

**CITY OF LEBANON AUTHORITY
LEBANON, PENNSYLVANIA**

**RATES, RULES AND REGULATIONS
GOVERNING THE
SEWER SYSTEM**



Rules & Regulations Last Amended: February 13, 2017
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RULES AND REGULATIONS FOR THE SEWER SYSTEM OF CITY OF LEBANON AUTHORITY

A RESOLUTION PROVIDING FOR RATES, RULES, AND REGULATIONS FOR THE OPERATION AND MAINTENANCE OF A SEWER SYSTEM BY THE CITY OF LEBANON AUTHORITY: PROVIDING FOR APPLICATIONS FOR CONNECTION TO THE SYSTEM: PROVIDING RATES AND CHARGES FOR THE USE OF THE SYSTEM AND PROVIDING THE MANNER IN WHICH EXTENSIONS SHALL BE MADE.

From and after the effective date of this resolution, the following rates, rules, and regulations shall be in effect and govern the operation of the sewer system of City of Lebanon Authority (hereinafter referred to as "Authority").

SECTION I DEFINITIONS

SECTION 1.01: Unless the context specifically and clearly indicates otherwise, the meaning of terms used in this Resolution shall be as follows:

- A. "Applicant" means a person who applies for sewer service at a Premise.
- B. "Authority" means City of Lebanon Authority, a Pennsylvania municipality authority.
- C. "Billing Unit" means and includes, as applicable each of the following: a "Commercial Establishment", a "Residential Establishment", or an "Industrial Establishment".
- D. "Building Sewer" means the extension from the sewage drainage system of any structure to the Collection Sewer.
- E. .
- F. "Collection Sewer" shall mean the Authority's collection sanitary sewers located under highways, roads, streets, and rights-of-way that collect and convey Sanitary Sewage or Industrial Wastes or a combination of both and into which storm, surface, and ground waters are not intentionally admitted.
- G. "Commercial Establishment" means any room, group of rooms, building or enclosure used or intended for use in the operation of one business enterprise for the sale and distribution of any product, commodity, article or service or used or intended for use for any social, amusement, religious, educational, charitable or public purpose and containing plumbing. "Commercial Establishment" includes institutional dormitories.

- H. "Connection Unit" shall mean each individual building or house whether constructed as a detached unit or as one of a pair or row which is designed or adaptable to separate ownership for use as a family dwelling unit or for commercial or industrial purposes. A school, factory, apartment house, office building, or other multiple unit structure whose individual apartments or units are connected to a common internal sewage system and which are not commonly subject to separate ownership shall be considered as one Collection Unit.
- I. "Consumer" means the party, either property owner or tenant, contracting with the Authority for sewer service for one or more families or for one or more business/institutional units on one premise.
- J. "Extender" means any person or firm desiring to extend or causing to be extended any sewer main or any part of the sewer system herein defined.
- K. "Improved Property" means any property upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure Sanitary Sewage and/or Industrial Wastes shall be or may be discharged.
- L. "Industrial Establishment" means any room, group of rooms, building or other enclosure used or intended for use, in whole or in part, in the operation of one business enterprise for manufacturing, fabricating, processing, cleaning, laundering or assembling and from which any waste, as distinct from sanitary sewage, shall be discharged.
- M. "Industrial Wastes" means any solid, liquid or gaseous substance or waterfront wastes or forms of energy rejected for escaping in the course of any industrial, manufacturing, trade or business process or in the course of the development, recovery or processing of natural resources, as distinct from Sanitary Sewage.
- N. "Nonresidential Establishment" means a commercial or industrial establishment.
- O. "Owner" means any Person vested with ownership, legal or equitable, sole or partial, of any Improved Property.
- P. "Person" means any individual, partnership, company, association, society, corporation or other group or entity, including a municipal authority and any municipal subdivision.
- Q. "Premises" means the property, building, or other site to which sewer service is furnished, including:
 - a. A building under one roof, owned or leased by one person, and occupied as one residence or business;
 - b. Each combination of buildings owned or leased by one person, served by one service line, and occupied by one family or business.

