

Bill No. 4-22
Introduced: September 28, 2022
By Commissioner: Ranney
Enacted: October 25, 2022

MT. LEBANON, PENNSYLVANIA

ORDINANCE NO. 3349

**AN ORDINANCE OF MT. LEBANON, PENNSYLVANIA AMENDING
THE FEE FOR STORMWATER COLLECTION AND MANAGEMENT
AND EXTENDING THE EFFECTIVE DATE**

WHEREAS, that Mt. Lebanon, PA ("Mt. Lebanon") has constructed and/or maintains, and will continue to construct and maintain, a system including sewers and drains to collect and manage stormwater; and

WHEREAS, Mt. Lebanon, PA ("Mt. Lebanon") enacted Ordinance No. 3187 on August 9, 2011 establishing a fee for Stormwater Collection and Management for all properties that are connected with, use, are serviced by or are benefited by such system; and

WHEREAS, since its inception in 2011, the Storm Sewer Revenue Fund created by such Ordinance has been used for a variety of important and worthwhile projects which are critical to and successful in the Municipality's efforts to collect and control stormwater, including the removal of water from roads; and

WHEREAS, the number and cost of worthwhile projects continues to grow, especially as flooding events continue to increase; and

WHEREAS, the cost of projects and the maintenance of the system continues to outpace the ability of the fee, which has not increased since 2011, to enable the Storm Sewer Revenue Fund to continue to adequately support this important endeavor in a sustainable fashion.

NOW THEREFORE, Mt. Lebanon, Pennsylvania, hereby ordains:

Section 1. Section 4, Imposition of Rental, Rates and Charges of Ordinance 3187 (as amended) is hereby amended to read as follows (new text underlined and deleted text in strikethrough).

Section 4. Imposition of Rental, Rates and Charges.

For the use of, benefit by and the services rendered by the Sewerage System, including its operation, maintenance, repair, replacement and improvement of said system and all other expenses, rental, rates and charges are hereby imposed upon each and every Property that is connected with, uses, is serviced by or is benefited by Mt. Lebanon's Sewerage System, either directly or indirectly, and upon the owner(s) of such Properties. Such rental, rates and charges are imposed on an annual basis on the first of January of each year. Such rental, rates and charges shall be payable to Mt. Lebanon by and collected from the owners of such Properties as hereinafter provided, and shall be determined as set forth below.

A. Each Property that contains a single-family residential dwelling, townhouse, or duplex shall be charged for one (1) ERU for each individual dwelling unit. The ERU charge shall be eight dollars (\$8.00) per month.

The ERU charge will be changed as follows:

<u>Effective Date of change</u>	<u>Monthly ERU charge</u>
<u>January 1, 2024</u>	<u>\$9.00</u>
<u>January 1, 2025</u>	<u>\$10.13</u>
<u>January 1, 2026</u>	<u>\$11.39</u>
<u>January 1, 2027</u>	<u>\$12.81</u>
<u>January 1, 2028</u>	<u>\$14.42</u>

Each January 1 thereafter: Monthly charge will increase in accordance with the following formula:

The monthly ERU charge will be adjusted for a given calendar year by an amount equal to the percentage change in the CPI-U. The CPI-U shall be calculated based on the percentage change from September to September. Example: For January 1, 2029, the monthly ERU charge shall be calculated using the percentage change from September 2027 to September 2028. The percentage change shall be rounded to four (4) decimal places. The calculation will be confirmed by resolution adopted before the increase is to take place.

B. The charge for each other Property within Mt. Lebanon 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 ERU. The charge for each other Property shall be computed by multiplying the number of ERUs for a given Property by the unit rate established by Mt. Lebanon as set forth above in subsection A above. In no event shall any Property pay a charge of less than one ERU.

C. Notwithstanding the foregoing, the following Property shall be exempt from rental, rates and changes under this Ordinance.

(1) Public Street, as defined in the Mt. Lebanon Subdivision and Land Development Ordinance.

(2) Private Street, as defined in the Mt. Lebanon Subdivision and Land Development Ordinance.

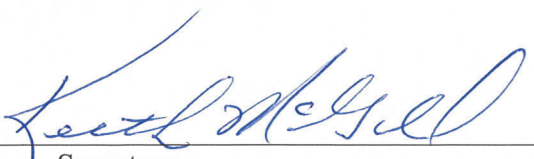
Section 2. Section 15 of Ordinance 3187 is hereby amended to read as follows (new text underlined).

Section 15. Effective Date. This Ordinance shall become effective on September 1, 2011, will expire August 31, 2031 unless extended by ordinance on or before that date; provided, however, that the expiration of the Ordinance will not apply to nor affect the validity and collectability of any rate, rental or charge assessed prior to such expiration date. Effective January 1, 2023, the Ordinance is extended indefinitely, and thus will not expire August 31, 2031.

ORDAINED AND ENACTED into an Ordinance and passed by the Commission of Mt. Lebanon, Pennsylvania on this 25th day of October, 2022.

ATTEST:

MT. LEBANON, PENNSYLVANIA



Secretary

By: 

President of the Commission