

Please find attached proposed amendments to **Chapter 3, Rates and Charges** of the Philadelphia Water Department Regulations.<sup>1</sup>

## Chapter 3 Rates and Charges

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<sup>1</sup> New matters are identified by underlining. Deleted sections are indicated with ~~striethrough~~. Numbering, formatting and minor grammatical changes are not highlighted in the attached version.

## CHAPTER 3 RATES AND CHARGES

### 300.0 Definitions.

For the purposes of Chapter 3 of these Regulations, the following words and phrases shall mean and be interpreted pursuant to the below definitions. Whenever any of these words appear in these regulations in the singular or plural form, the opposite shall also hold if applicable.

(a) Close of Record: The last day of public input hearings or technical review hearings, whichever is later.

(b) Condominium Properties: Real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions.

(c) Current Rates and Charges: The current rates and charges in the tariffs for water and/or sewer services provided by the Philadelphia Water Department.

(d) Department: The Philadelphia Department is the operating department of the City of Philadelphia with the duties, powers and obligations set forth in the Home Rule Charter and the Philadelphia Code. For all purposes related to the Rate Change Proceeding, the Department shall be considered to include the Water Revenue Bureau of the Revenue Department. Nothing in these regulations shall be construed to change, alter, or modify the functions, powers, responsibilities or authority of the Water Revenue Bureau or the Department under the Home Rule Charter or the ordinances of the City of Philadelphia.

(e) Hearing Officer: The person who shall preside over the Rate Change Proceeding and shall have the powers and duties set forth in Section 301.2 of these Regulations

(f) Hearing Officer Report: The Hearing Officer's recommended findings of fact, recommended conclusions of law and recommended decision on any proposals concerning any rate, charge, rate structure and/or tariff.

(g) Home Rule Charter: The Philadelphia Home Rule Charter, as codified in Pennsylvania First Class City Home Rule Act, April 21, 1949 P.L. 665, 351 Pa. Code §1-100 et seq.

(h) Mcf: Thousand cubic feet. The quantity changes in Chapter 3 are expressed in Mcf.

1 Mcf = 1,000 cubic feet = 7,480 gallons

(i) Non-residential Property: Real estate which cannot be classified as either Residential or Condominium.

(j) Participant: Any person, corporation or entity affected by the proposed change in rates and charges who provides testimony in public input hearings.

(k) Party: Any individual, corporation or entity affected by the Department's proposed rates and charges who notifies the Department of Records or the Hearing Officer of a desire to participate fully in the technical review hearings as a Party. A Party will participate on the same basis as the Department and the Public Advocate.

(l) Philadelphia City Council: The legislative branch of the government of the City of Philadelphia with the duties, powers and obligations set forth in the Home Rule Charter.

(m) Philadelphia Code: The body of laws and regulations enacted by the Philadelphia City Council.

(n) Philadelphia Department of Records: The operating department of the City of Philadelphia with the duties, powers and obligations set forth in the Home Rule Charter and the Philadelphia Code.

(o) Rate Change Proceeding: The process by which a change in rates, charges, rate structure and/or tariff is authorized.

(p) Rate Determination: The Water Commissioner's final decision as to the proposed changes in rates and charges.

(q) Property Owner: The owner of the particular parcel of real estate identified in the records of the Bureau of Revisions Taxes or the grantee in a land transfer of record.

(r) Residential Property: Real estate used exclusively for residential purposes with at least one and no more than four dwelling units.

(s) Stormwater Management System: City owned and maintained real property and infrastructure used and/or constructed for purposes of transporting, conveying, retaining, detaining, or discharging stormwater runoff.

(t) Undeveloped Property: Property classified by the Bureau of Revisions of Taxes as SB, SC, SI, SR, or SS;

Undeveloped refers to the status of the property as having no structures and is not related to whether the property has ever been developed.

(u) Water Commissioner: The Water Commissioner of the City of Philadelphia who performs the duties and obligations as set forth in the Philadelphia Home Rule Charter and the Philadelphia Code.

### **301.0 PROCESS FOR SETTING WATER, SEWER AND STORMWATER MANAGEMENT SERVICE RATES**

#### **301.1 Purpose.**

Pursuant to Section 5-801 of the Home Rule Charter and in order to continue the Water Fund on a self-sustaining basis, the Philadelphia Department fixes and regulates rates and charges for supplying water and sewage disposal services in accordance with standards set by the Philadelphia City Council. These standards are codified at Section 13-101 et seq. and 13-201 et seq. of the Philadelphia Code.

Pursuant to these standards and the Philadelphia Home Rule Charter, the Department promulgates the following regulations to obtain relevant comments and information from any affected person, corporation or entity, regarding proposed changes in rates and charges as established in Sections 302.0 et seq., 303.0 et seq., 304.0 et seq., 305.0 et seq., and 309.0 et seq. All other changes to rates and charges may be established consistent with the Home Rule Charter and the Philadelphia Code.

#### **301.2 Hearing Officer.**

(a) Appointment. The Hearing Officer shall be appointed by the Mayor, the President of City Council, and the City Controller within ninety (90) days of the submission of the Department's proposed change in rates and charges to the City Council pursuant to Section 301.5(a)(1) of these Regulations.

(b) Compensation. The Hearing Officer shall receive compensation pursuant to the terms of the contract between the Hearing Officer and the City of Philadelphia.

(c) Duties. The Hearing Officer shall have the duty, power and authority to:

(1) Schedule all public input hearings and technical review hearings including time and locations;

(2) Conduct and preside over all public input hearings and technical review hearings;

(3) Make rulings on any requests for information and resolve any procedural disputes;

(4) Prepare the Hearing Officer Report, which shall be based on the Hearing Record;

(5) Submit the Hearing Officer Report to the Water Commissioner and all Parties; and

(6) Make all procedural rulings necessary to conduct a fair, impartial and expeditious hearing process.

(d) The Hearing Officer has no authority, power, or right to make any ruling which is contradictory to these regulations, the

Philadelphia Code, the Home Rule Charter, or the existing laws of the Commonwealth of Pennsylvania.

### **301.3 Computation of Time.**

(a) In computing any time(s) set forth in these regulations, the following shall apply:

(1) Day(s): Unless otherwise stated, days shall mean calendar days. If the last day is a Saturday, Sunday or a legal holiday for the City of Philadelphia, the deadline shall be the next regularly scheduled business day.

(b) Regular business hours: This shall mean the business hours of the Department and generally, unless specifically stated differently, means 9:00 a.m. to 4:45 p.m.

### **301.4 Public Advocate.**

(a) Appointment.

(1) A Public Advocate shall be appointed jointly by the Mayor, the President of City Council and the City Controller upon receiving notice from the Water Commissioner that changes in the current rates and charges are proposed by the Department.

(2) If the City of Philadelphia establishes an Office of Consumer Advocate or a similarly designated office, that office may act as the Public Advocate.

(b) Duties.

(1) The Public Advocate shall have the responsibility of representing the

class of residential customers in the Rate Change Proceedings.

(2) The Public Advocate shall be a Party in the Rate Change Proceedings.

(c) Compensation.

(1) The Public Advocate shall receive compensation pursuant to the terms of a contract between the Public Advocate and the City of Philadelphia.

(2) Any contract between the City of Philadelphia and the Public Advocate for the Rate Change Proceedings shall not cover any appeal of the Rate Change Determination.

### **301.5 Notification of Proposed Changes in Rates and Charges.**

(a) Intragovernmental Notice.

(1) The Department's proposed change in rates and charges shall be submitted to the City Council at least thirty (30) days in advance of filing the proposed change in rates and charges with the Department of Records. The submission to Council shall include full documentation of the projected revenues and expenses of the Department and significant engineering, operating and financial issues which the Department proposes as justification of the proposed changes in rates and charges.

(b) Public Notice.

(1) After submitting notification of the proposed change in rates and charges to City Council, notice of the proposed change in rates and charges shall be advertised one day per week, for three consecutive weeks, in prominent

location in at least the two newspapers with the largest circulation published in Philadelphia with daily editions. The advertisement shall state that the Department's proposed change in rates and charges may be examined at designated locations and shall state an estimate of the average percentage residential bill increase. Financial, engineering and other relevant data upon which the Department's proposed change in rates and charges are based shall be available for public inspection at locations and at times set forth in the public notice.

(2) Upon notice to City Council and thereafter until the close of the hearing record, notice of the Department's proposed changes in rates and charges, including the estimated average percentage residential bill increase, shall be posted in conspicuous locations in all Department and Water Revenue Bureau offices which accept customer payments or which provide direct customer services. This notice shall include the name and telephone number of a Department representative, as well as that of the Hearing Officer and the Public Advocate.

(3) No sooner than thirty (30) days after the Department's proposed change in rates and charges have been submitted to City Council the proposed change in rates and charges shall be filed with the Department of Records in accordance with the Home Rule Charter §8-407 and public notice shall be published in accordance with the regulations of the Department of Records.

(4) The times, dates and locations of the pre-hearing conference and all

hearings on the Department's proposed change in rates and charges shall be advertised in at least the two newspapers with the largest circulation published in Philadelphia with daily editions at least three (3) days before each hearing, except as permitted in Section 301.6(d) of these Regulations.

### **301.6 Public Input Hearings.**

(a) The purpose of the public input hearings is as follows.

(1) To permit any affected person, corporation or entity to provide relevant information, comments and documents to the Department; and

(2) To assist the Department in the collection of data relevant to its proposed changes in rates and charges; and

(3) To provide public access to Department personnel for explanations and/or answers to relevant inquiries regarding the reasons for the proposed changes in rates and charges.

(b) The public input hearings shall be held after the Water Department's proposed change in rates and charges has been filed with the Philadelphia Department of Records.

(c) The Hearing Officer shall schedule all public input hearings. A minimum of four (4) public input hearings shall be held. Additional public input hearings may be scheduled at the Hearing Officer's discretion. At least one of these four (4) public input hearings shall be scheduled on a day no sooner than thirty-one (31) days after the filing of the Department's proposed change in rates

and charges with the Department of Records. The Hearing Officer shall make reasonable efforts to schedule public input hearings at locations and times that are accessible to the general public.

(d) Notice of public input hearings shall be advertised pursuant to Section 301.5(b)(4) of these Regulations, except that once a public input hearing has been convened by the Hearing Officer, the hearing may be continued to another time, date or location by the Hearing Officer without any additional notice under Section 301.5(b)(4) of these Regulations.

(e) Participation at Public Input Hearings.

