

**BOROUGH OF ALBURTIS
LEHIGH COUNTY, PENNSYLVANIA**

Ordinance No. 442

(Duly Adopted December 28, 2005)

AN ORDINANCE ESTABLISHING THE REAL ESTATE TAX RATE FOR THE FISCAL YEAR 2006 AT 8.4 MILLS, MAKING NO INCREASE OVER THE RATE APPLICABLE FOR 2005; CONFIRMING WITH NO INCREASE IN RATES FOR 2006 THE PER CAPITA TAX, EARNED INCOME TAX, EMERGENCY AND MUNICIPAL SERVICES TAX, REALTY TRANSFER TAX, AND SEWER RATES AND CHARGES; EXTENDING THE SANITARY SEWER TEMPORARY SURCHARGE FOR 2006 AT THE SAME RATE AS FOR 2005; INCREASING THE QUARTERLY GARBAGE FEES BY TWENTY-SIX DOLLARS (\$26.00) PER RESIDENTIAL DWELLING UNIT OR EQUIVALENT DWELLING UNIT; AND REDUCING THE FEE FOR A RETURNED CHECK TO TWENTY DOLLARS (\$20.00).

BE IT ORDAINED and **ENACTED** by the Borough Council of the Borough of Alburtis, 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 § 81-108:

§ 81-108 2006.

A tax is hereby levied on all assessed property within the Borough of Alburtis subject to taxation for fiscal year 2006, as follows:

(a) For general borough purposes, the sum of 8.4 mills on each dollar of assessed valuation.

(b) The total tax levy on assessed property is equal to 8.4 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 2006.

SECTION 3. The rates of taxes under Chapters 82 (relating to Earned Income Tax), 83 (relating to Per Capita Tax), 84 (relating to Emergency and Municipal Services Tax), and 85 (relating to Realty Transfer Tax) of the Codified Ordinances are ratified and confirmed without change for the year 2006.

SECTION 4. The rentals, charges, and/or fees established under Codified Ordinances Chapter 65, Article V (relating to Sewer Rental & System Usage Fees) are ratified and confirmed without change for the year 2006.

SECTION 5. The provisions of Codified Ordinances § 65-509 (relating to Sewer Rental & System Usage Fees—Temporary Surcharges) are extended for the year 2006 at the same rate as for the year 2005 by adding a new subsection (q) 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:

* * *

(q) 2006. One Hundred Twenty Dollars (\$120.00) for each Dwelling Unit and each commercial/business unit for fiscal year 2006, to be added as Borough Council deems necessary.

SECTION 6. Effective January 1, 2006, 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 of ~~Sixty-eight Dollars (\$68.00)~~ Ninety-four Dollars (\$94.00) 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 ~~Sixty-eight Dollars (\$68.00)~~ Ninety-four Dollars (\$94.00) per equivalent dwelling unit for garbage hauling services. Each such property shall be assigned a number of equivalent dwelling units based on an estimate of the amount of garbage hauled from that property divided by the amount of garbage 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 ~~Seventy-two Dollars (\$72.00)~~ Ninety-eight Dollars (\$98.00).

(2) Nonresidential. The owner of each nonresidential property in the Borough shall pay a quarterly fee of ~~Sixty-eight Dollars (\$68.00)~~ Ninety-four Dollars (\$94.00) per equivalent dwelling unit for garbage hauling services. Each nonresidential property shall be assigned a number of equivalent dwelling units based on an estimate of the amount of garbage hauled from that property divided by the amount of garbage 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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SECTION 7. Codified Ordinances § 7-401(f) (relating to Departments—Administration—Miscellaneous Fees—Returned Checks) is amended as follows (with deletions indicated by ~~strike-outs~~ and insertions indicated by double underlining):

§ 7-401 Miscellaneous Fees.

* * *

(f) Returned Checks. The fee for a returned check shall be ~~Forty-five Dollars (\$45.00)~~ Twenty Dollars (\$20.00).

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DULY ORDAINED and **ENACTED** by the Borough Council of the Borough of Al-
burtis, this 28th day of December, 2005, in lawful session duly assembled.

**BOROUGH COUNCIL
BOROUGH OF ALBURTIS**

Steven R. Hill, President

Attest:

Melanie Hansen, Secretary

AND NOW, this 28th day of December, 2005, the above Ordinance is hereby
APPROVED.

Russell J. Afflerbach, Mayor