

CHAPTER 18

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PART 1

RENTS AND CHARGES

§18-101. Definitions.

Unless the context specifically indicates otherwise, the meaning of terms used in this Part shall be as follows:

AUTHORITY - Hulmeville Municipal Authority, Bucks County, Pennsylvania, as well as the duly qualified and acting members of the Board thereof.

BOROUGH - the Borough of Hulmeville, Bucks County, Pennsylvania, and the group of elected officials acting as the Borough Council.

B.O.D. - (Biochemical Oxygen Demand) shall mean the quantity of oxygen expressed in parts per million (ppm) by weight, utilized in the biochemical oxidation of organic matter under standard laboratory procedure for 5 days at 20 degrees Centigrade.

COMMERCIAL ESTABLISHMENT - any structure or any portion thereof intended to be used wholly or in part for the purposes of carrying on a trade, business or profession or for social, amusement, religious, educational, charitable or public uses, and which contains plumbing for kitchen, toilet or washing facilities.

E.D.U. - equivalent dwelling unit. [Ord. 223]

INDUSTRIAL ESTABLISHMENT - any structure intended to be used wholly or in part for the manufacturing, fabricating, processing, cleaning, laundering or assembly of any product, commodity or article.

INDUSTRIAL WASTE - any solid, liquid or gaseous substance or water-borne wastes or form of energy rejected or escaping from any industrial, manufacturing, trade or business process or from the development, recovery or processing of natural resources, as distinct from sanitary sewage.

PERSON - any individual, firm, company, association, society, corporation or group.

PRIVATE DWELLING OR LIVING UNIT - a structure or dwelling intended to be occupied as a whole by one family or an apartment intended to be occupied by one family or any other one-family living unit.

SANITARY SEWAGE - the normal water-carried household and toilet wastes from residences, business buildings, institutions, commercial and industrial establishments.

SEWER MANAGER - any person who may, from time to time, be placed in general charge of the sewer system.

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SEWER SYSTEM - all temporary and permanent facilities at any time, and from time to time, owned or leased and operated by the Borough and used or usable for, or in connection with, the collection of sanitary sewage and acceptable industrial wastes.

SUSPENDED SOLIDS - solids that either float on the surface of or are in suspension in water, sewage or other liquids and which are removable by laboratory filtration.

WATER SUPPLIER - the public agency or private company furnishing water service to the particular property connected to the sewer system.

(Ord. 103, 9/8/1966, §1; as amended by Ord. 223, 1/7/2002)

§18-102. Imposition of Connection Charge.

There is hereby imposed upon each owner of each property connecting to the sewer system a connection charge as established from time to time by the Borough Council.

(Ord. 103, 9/8/1966, §2; as amended by Ord. 223, 1/7/2002)

§18-103. Imposition of Sewer Rent or Charge.

There is hereby imposed upon each property served by the sewer system and having the use thereof quarterly sewer rents or charges, payable as hereinafter provided for the use, whether direct or indirect of the sewer system, based on the schedules of classifications and rates or charges hereinafter set forth.

(Ord. 103, 9/8/1966, §3)

§18-104. Flat Rates for Sewer Rents for Customer Classifications Other Than Industrial Establishments

1. **Classification and Quarterly Rental**

A. Private Dwelling or living unit	\$ 104.30
B. Fire house or municipal building	\$ 104.30
C. Church	\$ 117.14
D. Public or private school per pupil based upon daily average number of pupils enrolled on days when the school was in session during the full school term immediately preceding the date of each quarterly bill. Teachers and employees shall be classified as pupils for Sewer Rent purposes.	\$ 15.25
E. One-family living unit, in which the occupant there also carries on a trade, business or profession (Other than restaurant or bar)	\$ 169.45
F. Commercial establishments not regularly dispensing food or beverage for consumption on the premises or discharging industrial waste.	\$ 144.41
G. Restaurant and/or bar which regularly dispenses food and beverage.	\$ 211.80
H. Hotel, motel, or rooming house	\$ 247.67
Where a restaurant or bar room is conducted in connection with any motel, hotel, or rooming house, the sewer rental shall be the total of the rates set forth in both Paragraphs "G" and "H" above.	
I. Neshaminy Shore Club	\$250.32
J. Sole proprietorship	\$169.45

2. Multiple use including apartments: in case of a combination of one or more private dwelling or living units or with one or more commercial establishment or apartments in one building and each having the use of the sewer system through a single sewer connection, then such private dwelling or living unit and each such commercial establishment or apartment, with the exception of "E" above, shall be charged the foregoing rates as though each were in separate structures and as though each had a direct and separate connection to the Sewer System.