(1) In writing. The public is encouraged to submit its concerns and information in writing. Written submissions provide the Hearing Officer and the Department with clear documentation of the public's concern. No particular form is required, but submissions must be legible, signed and mailed to or delivered to the Hearing Officer at or before the public input hearing at which the document is entered into the record. The Hearing Officer shall make arrangements for all documents to be available to any Participant.

(2) Orally. Participants may present concerns and information orally at the public input hearings. Time limits for presentations may be established by the Hearing Officer as necessary or desirable.

(3) Questions. Department representatives will be present at the public input hearings to respond to

relevant questions regarding the proposed change in rates and charges.

(f) Information and comments provided in oral or written form accepted by the Hearing Officer shall be part of the record.

(g) A stenographic record shall be made of all public input hearings.

(h) Presentations at the public input hearings shall not be under oath or affirmation.

### **301.7 Technical Review Hearings and Reports.**

(a) The purpose of this section is to permit the Department and other Parties to establish a record supporting their proposals and addressing other proposals submitted in the Rate Change Proceeding.

(b) Technical Review Hearing.

(1) The Hearing Officer shall use best and most timely efforts to conform the technical review hearings and related process to the timeframes set forth herein to ensure that the Hearing Officer's Report, based upon a fully briefed record, is submitted 125 days from the submission of proposed changes in rates and charges to City Council.

(2) Within thirty (30) days of the submission of the Department's proposed changes in rates and charges to City Council, the Hearing Officer shall schedule a pre-hearing conference.

(3) Within forty-five (45) days of submitting its proposed changes in rates and charges to City Council, the

Department shall present its representatives for questioning by counsel of the Parties.

(4) After the conclusion of questioning of Department representatives by other Parties, such other Parties shall file their initial position papers with the Hearing Officer, including all supporting documents and work papers to the extent practicable. This filing shall be made within seventy-five (75) days of the Department's submission of proposed changes in rates and charges to City Council.

(5) Seven (7) days after the filing of post hearing briefs all Parties and the Department may file a reply brief.

(6) Rebuttal and surrebuttal positions may be submitted for the Hearing Record orally or in writing, and expeditiously questioned thereafter and before filing of post hearing briefs unless all Parties waive such rebuttals.

(7) All hearings shall be completed and the record shall close no later than ninety (90) days after the Department's submission of proposed changes on rates and charges to City Council.

(8) Within fourteen (14) days of the close of the hearing record, all Parties and the Department may file a post hearing brief.

(9) Seven (7) days after the filing of post hearing briefs, all Parties and the Department may file a reply brief.

(10) A stenographic record shall be made of all technical review hearings.

(11) Presentations at the technical review hearings shall not be under oath or affirmation.

(c) Information Exchange.

(1) Parties shall be granted reasonable information gathering rights so as to permit development of a complete hearing record. Requests shall be streamlined as much as practicable and be consistent with the need for timely decision making by the Hearing Officer.

(2) Information requests may be oral or in writing, and may include but are not limited to, requests for data, documents, answers to questions or informal meetings.

(3) Upon the request of a Party or the Department in the technical review hearings, responses to information requests shall be included in the Hearing Record upon acceptance by the Hearing Officer.

(4) Responses to information requests shall be provided as soon as available and not more than ten (10) days after requests are made. Any objections to information requests shall be served on all active Parties and the Hearing Officer within five (5) days after receipt of the request.

(5) Information requests shall be ongoing until the commencement of technical review hearings provided, however, that after the beginning of the technical review hearing data requests not inconsistent with milestones herein described shall be permitted until the close of the Hearing Record.

(6) Promptly following the submission of the Parties' position papers, the Parties' technical experts shall be made available for informal questioning.

(7) The Hearing Officer shall not be bound by formal rules of procedure except as the Hearing Officer has determined and has ruled are appropriate for the purpose of compiling a full record.

(8) Notice of technical review hearings shall be advertised pursuant to Section 301.5(b)(4) of these Regulations, except that once a technical review hearing has been convened by the Hearing Officer, the hearing may be continued to another time, date or location by the Hearing Officer without any additional notice under Section 301.5(b)(4) of these Regulations.

**301.8 Hearing Record.**

(a) The Hearing Record shall consist of the following:

(1) The Department's proposed change in rates and charges.

(2) All financial, engineering and other related data submitted by the Department to City Council and/or the Department of Records.

(3) All information accepted into the record by the Hearing Officer, from both the public input hearings and the technical review hearings.

(4) The stenographic record of the public hearings and technical review hearings.

### **301.9 Decision on Changes in Rates and Charges.**

(a) Within fourteen (14) days of the due date for reply briefs, the Hearing Officer shall submit the Hearing Officer Report to the Water Commissioner. All Parties shall be sent a copy of the Hearing Officer Report.

(b) The Water Commissioner, in making the Rate Determination on the proposed changes in rates and charges, shall fully consider and give substantial weight to the Hearing Officer's Report and the Hearing Record. The Rate Determination shall make reference to sections of the Hearing Record supporting the conclusions contained in the Rate Determination. The Water Commissioner may accept, reject or modify all or any parts of the Hearing Officer's Report. Should the Water Commissioner have cause to reject or modify all or any parts of the Hearing Officer's Report, the Rate Determination shall state the reasons for the modification or rejection in the Rate Determination, making reference to those portions of the Hearing Record supporting the Rate Determination.

(c) The Rate Determination of the Water Commissioner shall include instructions to the Department to prepare a new tariff incorporating the new rates and charges and any changes in rate structure or terms of service and other issues included in the Rate Determination. The new tariff shall conform to the Rate Determination.

(d) The Rate Determination of the Water Commissioner shall be filed with the Department of Records and shall be sent to all Parties.

(e) The effective date of the changes in the rates and charges shall be the date set in the Rate Determination but shall not be sooner than ten (10) days after the new rates and charges are filed with the Department of Records.

### **301.10 Conformity with Existing Law.**

Nothing contained in these regulations shall be deemed to overrule or annul any existing provisions of the Home Rule Charter or the Philadelphia Code.

### **301.11 Severability.**

If any provision, paragraph, word or sections of these regulations is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words and sections shall not be affected and shall continue in full force and effect.

## **302.0 WATER CHARGES**

Charges for water service supplied by the City of Philadelphia shall be effective on July 1, 2008, as follows.

### **302.1 General Customers.**

Charges for the supplying of water shall be determined and billed as follows.

#### **(a) Charges and billing in general.**

(1) Water charges shall consist of a service charge and quantity charge.

(2) A service charge shall be billed monthly.

(3) As set forth in Section 302.1(b) of these Regulations, the size of the meter shall determine the service charge.

<u>3/4</u>	<u>Z</u>	<u>6.42</u>
<u>1</u>	<u>Q</u>	<u>8.52</u>
<u>1 -1/2</u>	<u>P</u>	<u>13.19</u>
<u>2</u>	<u>X</u>	<u>19.49</u>
<u>3</u>	<u>O</u>	<u>33.40</u>
<u>4</u>	<u>W</u>	<u>58.23</u>
<u>6</u>	<u>N</u>	<u>112.60</u>
<u>8</u>	<u>V</u>	<u>175.54</u>
<u>10</u>	<u>E</u>	<u>254.74</u>
<u>12</u>	<u>T</u>	<u>445.24</u>

(4) In addition, there shall be a quantity charge as provided herein for water used in a billing cycle, either as metered or as estimated.

(5) Quantity charges shall be billed for monthly cycles as provided herein. The cycle shall be the period between the dates of scheduled metered readings, actual or estimated.

(3) For the one-year period from July 1, 2010, through June 30, 2011, the monthly service charge for the various sizes of meters shall be as follows.

(b) Monthly service charges:

(1) Effective July 1, 2008, through June 30, 2009, the monthly service charge for the various sizes of meters shall be as follows.

<u>Size</u>	<u>Code</u>	<u>Charge</u>
<u>5/8</u>	<u>R</u>	<u>\$5.99</u>
<u>3/4</u>	<u>Z</u>	<u>6.89</u>
<u>1</u>	<u>Q</u>	<u>9.12</u>
<u>1 -1/2</u>	<u>P</u>	<u>14.04</u>
<u>2</u>	<u>X</u>	<u>20.70</u>
<u>3</u>	<u>O</u>	<u>35.40</u>
<u>4</u>	<u>W</u>	<u>61.80</u>
<u>6</u>	<u>N</u>	<u>119.40</u>
<u>8</u>	<u>V</u>	<u>186.00</u>
<u>10</u>	<u>E</u>	<u>269.99</u>
<u>12</u>	<u>T</u>	<u>471.01</u>

<u>Size</u>	<u>Code</u>	<u>Charge</u>
<u>5/8</u>	<u>R</u>	<u>\$5.22</u>
<u>3/4</u>	<u>Z</u>	<u>6.03</u>
<u>1</u>	<u>Q</u>	<u>8.01</u>
<u>1 -1/2</u>	<u>P</u>	<u>12.41</u>
<u>2</u>	<u>X</u>	<u>18.34</u>
<u>3</u>	<u>O</u>	<u>31.45</u>
<u>4</u>	<u>W</u>	<u>54.82</u>
<u>6</u>	<u>N</u>	<u>106.03</u>
<u>8</u>	<u>V</u>	<u>165.32</u>
<u>10</u>	<u>E</u>	<u>239.91</u>
<u>12</u>	<u>T</u>	<u>419.47</u>

(4) Effective July 1, 2011 and thereafter, the monthly service charge for the various sizes of meters shall be as follows.

(2) For the one-year period from July 1, 2009, through June 30, 2010, the monthly service charge for the various sizes of meters shall be as follows.

<u>Size</u>	<u>Code</u>	<u>Charge</u>
<u>5/8</u>	<u>R</u>	<u>\$6.44</u>
<u>3/4</u>	<u>Z</u>	<u>7.39</u>
<u>1</u>	<u>Q</u>	<u>9.74</u>
<u>1 -1/2</u>	<u>P</u>	<u>14.92</u>
<u>2</u>	<u>X</u>	<u>21.97</u>
<u>3</u>	<u>O</u>	<u>37.49</u>
<u>4</u>	<u>W</u>	<u>65.52</u>

<u>Size</u>	<u>Code</u>	<u>Charge</u>
<u>5/8</u>	<u>R</u>	<u>\$5.56</u>

<u>6</u>	<u>N</u>	<u>126.50</u>
<u>8</u>	<u>V</u>	<u>196.94</u>
<u>10</u>	<u>E</u>	<u>285.94</u>
<u>12</u>	<u>T</u>	<u>497.99</u>

(c) Quantity charges

In addition to the service charge, the quantity charge portion of each bill is determined by applying the quantity charge set forth below to all water use.

