
RATES and RULES

Governing the Furnishing of Water Service in
LEWISTOWN, JUNIATA TERRACE AND BURNHAM BOROUGHS
GRANVILLE, DERRY, BROWN, ARMAGH and UNION TOWNSHIPS

All in MIFFLIN County, Pennsylvania

As Adopted February 27, 1946 and Revised May 20, 1946; July 1, 1951;
May 18, 1964; June 1, 1964; April 10, 1969; May 19, 1969;. April 1, 1975;
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THE MUNICIPAL AUTHORITY OF THE BOROUGH OF LEWISTOWN

RULES AND REGULATIONS

SECTION 1 -CERTAIN DEFINITIONS

1.1 "ACT" means the Municipality Authorities Act No. 22 of 2001, (53 Pa. C. S. A. 5601, as the same shall have been amended or supplemented at the time in question;

1.2 "AUTHORITY" means The Municipal Authority of the Borough of Lewistown, its board of directors, officers, employees and agents.

1.3 "COMMERCIAL PURPOSE" means the sale or supplying of water for use in or by any hotel, saloon, warehouse, wholesale or retail store, office, office building, stable, garage not appurtenant to a residence, school, church, hospital, cemetery, greenhouse, skating rink, swimming pool, barber shop, milk depot, cooling box slaughterhouse, print shop, repair shop, funeral home, social or fraternal club, recreation hall or facility, tennis court, laundry, bakery and any other establishment which does not use water primarily for domestic or industrial purposes.

1.4 "Connection Service Line" means the pipe and any other facilities by means of which water service is extended from the water main or line of the Authority to the property line, curb stop or meter pit of the water customer to be served.

1.5 "Cost" or "Costs", when used with reference to the Extension, means (in addition to such other items as are included in any proper definition of cost) (i) the cost to acquire by purchase, and the amount of any award or final judgment in any proceeding to acquire by condemnation, lands, property rights, easements, rights of way, franchises or other interests in real property and the amount of any damage incident to or consequent upon such acquisition or condemnation, and including, without limitation, attorneys' fees and expenses, court costs and fees and expenses of engineers, surveyors and appraisers; (ii) the cost to construct or install all and any part of the Extension, to cover and make functional the Extension, to restore surface and subsurface areas of the Extension (whether required by Local, State and/or Federal Governments or by the Authority), including obligations incurred for labor, services, materials, supplies, equipment, contractors' bonds, performance and maintenance bonds, insurance and engineering, architectural and design services; (iii) the cost to purchase any part of the Extension, including design charges and shipping expenses; (iv) the cost of all engineering, legal, overhead, administrative and other obligations incurred by the Authority, including, without limitation, the cost of the preparation, administration and enforcement of this Agreement; (v) the cost of resident engineering and inspection services required during the construction, installation and testing of the Extension and prior to the acceptance of the Extension pursuant to this Agreement and (vi) the cost of all flushing and televising charges and any and all charges (including, without limitation, document recording fees and "as built" survey expenses) involved in the acceptance and transfer of the Extension to the Authority.

1.6 "Customer" means the owner or tenant as above defined, contracting for the use of water service for premises as hereinafter limited and classified:

(a) A building under one roof owned or leased by one party and occupied for one residence or one business.

(b) A combination of buildings owned or leased by one party and occupied for one residence or one business.

(c) One side of a double house having a solid partition wall.

(d) Each side or part of a building where a building is occupied by more than one family or more than one business shall be a separate unit, even though water may be secured from a common source.

(e) Each apartment, office or suite of offices located in a building having several such apartments, offices or suites of offices, except that the owner of any apartment house or building may with the consent of the Authority, become responsible for all water used on the premises in which case such owner shall be considered as the consumer.

(f) Any group of dwelling units commonly known as trailers or other types of dwelling units not intended to be permanently affixed to the land within a definable area wherein the legal title to all of the land is held by one owner and may be charged to the owner with the consent of the Authority.

(g) Any trailer.

(h) Any person, group of person, firm or corporation, private or public, who contracts for a supply of water for any use on any property or properties with the consent of the Authority and not hereinabove specifically classified.

1.7 "Customer Service Line" means the pipe and any other facilities by means of which water service is extended from the property line, curb stop or meter pit of the water customer to the proposed dwelling or building to be served.

1.8 "Development" means Developer's Development and/or property which is the subject of an Extension.

1.9 "Domestic Purpose" means the sale of water for usual and customary uses in or for a residence or seasonal dwelling.

1.10 "Extension" means all water lines and appurtenances and any other water distribution facilities (including, without limitation, Connection Service Lines, fire hydrants, valves, fittings, pumps, equipment, apparatus and wells connected with or in anywise pertaining to the Extension) to be constructed and installed by Developer pursuant to a Water Line Extension Agreement.

1.11 "Industrial Purpose" means the sale of water in any brewery, bottling works, manufacturing facilities and power plant.

1.12 "Local, State and/or Federal Governments" means the local borough or township in which the Development is located, the County of Mifflin, the Commonwealth of Pennsylvania, the Federal Government of the United States and all their respective authorities, regulatory agencies, departments, bureaus, divisions and components.

1.13 "Main" means the same as "Water Line".

1.14 "Owner" means the person, firm, partnership, corporation or association having an interest as owner, whether legal or equitable, sole or partial, in any premises which is or is about to be supplied with water by the Authority.

1.15 "Public Purpose" means the sale or supplying of water for use in or by any municipalities or school districts for various uses.

1.16 "Tap" means the same as "Connection Service Line".

1.17 "Tenant" means anyone, not an owner, occupying premises and obtaining water from the mains of the Authority.

1.18 "Water Line" means all water pipes and appurtenances and any other distribution facilities (including, without limitation, Connection Service Lines, fire hydrants, valves, fittings, pumps, equipment, apparatus and wells connected with or in any pertaining to the water system of the Authority.