(Ord. 282, 5/1/2023)

§18-105. Meter Rates for Sewer Rent for Industrial Establishments

A. Sanitary Sewage:

1. The quarterly sewer rents or charges shall be based on the quantity of water used as evidenced by meter readings of water meter installed by the water supplier for the purpose of measuring water purchased from said water supplier and such other meters

or measuring devices as may be installed pursuant to any provisions of this Ordinance, and shall be subject to the minimum charges hereinafter provided, all as follows:

QUANTITY OF WATER USED AND QUARTERLY

First 20,000 gallons per quarter, per thousand gallons	\$ 9.22
Next 80,000 gallons per quarter, per thousand gallons	\$ 8.50
Next 100,000 gallons per quarter, per thousand gallons	\$ 7.38
Next 100,000 gallons per quarter, per thousand gallons	\$ 5.62
Over 300,000 gallons per quarter, per thousand gallons	\$ 4.73

2. Regardless of water consumption the minimum quarterly charges for sanitary sewage from Industrial Establishments under this Section 5-A shall not be less than \$ 12.34 per quarter per employee based upon the daily average number of employees for the quarter immediately preceding the quarter being billed.

INITIAL SEWER CONNECTION RATES

Initial charge for hookup to Borough Sanitary Sewer Collections System - \$.2,960.00

(Ord. 282, 5/1/2023)

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2. Industrial Waste.

- A. In the event the Borough consents to accept industrial waste into the sewer system, having total suspended solids and biochemical oxygen demand in excess of the following concentrations:

Suspended solids - 300 parts per million .

BOD - 250 parts per million

Charges will be made for all waste.

- B. The total charge for the total volume of waste, having concentrations in excess of the foregoing, shall be determined in accordance with the following formula:

Total Charge = $Q + (0.001 Q (\text{BOD in ppm} - 250) + (0.0001 Q (\text{SS in ppm} - 300))$
where:

Q = Metered Quantity charge (§105(1))

BOD = Biochemical oxygen demand

ss = Suspended solids

ppm - Parts per million

(*Ord. 103*, 9/8/1966, §5; as amended by *Ord. 167*, 3/4/1985; and by *Ord. 175*, 2/1/1988, §2; and by *Ord. 177*, 3/6/1989, §I; by *Ord. 181*, 2/5/1990, §I; by *Ord. 217*, 3/6/2000, §II; and by *Ord. 223*, 1/7/2002)

§18-106. Exclusion of Industrial Waste.

The Borough reserves the right to refuse connection to the sewer system or to disconnect a sewer or to compel pretreatment of industrial waste, by an industrial establishment, in order to prevent discharge into the sewer system of industrial waste deemed to be harmful to the Sewage System or to any sewer interceptor or sewage treatment plant transporting or treating sewage or waste from the sewer system or to have a deleterious effect on the sewage treatment or sludge handling processes.

(Ord. 103, 9/8/1966, §6)

§18-107. Exclusion of Harmful Waste.

No person shall discharge into the sewer system any exhaust steam or any oils, tar, grease, gas, benzine or other combustible gases or liquids or any garbage (unless treated in an approved manner), offal, insoluble solids or other dangerous or harmful substances which would adversely affect the functioning of the sewer system or the processes of sewage treatment.

(Ord. 103, 9/8/1966, 7)

§18-108. Measuring Quantity of Water Used for the Purposes of Determining Rates for Industrial Establishments.

1. Methods of Measuring Quantity of Water:

- A. Whenever a person purchasing all water used from the water supplier discharges sanitary sewage and/or industrial waste into the sewer system, the volume of water used, as determined from meter readings made by, or made available to, the Borough shall be used in computing the sewer rents.
- B. In cases where persons have sources of water supply in addition to, or other than from, the water supplier and discharge sanitary sewage and/or industrial waste into the sewer system, those persons may provide a meter on such additional or other source of supply. The total amount of water used as shown by these meter readings will be used in computing the sewer rents. If no such meter is installed, the sewer Manager shall estimate the total amount of water used for the purpose of determining the sewer rents.
- C. In cases where persons use water from the water supplier and/ or from any other source, all or any part of the water used to determine the sewer rents shall be computed by one of the following methods:
 - (1) Method No. 1: by placing a meter or measuring device on the sewer connection. The readings from this meter or measuring device shall be used in computing the sewer rent.

