

**PUBLIC NOTICE  
PUBLIC HEARING**

The East Stroudsburg Borough Council will hold a Public Hearing during a Regular Meeting of the Borough Council for **Ordinance No. 1422, Amending Chapter 126 - Sewers** of the East Stroudsburg Borough Code of Ordinances on **Tuesday, January 20, 2026, at 7:30 PM**, in the Borough of East Stroudsburg Municipal Building, located at 24 Analomink St, East Stroudsburg, PA. After the hearing and during the continuance of the meeting, the Borough Council will, if in order, consider and vote upon **Ordinance No. 1422, Amending Chapter 126 - Sewers**, as well as conduct any other business that may come before the Borough Council. In place of setting forth the entirety of **Ordinance No. 1422, Amending Chapter 126 – Sewers**, a summary of the proposed **Ordinance** is as follows:

**CHAPTER 126 – SEWERS SHALL BE AMENDED TO INCLUDE: LEGISLATIVE FINDINGS FOR AMENDMENTS; TO REVISE SECTION 126-3 WORD USAGE, DEFINITIONS INCLUDING THE DEFINITION AND CALCULATED VALUE OF AN EDU (EQUIVALENT DWELLING UNIT); TO REVISE SECTION 126-7 TAPPING FEES TO REFLECT THE RECALCULATED TAPPING FEES AND EDU; REVISIONS TO SEWER RATE SCHEDULE “A” TO REFLECT THE RECALCULATED TAPPING FEES AS ADOPTED BY THE BOROUGH OF EAST STROUDSBURG; REVISIONS TO THE FOOTNOTE OF APPENDIX D FORM 1 – APPLICATION FOR SEWER SERVICE TO REFLECT THE RECALCULATED EDU; AND TO INCLUDE PROVISIONS FOR SEVERABILITY, REPEALER, FURTHER AMENDMENT, AUTHORITY AND EFFECTIVE DATE.**

The hearing is open to the public. All interested parties are welcome to attend and will have an opportunity to be heard. The proposed Ordinance can be examined without charge or obtained for a charge not greater than the actual cost of reproduction thereof at the East Stroudsburg Municipal Building at the address set forth above during normal business hours (8 AM to 5 PM, Monday-Friday) and online at the East Stroudsburg Borough Website [www.eaststroudsburgboro.org](http://www.eaststroudsburgboro.org) during regular business hours. If you are a person with a disability and require auxiliary aid, service, or other accommodation to participate in the proceedings, please contact the Borough at (570) 421-8300 to discuss how your needs may be accommodated. The public hearing may also be viewed virtually, via the East Stroudsburg Borough’s Facebook page.

Prepared by:  
Kelly Lewis, Borough Manager  
Borough of East Stroudsburg

# BOROUGH OF EAST STROUDSBURG



## COMMONWEALTH OF PENNSYLVANIA BOROUGH OF EAST STROUDSBURG MONROE COUNTY

### ORDINANCE NO. 1422

**AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF EAST STROUDSBURG, MONROE COUNTY, PENNSYLVANIA (“BOROUGH”), AMENDING CHAPTER 126 – SEWERS, OF THE CODIFIED ORDINANCES OF THE BOROUGH OF EAST STROUDSBURG. CHAPTER 126 – SEWERS SHALL BE AMENDED TO INCLUDE: LEGISLATIVE FINDINGS FOR AMENDMENTS; TO REVISE SECTION 126-3 WORD USAGE, DEFINITIONS INCLUDING THE DEFINITION AND CALCULATED VALUE OF AN EDU (EQUIVALENT DWELLING UNIT); TO REVISE SECTION 126-7 TAPPING FEES TO REFLECT THE RECALCULATED TAPPING FEES AND EDU; REVISIONS TO SEWER RATE SCHEDULE “A” TO REFLECT THE RECALCULATED TAPPING FEES AS ADOPTED BY THE BOROUGH OF EAST STROUDSBURG; REVISIONS TO THE FOOTNOTE OF APPENDIX D FORM 1 – APPLICATION FOR SEWER SERVICE TO REFLECT THE RECALCULATED EDU; AND TO INCLUDE PROVISIONS FOR SEVERABILITY, REPEALER, FURTHER AMENDMENT, AUTHORITY AND EFFECTIVE DATE.**