1.19 "Water Service Application" means the request by a customer for water service and includes request for water services for an already existing Connection Service Line, request water services for a new Connection Service Line and request for an Extension.

SECTION 2: WATER LINE EXTENSIONS

2.1 Water Line Extensions

(a) Any consumer may elect, subject to the approval by the Authority, to construct a water line extension under the supervision and to the specifications of the Authority, in whole or in part at the cost and expense of customer. The customer shall specify in writing, attached to the water line extension application, the portion of the work to be done by the customer. Upon receipt of the application the Authority will make the final determination of the water line extension application. The Authority shall have the exclusive right to determine the type and size of lines to be installed and other facilities required to render adequate service.

(b) A written estimate of the cost of any work to be done by the Authority shall be given to the customer and an equivalent deposit must be placed in escrow with the Authority to guarantee payment before any work shall be commenced by the Authority. Escrow deposits will not earn interest for the customer.

Upon completion of the extension, the Authority shall prepare a statement of the actual costs and shall receive from escrow the sum equivalent to the actual statement of costs. Should the escrow deposit be insufficient to pay the actual costs computed, the customer shall, in addition to the funds from said escrow, immediately pay the balance to reimburse the Authority for the actual costs of construction.

Any excess escrow fund balance, after the actual costs have been paid to the Authority, will be immediately reimbursed to the customer.

2.2 Plot Plans

Extensions will only be allowed where there has been a dedication of streets or rights-of-ways and where all plot plans have been previously approved by the appropriate governing bodies; with the proper signatures affixed there to and recorded with the Mifflin County Recorder of Deeds.

(a) Extensions of new lines will be made only where street grades have been established or upon approved Township or County Roads or along approved State Highways. If not on Public Right-of-Way, then an Easement will be required in writing for a minimum width of twenty (20') feet.

(b) All water lines to be installed, which will require a dead end pipe, shall have a suitable blow-off arrangement to an un-affected area, such as a storm drain or collection basin.

2.3 Length of Extension

In determining the length of and necessity for any extension requested, the terminal point of such extension shall, in all cases, be at the furthestmost extremity of the most distant lot to be served. In new developments the main must be extended to the extremity of every lot, including both sides of all corner lots, in an approved plot plan, subdivision or phase. Such extensions shall in all cases be completed before water service will be granted.

2.4 Easements and Rights-of-Way

Extensions of any sort of Authority pipes, mains and equipment cannot be placed on private land without previous grant of rights-of-ways or other necessary property interests title thereof to be placed in the Authority. The Authority may secure written rights-of-ways within which to lay its mains, which shall be recorded at the expense of the applicant. The Executive Director of the Authority is given the power in his discretion to permit other public utilities or utility companies to use and occupy such parts of rights-of-ways granted to the Authority which will not interfere with the Authority's operations and be sufficiently distant from the Authority's mains to comply with law regarding possible contamination of the water system by sewage or other means. Always provided, that the public

utility or utilities so favored shall first guarantee in writing to the Authority by reason of the occupancy or use of said rights-of-ways by such public utility or utilities, and further that in the event such utility or utilities shall cause damage or loss to Authority by reason of its or their operations, it will promptly reimburse the Authority for such loss. Further always provided that any utility or utilities so using a right-of-way of the Authority shall provide the Authority with a plan or drawing of proposed use, corrected after installation for any changes in use.

2.5 New Service Connections with Facilities in Streets

In new street construction, and in all construction where underground installation of other utilities is planned, the Authority may authorize the immediate installation of all taps and service laterals on all lots owned by the applicant and proposed to be serviced by the construction of a new water main. Approval of water main extensions by the Authority does not automatically approve "active" taps on the proposed new extension. All applicants shall make application for such service but the same shall be installed only by Authority employees at the expense of the applicant or the customer's contractor by Authority specifications and inspections.

2.6 Water Main Extension Agreements

(a) No extension of Authority water mains will be permitted until the applicant has received the approval of Authority and has entered into a written water line extension Agreement with the Authority. The Agreement shall provide, inter alia, that the costs of the water main extension in or along the entire frontage of applicant's property on or along public or private roads and any additional extension required to connect with the Authority's water mains, shall be borne by applicant. The Agreement shall further provide for the securement by applicant in a manner acceptable to the Authority of the full estimated costs of the installation of the necessary lines and appurtenances, including but not limited to costs for materials, labor, installation, inspection and testing, supervision, legal and engineering expenses. The Agreement shall specifically state the number of premises to be serviced by the extension. Under no circumstances shall additional premises be serviced in the absence of approval by the Authority, which approval shall be conditioned upon compliance with the then existing Authority Rates and Rules.

(b) Upon approval of the water line extension application, a water main extension agreement will be prepared by the Authority. Applicant shall return the fully executed water main extension agreement and related documents, including but not limited to escrows and project review fees, to the Authority not more than one-hundred twenty (120) days following mailing of the same to applicant; otherwise the application shall be null and void. In the event the Authority's solicitor requires any information from the applicant in order to prepare a water extension agreement or deed of easement, applicant shall submit same to the Authority's solicitor within twenty (20) days of the solicitor's letter of request; otherwise the application shall be null and void.

(c) Before said construction shall be commenced, the consumer requesting said extension shall cause to be prepared an accurate site plan which shall disclose the location and number of front feet of property which the consumer avers will or may exist in said line, which draft shall be given to the appropriate officer of the Authority for approval and, no construction shall be commenced until such plan is approved.

2.7 Project Review

Any application to extend Authority water mains to service two (2) or more residential units or one (1) or more commercial or industrial units will be subject to preliminary project review by the Authority. The applicant

shall submit, in addition to the usual application to extend water main(s), plot plans and a project review fee. The fee schedule is as follows:

Number of Units	Project Review Deposit
Up to 25	\$2,500.00
26 to 100	\$3,100.00
101 & Over	\$4,500.00
Commercial/Industrial	\$4,500.00

From the above deposit one thousand (\$1,000.00) dollars is a non-refundable administrative fee. Remaining monies will be credited against the final job costs including but not limited to legal, design, engineering, labor and materials. Project review deposits do not earn interest.