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- (2) Method No. 2: by placing a meter or measuring device on the effluent not discharging into the sewer system. The reading from this meter or measuring device will then be deducted from the total water meter readings and the remainder will be used in computing the sewer rents.
- (3) Method No. 3: When in the opinion of the Sewer Manager it is not desirable or not practical to install devices to continuously determine the quantity of water not discharged into the sewer system, the Sewer Manager will determine, in such manner and by such method as he may prescribe, the percentage of metered water discharged into the sewer system, and the quantity of water used to compute the sewer rents shall be the percentage so determined of the quantity measured by the water meter or meters. Any dispute as to the estimated amount shall be submitted to the Borough after notice of the estimate, whose decision on the matter shall be final for the then current calendar year.

2. **Measuring Devices.**

All meters or measuring devices not provided by the water supplier but otherwise used under the provisions of this Part may be furnished and installed by the Borough at the expense of the property owner and shall be owned by, and under the control of, the Borough and may be tested, inspected or repaired by the Borough employees whenever deemed necessary. The owner of the property upon which such measuring device is installed shall be responsible for its maintenance and safekeeping and all repairs thereto shall be made by the Borough at the property owner's expense whether such repairs are made necessary by ordinary wear and tear or other causes. Bills for such installation and repairs shall be due and payable at the same time and collected in the same manner as are the bills for sewer services; such bills from and after their due date shall constitute a lien upon the property upon which such measuring device is installed.

3. **Meter Reading.**

The Borough shall be responsible for the reading of all meters or measuring devices, unless such readings are otherwise made available to the Borough by the water supplier, and they shall be made available to the Borough employees for meter reading at any reasonable time.

(Ord. 103, 9/8/1966, §108)

§18-109. Changes in Classification, Additional Classification and Modifications.

If use or classification of any property should change within any quarter, the difference in sewer rent, pro-rated on a monthly basis to the nearest calendar month will be charged or credited, as the case may be, on the bill for the succeeding quarter. Additional classifications and additional sewer rents may be established by the Borough from time to time.

(*Ord. 103, 9/8/1966, §9*)

§18-110. Time and Methods of Payment.

1. The connection fees shall be payable upon application for permit to make such connection.
2. Sewer rents or charges shall be paid quarterly and quarterly billings for sewer rents shall be made by bills dated, on the first days of January, April, July and October of each year for the quarterly calendar period immediately preceding the date of the bill. The bills for sewer rents under §18-104 for the first quarter during which a property is connected will be pro-rated on the basis of the quarterly rate. All bills shall be due and payable on their respective dates.

(*Ord. 103, 9/8/1966, §10*)

§18-111. Penalties, Delinquent Sewer Rentals and Liens.

1. Quarterly charges for sewer service shall be subject to 10% penalty if not paid within 30 days after they are due. The bill plus the penalty shall bear interest from the due date at the rate of 1% per month or fraction thereof until paid, and the Borough shall have the right to cut off sewer service from the delinquent premises and not to restore the same until all delinquent bills against the same service shall have been paid. [*Ord. 223i*]
2. All persons connected to the sewer system must give the Borough their correct address. Failure to receive bills will not be considered an excuse for nonpayment nor permit an extension of the period during which bills are payable at face.
3. Payments made, as evidenced by the United States Post Office mark, on or previous to the end of the period during which the bills are payable at face, will be deemed to be a payment within such period.
4. All sewer rents, together with all penalties thereon, not paid within 6 months from the date the bill becomes due and payable, shall be deemed to be delinquent. All delinquent sewer rents together with all interest and penalties thereon shall be a lien against such property served and shall be entered as a lien against such property in the office of the Prothonotary of Bucks County and shall be collected in the manner provided by law for the filing and collection of such lien. [*Ord. 203*]
5. Failure to pay sewer rents within 10 days after the bill becomes due shall be cause for termination of water service until payment is made of all outstanding charges for sewer service, provided in no case shall the water supply be shut off until 10 days after written notice of an intention so to do has been mailed to the person or persons liable for payment

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- A. Failure to pay either usage, service, or minimum charges within 10 days after the gross bill becomes due shall be cause for termination of water service until payment is made of all outstanding charges for sewer service; provided, in no case shall the water supply be shut off until 10 days after written notice of an intention so to do has been mailed too the person or persons liable for payment and a written notice has been posted at a main entrance to the premises where the water supply is to be shut off. If during such 10 day period, the person or persons liable for payment deliver to Hulmeville Borough a written statement which states under oath or affirmation that such statement is not executed for purpose of delay and that he or she has a just defense to the claim for payment, the water supply shall not be shut off until such claim has been judicially determined, but in no event until the said sewer rental delinquency has continued for at least 6 months. [*Ord. 203*]

(*Ord. 103, 9/8/191966, §11; as amended by Ord. 197, §§1 and 2; by Ord. 203, 1/15/1996, §2; and by Ord. 223, 1/7/2002*)

§18-112. Segregation of Sewer Revenues.

