

WARMINSTER TOWNSHIP MUNICIPAL AUTHORITY
RESOLUTION NO. 21-9

BE IT RESOLVED by the **Board of Directors** of the **Warminster Township Municipal Authority...**

WHEREAS, on or about December 20, 2018, Warminster Township enacted Ordinance 750 to amend the Articles of Incorporation for the Warminster Township Municipal Authority to provide the Authority with the ability to address duties of stormwater planning, management, and implementation;

WHEREAS, on or about January 17, 2019, Warminster Township enacted Ordinance 753 to provide the Authority with the authorization to perform stormwater planning, management and implementation for the Township of Warminster to the extent authorized under the Pennsylvania Municipality Authorities Act, 53 Pa.C.S.A. § 5601, *et seq.*;

WHEREAS, pursuant to the Intermunicipal Stormwater Agreement between the Township and the Authority dated September 17, 2020, the Township transferred ownership, operation, and maintenance of the Township's municipal separate storm sewer system and stormwater best management practices to the Authority;

WHEREAS, Section 5607(D)(34) the Pennsylvania Municipal Authorities Act permits the Authority to charge reasonable and uniform rates based in whole, or in part, on property characteristics, which may include installation and maintenance of best management practices approved and inspected by the Authority;

WHEREAS, the Warminster Township Municipal Authority desires to establish, adopt, and implement a stormwater management fee for the use of, benefit by, and the services rendered by the Authority's stormwater management system, including the operation and maintenance, repair, replacement, and improvement of said system and all other expenses ("Stormwater Management Fee");

WHEREAS, the Authority's Stormwater Management Fee shall be imposed upon every parcel, building, or portion thereof that is connected with, uses, is serviced by, or is benefited by the Authority's stormwater management system, either directly or indirectly, and upon the owners of such lots, parcels of land, or buildings;

WHEREAS, the Authority's Stormwater Management Fee shall use an "Equivalent Residential Unit" ("ERU") as the basic unit for computation of said fee. An ERU shall be based on the statistically estimated impervious area found on the average single-family residential parcel in the Township and is further established in the duly adopted Rate Schedule set forth herein, subject to such modifications as the Authority may deem necessary from time-to-time, in its discretion. The ERU shall be used to assess the Stormwater Management Fee for each parcel of property within the Township;

NOW, THEREFORE, BE IT RESOLVED, that the Authority establishes and adopts the following Rate Schedule to establish and implement the Stormwater Management Fee and ERU for properties within Warminster Township:

Stormwater Management Fee Rate Schedule

1. The Stormwater Management Fee per ERU shall be set at ten dollars (\$10) per month.
2. For purposes of calculating the Stormwater Management Fee per ERU, an ERU has been established to be three thousand (3,000) square feet of impervious area (“IA”).
3. All Township parcels shall be charged according to the following schedule:
 - a. Tier 1: 0 - 999 square feet, IA \$6.00
 - b. Tier 2: 1000 - 1,999 square feet, IA..... \$8.00
 - c. Tier 3: 2,000 - 3,999 square feet, IA..... \$10.00
 - d. Tier 4: 4,000 - 4,999 square feet, IA..... \$12.00
 - e. Tier 5: 5,000 – 6,999 square feet, IA \$14.00
 - f. Tier 6: Greater than or equal to 7,000 square feet, IA IA/3,000 sq ft x \$10.00
4. The charge established under Tier 6 is based upon the total number of square feet of measured impervious area, as determined through aerial photography and area feature evaluation processes, divided by 3,000 square feet per ERU. The charge for said properties shall be computed by multiplying the number of ERUs for a given parcel by the unit Stormwater Management Fee per ERU, as established by the Authority.
5. Notwithstanding the foregoing, public streets owned by the Commonwealth and public streets that have been dedicated to and accepted by the Township, and the public sidewalks immediately adjact thereto, shall be exempt from Stormwater Management Fees.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Authority establishes, incorporates, and adopts the Rates, Rules, and Regulations for the Authority's Stormwater Management Program hereto as Appendix A, and incorporated herein, and which may be amended further through resolution ("Rules and Regulations").


NOW, THEREFORE, BE IT FURTHER RESOLVED, the Authority hereby empowers the General Manager of the Authority, or the General Manager's designee, to take all reasonable and expected actions necessary to implement the Rules and Regulations and to assess, impose, and collect the Stormwater Management Fees for the Authority. The General Manager is authorized to establish collection procedures which may include referral of delinquent accounts to a collection agency and all other measures, or combination thereof, which the Authority General Manager may deem appropriate. All costs of such collection procedures, including but not limited to collection fees, attorneys' fees, court costs, litigation expense, charges for service of documents, shall upon being incurred by the Authority be imposed as a charge for nonpayment and added to any balance due.

APPROVED THIS 13th DAY OF DECEMBER, A.D., 2021.



David G. Bailey, Chairman

ATTEST:



Bill Rinier, Secretary

APPENDIX "A"

**RATES, RULES, AND REGULATIONS FOR THE STORMWATER MANAGEMENT
PROGRAM OF THE WARMINSTER MUNICIPAL AUTHORITY**