

AMITY TOWNSHIP
BERKS COUNTY, PENNSYLVANIA

ORDINANCE NO. # 308

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF AMITY TOWNSHIP AMENDING AND RESTATING IN ITS ENTIRETY SECTION 310 ENTITLED "APPLICATION FOR PERMIT" AND SECTION 322 ENTITLED "CONDITIONS FOR CONNECTION" OF SUBPART C ENTITLED "BUILDING SEWERS AND CONNECTIONS" OF PART 3, ENTITLED "PUBLIC SEWAGE DISPOSAL SYSTEM" OF CHAPTER XXIII, ENTITLED "SEWERS AND SEWAGE DISPOSAL" OF THE TOWNSHIP OF AMITY CODE OF ORDINANCES ESTABLISHING THE LEAF CREEK INTERCEPTOR SEWER DISTRICT AND A SPECIAL PURPOSE TAPPING FEE FOR THE LEAF CREEK INTERCEPTOR SEWER DISTRICT

WHEREAS, the Amity Township Board of Supervisors has hereinbefore established regulations to provide for the connection of improved properties to the Amity Township Sewer System, establishing certain rules and regulations, therefore, and prescribing penalties for violation of said regulations; and

WHEREAS, the Township of Amity ("Township"), by and through its Board of Supervisors, owns, operates, and maintains certain municipal sewer collection, conveyance, and treatment facilities in accordance with permits issued by the Pennsylvania Department of Environmental Protection; and

WHEREAS, the Second Class Township Code at 53 P.S. §67507 permits the creation of sanitary sewer districts; and

WHEREAS, Section 5607(d) (24) of the Municipality Authorities Act (the "Act"), 53 Pa. C.S.A. §5607(d) (24), governs the method by which such charges are to be calculated; and

WHEREAS, the Township has recently constructed, installed, and completed certain improvements, extensions, and additions to said facilities including an extension to the collection and conveyancing components of said system, known as the Leaf Creek Interceptor, as required by the Pennsylvania Department of Environmental Protection, to provide service to additional areas within the Township in accordance with its approved Act 537 Plan and as required by the Pennsylvania Department of Environmental Protection; and

WHEREAS, Ebert Engineering, Inc., on behalf of the Township, has prepared a Leaf Creek Interceptor Calculation of Special Purpose Tapping Fee, dated September, 2018 to determine and document the appropriate amount of Special Purpose Tapping Fee to be established herein, in accordance with Act 57 of 2003; and

WHEREAS, pursuant to the Second Class Township Code and the Act, the calculations permit the Leaf Creek Interceptor District Special Purpose Part not to exceed \$916.11 per equivalent dwelling unit (EDU) on the basis of wastewater flow (including water use and reasonable infiltration/inflow allowance) of 261 gallons per day (GPD) per EDU.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Amity, Berks County, Pennsylvania, and it is hereby ENACTED AND ORDAINED by the authority of the same as follows:

SECTION 1. Section 310 of Subpart C entitled "Building Sewers and Connections" of Part 3, entitled "Public Sewage Disposal System" of Chapter XXIII, entitled "Sewers and Sewage Disposal", of the Township of Amity Code of Ordinances", is hereby amended and restated in its entirety as follows:

"Section 310.

(a) Establishment of the Leaf Creek Interceptor Sewer District. The Board of Supervisors hereby establishes the Leaf Creek Interceptor Sewer District ("District") comprising the territory as more specifically shown and marked on Exhibit "A" attached hereto and incorporated herein. The District shall include all properties as depicted on Exhibit "A".

(b) Application for Permit. No person shall uncover, connect with, make any opening into or use, alter or disturb, in any manner, any sewer or the sewer system without first making application for and securing a permit, in writing, from this Township. Application for a permit required under this Section shall be made by the owner of the improved property to be served or his duly authorized agent."

