

RESOLUTION NO. 11-10-08-1

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

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

**WHEREAS**, because of uncertainty of future consumption by non-residential customers, it is necessary to base the initial tapping fee upon estimated consumption with subsequent adjustment after actual consumption 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 non-residential water customers shall be based upon a good-faith estimate of consumption 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 consumption using the consecutive ninety (90) day period with the highest consumption 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 consumption 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 consumption using the consecutive ninety (90) day period with the highest consumption and shall adjust the last previously paid tapping fee adjustment upward based upon any increase of the average daily EDU consumption 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.

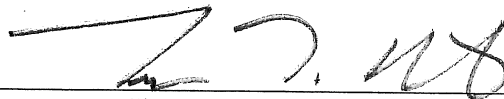
5. A copy of this resolution shall be provided to each applicant for non-residential water service at the time of making application.

6. This resolution shall become effective immediately.

**DULY ADOPTED**, by the Board of the Authority in lawful public session this 10<sup>th</sup> day of November, 2008.


South Middleton Township Municipal Authority

By



Chairman

ATTEST:

  
Secretary