(1) Effective July 1, 2008, through June 30, 2009, the quantity charge portion of each bill shall be as follows.

1 Mcf = 1,000 cubic feet = 7,480 gallons.

<u>Monthly Water Usage</u>	<u>Charge Per Mcf</u>
<u>First 2 Mcf</u> <u>(0 to 2 Mcf)</u>	<u>\$24.77</u>
<u>Next 98 Mcf</u> <u>(2.1 to 100 Mcf)</u>	<u>19.97</u>
<u>Next 1,900 Mcf</u> <u>(100.1 to 2,000 Mcf)</u>	<u>18.38</u>
<u>Over 2,000 Mcf</u>	<u>13.97</u>

(2) For the one-year period from July 1, 2009, through June 30, 2010, the quantity charge portion of each bill shall be as follows.

<u>Monthly Water Usage</u>	<u>Charge Per Mcf</u>
<u>First 2 Mcf</u> <u>(0 to 2 Mcf)</u>	<u>\$27.33</u>
<u>Next 98 Mcf</u> <u>(2.1 to 100 Mcf)</u>	<u>22.03</u>
<u>Next 1,900 Mcf</u> <u>(100.1 to 2,000 Mcf)</u>	<u>20.25</u>
<u>Over 2,000 Mcf</u>	<u>15.40</u>

(3) For the one-year period from July 1, 2010, through June 30, 2011, the

quantity charge portion of each bill shall be as follows.

<u>Monthly Water Usage</u>	<u>Charge Per Mcf</u>
<u>First 2 Mcf</u> <u>(0 to 2 Mcf)</u>	<u>\$30.12</u>
<u>Next 98 Mcf</u> <u>(2.1 to 100 Mcf)</u>	<u>24.33</u>
<u>Next 1,900 Mcf</u> <u>(100.1 to 2,000 Mcf)</u>	<u>22.42</u>
<u>Over 2,000 Mcf</u>	<u>17.06</u>

(4) Effective July 1, 2011 and thereafter, the quantity charge portion of each bill shall be as follows.

<u>Monthly Water Usage</u>	<u>Charge Per Mcf</u>
<u>First 2 Mcf</u> <u>(0 to 2 Mcf)</u>	<u>\$33.20</u>
<u>Next 98 Mcf</u> <u>(2.1 to 100 Mcf)</u>	<u>26.86</u>
<u>Next 1,900 Mcf</u> <u>(100.1 to 2,000 Mcf)</u>	<u>24.77</u>
<u>Over 2,000 Mcf</u>	<u>18.87</u>

**303.0 SEWER CHARGES**

Charges for sewer service supplied by the City of Philadelphia shall be effective July 1, 2008, as follows.

**303.1 General Customers.**

(a) All customers discharging wastewater into the City's wastewater system shall pay sewer charges as set forth in Section 303.3 of these Regulations. In addition to the charges set forth in Section 303.3 of these Regulations, all customers discharging wastewater whose pollutant content is greater than the pollutant content of Normal Wastewater, as defined below in Section 303.1(b) of

these Regulations, shall pay an additional surcharge as set forth in Section 303.4 of these Regulations.

(b) Normal Wastewater subject to the regular sewer charges set forth in Section 303.3 of these Regulations is that wastewater which contains 250 milligrams or less per liter of biochemical oxygen demand (BOD) and 350 milligrams or less per liter of suspended solids (SS).

(c) Wastewater subject to the surcharge set forth in Section 303.4 of these Regulations is that wastewater which contains either more than 250 milligrams per liter of 5-day BOD or more than 350 milligrams per liter of SS, or both.

**303.2 Charges.**

(a) Sewer charges shall consist of a service charge and a quantity charge.

(b) A service charge shall be billed monthly.

(c) As set forth in Section 303.3(a) of these Regulations, the size of the meter shall determine the service charge.

(d) In addition, as set forth in Section 303.3(b) of these Regulations there shall be a quantity charge for sewer service in a billing cycle, either as metered or as estimated.

(e) Quantity charges shall be billed for monthly cycles as provided herein. The cycle shall be between the dates of scheduled metered readings, actual or estimated. Quantity charges imposed shall be based upon the water consumption of the property served.

**303.3 Regular Sewer Charges.**

(a) Monthly service charges shall be determined and billed as follows.

(1) Effective July 1, 2008, through June 30, 2009, the monthly service charge for the various sizes of meters shall be as follows:

<u>Size</u>	<u>Code</u>	<u>Charge</u>
<u>5/8</u>	<u>R</u>	<u>\$4.16</u>
<u>3/4</u>	<u>Z</u>	<u>13.54</u>
<u>1</u>	<u>Q</u>	<u>20.89</u>
<u>1 -1/2</u>	<u>P</u>	<u>38.81</u>
<u>2</u>	<u>X</u>	<u>60.85</u>
<u>3</u>	<u>O</u>	<u>111.67</u>
<u>4</u>	<u>W</u>	<u>188.10</u>
<u>6</u>	<u>N</u>	<u>373.22</u>
<u>8</u>	<u>V</u>	<u>593.57</u>
<u>10</u>	<u>E</u>	<u>855.12</u>
<u>12</u>	<u>T</u>	<u>1,574.76</u>

(2) For the one (1) year period from July 1, 2009, through June 30, 2010, the monthly service charge for the various sizes of meters shall be as follows.

<u>Size</u>	<u>Code</u>	<u>Charge</u>
<u>5/8</u>	<u>R</u>	<u>\$ 4.13</u>
<u>3/4</u>	<u>Z</u>	<u>14.43</u>
<u>1</u>	<u>Q</u>	<u>22.37</u>
<u>1 -1/2</u>	<u>P</u>	<u>41.79</u>
<u>2</u>	<u>X</u>	<u>65.63</u>
<u>3</u>	<u>O</u>	<u>120.66</u>
<u>4</u>	<u>W</u>	<u>203.06</u>
<u>6</u>	<u>N</u>	<u>403.16</u>
<u>8</u>	<u>V</u>	<u>641.52</u>
<u>10</u>	<u>E</u>	<u>924.04</u>
<u>12</u>	<u>T</u>	<u>11,703.78</u>

(3) For the one (1) year period from

July 1, 2010, through June 30, 2011, the monthly service charge for the various sizes of meters shall be as follows.

<u>Size</u>	<u>Code</u>	<u>Charge</u>
<u>5/8</u>	<u>R</u>	<u>\$4.30</u>
<u>3/4</u>	<u>Z</u>	<u>15.04</u>
<u>1</u>	<u>Q</u>	<u>23.33</u>
<u>1 -1/2</u>	<u>P</u>	<u>43.59</u>
<u>2</u>	<u>X</u>	<u>68.46</u>
<u>3</u>	<u>O</u>	<u>125.87</u>
<u>4</u>	<u>W</u>	<u>211.84</u>
<u>6</u>	<u>N</u>	<u>420.58</u>
<u>8</u>	<u>V</u>	<u>669.24</u>
<u>10</u>	<u>E</u>	<u>963.96</u>
<u>12</u>	<u>T</u>	<u>1,777.43</u>

(4) Effective July 1, 2011 and thereafter, the monthly service charge for the various sizes of meters shall be as follows.

<u>Size</u>	<u>Code</u>	<u>Charge</u>
<u>5/8</u>	<u>R</u>	<u>\$ 4.53</u>
<u>3/4</u>	<u>Z</u>	<u>15.62</u>
<u>1</u>	<u>Q</u>	<u>24.19</u>
<u>1 -1/2</u>	<u>P</u>	<u>45.14</u>
<u>2</u>	<u>X</u>	<u>70.86</u>
<u>3</u>	<u>O</u>	<u>130.24</u>
<u>4</u>	<u>W</u>	<u>219.22</u>
<u>6</u>	<u>N</u>	<u>435.19</u>
<u>8</u>	<u>V</u>	<u>692.41</u>
<u>10</u>	<u>E</u>	<u>997.36</u>
<u>12</u>	<u>T</u>	<u>1,838.55</u>

(b) Quantity charge

In addition to the service charge, the quantity charge portion of each sewer bill is determined by applying the quantity charge rate shown below to all water use.

<u>1 Mcf = 1,000 Cubic Feet = 7,480 gallons</u>
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(1) Effective July 1, 2008 through July 30, 2009, the quantity charge shall be \$19.78 per Mcf.

(2) For the one (1) year period from July 1, 2009 through June 30, 2010, the quantity charge shall be \$20.76 per Mcf.

(3) For the one (1) year period from July 1, 2010 through June 30, 2011, the quantity charge shall be \$21.83 per Mcf.

(4) Effective July 1, 2011, and thereafter, the quantity charge shall be \$22.93 per Mcf.

### **303.4 Surcharge.**

(a) Effective July 1, 2008, through June 30, 2009, the surcharge for wastewater by definition in excess of normal wastewater shall be fixed at twenty-nine and two-tenths cents (\$0.292) per pound of pollutants received into the wastewater system in excess of 250 milligrams per liter of 5-day BOD and thirty and eight-tenths cents (\$0.308) per pound of pollutants received into the wastewater system in excess of 350 milligrams per liter of SS.

(b) For the one year period from July 1, 2009, through June 30, 2010, the surcharge rate for BOD will be increased to thirty and four-tenths cents (\$.304) per pound and the rate for SS will be increased to thirty-one and three-tenths cents (\$0.313) per pound.

(c) For the one year period from July 1, 2010, through June 30, 2011, the surcharge rate for BOD will be increased to thirty-two and two-tenths cents (\$.322) per pound and the rate for SS will be

increased to thirty-two and eight-tenths cents (\$0.328) per pound.

(d) Effective July 1, 2011, and thereafter, the surcharge rate for BOD will be increased to thirty-four and four-tenths cents (\$.344) per pound and the rate for SS will be increased to thirty-four and four-tenths cents (\$0.344) per pound.

(e) The BOD and SS of wastewater shall be determined from samples taken on the customer's property at any period or time and of such duration and in such manner as the Department may prescribe or at any place mutually agreed upon between the customer and the Department. With prior written approval of the Department, the results of routine sampling and analyses by the customer may be used in determining the amount of the surcharge.

(f) If, in the Department's judgment, sampling of wastewater is neither feasible nor practical, the Department, for billing purposes, may base BOD and SS of the wastewater on sampling results for similar discharge and/or values obtained from technical literature.

