

Donegal Township

Rates, Rules, and Regulations
Governing the Supply of Water

DONEGAL TOWNSHIP
RATES, RULES, AND REGULATIONS GOVERNING THE SUPPLY OF WATER
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DONEGAL TOWNSHIP

RATES, RULES, AND REGULATIONS GOVERNING THE SUPPLY OF WATER

I. RULES AND REGULATIONS

These Rules and Regulations are a part of the Contract with every person who takes water service, and every such person by taking water agrees to be bound thereby.

These Rules and Regulations are not intended to conflict with any local, state or federal legislation, and are intended to be in compliance with the Pennsylvania Municipality Authorities Act of 1945, P.L. 382, as amended and any other applicable local, state, or federal legislations. Any conflict between such legislation and these Rules and Regulations shall be resolved in favor of such legislation. If any provision of this agreement is held to be invalid, illegal or unenforceable, all other provision of this agreement is held to be invalid, illegal or unenforceable, all other provisions shall nevertheless continue in full force and effect.

II. ENFORCEMENT

These Rules and Regulations shall become effective on and after July 1, 2020, to all properties then and after connected to the water system. All prior TOWNSHIP rules, regulations, and resolutions not consistent herewith are hereby repealed, provided, however, that all rights accrued and money due the TOWNSHIP under any such rules, regulations, and resolutions, are preserved to the TOWNSHIP. The TOWNSHIP reserves the right to amend these Rules and Regulations and Schedule of Charges in such manner and at such times by simple Resolution, as in its opinion, may be advisable.

III. DEFINITIONS

- A. Applicant: A person who applies for water services at a premises
- B. Commercial Water Hauler: A person delivering the TOWNSHIP's water supply to retail customers in bulk
- C. Contractors: A builder or other person who uses water on a temporary basis for construction purposes
- D. Cross-Connection: Any connection, direct or indirect, that physically joins a customer's Water Service Line, or any piping extension thereof, to a non-potable source of water, or to a water system other than that of the TOWNSHIP
- E. Customer: Any person who receives service from the TOWNSHIP
- F. Customer's Service Line: That part of the water service pipe extending from the TOWNSHIP's service line to the premises
- G. Main Extension: The pipe of a public utility system, excluding service connections, located in a public highway, street, alley or private right-of-way which pipe is used in transporting water

- H. Meter: A device for measuring the quantity of water used, as a basis for determining charges for water service to a customer
- I. Owner: The person designated in a deed as the owner of the property
- J. Premises: The property, building, or other site or part thereof to which water service is furnished:
 - 1. a building owned or leased by a person (s), and occupied as one residence or business;
 - 2. a combination of buildings owned or leased by a person (s) served by one service line, and occupied by one family or business;
 - 3. each side of a double house or each housing unit;
 - 4. each apartment, office, or suite of offices located in a building having several such apartments, offices, or suite of offices and using in common one or more means of entrance; and
 - 5. such other situations as the TOWNSHIP shall deem proper and advisable.
- K. Standby Service: Water Service intended to supplement Water Service provided from a source of supply other than that of the TOWNSHIP
- L. Tenant: A person who leases or rents, premises from an owner
- M. Township: The word "TOWNSHIP", whenever the same appears herein, means Donegal Township of Washington County, Pennsylvania
- N. Water Service: Potable water that is available as a commodity by the Township for beneficial use of their service area
- O. Water Service Line: The Water Service Pipe and appurtenances extending from the TOWNSHIP's main including; the tee or trap in the main, the lateral pipe to a point at or near the property line, the curb stop or service valve, and the curb box or valve box
- P. Water System: "Water System" is that network of pipe lines, storage facilities, pumping stations, and appurtenances which are owned and operated by Donegal Township and which provide water supply to the Township's customers.

IV. APPLICATIONS

A. SERVICE CONNECTIONS

1. Any OWNER desiring the connection of a Water Service Line from the TOWNSHIP's main to their Premises must first make written application on the form furnished by the TOWNSHIP, known as "Service Connection Request", at least fourteen (14) days before Water Service is required. The application shall state the time when the customer's service line is completed, ready for inspection,

and ready for connection to the TOWNSHIP's main. All applications are taken subject to approval by the TOWNSHIP.

2. The application must be signed by the Owner, or his duly authorized agent, which application shall, together with these Rules and Regulations, regulate and control Water Service to the Premises.

3. The application will not be approved until the TOWNSHIP received full payment of all applicable Water Service connection charges, tap fees, and other charges as from time to time duly adopted by the TOWNSHIP and set forth on Schedule C attached hereto and made a part hereof.

4. A non-owner may not make application for a Water Service connection.

5. Applications requesting a new service connection to an existing water main, the construction of which was paid for by a previous applicant, other than the TOWNSHIP, and has an Extension Refund Agreement with the Township per Section IX, Item !!!, shall be pay to the TOWNSHIP, in addition to the service connection and meter installation share, as required by the Extension Refund Agreement.