2.8 Recordation

All reimbursement agreements with the Authority for Deed of Easement and Right of Way; and Deed of Transfer of Ownership shall be recorded in the office of the Recorder of Deeds of Mifflin County, and the cost or charge thereof included in the charges to the applicant for service.

2.9 Extension Not Precedent

Extension of mains in any borough or township is not a precedent for further extensions of mains in that or any other township or in any given area. Extension of mains is made only on approval by the appropriate township governing bodies and/or Pennsylvania Department of Transportation when required.

2.10 Water Line Extensions by the Authority

Where the Authority at its expense shall place or have already placed water mains along any premises, no water service shall be rendered until the premises for which service is requested shall have paid its pro-rata share of the cost of construction of said line, or made an agreement satisfactory to the Authority arranging for such payment. Authority reserves the right to file municipal liens for water main extensions installed by the Authority.

2.11 Ownership of Water Main Extensions

Upon completion of the water main extension, all easements, mains and appurtenances shall be dedicated to the Authority and made a part of its system.

The consumer shall provide the Authority an "as built" plan and an actual cost certificate within 30 days of water line extension completion.

SECTION 3: APPLICATION FOR WATER SERVICE

3.1 New Connection Service Lines

Any property owner desiring the connection of a service or lines to their premises must make a written application on the form furnished by the Authority giving all information required, at least twenty (20) days before service is required, unless the Service requires a PA State Permit, then at least 60 days, which application must be approved by the Authority or its duly authorized agent before the water will be supplied. When required in writing by property owner, application for water service may be received from a tenant under the condition that the owner acts as a guarantor for the payment of all charges. Such action shall not relieve the owner of any obligation which exists under the Rules and Regulation of this Authority.

Service lines cannot be more than 100 feet in length. (See Para.5.9)

3.2 Connection Service Line Fees

All consumers requesting water service are required to pay a connection fee in accordance with the current Authority rate resolution then in effect.

(a) A double house shall pay two connection fees whether or not there is one entrance to the main.

(b) Two or more buildings on one lot shall have separate service lines and shall each pay separate connection charges; that is, each consumer as herein defined shall have a separate service line and a separate connection charge.

(c) Where any person shall erect or cause to be erected or contract for the erection of a building or structure which when completed shall under the rules of the Authority now in force or hereinafter to be passed require the use of more than one connection, all the connections therefore shall be applied for and approved and paid upon all said connections during the period of construction.

(d) The Authority reserves the right to determine the time period within which an application for an active connection would be voided for failure to commence construction within 6 months and be completed within 18 months.

(e) No owner or tenant of any premises supplied by the Authority will be allowed to furnish water to other persons or families except as specified in his application and approved by the Authority, and in case of violation of this rule, the supply will be shut off, and the applicant charged with the proper actual or estimated charge for such service, in accordance with the current Authority rate resolution then in effect.

3.3 Tapping Fee

All consumers requesting water service of any type shall pay to the Authority a tapping fee in accordance with the current Authority rate resolution then in effect.

Notwithstanding anything in these Rates and Rules to the contrary and notwithstanding anything in resolutions previously adopted by the Authority to the contrary, the following provision shall take effect on March 16, 2011, and continue in effect thereafter until revoked or otherwise modified by the Authority.

The tapping fee will expire and be fully refunded if not used within one (1) year of Authority approval. The customer may request to reserve capacity; with charges billed monthly. Reservation of capacity fees paid are non-refundable.

3.4 Customer Facilities Fee

All Consumers requesting water service of any type shall pay to the Authority a facilities fee in accordance with the current Authority rate resolution then in effect.

3.5 Renewal of Service

Service will be renewed under a proper application when the conditions under which such service was discontinued are corrected and upon the payment of all charges of the Authority.

A supply of water for building or other such purposes, except on a lot or premises already supplied, must be specially applied for. Such a supply will be furnished on an application for a domestic supply, and may be included under a previous application, when special application therefor is duly made and accepted.

Replacement of an existing service connection, due to no fault of the applicant, will be performed by the Authority and at its expense.

3.6 Service Connection

Upon approval of the application by any property Owner and the payment of connection charges, the Authority will tap the main, insert a corporation valve, carry a service pipe to the curb and install a curb stop and curb box.

The Authority may specify certain types of materials whose specifications may be given by the Authority from the curb stop to any building and in the event such specifications are not satisfactory to the customer a meter pit shall be supplied in accordance with Section 5.9 of

these Regulations at the edge of the property where a water meter can be placed and read at reasonable times.

The Authority will furnish water service only to consumers when the property faces or abuts on an established and opened street or public highway in which a water main is located or where an agreement has been entered into for a water main extension.

3.7 Rights-of Way for Connections

Service lines will not be installed or permitted when any portion of the service lines pass over or through premises which at the time may be the property of persons other than the owner of the premises to be supplied unless the Owner of the premises furnishes to the Authority a copy of a satisfactory right-of-way agreement across said premises, suitable for recordation at the expense of the Owner.

3.8 Service Lines

Service line beyond the curb stop shall be installed and maintained by and at the expense of the consumer and shall be of a size and quality approved by the Authority. It shall be laid not less than four (4') below the surface and shall not be covered until inspected by the Authority. All plumbing connections shall be able to withstand a pressure of at least 200 pounds per square inch.

Service line installation shall meet all the current specifications required by the Authority and American Water Works Association (AWWA) Backflow standards at the time of installation. Location should be immediately inside the building wall in a basement or heated mechanical room and so located as to prevent freezing. Service lines will not be turned on without a meter being installed.

