

HAMILTON TOWNSHIP MUNICIPAL AUTHORITY

Resolution No. 1 of 2023

RESOLUTION TO ADOPT UPDATED ADMINISTRATIVE POLICIES

Whereas, Hamilton Township Municipal Authority (the “Authority”) is a duly incorporated municipal authority under the Pennsylvania Municipal Authorities Act, 53 Pa.C.S. Chapter 56, et. seq., as amended from time to time (the “Act”); and

Whereas, the Act authorizes Pennsylvania Municipal Authorities to do all acts and things necessary or convenient for the promotion of its business and the general welfare of the authority to carry out the powers granted to it by the Act, including, but not limited to, the adoption of reasonable rules and regulations that apply to water and sewer lines located on a property owned or leased by a customer; and

Whereas, the Authority, has previously adopted, and later amended, its Administrative Policies, which include, among other items, the Authority’s Fee and Rate Schedule; and

Whereas, the Authority, after thorough consideration, desires to amend the Administrative Policies to update its Fee and Rate Schedule and carry out the powers granted to it by the Act; and

Now, therefore, it is hereby resolved as follows:

1. The Authority hereby adopts the attached Updated Administrative Policies to be effective January 19, 2023.
2. These Policies supersede any previously adopted policies.
3. Any other resolution inconsistent herewith is deemed rescinded.

Approved this 19th day of January, 2023, by the Hamilton Township Municipal Authority.

ATTEST: Rodney B Smith
Authority Secretary

Terrence E. Abbott
Authority Chairman

UPDATED ADMINISTRATIVE POLICIES OF THE HAMILTON TOWNSHIP MUNICIPAL AUTHORITY

By Resolution No 1 of 2023, the Board of the Hamilton Township Municipal

Authority hereby adopts the following Updated Administrative Policies to be effective January 19, 2023:

1. Fee and Rate Schedule
2. Collections and Termination Process
3. Billing Process
4. Policies Regarding Grinder Pumps
5. Sewer Permits
6. Inspections
7. Capital Fees
8. License Requirement
9. Impermissible Entry of Water to the Sewer System
10. Mobile Home Parks
11. Water Meters

1. Fee and Rate Schedule

Municipal Liens:

Lien Notification Letter:	\$10.00
Title Review fee:	\$15.00
Filing fees:	Actual Costs
Interest on Municipal Lien:	10%
Attorneys' Fees for Filing of Lien:	\$150.00
Attorneys' Fees Beyond Filing of Lien:	Charged at Actual Costs
	*currently \$150.00/hour, subject to change

Collections Associated Fees:

Demand Letter:	\$10.00
Filing of Complaint at MDJ:	Actual Costs
Preparation of MDJ Complaint:	\$30.00, unless attorney is engaged
Property Posting Fee:	\$30.00
Preparation of Bankruptcy Proof of Claim Filing:	\$50.00
Returned Check Fee:	\$20.00
Customer Portal Rejection for Insufficient Funds:	\$20.00
Termination Notice:	\$20.00
Administrative Time for USTRA Personal Service:	\$30.00
Termination Fee:	
<i>Bear Valley Water Charge:</i>	\$80.00
<i>HTMA Administrative Charge:</i>	\$25.00
Restoration Fee:	
<i>Bear Valley Water Charge:</i>	\$80.00
<i>HTMA Administrative Charge:</i>	\$25.00
Attorneys' Fees:	Charged at Actual Costs
	*currently \$150.00/hour, subject to change

Miscellaneous

Certified Mailings:	Actual Costs
Posting of Property as Uninhabitable:	
<i>PA Municipal Code Alliance Time:</i>	\$45.00/Hour
	*current, subject to change
<i>Notice of Violation:</i>	\$75.00
<i>Certified Mailing of Violation:</i>	\$10.00
<i>HTMA Administrative Processing:</i>	\$65.00
Detailed Account Certification:	\$35.00
Document Copy Fee:	\$0.25/page
HTMA Employee Labor Time:	\$60.00/hour per Employee
HTMA Vactor, CCTV and Electro Scan:	See Chart
Sewer Permit:	\$25.00 (+ Tapping Fee)

2. Collections and Termination Policy

Delinquent Account defined: A delinquent account is one that fails to make payment in full by the due date specified on the Account invoice.

