

MEMORANDUM

TO: James Leonard, Records Commissioner
FROM: Debra A. McCarty, Water Commissioner
DATE: August 13, 2018
RE: Philadelphia Water Department's Changes in Water, Wastewater and Stormwater Rates and Related Charges

In accordance with Section 5-801 of the Philadelphia Home Rule Charter, Section 13-101 of the Philadelphia Code and the Regulations of the Philadelphia Water, Sewer and Storm Water Rate Board, the Philadelphia Water Department filed proposed changes to rates and charges with the Department of Records on March 14, 2018. The Rate Board held nine public hearings and five technical hearings on the proposed changes, deliberated the issues in this matter in public meetings on June 29, and July 2, 2018, and adopted a Rate Determination at a further public meeting on July 11, 2018. The Rate Determination was filed with the Department of Records on July 12, 2018.

Please find attached for filing the new Rates and Charges of the Philadelphia Water Department, incorporating the changes in rates and other issues addressed in the Rate Board's Rate Determination. As stated in the Rate Determination and consistent with Section 13-101(3)(e) of the Code and Section II(10)(d) of the Rate Board Regulations, the changes in rates and charges will take effect on **September 1, 2018** and **September 1, 2019**.

Also, please find attached a memorandum from the Law Department approving these new Rates and Charges.

Thank you for your assistance in this matter.


Debra A. McCarty
Water Commissioner

cc: Scott Schwarz, Divisional Deputy City Solicitor
Susan Crosby, Divisional Deputy City Solicitor

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DEPARTMENT OF RECORDS
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City of Philadelphia

LAW DEPARTMENT
Water Division
1101 Market Street
5th Floor
Philadelphia, PA 19107

MEMORANDUM

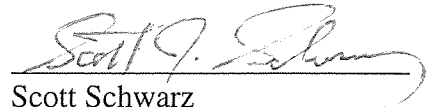
TO: Debra McCarty, Commissioner
Philadelphia Water Department

FROM: Scott Schwarz, Divisional Deputy City Solicitor

DATE: August 13, 2018

SUBJECT: Philadelphia Water Department's Changes in Water, Wastewater and Stormwater Rates and Related Charges

I have reviewed the attached Rates and Charges of the Philadelphia Water Department, which were prepared pursuant to the Rate Board's Rate Determination filed with the Department of Records along with a forwarding memorandum on July 12, 2018. I find the attached Rates and Charges to be legal and in proper form. In accordance with Section 13-101 of the Philadelphia Code and Section II.10(d) of the Rate Board's Regulations, you may forward the Water Department's Rates and Charges to the Department of Records for filing. As stated in the Rate Determination and forwarding memorandum, and consistent with Section 13-101(3)(e) of the Code and Section II(10)(d) of the Rate Board Regulations, the initial effective date of the changes in the rates and charges will be September 1, 2018. The additional changes in rates and charges will take effect on September 1, 2019.


Scott Schwarz
Divisional Deputy City Solicitor

DEPARTMENT OF RECORDS
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PHILADELPHIA WATER DEPARTMENT

RATES AND CHARGES

Effective: September 1, 2018.

1.0 DEFINITIONS.

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

(b) Customer: An owner, Tenant or occupant who by operation of law or agreement is responsible for payment of the charges for water/sewer/stormwater service at a Residential, Non-residential or Condominium Property.

(c) Department: The Philadelphia Water 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.

(d) 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.

(e) Mcf: Thousand cubic feet. The quantity charges in Sections 2, 3, 9 and 10 are expressed in Mcf.

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

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

(g) Non-residential Property: Real estate which cannot be classified as either Residential or Condominium. Real estate used exclusively as a cemetery shall not be considered Non-residential property.

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

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

(j) Property: Any parcel of real estate identified in the records of the Philadelphia Department of Records.

(k) Property Owner: The owner of the particular parcel of real estate identified in the records of the Philadelphia Department of Records, or the grantee in a land transfer of record.

(l) Residential Property: Real estate used exclusively for residential purposes with at least one and no more than four Dwelling Units and which cannot be classified as Condominium Property. Property adjacent to Residential Property owned and utilized exclusively by the Residential Property owner for residential uses. Upon proof submitted to the Department, said properties shall be deemed by the Department to form one Residential parcel comprised of the Property and the Residential Property.

(m) Stormwater Management Practice (SMP): Any man-made structure that is designed and constructed to detain, infiltrate, or otherwise control stormwater runoff quality, rate, or quantity.

(n) Surface Discharge: The discharge of stormwater runoff from a property to an adjacent surface water body, without the use of City infrastructure.

(o) Undeveloped Property: Property classified by the Board of Revision 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.

(p) 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.

1.1 Conformity with Existing Law.

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

1.2 Severability.

If any provision, paragraph, word or sections herein 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.

2.0 WATER CHARGES

Charges for water service supplied by the City of Philadelphia shall be effective September 1, 2018, as follows:

2.1 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 2.1(b), the type and size of the meter shall determine the service charge.
- (4) In addition, there shall be a quantity charge as provided herein for water used in a monthly 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.

(b) Monthly service charges.

(1) Effective September 1, 2018 through August 31, 2019, the monthly service charge for the various types and sizes of meters shall be as follows:

<u>Size</u>	<u>Code</u>	<u>Charge</u>
5/8	R	\$5.12
3/4	Z	5.47
1	Q	6.62
1 -1/2	P	8.83
2	X	12.26
3	O	19.39
4	W	35.27
6	N	66.12
8	V	100.48
10	E	147.20
12	T	239.66

Residential Fire Sprinkler System Meters

<u>Size</u>	<u>Code</u>	<u>Charge</u>
3/4	Z	8.44
1	Q	9.59
1 -1/2	P	11.80
2	X	15.23

(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. In addition, the quantity charge will also include a Tiered Assistance Program (TAP) Rate Rider Surcharge, as set forth in Section 10.

(1) Effective September 1, 2018 through August 31, 2019, 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>Base Charge Per Mcf</u>	<u>TAP-R Per Mcf</u>	<u>Total Charge Per Mcf</u>
First 2 Mcf (0 to 2 Mcf)	\$44.85	\$0.67	\$45.52
Next 98 Mcf (2.1 to 100 Mcf)	38.54	0.67	\$39.21
Next 1,900 Mcf (100.1 to 2,000 Mcf)	29.87	0.67	\$30.54
Over 2,000 Mcf	29.05	0.67	\$29.72

(d) 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 Department, the revision of plumbing arrangements and the installation of smaller meter, the lower charge by meter size shall apply.

3.0 SEWER CHARGES

Charges for sewer service supplied by the City of Philadelphia shall be effective on September 1, 2018, as follows:

3.1 General Customers.

(a) All customers discharging wastewater into the City's wastewater system shall pay sewer charges as set forth in Section 3.3. In addition to the charges set forth in Section 3.3, all customers discharging wastewater whose pollutant content is greater than the pollutant content of Normal Wastewater, as defined below in Section 3.1(b), shall pay an additional surcharge as set forth in Section 3.4.

(b) Normal Wastewater subject to the regular sewer charges set forth in Section 3.3 is that wastewater which contains 250 milligrams per liter or less of five day biochemical oxygen demand (BOD₅) and 350 milligrams or less per liter or less of suspended solids (SS).

(c) Wastewater subject to the surcharge set forth in Section 3.4 is that wastewater which contains either more than 250 milligrams per liter of BOD₅ or more than 350 milligrams per liter of SS, or both.

3.2 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 3.3(a), the size of the meter shall determine the service charge.

(d) In addition, as set forth in Section 3.3(b), there shall be a quantity charge for sewer service in a monthly 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 on the water usage of the Property served.

3.3 Regular Sewer Charges.

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

(1) Effective September 1, 2018 through August 31, 2019, the monthly service charge for the various sizes of meters shall be as follows:

<u>Size</u>	<u>Code</u>	<u>Charge</u>
5/8	R	\$7.04
3/4	Z	8.95
1	Q	13.06
1 - 1/2	P	22.89
2	X	35.25
3	O	63.46
4	W	107.93
6	N	212.60
8	V	336.27
10	E	485.42
12	T	881.42

Residential Fire Sprinkler System Meters

<u>Size</u>	<u>Code</u>	<u>Charge</u>
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3/4	Z	7.04
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1	Q	7.04
1 -1/2	P	7.04
2	X	7.04

(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. In addition, the quantity charge will also include a TAP Rate Rider Surcharge, as set forth in Section 10.

1 Mcf = 1,000 Cubic Feet = 7,480 gallons

- (1) Effective September 1, 2018 through August 31, 2019, the quantity charge shall be:

<u>Base Charge</u>	<u>TAP-R</u>	<u>Total Charge</u>
<u>Per Mcf</u>	<u>Per Mcf</u>	<u>Per Mcf</u>
\$30.82	\$0.94	\$31.76

3.4 Surcharge.

(a) Effective September 1, 2018 through August 31, 2019, the surcharge for wastewater by definition in excess of Normal Wastewater shall be fixed at thirty nine and five tenths cents (\$0.395) per pound of pollutants received into the wastewater system in excess of 250 milligrams per liter of BOD₅ and thirty nine and zero tenths cents (\$0.390) per pound of pollutants received into the wastewater system in excess of 350 milligrams per liter of SS.

(b) The BOD₅ 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.

(c) If, in the Department's judgment, sampling of wastewater is neither feasible nor practical, the Department, for billing purposes, may base BOD₅ and SS of the wastewater on sampling results for similar discharge and/or values obtained from technical literature.

(d) 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.

(e) 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.

(f) 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).

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

3.5 Sewer Credits.

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.

(a) Eligibility. Where commercial and industrial facilities that use City water do not discharge all of such water into the wastewater 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 system.

(b) 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.

(c) 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 two hundred and ten dollars (\$210) for the review of such application.

(d) 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 an 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 3.5(c). No credits shall be made retroactively.