SECTION 2. Section 311 entitled "Conditions for Connection" of Subpart C entitled "Building Sewers and Connections" of Part 3, entitled "Public Sewage Disposal System" of Chapter XXIII, entitled "Sewers and Sewage Disposal", of the Township of Amity Code of Ordinances", is hereby amended and restated in its entirety as follows:

"Section 311. Conditions for Connection. No person shall make or cause to be made a connection of any improved property with a sewer until such person shall have fulfilled each of the following conditions:

(a) Such person shall have notified the Township, in writing, of the desire and intention to connect such improved property to a sewer.

(b) Such person shall have applied for and obtained a permit as required by Section 310(b).

(c) Such person shall have paid to the Township a Tapping Fee which amount is set from time to time by Resolution of the Board of Supervisors of the Township.

(d) There is hereby imposed a special purpose part tapping fee of \$916.11 per equivalent dwelling unit (EDU) upon the owner of every property within the Leaf Creek Interceptor Sewer District making application for a connection, or who are required to connect, to the sewer system, including owners changing the type of use of a property previously connected to the sewer system, connecting one (1) or more new uses or properties through an existing connection, regardless of whether such property is connected separately through existing connection, regardless of whether such property is connected separately through existing or new lateral connections installed by the Township or any other party. The special purpose part tapping fee shall be in addition to the sewer tapping fees and other fees set forth in Township resolutions. The payment of the special purpose part tapping fee shall be as set forth in 311 (g) hereof.

(e) Calculation of Tapping Fee - For the Leaf Creek Interceptor Sewer District, the Township hereby approves and adopts the calculation of special purpose tapping fee dated September 2018 as prepared by Ebert Engineering, Inc. consisting of seven (7) pages attached hereto and incorporated herein as Exhibit "B".

(f) Such person shall have given the Township at least twenty-four (24) hours notice of the time when such connection will be made so that this Township may, through its designated agents, servants, and employees, supervise and inspect the work of connection and necessary testing.

(g) Such person shall have furnished satisfactory evidence to the Township that any reserved capacity, connection, tapping, special purpose tapping fee and inspection fees, as may be applicable, charged and imposed against the owner of each improved property who connects such improved property to a sewer have been paid."

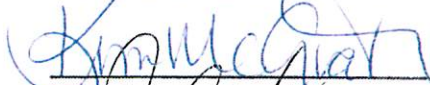
SECTION 3. Any and all Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

SECTION 4. This Ordinance shall be come effective five (5) days following the date of adoption.


SECTION 5. The Code of Ordinances, as amended, of the Township of Amity, Berks County, Pennsylvania, shall be and remain unchanged and in full effect except as amended, supplemented and/or modified by this Ordinance. This Ordinance shall become a part of the Code of Ordinances, as amended, of the Township of Amity, Berks County, Pennsylvania, upon adoption.

DULY ENACTED AND ORDAINED into law this 7th day of November, 2018 by the Board of Supervisors of the Township of Amity, Berks County, Pennsylvania.


