

SUSQUEHANNA TOWNSHIP AUTHORITY

RESOLUTION NO. 2020-02

**OF THE BOARD OF SUSQUEHANNA
TOWNSHIP AUTHORITY ESTABLISHING
STORMWATER MANAGEMENT FEES.**

WHEREAS, this Authority is a municipality authority formed by the Township of Susquehanna, Dauphin County, Pennsylvania, and is organized and existing under the Pennsylvania Municipality Authorities Act 53 Pa.C.S. Chapter 56 (the "Act"), and is expressly empowered to acquire, hold, construct, improve, maintain, operate, own, and lease, either in the capacity of lessor or lessee stormwater system or parts thereof including the planning, management, and implementation of stormwater systems; and

WHEREAS, the Township has conveyed to the Authority its public stormwater system and all related facilities (the "Stormwater System");

WHEREAS, the Township and the Authority have entered into a stormwater management agreement (the "Management Agreement"), whereby the Authority has engaged the Township to provide certain services in connection with the operation and maintenance of the Stormwater System, and toward compliance with the Township's NPDES Permit, as the same may be amended, renewed, or reissued, relating to the Stormwater System (the "MS4 Permit"), the Intergovernmental Cooperation Agreement for the Preparation and Implementation of the Joint Pollution Reduction Plan, dated September 14, 2017, as the same may be amended, by and among the Township, the Township of Lower Paxton, Dauphin County, Pennsylvania, and Capital Region Water (the "Joint PRP"), and any other pollution reduction plan to which the Township or the Authority may be a party in the future (collectively, the "Stormwater Management Program"); and

WHEREAS, the Authority desires, in accordance with the Act, to assess a reasonable, equitable, and uniform fee for all properties in the Township (the "Fees"), to provide a dedicated funding source for the ongoing expenses associated with the Stormwater Management Program.

NOW, THEREFORE, BE IT RESOLVED by the Board of the Authority that the above recitals are incorporated herein by reference, that this Resolution shall be known and may be cited as the "Susquehanna Township Authority Stormwater Management Program Fee Resolution" and that the Board hereby finds, resolves, establishes, and directs the following:

1. PREAMBLE

- 1.1 The Authority will incur costs to construct, prepare, develop and/or maintain, as applicable, the Stormwater System and implementation of the Stormwater Management Program.

- 1.2 A comprehensive Stormwater Management Program is fundamental to the public health, safety, welfare, and the protection of the residents of the Township, their property, resources, and the environment in order to reduce flooding, erosion, and pollution.
- 1.3 Several property characteristics, primarily a property's impervious area, are prime indicators of a property's level of generation of stormwater, usage of the Stormwater System, and contribution to stormwater pollution.
- 1.4 The Authority desires to establish reasonable, equitable, and uniform user fees to ensure that all owners of property within the Township will pay their proportionate share of the costs of operation, maintenance, repairs, regulatory compliance, administration, replacement, and improvements related to the Stormwater System and Stormwater Management Program provided or paid for by the Authority.
- 1.5 The charges as established herein are fair and equitable and are based upon the following:
 - A. The use of aerial photography, photogrammetry, and/or GIS analysis which provide an accurate measurement of impervious area coverage of land parcels within the area covered by the Township.
 - B. The determination of both the Tiers enumerated below and the Fees are reasonable based on the use of aerial photography, photogrammetry, and/or GIS analysis to determine impervious area.
 - C. In a developed, urban environment such as the Township, all properties use or are in some fashion connected with, serviced by, or benefited by the Stormwater System.

2. STATUTORY AUTHORITY

- 2.1 The Authority is empowered to manage and regulate stormwater activities pursuant to the Act of May 2, 1945, P.L. 382, as amended and supplemented, known as the Municipality Authorities Act, 53 Pa. C.S.A. § 5601, *et. seq.*

3. IMPOSITION OF STORMWATER MANAGEMENT PROGRAM FEES

- 3.1 For the use of, benefit by, and the services rendered through establishment of the Stormwater System, including its construction, operation, maintenance, repair, replacement, and improvement of said system and all other expenses, the Fees are hereby imposed upon each and every developed parcel, parcel of land, building or portion thereof in the Township. The Fees shall be payable to the Authority by and collected from the owners of properties in the Township (the "Owners") as hereinafter provided, and shall be as set forth below:

Tier	Tier Impervious Area (IA) Range (sq. ft)	Quarterly Charge
1	0-499	\$ 4.80
2	500-1,999	\$17.10
3	2,000-4,499	\$34.80
4	4,500-6,999	\$57.30
5	Over 7,000	\$9.60 per 1,000 sq. ft. IA, plus \$4.80

4. UNIFORM APPLICATION OF USER FEES

4.1 The Fees shall be assessed, imposed, liened, and collected as to all Owners.

5. POLICIES AND PROCEDURES AUTHORIZED

5.1 The Authority will, by Resolution, passed concurrently with this Resolution, adopt such rules, regulations, policies, and procedures as it deems appropriate to ensure collection of fees and charges assessed and imposed pursuant to this Resolution. These Rules shall set forth mandatory requirements relative to the Stormwater Management Program, set forth credit and appeals policies and establish guidelines for the collection of delinquent fees.

6. SEVERABILITY

6.1 If any section, subsection, sentence, clause, phrase, or portion of this Resolution or its application to any person, property, or circumstances is for any reason held invalid or unconstitutional by any court, such holding shall not be construed to affect the validity of any of the remaining provisions of this Resolution or its application, for such portion shall be deemed as a separate, distinct, and independent provision from the remaining provisions which shall be and remain in full force and effect. It is hereby declared the legislative intent that this Resolution would have been adopted had such invalid or unconstitutional provision of its application not been included therein.

7. EFFECTIVE DATE

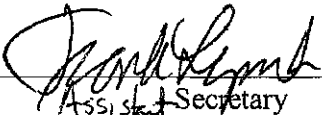
7.1 This Resolution shall become effective on the date of passage as set forth below, and all Fees shall be assessed effective February 1, 2020 for the first quarter ending April 30, 2020.

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DULY ADOPTED, this 7th day of January, 2020, by the Board of Susquehanna Township Authority, in lawful session duly assembled.

ATTEST:

SUSQUEHANNA TOWNSHIP AUTHORITY


Assistant Secretary

By: 
(Vice) Chairman

(SEAL)

CERTIFICATE

I, the undersigned, Secretary of Susquehanna Township Authority (the "Authority"), certify: that the foregoing is a true and correct copy of a Resolution which duly was adopted by affirmative vote of a majority of all members of the Board of the Authority at a meeting of said Board duly convened and held according to law on January 7, 2020, at which meeting a quorum was present; that said Resolution duly has been recorded in the minutes of the Board of the Authority; and that said Resolution is in full force and effect, without amendment, alteration or repeal, as of the date of this Certificate.

I further certify that the Board of the Authority met the advance notice and public comment requirements of the Sunshine Act, 65 Pa.C.S. Ch. 7, by advertising said meeting, by posting prominently a notice of said meeting at the principal office of the Authority or at the public building in which said meeting was held, and by providing a reasonable opportunity for public comment at said meeting, all in accordance with such Act.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Authority, this 7th day of January, 2020.


Assistant Secretary

(SEAL)