

**BOROUGH OF ALBURTIS
LEHIGH COUNTY, PENNSYLVANIA**

Ordinance No. 475

(Duly Adopted December 29, 2008)

AN ORDINANCE ESTABLISHING THE REAL ESTATE TAX RATE FOR THE FISCAL YEAR 2009 AT 9.9 MILLS, WHICH IS THE SAME AS THE RATE APPLICABLE FOR 2008; CONFIRMING WITH NO INCREASE IN RATES FOR 2009 THE PER CAPITA TAX, EARNED INCOME TAX, LOCAL SERVICES TAX, REALTY TRANSFER TAX, WATER RENTALS AND FEES, AND BASE SEWER RENTALS AND FEES; EXTENDING THE SANITARY SEWER TEMPORARY SURCHARGE FOR 2009 FOR EACH DWELLING UNIT AND EACH COMMERCIAL/BUSINESS UNIT AT THE RATE OF \$42.00 PER CALENDAR QUARTER, WHICH IS A \$10.00 INCREASE OVER THE RATE FOR 2008; AND REDUCING THE QUARTERLY FEE FOR COLLECTING MUNICIPAL WASTE AND RECYCLABLE MATERIALS BY \$10.00 FOR EACH RESIDENTIAL DWELLING UNIT OR EQUIVALENT DWELLING UNIT.

BE IT ORDAINED and **ENACTED** by the Borough Council of the Borough of Al-
burtis, Lehigh County, Pennsylvania, as follows:

SECTION 1. Chapter 81 of the Codified Ordinances (relating to Real Property
Tax) is amended by adding the following new § 81-111:

§ 81-111 2009.

A tax is hereby levied on all assessed property within the Borough of
Alburtis subject to taxation for fiscal year 2009, as follows:

(a) For general borough purposes, the sum of 9.9 mills on each
dollar of assessed valuation.

(b) The total tax levy on assessed property is equal to 9.9 mills on
each dollar of assessed valuation.

SECTION 2. Codified Ordinances § 81-201 (relating to Real Property Tax—Penalties) is ratified and confirmed for fiscal year 2009.

SECTION 3. The rates of taxes under Chapters 82 (relating to Earned Income Tax), 83 (relating to Per Capita Tax), 84 (relating to Local Services Tax), and 85 (relating to Realty Transfer Tax) of the Codified Ordinances are ratified and confirmed without change for the year 2009.

SECTION 4. The rentals, charges, and/or fees established under Codified Ordinances Chapter 64, Article VI (relating to Water Rentals, Charges, and Fees), and Chapter 65, Article V (relating to Sewer Rental & System Usage Fees), except as provided in Section 5 of this Ordinance, are ratified and confirmed without change for the year 2009.

SECTION 5. The temporary surcharges imposed under Codified Ordinances § 65-509 (relating to Sewer Rental & System Usage Fees—Temporary Surcharges) are extended for the year 2009 at the increased rate of \$168.00 (compared to \$128.00 for 2008) by adding a new subsection (t) to Codified Ordinances § 65-509 as follows (with insertions indicated by double underlining):

§ 65-509 Temporary Surcharges.

In addition to all other sewer rental fees and charges set forth in this Article, temporary surcharges are imposed upon the Owners of Improved Properties which shall be collected with the Sewer System, for the direct or indirect use of the Sewer System, as follows:

* * *

(t) 2009. One Hundred Sixty-eight Dollars (\$168.00) for each Dwelling Unit and each commercial/business unit for fiscal year 2009, to be added in the amount of Forty-two Dollars (\$42.00) each calendar quarter, unless Borough Council determines for any given quarter than the surcharge is not necessary.

SECTION 6. Effective January 1, 2009, Codified Ordinances § 67-701(h) (relating to Municipal Solid Waste, Recyclables, and Other Refuse—Fees—Schedule of Fees—Current Fee Schedule) is amended by amending paragraphs (1) and (2) as follows (with deletions indicated by ~~strike-outs~~ and insertions indicated by double underlining):

§ 67-701 Schedule of Fees.

* * *

(h) Current Fee Schedule. Unless and until changed or supplemented by action under the preceding subsections of this § 67-701, the schedule of fees for the services provided under this Chapter shall be as follows:

(1) Residential. The owner of a residential dwelling unit in the Borough shall pay a fee for ~~garbage-hauling services~~ the collection and disposition of municipal waste and recyclable materials under this Chapter of ~~Ninety-four Dollars (\$94.00)~~ Eighty-four Dollars (\$84.00) each calendar quarter for each residential dwelling unit owned, except for any residential dwelling unit not connected to the Borough water system for the entire quarter. The owner of a residential dwelling unit in the Borough who also conducts a business from the property shall pay a quarterly fee of ~~Ninety-four Dollars (\$94.00)~~ Eighty-four Dollars (\$84.00) per equivalent dwelling unit for ~~garbage-hauling services~~ the collection and disposition of municipal waste and recyclable materials under this Chapter. Each such property shall be assigned a number of equivalent dwelling units based on an estimate of the amount of ~~garbage~~ collectible municipal waste hauled from that property divided by the amount of ~~garbage~~ collectible municipal

waste hauled from a typical residential dwelling unit. This number shall be set, from time to time, by the Borough, subject to appeal to the Borough Council. In the absence of any specific action establishing equivalent dwelling units, the quarterly fee for such a residential dwelling unit shall be ~~Ninety-eight Dollars (\$98.00)~~ Eighty-eight Dollars (\$88.00).

(2) **Nonresidential.** The owner of each nonresidential property in the Borough shall pay a quarterly fee of ~~Ninety-four Dollars (\$94.00)~~ Eighty-four Dollars (\$84.00) per equivalent dwelling unit for ~~garbage hauling services~~ the collection and disposition of municipal waste and recyclable materials under this Chapter. Each nonresidential property shall be assigned a number of equivalent dwelling units based on an estimate of the amount of ~~garbage~~ collectible municipal waste hauled from that property divided by the amount of ~~garbage~~ collectible municipal waste hauled from a typical residential dwelling unit. This number shall be set, from time to time, by the Borough, subject to appeal to the Borough Council. In the absence of any specific action establishing equivalent dwelling units, the quarterly fee for a nonresidential property served by one or more dumpsters shall be computed on the basis of three (3) equivalent dwelling units per dumpster.

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DULY ORDAINED and **ENACTED** by the Borough Council of the Borough of Al-
burtis, this 29th day of December, 2008, in lawful session duly assembled.

BOROUGH COUNCIL
BOROUGH OF ALBURTIS

Steven R. Hill, President

Attest:

Sharon Trexler, Executive Secretary

AND NOW, this 29th day of December, 2008, the above Ordinance is hereby
APPROVED.

Robert W. Mader, Mayor