Municipal Liens

It is the Policy of HTMA to file a Municipal Lien against any serviced property for which a Delinquent Account balance has accrued in excess of \$370.00 or six months of delinquency, whichever comes first, in the case of services properties that are connected to public water. If a property is not connected to public water, it is the policy of HTMA to file a lien against the serviced property for which a Delinquent Account balance has accrued for at least ninety (90) days. Please be advised that all costs and fees associated with the filing, collection and satisfaction of any Municipal Lien, including accruing interest, will be assessed against the Account in accordance with HTMA's adopted Fee and Rate Schedule. Where circumstances warrant, or in situations in which an Account has repeatedly accrued a delinquent balance, HTMA retains the right to modify this Policy at its discretion.

Where a Municipal Lien has been filed against an Account, any payment made to that Account will be applied as follows until the Municipal Lien has been paid in full:

50% to the Municipal Lien Balance

50% to the Sewer Account Balance

Civil Complaints and Collection

It is the Policy of HTMA to file a Civil Complaint against the Account holder for which a Delinquent Account balance has accrued in excess of \$1,000.00. Please be advised that all costs and fees associated with the filing, collection and satisfaction of any Complaint and judgment will be assessed against the Account in accordance with HTMA's adopted Fee and Rate Schedule. Where circumstances warrant, or in situations in which an Account holder has repeatedly accrued a delinquent balance, HTMA retains the right to modify this Policy at its discretion.

In any collection matter, the Account holder shall be responsible for, and shall be assessed with, HTMA's attorneys' fees incurred in collection, in accordance with the adopted Fee and Rate Schedule.

Terminations

When an Account has been delinquent for a period of sixty (60) days, HTMA will issue the Account holder a Notification that if it fails to pay the Delinquent balance within thirty (30) days from the date of the Notification, then Service will be Terminated to the serviced property. The Notification will also include a date upon which the serviced property will be posted for Termination. If the Delinquent balance is paid prior to the posting date, the Account will not be charged the posting fee. Upon the Termination of Service, HTMA will inform Pennsylvania Municipal Code Alliance of the Termination and the serviced property may be posted as uninhabitable by PMCA until such time that Service is restored. Please be advised that all posting fees, restoration fees, and administrative fees associated with potential terminations and terminations of service will be assessed against Accounts.

3. Billing Process

HTMA issues invoices on a monthly basis for service provided in the preceding month. Invoice payments must be received by HTMA no later than the due date specified on the Account invoice, or else they will be considered Delinquent and subject to the Collections Process. HTMA is not responsible if an Account holder believes that he did not receive an invoice. All invoices are mailed, Account holders can enroll ins autopay through HTMA's website, and they can elect to receive invoices electronically. If an Account holder has not received an invoice by the 6th of any given month, the Account holder should contact HTMA.

All requests for adjustments must be made in writing and are taken to the Board of HTMA for determination, subject to the following general guidelines:

1. Residential Accounts: HTMA may waive a late fee no more than one (1) time per serviced property, upon written request from the Account holder.
2. Residential and Commercial Accounts: it has been the policy of HTMA to allow a maximum of one adjustment for above average usage due to a leak or other necessary repair per calendar year, regardless of the circumstances, to be approved at the discretion of the Board.

Additionally, HTMA assesses a late fee of 5% of the unpaid current bill on the day following the passage of an invoice due date. Once HTMA assesses late charges on unpaid invoiced amounts, any payments made to the Account will be credited to late fees or other administrative charges prior to being credited to the regular service charge.

HTMA does not accept post-dated checks. If an Accountholder submits a post-dated check, it will be returned to the Accountholder or submitter. Late fees and other charges will be applied in accordance with HTMA's policies until the Accountholder submits full payment in an acceptable manner.