- c. Each side of a double house or each housing unit;
 - d. Each apartment, office, or suite of offices located in a building having several such apartments, offices, or suites of offices and using in common one or more means of entrance; or
 - e. Such other situations as the Authority shall deem proper and advisable.
- R. "Property Owner" means the person in whose name the deed for a property is designated.
 - S. "Residential Establishment" means any room, group of rooms, building or other enclosure occupied or intended for occupancy as separate living quarters by a family or other group of Persons living together or by a Person living alone, excluding institutional dormitories.
 - T. "Sanitary Sewage" means the normal water-carried household and toilet wastes from any Improved Property.
 - U. "Service Lateral" means that part of the Sewer System extending from a Collection Sewer to the premises of any residential or nonresidential establishment.
 - V. "Sewer" means any pipe, main or conduit constituting a part of the Sewer System and used or usable for collection and transportation of Sanitary Sewage or Industrial Wastes.
 - W. "Sewer System" means all facilities, as of any particular time, for collecting, transporting, and pumping of Sanitary Sewage and Industrial Wastes, owned by the Authority.
 - X. "Standard Construction Specifications" means the current standard construction and material specifications for sanitary sewer extensions of the Authority.
 - Y. "Tenant" means a person who leases or rents Premises from a Property Owner.
 - Z. "Water Meter" means a device for measuring the quantity of water used, which is a basis for determining charges for sewer service to a customer.

SECTION II CONNECTION PROCEDURES

SECTION 2.01: Prior to the construction of a service lateral within the City of Lebanon, and the connection to the Authority's collection sewer, a connection permit shall be obtained from the Administration Department of the Authority.

Note for developing existing properties: The application will not be approved until the Authority receives full payment of all applicable service connection charges, tapping fees, capacity fees and other charges as duly adopted by the Authority. Sewer capacity cannot be transferred from one property to another. Credit for capacity sold will remain with the original property if record of the capacity purchased is available in the Authority's records. In the event that there is no record of capacity being purchased for a property, the average sewer usage for the past 5 years will be used in determining a capacity fee.

SECTION 2.02: The applicant for the connection shall indicate the location of the proposed connection. The Authority shall determine the method of connection to the collection sewer and shall provide an appropriate fitting and shall install such fitting to permit the connection. The Authority shall bill the permittee for the labor and materials for the connection. Please see Schedule C – Sewer Tapping Fees, for the applicable Lateral Connection Fee.

No house lateral from the street main to the building main shall be covered up until it has been inspected by the Authority or its duly authorized representative, and the work and material certified to have been of required quality.

SECTION 2.03: No connection shall be made within the City of Lebanon to the sewer system unless the manner in which the connection is made and the materials and workmanship employed in effecting such connection shall comply with the requirements of the State Building Code, and as amended by the local building or plumbing code.

SECTION 2.04: All contractors/plumbers and qualified individuals making connection to the sewer system within the City of Lebanon shall comply with the following:

- 1) City of Lebanon regulations, standards, and state building codes in force when work is performed.
- 2) Pennsylvania Act #287 (PA One Call) which requires that a utility be notified in advance of work to be performed in the area of a utility's facilities.
- 3) Federal Occupational Safety and Health Administration (OSHA) Regulations

- 4) Pennsylvania Department of Transportation Regulations for work within State Highway rights-of-way, such as, but not limited to: (i) permits, (ii) blasting bonds, (iii) construction methods and materials, (iv) inspection and (v) traffic control.
- 5) City of Lebanon street excavation ordinance.
- 6) Department of Environmental Protection Streams Encroachment and Soil Erosion and Sedimentation Control Requirements.

SECTION 2.05: Connections to the sewer system from establishments outside the City of Lebanon shall be made in accordance with the plumbing codes of the municipality. In the event that the municipality had no plumbing code in force, the connections (including service laterals) shall comply with the applicable provisions of the State Building Code.

SECTION 2.06: All costs and expenses for the construction of a Building Sewer and all costs and expenses of connecting a Building Sewer to a Service Lateral, including testing, shall be borne by the Owner of the Improved Property to be connected; and such Owner shall indemnify and save harmless the Authority from all loss or damage which may be occasioned, directly or indirectly, as a result of construction of a Building Sewer or of connection of a Building Sewer to a Service Lateral.