(e) 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.

(f) 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 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 two hundred and seventy five dollars (\$275) for each billing period from the application date.

4.0 STORMWATER MANAGEMENT SERVICE CHARGES

Charges for Stormwater Management Services (SWMS) supplied by the City of Philadelphia shall be effective September 1, 2018 as follows:

4.1 Charges.

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

4.2 Residential Properties.

All Residential Properties shall be charged a monthly SWMS charge and a monthly Billing and Collection charge as follows:

(a) Effective September 1, 2018 through August 31, 2019 all Residential Properties shall be charged the rates listed below:

<u>SWMS</u>	<u>Billing & Collection</u>
\$13.73	\$1.80

(b) Residential Properties which do not have sewer service and which also have previously been charged only for water service shall be charged the rates shown above at 4.2 (a).

4.3 Non-Residential Properties.

All Non-Residential Properties shall be charged a monthly SWMS charge and a monthly Billing and Collection charge as follows:

(a) 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, medians, and sidewalks in the public right-of-way and railroad tracks and station platforms in the railroad right-of-way.

(2) IA includes surfaces which are compacted or covered with material that restricts infiltration of water, including semi-pervious surfaces such as compacted clay, most conventionally hard-scaped surfaces such as streets, driveways, roofs, sidewalks, parking lots, attached and detached structures, and other similar surfaces.

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

(A) For Undeveloped Property as defined in Section 1.0, 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 SWMS charge. The monthly SWMS 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 addition of the GA charge and the IA Charge equals the SWMS charge; and

(iv) the addition of the SWMS charge and the Billing and Collection charge together equals the total monthly stormwater charge.

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

(i) Effective September 1, 2018 through August 31, 2019, the Rates shall be as follows:

<u>GA</u> (\$/500 s.f.)	<u>IA</u> (\$/500 s.f.)	<u>Billing & Collection</u>
0.701	5.304	\$2.34

(6) Minimum Monthly Charges. Non-residential Properties shall be subject to a minimum monthly charge. If the monthly charge calculated in Section 4.3(a)(4) is less than the monthly charges listed below then the monthly charges below shall be billed to the Property.

(i) Effective September 1, 2018 through August 31, 2019, the minimum monthly charges shall be as follows:

<u>SWMS</u>	<u>Billing & Collection</u>
\$13.73	\$2.34

(7) Adjustment Appeal Procedure.

(i) Customers may appeal the GA and/or IA calculations, property classification, or charge distribution of their property.

(ii) Adjustments shall be made using forms and procedures as defined by the Credits and Adjustment Appeals Manual and sent to:

Philadelphia Water Department
SWMS Charge Appeals
1101 Market Street
4th Floor
Philadelphia, PA 19107-2994

(iii) Adjustments to 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) The grounds supporting the adjustment shall be stated in writing, and include any exhibits, such as photographs, drawings or maps, site plans, and affidavits that

support the claim. In addition, a land survey prepared by a registered surveyor shall be attached showing all 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 Customer filing the appeal is solely responsible to demonstrate, by clear and convincing evidence, that the GA and/or IA square footage information used by the Department, from which the adjustment appeal is being taken, is erroneous.

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

(vii) If the adjustment appeal results in a revised GA and/or IA calculation, correction of property classification, correction of parcel identification, or revisions to the default charge allocation, then the adjusted SWMS Charge will be effective from the date of receipt of the Adjustment Appeals Application.

(8) Multiple Accounts Serving One Property. Where there are multiple water accounts on a single Property, the entire SWMS charge of that Property shall be divided equally among the accounts. Each account shall also be billed a Billing and Collection charge. Property Owners shall have the opportunity to request an alternative allocation of the SWMS Charge.

4.4 Condominium Properties.

(a) Condominium Properties shall be charged SWMS and Billing and Collection charges on the same terms as Non-residential Properties under Section 4.3, but shall be billed as follows:

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

(2) Condominium Properties with individual water meter accounts for each unit shall be billed such that the entire SWMS charge of the condominium complex property shall be divided and billed equally to each individual account. In addition, each account shall be billed a Billing and Collection Charge.

(3) Condominium Properties with more than one water meter, but without individual water meters for each unit, shall be billed such that the entire SWMS charge of the condominium complex property shall be divided equally among the accounts. Each account shall also be billed a Billing and Collection Charge. The Condominium Owner's Association shall have the opportunity to request an alternative allocation of the SWMS charge.

4.5 SWMS Credits

(a) Eligibility.

(1) Accounts on Non-residential and Condominium properties must be current to be eligible for credits.

(2) The Customer shall make the Property available for inspection by the Department and provide all necessary documentation for purposes of verifying the appropriateness of a SWMS credit(s).

(3) The Customer shall fulfill credit requirements, as described in Section 4.5(c) below, in accordance with the maintenance guidelines as prescribed by the Department, including any and all inspection and reporting obligations.

(b) Classes of Credits. There are three classes of credits: IA Credit, GA Credit, and NPDES Credit. The IA Credit provides a reduction to the IA Charge; the GA Credit provides a reduction to GA Charge; and the NPDES Credit provides reduction to the total SWMS Charge. A Property may be approved for credits from each of the three classes; however, if the resulting SWMS Charge after the application of any credits is less than the Non-residential minimum monthly charge, then the minimum monthly charge will apply.

(c) Credit Requirements.

(1) IA Credit. IA Credit is available for the portion of IA on a property where stormwater runoff is managed (IA Managed). IA Managed is achieved as follows:

(i) For areas of the property that meet the requirements of the following Impervious Area Reductions (IAR), as described in the Stormwater Credits and Adjustment Appeals Manual, a direct reduction in the billable IA may be applied:

- (A) Rooftop disconnection,
- (B) Pavement disconnection,
- (C) Tree canopy coverage,
- (D) Green roof, or
- (E) Porous pavement.

(ii) For non-Surface Discharges, the customer must demonstrate management of the first inch of stormwater run-off in one of the three following ways:

- (A) infiltration,
- (B) detention and slow release, and/or
- (C) routing through an approved volume-reducing SMP.

(iii) For Surface Discharges, the Customer must demonstrate that a portion or all of the impervious area discharges directly to a surface water body.

(2) GA Credit.

(i) Impervious area only. Impervious area shall receive a GA credit based on the criteria defined in Section 4.5(c)(1)(ii) and (iii) herein.

(ii) Open Space area only. Open Space area is non-impervious area and is calculated as GA minus IA. The Customer must demonstrate a Natural Resource Conservation Service Curve Number (NRCS-CN) below a certain value as described in the Credits and Adjustment Appeals Manual.

(3) National Pollutant Discharge Elimination System (NPDES) Credit. The Customer must demonstrate the property is subject to and in compliance with a NPDES Permit for industrial stormwater discharge activities.

(d) Credit Maximum.

(1) IA Credit Maximum. IA Credit maximums shall apply as follows:

(i) All Non-residential and Condominium properties are eligible for a maximum of 80% IA Credit for the IA Managed.

(ii) A Non-residential or Condominium property with Surface Discharge is eligible for a maximum of 90% IA credit for the IA Managed.

(2) GA Credit Maximum. GA Credit maximums shall apply as follows:

(i) All Non-residential and Condominium properties are eligible for a maximum of 80% GA Credit.

(ii) A Non-residential or Condominium property with Surface Discharge is eligible for a maximum of 90% GA credit.

(3) NPDES Credit Maximum. Eligible properties shall receive a maximum of 7% NPDES credit as described in the Credit and Adjustment Appeals Manual.

(e) Application of Credits

The application of the three classes of credits in calculating a property's monthly SWMS charge shall be described in the Credits and Adjustment Appeals Manual.

(f) Administration of Credits.

(1) A Customer shall apply for credits using application forms and submitting the required documentation as defined in the Credits and Adjustment Appeals Manual.

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

(3) Credits shall be effective upon receipt of a complete application.

(4) All credits shall expire four (4) years from the effective date of the credit. A Customer may renew credits by submitting a renewal application, documentation required by the Department as defined in the Credits and Adjustment Appeals Manual, and paying a renewal fee of seventy dollars (\$70).

(g) Termination of Credits.

(1) The Department may review any approved credit at any time to verify its continued applicability. 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 the termination of the credit(s).

(2) The Customer's failure to meet credit requirements or comply with inspection and reporting obligations, in accordance with Section 4.5(a)(3), shall result in a suspension or revocation of all affected credits pursuant to the procedures issued by the Department.

(h) The Department may, at its sole discretion, issue stormwater credits to individual parcels where stormwater management is being implemented on a shared, collective basis by an organization representing different parcel owners within a defined geographic area.

5.0 BILLING FOR WATER, SEWER AND STORMWATER SERVICE

5.1 Billing.

(a) 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.

(b) 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 stormwater, if applicable.

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

(d) Penalties for Late Payments.

(1) If current water, sewer, and stormwater 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) An additional penalty of one half of one percent (0.5%) shall be imposed and added to water, sewer, and stormwater 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 is imposed.

(3) If any water, sewer, and stormwater 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.

(e) Balance Due. Each bill shall include any balances due for bills issued from October 1, 2000, including penalties.

(f) 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.

(g) Unmetered Customers.

(1) Unmetered Customers shall be billed the same charges established for metered Customers. The water and sewer service charges will be determined by the size of the meter which would be installed for an equivalent service at a similar property. The SWMS charges will be determined based on Section 4.0. 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.

(h) Unoccupied Property.

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. Under no circumstances will the stormwater service charge be terminated.

(i) 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.

