filed as a municipal lien in the Office of the Prothonotary of Northampton County, and may be collected by the Authority in the manner provided for municipal claims or by a civil action against the Owner.

Section 7.06 Delinquent Payments.

A. If any person shall fail or refuse to pay in full any sums due the Authority and an action for recovery of the same is instituted, the person liable for the payment of any sums shall be assessed a \$200.00 fee for the commencement of an action, and a further \$200.00 fee for the filing of a municipal lien in addition to costs and expenses, which fee shall represent the attorney's fee for the collection of the account. This fee shall be collectible in accordance with Section 3(a) of the Municipal Claim and Tax Lien Law. In the event that a collection action involves a trial, then in that event the person shall be assessed additional attorney's fees at the rate per hour paid to the Authority's Solicitor for preparation and attendance at trial.

B. In the event the Authority employs an outside collection agency to collect delinquent payments, the person shall be responsible for all costs incurred, including a thirty-three and one-third (33 $\frac{1}{3}$ %) percent surcharge payable to the collection agency, filing fees and costs of service of process.

C. In the event that any person shall fail to make proper payment by reason of insufficient funds, stop payment, returned Automated Clearing House (ACH) payments, improper account designation, failure to make proper disposition or other administrative mistake which results in the account not being properly credited, then in that event the person shall be liable for an administrative charge of \$20.00 to be added to their sewer rental charge.

D. Any person requesting a certification of balance due or payoff of the delinquent account shall be liable for an administrative charge of \$20.00 to be paid prior to receipt of the certification or payoff.

Section 7.07 Clean Water Discharge Charge If permission is received to discharge clean water to the MWS as provided for under Section 8.03, then the Clean Water Discharge Charge shall be charged based on the volume of water discharged as applied under Section 7.01 for discharge of wastewater. In addition to the charges imposed, there shall be an additional five (5%) percent surcharge imposed on the total quarterly bill. In the event that the Owner cannot measure the volume of clean water discharged into the system, then Authority shall conduct such tests as it deems necessary and establish, in writing, to Owner a minimum volume of discharge for which Owner will be billed in accordance with Section 7.01. Owner may voluntarily, or Authority may require Owner, to install at Owner's sole expense, a sewer meter or other measuring device to determine the volume of clean water discharge for which fees will be imposed.