SECTION 2.07: Whenever, in the opinion of the Engineer or other duly authorized representative of the Authority, special conditions require additional safeguards or more stringent specifications to be observed, then, and in that event notwithstanding any other provisions of this Resolution or requirements of the State Building Code, the Authority specifically reserves the right to refuse to permit a connection to be made to its sewer system until such special requirements or specifications as may be stipulated by the Authority or its Engineer have been satisfied.

SECTION 2.08: On occasion it is practical and desirable for the Authority to permit owners of improved property to have access to the Authority's collection sewers by use of a sewage pump. Property owners shall enter into a written agreement with the Authority before such connections are permitted. The agreement shall be in a form approved by the Authority. It shall set forth the terms under which the Authority shall render service through such connections. Maintenance of the pressure system to the point of connection with the service lateral shall at all times be the responsibility of the property owner. In addition, prior to issuance of a permit, owners shall submit to the Authority documentation to enable the Authority to determine whether the proposed installation meets its requirements and whether the pump will serve its intended purpose.

SECTION 2.09: For properties within the City of Lebanon, when sewer service is discontinued, the sewer lateral shall be completely removed from the sewer main, and capped at the connection. Conditions that typically require the disconnection of a sewer lateral are (1) building demolition and service will be discontinued; (2) whenever a new building or building addition is erected on the site where there is an existing sewer lateral and it is desired to change the size/location of the sewer lateral; (3) redevelopment or construction of a lot or multiple lots that results in an unused sewer lateral; and (4) any other conditions that are deemed applicable by the Authority.

The property owner shall be responsible for the disconnection and all costs involved, including obtaining applicable local and state permits. The property owner shall also be responsible for signing the Application for Sewer Lateral Disconnection. A Deposit for Demolition Sewer Lateral Severance shall be applicable, paid by the property owner, in the amount specified in Schedule B – Special Charges.

The deposit shall be returned to the property owner after the disconnection is inspected by the Authority, the work meets Authority specifications, and the street restoration meets the City's approval (and state approval when applicable). If the property owner fails to disconnect the lateral, the Authority shall keep the deposit and disconnect said lateral. In the event the Authority's disconnection costs are more than the deposit held by the Authority, the Authority shall file a municipal lien against the property in the amount of said cost difference, plus costs associated with filing the lien.

Disconnection shall be completed within a one year timeframe specified by the Authority, either in a notification letter or on the Application for Sewer Lateral Disconnection. If, at the end of one year, the lateral has not been disconnected, the property owner can apply for a one year extension to complete the disconnection, and pay the applicable extension fee in the amount specified in Schedule B – Special Charges. No other extensions of time will be granted by the Authority.

In the event that the property owner intends to reuse a lateral after building demolition has been completed on the property, a Deposit for Demolition Sewer Lateral is still applicable. In such cases, if the Authority determines that the lateral is anything other than PVC material, the property owner shall conduct a CCTV inspection to demonstrate to the Authority that the lateral is in satisfactory condition. If the lateral is not in satisfactory condition, the property owner will be required to replace said lateral.

SECTION III RATES, CHARGES AND BILLING

SECTION 3.01: Sewer Rentals or Charges: Sewer rentals or charges are imposed upon and shall be collected from the Owner of each Improved Property which shall be connected with the Sewer System, for the use of the Sewer System, whether such use shall be direct or indirect, and which shall be payable as provided herein.

SECTION 3.02: Computation of Sewer Charges: Sewer charges shall be based upon the rate schedules set forth in Schedule A attached to this resolution.

SECTION 3.03: Deduction for Excluded Uncontaminated Wastewaters: Exclusion from the sewer system of noncontaminated waste waters may be required by the Authority, or such exclusion may be optional with the property owner if not required by the Authority.

When such waste waters are excluded, sewer charges shall be based upon total water consumed, less waste waters excluded, at the rates set forth under this Section. Waste waters excluded from the sewer system may be determined from meters installed and maintained by the Authority, from the meters installed and maintained by the property owner as approved by the Authority, from estimates or measurements made by the Authority; or the property owner may elect to measure the volume of wastes actually discharged to the sewer system.