- (a) Authority responsibility - The Authority is responsible for maintenance and repairs between the water main and the curb box or meter pit.
- (b) Owner's responsibility - The owner is responsible for all water lines, valves and appurtenances beyond the Authority curb box to the meter setting, or to the building if a meter pit/vault is required.

3.9 Size of Connection

No new service connection shall be made whereby any consumer shall have a supply capacity exceeding that of a single three-quarter inch (3/4") nominal pipe size connection at the water main without special approval by the Authority.

3.10 Access to Curb Stop or Valves

Authority personnel must have access to all curb stops/valves for the purpose of controlling water service to any consumer. This includes any curb stop/valve located in the public right-of-way or on private property.

3.11 Existing Connection Service Lines

A new application for service shall be made to and approved by the Authority or its duly authorized agent upon any change in ownership of the property or in any tenancy where the tenant is the consumer or for any change in service from that described in the application and the Authority shall have the right to discontinue service upon a five (5) day notice until such new application has been made and approved.

3.12 Vacancies

Any consumer desiring abatement from charges during a temporary vacancy shall report the same to the Authority; one occurrence per calendar year. Each additional occurrence in a calendar year will be charged the current Service Charge component fee.

3.13 Discontinuance of Service

The owner is responsible to notify the Authority at least two (2) days in advance if discontinuance of service is desired and until receipt of such

notice, charges for water service shall continue. This will not apply if the property is tenant occupied.

- (a) Water will be turned off at any premises upon the order of the applicant, without in anyway affecting the existing application, providing this is not a tenant occupied premise.

3.14 Not withstanding anything in these Rates and Rules to the contrary and not withstanding anything in resolutions previously adopted by the Authority to the contrary, the Authority shall only accept water service applications in the name or names of the property owner or owners of the property being served by such service.

This provision shall take effect on March 1, 2007, and continue in effect thereafter until revoked or otherwise modified by the Authority. The intent of this provision is that the Authority will not after February 28, 2007, provide water service in the name or names of tenants, non-owner occupiers and other persons or entities other than the record owner or owners of the property to be served. The official records of the Mifflin County Courthouse shall be controlling as to the record owner or owners of such property.

Notification process after the invoice due date:

Day 1

Certified Letter telling owner the tenant will be notified in 7 days if the bill is not paid. HB 1834 (Utility Service Tenants Rights Act)

Day 8

Medical Letter sent to service address if account marked as medical emergency.

Service Property is posted and a letter mailed to tenant stating bill was not paid by Owner and advises tenant of legal rights (Utility Service Tenants Rights Act)

Day 38

Shut Off Order created, service can be terminated anytime from this day forward.

Water Service will not be restored same day service is terminated. No payments accepted at property.

The current administrative service charge must be paid before service is restored.

3.15 Hearing Request

If the customer disagrees that the account is past due, or if it is believed that there are other reasons why the water service should not be disconnected, a hearing may be requested. The hearing must be requested in writing at least three (3) business days prior to the termination date. A hearing will be scheduled between 8:30 a.m. and 1:00 p.m. two(2) business days prior to the termination date.

3.16 Precedents

The granting of a particular application or an exception to these rules and regulations shall not be construed as a precedent in any other case. The Authority may by special action of the Board, grant an exception or exceptions to any rule, regulation or charge.

SECTION 4: Forbidden Practices

4.1 Control of Curb Stop

No person other than the Authority, its agents, servants or employees shall open, close, operate or otherwise meddle or tamper with any curb stop.

Tools of the trade (installation/shut-off/locators/etc.) shall not be left at customer locations for their unauthorized use after normal business hours.

4.2 Location of Service Line

No water line shall be laid in the same ditch or trench with any gas pipe, sewer pipe, or any other facility of a public service company or within three feet (3') of any open excavation, conduit or vault.

4.3 Resale of Water

No consumer shall resell water for use on premises other than those of the consumer.

4.4 Back Flow

No consumer shall permit any condition to exist upon premises served whereby there exists, or in the opinion of the Authority, could exist a back flow into the mains of the Authority of a non-potable matter, hot or other liquids or any leakage or seepage of such into said main.

For prevention of back flow causing loss to both the Authority and the Consumer, all connections are required to have the appropriate AWWA standard or equivalent valves and backflow device installed after the meter on every new line or any renewal. The backflow device must be installed in a way that the meter can be removed and not connected directly to the meter. It is recommended that a safety valve be installed at some convenient location on the house piping to relieve excess pressure due to heating water.

4.5 Return of Water to Authority Mains

The return of water to the Authority's system from non-contact equipment (e.g., heat pumps) or any other type of equipment is prohibited. Refer to resolution regarding the control of backflow and cross connections.

4.6 Sewers

Connections to sewers and sewer flushing chambers are prohibited.

4.7 Application Misstatements

Service may be discontinued for a violation in connection with the application, a misstatement of fact therein or a violation of any rule or regulation of the Authority now in effect or hereafter lawfully enacted.

4.8 Waste

Waste of water in any capacity is forbidden; including a verified leak or ruptured service line. A consumer wasting water may have service terminated.

4.9 Water Cooled and Processing Equipment

It is recommended that the water be recycled when using, but not limited to, the following: Processing & water cooled equipment, commercial car washes and ornamental water uses such as fountains or artificial waterfalls.

SECTION 5: Meters

5.1 Water Use

All water service shall be furnished by meter and the quantity of water supplied as recorded by the meter shall be conclusive on both the consumer and the Authority except when the meter has been found by the Authority to be registering inaccurately or has ceased to register. In such case the quantity may be determined by the average registration of the meter when in

order. Estimations may only be used four (4) times, then an actual reading must be obtained.

All new meters installed after Sept. 1993 will require the additional installation of a remote reader or an equivalent determined by the Authority.

5.2 Meter Tampering

Despite the fact that the charge for connection to the system of the Authority shall include among other things the cost of the meter, all meters shall be furnished by and shall remain the property of the Authority and no person other than an authorized agent or employee of the Authority shall at any time repair, adjust, remove, replace, interface with or tamper in anyway with any meter or do any act to limit or interfere with the regular operation thereof.

