

**BOROUGH OF OAKLAND
ORDINANCE NO. 20-CODE-802**

**ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER XIII, SECTION 10 OF THE OAKLAND CODE,
ENTITLED "FEE SCHEDULE" AND SECTION 13
ENTITLED "CHARGES AND FEES"**

WHEREAS, the Borough of Oakland operates a water and sewer system as a municipal utility which must be self-sustaining; and

WHEREAS, the Water Quality Accountability Act requires purveyors to create and implement an asset management plan designed to inspect, maintain, repair, and renew its infrastructure consistent with standards established by the American Water Works Association. In addition, the Act also specifies a methodology for routinely testing of valves and fire hydrants; and

WHEREAS, compliance to the requirements of the Water Quality Accountability Act will generate increased operating and capital expenses; and

WHEREAS, in the event of revenue shortfalls, rates must be raised in order to keep the utility solvent;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Oakland as follows:

Section I. Chapter 13, Section 10.2 of the Borough of Oakland Code entitled "Minimum Charges" be and the same is hereby repealed and replaced with the following:

13-10.2 Minimum Charge.

Effective January 1, 2020 each customer shall pay a minimum charge of forty-nine dollars and four (\$49.04) cents per quarter on the account, which charge shall entitle the customer to utilize up to six thousand (6,000) gallons of water. In the event that a customer commences or ceases to require services, during such portion of a quarter that it would be inequitable to charge the full minimum quarterly charge, the aforesaid amount shall be prorated as nearly as possible at the rate of twelve dollars and sixty-eight (\$12.68) cents which entitled the user to two thousand (2,000) gallons of water per month. In any event, any customer owning a home in Oakland for a minimum of one (1) year, using water supplied by the Borough, shall be required to pay a minimum of one hundred fifty-two dollars and fourteen (\$152.14) cents per year.

Section II. Chapter 13, Section 10.3 of the Borough of Oakland Code entitled "Water and Sewer - Fee Schedule - Charges Over Minimum" be and the same is hereby repealed and replaced with the following:

13-10.3 Charges Over Minimum.

Effective January 1, 2020, customers who use in excess of six thousand (6,000) gallons per quarter shall pay, in addition to the minimum charge set forth in subsection 13-10.2, the sum of three dollars and seventy (\$3.70) cents for each one thousand (1,000) gallons used in a quarter above six thousand (6,000) gallons, up to ten thousand (10,000) gallons; the sum of four dollars and seventy (\$4.70) cents for each one thousand gallons used in a quarter above ten thousand (10,000) gallons up to twenty-five thousand (25,000) gallons; the sum of five dollars and twenty-one (\$5.21) cent for each one thousand gallons used in a quarter above twenty-five thousand (25,000) gallons up to fifty thousand (50,000) gallons; and the sum of six dollars and sixty-two (\$6.62) cents for each one thousand gallons used in a quarter above fifty thousand (50,000) gallons up to one hundred thousand (100,000) gallons. For each one thousand (1,000) gallons used in a quarter above one hundred thousand (100,000) gallons, the customer shall pay eight dollars and two (\$8.02) cents per one thousand (1,000) gallons.

Section III. Chapter 13, Section 13.1 of the Borough of Oakland Code entitled "Schedule of Fees" be and the same is hereby repealed and replaced with the following:

13-13.1 Schedule of Fees.

The following fees, rents or other charges for the use of such municipal public utility are hereby prescribed, which fees, rents or other charges are hereby deemed proper and necessary:

- a. A connection fee in the sum of five hundred (\$500.00) dollars shall be payable to the Borough at the time a building sewer permit is issued for the connection of a building to the sewer system of the Borough.
- b. Fees charged for residential use are as follows:
 1. Effective January 1, 2020, the annual service charge for the use of the sanitary sewer system of the Borough for each single-family residential unit and for each unit within a multi-family structure shall be one thousand ninety three dollars and four (\$1,093.04) cents as a base charge, plus eleven dollars and seventy - four (\$11.74) cents per thousand gallons of the quantity of potable water used by each residential unit as billed by the Water Department of the Borough of Oakland. The quantity of potable water shall be determined by adding the amount of water consumed during the last quarter of the second year preceding and the first quarter of the year immediately preceding and multiplying the sum of those two (2) quarters by two (2) to arrive at an annual consumption amount.
 2. Whenever a new sewer connection is made to the sanitary sewer during the year, the annual service charge shall be apportioned pro rata.
- c. The fees charged for commercial use shall be as follows: Effective January 1, 2020, the service charge for the use of the sanitary sewer system by commercial establishments shall be a base charged of one thousand ninety three dollars and four (\$1,093.04) cents as a base charge, plus eleven dollars and seventy - four (\$11.74) cents per thousand gallons of the quantity of the potable water used by said commercial establishment as billed by the Borough of Oakland. The quantity of potable water shall be determined by adding the amount of water consumed during the last quarter of the second year preceding and the first quarter of the year immediately preceding and multiplying the sum of those two (2) quarters by two (2) to arrive at an annual consumption amount.

Section IV. All other parts, portions and provisions of Chapter 13 of the Borough of Oakland Code be and the same are hereby ratified and confirmed, except where inconsistent with the terms hereof. In the event of any such inconsistency, the terms of this Ordinance shall be deemed to govern.

Section V. The terms of this Ordinance are hereby declared to be severable; should any part, portion or provision hereof be declared invalid or unconstitutional, said finding shall not affect any other part, portion or provision thereof.

Section VI. This Ordinance shall take effect immediately upon final passage and publication according to law.


Linda H. Schwager, Mayor

ATTEST:


Lisa M. Duncan, Borough Clerk

This is to certify that this is a true copy
as adopted by the Mayor and Council
of the Borough of Oakland at a meeting
held on January 22, 2020

Borough Clerk 