

BEFORE THE BOROUGH COUNCIL OF THE BOROUGH OF EMMAUS,
LEHIGH COUNTY, PENNSYLVANIA

ORDINANCE NO. 1287

AN ORDINANCE AMENDING CHAPTER 26, SECTIONS 105 AND 106 OF THE CODIFIED ORDINANCES,
DEALING WITH THE WATER RATE SCHEDULE AND THE BILLING AND COLLECTION PROCEDURES FOR
THE BOROUGH OF EMMAUS, PENNSYLVANIA.

WHEREAS, the Borough of Emmaus by virtue of the power in Chapter 24 of the Borough Code in accordance with the Resolution or Ordinance that shall adopt the budget for the 2026 fiscal year and shall amend the water rate schedule for the residents of the Borough of Emmaus as part of Chapter 26, Section 105 in the Codified Ordinances; and

WHEREAS, the Borough Council of the Borough of Emmaus desires to implement by Ordinance the new water rates in Section 105 of Chapter 26, and to change the billing procedure and collection process for water bills as provided in Section 106 of Chapter 26; and

WHEREAS, significant structural issues in the Borough's water system, including mitigation of the contaminant known as PFAS, have required the Borough to explore alternate methods to improve and repair its systems; and

WHEREAS, Polyfluoroalkyl Substances (PFAS), namely PFOS and PFOA, have been discovered at dangerous levels in the Borough's drinking water system; and

WHEREAS, the cost to remove the contamination, and the cost to improve the system infrastructure require large capital investments; and

WHEREAS, it is the desire of the Emmaus Borough Council to properly prepare for and fund the significant costs in the treatment and supply of drinking water to the community; and

WHEREAS, in 2023, the Borough increased rates based on these costs, with anticipated additional significant costs in future years; and

WHEREAS, in 2026, it is the intention of the Borough to increase rates based on the estimated cost to mitigate the system and to complete other necessary improvements and operations; and

WHEREAS, Borough consultants from Waterworth have advised the Borough of certain water rate best practices across the nation; and

WHEREAS, it is the position of the Borough of Emmaus that it is necessary to address the operational, infrastructure, and maintenance needs of the water production and distribution system for the community through an established fee structure.

NOW, THEREFORE, be it hereby ORDAINED and ENACTED that Chapter 26, Sections 105 and 106(3) and (4), of the Codified Ordinances of the Borough of Emmaus are hereby replaced and amended as follows:

Section 105. Rates/Schedules.

<u>Water Rates</u>	<u>Quarterly Meter Rates</u>
Quantity: (per 1,000 gallons)	5/8" to 3/4" - \$26.00
\$3.63	1" to 1 1/2" - \$56.00
	2" - \$115.00
	3" - \$280.00
	4" - \$450.00
	6" - \$670.00

Multi-Unit Service Fee - \$14.00 per quarter per unit. In accordance with the fee on each multi-unit account, there shall be one unit in each dwelling or business that shall not be assessed the \$14.00 per quarter fee.

The above rates include lateral maintenance to curb stop, and shall remain in effect for January 1, 2026, and beyond, billing.

Section 106. Billing.

3. Bills are due and payable upon presentation. The bill is due and payable for a period of 30 days after which a 10% penalty is added and is due for the next 30 days. Payment of the bill must be made in full. Installment payments may be accepted at the discretion of the Borough.

4. Water service will be subject to being discontinued for any customer who allows a bill for water to remain unpaid for longer than 60 days from the initial billing date. In the event that water service is discontinued due to nonpayment of a water bill, all delinquent and current bills, plus an additional \$100.00 re-connection fee must be paid before water service will be resumed.

BE IT FURTHER ORDAINED AND ENACTED by the Borough Council of the Borough of Emmaus hereby establishes the creation of a Water Infrastructure Reserve Fund as follows:

1. Effective with the first billing as of January 1, 2023, the Borough of Emmaus established a "Reserve Fund" for purposes of significant structural and infrastructure repairs to the water treatment and distribution system, including but not limited to, treatment of contaminants in the water system, infrastructure improvements, capital projects, and large equipment purchases that enhance the treatment and distribution of water. In 2026, this rate shall be in accordance with the below provisions.

A. The Reserve Fund shall be used exclusively for the purposes of significant structural repairs of the water treatment and distribution system and shall not be utilized to balance the Water Fund Budget. This provision may only be changed by a superseding Ordinance. It is the intention of Council that this fund shall remain restricted to the above-mentioned uses only and funds may not be borrowed or shifted from said fund even on a temporary basis except by a superseding Ordinance.

B. The Reserve Fund shall be shown as a separate line item on quarterly sewer bills to all customers and shall be labeled in such a way that it is clearly identified.

C. The Reserve Fund Rate for 2026 shall be calculated based on the size of the water meter at each address as follows and shall be billed with quarterly bills:

<u>Water Meter Size:</u>	<u>Per Quarter:</u>
5/8" & 3/4"	\$23.00
1"	\$36.80
1 1/2"	\$36.80
2"	\$55.20
3"	\$69.00
4" and beyond	\$115.00

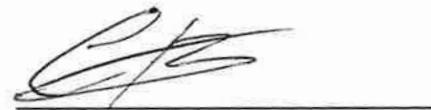
BE IT FURTHER ORDAINED AND ENACTED that all existing Ordinances of the Borough or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed.

BE IT FURTHER ORDAINED AND ENACTED that if any section or provision of this Ordinance is declared by any Court of competent jurisdiction to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality or invalidity shall not affect the constitutionality, legality or validity of this Ordinance as a whole, nor the constitutionality, legality or validity of any other section or provision of this Ordinance other than the one so declared to be unconstitutional, illegal or invalid.

DULY ADOPTED this 15th day of December 2025 by the Emmaus Borough Council in lawful session duly assembled.

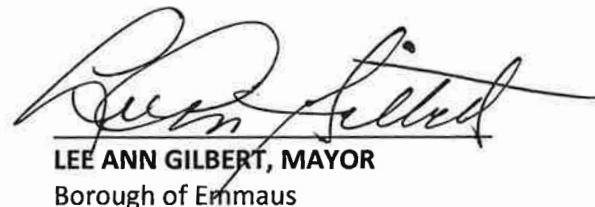


SHANE M. PEPE
Borough Manager



CHAD BALLIET
Borough Council President

AND NOW, this 15th day of December 2025, the above Ordinance is hereby **APPROVED** by the Borough of Emmaus in due course.



LEE ANN GILBERT, MAYOR
Borough of Emmaus