**WHEREAS**, the Borough is a Municipal Corporation of the Commonwealth of Pennsylvania, organized and existing under the “Pennsylvania Borough Code”, as amended, 8 Pa.C.S. § 101, *et seq.*, (“Pennsylvania Borough Code”); and

**WHEREAS**, the East Stroudsburg Borough Council of the Borough pursuant to the Pennsylvania Borough Code, § 1202 (Specific powers), (1) (authority to prescribe reasonable fees) (2) (authority to operate and regulate utilities) (3) (authority to impose fines and penalties) (5) (authority to make regulations for health, welfare and safety of the Borough) and (65) (authority to collect on water and sewer rates); §1203 (Reserved powers), authority to make and adopt ordinances, bylaws, rules and regulations for proper management and control of the Borough and its finances; Chapter 20, Sanitary Sewers, §2000, *et seq.*, including §2001, Power to lay out and construct (c) Regulations to supply sanitary sewage services and make regulations as authorized by the Pennsylvania Borough Code; and

**WHEREAS**, the Borough Council of the Borough of East Stroudsburg, Monroe County, Pennsylvania, has adopted Chapter 126 – Sewers as an ordinance to the Borough Code of East Stroudsburg; and

**WHEREAS**, the Borough of East Stroudsburg owns and operates the sanitary sewer system providing for collection, conveyance, and treatment of sanitary sewage and wastewater from

residential, commercial, industrial, and institutional properties within the Borough Sewer Service Area; and

**WHEREAS**, the Borough Engineer has prepared and submitted a Sanitary Sewer (“Sewer”) Tapping Fee Study dated December 16<sup>th</sup>, 2025, in accordance with PA Act 57 of 2003 (which amends PA Act 203 of 1990); and

**WHEREAS**, Borough Council, at the December 16<sup>th</sup>, 2025 Public Meeting adopted motions: 1) to accept the Sewer Tapping Fee Study as prepared by the Borough Engineer and 2) to adopt a Sewer Tapping Fee (EDU Fee) in the amount of **\$6,945.00 per EDU** and to incorporate the approved EDU Fee into the 2026 Rate Resolution and to amend Chapter 126 – Sewers, Rate Schedule “A”; and

**WHEREAS**, the Borough of East Stroudsburg has determined that it is in the best interest of the health, welfare and safety of its citizens and customers of the Borough Sanitary Sewer System and to provide for the proper management and control of the Borough and its finances; to adopt updated sewer tapping fees to be charged to new customers, or customers with increased sewage usage greater than 10% from year to year, due to development, redevelopment, change of use, expanded operations, or increase in sewage capacity demand; and

**WHEREAS**, Borough Council has conducted a public hearing on the proposed amendment on January 5<sup>th</sup>, 2026, in accordance with the Pennsylvania Borough Code 8 Pa.C.S. § 101, *et seq.*

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Borough of East Stroudsburg, Monroe County, Pennsylvania, that the following additions and amendments to Chapter 126 – Sewers of the Code of Ordinances of the Borough of East Stroudsburg be adopted:

**SECTION 1 – In Section 126-3 Word Usage, Definitions, the definition of EDU (EQUIVALENT DWELLING UNIT) is amended by deleting the existing definition of EDU (EQUIVALENT DWELLING UNIT) in its entirety and replacing it with the following definition:**

**EDU (EQUIVALENT DWELLING UNIT)**

The sewer usage equal to 89,024 gallons per year or 243.9 gallons per day, as measured by the point-of-use water service meter or by an engineer’s calculation, where required. This is the design sewer capacity for a residential Dwelling Unit connected to the Borough Sanitary Sewer System calculated at 90 gallons per capita per day times 2.71, the average number of persons per household in the Borough according to Year 2020 census data, This EDU figure is established under the provisions of PA Act 57 of 2003 (which amended PA Act 203 of 1990). The number of EDUs is used to determine the following costs:

- (1) Tapping fees for new Customers;
- (2) Reassessed tapping fees for existing Customers which:
  - (a) Install additions to existing facilities;
  - (b) Expand existing facilities;
  - (c) Expand operations;
  - (d) Increase sewer usage based on water meter readings, for any reason other than unidentified loss of water which is remediated within three months of

determination of where the loss is occurring; and additional tapping fees for increased sewer usage shall be calculated annually and shall occur in the event the Customer's sewer usage as based on water meter readings, increases more than ten (10%) percent over the previous twelve (12) months' sewer usage, as calculated in or about March of each year;

- (e) Decrease sewer usage based upon water meter readings by more than ten (10%) percent under the previous twelve (12) months' sewer usage, as calculated in or about March of each year, and file a new or amended application for service with the Borough pursuant to Section 126-5 C, to reassess the EDU's assigned to the Premises.

**SECTION 2 – Section 126-7 Sewer Tapping Fees (A.) and (B.) are amended by deleting existing subsections A. and B. in their entirety and replacing them with revised subsections A. Equivalent dwelling unit; tapping fees. and B. Components; total costs per EDU., and new subsection C. as follows:**

§ 126-7 Sewer Tapping fees.

A. Equivalent dwelling unit; tapping fees.

- (1) Every new connection to the Borough sanitary sewer system shall require Tapping Fees to be paid as calculated pursuant to this chapter.
- (2) The design capacity for a residential Customer of the Borough sanitary sewer system is 243.9 gallons per day (gpd) per equivalent dwelling unit (EDU) calculated at 90 gallons per capita per day times 2.71, the average number of persons per household in the Borough according to Year 2020 census data, in accordance with the provisions of PA Act 57 of 2003. The EDU's for Non-Residential User and Mixed-Use User Customers shall be calculated by the Customer's daily sewer/wastewater flow usage (as determined by water meter readings) divided by 243.9 gpd, to the nearest tenth of an EDU (rounded up where applicable). Any Use on a Premises requiring a metered connection for the provision of sanitary sewer service by the Borough shall be assessed no less than one (1) EDU for the sewer Tapping Fee for each required metered connection, except that the provisions of Section 126-7 Sewer Tapping Fees, C. (1) may be applied to the requirements for determining the number of EDUs for Non-Residential User and Mixed-Use User Customers.

B. Components; total costs per EDU.

- (1) The sewer tapping fee is composed of the following four components as defined in the PA Act 57 of 2003 and calculated in the tapping fee study:
  - (a) Capacity Part costs: \$2,875 per EDU.
  - (b) Collection Part costs: \$4,070 per EDU.
  - (c) Special Purpose Part costs: Reserved.
  - (d) Reimbursement Part costs: Reserved.
  - (e) The total sewer tapping fee shall be \$6,945 per EDU.