(g) Customers discharging wastewater subject to the surcharge shall, as prescribed by the Department:

(1) Install and maintain such facilities for sampling and measuring the wastewater discharged from their properties; and

(2) Maintain such records and information deemed necessary for the determination of the surcharge.

(h) Customers, as required from time to time, shall file with the Department responses to a questionnaire establishing

or revising pertinent information on the quantity of flow and the quality of wastewater and other data deemed necessary for the determination of the surcharge.

(i) Measurements, tests and analyses of the characteristics of wastewater subject to surcharge shall be determined in accordance with the latest edition of *Standard Methods for the Examination of Water and Wastewater*, published jointly by the American Public Health Association, the American Water Works Association (AWWA) and the Water Environment Federation (WEF).

(j) The surcharge shall be applied to the total wastewater discharged less any portion excluded by the Department.

### **303.5 Sewer Credits.**

(a) Credits and credit factors for City water used but not discharged into the wastewater disposal system. Pursuant to Section 13-201(4) of the Philadelphia Code, the method of crediting water users' sewer bills for City water used but not discharged into the wastewater disposal system shall be as follows.

(b) Eligibility. Where commercial and industrial facilities that use City water do not discharge all of such water into the wastewater disposal system, the quantity of such water may be excluded in determining the proper sewer charge, provided that:

(1) at least 5% of water used, or

(2) 225,000 cubic feet per year, whichever is less, is not discharged into the wastewater disposal system.

(c) Determination of the Amount of Exclusion. To determine the amount of such exclusion the customer shall install a meter or measuring device satisfactory to the Department, provided, that, if, in the opinion of the Department, it is not feasible to install a meter or measuring device, some other satisfactory method of measuring (“credit factor”) may be designated by the Department on application of the customer.

(d) Fee for Application. When the customer applies to the Department for a determination on the quantity of water to be excluded by some method other than metering of the sewer, or re-applies for a revised method measuring a larger quantity of water to be excluded, there shall be charge of \$150 for the review of such application.

(e) Effective Date of Credits and Approved Credit Factors. Credits on a water user’s sewer bills for quantities of water used but not discharged into the wastewater disposal system shall be effective from the submission date of a approved application. In order to be reviewed for approval, applications shall be complete, submitted on forms provided by the Department and shall be accompanied by a check payable to the City of Philadelphia in the amount required in Section 303.5(d) of this Regulation. No credits shall be made retroactively.

(f) Review of Approved Credit Factors. The Department reserves the right to review approved credit factors. Customers may, from time to time, be required to submit current water use and sewer discharge information. Customers may also be required to submit new

applications for the credit factor. Failure to comply with the Department’s requests for information or new applications may result in termination of the customer’s credit factor.

(g) Failure to Inform the Department of Increased Sewer Use. Customers with credit factors who fail to inform the Department of increased discharges to the wastewater collection system shall be subject to the imposition of the full charges for sewer use based on total water usage from the most recent application date, with applicable interest. In addition, the Department may impose a fine of \$300 for each billing period from the application date.

**304.0 STORMWATER  
MANAGEMENT SERVICE  
CHARGES**

Charges for Storm Water Management Services (SWMS) supplied by the City of Philadelphia shall be effective July 1, 2008 as follows:

**304.1 Charges.**

(a) All properties within the City shall be billed a SWMS charge.

(b) The SWMS charges have historically been based on an account’s meter size.

(1) Over the rate period July 1, 2008 through June 30, 2012 the SWMS charge for Residential Properties, as defined in Section 300.0, shall transition to charges as listed in Section 304.2.

(2) Over the rate period July 1, 2008 through June 30, 2012 the SWMS charge for Non-residential Properties, as defined in Section 300.0, shall transition

to a charge based on property size and characteristics. The SWMS charges for Non-residential Properties shall be as listed and/or calculated in Section 304.3.

(3) SWMS Charges for Condominium Properties as defined in Section 300.0 shall be the same as the Non-residential SWMS charges except as provided in Section 304.4.

**304.2 Residential Properties.**

All Residential Properties shall be charged a monthly SWMS Charge and a monthly Billing and Collection Charge.

(a) Effective July 1, 2008 through June 30, 2009, the monthly charges for Residential Properties shall be based on meter size as follows.

Size	Code	SWMS	Billing & Collection
5/8	R	10.20	2.42
3/4	Z	62.63	2.42
1	Q	104.39	2.66
1 -1/2	P	208.77	2.90
2	X	334.03	3.63

(b) For the one year period from July 1, 2009 through June 30, 2010, the monthly charges for all Residential Properties shall be as follows.

SWMS	Billing & Collection
\$10.82	\$2.45

(c) For the one year period from July 1, 2010 through June 30, 2011, the monthly charge shall be as follows.

SWMS	Billing & Collection
\$11.13	\$2.55

(d) Effective July 1, 2011, and thereafter, the monthly charges for all Residential Properties shall be as follows.

SWMS	Billing & Collection
\$11.31	\$2.69

**304.3 Non-Residential Properties.**

(a) Transition to charges based on property size and characteristics.

(1) During the one year period from July 1, 2008 through June 30, 2009, Non-residential Properties shall be charged by meter size in accordance with Section 304.3(b)(1).

(2) During the one year period from July 1, 2009 through June 30, 2010, Non-residential Properties shall be charged two-thirds the rate in Section 304.3(b)(2) and one-third the rate calculated for the property in Section 304.3(c).

(3) During the one year period from July 1, 2010 through June 30, 2011, Non-residential Properties shall be charged one-third the rate in Section 304.3(b)(3) and two-thirds the rate calculated for the property in Section 304.3(c).

(4) During the one year period from July 1, 2011 through June 30, 2012 and thereafter, Non-Residential Properties shall be charged the rate calculated for the property in Section 304.3(c).

(b) Meter-based monthly charges for SWMS.

(1) Effective July 1, 2008 through June 30, 2009, the monthly meter-based charges for the various meter types shall be as follows.

<u>Size</u>	<u>Code</u>	<u>SWMS</u>	<u>Billing &amp; Collection</u>
<u>5/8</u>	<u>R</u>	<u>10.20</u>	<u>2.42</u>
<u>3/4</u>	<u>Z</u>	<u>62.63</u>	<u>2.42</u>
<u>1</u>	<u>Q</u>	<u>104.39</u>	<u>2.66</u>
<u>1 -1/2</u>	<u>P</u>	<u>208.77</u>	<u>2.90</u>
<u>2</u>	<u>X</u>	<u>334.03</u>	<u>3.63</u>
<u>3</u>	<u>O</u>	<u>626.30</u>	<u>4.84</u>
<u>4</u>	<u>W</u>	<u>1,043.84</u>	<u>9.68</u>
<u>6</u>	<u>N</u>	<u>2,087.67</u>	<u>16.95</u>
<u>8</u>	<u>V</u>	<u>3,340.28</u>	<u>24.21</u>
<u>10</u>	<u>E</u>	<u>4,801.65</u>	<u>36.31</u>
<u>12</u>	<u>T</u>	<u>8,977.00</u>	<u>48.42</u>

(2) For the one-year period from July 1, 2009 through June 30, 2010 the monthly meter-based charge for the various meter types shall be as follows.

<u>Size</u>	<u>Code</u>	<u>SWMS</u>	<u>Billing &amp; Collection</u>
<u>5/8</u>	<u>R</u>	<u>10.82</u>	<u>2.45</u>
<u>3/4</u>	<u>Z</u>	<u>67.64</u>	<u>2.45</u>
<u>1</u>	<u>Q</u>	<u>112.73</u>	<u>2.64</u>
<u>1 -1/2</u>	<u>P</u>	<u>225.44</u>	<u>2.89</u>
<u>2</u>	<u>X</u>	<u>360.70</u>	<u>3.61</u>
<u>3</u>	<u>O</u>	<u>676.32</u>	<u>4.81</u>
<u>4</u>	<u>W</u>	<u>1,127.20</u>	<u>9.62</u>
<u>6</u>	<u>N</u>	<u>2,254.41</u>	<u>16.83</u>
<u>8</u>	<u>V</u>	<u>3,607.06</u>	<u>24.04</u>
<u>10</u>	<u>E</u>	<u>5,185.14</u>	<u>36.06</u>
<u>12</u>	<u>T</u>	<u>9,693.96</u>	<u>48.09</u>

(3) For the one-year period from July 1, 2010 through June 30, 2011 the monthly meter-based charge for the various customer types shall be as follows.

Size Code SWMS Billing & Collection

<u>5/8</u>	<u>R</u>	<u>11.13</u>	<u>2.55</u>
<u>3/4</u>	<u>Z</u>	<u>71.23</u>	<u>2.55</u>
<u>1</u>	<u>Q</u>	<u>118.72</u>	<u>2.76</u>
<u>1 -1/2</u>	<u>P</u>	<u>237.43</u>	<u>3.01</u>
<u>2</u>	<u>X</u>	<u>379.89</u>	<u>3.76</u>
<u>3</u>	<u>O</u>	<u>712.29</u>	<u>5.01</u>
<u>4</u>	<u>W</u>	<u>1,187.15</u>	<u>10.02</u>
<u>6</u>	<u>N</u>	<u>2,374.30</u>	<u>17.55</u>
<u>8</u>	<u>V</u>	<u>3,798.88</u>	<u>25.06</u>
<u>10</u>	<u>E</u>	<u>5,460.89</u>	<u>37.59</u>
<u>12</u>	<u>T</u>	<u>10,209.49</u>	<u>50.12</u>

(4) Effective July 1, 2011, and thereafter, the monthly meter-based charge for the various customer types shall be as follows.

Size Code SWMS Billing & Collection

<u>5/8</u>	<u>R</u>	<u>11.31</u>	<u>2.69</u>
<u>3/4</u>	<u>Z</u>	<u>73.89</u>	<u>2.69</u>
<u>1</u>	<u>Q</u>	<u>123.15</u>	<u>2.91</u>
<u>1 -1/2</u>	<u>P</u>	<u>246.28</u>	<u>3.17</u>
<u>2</u>	<u>X</u>	<u>394.05</u>	<u>3.97</u>
<u>3</u>	<u>O</u>	<u>738.84</u>	<u>5.29</u>
<u>4</u>	<u>W</u>	<u>1,231.40</u>	<u>10.58</u>
<u>6</u>	<u>N</u>	<u>2,462.80</u>	<u>18.52</u>
<u>8</u>	<u>V</u>	<u>3,940.49</u>	<u>26.46</u>
<u>10</u>	<u>E</u>	<u>5,664.45</u>	<u>39.69</u>
<u>12</u>	<u>T</u>	<u>10,590.05</u>	<u>52.92</u>

(c) Property-based charges for SWMS. Non-residential properties shall be charged based on the Gross Area (GA) of the property and the Impervious Area (IA) of the property.