4. Grinder Pumps

Unless a written agreement to the contrary exists, Grinder Pumps are the property and responsibility of each individual serviced property or property owner. HTMA is not responsible for their maintenance or repair and will not maintain or repair Grinder Pumps for which it is not responsible.

When installing Grinder Pumps, the HTMA Specifications direct that property owners follow the manufacturer's specifications. HTMA provides information obtained from manufacturers for use by property owners, however, by accepting this information, property owners agree that HTMA has no liability with regard to the accuracy of the information or installation of the Grinder Pumps. The information provided is simply the transmission by HTMA of information obtained from the manufacturers. The applicant or property owner shall be responsible for the cost of any engineering specifications required by the installation of a Grinder Pump.

Any property owner who seeks to install a Grinder Pump to connect to HTMA's system must execute a Sewage Pump Agreement, which Agreement shall be recorded at the Recorder of Deeds Office in and for Franklin County with the property owner bearing the cost of recording. Any property owner who installs a Grinder Pump specifically agrees to maintain it a functional manner at the property owner's cost so as not permit the formation of any environmental and/or health hazards. Should such a hazard occur due to the Grinder Pump, the property owner agrees to remedy the hazard at its sole expense within forty-eight (48) hours of discovery of the malfunction and/or hazard, and, when necessary, demonstrate that a PA One Call was placed within twenty-four (24) hours of the property owner's discovery of the malfunction and/or hazard. Should the property owner fail to timely remedy any malfunction of a Grinder Pump that creates an environmental and/or health hazard where such hazard incurs sewage leaking onto the ground, however, HTMA, upon knowledge of the hazard and the property owner's failure to remedy the hazard, may access the property and remediate the environmental and/or health hazard in whatever manner necessary. The property owner shall be responsible to HTMA for any cost associated with the remediation caused by the property owner's failure to remedy the hazard, including, but not limited to, actual work performed, any assessed fine and/or penalties, and any administrative or attorneys' fees incurred.

5. Sewer Permits

Any person, company or establishment that requires or desires to connect to an existing sanitary sewer system operated by HTMA, or a private system that connects to HTMA's system, shall secure an application and permit from HTMA. Sewer Permits are categorized as Domestic and Non-Domestic. Sewer is only available on a first-come, first-serve basis. Such person shall notify HTMA's Manager of the desire and intention to connect to the sewer system. Sewer permit periods mirror the period established for Building Permits by Hamilton Township. If a Township Building Permit becomes invalid, the applicant must reapply for a new Sewer Permit in conjunction with the new Building Permit, and pay an additional Tapping Fee at the time of the new application at the then current amount.

Additionally, no person or establishment shall uncover, connect with, install, or repair or modify in a manner that requires excavation, any sewer system or any part of the system, including, but not limited to, a lateral, building sewer line or other privately-owned portion of the system, without first obtaining a permit, in writing, from HTMA.

Sewer Permits may be obtained from HTMA's Manager and the issuance of any sewer permit shall be subject to all conditions that may be required by any specifications, rules and/or regulations adopted by HTMA and any Ordinance, law or other regulation adopted by Hamilton Township. A Sewer Permit for a new connection will not be considered approved until HTMA has received the required fee(s) and a fully executed Sewage Pump Agreement. If PennDOT approval is required, such Sewer Permit will be approved if otherwise compliant, but such approval shall be conditioned on the obtaining of the PennDOT approval.

6. Inspections

Any inspections relating to building sewer lines required by HTMA must be performed by a licensed third-party vendor with whom HTMA has contracted. The applicant and/or property owner, as is applicable, must pay any and all fees associated with the inspection.

7. Capital Fees

Act 57 of 2003 provides for the imposition of fees that are designed to allow for the recovery of certain, specific, costs and equity's in municipal sewer systems. In order for a customer to initially connect to HTMA's sewer system, or for an existing customer to increase the amount of sewage it discharges into the sewer system, the customer must pay the then current established Tapping Fee per EDU of capacity. The calculated Tapping Fee is the sum of the Capacity and Collector Components of HTMA's sewer system. Effective January 1, 2016, the total Tapping Fee per EDU for connection to HTMA's sewer system is: \$4,500.00, which consists of a Capacity Part of \$2,800.00 and a Collection Part of \$1,700.00.