AMITY TOWNSHIP
BOARD OF SUPERVISORS



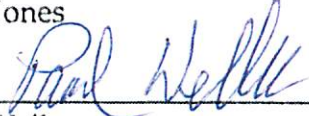
Kim McGrath, Chairperson



David Hackett, Vice Chairperson



Kevin Keifrider

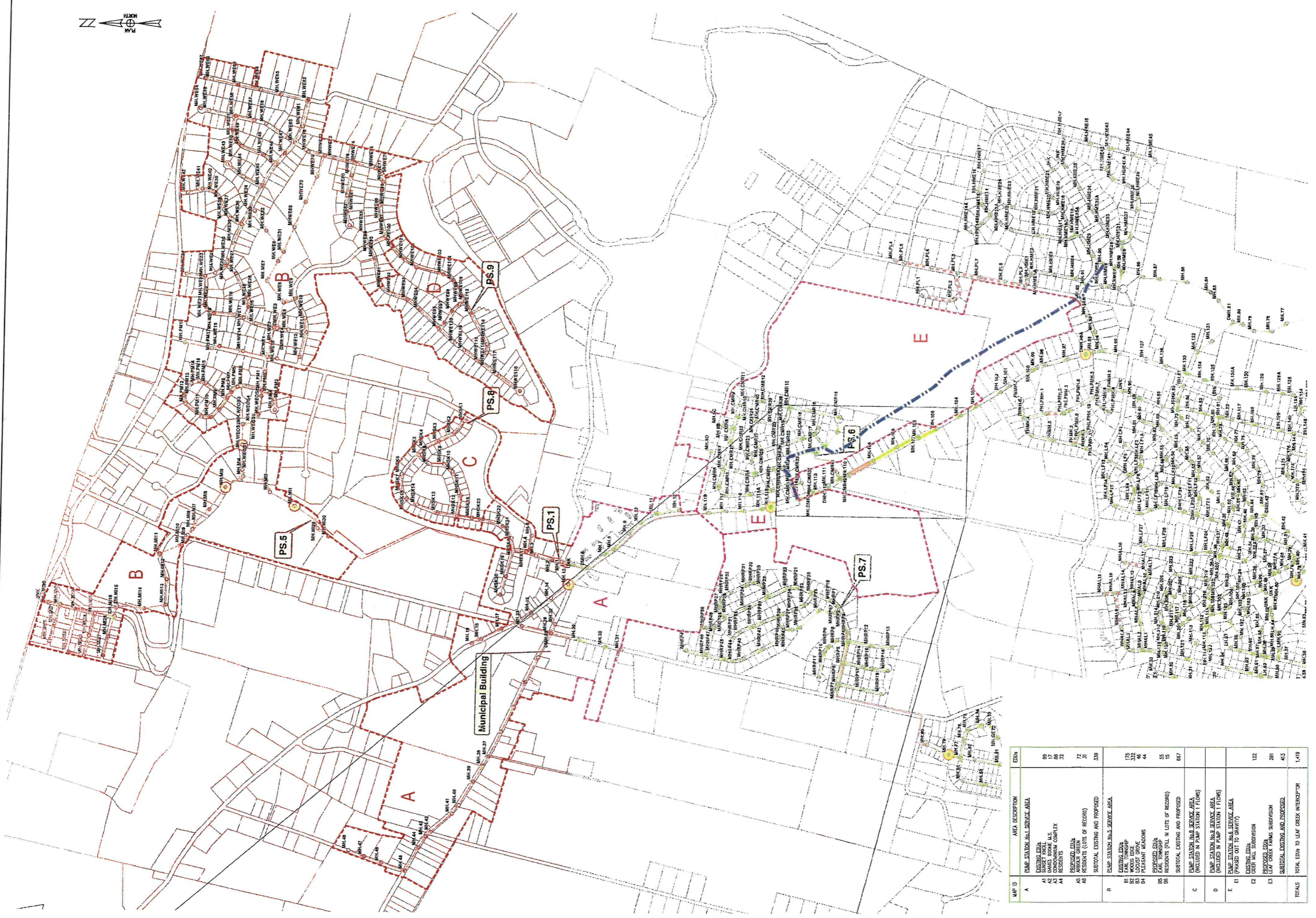
Terry Jones


Paul Weller

ATTEST: 

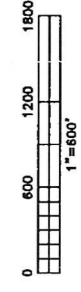
Township Secretary

EXHIBIT "A"