(1) GA includes all of the property area within the legally described boundaries except streets and sidewalks in the public right-of-way.

(2) IA includes all the surfaces of the property that are covered with

materials that are not water- permeable, such as roofs and standard paving.

(i) For Non-residential Properties with less than 5,000 square feet GA, the IA shall be estimated.

(A) For Undeveloped Property as defined in Section 300.0, the IA shall be 25% of the GA.

(B) For other properties the IA shall be 85% of the GA.

(3) In determining the GA Factor and IA Factor of a property for the SWMS Charge, the Department shall use increments of 500 square feet rounding up to the next highest increment.

(4) Calculating the Monthly Charge. The monthly charge for each Non-residential property is calculated by:

(i) dividing the GA in square feet by 500 and rounding up to the next whole unit to determine the GA Factor, then multiplying the GA Factor by the GA Rate to determine the GA Charge;

(ii) dividing the IA in square feet by 500 and rounding up to the next whole unit to determine the IA Factor, then multiplying the IA Factor by the IA Rate to determine the IA Charge;

(iii) the GA Charge and the IA Charge added together equal the SWMS Charge; and

(iv) adding the SWMS Charge and the Billing and Collection Charge together equals the monthly charge.

(5) Rates for GA, IA and Billing and Collection.

(i) For the one year period from July 1, 2009 through June 30, 2010, the Rates shall be as follows.

<u>GA</u>	<u>IA</u>	<u>Billing &amp; Collections</u>
<u>\$0.518</u>	<u>\$4.078</u>	<u>\$2.45</u>

(ii) For the one year period from July 1, 2010 through June 30, 2011, the Rates shall be as follows.

<u>GA</u>	<u>IA</u>	<u>Billing &amp; Collections</u>
<u>\$0.533</u>	<u>\$4.199</u>	<u>\$2.55</u>

(iii) Effective on July 1, 2011 and thereafter, the Rates shall be as follows.

<u>GA</u>	<u>IA</u>	<u>Billing &amp; Collections</u>
<u>\$0.541</u>	<u>\$4.267</u>	<u>\$2.69</u>

(6) Minimum Monthly Charges. Commencing on July 1, 2009, Non-residential Properties shall be subject to a minimum monthly charge. If the monthly charge calculated in Section 304.3(c)(4) is less than the monthly charges listed below then the monthly charges below shall be billed to the property.

(i) For the one year period from July 1, 2009 through June

30, 2010, the minimum monthly charges shall be as follows.

<u>SWMS</u>	<u>Billing &amp; Collection</u>
<u>\$10.82</u>	<u>\$2.45</u>

(ii) For the one year period from July 1, 2010 through June 30, 2011, the minimum monthly charge shall be as follows.

<u>SWMS</u>	<u>Billing &amp; Collection</u>
<u>\$11.13</u>	<u>\$2.55</u>

(iii) Commencing on July 1, 2011 and thereafter, the minimum monthly charge for shall be as follows.

<u>SWMS</u>	<u>Billing &amp; Collection</u>
<u>\$11.31</u>	<u>\$2.69</u>

(7) Notification of GA and IA determinations. At least 60 days prior to issuing a bill for any property-based SWMS Charge, the Department shall provide notification to the Property Owner of the GA and IA determinations that will be used to calculate the SMWS Charge.

(8) Appeal Procedure.

(i) Property Owners that disagree with the GA and/or IA determination of their property may appeal to the Department within thirty (30) days of receipt of notification of GA and IA determinations sent out pursuant to Section 304.3(7) of these Regulations.

(ii) Property Owner shall have thirty (30) days from receipt of such

notification to appeal such determinations to the Department. Appeals shall be made using forms and procedures issued by the Department and sent to:

SWMS Charge Appeals  
1101 Market Street  
5<sup>th</sup> Floor  
Philadelphia, Pennsylvania 19107

(iii) Appeals from the GA and/or IA determination are separate and distinct from the billing review procedures established by Section 19-1702 of the Philadelphia Code.

(iv) Appellant shall state all grounds supporting the appeal in writing, attaching any exhibits, such as photographs, drawings or maps and affidavits that support the claim. In addition, appellant shall submit a land survey prepared by a registered surveyor showing dwelling units, total property area, type of surface material and impervious area, as appropriate, and any other information requested in writing by the Department. The Department may waive the submission of a land survey, if the Department determines that the survey is not necessary to make a determination on the appeal.

(v) The burden of proof shall be on the appellant to demonstrate, by clear and convincing evidence, that the determination of the Department, from which appeal is being taken, is erroneous.

(vi) The filing of a notice of appeal shall not stay the imposition, calculation or duty to pay the SWMS Charge.

(9) Multiple Accounts Serving One Property. Where there are multiple water accounts, the largest metered account shall be billed monthly for the SWMS Charge and the Billing and Collection Charge for the entire property, unless another account is specified by the Property Owner.

#### **304.4 Condominium Properties.**

(a) Condominium Properties shall be charged SWMS and Billing and Collection Charges on the same terms as Non-residential Properties under Section 304.3, but shall be billed as follows:

(1) Condominium Properties with a single water meter shall be billed such that the entire SWMS Charge and a Billing and Collection Charge are billed to that single account.

(2) Condominium Properties with individual water meters for each unit shall be billed such that the entire SWMS Charge shall be divided and billed equally to each individual account. Each account shall be billed a Billing and Collection Charge.

(3) Condominium properties with more than one water meter, but not individual water meters for each unit shall be billed such that the entire SWMS Charge and a Billing and Collection Charge is billed to the account with the largest meter size or the account designated by the Property Owner.

#### **304.5 SWMS Credits**

(a) Eligibility.

(1) Property Owners of Non-Residential and Condominium Property

whose water, sewer and SWMS account(s) are not past due are eligible to apply for credits.

(2) The Property Owner shall make the property available for inspection by the Department and provide all necessary documentation for purposes of verifying a credit is due.

(3) The Property Owner shall operate and maintain credit requirements, as described in Section 304.5(c) below, in accordance with the maintenance guidelines in the City's *Stormwater Management Guidance Manual* or as prescribed by the Department, including any and all inspection and reporting obligations.

(b) Classes of Credits. There are three classes of credits. Credits are a percent reduction applied to the IA Charge, the GA Charge or to the entire SWMS Charge. A property may be approved for credits from all classes all classes.

(1) IA Credit. IA credits may be issued to properties using Department approved Stormwater Management Practices (SMP) for the management of IA runoff. A credit of up to 100% may be applied to the area of IA managed with SMP.

(2) GA Credit. GA credit may be issued to properties that are managed such that the gross area provides an overall demand reduction on the City's Stormwater System. A credit of up to 100% may be applied to the GA.

(3) National Pollutant Discharge Elimination Permit (NPDES) Credit. NPDES Permit holders are eligible for a

7% reduction to the overall SWMS charge.

(c) Credit Requirements.

(1) IA Credit. In order to be eligible to receive an IA Credit, the Property Owner must demonstrate the first inch of run-off is managed from an otherwise impervious area of the Property. SMPs must reduce peak demand and total volume discharged to the City Stormwater System. IA managed effectively by an SMP should act as pervious area. The Department will assess the effectiveness of the SMP in accordance with the Philadelphia Water Department's *Stormwater Management Guidance Manual*, as may be updated from time to time, in order to determine the appropriate amount of credit to apply.

(2) GA Credit. In order to be eligible to receive a GA Credit, the Property Owner must demonstrate a Soil Conservation Service Curve Number (SCS-CN) of 75 or less. The Department will use the SCS-CN to assess the demand on the City's System for a given property. The CN represents the runoff characteristics for a particular soil and ground cover. The Department will apply a 6% reduction from GA Charge for every point below 76; a CN of 58 may be a maximum of 100% GA Credit. Information on SCS-CN is available in the *Stormwater Management Guidance Manual*.

(3) NPDES Credit. In order to be eligible to receive a NPDES Credit, the Property Owner must demonstrate the property is subject to and in compliance with a NPDES Industrial Stormwater Discharge Permit.

(d) Administration of Credits

(1) Property owners shall apply for credits using application forms and following procedures issued by the Department.

(2) Any engineering or other costs incurred in completing the application shall be borne by the Property Owner.

(3) Application Fees. There shall be an application fee of \$150 for each credit applied for.

(4) Credits shall be effective from the date of submission of an approved application.

(5) All credits expire after four years. Property Owner may renew credits by submitting a renewal application and paying a renewal fee of \$50 for each credit applied for, in accordance with procedures issued by the Department.

(e) Termination of Credits

(1) The Department reserves the right to review approved credits. Customers may from time to time be asked to submit documentation and/or grant access to the property receiving the credit. Failure to comply with such requests may result in termination of credit.

(2) The Property Owner's failure to maintain credit requirements or comply with inspection and reporting obligations, in accordance with Section 304.5(a)(3) of these Regulations, shall result in a suspension or revocation of all

affected credits pursuant to the procedures issued by the Department.

**305.0 BILLING FOR WATER, SEWER AND STORMWATER MANAGEMENT SERVICE**

**305.1 Billing.**

(a) Billing of Advance Service Charge. A one (1) time three (3) month advance service charge will be assessed and collected on every property when the property is initially connected to the water and/or sewer system; or in the case of the SWMS Billing and Collection charge upon commencement of billing. Thereafter, the three (3) month advance service charge will be maintained by the payment of monthly service charges as required under Sections 302.1(b), 303.1(a), 304.2, 304.3, and 309.1(a) of these Regulations. The remaining pro rata portion of the three (3) month advance service charge for water and sewer only will be refunded to the Property Owner when he/she permanently disconnects service from the water and sewer system.

(b) Estimated Usage and Billing. When an accurate meter reading cannot be obtained at the time of a scheduled meter reading or when necessary for administrative purposes, the quantity of water used may be estimated for billing purposes. Estimated usage will be based upon actual meter readings from prior cycles or by such other fair and reasonable methods as shall be approved by the Water Commissioner. Where the water usage is estimated because of inability to read the meter, any necessary corrections shall be made at the time of the next actual meter reading, or when appropriate.

(c) Charges to be Combined. At the discretion of the Water Commissioner, each bill may combine in one amount the service charge and any quantity charges for water, sewer and SWMS, if applicable.

(d) Bills Due and Payable. All bills are due and payable when rendered.

(e) Penalties for Late Payments.