5.2 Special Customers.

The water, sewer and stormwater management service charges established in Sections 2.0 et seq., 3.0 et seq., and 4.0 et seq. shall be applied to all general Customers, except 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”, as defined by Pennsylvania law, except 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, sewer, and stormwater 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 \$32,300 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 the water/sewer/stormwater 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) GROUP V

(1) Group V Customers are Customers enrolled in the Income-Based Water Revenue Assistance Program (IWRAP) described in Section 19-1605 of the Philadelphia Code after the Water Revenue Bureau begins to issue IWRAP bills. Monthly bills for a Customer enrolled in IWRAP will be determined based on the Customer's family size and household income and will be charged in lieu of the service, usage and stormwater charges established in Sections 2.0 et seq., 3.0 et seq. and 4.0 et seq. for general Customers. Group V Customers will pay a percentage of his/her household income depending on where that Customer falls within the Federal Poverty Guidelines (FPL), subject to a minimum bill amount of \$12 per month.

(2) For determining the amount of service, usage and stormwater charges on monthly bills, Group V Customers will be defined according to three income tiers as follows:

(i) Group V-A. Group V Customers whose gross household income has been verified as being from 0% of FPL and up to and including 50% of FPL

(ii) Group V-B. Group V Customers whose gross household income has been verified as being greater than 50% of FPL and up to and including 100% of FPL.

(iii) Group V-C. Group V Customers whose gross household income has been verified as being greater than 100% of FPL and up to and including 150% of FPL.

(f) GROUP VI

(1) Customers with parcels eligible for a discount from the stormwater management service charge as a qualified Community Garden pursuant to Section 19-1603 of the Philadelphia Code and regulations promulgated by the Water Department under that Section.

(g) GROUP VII

(1) All unoccupied properties of the Philadelphia Land Bank.

(h) Charges for Special Customers

(1) As of September 1, 2018, 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 2.0 et seq., 3.0 et seq., and 4.0 et seq., including both the water and sewer service and quantity charges, and the SWMS charges. The charges to Group IV Customers shall be ninety-five percent (95%) of the charges as established in Sections 2.0 et seq., 3.0 et seq., and 4.0 et seq., including both the water and sewer service and quantity charges, and the SWMS charges.

(2) Group V Customers enrolled in IWRAP after the Water Revenue Bureau begins to issue IWRAP bills will be responsible for paying the following charges for service, usage and stormwater charges, or \$12 per month, whichever is greater:

(i) Group V-A: 2.0% of household income.

(ii) Group V-B: 2.5% of household income.

(iii) Group V-C: 3% of household income.

(3) Group VI: Effective with bills issued on or after January 1, 2017, Group VI special Customers will receive a 100% discount on the stormwater management service charges for parcels classified by the Department as Community Gardens upon approval of an application for a discount consistent with Section 19-1603 of the Philadelphia Code and regulations promulgated by the Department under that Section.

(4) Group VII: Effective with bills issued on or after September 1, 2018, Group VII special Customers are fully exempt from all water, sewer and stormwater management rates and charges.

(i) All of these special Customers shall meter all water connections and they shall be subject to all provisions herein not inconsistent with Sections 2.0 et seq., 3.0 et seq., and 4.0 et seq.

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

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

(l) 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.

(m) When any vacant or unoccupied premises are acquired by the City, charges for water and sewer, including charges relating to storm water management and disposal, shall terminate on the date that such premises are acquired.

(n) When any property is acquired or held by the Philadelphia Housing Development Corporation or acquired or held by the City or the Redevelopment Authority pursuant to Section 16-500 of the Philadelphia Code, charges for water and sewer, including charges relating to storm water management and disposal, shall be abated.

5.3 Eligibility for Charity 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 and remain in good standing with no service violations to maintain eligibility for any discounts issued herein. Any breach of this condition shall result in the loss of eligibility for the discount.

(d) To be eligible for water and sewer Charity Rates and Charges, 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. If the property is receiving stormwater service only, the above provision regarding metering shall not apply. To be eligible for SWMS Charity Rates and Charges, the Property must not have any outstanding Department violations. Applicant must be either an owner of the Property or a Tenant of the property for which the SWMS charge is assessed.

(e) 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.

5.4 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.

5.5 Suspension of Charity Rates and Charges (Groups I and III)

- (a) Organizations that have been approved for Charity Rates and Charges must make timely payments on accounts in order to remain eligible for these discounted 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(s) 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 5.3. 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.

5.6 Hearing.

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

5.7 No Waiver.

Nothing herein 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.

6.0 MISCELLANEOUS WATER CHARGES

Charges for miscellaneous water services supplied by the City of Philadelphia shall become effective September 1, 2018 as follows:

6.1 Meter Test Charges.

- (a) A Customer may apply to the Department for a test of the accuracy of the registration of a water meter (Meter Test). 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 Department's 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 Department's regular business hours (9:00 a.m. to 4:45 p.m.).

(d) A Customer may request a Meter Test to be performed outside the regular business hours of the Department under the following conditions:

(1) the Department has staff available and agrees to a time outside the regular business hours of the Department; and,

(2) the Customer agrees to pay the overtime and added expenses, whether the meter passes or fails the test.

(e) 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, the Customer will be assessed a Meter Test Charge as follows:

<u>Meter Size</u>	<u>Charge</u>
5/8"	\$210
1", 1-1/2", 2"	\$280
3", 4", 6", 8", 10", 12"	\$660

Field Tests, 3" and above	\$660

(plus any charges and/or expenses incurred for work performed outside the regular hours of business, if requested by the Customer).

(f) If the meter is found upon testing to be registering in excess of 102% of the actual volume of water passing through the meter, the Customer shall not be assessed a Meter Test charge as provided for in subsection (e); and, WRB 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.

(g) The Department will, at the request of a Customer, test his or her meter at no charge once every twenty years. Additional tests are subject to the charges listed in Section 6.1(e).

6.2 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 meter interface unit (MIU), the following charges are hereby established:

<u>Meter Size</u>	<u>Charge</u>
5/8"	\$250
¾ RFSS	400
1"	385
1" RFSS	500
1 1/2"	675
1 1/2" RFSS	750
2"	840
2" RFSS	965
3" Compound	2,380
3" Turbine	1,130
3" Fire Series	3,380
4" Compound	2,795
4" Turbine	2,080
4" Fire Series	3,670
4" Fire Assembly	6,025
6" Compound	4,825
6" Turbine	3,570
6" Fire Series	5,320
6" Fire Assembly	7,925
8" Turbine	4,445
8" Fire Series	6,090
8" Fire Assembly	11,145
10" Turbine	6,400
10" Fire Series	8,525
10" Fire Assembly	15,310
12" Turbine	7,385
12" Fire Series	8,715
12" Fire Assembly	16,180

(b) For work which involves only the furnishing and setting of an MIU, the following charges are hereby established:

<u>Meter Size</u>	<u>Charge</u>
5/8"	\$105
¾" RFSS	105
1"	185
1 " RFSS	185
1 1/2"	185
1 ½" RFSS	185
2"	185
2" RFSS	185
3" Compound	525

3" Turbine	410
4" Compound	525
4" Turbine	410
6" Compound	525
6" Turbine	410
8"	410
10"	410

(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, tampering or other damage. The Property Owner 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.

6.3 Tampering of Meter.

(a) In the event that an investigation indicates that tampering of a meter has occurred, the following charges to the Customer shall be assessed:

<u>Meter Size</u>	<u>Charge</u>
5/8" or 3/4"	\$ 120
1", 1½", 2"	210
3" and larger	580

6.4 Shut-Off and Restoration of Water Service.

(a) If the Department is required to visit a Property to shut off service for non-payment; and, payment is tendered at the time of the shut-off, a charge of seventy dollars (\$70) will be assessed.

(b) A eighty five dollar (\$ 85) charge will be assessed if shut-off of the water service is required as a result of non-compliance with a Notice of Defect and/or metering non-compliance.

(c) 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 \$60
 - (ii) service lines larger than 2"\$140
- (2) Where the curb stop is obstructed, the access box missing or otherwise requires excavation\$420
- (3) Where the curb stop is inoperable and a new curb stop must be installed.. \$630
- (4) Where the curb stop is obstructed, the access box missing, or otherwise requires excavation, and replacement of footway paving is required\$820
- (5) Where the curb stop is inoperable and a new curb box must be installed and replacement of footway paving is required\$865
- (6) Where excavation and shut-off of the ferrule at the water main is required\$1,985
- (d) If the Department is required 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.

6.5 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 may be done at the Property Owner's request and expense.
- (2) Pumping of other Properties due to the failure of a Property Owner's piping may be performed by the Department and be charged to the Property 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

The Department may, at its sole and exclusive discretion, pump water from unoccupied properties if it is determined that a serious condition exists. The charges for pumping shall be as specified in Section 6.5(a).

6.6 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 two hundred and ten dollar (\$210) 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 and any other costs incurred by the Department in conducting the emergency shut down.

6.7 Water Connection Charges.

(a) Permits. Permits for connections to the City's water supply system shall be issued by the Water Permit section of the Department of Licenses and Inspections.

(b) Ferrule Connections.

(1) Connections between 3/4 inch and two inches (2") 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 6.7(b)(3), shall be as follows:

<u>Size</u>	<u>Charge</u>
3/4"	\$240
1"	270
1 1/2"	350
2"	405

(3) The charges for such ferrule connections, when the work performed at the Customer's request is not during the Department's regular business hours (9:00 a.m. to 4:45 p.m.), shall be as follows:

<u>Size</u>	<u>Charge</u>
¾"	\$250
1"	280
1½"	375
2"	440

(c) Valve Connections. Connections three inches (3") 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 two inch (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 6.7(c)(2), shall be as follows:

<u>Size</u>	<u>Charge</u>
3" & 4"	\$ 15,705
6" & 8"	15,945
10" & 12"	18,605

(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>
3" & 4"	\$ 16,450
6" & 8"	16,690
10" & 12"	19,440

(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 6.7(d)(3)&(4), the charges will be as follows:

SLEEVE 3" & 4"

MAIN

16"	\$ 23,475
20"	24,860
24"	26,475
30"	36,845
36"	42,010

SLEEVE 6" & 8"

MAIN

16"	\$23,595
20"	24,630
24"	26,475
30"	37,450
36"	43,830

SLEEVE 10" & 12"

MAIN

16"	\$22,445
20"	23,295
24"	24,485
30"	38,805
36"	47,450

(3) The charges for such connections, when the work performed at the Customer's request is not during the Department's regular business hours (9:00 a.m. to 4:45 p.m.), 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

16"	\$24,410
20"	25,790
24"	27,405
30"	37,775

36"	42,940
SLEEVE	6" & 8"

MAIN

16"	\$24,525
20"	25,560
24"	27,405
30"	38,380
36"	44,760

SLEEVE	10" & 12"
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MAIN

16"	\$23,375
20"	24,225
24"	25,415
30"	39,735
36"	48,380

(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 6.7(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 6.11.