- (2) The sewer tapping fee may be revised from time to time based on new engineering calculations and approved by Ordinance.
- C.
- No less than this tapping fee is due and payable upon issuance of a building permit. No connection to the sewer system or water system shall be allowed until the Tapping Fees are paid in full, pursuant to Chapter 126 and Chapter 154.
- (1) If it is determined by the Borough that the minimum tapping fee would not apply to a particular Premises (Non-Residential Users, Mixed Use Users or Multi-Residential Dwellings) requesting connection to the system, the applicant shall submit an application and in the application shall submit historical data and engineering calculations to support the estimated sewer use projections for the Premises. The data and calculations shall be reviewed by the Borough and/or Borough Engineer using engineering standards and procedures. All determinations of the Borough shall be final. Within one year following the date of connection, the Borough shall make an analysis of actual quarterly sewer usage, and the Borough shall thereafter adjust the EDU assignment, and associated Tapping Fees previously collected either upward or downward based on the quarterly usage. The onus is on the applicant to definitively demonstrate that actual use after one year is less than projected in order to qualify for a reduction in EDUs, and associated Tapping Fees.
  - (2) In those cases where an owner of a property is demolishing existing structures due to fire or redevelopment of that property, the owner shall be given credits equal to the existing EDUs previously purchased for and/or allocated to the Premises or, if EDUs were not previously purchased and/or allocated, based on sewer usage as otherwise established by the Borough, provided a new connection for sewer and water service is re-established and put into service within five (5) years of the initial termination of service date, and provided all standby fees are paid in full up through the date of re-establishment of service. This condition may be modified and the timeframe for re-establishment of service extended by motion of Borough Council at a public meeting. If the reconstruction or redevelopment of the property results in a use exceeding the prior tapping fee (EDU) usage then the owner shall pay the difference in tapping fee (EDU) charges.
  - (3) In those cases where a change in use, addition or expansion of use results in additional tapping fee (EDU) usage, additional charges shall be based upon the additional usage (EDU's) and assessed to the property owner. In no case shall credits be given for any excess EDU's which may result due to the reconstruction or redevelopment of a site and in no case shall EDU's be transferable from the original property to another property. Any additional fees shall be charged in full per § 126-7 A. and 126-7 B.
  - (4) Once EDUs are established and documented by the Borough (whether or not tapping fees have been paid) these EDUs shall serve as the basis of reserved capacity on a Premise, regardless of annual fluctuations not representing a Material Increase (or Material Decrease) In Flow.
  - (5) A Premise may be considered to be in vacancy status by the Borough if the Premise experiences a reduction in usage of more than 25% less than the allocated capacity to the Premise over a period of more than five (5) years. The owner of a Premise in vacancy shall forfeit all EDUs ascribed to the Premise, or a portion thereof, as determined by the Borough.

- (6) A change of use on a Premise shall require a recalculation of EDUs, and if determined by the Borough, a reduction in EDUs, and reserved capacity, allocated to the Premise.

**SECTION 3 - SEWER RATE SCHEDULE "A". Chapter 126 - Sewer Rate Schedule "A" is amended by deleting existing Chapter 126 - Sewer Rate Schedule "A" [dated 12-02-2025] in its entirety and replacing it with revised Chapter 126 – Sewers - Sewer Rate Schedule "A" [dated 01-05-2026] which revised Sewer Rate Schedule "A" is incorporated herein as follows:**

BOROUGH OF EAST STROUDSBURG  
CHAPTER 126 - SEWERS  
SEWER RATE SCHEDULE "A"  
Updated January 5, 2026

- A. The Rate Schedule below shall apply to Section 126-8 "Charges for Sewer Service", B. of Chapter 126 of the Borough Codes:

- (1) **Basic Sewer Rate (EBU) Fee:**

The Basic Sewer Rate shall remain **1 EBU = \$45.00 per Quarter** effective immediately and remaining in force until changed by further action of Borough Council.

- (2) **Consumption or Usage Fee:**

The Consumption or Usage Fee for Non-Bulk Rate Customers shall be set at **\$ 0.3423 per 100 gallons** for all usage effective immediately and remaining in force until changed by further action of Borough Council.

- B. The following rates shall apply to other fees as stated elsewhere in Chapter 126 of the Borough Codes:

- (3) **Minimum\* Connection Fee (including Customer Facilities Fee):** \$300.00 per connection

\* Total charges for Connection Fees may vary depending on conditions in the field. Labor, material, and equipment charges for additional work above the Minimum Connection Fee shall be billed at the applicable rates as set forth in the annual rate resolution and in accordance with Section 126-6 Connection Requirements and fees; penalties, B.

- (4) **Sewer Service Application Fee:** \$500.00 per application.

- (5) **Industrial Pre-treatment Renewal Application Fee =** \$750.00.

- (6) **Industrial Pre-treatment Modification Application Fee =** \$750.00

- (7) **Water/Sewer Shut Off Fee:** \$75.00 per shut off event.