(1) If current water, sewer or SWMS bills are not paid within thirty (30) days from the date indicated on the bill, a penalty of five percent (5%) shall be imposed.

~~(2) Additional penalties shall be imposed and added to water or sewer bills, and their penalties, on the due date of the bill of each succeeding cycle, as follows~~

~~(A) Semi-annual cycles — 3 %~~

~~(B) Quarterly cycles — 1½ %~~

~~(C) Monthly cycles — 1/2 of 1%~~

~~Except that a period of thirty (30) days shall elapse before the first additional penalty shall be imposed.~~

(2) An additional penalty of 0.5% shall be imposed and added to water, sewer and SWMS bills, and their penalties, on the due date of the bill of each succeeding cycle. Except that a period of thirty (30) days shall elapse before the first additional penalty shall be imposed.

(3) If any water, sewer or SWMS bill remains unpaid for two cycles after the bill has been rendered, the Revenue

Department shall serve a notice of termination upon the delinquent property owner and, if the charge, with penalties thereon, is not paid within ten (10) days after such service of notice, the Department, in its discretion, may suspend water service to the property until the charge with penalties is paid. Penalties for late payment are set by ordinance, not by regulation, and any amendments to the current ordinance shall apply as provided therein.

(f) Balance Due. Each bill shall include any balances due for bills issued from July 1, 1993, including penalties.

(g) Changes in Meter Size. When a change in meter size is made, the charge for the new meter size shall become effective on the date of such change.

(h) Unmetered or Scheduled Customers.

(1) Unmetered or scheduled customers shall be billed the same charges established for metered customers. The service charges will be determined by the size of the meter which would be installed for an equivalent service at a similar property. The Revenue Department shall estimate the quantity of water used and bill accordingly using the applicable water and sewer quantity charges.

(2) Where unmetered wastewater is discharged to the sewer system without adequate sewer metering, the Department reserves the right to bill the amount of flow based upon its engineering judgment of a reasonable estimate of unmetered usage.

(i) Unoccupied Property.

(1) SWMS Charges will be billed to all properties regardless of structures or occupancy.

(2) The billing of Unoccupied Properties for water and sewer shall be discontinued only on issuance of a Discontinuance of Water permit. Nothing in this Section shall relieve a property owner of his responsibility for maintaining a service line unless a Discontinuance of Water permit has been secured.

(j) Extraordinary Uses or Appliances. In the event that extraordinary or peculiar uses or appliances, in the opinion of the Water Commissioner, warrant a special charge not provided herein, such charges shall be as fixed by the Water Commissioner in writing.

**305.2 Special Customers.**

The water, sewer and stormwater charges established in Sections 302.0 et seq., 303.0 et seq. and 304.0 et seq. of these Regulations shall be applied to all general customers, excepting the following groups of special customers:

(a) GROUP I

(1) Public and private schools which provide instruction up to or below the twelfth grade but not beyond that grade, and excluding service to any separate or adjoining facilities or structures not used exclusively for educational or instructional purposes.

(2) Institutions of purely public charity, excepting universities and colleges and excluding service to any separate or adjoining facilities or

structures not used exclusively for the principal purpose of the charity.

(3) Places used for actual religious worship.

(b) GROUP II

(1) Residences of eligible senior citizens provided that the senior citizen shall:

(i) Make application for such reduction to the Revenue Department within the first billing period for which reduction is sought; and

(ii) Submit satisfactory proof that the applicant is 65 years of age or older and that he or she makes payment directly to the City for water service to his or her residence which is located in the City of Philadelphia; and

(iii) Submit satisfactory proof to the Revenue Department that the applicant does not exceed the household income limitation of \$ 28,600 per year established by the Department. The above income limitation shall apply to those applying for this discount subsequent to June 30, 1982.

(iv) Effective with each subsequent change in General Service Water and Sewer charges, the Department shall adjust the Senior Citizen Income Limitation using the latest Consumer Price Index data available, as defined in the Philadelphia Code at Section 19-1901.

(c) GROUP III

(1) Universities and colleges, excluding service to any separate or

adjoining facilities or structures not used exclusively for educational or instructional purposes.

(d) GROUP IV

(1) Public housing properties of the Philadelphia Housing Authority.

(e) As of the effective date of this Regulation the charges to Groups I, II, and III of special customers listed above shall be seventy-five percent (75%) of the charges as established in Sections 302.0 et seq., 303.0 et seq. and 304.0 et seq. of these Regulations including both the service and quantity charges. The charges to Group IV customers shall be ninety-five percent (95%) of the charges as established in Sections 302.0 et seq., 303.0 et seq. and 304.0 et seq. of these Regulations, including both the service and quantity charges.

(f) All of these special customers shall meter all water connections and they shall be subject to all provisions of this Regulation not inconsistent with Sections 302.0 et seq., 303.0 et seq. and 304.0 et seq. of these Regulations.

(g) All special customers are subject at any time to review as to their special charges by the Department and may be required to furnish adequate evidence supporting the continuance of such charges to the Department upon written notice to do so. Failure to furnish such evidence shall be sufficient ground for denial or termination of such special charges.

(h) Special charges may be granted subject to the Department's review and approval of the size of the meter installed.

(i) When the special use for which the special charge is granted ceases, the special charge ceases and the charges for general customers shall apply thereafter.

~~(j) Temporary Transitional Provisions: Some special customers whose charges are now based on meter size may find that they are in fact 'over-metered'—their metered service is too large for their actual requirements and results in excessive bills. They may apply for a downward revision in the size of their meters. After the approval of the Water Department, the revision of plumbing arrangements and the installation of smaller meter, the lower charge by meter size shall apply thereafter.~~

### **305.3 Eligibility for Special Rates and Charges.**

(a) Organizations seeking the Charity Rates and Charges must submit an application to the Department. Applicants must use forms provided by the Department, and submitted applications must be completed to the satisfaction of the Department.

(b) Applications must be made in the name of the organization seeking the Charity Rates and Charges. All accounts for which an organization is requesting the Charity Rates and Charges must be in the identical name as that on the application.

(c) Any account for a property for which the Charity Rates and Charges are sought must be current. The property must not have any outstanding Department or Plumbing Code violations; the property must have an operating water meter that

is in compliance with current Department specifications, and the property must have a current water meter reading.

(d) Charity Rates and Charges shall be charged to the eligible organization from the application date of an approved application. No retroactive reductions from the General Customer rates and charges will be permitted.

### **305.4 Account Review.**

The Department, from time to time, may review the status of organizations receiving Charity Rates and Charges. During this review, eligible organizations may be required to submit new applications.

### **305.5 Suspension of Charity Rates and Charges.**

(a) Organizations that have been approved for Charity Rates and Charges must make timely payments on accounts in order to remain eligible for these rates and charges.

(b) An organization that fails to make on-time payments for two (2) consecutive billing cycles shall be suspended from the Charity Rates and Charges, and shall be required to pay the same rate as the General Customer rates and charges for all services. The suspension period shall remain in effect for a minimum of one (1) year.

(c) Reinstatement of the Charity Rates and Charges will not occur until a full year of on-time payments has been made. Suspended organizations must then submit an application as described in Section 305.3 of these Regulations.

Charity Rates and Charges will not be retroactive for the period of suspension.

(d) Customers shall be informed by first class mail of the suspension of the Charity Rates and Charges.

**305.6 Hearing.**

Organizations that have been denied eligibility or have been suspended from the Charity Rates and Charges may request an informal hearing.

**305.7 No Waiver.**

Nothing in this regulation shall limit the Department on its own findings or at the request of another City agency from suspending Charity Rates and Charges from organizations which have violated City law or regulations and thereby under such City law or regulations have forfeited such privileges as the Charity Rates and Charges.

**306.0 MISCELLANEOUS WATER CHARGES**

Charges for miscellaneous water services supplied by the City of Philadelphia shall become effective July 1, 2008 as follows:

**306.1 Meter Test Charges.**

(a) A customer may apply to the Revenue Department for a test of the accuracy of the registration of a water meter. At the customer’s request, the Department shall notify the customer of the time and place of the test so that the customer may be present.

(b) In testing, meters may be removed from the line and replaced by a tested meter. If removed, the meter shall be

tested at the Water Department Meter Shop. Meters may also be tested and recalibrated in place without removal and replacement.

(c) All meters shall be removed, replaced, tested or calibrated during the regular hours of business unless the customer will pay the overtime and added expenses, whether the meter passes or fails the test.

(d) If the register on the meter is found upon testing to be registering within two percent (2%) of the actual volume of water passing through the meter, or registering in favor of the customer, then the Revenue Department shall make a charge for the test payable by the customer, as follows.

<u>Meter Size</u>	<u>Charge</u>
<u>5/8”</u>	<u>\$ 60</u>
<u>1”, 1-1/2”, 2”</u>	<u>\$125</u>
<u>3”, 4”, 6”, 8”, 10”, 12”</u>	<u>\$315</u>
<u>-----</u>	<u>-----</u>
<u>Field Tests, 3” and above</u>	<u>\$275</u>

plus charges for any expenses incurred for work performed outside the regular hours of business, if requested by the customer.

(e) If the meter is found upon testing to be registering in excess of 102% of the actual volume of water passing through the meter, then the Revenue Department shall not charge for the test and it shall review the billing history of the tested meter for a period not to exceed three years on the basis of the corrected registration and revise it as necessary.

(f) The Department will, upon the request of a customer, test his/her meter at no charge according to the following intervals.

<u>Meter Size</u>	<u>Interval</u>
5/8"	Every 20 years
1", 1-1/2", 2"	Every 10 years
3", 4" 6"	Every 4 years
8", 10", 12"	Every 2 years

(g) The replacement of a meter with a tested meter shall constitute a test as provided above.

(h) Subsequent meter tests within the stated time intervals shall be billed to the customer at the charges shown in Section 306.1(f) of these Regulations.

**306.2 Charges for Furnishing and Installation of Water Meters.**

The charges for furnishing and installing water meters are as follows.

(a) For work which involves the furnishing and setting of a water meter and Encoder Receiver Transmitter (ERT/ Register), the following charges are hereby established.

<u>Meter Size</u>	<u>Charge</u>
5/8"	\$ 195
1"	275
1.5"	480
2"	600
3" compound	1,930
3" turbine	805
4" compound	2,510
4" turbine	1,485

6" compound	4,040
6" turbine	2,550
8"	3,175
10"	4,570
12"	5,275

(b) For work which involves only the furnishing and setting of an ERT/Register, the following charges are hereby established.