(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.

6.8 Discontinuance of Water.

Except as otherwise provided, no Customer shall be relieved of the obligation to pay water and sewer charges unless a permit for the discontinuance of water and sewer has been obtained from the Department of Licenses and Inspections pursuant to the provisions of Philadelphia Code section 19-1601. When a permit is granted to discontinue water and sewer 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. A validly issued permit to discontinue water and sewer does not terminate the obligation to pay for stormwater management services.

6.9 Hydrant Permits.

(a) A permit shall be obtained from the Water Permit section of the Department of Licenses and Inspections 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.....\$375

(2) Six Month Permit for use of standard pressure hydrant.....\$3,150

6.10 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 four hundred and ninety dollars (\$490) for each flow test.

6.11 Water Service Line Investigations and/or Inspections

When a Customer or a duly authorized representative of a Customer requests the Department to conduct an investigation to locate and/or to inspect the water service line at a specific location, the charge shall be ninety dollars (\$90) for each investigation or inspection. The charge shall be assessed regardless of the result of the investigation or inspection.

6.12 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.

7.0 MISCELLANEOUS SEWER CHARGES

Charges for miscellaneous sewer services supplied by the City of Philadelphia shall be effective September 1, 2018, as follows.

7.1 Sewer Charges for Groundwater.

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

(1) Effective September 1, 2018 through August 31, 2019, the rate shall be \$13.76 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.

7.2 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 September 1, 2018 through August 31, 2019, the rate shall be \$56.96 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.

7.3 Wastewater Discharge Permit.

All Industrial Users contributing wastewater to the City's sewer system must obtain a permit from the Department pursuant to the Wastewater Control Regulations in Chapter 5 of the Department's regulations. The fee for each new or renewal permit is fourteen hundred dollars (\$1,400).

7.4 Groundwater Discharge Permit.

All Industrial Users contributing groundwater to the City's sewer system must obtain a permit from the Department pursuant to the Wastewater Control Regulations contained in

Chapter 5 of the Department's regulations. The fee for each new or renewal permit is fourteen hundred dollars (\$1,400).

7.5 Manhole Pump-out Permit

(a) Any non-domestic User discharging wastewater from underground structures to the City's sewer system must obtain a manhole pump-out permit from the Department pursuant to the Wastewater Control Regulations in Chapter 5 of the Department's regulations. The fee for each new or renewal permit is fourteen hundred dollars (\$1,400).

(b) In the event a User requests discharge locations in the City's separate sewer areas under this permit, the City may assess additional fees for any work associated with the review of this request and the identification of the discharge locations.

7.6 Trucked or Hauled Wastewater Permit

Any person trucking or hauling wastewater to the POTW must first obtain a septage discharge permit from the Department pursuant to the Wastewater Control Regulations in Chapter 5 of the Department's regulations. The fee for each new or renewal permit shall be fourteen hundred dollars (\$1,400).

7.7 PHOTOGRAPHIC & VIDEO INSPECTION

When a Customer or a duly authorized representative of a Customer requests the Department to conduct a photographic or video inspection of a private sewer line at a specific location, the charge shall be two hundred and twenty five dollars (\$225) for each photographic or video inspection. The charge shall be assessed regardless of the result of the photographic or video inspection.

7.8 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.

8.0 MISCELLANEOUS STORMWATER MANAGEMENT CHARGES

8.1 Stormwater Plan Review Fees.

All Development plans submitted to the Department under Chapter 6 of the Department's regulations for stormwater management approvals shall be subject to a plan review fee.

(a) Fees.

(1) A fee of eight hundred and forty dollars (\$840) shall be due prior to issuance of Conceptual Stormwater Management Plan approval.

(2) A fee of two hundred and eighty five dollars (\$285) shall be due upon submission of a post construction stormwater management plan, including a technical site plan, for review. An additional fee of one hundred and thirty dollars (\$130) per hour of review time shall be due prior to issuance of PCSMP 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 the Department's 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.

8.2 Stormwater Management Fee in Lieu.

Where a Property Owner can demonstrate that it is not feasible to meet the requirements of the Department's regulations by managing stormwater on a proposed Development Site ("Development Site"), the Developer 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 SMPs set forth in the Manual to meet the requirements of the 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 cannot be achieved. The Department shall review the document alleging infeasibility by considering the entire Development Site.

(b) Nothing herein shall require the Department to grant a Developer its request for a fee in lieu of onsite stormwater management. The Department, however, may grant the request for a fee in lieu under the following conditions:

(1) The Developer has conclusively demonstrated the infeasibility of onsite stormwater management; and

(2) The Department has determined that off-site stormwater management, pursuant to Section 600.3(d) of its 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 Chapter 6 of the Department's regulations the fee shall be ten dollars (\$10.00) per square foot based on the total square footage of Earth Disturbance.

9.0 FIRE SERVICE CONNECTIONS

Fire service connection charges shall consist of a monthly service charge and a quantity charge and shall be effective September 1, 2018, as follows.

9.1 Charges.

(a) Monthly Service Charges.

(1) The monthly service charges for the furnishing of water for the purpose of fire protection effective September 1, 2018 through August 31, 2019, shall be as follows:

<u>Connection Size</u>	<u>Service Charge</u>
Up through 4-inch	\$ 27.30
6-inch	50.19
8-inch	74.98
10-inch	110.55
12-inch	171.15

(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) Quantity Charges.

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

addition, the quantity charge will also include a TAP Rate Rider Surcharge, as set forth in Section 10.

Effective September 1, 2018 through August 31, 2019, the quantity charge shall be as follows:

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

<u>Monthly Water Usage</u>	<u>Base Charge</u> <u>Per Mcf</u>	<u>TAP-R</u> <u>Per Mcf</u>	<u>Total Charge</u> <u>Per Mcf</u>
First 2 Mcf (0 to 2 Mcf)	\$44.85	\$0.67	\$45.52
Next 98 Mcf (2.1 to 100 Mcf)	38.54	0.67	\$39.21
Next 1,900 Mcf (100.1 to 2,000 Mcf)	29.87	0.67	\$30.54
Over 2,000 Mcf	29.05	0.67	\$29.72

(e) The provisions in this Section apply to all fire service connections.

9.2 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.

10.0 PROVISIONS FOR RECOVERY OF THE TIERED ASSISTANCE PROGRAM (TAP) COSTS

The lost revenue related to TAP (the “TAP Costs”) will be recovered via a separate TAP Rate Rider Surcharge Rate (TAP-R), which would be added to the water, fire service and sewer quantity charge rate schedules. This TAP-R shall be increased or decreased for the next rate period to reflect changes in TAP costs, and will be calculated and reconciled on an annual basis in the manner set forth below.

10.1 Computation of the TAP-R

(a) The TAP-R Equation

The TAP-R shall be computed to the nearest one-hundredth of a dollar per MCF (\$0.01/MCF) in accordance with the formula set forth below:

$$TAP-R = \frac{(C) - (E+I)}{S}$$

The TAP-R so computed, shall be applied as an adder to the water, fire service connection and sewer quantity charge base rate schedules set forth for water in Section 2.1 (c); sewer in Section 3.3 (b); and fire service in Section 9.1 (d), of these regulations. As a result, the TAP-R shall consist of two sub-components:

- (1) A “Water TAP-R” added to the water and fire service quantity “base rate” (\$/MCF); and
- (2) A “Sewer TAP-R” added to the sewer quantity “base rate” (\$/MCF).

During the rate periods that TAP-R is effective, to recover the TAP Costs through Water TAP-R and the Sewer TAP-R respectively, the total TAP Costs determined for a given rate period will be apportioned between water and wastewater utilities based on the proportion of water and wastewater net revenue requirement respectively to total net revenue requirement. The percent allocation of TAP Costs between water and wastewater utilities will be as follows:

- (i) Water TAP Cost Allocation: 41%
- (ii) Sewer TAP Cost Allocation: 59%

(b) Definitions

In computing the TAP-R pursuant to the formula above, the following definitions shall apply:

- (1) **TAP-R** - TAP Rate Rider Surcharge Rate (\$/MCF).
- (2) **C** – Cost in dollars of the estimated TAP Billing Loss for the projected period.
- (3) **E** - The net over or under collection of the TAP-R surcharge amount for the Most Recent Period. The net over or under collection will be calculated by comparing the actual TAP Revenue Loss (resulting from discounts provided to TAP Customers) with the actual TAP-R surcharge amounts billed to Non-TAP Customers. Both the TAP Revenue Loss and the TAP-R billings, that are determined for the rate periods, will be adjusted for collections by applying the Department’s system-wide collection factor of 96.54%.
- (4) **I** - Interest on any over or under recovery of the TAP-R for the most recent period. Interest will be computed on annual basis. The interest rate will be based upon the yield to maturity of a particular date of United States Treasury securities with a

constant maturity for a 1-year Treasury as compiled and published in the Federal Reserve Statistical Release H.15 (519) for the United States Treasury¹, as it exists each year as of the first day of the month, preceding the month of the annual reconciliation submission to the Rate Board.