SECTION 3.04: Excess Strength Wastewater: Establishments discharging sewerage and industrial wastes to the sewer system having an average five-day biochemical oxygen demand (BOD), greater than 215 parts per million (ppm), a suspended solids concentration greater than 250 ppm, a total phosphorous (as P) content greater than 11 ppm or a total ammonia nitrogen (as N) content greater than 20 ppm shall pay a strength of waste surcharge, in addition to applicable volume charges, equal to 1/10 of one percent for each ppm by which the BOD exceeds 215 ppm, plus 1/10 of one percent for each ppm by which the suspended solids exceeds 250 ppm, plus one and 1/10 of one percent for each ppm by which P concentration exceeds 11ppm plus 7/10 of one percent for each ppm by which the ammonia-nitrogen exceeds 20 ppm. The strength of sewerage and industrial waste to be used for establishing the amount of surcharge shall be determined at least once annually either:

- (a) By suitable sampling and analyses of the waste for a three-day period, during which time the strength of waste discharged or production is at a maximum;

- (b) By relating production of waste strength at the time of sampling to waste strength at maximum production if sampling is not performed at the time of maximum production;
- (c) From estimates made by the Authority; or
- (d) From known relationships of products produced to strengths of wastes for those industries where such factors have been established.

In establishing waste strengths for surcharge purposes, analysis shall be made by a laboratory accredited by the PADEP, certified to the specific analysis for the given matrix.

SECTION 3.05: Billing and Collection:

- A. Water meters will be read quarterly or monthly and standard sewer bills based upon the time interval between meter readings shall be computed and issued.
- B. All sewer bills shall be due and payable when rendered. Special charges shall be payable on demand. No abatement on meter bills will be made for leaks or for water wasted by damaged or defective fixtures, unless it can be proven that the water lost did not enter the sewer system. Losses shall be estimated by the Authority for over 10,000 gallons if customer pays applicable charges. Please see Schedule B – Special Charges, for all associated charges. All charges to metered residential, commercial, industrial, and public consumers, if unpaid thirty (30) days after the same are due, shall be considered delinquent, and a five percent (5%) late payment charge on the full unpaid and overdue balance will be added to the bill. Whenever a bill becomes delinquent fifteen (15) days, written notice will be given, after which, if the bill is still unpaid, domestic water service will be shut off from the premises of such delinquent Consumer. Such Consumer will not again be supplied until payment of all outstanding amounts and costs incurred in restoring service are paid. If the bill remains unpaid for one year, delinquent bill will be sent to a collection agency, and Customer shall be responsible for any and all additional collection agency charges.
- C. Bills for sewer service will be according to the water use indicated by the water meter registration. In the absence of meter readings, due to failure of the meter to properly function or for any other reasonable cause, the bill will be according to the estimated use on the basis of meter registration during similar preceding periods. In the case where the Remote Readout Unit malfunctions, the bill for sewer service will be according to the use indicated by meter registration.
- D. The owner or tenant of any property shall notify the Authority immediately of any change of ownership or tenant, of such property so that the Authority may cause the meter to be

read, so that the final volume shall be billed to the seller or prior tenant and all future billings shall be made to the buyer or new tenant. A charge will be billed in connection with the change of ownership to cover the meter reading and related administrative costs. Please see Schedule B – Special Charges for change of ownership charge. Bills for a partial billing period will be determined according to the Schedule of Sewer Charges, based on actual consumption or a prorated minimum, whichever is greater. Prorated minimum bills will be based on the number of days service is rendered in the billing period.

- E. The owner of the property provided sewer service by the Authority shall be responsible to the Authority for payment of all sewer bills based on the water furnished to the property; irrespective of any agreement between property owner and a third party, and the bill shall in all cases be rendered to the owner of the property unless the Authority has written agreement with the owner to render the bill to some other party acting in a formal capacity as an agent of the owner, in which case the owner shall nevertheless remain liable for the payment of all sewer bills.
- F. All flat rate bills except for temporary service, are rendered annually in advance from January 1 to January 15, inclusive, and are payable in full when rendered. Flat rate bills shall follow the same billing/collection process specified in paragraph B, above.
- G. All bills for sewer service are payable at the Authority's Utility Billing Office, 2311 Ridgeview Road, Lebanon, Pennsylvania. The Authority may mail or deliver the bills and notices to a Consumer at his address given in the application and service contract and the Authority shall not be otherwise responsible for the delivery thereof. If payment of a bill is made by mail, for the purpose of determining the time of payment, it shall be determined to have been made on the date shown by the postmark on the envelope in which payment is enclosed.
- H. Failure to receive a sewer bill will not exempt the customer from the terms of payment, and shall not constitute a waiver of these Rules.
- I. A consumer who admits liability for billed service and who is deemed to be a delinquent in payment for services rendered may enter into a mutually satisfactory written agreement with the Authority to amortize or pay the unpaid balance of the account in one or more payments over a reasonable period of time.
- J. Any service discontinued for nonpayment of sewer bill, or for violation of the Authority's rules, will not be resumed until all arrearage are paid.
- K. The Authority reserves the right to take any legal action it deems necessary, including the lien of property, in order to recover amounts due and payable.