5.3 Location of Meter

The consumer shall provide a location suitable to the Authority for the meter inside the foundation where the service line enters the property, and shall provide adequate protection for the meter from extremes of heat and cold, accidents and other contingencies.

- (a) All consumers are required to locate meters horizontally at places in or upon their property readily accessible to Authority personnel during normal business hours of the day for the purpose of reading or repairs. Non-compliance may require the consumer to install the meter(s) in a pit according to Authority specifications and shall be at the cost of the consumer.

5.4 Damage to Meters

The consumer shall pay for damage to meters and apparatuses caused by neglect, freezing, by hot water or any other external action.

Meter thawing call outs will be charged the current service call component fee.

5.5 Access to Meters

The consumer shall provide access to the meter for the authorized agents, servants and employees of the Authority at all reasonable times to replace, inspect, test, repair and read the meter, and service may be discontinued to any consumer who refuses or persistently neglects to arrange for such access.

5.6 Multiple Meters

(a) A separate connection, service line and meter shall be provided for each consumer, except that the Authority may by special action and only (solely) in the cases of apartment houses, trailer courts, commercial buildings and shopping centers authorize a single tap to be connected to a yoke on which multiple meters are provided for each consumer as herein defined.

(b) Individual meters cannot be combined without the approval of the Authority.

(c) Water plumbing and or piping for an individual meter serving two (2) properties can be reconfigured to accommodate individual meters by applying to the Authority twenty (20) days prior to service request. The current service call fee, and material fee must be paid to begin service.

5.7 Remote Reading Meters

All new meters installed after Sept. 1993 will be equipped with a remote meter reading device. In the event of disagreement, final determination of water used shall be made from the inside meter, the remote meter reading device being a convenience to the customer and the Authority. Remote readings can be used for a three (3) year period then an actual calibration/reading must be obtained.

5.8 Meter - Multiple Consumers

Where more than one customer or tenant can consume water through a single meter, the application for the meter shall be made by the property

owner and billing shall be made to the property Owner on such rates as shall be currently authorized by Authority.

Where two or more buildings, already constructed and now supplied, or two or more families or establishments are supplied by a single service line, with the approval of the Authority, and where the application for furnishing water service is signed by the Owner of all the buildings or of the building so supplied, and a single meter is installed, the contract for furnishing water shall in such cases be made by the Owner. Where two or more customers can be supplied through one meter, the additional consumer charge shall be added to the total metered rate for each additional customer.

There will be no pro-rating for past charges for the additional consumer fee. Any change in tenancy fee will be effective on the next full billing cycle.

This shall not apply to a private residence where furnished rooms are rented and water fixtures are used in common, but will apply to a private residence which is divided into two or more family apartments.

In such cases any violation of the rules of the Authority as to either or any of said buildings, or as to either or any of said family or establishments shall be deemed a violation as to all, and the Authority may take such action as to all as might properly be taken under its rules for a single building, family or establishment.

No such action, involving the shutting off of the supply of any innocent building, family or establishment, however, will be taken without first affording the Owner or tenant of the premises, opportunity, or five days' notice, to make a new application for the supply of such building, family or establishment through a separate service line and meter.

The above action will be followed in accordance with the current version of the "Utility Service Tenants Act".

5.9 Meter Pits

In cases where it is not practical to place a meter within a building, or the service line from the curb to the building is more than 100 feet, a meter pit shall be installed inside the property lines by the Authority. The size and specifications of the pit shall be determined by the Authority. Any customer requiring a meter pit shall pay to the Authority a tapping fee in accordance with the current Authority rate resolution then in effect.

Every service request which extends 150' beyond the existing system shall require a Main Extension Application.

5.10 Meter Testing

Upon request of any consumer, the Authority will test the accuracy of the water meter supplying the premises of any consumer. If the meter registers more than 4% above the accuracy limit on water flow, as determined by AWWA Standard, Testing of Meters, an estimated billing will be generated and the meter will be repaired or replaced by the Authority.

5.11 Meter Change or Resize

Any request to upsize or downsize a metered connection must be approved by the Authority. The current service call fee, and difference in meter pricing must be paid for service to begin.

SECTION 6: Fire Hydrants and Sprinkler Systems

All approved fire hydrant service and sprinkler service shall be served only by means of an individual fire line connected to the mains of the Authority. The fire line shall be separate from the domestic water service line in all cases. It is required that where any service is rendered by the Authority for the protection against fire, whether by fire hydrant, sprinkler system or otherwise, there shall be installed at a location specified by the Authority a device known as a detector check constructed as specified by the

Authority for the purpose of determining water flowing through the fire system. It is further understood and agreed by the applicant upon making the application and upon its approval that the installation by the applicant shall be subject to the approval of the Engineer for the Authority, particularly as regards to the effect that any such installation may or could affect general service from the mains of the Authority to the building of the applicant or other buildings in the vicinity.

6.1 Types of Service

The Authority will furnish these types of fire hydrant service:

(a) Public Service - Public fire hydrant service shall be construed to mean hydrant service in the Boroughs and Townships the Authority serves.

(b) Private Service - Private fire hydrant service shall be construed to mean hydrant service in designated areas of townships to which mains of the Authority have already been extended, always provided that the Authority shall have specially approved the extension of fire service in such townships and that proper provisions shall have been made in the manner provided by law for the payment of all charges therefore by the properly constituted governmental bodies. All private fire service shall be built to the current specifications in effect and approved by the Authority and subject to the Fire Underwriters decision.

The consumer shall at his own expense furnish AWWA or equivalent material and backflow devices, maintain and pay for all connections as approved by the Authority from the street main.