- (5) **S** - Projected sales in MCF for Non-TAP customers.
- (6) **Most Recent Period** – The Current Fiscal Year and/or the period for which TAP-R reconciliation is performed.
- (7) **Next Rate Period** – The fiscal year and/or the period that immediately follows the Most Recent Period, and in which the TAP-R is effective.

10.2 Filing with the Philadelphia Water, Sewer and Storm Water Rate Board

(a) Annual Reconciliation

The Water Department shall initiate the annual TAP Rate Rider Reconciliation by filing a TAP-R reconciliation request statement ("Statement") with the Philadelphia Water, Sewer and Storm Water Rate Board (the "Rate Board"). The Statement filed by the Water Department shall be a matter of public record. The reconciliation submission will be contemporaneously served upon participants in the Water Department's most recently concluded General Rate Increase Proceeding (as defined in the Rate Board's Regulations) and publicly advertised pursuant to such standards as shall be adopted and/or promulgated by the Rate Board. The Water Department shall file the annual Statement with the Rate Board at least 60 days prior to the effective date of the new surcharge rate, or at such other time as the Rate Board may prescribe, and in accordance with any procedures and standards for the contents of such reconciliation submissions established by the Rate Board.

10.3 TAP-R Surcharge Rates

(a) Water TAP-R

The Water TAP-R portion of each water bill is determined by applying the Water TAP-R surcharge rate shown below to all water use.

1 Mcf = 1,000 Cubic Feet = 7,480 gallons
--

- (1) Effective September 1, 2018 through August 31, 2019, the Water TAP-R surcharge shall be \$0.67 per Mcf.

¹ Currently available at <https://www.federalreserve.gov/releases/h15/>.

(b) Sewer TAP-R

The Sewer TAP-R portion of each sewer bill is determined by applying the Sewer TAP-R surcharge rate shown below to all water use.

1 Mcf = 1,000 Cubic Feet = 7,480 gallons
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- (1) Effective September 1, 2018 through August 31, 2019, the Sewer TAP-R surcharge shall be \$0.94 per Mcf.

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PHILADELPHIA WATER DEPARTMENT

RATES AND CHARGES

Effective: September 1, 2019.

1.0 DEFINITIONS.

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

(b) Customer: An owner, Tenant or occupant who by operation of law or agreement is responsible for payment of the charges for water/sewer/stormwater service at a Residential, Non-residential or Condominium Property.

(c) Department: The Philadelphia Water 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.

(d) 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.

(e) Mcf: Thousand cubic feet. The quantity charges in Sections 2, 3, 9 and 10 are expressed in Mcf.

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

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

(g) Non-residential Property: Real estate which cannot be classified as either Residential or Condominium. Real estate used exclusively as a cemetery shall not be considered Non-residential property.

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

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

(j) Property: Any parcel of real estate identified in the records of the Philadelphia Department of Records.

DEPARTMENT OF RECORDS

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(k) Property Owner: The owner of the particular parcel of real estate identified in the records of the Philadelphia Department of Records, or the grantee in a land transfer of record.

(l) Residential Property: Real estate used exclusively for residential purposes with at least one and no more than four Dwelling Units and which cannot be classified as Condominium Property. Property adjacent to Residential Property owned and utilized exclusively by the Residential Property owner for residential uses. Upon proof submitted to the Department, said properties shall be deemed by the Department to form one Residential parcel comprised of the Property and the Residential Property.

(m) Stormwater Management Practice (SMP): Any man-made structure that is designed and constructed to detain, infiltrate, or otherwise control stormwater runoff quality, rate, or quantity.

(n) Surface Discharge: The discharge of stormwater runoff from a property to an adjacent surface water body, without the use of City infrastructure.

(o) Undeveloped Property: Property classified by the Board of Revision 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.

(p) 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.

1.1 Conformity with Existing Law.

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

1.2 Severability.

If any provision, paragraph, word or sections herein 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.

2.0 WATER CHARGES

Charges for water service supplied by the City of Philadelphia shall be effective on September 1, 2019, as follows:

2.1 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 2.1(b), the type and size of the meter shall determine the service charge.
- (4) In addition, there shall be a quantity charge as provided herein for water used in a monthly 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.

(b) Monthly service charges.

(1) Effective September 1, 2019 and thereafter, the monthly service charge for the various types and sizes of meters shall be as follows:

<u>Size</u>	<u>Code</u>	<u>Charge</u>
5/8	R	\$5.21
3/4	Z	5.55
1	Q	6.70
1 -1/2	P	8.88
2	X	12.32
3	O	19.44
4	W	35.39
6	N	66.29
8	V	100.66
10	E	147.50
12	T	239.52

Residential Fire Sprinkler System Meters

<u>Size</u>	<u>Code</u>	<u>Charge</u>
3/4	Z	8.51
1	Q	9.66
1 -1/2	P	11.84
2	X	15.28

(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. In addition, the quantity charge will also include a Tiered Assistance Program (TAP) Rate Rider Surcharge, as set forth in Section 10.

(1) Effective September 1, 2019 and thereafter, 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>Base Charge</u> <u>Per Mcf</u>	<u>TAP-R</u> <u>Per Mcf</u>	<u>Total Charge</u> <u>Per Mcf</u>
First 2 Mcf (0 to 2 Mcf)	\$44.80	-	-
Next 98 Mcf (2.1 to 100 Mcf)	\$38.56	-	-
Next 1,900 Mcf (100.1 to 2,000 Mcf)	\$29.88	-	-
Over 2,000 Mcf	\$29.06	-	-

(d) 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 Department, the revision of plumbing arrangements and the installation of smaller meter, the lower charge by meter size shall apply.

3.0 SEWER CHARGES

Charges for sewer service supplied by the City of Philadelphia shall be effective on September 1, 2019, as follows:

3.1 General Customers.

(a) All customers discharging wastewater into the City's wastewater system shall pay sewer charges as set forth in Section 3.3. In addition to the charges set forth in Section 3.3, all customers discharging wastewater whose pollutant content is greater than the pollutant content of Normal Wastewater, as defined below in Section 3.1(b), shall pay an additional surcharge as set forth in Section 3.4.

(b) Normal Wastewater subject to the regular sewer charges set forth in Section 3.3 is that wastewater which contains 250 milligrams per liter or less of five day biochemical oxygen demand (BOD₅) and 350 milligrams or less per liter or less of suspended solids (SS).

(c) Wastewater subject to the surcharge set forth in Section 3.4 is that wastewater which contains either more than 250 milligrams per liter of BOD₅ or more than 350 milligrams per liter of SS, or both.

3.2 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 3.3(a), the size of the meter shall determine the service charge.

(d) In addition, as set forth in Section 3.3(b), there shall be a quantity charge for sewer service in a monthly 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 on the water usage of the Property served.

3.3 Regular Sewer Charges.

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

(1) Effective September 1, 2019 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>
5/8	R	\$7.01
3/4	Z	8.93
1	Q	13.07
1 -1/2	P	22.97
2	X	35.42
3	O	63.82
4	W	108.49
6	N	213.81
8	V	338.27
10	E	488.25
12	T	887.22

Residential Fire Sprinkler System Meters

<u>Size</u>	<u>Code</u>	<u>Charge</u>
3/4	Z	7.01
1	Q	7.01
1 -1/2	P	7.01
2	X	7.01

(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. In addition, the quantity charge will also include a TAP Rate Rider Surcharge, as set forth in Section 10.

1 Mcf = 1,000 Cubic Feet = 7,480 gallons

- (1) Effective September 1, 2019 and thereafter, the quantity charge shall be:

<u>Base Charge</u>	<u>TAP-R</u>	<u>Total Charge</u>
<u>Per Mcf</u>	<u>Per Mcf</u>	<u>Per Mcf</u>
\$31.25	-	-

3.4 Surcharge.

(a) Effective September 1, 2019 and thereafter, the surcharge for wastewater by definition in excess of Normal Wastewater shall be fixed at thirty nine and seven tenths cents (\$0.397) per pound of pollutants received into the wastewater system in excess of 250 milligrams per liter of BOD₅ and thirty eight and eight tenths cents (\$0.388) per pound of pollutants received into the wastewater system in excess of 350 milligrams per liter of SS.

(b) The BOD₅ 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.

(c) If, in the Department's judgment, sampling of wastewater is neither feasible nor practical, the Department, for billing purposes, may base BOD₅ and SS of the wastewater on sampling results for similar discharge and/or values obtained from technical literature.

(d) 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.

(e) 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.

(f) 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).

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

3.5 Sewer Credits.

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.

(a) Eligibility. Where commercial and industrial facilities that use City water do not discharge all of such water into the wastewater 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 system.

(b) 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.

(c) 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 two hundred and ninety five dollars (\$295) for the review of such application.

(d) 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 an 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 3.5(c). No credits shall be made retroactively.

(e) 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.

(f) 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 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 two hundred and seventy five dollars (\$275) for each billing period from the application date.

4.0 STORMWATER MANAGEMENT SERVICE CHARGES

Charges for Stormwater Management Services (SWMS) supplied by the City of Philadelphia shall be effective September 1, 2019 as follows:

4.1 Charges.

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

4.2 Residential Properties.

All Residential Properties shall be charged a monthly SWMS charge and a monthly Billing and Collection charge as follows:

(a) Effective September 1, 2019 and thereafter all Residential Properties shall be charged the rates listed below:

<u>SWMS</u>	<u>Billing & Collection</u>
\$14.03	\$1.77

(b) Residential Properties which do not have sewer service and which also have previously been charged only for water service shall be charged the rates shown above at 4.2 (a).

4.3 Non-Residential Properties.

All Non-Residential Properties shall be charged a monthly SWMS charge and a monthly Billing and Collection charge as follows:

(a) 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, medians, and sidewalks in the public right-of-way and railroad tracks and station platforms in the railroad right-of-way.

(2) IA includes surfaces which are compacted or covered with material that restricts infiltration of water, including semi-pervious surfaces such as compacted clay, most conventionally hard-scaped surfaces such as streets, driveways, roofs, sidewalks, parking lots, attached and detached structures, and other similar surfaces.