The individual, builder, applicant or developer, or other Property Owner, shall be responsible for the Tapping Fee in accordance with the Act 57 Plan approved by HTMA at the

time of the application for a Sewer Permit. The term EDU stands for Equivalent Dwelling Unit, which is an approximate measure of the quantity of sewage produced by a typical residential household. Currently, 1 EDU equates to 234 gallons per day.

With regard to residential dwellings, the applicant must pay a Tapping Fee of 1 EDU for each “dwelling unit.” A “dwelling unit” shall mean any group of rooms, room, house trailer, building or other enclosure connected, directly or indirectly, to the Sewer System and occupied or intended for occupancy as separate living quarters by a family or any other group of Persons living together or by a Person or Persons living alone, excluding Institutional Establishments, as defined by Hamilton Township Ordinance No. 37, imposing sewer rentals or charges, and HTMA Resolution No. 32, imposing User Fees, as amended from time to time.

With regard to a Commercial Establishment, as defined by Hamilton Township Ordinance No. 37, as amended from time to time, and/or Non-Domestic Establishments, as defined by HTMA Resolution No. 32, as amended, each Commercial Establishment must apply initially for its projected required EDUs and pay the then current Tapping Fee per each EDU reserved. If a Commercial Establishment exceeds its retained EDUs, it must pay the current Tapping Fee per each EDU utilized in excess of its retained capacity. The initial determination of the number of EDUs shall be based on information provided by the applicant. Such information must be reasonably accurate, and if found to be in error by more than ten (10) percent, HTMA shall have the right to make suitable upward adjustments in all applicable fees. No refunds, however, shall be available for any decrease in estimated EDU consumption of sewerage capacity.

The daily EDU rate for non-residential uses will be calculated as follows:

$$\text{Daily Flow (gallons per day)} / \text{Act 57 Flow (gpd/EDU)} = \text{Number of EDU's per day}$$

Example: Daily flow rate of 325 gallons per day (1 EDU = 234 gpd/EDU)

$$325\text{gpd} / 234 \text{ gal.} = 1.39 \text{ EDU's}$$

HTMA’s Capital Fees Consolidated Amended Resolution (as amended) adopted by HTMA is hereby incorporated and made a part of these Policies.

Changes in Use: If an applicant shall change the intensity of use of HTMA’s system by direct or indirect action, such as sale of and change in use or expansion of use of the serviced property, the applicant must promptly inform HTMA of the change in use. Upon discovery of a change in use, HTMA shall have the right of adjusting the computation of the number of EDUs connected to the system and assess additional capital fees in accordance with the then applicable fees at the time of the change in intensity of use, regardless of whether the applicant informed HTMA of a change in use.

Sewer rentals and charges may be amended from time to time by Resolution of the Board of the Hamilton Township Municipal Authority.

8. License Requirement for Contractor

Any contractor who desires to perform services, whether repair, modification or installation, of building sewer lines or laterals that connect, directly or indirectly, to HTMA's sewer system, must be duly licensed by HTMA. Only contractors licensed by HTMA shall be permitted to perform work on building sewer lines or laterals that connect, directly or indirectly, to HTMA's sewer system.

In order to obtain a License, a contractor must submit an application to HTMA by filling out the form provided, pay the then current application fee and provide proof of the required insurance. By applying for a License, the contractor certifies that he/she maintains a license and is currently registered with the Pennsylvania Attorney General and agrees that HTMA may provide his/her information to customers and/or potential customers, both on its website and in individual format. HTMA does not recommend or certify the work of any contractor or independently evaluate the credentials, including Attorney General registration, of any contractor who obtains an HTMA license.

A copy of HTMA's Specifications, Rules, Regulations and Policies can be found on HTMA's website.

