

RESOLUTION NO. 11-10-08-2

**A RESOLUTION OF THE BOARD OF THE SOUTH
MIDDLETON TOWNSHIP MUNICIPAL AUTHORITY
ESTABLISHING THE OBLIGATION OF NON-RESIDENTIAL
SANITARY SEWER CUSTOMERS TO PAY SUPPLEMENTAL
CHARGES TO TAPPING FEES FOR INCREASED USE**

WHEREAS, the South Middleton Township Municipal Authority (“Authority”) has established a tapping fee for all new customers of its sanitary sewerage system based upon calculations of discharge translated into equivalent dwelling units (“EDUs”); and

WHEREAS, because of uncertainty of future discharge by non-residential customers, it is necessary to base the initial tapping fee upon estimated discharge with subsequent adjustment after actual discharge is determined; and

WHEREAS, the Authority hereby establishes the terms of such adjustment;

NOW, THEREFORE, BE IT RESOLVED, by the Board of the Authority as follows:

1. The initial tapping fee for new sanitary sewerage non-residential customers shall be based upon a good-faith estimate of discharge certified by the customer.
2. After one full year of usage, commencing with issuance of municipal occupancy permit, the Authority shall determine the actual daily discharge using the consecutive ninety (90) day period with the highest discharge and shall adjust the previously paid tapping fee upward or downward (with refund, if applicable, without interest) based upon any increase or decrease of the average daily EDU discharge for said period at the tapping fee rate in effect at the time of connection.

3. After said initial adjustment procedure as provided in paragraph 2 above, the Authority shall thereafter on a calendar year cycle commencing on January 1 of the year of occupancy determine the daily discharge using the consecutive ninety (90) day period with the highest discharge and shall adjust the last previously paid tapping fee adjustment upward based upon any increase of the average daily EDU discharge for said calendar year based upon the tapping fee rate for the year of use.

4. Except for the initial adjustment pursuant to paragraph 2 above, under no circumstances will a refund be made of previously paid tapping fees or adjustments.

5. A copy of this resolution shall be provided to each applicant for non-residential sewage service at the time of making application.

6. This resolution shall become effective immediately.

DULY ADOPTED, by the Board of the Authority in lawful public session this 10th day of November, 2008.

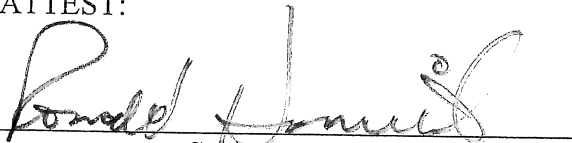
South Middleton Township Municipal Authority

By



Chairman

ATTEST:



Secretary