<u>Meter Size</u>	<u>Charge</u>
5/8'	\$ 170
1"	215
1.5"	215
2"	215
3" compound	495
3" turbine	290
4" compound	495
4" turbine	290
6" compound	495
6" turbine	290
8"	290
10"	290
12"	290

(c) If extraordinary work is required in connection with the installation of a water meter or the replacement of a damaged meter, additional charges shall be computed using actual salaries and materials expended, plus applicable overhead costs.

(d) The property owner shall be responsible for safeguarding the meter and seals and shall pay for necessary repairs and replacements due to his/her failure to provide adequate protection to the meter and seals from theft, vandalism, freezing, etc. He/she shall also be responsible for the repair and maintenance of the plumbing accessory to the meter, such as inoperable valves, weakened service pipes and fittings, etc.

and shall provide and pay for such plumbing, repair and maintenance as City metering needs may require.

**306.3 Tampering of Meter.**

In the event that a tamper investigation indicates that a tamper occurred, the following charges to the customer shall be made:

<u>Meter Size</u>	<u>Charge</u>
<u>5/8"</u>	<u>\$ 45</u>
<u>1", 1-1/2", 2"</u>	<u>85</u>
<u>3" and larger</u>	<u>260</u>

**306.4 Shut-Off and Restoration of Water Service.**

- (a) A twenty-six dollar (\$26.00) charge will be made for the cost of visiting a property if a payment to satisfy the delinquency is made when the Department is at the property to shut off service for non-payment.
- (b) After termination of water service for non-payment or violation of service requirements, restoration of water service will not be made until the following charges have been paid in full or payment arrangements satisfactory to the Revenue Department have been made.

(1) Where the only work required is operating the service valve.

(i) service lines 2" and smaller.....\$ 52.

(ii) service lines larger than 2".....\$ 90.

(2) Where the curb stop is obstructed, the access box missing or otherwise requires excavation ...\$245.

(3) Where the curb stop is inoperable and a new curb stop must be installed..... \$360.

(4) Where the curb stop is obstructed, the access box missing, or otherwise requires excavation, and replacement of footway paving is required.....\$505.

(5) Where the curb stop is inoperable and a new curb box must be installed and replacement of footway paving is required.....\$750.

(6) Where excavation and shut-off of the ferrule at the water main is required the charge will be... \$.1,590.

(c) If the Department had to remove concrete footway paving in order to perform the shut-off and/or restoration, the footway will be replaced by the Department and the preceding charges applied unless proof has been provided to the Department that some other qualified person will replace the paving.

**306.5 Pumping of Properties.**

The following charges shall apply for the pumping of water from properties when the condition requiring such service is not caused by the Department.

(a) Occupied Properties

(1) Pumping of water from occupied properties will be done at the owner's request and expense.

(2) Pumping of other properties due to the failure of a customer's piping shall be performed by the Department and be charged to the owner of the property at which the failure occurred.

(3) Charges for pumping shall be calculated at actual salaries and materials expended, plus applicable overhead costs.

(b) Unoccupied Properties

(1) Water will be pumped from unoccupied properties only when in the opinion of the Department such a condition is causing serious consequences in an adjoining property. The charges for pumping shall be as specified in Section 306.5(a) of these Regulations.

**306.6 Charges for Water Main Shutdown.**

(a) The Department of Licenses and Inspections shall issue permits for the temporary shutdown of a water main to allow a registered plumber to make immediate repairs to a broken water service and to avoid the necessity of opening the street.

(b) Permits shall be issued after:

(1) Certification by the Department that the shutdown will not seriously inconvenience other customers; and

(2) The applicant has paid a \$200 service charge.

(c) In an emergency or when responsibility for a leak is in doubt, the Department may make the shutdown

before the permit is obtained. If the Department determines that the leak was not the Department's responsibility, the owner shall obtain a permit and pay the above stated service charge.

**306.7 Water Connection Charges.**

(a) Permits. The Department of Licenses and Inspections shall issue permits for connections to the City's water supply system.

(b) Ferrule Connections.

(1) Connections between 3/4 inch and 2 inches in diameter shall be made by a ferrule installed by the Department. The owner, at his own expense, shall excavate for the connection, install all piping and appurtenances after the ferrule and fill the excavation. The owner thereafter shall be responsible for maintaining this piping and appurtenance.

(2) The charges for such ferrule connections shall be as follows, with the exception stated in Section 306.7(b)(3) of these Regulations, shall be as follows.

<u>Size</u>	<u>Charge</u>
3/4"	\$140
1"	155
1-1/2"	175
2"	205

(3) The charges for such ferrule connections, when the work performed at the customer's request is during other than normal work hours, shall be as follows.

<u>Size</u>	<u>Charge</u>
-------------	---------------

<u>3/4"</u>	<u>\$ 295</u>
<u>1"</u>	<u>310</u>
<u>1 1/2"</u>	<u>330</u>
<u>2"</u>	<u>360</u>

(c) Valve Connections. Connections three (3) inches and larger shall be made by a valve installed by the Department. This valve installation shall include, but shall not necessarily be limited to, the connection to the main, the valve, valve box, necessary piping after the valve from the main in the street to one foot inside the curb, backfill and repaving. The Department shall thereafter be responsible for maintaining this valve and piping, unless the associated meter has been reduced at the Property Owner's request to a 2" or smaller meter, in which case the Property Owner shall be responsible for valve and piping maintenance.

(1) The charges for valve connections shall, with the exceptions stated in Section 306.7(c)(2) of these Regulations below, shall be as follows.

<u>Size</u>	<u>Charges</u>
<u>3" &amp; 4"</u>	<u>\$ 12,500</u>
<u>6" &amp; 8"</u>	<u>\$ 13,100</u>
<u>10" &amp; 12"</u>	<u>\$ 15,950</u>

(2) The charge for such valve connections, when the work is performed at the customer's request is during other than normal work hours or the work is performed in an area designated by the Streets Department as a special work zone, shall be as follows.

<u>Size</u>	<u>Charge</u>
<u>3" &amp; 4"</u>	<u>\$ 14,400</u>

<u>6" &amp; 8"</u>	<u>15,000</u>
<u>10" &amp; 12"</u>	<u>18,160</u>

(d) Attachment to a Transmission Main

(1) There shall be no connection to a transmission main without Department approval. Such approval shall be requested by application forms and procedures issued by the Department.

(2) Where a connection is made to a water main larger than 12 inches in diameter, with the exceptions stated in Sections 306.7(d)(3) and (4) of these Regulations below, the charges will be as follows.

<u>SLEEVE</u>	<u>3" &amp; 4"</u>
---------------	--------------------

MAIN

<u>16"</u>	<u>\$ 16,925</u>
<u>20"</u>	<u>17,925</u>
<u>24"</u>	<u>18,925</u>
<u>30"</u>	<u>27,425</u>
<u>36"</u>	<u>31,500</u>

<u>SLEEVE</u>	<u>6" &amp; 8"</u>
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MAIN

<u>16"</u>	<u>\$ 17,575</u>
<u>20"</u>	<u>18,350</u>
<u>24"</u>	<u>19,475</u>
<u>30"</u>	<u>28,750</u>
<u>36"</u>	<u>35,475</u>

<u>SLEEVE</u>	<u>10" &amp; 12"</u>
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MAIN

<u>16"</u>	<u>\$ 20,225</u>
<u>20"</u>	<u>21,150</u>
<u>24"</u>	<u>22,775</u>

<u>30"</u>	<u>31,000</u>
<u>36"</u>	<u>39,000</u>

(3) The charges for such connections, when the work performed at the customer's request is during other than normal work hours or the work performed is in an area designated by the Streets Department as a special work zone, shall be as follows.

SLEEVE            3" & 4"

MAIN

<u>16"</u>	<u>\$ 19,700</u>
<u>20"</u>	<u>21,300</u>
<u>24"</u>	<u>21,700</u>
<u>30"</u>	<u>30,200</u>
<u>36"</u>	<u>34,275</u>

SLEEVE            6" & 8"

MAIN

<u>16"</u>	<u>\$ 20,375</u>
<u>20"</u>	<u>21,125</u>
<u>24"</u>	<u>22,275</u>
<u>30"</u>	<u>31,550</u>
<u>36"</u>	<u>38,275</u>

SLEEVE            10" & 12"

MAIN

<u>16"</u>	<u>\$ 23,300</u>
<u>20"</u>	<u>24,225</u>
<u>24"</u>	<u>25,850</u>
<u>30"</u>	<u>35,175</u>
<u>36"</u>	<u>42,200</u>

(4) Where a connection is made to a water main 48" or larger in diameter, the charge will be that for a connection to a 36" main, stated above in Sections

306.7(d)(2) or (3), plus an additional charge representing the difference between the current cost of a 36" sleeve and the cost of the larger sleeve. The additional charge shall be paid before any permit can be issued as prescribed below in Section 306.11 of these Regulations.

(e) Should police assistance for traffic control be required for a ferrule or valve connection, the customer shall pay the required fee to the Police Department.

**306.8 Discontinuance of Water.**

Except as otherwise provided, no customer shall be relieved of the obligation to pay water and sewer charges unless he or she has obtained a permit for the discontinuance of water from the Department of Licenses and Inspections. When a permit is granted to discontinue water service, charges shall terminate on the date of removal of the meter by the Department. The charge for a permit for discontinuance of water is one hundred dollars (\$100), regardless of service size.

**306.9 Hydrant Permits.**

(a) A permit shall be obtained from the Department before a hydrant can be used. The permit shall contain the terms and conditions that are required of the customer in order for the customer to use the hydrant.

(b) The costs for obtaining a permit shall be as follows.

(1) One Week Permit for use of standard pressure hydrant- \$ 235.

(2) Six Month Permit for use of standard pressure hydrant- \$ 2,134.

### **306.10 Flow Tests.**

When a customer requests the Department to conduct a flow test on a fire hydrant to determine the volume and residual pressure available on a domestic or fire connection, or at a specific location, the charge shall be \$350 for each flow test.

### **306.11 Payment.**

All billings for the above services are due and payable when rendered, unless stated otherwise herein, and are subject to such penalties for late payment as is prescribed by current ordinance or as may be amended. Payments for permits shall be made in full prior to any permit being issued.

## **307.0 MISCELLANEOUS SEWER CHARGES**

Charges for miscellaneous sewer services supplied by the City of Philadelphia shall be effective July 1, 2008, as follows.

### **307.1 Sewer Charges for Groundwater.**

(a) Sewer charges for groundwater discharged to the City's sewer system shall be as follows.

(1) For the period July 1, 2008, through June 30, 2009, the rate shall be \$8.32 per 1,000 cubic feet.