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

(A) For Undeveloped Property as defined in Section 1.0, 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 SWMS charge. The monthly SWMS 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 addition of the GA charge and the IA Charge equals the SWMS charge; and

(iv) the addition of the SWMS charge and the Billing and Collection charge together equals the total monthly stormwater charge.

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

(i) Effective September 1, 2019 and thereafter, the Rates shall be as follows:

<u>GA</u> (\$/500 s.f.)	<u>IA</u> (\$/500 s.f.)	<u>Billing & Collection</u>
0.717	5.410	\$2.30

(6) Minimum Monthly Charges. Non-residential Properties shall be subject to a minimum monthly charge. If the monthly charge calculated in Section 4.3(a)(4) is less than the monthly charges listed below then the monthly charges below shall be billed to the Property.

<u>SWMS</u>	<u>Billing & Collection</u>
\$14.03	\$2.30

(7) Adjustment Appeal Procedure.

(i) Customers may appeal the GA and/or IA calculations, property classification, or charge distribution of their property.

(ii) Adjustments shall be made using forms and procedures as defined by the Credits and Adjustment Appeals Manual and sent to:

Philadelphia Water Department
SWMS Charge Appeals
1101 Market Street
4th Floor
Philadelphia, PA 19107-2994

(iii) Adjustments to 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) The grounds supporting the adjustment shall be stated in writing, and include any exhibits, such as photographs, drawings or maps, site plans, and affidavits that support the claim. In addition, a land survey prepared by a registered surveyor shall be attached showing all 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 Customer filing the appeal is solely responsible to demonstrate, by clear and convincing evidence, that the GA and/or IA square footage information used by the Department, from which the adjustment appeal is being taken, is erroneous.

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

(vii) If the adjustment appeal results in a revised GA and/or IA calculation, correction of property classification, correction of parcel identification, or revisions to the default charge allocation, then the adjusted SWMS Charge will be effective from the date of receipt of the Adjustment Appeals Application.

(8) Multiple Accounts Serving One Property. Where there are multiple water accounts on a single Property, the entire SWMS charge of that Property shall be divided equally among the accounts. Each account shall also be billed a Billing and Collection charge. Property Owners shall have the opportunity to request an alternative allocation of the SWMS Charge.

4.4 Condominium Properties.

(a) Condominium Properties shall be charged SWMS and Billing and Collection charges on the same terms as Non-residential Properties under Section 4.3, but shall be billed as follows:

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

(2) Condominium Properties with individual water meter accounts for each unit shall be billed such that the entire SWMS charge of the condominium complex property shall be divided and billed equally to each individual account. In addition, each account shall be billed a Billing and Collection Charge.

(3) Condominium Properties with more than one water meter, but without individual water meters for each unit, shall be billed such that the entire SWMS charge of the condominium complex property shall be divided equally among the accounts. Each

account shall also be billed a Billing and Collection Charge. The Condominium Owner's Association shall have the opportunity to request an alternative allocation of the SWMS charge.

4.5 SWMS Credits

(a) Eligibility.

(1) Accounts on Non-residential and Condominium properties must be current to be eligible for credits.

(2) The Customer shall make the Property available for inspection by the Department and provide all necessary documentation for purposes of verifying the appropriateness of a SWMS credit(s).

(3) The Customer shall fulfill credit requirements, as described in Section 4.5(c) below, in accordance with the maintenance guidelines as prescribed by the Department, including any and all inspection and reporting obligations.

(b) Classes of Credits. There are three classes of credits: IA Credit, GA Credit, and NPDES Credit. The IA Credit provides a reduction to the IA Charge; the GA Credit provides a reduction to GA Charge; and the NPDES Credit provides reduction to the total SWMS Charge. A Property may be approved for credits from each of the three classes; however, if the resulting SWMS Charge after the application of any credits is less than the Non-residential minimum monthly charge, then the minimum monthly charge will apply.

(c) Credit Requirements.

(1) IA Credit. IA Credit is available for the portion of IA on a property where stormwater runoff is managed (IA Managed). IA Managed is achieved as follows:

(i) For areas of the property that meet the requirements of the following Impervious Area Reductions (IAR), as described in the Stormwater Credits and Adjustment Appeals Manual, a direct reduction in the billable IA may be applied:

- (A) Rooftop disconnection,
- (B) Pavement disconnection,
- (C) Tree canopy coverage,
- (D) Green roof, or
- (E) Porous pavement.

(ii) For non-Surface Discharges, the customer must demonstrate management of the first inch of stormwater run-off in one of the three following ways:

(A) infiltration,

(B) detention and slow release, and/or

(C) routing through an approved volume-reducing SMP.

(iii) For Surface Discharges, the Customer must demonstrate that a portion or all of the impervious area discharges directly to a surface water body.

(2) GA Credit.

(i) Impervious area only. Impervious area shall receive a GA credit based on the criteria defined in Section 4.5(c)(1)(ii) and (iii) herein.

(ii) Open Space area only. Open Space area is non-impervious area and is calculated as GA minus IA. The Customer must demonstrate a Natural Resource Conservation Service Curve Number (NRCS-CN) below a certain value as described in the Credits and Adjustment Appeals Manual.

(3) National Pollutant Discharge Elimination System (NPDES) Credit. The Customer must demonstrate the property is subject to and in compliance with a NPDES Permit for industrial stormwater discharge activities.

(d) Credit Maximum.

(1) IA Credit Maximum. IA Credit maximums shall apply as follows:

(i) All Non-residential and Condominium properties are eligible for a maximum of 80% IA Credit for the IA Managed.

(ii) A Non-residential or Condominium property with Surface Discharge is eligible for a maximum of 90% IA credit for the IA Managed.

(2) GA Credit Maximum. GA Credit maximums shall apply as follows:

(i) All Non-residential and Condominium properties are eligible for a maximum of 80% GA Credit.

(ii) A Non-residential or Condominium property with Surface Discharge is eligible for a maximum of 90% GA credit.

(3) NPDES Credit Maximum. Eligible properties shall receive a maximum of 7% NPDES credit as described in the Credit and Adjustment Appeals Manual.

(e) Application of Credits

The application of the three classes of credits in calculating a property's monthly SWMS charge shall be described in the Credits and Adjustment Appeals Manual.

(f) Administration of Credits.

(1) A Customer shall apply for credits using application forms and submitting the required documentation as defined in the Credits and Adjustment Appeals Manual.

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

(3) Credits shall be effective upon receipt of a complete application.

(4) All credits shall expire four (4) years from the effective date of the credit. A Customer may renew credits by submitting a renewal application, documentation required by the Department as defined in the Credits and Adjustment Appeals Manual, and paying a renewal fee of one hundred dollars (\$100).

(g) Termination of Credits.

(1) The Department may review any approved credit at any time to verify its continued applicability. 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 the termination of the credit(s).

(2) The Customer's failure to meet credit requirements or comply with inspection and reporting obligations, in accordance with Section 4.5(a)(3), shall result in a suspension or revocation of all affected credits pursuant to the procedures issued by the Department.

(h) The Department may, at its sole discretion, issue stormwater credits to individual parcels where stormwater management is being implemented on a shared, collective basis by an organization representing different parcel owners within a defined geographic area.

5.0 BILLING FOR WATER, SEWER AND STORMWATER SERVICE

5.1 Billing.

(a) 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.

(b) 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 stormwater, if applicable.

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

(d) Penalties for Late Payments.

(1) If current water, sewer, and stormwater 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) An additional penalty of one half of one percent (0.5%) shall be imposed and added to water, sewer, and stormwater 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 is imposed.

(3) If any water, sewer, and stormwater 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.

(e) Balance Due. Each bill shall include any balances due for bills issued from October 1, 2000, including penalties.

(f) 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.

(g) Unmetered Customers.

(1) Unmetered Customers shall be billed the same charges established for metered Customers. The water and sewer service charges will be determined by the size of the meter which would be installed for an equivalent service at a similar property. The SWMS charges will be determined based on Section 4.0. 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.

(h) Unoccupied Property.

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. Under no circumstances will the stormwater service charge be terminated.

(i) 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.

5.2 Special Customers.

The water, sewer and stormwater management service charges established in Sections 2.0 et seq., 3.0 et seq., and 4.0 et seq. shall be applied to all general Customers, except 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”, as defined by Pennsylvania law, except 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, sewer, and stormwater 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 \$32,300 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 the water/sewer/stormwater 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) GROUP V

(1) Group V Customers are Customers enrolled in the Income-Based Water Revenue Assistance Program (IWRAP) described in Section 19-1605 of the Philadelphia Code after the Water Revenue Bureau begins to issue IWRAP bills. Monthly bills for a Customer enrolled in IWRAP will be determined based on the Customer's family size and household income and will be charged in lieu of the service, usage and stormwater charges established in Sections 2.0 et seq., 3.0 et seq. and 4.0 et seq. for general Customers. Group V Customers will pay a percentage of his/her household income depending on where that Customer falls within the Federal Poverty Guidelines (FPL), subject to a minimum bill amount of \$12 per month.

(2) For determining the amount of service, usage and stormwater charges on monthly bills, Group V Customers will be defined according to three income tiers as follows:

(i) Group V-A. Group V Customers whose gross household income has been verified as being from 0% of FPL and up to and including 50% of FPL

(ii) Group V-B. Group V Customers whose gross household income has been verified as being greater than 50% of FPL and up to and including 100% of FPL.

(iii) Group V-C. Group V Customers whose gross household income has been verified as being greater than 100% of FPL and up to and including 150% of FPL.

(f) GROUP VI

(1) Customers with parcels eligible for a discount from the stormwater management service charge as a qualified Community Garden pursuant to Section 19-1603 of the Philadelphia Code and regulations promulgated by the Water Department under that Section.