All water passing the meter shall be paid for at the regular meter rates of the Authority, except water used in the extinguishing of fires and for testing fire protection equipment, for which no charge will be made if notice is given to the Authority so that the meter can be read promptly. Water shall not be taken for any other purpose unless specially permitted by the Authority. No service pipe for private fire protection installed in the future shall be larger than 12" and no cross-connection shall be made with the general supply line without approval by the Authority

(c) Industrial Service - Industrial fire hydrant service shall be construed to mean such fire hydrant service as shall be specially authorized by the Authority for a consumer engaged in industry and intended solely for the protection of such consumers premises from fire, and to be used only for fire protection.

It shall be the policy of this Authority to require metering on all fire lines. Such metering devices shall be located as close to the public supply as practical.

(Also see section 6.4a, b, and c.)

6.2 Ownership of Fire Hydrants

All fire hydrants installed in the Authority's system shall be deemed to be owned by the Authority. The Authority shall specify the type of fire hydrant to be installed and shall inspect all fire hydrants upon installation. All fire hydrants shall be installed at approved locations that have been selected by the various municipalities in the Authority's service area due consideration being given to local firefighting authorities and requirements of insurance underwriters.

6.3 Opening of Fire Hydrants

No person except regularly appointed and authorized firemen on duty or duly authorized agents, servants or employees of the Authority shall open, close, meddle or tamper with any fire hydrant unless specially authorized by the Authority.

6.4 Sprinkler Service

Sprinkler service means any recognized system for the protection of buildings from fire and/or the safety of personnel by the use of water which shall have been approved by the Authority.

(a) Extent of Sprinkler Service

Sprinkler service shall be furnished only for the protection of buildings from fire or safety of personnel and shall be furnished on application of a consumer duly approved by the Authority.

(b) Use of Sprinkler Service

Fire protection is a standby service and charges made therefore are standby charges and do not represent charges for actual use of water.

(c) Sprinkler System

The Authority in considering Sprinkler System Service Application shall require that the applicant present proof of compliance with all applicable BOCA Code and/or municipal regulations, prior to granting approval to any Sprinkler System Application.

(d) Limited Area Sprinkler System

Limited Area Sprinkler Systems will be granted only upon application by a consumer and approved by the Authority if and when, in the opinion of the Authority, such service can be made available and an approved back flow preventor is installed on each system in any one of the enclosed areas.

(e) Liability of Authority

It is expressly understood and agreed that in authorizing and connecting any form of fire service, the Authority does not assume any liability as an insurer of persons or property and does not guarantee any particular service, pressure, capacity or facility other than the ordinary and changing conditions as the same may exist from day to day. The consumer by the application releases the Authority from any and all claims for injuries to persons or property by reason of fire, water, failure of supply, pressure or capacity, unless occasioned by the negligence of the Authority, its agents, servants or employees.

6.5 Residential Sprinkler Services (RSS)

Compliance guidelines effective December 31, 2010 to conform to the International Residential Code (IRC) requirement to install residential sprinkler systems, as amended or supplemented at the time in question, within newly constructed homes.

Service Lines

(a) The fire line shall be separate from the domestic line.

(b) Valves shall be configured so that the domestic line can be accessed from the outside of the home to control domestic service.

(c) The fire line will not be metered.

(d) The configuration of the service line shall be approved by the Authority upon receipt of new service application and inspected by the Authority upon completion.

(e) Authority approved backflow prevention must be installed on the RSS supply line.

(f) No anti-freeze shall be permitted to be used within the RSS.

(g) The Authority will not review the design, inspect the installation nor be responsible for any maintenance of the Owner's RSS.

(h) Tapping fees will be charged for labor and material.

The private fire protection fee will be assessed based on service line size, according to the current Authority rate resolution as approved and then in effect.

(g) All Owner's shall sign and pay for the recording of the Release, Indemnification and Hold Harmless Agreement at the time of RSS service application.

6.6 Public Fire Hydrants

Public fire hydrant service will be furnished only upon application from the duly authorized officers of any local government and upon payment of the charges therefore, herein set out. The entire cost of fire hydrant installation shall be paid by the developer or applicant.

6.7 Fire Hydrants in other areas of the Authority's System

Private fire hydrant service will be furnished only upon application by the duly authorized officers of the local government to those portions of the Authority's system to which mains are then laid and after proper provision have been made as provided by law for payment of charges therefore through the public officials of said local government, always provided, however, that the Authority may refuse with or without reason given, the granting of private fire hydrant service, if in the opinion of the Authority its mains are insufficient to provide such service; there is not sufficient need for such service; if the proposed service is outside the territory which the Authority is authorized to service; or, for any other valid reason. The entire cost of fire hydrant installation shall be paid by the developer or applicant.

6.8 Fire Hydrant Applications (Industrial)

Industrial fire hydrant service shall be furnished only upon application by a consumer duly approved by the Authority if and when in the opinion of the Authority, such service can be made available. No industrial fire hydrant shall service more than one consumer and no industrial fire hydrant shall ever be used for any purpose except fighting fire, without the express written permission of the Authority. The entire cost of fire hydrant installation shall be paid by the applicant.

6.9 Industrial Fire Service and Sprinkler Service

All approved industrial fire hydrant service and sprinkler service shall be served only by means of an individual fire line connected to the mains of the Authority. The fire line shall be separate from the domestic water service line in all cases, unless otherwise approved by the Authority. It is required that where any service is rendered by the Authority for the protection against fire, whether by fire hydrant, sprinkler system or otherwise, there shall be installed at a location specified by the Authority a device known as a detector check; constructed as specified by the Authority for the purpose of determining water flowing through the fire system. It is further understood and agreed by the applicant upon making the application and upon its approval that the installation by the applicant shall be subject to the approval of the Engineer for the Authority, particularly as regards to the effect that any such installation may or could affect general service from the mains of the Authority to the building of the applicant or other buildings in the vicinity.

6.10 Fees for Fire Line, Sprinkler Service and Protection

Any consumer within 750' of a fire hydrant will be assessed the fire protection fee. All fees shall be assessed in accordance with the current Authority rate resolution then in effect.