(2) For the period July 1, 2009, through June 30, 2010, the rate shall be \$8.66 per 1,000 cubic feet.

(3) For the period July 1, 2010 through June 30, 2011, the rate shall be \$ 8.98 per 1,000 cubic feet.

(4) Effective July 1, 2011 and thereafter, the rate shall be \$9.27 per 1,000 cubic feet.

(b) To determine the quantity of such discharged groundwater, the customer shall install a meter or measuring device satisfactory to the Department. If, in the opinion of the Department, it is not feasible to install a meter or measuring device, the Department may designate some other method of measuring or estimating the quantity of discharged groundwater.

### **307.2 Charges for Wastewater Service.**

(a) The charge for sanitary type wastewater delivered to any of the City's Water Pollution Control Plants shall be as follows.

(1) Effective July 1, 2008, through June 30, 2009, the rate shall be \$43.53 per 1,000 gallons.

(2) For the period July 1, 2009, through June 30, 2010, the rate shall be \$44.76 per 1,000 gallons.

(3) For the period July 1, 2010, through June 30, 2011, the rate shall be \$47.16 per 1,000 gallons.

(4) Effective July 1, 2011, and thereafter, the rate shall be \$49.92 per 1,000 gallons.

(b) Where accurate quantities of wastewater delivered cannot be determined, such quantities shall be estimated for billing purposes by such

fair and reasonable methods as shall be approved by the Water Commissioner.

(c) The locations, times, delivery procedures and exact nature of the pollution characteristics of the delivered wastewater shall be determined by the Department.

(d) From time to time, customers shall be required to file with the Department a questionnaire establishing or revising information on the quantity and quality of wastewater delivered and other pertinent data deemed necessary by the Department. Failure to furnish such information shall be sufficient grounds for denial or termination of delivery privileges.

(e) Measurements, tests and analyses of the characteristics of delivered wastewater shall be determined in accordance with the latest edition of *Standard Methods for the Examination of Water and Wastewater*, published jointly by the American Public Health Association, the American Water Works Association (AWWA) and the Water Environment Federation (WEF).

(f) If any bill for the above services shall remain unpaid for more than sixty (60) days from date rendered, the Department may refuse acceptance of additional wastewater until all unpaid balances, with late charges, are paid in full.

### **307.3 Wastewater Discharge Permit.**

All industrial users contributing wastewater to any of the City's Water pollution control plants must obtain a permit from the City pursuant to the City's Wastewater Control Regulations.

The fee for each new permit or renewal thereof is one thousand dollars (\$1,000).

### **307.4 Groundwater Discharge Permit.**

All industrial or commercial users contributing groundwater to any of the City's water pollution control plants must obtain a permit from the City pursuant to the City's Wastewater Control Regulations. The fee for each new permit or renewal thereof is one thousand dollars (\$1,000).

### **307.5 Payment.**

All billings for the above services are due and payable when rendered, unless stated otherwise herein, and are subject to such penalties for late payment as is prescribed by current ordinance or as may be amended. Payments for permits shall be made in full prior to any permit being issued.

## **308.0 MISCELLANEOUS STORMWATER MANAGEMENT CHARGES**

### **308.1 Stormwater Plan Review Fees.**

All development or redevelopment plans submitted to the Department under Chapter 6 of these Regulations for stormwater management approvals shall be subject to a plan review fee.

(a) Fees.

(1) A fee of \$500 shall be due upon submission of conceptual plans for review.

(2) A fee of \$500 shall be due upon submission of a post construction

stormwater management plan, including a technical site plan, for review. An additional fee of \$75 per hour of review time shall be due prior to issuance of plan approval.

(i) Review time shall be based on the City’s tabulation of actual hours expended by Department employees or consultants reviewing the plans associated with a particular development or redevelopment project for compliance with Chapter 6 of these Regulations.

(b) Refund of fees. The Department shall refund any fees specified above if a plan submittal is not approved or denied within 21 days for conceptual site plans and within 45 days for technical site plans.

### **308.2 Stormwater Management Fee in Lieu.**

Where a Property Owner can demonstrate that it is infeasible to meet the requirements of this stormwater regulation by managing stormwater on a proposed development site (“Development Site”), the Property Owner may request that it pay a fee in lieu of on-site stormwater management. This fee in lieu option shall be subject to the following requirements.

(a) The Property Owner must submit a document to the Department, prepared and signed, stamped and sealed by a Pennsylvania Certified Professional Engineer conclusively demonstrating the infeasibility of all stormwater management practices set forth in the Manual to meet the requirements of this stormwater management regulation on the Development Site. Infeasibility may

not be created by subdividing the Development Site, redrawing lot lines within the Development Site or by placing so large a number of homes or structures on the Development Site that sufficient on site stormwater management can not be achieved. The Department shall review the document alleging infeasibility by considering the entire Development Site.

(b) Nothing in this regulation shall require the Department to grant a Property Owner its request for a fee in lieu of on site stormwater management. The Department, however, may grant the request for a fee in lieu under the following conditions:

(1) The Property Owner has conclusively demonstrated the infeasibility of on site stormwater management; and

(2) The Department has determined that off-site stormwater management, pursuant to Section 600.3(d) of these Regulations, is also infeasible; and

(3) The Department, in its sole discretion, has determined that granting the fee in lieu will not adversely affect flooding, stream protection, neighboring properties or be inconsistent with its requirements under its stormwater program, combined sewer overflow program, National Pollutant Discharge Elimination System permits, or any other federal or state law.

(c) The fee in lieu shall be calculated as follows.

(1) For an exemption to only the Water Quality Requirement of this

regulation the fee shall be five dollars (\$5) per square foot based on the total square footage of Earth Disturbance.

(2) For an exemption to both the Water Quality and Channel Protection Requirements of this regulation the fee shall be thirteen dollars (\$13) per square foot based on the total square footage of Earth Disturbance.

**309.0 FIRE SERVICE CONNECTIONS**

Fire service connection charges shall consist of a monthly service charge and a quantity charge and shall be effective July 1, 2008, as follows.

**309.1 Charges.**

(a) Monthly Service Charges.

(1) The monthly service charges for the furnishing of water for the purpose of fire protection effective July 1, 2008 through June 30, 2009 shall be as follows.

<u>Connection Size</u>	<u>Service Charge</u>
Up through 4-inch	\$18.99
6-inch	34.46
8-inch	50.90
10-inch	75.38
12-inch	112.57

(2) For the period July 1, 2009 through June 30, 2010, the charges shall be as follows.

<u>Connection Size</u>	<u>Service Charge</u>
Up through 4-inch	\$20.42
6-inch	37.07
8-inch	54.79

10-inch	81.12
12-inch	121.36

(3) For the period July 1, 2010, through June 30, 2011 the charges shall be as follows.

<u>Connection Size</u>	<u>Service Charge</u>
Up through 4-inch	\$22.21
6-inch	40.31
8-inch	59.59
10-inch	88.22
12-inch	131.97

(4) Effective July 1, 2011 and thereafter the charges shall be as follows.

<u>Connection Size</u>	<u>Service Charge</u>
Up through 4 inch	\$ 24.08
6 inch	43.70
8 inch	64.60
10 inch	95.64
12 inch	143.07

(b) The City may permit fire service connections to its water system outside the City of Philadelphia only in properties contiguous to the City where in the opinion of the Water Commissioner water service for fire protection may be furnished without interference with water service to properties within the City.

(c) Pipe connections to the Philadelphia water system, meters and other service requirements shall be in accordance with the standard fire service requirements of the Department.

(d) No charge shall be made for water used through fire service connections in actually fighting fires. However, water

and, if applicable, sewer service, used through a fire service connection for testing the fire protection system, fire drills or similar fire protection purposes shall be charged at the rate(s) for quantity charges to general customers as shown below. Water used through fire service connections for other purposes shall be charged at the current rates applicable to water used by general customers.

(e) Quantity Charges.

(1) Effective July 1, 2008, through June 30, 2009 the quantity charge shall be as follows.

1 Mcf = 1,000 cubic feet = 7,480 gallons
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<u>Monthly Water Usage</u>	<u>Charge Per Mcf</u>
<u>First 2 Mcf</u> <u>(0 to 2 Mcf)</u>	<u>\$24.77</u>
<u>Next 98 Mcf</u> <u>(2.1 to 100 Mcf)</u>	<u>19.97</u>
<u>Next 1,900 Mcf</u> <u>(100.1 to 2,000 Mcf)</u>	<u>18.38</u>
<u>Over 2,000 Mcf</u>	<u>13.97</u>

(2) For the period July 1, 2009, through June 30, 2010 the quantity charge shall be as follows.

<u>Monthly Water Usage</u>	<u>Charge Per Mcf</u>
<u>First 2 Mcf</u> <u>(0 to 2 Mcf)</u>	<u>\$27.33</u>
<u>Next 98 Mcf</u> <u>(2.1 to 100 Mcf)</u>	<u>22.03</u>
<u>Next 1,900 Mcf</u> <u>(100.1 to 2,000 Mcf)</u>	<u>20.25</u>
<u>Over 2,000 Mcf</u>	<u>15.40</u>

(3) For the period July 1, 2010, through June 30, 2011 the quantity charge shall be as follows.

<u>Monthly Water Usage</u>	<u>Charge Per Mcf</u>
<u>First 2 Mcf</u> <u>(0 to 2 Mcf)</u>	<u>\$30.12</u>
<u>Next 98 Mcf</u> <u>(2.1 to 100 Mcf)</u>	<u>24.33</u>
<u>Next 1,900 Mcf</u> <u>(100.1 to 2,000 Mcf)</u>	<u>22.42</u>
<u>Over 2,000 Mcf</u>	<u>17.06</u>

(4) Effective July 1, 2011 and thereafter the quantity charges shall be as follows.

<u>Monthly Water Usage</u>	<u>Charge Per Mcf</u>
<u>First 2 Mcf</u> <u>(0 to 2 Mcf)</u>	<u>\$33.20</u>
<u>Next 98 Mcf</u> <u>(2.1 to 100 Mcf)</u>	<u>26.86</u>
<u>Next 1,900 Mcf</u> <u>(100.1 to 2,000 Mcf)</u>	<u>24.77</u>
<u>Over 2,000 Mcf</u>	<u>18.87</u>

(f) This regulation applies to all fire service connections.

**309.2 Payment.**

All billings for the above services are due and payable when rendered, unless stated otherwise herein, and are subject to such penalties for late payment as is prescribed by current ordinance or as may be amended. Payments for permits shall be made in full prior to any permit being issued.