MAP ID	AREA DESCRIPTION	EDUs
A	PUMP STATION #1A SERVICE AREA	
A1	EXISTING EDUs	99
A2	SINSET KNOLL	17
A3	DANIEL BIRNE W.L.S. COMPLEX	32
A4	RESIDENTS	32
A5	PROPOSED EDUs	72
A6	RESIDENTS (LOTS OF RECORD)	31
A6	RESIDENTS (LOTS OF RECORD)	339
A6	SUBTOTAL EXISTING AND PROPOSED	
R	PUMP STATION #1A SERVICE AREA	
B1	EXISTING EDUs	175
B2	WOODS EDGE	332
B3	LOUISI DRIVE	46
B4	PLEASANT WOODS	44
B5	PROPOSED EDUs	55
B6	EARL TOWNSHIP	15
B6	RESIDENTS (P.L. IN LOTS OF RECORD)	867
B6	SUBTOTAL EXISTING AND PROPOSED	
C	PUMP STATION #1A SERVICE AREA (INCLUDED IN PUMP STATION #1 FLOWS)	
D	PUMP STATION #1A SERVICE AREA (INCLUDED IN PUMP STATION #1 FLOWS)	
E	PUMP STATION #1A SERVICE AREA (PHASED OUT TO GRAVITY)	
E2	EXISTING EDUs	122
E2	CHICKEN HILL SUBDIVISION	
E3	PROPOSED EDUs	291
E3	LEAF CREEK PARKS SUBDIVISION	
E3	SUBTOTAL EXISTING AND PROPOSED	413
TOTALS	TOTAL EDUs TO LEAF CREEK INTERCEPTOR	1,419

LEGEND
 - - - - - AREA TRIBUTARY TO LEAF CREEK INTERCEPTOR
 - - - - - ROUTE OF LEAF CREEK INTERCEPTOR



This document and the ideas and designs incorporated herein, as an instrument of professional service, is the property of Ebert Engineering, Inc. and is not to be used in whole or part, for any other project without the written authorization of Ebert Engineering, Inc. The applicability of this drawing to any other project is limited to the original drawing or our last revision to the original. Reproductions of this drawing without an embossed engineer's seal are not valid.

EXHIBIT A
 FOR THE
LEAF CREEK INTERCEPTOR
 SPECIAL PURPOSE TAPPING FEE
 PREPARED FOR
AMITY TOWNSHIP

Ebert Engineering, Inc.
 Water and Wastewater Engineering
 4092 Skippack Pike, Suite 202
 Skippack, PA 19474
 Phone (610) 584 8701
 Fax (610) 584 8704
 E-mail: info@ebertengineering.com

Checked By: **Socio** Job No. **AS W012** Date **08/26/18**
 Drawn By: **EMK** Project Engr. **FEE** Drawing No. **1 of 1**

Number	Description	Date

EXHIBIT "B"

AMITY TOWNSHIP
LEAF CREEK INTERCEPTOR
CALCULATION OF SPECIAL PURPOSE TAPPING FEE

September 2018

The Special Purpose Tapping Fee was calculated in accordance with Act 57 of 2003. The Special Purpose Tapping Fee is for the existing public sanitary sewer service area that will convey flows to the proposed Leaf Creek Interceptor. The Leaf Creek Interceptor was required to be constructed by the PA DEP in order to increase the sanitary sewer conveyance capacity to service both the existing and proposed edus that will convey wastewater from the Leaf Creek Interceptor Service Area through the Leaf Creek Interceptor to the existing sanitary sewer conveyance system to the Amity Township WWTP for treatment.

$$90 \text{ GPD/Person} \times 2.9 \text{ persons per household}^* = 261 \text{ GPD/EDU}$$

- Based on the 2016 American Community Survey 5 year Data for Amity Township

SPECIAL PURPOSE PART

Value of Interceptor System	\$1,299,745.21
Less Current Debt	<u>(\$0.00)</u>
Total Value of 2018 Special Purpose Facilities	\$1,299,745.21

2018 Leaf Creek Interceptor Capacity	370,359 GPD*
* 1419 EDUs x 261 GPD / EDU (See Exhibit B-2)	

Total Value of 2018 Special Purpose Facilities	<u>\$1,299,745.21</u>	=	\$3.51 / GPD
Total Special Purpose Capacity	370,359 GPD		

One EDU Equals 261 GPD

$$\$3.51 / \text{GPD} \times 261 \text{ GPD} / \text{EDU} = \$ 916.11 / \text{EDU}$$

NOTES

1. The capacity of the Leaf Creek Interceptor is defined by the number of equivalent dwelling units (EDUs) that will be conveyed through the interceptor. The Leaf Creek Interceptor service area is identified on the plan contained in Exhibit A.
2. The existing EDUs that will be connected to the Leaf Creek Interceptor are identified on the plan in Exhibit A.