SECTION 7: Shut-off of Water and Water Services

7.1 Authorized Shut-Off

The Authority will use every reasonable means to provide the consumer with an adequate supply of potable water. The Authority shall not be liable for a deficiency in or failure of the supply when occasioned by an authorized shutting off of the water because of repairs, additions, betterment's, an act of God, or from any other cause beyond the control of the Authority.

7.2 Discontinuance of Service

Water service may be discontinued after a ten (10) day notice for any of the following reasons and an administrative service charge as provided in Section 7.2.b of these regulations must be paid before water service will be restored:

- (a) Any misrepresentation in an application.
- (b) Any violation of any of the rules and regulations of the Authority.
- (c) Willful or indifferent waste of water due to any cause.
- (d) Using water for a purpose other than as authorized under the application.
- (e) Non-payment of any sum due to the Authority, for water service or any other charge within (30) days after the same becomes due.
- (f) Molesting or tampering with any service pipe, meter, curb stop, seal or any other appliance of the Authority controlling or regulating the water supply.
- (g) For making, or refusing to sever any cross connection between a pipe or fixture carrying water furnished by the Authority, and a pipe or fixture carrying water from any other source.
- (h) For failure to protect from injury or damage the meter and connection, or for failure to protect and properly maintain the service pipe or fixtures on the property of the customer.
- (i) For failure to provide the Authority's employees free and reasonable access to the premises supplied or for obstructing the way or ingress to the meter or other appliances controlling or regulating the customer's water supply.

No plumber, Owner or other unauthorized person, shall turn the water on or off at any corporation stop or curb stop, or disconnect or remove the meter without the consent of the Authority. Violators are subject to the penalties imposed by law.

7.3 Termination of Service

Service to any consumer may be terminated on a ten (10) day notice for a violation of any rule or regulation of the Authority.

(a) Water service terminated for non-payment will be restored the following business day in the order in which payment was received. Any consumer that has had water service terminated for non-payment may request a same day reconnection if all water charges and fees have been paid, the account has been active for three (3) years and the account has had no previous terminations for non-payment.

7.4 Administrative Service Charge

When payment hasn't been received by the termination date or service has been discontinued for a failure to pay any bill when due or for any violation of the rules and regulations of the Authority, the current Administrative Service Charge shall be collected. Water service will be restored upon receipt of all applicable charges.

7.5 Shut Off for Repairs

The Authority reserves the right to shut off water in its mains at any time without notice for making repairs, extensions, or alterations, but will, so far as possible notify consumers of the intention to shut off. It is expressly stipulated by the Authority that no claim shall be made against it by reasons of the breaking of any pipe or service pipe or by reason of any other interruption of the supply of water for any reason whatever.

7.6 Plumbing Leaks

Consumers are urged to give careful attention to the plumbing and fixtures and to make immediate correction of all leaks. No allowance will be made by the Authority for water used, lost, stolen or wasted through leaks,

carelessness, and neglect or otherwise, after the water had passed through the meter.

SECTION 8: Limitation on Liability of the Authority

8.1 Damages

The Authority shall not be liable in any way for any damage or damages caused by breakage or leakage arising in anyway in connection with the supply of water or for the failure of the supply or the freezing or deterioration of pipes and fixtures of the Authority.

The Authority shall not be liable for any damage or injury to any person or property caused by the discontinuance of water service for any of the reasons enumerated in Rule 7.2 or for the purpose of making necessary repairs or connections or to meet any emergency, or caused by failure of consumer to maintain Consumer's Service Line, or caused by water escaping from Consumer's Service Line, or caused by the total or partial failure of water service or pressure.

Meters will be maintained by the Authority, so far as ordinary wear and tear are concerned; but damage due to freezing, where located inside the building or cellar, or external causes under his control, shall be paid for by the consumer. When meters are located outside of any building in a vault or pit provided by the Authority, the consumer shall not be responsible for freezing.

SECTION 9: Rates, Fees and Charges

The following fees are assessed by the current Authority rate resolution then in effect or at the time of question.

- (a) Schedule of Meter Rates and Water Charges
- (b) Schedule of Fire Service Rates
- (c) Schedule of Tapping, Connection & Customer Facilities Charges
- (d) Schedule of 1998 Bond Capital Component Charge
- (e) Schedule of Rates, Fees and Charges for Incidental Water Services

9.1 Deposits

(a) The Authority may require at its discretion any landlord rate payer, or any consumer to make a deposit for each unit which is tenant occupied, equal to a five month bill.

(b) All deposits made hereunder shall be held by the Authority, at no interest, for a minimum period of two years and if no delinquency or problems arise with the account the money so deposited may be refunded at the discretion of the Authority upon the request of the consumer as named and by personally presenting the original deposit receipt.

(c) A deposit shall not be considered payment on account of a bill for water service during the time a consumer is receiving water service.

(d) Upon the discontinuance of water service to a consumer, the Authority may apply the deposit of such consumer to the payment of any unpaid bill for water service of such consumer and will return the unapplied balance of such deposit thereon to such consumer.

(e) Deposit refund check balances of \$5.00 or less will not be issued. The customer will receive a final bill notice that will reflect the unapplied balance. The customer may collect the balance at the main office during regular business hours. Any unclaimed deposits will be filed with the PA Treasury department on an annual basis.

9.2 Past Due Charges

No application for service will be approved by the Authority or its agents until all arrearages and past due charges accrued on said property

shall have been paid or satisfactory arrangements made in regard thereto. If this is missed on signing of application then when past due charges are found it will have to be paid in ten (10) days.

9.3 All water service shall be subject to all lawful rules and regulations of the Authority at the time of application for water services and as thereafter amended and supplemented.