(g) GROUP VII

(1) All unoccupied properties of the Philadelphia Land Bank.

(h) Charges for Special Customers

(1) As of September 1, 2019, 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 2.0 et seq., 3.0 et seq., and 4.0 et seq., including both the water and sewer service and quantity charges, and the SWMS charges. The charges to Group IV Customers shall be ninety-five percent (95%) of the charges as established in Sections 2.0 et seq., 3.0 et seq., and 4.0 et seq., including both the water and sewer service and quantity charges, and the SWMS charges.

(2) Group V Customers enrolled in IWRAP after the Water Revenue Bureau begins to issue IWRAP bills will be responsible for paying the following charges for service, usage and stormwater charges, or \$12 per month, whichever is greater:

(i) Group V-A: 2.0% of household income.

(ii) Group V-B: 2.5% of household income.

(iii) Group V-C: 3% of household income.

(3) Group VI: Effective with bills issued on or after January 1, 2017, Group VI special Customers will receive a 100% discount on the stormwater management service charges for parcels classified by the Department as Community Gardens upon approval of an application for a discount consistent with Section 19-1603 of the Philadelphia Code and regulations promulgated by the Department under that Section.

(4) Group VII: Effective with bills issued on or after September 1, 2018, Group VII special Customers are fully exempt from all water, sewer and stormwater management rates and charges.

(i) All of these special Customers shall meter all water connections and they shall be subject to all provisions herein not inconsistent with Sections 2.0 et seq., 3.0 et seq., and 4.0 et seq.

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

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

(l) 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.

(m) When any vacant or unoccupied premises are acquired by the City, charges for water and sewer, including charges relating to storm water management and disposal, shall terminate on the date that such premises are acquired.

(n) When any property is acquired or held by the Philadelphia Housing Development Corporation or acquired or held by the City or the Redevelopment Authority pursuant to Section 16-500 of the Philadelphia Code, charges for water and sewer, including charges relating to storm water management and disposal, shall be abated.

5.3 Eligibility for Charity 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 and remain in good standing with no service violations to maintain eligibility for any discounts issued herein. Any breach of this condition shall result in the loss of eligibility for the discount.

(d) To be eligible for water and sewer Charity Rates and Charges, 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. If the property is receiving stormwater service only, the above provision regarding metering shall not apply. To be

eligible for SWMS Charity Rates and Charges, the Property must not have any outstanding Department violations. Applicant must be either an owner of the Property or a Tenant of the property for which the SWMS charge is assessed.

(e) 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.

5.4 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.

5.5 Suspension of Charity Rates and Charges (Groups I and III)

(a) Organizations that have been approved for Charity Rates and Charges must make timely payments on accounts in order to remain eligible for these discounted 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(s) 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 5.3. 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.

5.6 Hearing.

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

5.7 No Waiver.

Nothing herein 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.

6.0 MISCELLANEOUS WATER CHARGES

Charges for miscellaneous water services supplied by the City of Philadelphia shall become effective September 1, 2019 as follows:

6.1 Meter Test Charges.

(a) A Customer may apply to the Department for a test of the accuracy of the registration of a water meter (Meter Test). 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 Department's 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 Department's regular business hours (9:00 a.m. to 4:45 p.m.).

(d) A Customer may request a Meter Test to be performed outside the regular business hours of the Department under the following conditions:

(1) the Department has staff available and agrees to a time outside the regular business hours of the Department; and,

(2) the Customer agrees to pay the overtime and added expenses, whether the meter passes or fails the test.

(e) 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, the Customer will be assessed a Meter Test Charge as follows:

<u>Meter Size</u>	<u>Charge</u>
5/8"	\$210
1", 1-1/2", 2"	\$280
3", 4", 6", 8", 10", 12"	\$660

Field Tests, 3" and above	\$660

(plus any charges and/or expenses incurred for work performed outside the regular hours of business, if requested by the Customer).

(f) If the meter is found upon testing to be registering in excess of 102% of the actual volume of water passing through the meter, the Customer shall not be assessed a Meter Test charge as provided for in subsection (e); and, WRB 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.

(g) The Department will, at the request of a Customer, test his or her meter at no charge once every twenty years. Additional tests are subject to the charges listed in Section 6.1(e).

6.2 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 meter interface unit (MIU), the following charges are hereby established:

<u>Meter Size</u>	<u>Charge</u>
5/8"	\$250
3/4 RFSS	430
1"	425
1" RFSS	520
1 1/2"	805
1 1/2" RFSS	750
2"	905
2" RFSS	965
3" Compound	2,380
3" Turbine	1,495
3" Fire Series	3,380
4" Compound	2,795
4" Turbine	2,535
4" Fire Series	3,670
4" Fire Assembly	6,025
6" Compound	4,825
6" Turbine	4,075
6" Fire Series	5,320
6" Fire Assembly	7,925
8" Turbine	5,455
8" Fire Series	6,090
8" Fire Assembly	11,145
10" Turbine	7,795
10" Fire Series	8,525
10" Fire Assembly	15,310
12" Turbine	7,910
12" Fire Series	8,715
12" Fire Assembly	16,180

(b) For work which involves only the furnishing and setting of an MIU, the following charges are hereby established:

<u>Meter Size</u>	<u>Charge</u>
5/8"	\$ 105
3/4" RFSS	105
1"	185
1 " RFSS	185
1 1/2"	185
1 1/2" RFSS	185
2"	185
2" RFSS	185
3" Compound	525
3" Turbine	525
4" Compound	525
4" Turbine	525
6" Compound	525
6" Turbine	525
8"	525
10"	525

(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, tampering or other damage. The Property Owner 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.

6.3 Tampering of Meter.

(a) In the event that an investigation indicates that tampering of a meter has occurred, the following charges to the Customer shall be assessed:

<u>Meter Size</u>	<u>Charge</u>
5/8" or 3/4"	\$ 120
1", 1 1/2", 2"	210
3" and larger	580

6.4 Shut-Off and Restoration of Water Service.

(a) If the Department is required to visit a Property to shut off service for non-payment; and, payment is tendered at the time of the shut-off, a charge of one hundred dollars (\$100) will be assessed.

(b) A one hundred and five dollar (\$105) charge will be assessed if shut-off of the water service is required as a result of non-compliance with a Notice of Defect and/or metering non-compliance.

(c) 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\$60

(ii) service lines larger than 2".....\$200

(2) Where the curb stop is obstructed, the access box missing or otherwise requires excavation\$590

(3) Where the curb stop is inoperable and a new curb stop must be installed...\$885

(4) Where the curb stop is obstructed, the access box missing, or otherwise requires excavation, and replacement of footway paving is required\$820

(5) Where the curb stop is inoperable and a new curb box must be installed and replacement of footway paving is required\$865

(6) Where excavation and shut-off of the ferrule at the water main is required\$1,985

(d) If the Department is required 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.

6.5 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 may be done at the Property Owner's request and expense.

(2) Pumping of other Properties due to the failure of a Property Owner's piping may be performed by the Department and be charged to the Property 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

The Department may, at its sole and exclusive discretion, pump water from unoccupied properties if it is determined that a serious condition exists. The charges for pumping shall be as specified in Section 6.5(a).

6.6 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 two hundred and ten dollar (\$210) 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 and any other costs incurred by the Department in conducting the emergency shut down.

6.7 Water Connection Charges.

(a) Permits. Permits for connections to the City's water supply system shall be issued by the Water Permit section of the Department of Licenses and Inspections.

(b) Ferrule Connections.

(1) Connections between 3/4 inch and two inches (2") 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 6.7(b)(3), shall be as follows:

<u>Size</u>	<u>Charge</u>
¾"	\$240
1"	270
1½"	365
2"	430

(3) The charges for such ferrule connections, when the work performed at the Customer's request is not during the Department's regular business hours (9:00 a.m. to 4:45 p.m.), shall be as follows:

<u>Size</u>	<u>Charge</u>
¾"	\$250
1"	280
1½"	375
2"	440

(c) Valve Connections. Connections three inches (3") 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 two inch (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 6.7(c)(2), shall be as follows:

<u>Size</u>	<u>Charge</u>
3" & 4"	\$ 15,705
6" & 8"	15,945
10" & 12"	18,605

(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>
3" & 4"	\$ 16,450
6" & 8"	16,690
10" & 12"	19,440

(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 6.7(d)(3)&(4), the charges will be a follows:

SLEEVE 3" & 4"

MAIN

16"	\$ 23,475
20"	24,860
24"	26,475
30"	36,845
36"	42,010

SLEEVE 6" & 8"

MAIN

16"	\$23,595
20"	24,630
24"	26,475
30"	37,450
36"	43,830

SLEEVE 10" & 12"

MAIN

16"	\$22,445
20"	23,295
24"	24,485
30"	38,805
36"	47,450

Except as otherwise provided, no Customer shall be relieved of the obligation to pay water and sewer charges unless a permit for the discontinuance of water and sewer has been obtained from the Department of Licenses and Inspections pursuant to the provisions of Philadelphia Code section 19-1601. When a permit is granted to discontinue water and sewer 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. A validly issued permit to discontinue water and sewer does not terminate the obligation to pay for stormwater management services.

6.9 Hydrant Permits.

(a) A permit shall be obtained from the Water Permit section of the Department of Licenses and Inspections 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.....\$ 525

(2) Six Month Permit for use of standard pressure hydrant.....\$ 3,370

6.10 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 six hundred and ninety dollars (\$690) for each flow test.

6.11 Water Service Line Investigations and/or Inspections

When a Customer or a duly authorized representative of a Customer requests the Department to conduct an investigation to locate and/or to inspect the water service line at a specific location, the charge shall be ninety dollars (\$90) for each investigation or inspection. The charge shall be assessed regardless of the result of the investigation or inspection.

6.12 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.

7.0 MISCELLANEOUS SEWER CHARGES

Charges for miscellaneous sewer services supplied by the City of Philadelphia shall be effective September 1, 2019, as follows.

