

EBENSBURG MUNICIPAL AUTHORITY
300 West High Street
Ebensburg, PA 15931

RESOLUTION # 2014-04

**A RESOLUTION OF THE EBENSBURG MUNICIPAL AUTHORITY ESTABLISHING
A FEE FOR SUPPORT OF A STORMWATER MANAGEMENT SYSTEM**

WHEREAS, the Borough of Ebensburg (the “Borough”) has constructed, owned, operated, and maintained an extensive public stormwater management system to collect and manage stormwater to protect the health, safety and welfare of its citizens; and

WHEREAS, the Borough, by Ordinance, has conveyed said Stormwater Management System to the Ebensburg Municipal Authority (the “Authority”); and

WHEREAS, the Borough and Authority desire to assess an equitable fee for all developed properties that are connected with, use, are serviced by, or are benefited by such Stormwater Management System to provide a dedicated funding source for the ongoing expenses associated with the Authority's Stormwater Management System; and

WHEREAS, the Borough commissioned a Stormwater Conveyance System Analysis Report, compiled by L.R. Kimball and dated September 2013; and

WHEREAS, the Borough commissioned a Stormwater Utility Rate Analysis Report, compiled by L.R. Kimball and dated June 2014; and

WHEREAS, the Borough adopted Ordinance #612, the Borough of Ebensburg Stormwater Management System User Fee Ordinance, providing a basis for said fees, citing the statutory authority for said fees, imposing said fees, allowing a system of credits from such fees, and establishing a process for appeals from such fees.

NOW THEREFORE, BE IT RESOLVED, that the Ebensburg Municipal Authority hereby establishes and imposes the following:

A. For the use of, benefit by and the services rendered by the Stormwater Management System, including its operation, maintenance, repair, replacement and improvement of said system and all other expenses, user fees are hereby imposed upon each and every developed lot, parcel of land, building or portion thereof that is connected with, uses, is serviced by or is benefited by Ebensburg’s Stormwater Management System, either directly or indirectly, and upon the owner(s) of such developed lots, parcels of land or buildings. Such user fees shall be payable to the Borough of Ebensburg by and collected from the owners of such developed lots, parcels of land or buildings as hereinafter provided, and shall be determined as set forth below.

B. Single-household detached residential dwellings shall be charged for one (1) ERU for each individual dwelling unit. The charge per ERU shall be set at \$4 per month (\$48.00 annual basis) effective September 1, 2014. Beginning on January 1, 2016 the charge shall increase to \$8 per month (\$96.00 annual basis). Thereafter, the charge per ERU may be adjusted from time to time as determined by the Authority.

C. The charge for all other developed non-single household detached parcels within the Borough of Ebensburg shall be based upon the number of square feet of measured impervious surface, as determined through aerial photography and surface feature evaluation processes, expressed in whole ERUs by rounding to the next highest half ERU. The charge for said properties shall be computed by multiplying the number of ERUs for a given parcel by the unit rate established by the Authority as set forth in 'A' above. In no event shall any such parcel be charged less than one ERU, nor shall any such parcel be charged more than thirty (30) ERUs.

ADOPTED this 28th day of July 2014.

EBENSBURG MUNICIPAL AUTHORITY

Gerald R. McMullen, Chairman

ATTEST:

I, Michele Bonerigo, duly qualified Secretary/Treasurer of the Ebensburg Municipal Authority, Cambria County, Pa, hereby certify that the forgoing is a true and correct copy of a Resolution duly adopted by a majority vote of the Ebensburg Municipal Authority at a regular meeting held July 21, 2014 and said Resolution has been recorded in the Minutes of the Ebensburg Municipal Authority and remains in effect as of this date.

Michele Bonerigo, Secretary

IN WITNESS WHEREOF, I affix my hand and attach the seal of the Ebensburg Municipal Authority, this 28th day of July, 2014.