6. Applicants requesting Water Service which require a main extension will be required to pay for the main extension. Refer to Section IX.

7. Any person requesting a Water Service connection to a new home or building must certify that only lead-free materials were used in the plumbing work. If the certification is not provided Water-Service will not be provided in the new home or building.

B. WATER SERVICE

1. Every customer desiring water service shall submit a signed application for approval on the form furnished by the TOWNSHIP at least fourteen (14) working days before service is required. All applications are taken subject to approval by the TOWNSHIP.

2. When a Water Service application is made by someone other than the Owner, the Owner shall co-sign the application and shall guarantee payment for Water Service.

3. The absence of a Water Service Application or the Owner's signature thereon shall not relieve the Owner of his responsibility for payment of all Water Service bills related to the Premises.

4. A new Water Service application shall be submitted whenever there is a change of Tenant or Owner. The TOWNSHIP shall have the right upon three (3) days written notice, to discontinue water service until such new application had been made and approved.

5. All contracts for Water Service shall continue in force from month to month, but either party may cancel the contract by giving ten (10) days written notice.

6. When Water Service s initiated or discontinued during a billing period, charges will be prorated according to the days of services rendered during the applicable billing period.

7. Unless prior arrangements are made by the deed holder separate water service application shall be made for:

- (a) each building under one (1) roof, owned or leased by one party, and occupied as one residence or business;
- (b) each combination of buildings in one (1) common enclosure, owned or leased by one (1) party and occupied by one (1) family or business;
- (c) each side of a double housing having a solid vertical partition wall;
- (d) such other cases as the TOWNSHIP shall deem proper and advisable. Such as only one tap fee will be charged for providing water service to multiple mobile home units located on one parcel of ground and further that in such circumstances, the owner of the ground will be responsible for non-payment of the entire water consumption through the single meter.

8. The above stated rules regarding water service shall not apply to tenants within the meaning of the Utility Tenant's Rights Act and the TOWNSHIP will not be governed by the rules of the Act regarding application and termination of service.

9. Any service inactive for a period of seven (7) years will be required to pay a tap fee less the connection fee to reinstate water service. However, if a tap fee has been paid and the tap installed but never activated, no time restrictions apply.

10. A tap shall be deemed abandoned in the event the premises is sold at a sale that is free and clear of all Municipal Liens and Claims. That the property owner of a premises acquired at a sale where the terms of the sale provides for the conveyance of the premises free and clear of all municipal liens and claims shall make application for a tap(s), and shall remit to the Township payment for the tap(s) fee at the time of the application.

C. DEPOSITS

- 1. The TOWNSHIP may, at its option, require a deposit.
- 2. Any customer having a deposit shall pay bills for water service rendered in accordance with these Rules and Regulations. The deposit shall not be considered as payment for normal water service.

V. CONDITIONS OF INSTALLATION AND USE

A. WRITTEN PERMIT FOR CUSTOMER TO SUPPLY PERSONS OR FAMILIES

1. No customer or any Premises receiving Water Service shall supply water to other persons or other premises except by written permission of the TOWNSHIP. Customers who violate this rule will have water discontinuance procedures initiated against them. Water service that is turned off, will remain off, until the requirements of the Rules and Regulations are satisfied. Any violation of this provision will cause Water Service to such Customer or Premises to be terminated.

B. TOWNSHIP'S SERVICE LINES

1. Upon approval of the water service and service connection applications, and payment of all applicable charges, the TOWNSHIP will install its service line between the main and the curb stop at the curb.

2. Separate service lines shall be installed for normal domestic Water Service and for Fire Protection Water Service, unless a combined service line is approved by the TOWNSHIP.

3. The location and minimum size of the Water Service line will be determined by the TOWNSHIP.

4. No Water Service line will be installed during a period when street openings are prohibited by municipal regulations, nor at any time when, in the judgment of the TOWNSHIP, working conditions are unfavorable for installation either by reason of weather, temperature, condition of the soil, or otherwise.

5. No other utility line shall be placed within four feet (4) of the Water Service Line, unless previous written approval is secured from the TOWNSHIP.

6. When a customer desires a change in location or size of an existing Water Service Line, he shall bear the entire cost of the change.

7. The TOWNSHIP will be responsible for the maintenance and repair of its Water Service Line between the main and the curb stop.

8. TOWNSHIP's Water Service lines will not be installed on private property unless found to be desirable by the TOWNSHIP and unless the customer provides a duly recorded written easement satisfactory to the Township granting permission for the TOWNSHIP to install and maintain the service line on said private property. If the service line from the curb to the premises served passes through the property of persons other than the owner of the premises to be supplied, the customer shall assume liability for the service. Private easements shall be granted only in a perpendicular direction from the TOWNSHIP main and shall not transverse more than one (1) adjacent property owner.