7.1 Sewer Charges for Groundwater.

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

(1) Effective September 1, 2019 and thereafter, the rate shall be \$13.86 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.

7.2 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 September 1, 2019 and thereafter, the rate shall be \$56.96 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.

7.3 Wastewater Discharge Permit.

All Industrial Users contributing wastewater to the City's sewer system must obtain a permit from the Department pursuant to the Wastewater Control Regulations in Chapter 5 of the Department's regulations. The fee for each new or renewal permit is one thousand nine hundred and sixty dollars (\$1,960).

7.4 Groundwater Discharge Permit.

All Industrial Users contributing groundwater to the City's sewer system must obtain a permit from the Department pursuant to the Wastewater Control Regulations contained in Chapter 5 of the Department's regulations. The fee for each new or renewal permit is one thousand nine hundred and sixty dollars (\$1,960).

7.5 Manhole Pump-out Permit

(a) Any non-domestic User discharging wastewater from underground structures to the City's sewer system must obtain a manhole pump-out permit from the Department pursuant to the Wastewater Control Regulations in Chapter 5 of the Department's regulations. The fee for each new or renewal permit is one thousand nine hundred and sixty dollars (\$1,960).

(b) In the event a User requests discharge locations in the City's separate sewer areas under this permit, the City may assess additional fees for any work associated with the review of this request and the identification of the discharge locations.

7.6 Trucked or Hauled Wastewater Permit

Any person trucking or hauling wastewater to the POTW must first obtain a septage discharge permit from the Department pursuant to the Wastewater Control Regulations in Chapter 5 of the Department's regulations. The fee for each new or renewal permit shall be one thousand nine hundred and sixty dollars (\$1,960).

7.7 PHOTOGRAPHIC & VIDEO INSPECTION

When a Customer or a duly authorized representative of a Customer requests the Department to conduct a photographic or video inspection of a private sewer line at a specific location, the charge shall be two hundred and seventy five dollars (\$275) for each photographic or video inspection. The charge shall be assessed regardless of the result of the photographic or video inspection.

7.8 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.

8.0 MISCELLANEOUS STORMWATER MANAGEMENT CHARGES

8.1 Stormwater Plan Review Fees.

All Development plans submitted to the Department under Chapter 6 of the Department's regulations for stormwater management approvals shall be subject to a plan review fee.

(a) Fees.

(1) A fee of one thousand one hundred and sixty dollars (\$1,160) shall be due prior to issuance of Conceptual Stormwater Management Plan approval.

(2) A fee of two hundred and eighty five dollars (\$285) shall be due upon submission of a post construction stormwater management plan, including a technical site plan, for review. An additional fee of one hundred and fifty dollars (\$150) per hour of review time shall be due prior to issuance of PCSMP 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 the Department's 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.

8.2 Stormwater Management Fee in Lieu.

Where a Property Owner can demonstrate that it is not feasible to meet the requirements of the Department's regulations by managing stormwater on a proposed Development Site ("Development Site"), the Developer 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 SMPs set forth in the Manual to meet the requirements of the 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 cannot be achieved. The Department shall review the document alleging infeasibility by considering the entire Development Site.

(b) Nothing herein shall require the Department to grant a Developer its request for a fee in lieu of onsite stormwater management. The Department, however, may grant the request for a fee in lieu under the following conditions:

(1) The Developer has conclusively demonstrated the infeasibility of onsite stormwater management; and

(2) The Department has determined that off-site stormwater management, pursuant to Section 600.3(d) of its 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 Chapter 6 of the Department's regulations the fee shall be fifteen dollars (\$15.00) per square foot based on the total square footage of Earth Disturbance.

9.0 FIRE SERVICE CONNECTIONS

Fire service connection charges shall consist of a monthly service charge and a quantity charge and shall be effective September 1, 2019, as follows.

9.1 Charges.

(a) Monthly Service Charges.

(1) The monthly service charges for the furnishing of water for the purpose of fire protection effective September 1, 2019 and thereafter, shall be as follows:

<u>Connection Size</u>	<u>Service Charge</u>
Up through 4-inch	\$ 27.63
6-inch	50.74
8-inch	75.77
10-inch	111.74

12-inch

172.64

(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) Quantity Charges.

(1) In addition to the service charge, the quantity charge portion of each bill is determined by applying the quantity charge rate shown below to all water use. In addition, the quantity charge will also include a TAP Rate Rider Surcharge, as set forth in Section 10.

Effective September 1, 2019 and thereafter, 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>Base Charge Per Mcf</u>	<u>TAP-R Per Mcf</u>	<u>Total Charge Per Mcf</u>
First 2 Mcf (0 to 2 Mcf)	\$44.80	-	-
Next 98 Mcf (2.1 to 100 Mcf)	38.56	-	-
Next 1,900 Mcf (100.1 to 2,000 Mcf)	29.88	-	-
Over 2,000 Mcf	29.06	-	-

(e) The provisions in this Section apply to all fire service connections.

9.2 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.

10.0 PROVISIONS FOR RECOVERY OF THE TIERED ASSISTANCE PROGRAM (TAP) COSTS

The lost revenue related to TAP (the “TAP Costs”) will be recovered via a separate TAP Rate Rider Surcharge Rate (TAP-R), which would be added to the water, fire service and sewer quantity charge rate schedules. This TAP-R shall be increased or decreased for the next rate period to reflect changes in TAP costs, and will be calculated and reconciled on an annual basis in the manner set forth below.

10.1 Computation of the TAP-R

(a) The TAP-R Equation

The TAP-R shall be computed to the nearest one-hundredth of a dollar per MCF (\$0.01/MCF) in accordance with the formula set forth below:

$$TAP-R = \frac{(C) - (E+I)}{S}$$

The TAP-R so computed, shall be applied as an adder to the water, fire service connection and sewer quantity charge base rate schedules set forth for water in Section 2.1 (c); sewer in Section 3.3 (b); and fire service in Section 9.1 (d), of these regulations. As a result, the TAP-R shall consist of two sub-components:

- (1) A “Water TAP-R” added to the water and fire service quantity “base rate” (\$/MCF); and
- (2) A “Sewer TAP-R” added to the sewer quantity “base rate” (\$/MCF).

During the rate periods that TAP-R is effective, to recover the TAP Costs through Water TAP-R and the Sewer TAP-R respectively, the total TAP Costs determined for a given rate period will be apportioned between water and wastewater utilities based on the proportion of water and wastewater net revenue requirement respectively to total net revenue requirement. The percent allocation of TAP Costs between water and wastewater utilities will be as follows:

- (i) Water TAP Cost Allocation: 41%
- (ii) Sewer TAP Cost Allocation: 59%

(b) Definitions

In computing the TAP-R pursuant to the formula above, the following definitions shall apply:

- (1) **TAP-R** - TAP Rate Rider Surcharge Rate (\$/MCF).
- (2) **C** – Cost in dollars of the estimated TAP Billing Loss for the projected period.
- (3) **E** - The net over or under collection of the TAP-R surcharge amount for the Most Recent Period. The net over or under collection will be calculated by comparing the actual TAP Revenue Loss (resulting from discounts provided to TAP Customers) with the actual TAP-R surcharge amounts billed to Non-TAP Customers. Both the TAP Revenue Loss and the TAP-R billings, that are determined for the rate periods, will be adjusted for collections by applying the Department’s system-wide collection factor of 96.54%.
- (4) **I** - Interest on any over or under recovery of the TAP-R for the most recent period. Interest will be computed on annual basis. The interest rate will be based upon the yield to maturity of a particular date of United States Treasury securities with a constant maturity for a 1-year Treasury as compiled and published in the Federal Reserve Statistical Release H.15 (519) for the United States Treasury¹, as it exists each year as of the first day of the month, preceding the month of the annual reconciliation submission to the Rate Board.
- (5) **S** - Projected sales in MCF for Non-TAP customers.
- (6) **Most Recent Period** – The Current Fiscal Year and/or the period for which TAP-R reconciliation is performed.
- (7) **Next Rate Period** – The fiscal year and/or the period that immediately follows the Most Recent Period, and in which the TAP-R is effective.

10.2 Filing with the Philadelphia Water, Sewer and Storm Water Rate Board

(a) Annual Reconciliation

The Water Department shall initiate the annual TAP Rate Rider Reconciliation by filing a TAP-R reconciliation request statement ("Statement") with the Philadelphia Water, Sewer and Storm Water Rate Board (the "Rate Board"). The Statement filed by the Water Department shall be a matter of public record. The reconciliation submission will be contemporaneously served upon participants in the Water Department’s most recently concluded General Rate Increase Proceeding (as defined in the Rate Board’s Regulations) and publicly advertised pursuant to such standards as shall be adopted and/or promulgated

¹ Currently available at <https://www.federalreserve.gov/releases/h15/>.

by the Rate Board. The Water Department shall file the annual Statement with the Rate Board at least 60 days prior to the effective date of the new surcharge rate, or at such other time as the Rate Board may prescribe, and in accordance with any procedures and standards for the contents of such reconciliation submissions established by the Rate Board.

10.3 TAP-R Surcharge Rates

(a) Water TAP-R

The Water TAP-R portion of each water bill is determined by applying the Water TAP-R surcharge rate shown below to all water use.

1 Mcf = 1,000 Cubic Feet = 7,480 gallons
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- (1) Effective September 1, 2019 and thereafter, the Water TAP-R surcharge shall be \$- per Mcf as determined by the annual reconciliation filing.

(b) Sewer TAP-R

The Sewer TAP-R portion of each sewer bill is determined by applying the Sewer TAP-R surcharge rate shown below to all water use.

1 Mcf = 1,000 Cubic Feet = 7,480 gallons
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- (1) Effective September 1, 2019 and thereafter, the Sewer TAP-R surcharge shall be \$- per Mcf as determined by the annual reconciliation filing.

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