SECTION 3.06: Other Charges for Discharges Located Outside the City of Lebanon: Establishments located outside the City of Lebanon may be subject to other or additional charges not described in this Resolution. The establishments are advised to contact the municipality to confirm the current applicable charges.

SECTION IV
RESTRICTION OF HARMFUL DISCHARGES

SECTION 4.01: The Authority reserves the right to refuse permission to connect to the sewer system, to compel discontinuance of use of the sewer system, or to compel treatment of wastewaters by any person using the sewer system in order to prevent discharges deemed harmful, or to have a deleterious effect upon any portion of the sewer system, provided, however, that nonresidential establishments are subject to the additional requirements of Section V.

SECTION 4.02: All persons using the sewer system shall be subject to the prohibited discharge requirements of the Authority's most recent Industrial and Commercial Pretreatment Resolution.

SECTION 4.03: Stormwater from roofs, foundation drains, basement drains or other sources shall not be admitted into the sanitary sewers.

SECTION V
INDUSTRIAL AND COMMERCIAL WASTE PERMIT
AND PRETREATMENT PROGRAM

SECTION 5.01: Please reference the Authority's most recent Industrial Pretreatment Resolution for specific guidance and requirements for industrial users.

SECTION VI EXONERATIONS

SECTION 6.01: All persons, firms or corporations who may desire to discontinue sewer service, shall notify the Authority in writing; and upon failure of such notice, they shall be charged with sewer rent until such notice be given. In no case will an abatement be allowed for less than three (3) months in any one (1) calendar year. In case of failure of the supply of water or sewer service, from any cause whatsoever, there shall be no reduction or abatement in sewer rents made or allowed.

SECTION 6.02: All users are to be billed as full customers, and no exonerations, either wholly or in part, are to be granted for any use. Absolutely no discounts will be given on a sewer bill for metered water used for outside purposes such as filling or topping off swimming pools, watering lawns or flower gardens, washing vehicles, etc.

SECTION 6.03: The base charge shall be applicable, regardless of amount of water used, as long as the meter is in place and the service is live into the premises. The base charge will be waived only on the basis of no meter registration for a full billing period after written notice to the Authority to shut the water service off at the curb.

SECTION 6.04: The Authority may, at its option, waive the penalty portion of a sewer bill, after reviewing past payment records, consumer mailing records, etc.

SECTION VII
DISCONTINUANCE OF SERVICE

SECTION 7.01: Water service may be discontinued by the Authority after due notice for any of the following reasons:

- (a) Failure of a Consumer to maintain and repair his Consumer's Service Lateral;
- (b) Failure of a Consumer to pay a bill for sewer service within the period herein specified or failure to pay any other fee or charge herein provided;
- (c) Violation by a Consumer, or with his consent, any of the Authority Rules and Regulations;
- (d) Non-compliance with additional regulations referenced in Section V.

SECTION 7.02: The Authority may, without notice if an emergency reasonably requires it, discontinue sewer service in order to make necessary repairs or connections or to meet any other emergency; however, the Authority will give notice of any discontinuance of service if it is reasonably possible to do so.

SECTION VIII
LIMITATION OF LIABILITY OF AUTHORITY

SECTION 8.01: The Authority shall not be liable for any damage or injury to any person or property caused by:

- (a) Discontinuance of sewer service for any of the reasons enumerated in Section VII.
- (b) Discontinuance of sewer service for the purpose of making necessary repairs or connections, or to meet any emergency.
- (c) Failure of a Consumer to maintain Consumer's Service Lateral
- (d) Total or partial failure of sewer service for any cause beyond the control of the Authority.