AMITY TOWNSHIP
LEAF CREEK INTERCEPTOR
CALCULATION OF SPECIAL PURPOSE TAPPING FEE

September 2018

3. The proposed EDUs that can be connected to the Leaf Creek Interceptor are based upon anticipated development within the Leaf Creek Interceptor Service Area and are identified in this Exhibit B-2 and shown on the plan in Exhibit A.
4. The Special Purpose Tapping Fee is only for the direct costs associated with the design, legal, application fees and construction costs for the Leaf Creek Interceptor. These costs are based upon actual costs for the approvals plus the contracted costs for the construction of the interceptor. These costs are identified in Exhibit B-3 with back up documentation.
5. This is a first time Special Purpose Tapping Fee Calculation for the Leaf Creek Interceptor. There are no existing facility costs associated with this Special Purpose Tapping Fee Calculation.
6. The costs for all existing conveyance and capacity portions are contained in the existing Amity Township Tapping Fee and are in addition to this Special Purpose Tapping Fee for any connections located within the Leaf Creek Interceptor Service Area.

AMITY TOWNSHIP
LEAF CREEK INTERCEPTOR
CALCULATION OF SPECIAL PURPOSE TAPPING FEE
September 2018
EXHIBIT B-2

SUMMARY OF EXISTING EDUs

PUMP STATION NO. 1 SERVICE AREA

◦ Sunset Knoll	99
◦ Daniel Boone M.S.	17
◦ Condominium Complex	88
◦ Residents	<u>32</u>
SUBTOTAL	236

PUMP STATION NO. 5 SERVICE AREA

◦ Earl Township	175
◦ Woods Edge	332
◦ Locust Grove	46
◦ Pleasant Meadows	<u>44</u>
SUBTOTAL	597

PUMP STATION NO. 6 SERVICE AREA

◦ Cider Mill Subdivision	122
TOTAL	955

**AMITY TOWNSHIP
LEAF CREEK INTERCEPTOR
CALCULATION OF SPECIAL PURPOSE TAPPING FEE**

September 2018

EXHIBIT B-2

SUMMARY OF PROPOSED EDUs

PUMP STATION NO. 1 SERVICE AREA

◦ Arbour Green	72
◦ Residents (Lots of Record)	<u>31</u>
SUBTOTAL	103

PUMP STATION NO. 5 SERVICE AREA

◦ Earl Township	55
◦ Residents (Fill in Lots of Record)	<u>15</u>
SUBTOTAL	70

PUMP STATION NO. 6 SERVICE AREA

◦ Leaf Creek Farms Subdivision	291
TOTAL	464

AMITY TOWNSHIP
LEAF CREEK INTERCEPTOR
CALCULATION OF SPECIAL PURPOSE TAPPING FEE

September 2018

EXHIBIT B-3

ELIGIBLE SPECIAL PURPOSE COSTS

SOFT COST SUMMARY

Engineering (Design)