The funds received by the Borough from the collection of the connection charges and from sewer rents and all penalties thereon, as herein provided, shall be segregated and kept separate and apart from all other funds of the Borough and shall be used only for the purpose of defraying the expenses of the Borough in the operation, maintenance, repair alteration, inspection, depreciation or other expenses in relation to such sewer system and for such payment as the Borough may be required to make under any lease or agreement it may enter into in connection with, or with the financing of, the sewer system, in accordance with the provisions of the Act of May 2, 1945, P.L. 382, as amended.

(*Ord. 103, 9/8/1966, §12*)

§18-113. Rules and Regulations.

The Borough reserves the right to, and may from time to time, adopt, revise, amend and re-adopt such rules and regulations as it deems necessary and proper for the use and operation of the sewer system, and all such rules and regulations shall be and become a part of this Part.

(*Ord. 103, 9/8/1966, §13*)

PART 2
CONNECTIONS

§18-201. Connection Required.

As and when the sewage collection system or parts thereof are completed so that sewer service becomes available to property owners, each and every owner of improved property within the Borough abutting on or adjoining any street, alley or any other public highway in which a sewer of the sewer system is located, or which is otherwise accessible to such a sewer, shall upon written notice from the Borough that sewer service is available and that connection is required, connect his property with the sewer system in accordance with the rules and regulations of the Borough without delay.

(Ord. 104, 9/8/1966, §1)

§18-202. Owners of Additional Properties to Connect.

As from time to time sewer service becomes available to additional properties within the Borough limits by reason of the improvement of properties abutting on, adjoining or accessible to the sewer system or by reason of the construction of extensions to the sewer system, each and every owner of such additional properties shall likewise upon receipt of written notice of the Borough ordering connection, be required to connect his property with the sewer system without delay.

(Ord. 104, 9/8/1966, §2)

§18-203. Failure to Connect.

If any owner of improved property within the Borough who is required to connect his property with the sewer system by §18-201 or by §18-202 shall fail to connect therewith promptly after written notice from the Borough ordering connection, the Borough may give such owner, 45 days written notice of this Part, and upon the failure of such owner to make the required connection within said 45 day period, the Borough may make such connection and collect the cost thereof from such owner by a municipal claim or in an action in assumpsit.

(Ord. 104, 9/8/1966, §3)

§18-204. Unlawful Receptacles.

Whenever the Borough shall have given notice to the owners of properties within the Borough limits to connect with the sewer system pursuant to §18-201 or §18-202, it shall be unlawful for the property owner to operate or use within the Borough a privy, cesspool,

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vault, septic tank or similar receptacle for sanitary sewage upon his property, or to connect any such privy, cesspool, vault, septic tank or similar receptacle with the sewer system, or to discharge sewage into any storm sewer or other sewer or outlet other than the sewer system. No owner of any property which abuts on or adjoins any street, alley or other public highway in which a sewer of the sewer system shall at the time be located and ready for service, or which shall at the time be otherwise accessible to such a sewer, shall construct or install any privy, cesspool, vault, septic tank or similar receptacle on his property.

(Ord. 104, 9/8/1966, §4)

§18-205. Prohibited Substances.

No property owner shall discharge, or permit to be discharged, into the sewer system any exhaust steam or any oils, tar, grease, gas benzene or other combustible gases or liquids, or any garbage (unless pretreated in an approved manner), offal, insoluble solids or other dangerous or harmful substances which would adversely affect the functioning of the sewer system or the processes of sewage treatment. No property owner shall discharge, or permit to be discharged, into the sewer system any roof drainage, surface water, waste from hydrants or ground water from underground drainage fields.

(Ord. 104, 9/8/1966, §5)

§18-206. Penalty for Failure to Connect.

If any owner of property within the Borough shall have failed to connect his property with the sewer system as required by §18-201 or §18-202 and the Borough shall have given such owner 45 days written notice of this Part pursuant to §18-203, and if such owner shall have failed within said 45 day period to make the required connection, the said person owning such premises shall have committed an offense hereunder and shall be subject to prosecution therefore.

(Ord. 104, 9/8/1966, §6; as amended by Ord. 223, 1/7/2002)

§18-207. Violations.

If any owner of property within the Borough who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not exceeding \$1,000 and costs, or in default of payment thereof, shall be subject to imprisonment for a term not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(Ord. 104, 9/8/1966, 7; as amended by Ord. 223, 1/7/2002)

§18-208. Notices.

Notices of this Part to property owners under §18-203 may be given either by personal service or by registered mail sent to the last known address of such owner.

(Ord. 104, 9/8/1966, §8)