SECTION IX ENFORCEMENT

SECTION 9.01: For the purpose of enforcing the rules and regulations of the Authority with respect to the operation of the sewer system and for the purpose of advancing and protecting the public health, the Authority reserved the right to enter upon the premises of any person, firm, or corporation connected to the system for the purpose of inspecting the sewer facilities located thereon and for the purpose of determining compliance with the requirements of the Authority. In the event that the Authority's duly authorized representatives are denied access to any customer's premises for these purposes, the Authority reserves the right to discontinue water service to such premises until inspection is permitted and compliance with the requirements of the Authority has been determined.

SCHEDULE A
RATE SCHEDULES

(Effective for sewer bills rendered on or after 4/1/18)

Service at the schedule of rates listed below is available to any Consumer served by the sewage treatment system of the Authority, except those to which another rate is specifically applicable:

CONSUMPTION CHARGES

City of Lebanon Customers

Rate Block <u>Gallons / Quarter</u>	Rate Per <u>1000 Gallons</u>
First 150,000	\$4.81
Over 150,000	\$3.76

The following rates are charged to municipalities for conveyance and/or treatment costs to the municipalities. The municipalities charge their own customers additional fees for operations and maintenance of their municipal sewer systems.

**Outside Municipalities – Connected to City Sewer Lines
(South Lebanon Township, North Lebanon Township, West Lebanon Township,
Heidelberg Township)**

Rate Block <u>Gallons / Quarter</u>	Rate Per <u>1000 Gallons</u>
First 150,000	\$4.61
Over 150,000	\$3.56

**Outside Municipalities – Not Connected to City Sewer Lines
(North Cornwall Township, West Cornwall Township, Cornwall Borough, Cleona
Borough, South Annville Township)**

Rate Block <u>Gallons / Quarter</u>	Rate Per <u>1000 Gallons</u>
First 150,000	\$4.53
Over 150,000	\$3.48

CUSTOMER CHARGES

The Customer Charges are a flat fee (non-consumption) for monthly or quarterly customers for a small portion of the fixed costs to operate the sewage treatment plant. The rates are applicable to all users of the sewage treatment plant.

<u>Meter Size</u>	<u>Quarterly Amount</u>	<u>Monthly Amount</u>
5/8 Inch	\$26.02	\$8.67
3/4 Inch	\$39.03	\$13.01
1 Inch	\$65.05	\$21.68
1-1/2 Inch	\$130.10	\$43.37
2 Inch	\$208.15	\$69.38
3 Inch	\$389.05	\$129.69
4 Inch	\$650.48	\$216.83
6 Inch	\$1,300.95	\$433.65
8 Inch	\$2,081.52	\$693.84
10 Inch	\$2,992.19	\$997.40
12 Inch	\$4,483.42	\$1,561.14

Customers with over 500,000 gallons of consumption per quarter will be billed as a monthly customer (large customer).

SCHEDULE B – SPECIAL CHARGES

Change of Ownership Fee	25.00
Leak Investigation / Sewer Credit Charge (for consumption greater than 10,000 gal.)	100.00
Inspection Fee for New Main Construction	\$2.00/LF (minimum \$1,000)
Sewer Lateral Abandonment (due to demolition, etc) deposit	\$4,500.00
Sewer Lateral Abandonment one year extension fee	\$100.00

SCHEDULE C – SEWER TAPPING FEES

SEWER TAPPING FEES
COSTS PER EDU

<u>Description</u>	<u>Tapping Fee – Capacity Part</u>	<u>Tapping Fee – Collection Part</u>	<u>Lateral Connection Fee</u>	<u>Total</u>
Charge per EDU	\$2,090	\$1,790	Time and materials cost	\$3,880 + costs

Notes:

- 1- One Equivalent Dwelling Unit (EDU) equals 220 gallons / day water usage.
- 2- 'Tapping Fee – Collection Part,' only applicable to City of Lebanon customers.
- 3- 'Lateral Connection Fee' may not apply; only used when "Y" is not already installed in sewer main.

Fees approved by the City of Lebanon Authority, effective April 1, 2015.

