

MEMORANDUM

TO: James Leonard, Records Commissioner

FROM: Kathleen McColgan, Revenue Commissioner

DATE: May 9, 2025

RE: **Water Revenue Bureau Charity Rate Program Regulations**

Please find attached for filing the Department of Revenue's Charity Rate Program Regulations. In accordance with Section 8-407 of the City Charter, we are filing these amendments with your Department in order to initiate the public inspection period. Also, please find attached a memorandum from the Law Department approving these amendments. These regulations are being issued jointly by the Department of Revenue and the Philadelphia Water Department.

Thank you for your assistance in this matter.


Kathleen McColgan
Revenue Commissioner

cc: Adriana K. Gonzalez, Divisional Deputy City Solicitor
Neal Sellers, Senior Attorney



Randy E. Hayman, Esq., Water Commissioner

MEMORANDUM

To: James Leonard, Records Commissioner
From: Randy E. Hayman, Water Commissioner
Date: May 7, 2025
Subject: Addition to the Philadelphia Water Department Regulations:
Chapter 2 – Section 207

Please find attached for filing an addition to Chapter 2 of the Philadelphia Water Department Regulations. These regulations are being issued jointly by the Department of Revenue and the Philadelphia Water Department.

In accordance with Section 8-407 of the Philadelphia Home Rule Charter, I am filing these amendments with your Department in order to initiate the public inspection period. Please also find attached a memorandum from the Law Department approving these amendments.

Thank you for your assistance in this matter.

A handwritten signature in blue ink, appearing to read "Randy E. Hayman".

Randy E. Hayman, Esq.
Water Commissioner

Attachment



City of Philadelphia

LAW DEPARTMENT
Water Division
1101 Market Street
5th Floor
Philadelphia, PA 19107
(215) 685-6160
neal.sellers@phila.gov

MEMORANDUM

TO: Randy E. Hayman, Water Commissioner

FROM: Neal Sellers, Senior Attorney

DATE: May 7, 2025

RE: Addition to the Philadelphia Water Department Regulations: Chapter 2

I have reviewed the attached addition to Chapter 2 of the Philadelphia Water Department Regulations and find the regulations to be legal and in proper form.

In accordance with Section 8-407(a) of the Philadelphia Home Rule Charter, you may forward the regulations to the Department of Records where they will be available for public inspection.

Neal Sellers

Neal Sellers
Senior Attorney

Attachment



CITY OF PHILADELPHIA

TAX LITIGATION & COLLECTIONS UNIT
Water Litigation Division
Municipal Services Building
5th Floor
1401 JFK Boulevard
Philadelphia, PA 19102-1595

Adriana K. Gonzalez, Esq.
Divisional Deputy City Solicitor

Direct Dial: 215-686-3991
Facsimile: 215-686-0588
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MEMORANDUM

TO: Kathleen McColgan, Revenue Commissioner

FROM: Adriana Gonzalez, Divisional Deputy City Solicitor

DATE: May 7, 2025

RE: **Water Revenue Bureau Charity Rate Program Regulations**

I have reviewed the attached Charity Rate Program Regulations of the Department of Revenue and the Philadelphia Water Department and find the regulations to be in legal and in proper form.

In accordance with Section 8-407(a) of The Philadelphia Home Rule Charter, you may forward these regulations to the Department of Records where they will be made available for public inspection.

A handwritten signature in cursive script, reading "Adriana K. Gonzalez", written over a horizontal line.

Adriana K. Gonzalez
Divisional Deputy City Solicitor

Attachment

207.0 CHARITY WATER RATES AND CHARGES PROGRAM

207.1 Purpose:

The City of Philadelphia has determined that public and private schools, institutions of purely public charity, and places used for actual religious worship should be afforded a discounted rate for water and sewer rents if the institution meets the criteria as set forth in this Section. Pursuant to City Code section 13-101(4)(e), the Philadelphia Water Department (“PWD”) and the Department of Revenue are promulgating regulations that define such a program and its administration. An approved Applicant will receive the discount pursuant to these Regulations.