SECTION 10: Billing Procedures

10.1 Payment of Water Bill

(a) In the event that service could be or may be discontinued for any of the reasons set forth in Section 7.2 and the customer to whom service could or may be discontinued shall make application for water service at a new or different location, service may be refused by the Authority unless or until there shall be placed on deposit with the Authority a sum equal to the estimated billing by the Authority for three quarters of a year, which said sum shall remain on deposit with the Authority as a guarantee of compliance with the Rules and Regulations of the Authority for a period of two years. If at the expiration of two years, the consumer shall have committed no act which might cause discontinuance under the provisions Section 7.2 of these Rules and Regulations, then said deposit shall be refunded to the depositor without interest. If any applicant for service shall become aggrieved by the requirement for a deposit insuring compliance with these Rules and Regulations, he may present his application for an immediate refund at the next succeeding meeting of the Authority when the matter will be reviewed by the Authority whose determination shall be final.

(b) If a consumer shall become delinquent in the payment of water charges at a previous location subsequent to receiving services at a new location, he shall immediately be notified at the new location of the provisions of Section 10.1.(a) hereof, and unless security is entered within ten (10) days of said notice, service will be discontinued.

(c) Water will be turned off at any premises upon the request of the applicant, without in anyway affecting the existing application, providing this is not a tenant occupied premise.

10.2 Bills for Water Service

Except as otherwise provided by the Board of the Authority in special circumstances, all bills for water service shall be rendered quarterly. After the due date water service may be discontinued at any time with the addition of a (10%) late charge added; the consumer shall pay any balance remaining within the next thirty (30) days or service shall be discontinued at the expiration of that period. The Authority expressly reserves the right to render bills more frequently, and to shorten the period, and the period which services may be discontinued as the Board of the Authority, in their sole discretion, may determine in special circumstances.

10.3 Bills for Water Service (Monthly)

After the due date water service may be discontinued at any time with the addition of a (10%) late charge added; the consumer shall pay any balance remaining within the next fifteen (15) days or service shall be discontinued at the expiration of that period.

10.4 Payment of Bills

(a) Payments for billed charges can be made by cash, check or money order for the total amount due. Payments must be received by 5:00pm prevailing time on the date due. Credit card payments are assessed the current processing fee in addition to the billed charges. Credit card payments must be received by 8:00pm prevailing time on the date due. Payments deposited in the Authority's on site drop off box after 5:00pm, prevailing time, will be credited as of the Authority's next business day.

(b) Partial payments will be applied to invoices in the order in which they were issued.

(c) Checks returned from the Bank unpaid are subject to a twenty (\$20.00) Dollar charge, plus any bank fees charged. No check payments will be accepted from the payer for a period of one (1) year.

(d) Consumers must give the Authority their correct address. Failure to receive bills will not be considered an excuse for non-payment nor permit an extension of period during which bills are payable at face.

(e) Any consumer may request that a one-time penalty waiver be issued. The consumer must have 8 consecutive on time payments immediately prior to the request date. The waiver will be issued as a credit to the billable account. One (1) exception may be granted each three (3) year period.

(f) The Authority will not accept any post-dated checks.

(g) Failure to receive a bill does not excuse payment or penalty.

(h) Any consumer/property owner may voluntarily elect the ACH payment option upon completion of the ACH Authorization Agreement. Any fees charged by the bank for an unpaid ACH shall be charged to the payer.

(i) A tenant may elect the ACH payment option provided the tenant completes the ACH Authorization Agreement and acknowledge that any payment refusal from their financial institution will result in immediate termination of the agreement and the water service will be returned to the landlord for bill delivery and payment. Any fees charged for an unpaid ACH shall be charged to the payer.

(j) Payments by rolled coins cannot exceed one (1) roll of any denomination. All rolled coins will be counted and verified prior to the Customer leaving the office.

SECTION 11: MISCELLANEOUS

11.1 Contractor's Use of Fire Hydrants

The Authority may install meters on fire hydrants for use by contractors; the use of which shall not in any way interfere with the use of the hydrants for fire protection. The hydrants shall be opened and closed only by Authority personnel and the contractor shall pay in advance for water and expenses to be incurred by the Authority and the contractor shall be responsible for all damage arising from said usage.

11.2 Drought

The Authority retains the right in times of extreme drought or other emergency to restrict in whole or in part the use of water as to any or all consumers. This rule applies especially, though not exclusively, to water cooled air conditioners and swimming pools whether public or private.

The Authority shall have the right to reserve a sufficient supply of water at all times in its reservoirs, to provide for fire and other emergencies, or may restrict or regulate the quantity of water used by consumers in case of scarcity or whenever the public welfare may require it.

11.3 Damages

The Authority shall not be liable for damage to property unless it appears that such damage resulted from the negligence of the Authority or its employees and specifically the Authority shall not be liable for damage occasioned by freezing and thawing or any Act of God.

11.4 Condominium Construction

Water service to condominium projects shall be provided under such terms and conditions as the Authority shall determine in each individual application and shall be subject to an agreement to be executed between the developer and the Authority prior to service being granted. The agreement

shall be recorded in the Mifflin County Recorder of Deeds Office at the expense of the applicant.

11.5 Bulk Water Sales to Other Water Utilities

Sales of bulk water to other water utilities may be authorized by the Board of the Authority pursuant to an appropriate need by another municipality at rates to be determined by the Board of the Authority and, otherwise, in accordance with its Rules and Regulations then in effect.

11.6 Responsibility of Property Owner

Primary responsibility for the payment of water service to any premises rests with the property Owner. The Authority will bill and make reasonable effort to collect water rentals due from tenants. In the event that the tenant shall leave the premises with a water bill remaining unpaid, service will be discontinued and will not be restored until all previous charges and an administrative service charge shall have been paid.

11.7 General

No agent or employee of the Authority shall have the right to bind it by any promise, agreement or representation not provided for in these rules.

11.8 Rule changes

The Rules and Regulations of the Authority are subject to change, modification, addition and/or deletion at the discretion of the Authority in the best interest of the Authority and the public welfare.