9. Impermissible Entry of Water to the Sewer System

Any property owner who impermissibly permits storm water, water table, or surface water to enter the sewer system, whether by way of a building floor drain, floor drain, sump pump, other device, or failure to properly maintain the portion of the system for which the property owner is responsible will be required to pay a surcharge for such impermissible discharge. The property owner will be required to remediate or provide proof of intent to remediate the impermissible discharge within seven (7) days of notification by HTMA. HTMA may conduct inspections as necessary to locate, confirm or otherwise identify such discharge and its remediation.

10. Mobile Home Parks

A mobile home park or similar facilities when utilizing a private community sewerage system for the collection and conveyance of sewage shall meet the same criteria as service laterals or building sewers, as applicable, as defined by then current Specifications, rules and regulations of HTMA. Section 9, of these Policies, Impermissible Entry of Water to the Sewer System, shall apply to such a private community sewerage system.

11. Water Meters

HTMA shall give notice to any users if water meters are not in order or are in disrepair and such user(s) must repair said water meter within thirty (30) days from the date of HTMA's notice. If, after the passage of thirty (30) days, said user(s) have failed to repair the water meter, HTMA is empowered to enter onto the premises and make the necessary repairs, with all charges and costs associated with the repair, including HTMA's time, if applicable, charged to the user(s) and collected in accordance with applicable law.

HAMILTON TOWNSHIP MUNICIPAL AUTHORITY -- 2023 RATES

*Standard Rates apply Monday through Thursday from 7:00 AM to 5:00 PM

**Overtime Rates apply Monday - Thursday outside of standard rates, all day Fridays & Saturdays

VACTOR

	*Standard Rate	**Overtime Rate	Sundays & Holidays
Mobilization/Travel:	175.00/hr.	225.00/hr.	275.00/hr.
Sewer Vac w/ 1 Serviceman	275.00/hr.	305.00/hr.	330.00/hr.
Sewer Vac w/ 2 Servicemen	310.00/hr.	360.00/hr.	400.00/hr.
Sewer Vac w/ 3 Servicemen	350.00/hr.	425.00/hr.	485.00/hr.
Additional Laborer	50.00/hr.	75.00/hr.	100.00/hr.
Additional charge for specialized nozzles (i.e., storm sewer cleaning)	25.00/hr.	25.00/hr.	25.00/hr.

Exclusions:

- Disposal of any debris or associated dump fees
- Handling or disposal of hazardous or contaminated wastes
- Bypass pumping, plugging or dewatering is excluded
- Traffic and/or pedestrian control is excluded

CCTV (Includes copy of CCTV video & available reports)

	*Standard Rate	**Overtime Rate	Sundays & Holidays
Mobilization/Travel:	175.00/hr.	225.00/hr.	275.00/hr.
Portable (Push Camera) CCTV of Lateral	175.00/hr.	220.00/hr.	265.00/hr.
Closed Circuit Televising	.65/ft. or min. \$275.00/hr.	1.00/ft. or min. of \$360.00/hr.	1.30/ft. or min. of \$400.00/hr.
Lateral Launch	200.00/launch up to 50'; 50'+ @ .75/ft.	290.00/launch up to 50'; 50'+ @ 1.15/ft.	375.00/launch up to 50'; 50'+ @ 1.50/ft.

Exclusions:

- Bypass pumping, plugging or dewatering is excluded
- Traffic and/or pedestrian control is excluded

ELECTRO SCAN (Includes copy of available PDF reports)

	*Standard Rate	**Overtime Rate	Sundays & Holidays
Mainline Scan (without Vactor Truck)	3.00/ft.	4.50/ft.	6.00/ft.
Mainline Scan (with Vactor Truck)	3.75/ft.	5.65/ft.	7.50/ft.
Lateral Scan	200.00/launch up to 50'; 50'+ @ .75/ft.	290.00/launch up to 50'; 50'+ @ 1.15/ft.	375.00/launch up to 50'; 50'+ @ 1.50/ft.
Water	If available, to be invoiced at local utility rate		

Exclusions:

- Traffic and/or pedestrian control is excluded