207.2 Eligibility:

A customer may apply to the Water Revenue Bureau (“WRB”) for enrollment into the Charity Water Rates and Charges Program (the “Program”). To be eligible for the Program, all of the following conditions must be met:

(a) Applicant is a public or private school, a place used for actual religious worship, or meets all the requirements of a purely public charity as defined by the Institutions of Purely Public Charity Act, 10 P. S. section 371, et seq., (the “Act”).

(b) Applicant is either the owner of the property or a tenant of the property. In the event the Applicant does not occupy the entire property, the area occupied by the Applicant must have a dedicated supply line and meter with a corresponding water/sewer account with the WRB.

(c) The property’s principal use is devoted to the advancement of the Applicant’s stated charitable purpose.

(d) Applicant is in compliance with City Code section 17-1303.

(e) Applicant is in compliance with City Code section 17-107(12).

(f) Applicant is in compliance with all other PWD Regulations.

(g) Applicant does not have any outstanding PWD violations.

(h) Applicant is in compliance with City Code 4-200(Subcode P).

(i) If the Applicant’s property has water and sewer service, the property must have an operating water meter that is in compliance with current PWD specifications, and the property must have had actual water meter readings for at least ninety (90) days prior to date the Application is submitted.

207.3 Discount:

Subject to approval of a complete application by the WRB as set forth in Section 207.4, an Applicant meeting the criteria in Section 207.2 shall be afforded a discounted rate on water/sewer usage and stormwater charges as established by the Water, Sewer and Storm Water Rate Board.

207.4 Application Process:

(a) An application for the discount shall be made on a form provided by the WRB. A complete application includes all of the following:

(1) Proof of eligibility by submitting:

(A) Documentation of valid tax exemption from the Commonwealth as a purely public charity as defined in the Act, or

(B) Documentation that the Applicant otherwise meets the requirements under section 207.2, including but not limited to:

(i) State or federal tax documentation indicating charitable status; or

(ii) Corporate formation documents; or

(iii) Certification of charitable status by another state; or

(iv) Proof of establishment as a public school within the City of Philadelphia; or

(v) Proof of registration or licensure as a nonpublic or private school from the Commonwealth; or

(vi) Proof that the Applicant's property is primarily used for actual religious worship.

(2) An attestation by the Applicant that they are in compliance with City Code section 17-1303.

(3) An attestation by the Applicant to 207.2(b) and (g).

(b) An application shall be signed by an officer or authorized agent of the Applicant.

(c) The City may inspect any property seeking a discount under this Regulation at any time in order to ascertain whether it meets the criteria set forth in City Code sections 17-1303 and 17-102(12), the Act, and these Regulations.

207.5 Renewal:

A discount provided under 207.3 shall expire after 2 years and may be renewed upon submittal of a newly completed application.

207.6 Removal from Program:

(a) A customer enrolled in the Program may request to be removed from the Program at any time.

(b) The WRB may remove customers from the Program if:

(1) The customer fails to comply with City Code sections 17-1303 and 17-107(12), the Act, or these Regulations; or

(2) The property ceases to be used for the stated charitable purpose by the Applicant; or

(3) The property ceases to be owned or occupied by the Applicant; or

(4) The customer fails to make full and on-time payments for two (2) consecutive billing cycles; or

(5) It is discovered that the customer submitted intentionally false enrollment or renewal information and/or documentation.

(c) Nothing in this section shall limit the WRB on its own findings or at the request of another City department from removing Applicants from the Program who have violated any City law or regulation.

(d) Customers shall be informed of their removal from the Program by first-class mail.

(e) Removal from the Program shall remain in effect for a minimum of twelve (12) months from the date on the notice of removal.

207.7 Effective Date of Discount:

Any discount provided under this Section shall be effective the date the completed application is received.

207.8 Exclusions:

Any separate or adjoining facilities or structures not used exclusively for the principal purpose of the Applicant shall be excluded from the Program.

207.9 Hearing:

Applicants that have been denied eligibility or been removed from the Program may request an Informal Hearing pursuant to PWD and Department of Revenue joint Regulations section 100.7(a).