- (8) **Water/Sewer Service Restoration Fee:** \$75.00 per restoration of service event.

- (9) **Temporary Water/Sewer Service Fee:** \$422.00 per Applicant plus all water usage registered by the water meter at the Consumption/Usage rates stated above
- (10) **Temporary Water/Sewer Service Deposit:** \$1,500.00 for the first three (3) month period, then \$3,000 per month fee thereafter for a period not to exceed six (6) months, plus all costs of recovery of the meter including all court and legal fees.
- (11) **Sewer Service Line Survey Fee:** \$350.00 per connection to the Borough's Sewer Main.
- (12) **Closing Figures Fee:** \$40.00 for initial request.
- (13) **Late Charge Fee for Additional Closing Requests:** \$20.00 per request.
- (14) **Sewer Tapping Fee (EDU Fee):** \$6,945 per EDU.

**SECTION 4 - Chapter 126 Appendix D - Chapter 126 Sewer Forms, FORM 1 - Application for Sewer Service is amended by deleting the existing footnote [dated 3-27-2025] which states:**

- \* A Sewer Equivalent Dwelling Unit (EDU) for Non-Residential Customers is equal to 217.8 gallons per day (GPD) of average water usage, as measured by the service water meter. EDUs are rounded to the nearest tenth.

**in its entirety and replacing it with this the following revised footnote [dated 1-5-2026] which states:**

- \* A Sewer Equivalent Dwelling Unit (EDU) for Non-Residential Customers is equal to 243.9 gallons per day (GPD) of average sewer usage as measured by the service water meter. EDUs are rounded up to the nearest tenth.

**SECTION 5 - SEVERABILITY.** It is hereby declared to be the legislative intent that if a court of competent jurisdiction declares any provision of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective. The Borough Council hereby declares that it would have passed this Ordinance and each section or part thereof, other than any part declared invalid or ineffective, if it had advance knowledge that any part would be declared invalid or ineffective.

**SECTION 6 - REPEALER.** Any specific provisions of Chapter 126 – Sewers of the Borough Code the Borough of East Stroudsburg are repealed only to the extent that they are in direct conflict with the provisions of this Ordinance.

**SECTION 7 - FURTHER AMENDMENT OR SUPPLEMENT.** The Borough's Schedule of Rates and Rules and Regulations as they exist may be supplemented or amended hereafter by majority vote of the Borough Council.

**SECTION 8 – AUTHORITY.** This Ordinance is enacted under the authority conferred by the Pennsylvania Borough Code, as amended.

**SECTION 9 - EFFECTIVE DATE. This Ordinance shall be effective upon its approval as provided by law.**

**ORDAINED AND ENACTED** into an ORDINANCE on this 20<sup>th</sup> day of January, 2026.

ATTEST:

BOROUGH OF EAST STROUDSBURG

\_\_\_\_\_  
Borough (Assistant) Secretary

BY: \_\_\_\_\_  
Borough Council (Vice) President

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Printed Name

APPROVED BY:

\_\_\_\_\_  
Mayor Victor A. Brozusky

(SEAL)

DATE: \_\_\_\_\_

## Secretary's Certificate

I hereby certify that the foregoing is a true and correct copy of Ordinance No. 1423 adopted by a majority vote of the Borough of East Stroudsburg duly held on January 20, 2026. Present at the meeting and a record of their vote were, as follows:

<b>Council Member</b>	<b>Present</b>	<b>Aye</b>	<b>Nay</b>
Sonia C. Wolbert			
Carrie Panepinto			
Jane Gagliardo			
Paul Shemansky			
Lauren Peterson			
Charles A. Garris			

Further, be it certified that Public Notice of said meeting was given in the manner provided by law; that said Ordinance No. 1423 shall be duly recorded upon the Minutes of the Borough of East Stroudsburg, has not been amended or rescinded, and is in full force and effect this 20<sup>th</sup> day of January, 2026.

\_\_\_\_\_  
(Assistant) Secretary

\_\_\_\_\_  
Printed Name

*(Borough Seal)*