

**ORDINANCE NO. 07- 2022**

**BOROUGH OF WEST CHESTER**

**CHESTER COUNTY, PENNSYLVANIA**

**AN ORDINANCE OF THE BOROUGH OF WEST CHESTER, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE BOROUGH OF WEST CHESTER, CHAPTER 89, TITLED, "SEWERS", SECTION 89-1.1(G) TO REVISE THE TAPPING FEES.**

WHEREAS, the Borough of West Chester owns and operates a public sewer system that provides public sewer to all properties in the Borough of West Chester; and

WHEREAS, municipalities are authorized to impose tapping fees for properties that connect to the public sewer system pursuant to the authority in Act 209 of 1990 and Act 57 of 2003 (the "Acts"); and

WHEREAS, the Borough retained Keystone Alliance Consulting, Inc. to analyze the Borough's existing tapping fee and determine if such fee was consistent with the authority in the Acts; and

WHEREAS, Alliance issued a written report dated May 6, 2022 wherein it concluded that the existing tapping fee should be increased to \$2,693.67 for the capacity part and \$2,423.16 for the collection part, for a total tapping fee of \$5,115.83; and

WHEREAS, Borough Council desires to increase the tapping fee consistent with the May 6, 2022 report;

NOW THEREFORE BE IT ENACTED AND ORDAINED, and it is hereby enacted by authority of the Council of the Borough of West Chester, as follows:

**SECTION 1.** Chapter 89 of the Code of the Borough of West Chester, titled, "Sewers", Section 89-1.1.G is hereby amended as follows:

"G. The tapping fee for each connection shall be computed based on the following schedule:

- (1) Single-family dwelling: \$5,115.83.
- (2) Multiple dwelling: \$5,115.83 per dwelling unit to be served by the connection.

(3) Two-family dwelling: \$5,115.83 per dwelling unit to be served by the connection.

(4) Apartment: \$5,115.83 per apartment unit to be served by the connection.

(5) Commercial and/or industrial use: \$5,115.83 per equivalent dwelling unit to be served by the connection. In the case of new commercial or industrial construction, the tapping fee shall initially be calculated on the basis of the estimated consumption or discharge into the sewer. After the first year, such tapping fee shall be subject to adjustment based on actual consumption or discharge into the sewer. In making these calculations, any fraction of an equivalent dwelling unit shall be rounded off to the next highest equivalent dwelling unit.”

**SECTION 2. SEVERABILITY.** If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts hereof. It is hereby declared as the intent of Council of the Borough of West Chester that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included therein.

**SECTION 3. REPEALER.** All Ordinances or parts of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

**SECTION 4. EFFECTIVE DATE.** This Ordinance shall become effective upon enactment as provided by law.

ENACTED AND ORDAINED THIS 16th DAY OF AUGUST, 2022.

ATTEST:

  
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Sean Metrick, Secretary

**COUNCIL FOR THE BOROUGH OF  
OF WEST CHESTER**

By:   
\_\_\_\_\_  
Michael Stefano, President

APPROVED THIS 16TH DAY OF AUGUST, 2022.

  
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Lillian L. DeBaptiste, Mayor