• Ebert Engineering, Inc. (07/30/14)	\$ 580.00
• Ebert Engineering, Inc. (08/19/14)	\$ 1,975.58
• Ebert Engineering, Inc. (08/29/14)	\$ 669.78
• Ebert Engineering, Inc. (02/19/15)	\$10,486.27
• Ebert Engineering, Inc. (03/24/15)	\$ 8,027.48
• Ebert Engineering, Inc. (05/14/15)	\$ 5,360.03
• Ebert Engineering, Inc. (06/08/15)	\$10,741.73
• Total Rental (Clearing Easement) (06/25/15)	\$ 2,650.00
• Ebert Engineering, Inc. (07/09/15)	\$ 7,000.00
• Envirosan, Inc.(Seismic Refractory) (07/17/15)	\$10,680.00
• Ebert Engineering, Inc. (12/07/15)	\$ 4,090.24
• Ebert Engineering, Inc. (07/15/16)	\$ 866.28
• Ebert Engineering, Inc. (07/15/16)	\$ 1,661.05
• Ebert Engineering, Inc. (07/27/16)	\$ 4,750.40
• Ebert Engineering, Inc. (10/03/16)	\$ 393.12
• Ebert Engineering, Inc. (10/25/16)	\$ 331.50
• Ebert Engineering, Inc. (09/06/17)	\$ 993.25
• Ebert Engineering, Inc. (09/06/17)	\$ 1,029.18
• Ebert Engineering, Inc. (10/23/17)	\$ 1,560.71
• Ebert Engineering, Inc. (11/13/17)	\$ 2,734.90
• Ebert Engineering, Inc. (01/22/18)	\$ 6,045.15
• Ebert Engineering, Inc. (03/06/18)	\$ 3,023.19
• Ebert Engineering, Inc. (03/08/18)	\$ 473.97
• Ebert Engineering, Inc. (03/22/18)	\$ 1,217.15
• Ebert Engineering, Inc. (05/01/18)	<u>\$ 720.25</u>

SUBTOTAL \$88,061.21

AMITY TOWNSHIP
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CALCULATION OF SPECIAL PURPOSE TAPPING FEE
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Easement Acquisition

• Douglas Haring and Co. (07/16/14)	\$ 4,500.00
• Stevens and Lee (07/01/17)	\$ 1,000.00
• H. Laddie Montague	<u>\$67,000.00</u>
SUBTOTAL	\$72,500.00

Application Fees

• Berks County Conservation (11/01/14)	\$ 2,250.00
• Commonwealth Of PA (11/09/14)	\$ 300.00
• Berks County Clean Water (11/09/14)	\$ 500.00
• Commonwealth Of PA (06/30/16)	<u>\$ 500.00</u>
SUBTOTAL	\$ 3,550.00

Legal Fees (Approvals)

• Kozloff Stoudt (09/30/15)	\$ 442.00
• Kozloff Stoudt (07/29/16)	\$ 639.00
• Kozloff Stoudt (07/29/16)	\$ 138.00
• Kozloff Stoudt (10/31/16)	\$ 87.00
• Kozloff Stoudt (10/31/16)	\$ 980.00
• Kozloff Stoudt (03/14/18)	<u>\$ 912.00</u>
SUBTOTAL	\$ 3,198.00

Engineering (Construction)

• Ebert Engineering, Inc. (07/16/18)	\$ 3,773.58
• Ebert Engineering, Inc. (07/16/18)	\$ 123.00
• Ebert Engineering, Inc. (08/27/18)	\$ 8,290.09
• Ebert Engineering, Inc. (09/04/18)	\$ 10,441.59

**AMITY TOWNSHIP
LEAF CREEK INTERCEPTOR
CALCULATION OF SPECIAL PURPOSE TAPPING FEE**

September 2018

• Ebert Engineering, Inc. (09/21/18)	\$ 1,651.10
• Ebert Engineering, Inc. (10/10/18)	\$ 1,981.24
• Estimated Remaining (2.5%)	<u>\$ 25,140.35</u>

SUBTOTAL \$ 51,400.95

CONSTRUCTION COST SUMMARY

• Almedia & Hudak (Contract 17-1)	\$1,005,614.00
• Anticipated Change Orders (7.5%)	<u>\$ 75,421.05</u>

SUBTOTAL \$1,081,035.05

TOTAL COSTS

• Soft Cost Total	\$ 218,710.16
• Construction Cost Total	<u>\$1,081,035.05</u>

TOTAL \$1,299,745.21