9. The TOWNSHIP reserves the right to construct its service line after the customer installs his service line to the TOWNSHIP's satisfaction.

10. The TOWNSHIP shall have the right to supply more than one (1) customer from the same service pipe but in such case, a separate curb stop and box will be provided.

C. CUSTOMER'S SERVICE LINES

1. The Customer's Service Line, beyond the TOWNSHIP's Water Service Line, shall be installed and maintained by the customer at his expense. The Customer's Service Line from the curb stop to the meter shall not be less in size and quality than the Water Service line installed by the TOWNSHIP.

2. The Customer's Service Line for all new or replacement service connections, where physically possible will be required to install an approved meter pit within ten feet (10') of the curb stop, or at a point approved by the TOWNSHIP. If an external meter pit is deemed non-feasible by the Township, the customer will have the option to have the water meter, backflow preventer, regulator, and shut off valve, installed inside the dwelling and an internal remote read meter shall be required to be installed according to the Township's standards and subject to the Township's inspection at the cost of the customer. In relation to the external meter pit, the customer may at his option:

- A. Purchase a pre-fabricated coiled meter pit supplied by the TOWNSHIP at prices based on the TOWNSHIP's incurred cost. This pit includes the meter setter, shut off valve, regulator, and backflow preventer.
- B. Provide a meter pit in accordance with Township's approval based on current local, state and federal regulations.
- C. The TOWNSHIP will not be responsible for the installation or construction of the meter pit.

3. The Customer's Service Line shall be laid not less than three feet (3') below finished grade.

4. The service line trench from the curb stop to the meter pit shall not be backfilled until the TOWNSHIP's Water Service Line is installed, and the Customer's Service Line is inspected and tested by the TOWNSHIP. If, in the opinion of the TOWNSHIP any defects exist in the Customer's Service Line, Water Service will not be furnished until such defects are remedied. All plumbing connections shall be able to withstand a pressure of at least two hundred pounds (200 lbs) per square inch.

5. A separate meter setter will be installed by the Customer immediately inside the basement wall or at such other location, as may be approved by the TOWNSHIP.

6. The Customer shall also furnish and install a backflow preventer immediately after the meter.

7. If the Water Service Line pressure is deemed excessive by either the TOWNSHIP, Applicant, or Customer, it shall be the Customer's responsibility to install and maintain a pressure regulator at his/her expense.

8. Although the Water Service Line pressure may be low the TOWNSHIP shall be under no obligation to increase such pressure by pumping or other means.

9. The Customer shall keep his Water Service Line in good condition under penalty of service discontinuance. Water service may be discontinued if the property owner has not caused repair to be made to his Water Service Line within five (5) days after receipt of written notice from the TOWNSHIP, or at any time if water escaping therefrom is causing damage to the property of others; or if water escaping therefrom is causing loss of water and/or revenue to the TOWNSHIP.

10. The Customer shall pay all costs for relocating or changing said Water Service Line.

11. Installation of all new or replaced Customer Water Service Lines for existing customers shall require TOWNSHIP inspection and approval.

12. If the TOWNSHIP is required to renew its Water Service Line, and the Customer's Water Service Line does not meet the TOWNSHIP specifications for the renewed Water Service Line, the TOWNSHIP may issue notice to the customer to renew his Water Service Line to the specifications of the TOWNSHIP's renewed Water Service Line at the Customers' expense, with Customer's obligation to renew to coincide with the TOWNSHIP's renewal.

13. Prior to laying new cement sidewalks, making changes in grade or other changes in sidewalk construction, the Customer shall notify the TOWNSHIP, in order that the TOWNSHIP may relocate the curb box at the proper grade. If such notice is not given and the box or boxes are covered or cemented over, thereby necessitating additional expense to the TOWNSHIP for finding and relocating the same, the Customer shall be billed for such additional expense and the TOWNSHIP will not be responsible for damages to the sidewalk.

14. In those instances where Water Service is interrupted because of freezing, the TOWNSHIP will, at its own expense, thaw out the Water Service Connection to the curb stop. The thawing out of the service pipe from the curb stop to the Premises shall be done by the Customer at Customer's own expense. To avoid a recurrence of freezing, the TOWNSHIP will make an examination of the Customer's service pipe and, if the same is not at a depth of three feet (3') as required, the TOWNSHIP shall have the right to require it to be relocated before Water Service is restored.

D. OPENING AND CLOSING VALVES OR HYDRANTS

1. No Customer or Person shall operate any curb stop, valve, or hydrant located in any Water Service Line or main unless authorized by the TOWNSHIP to operate.

E. TWO OR MORE CUSTOMERS ON SAME SERVICE

1. Each Customer will be supplied through a separate metered Water Service connection unless the TOWNSHIP grants an exception. If an exception is granted Service must be in the name of the Owner.

2. The Owner shall not furnish TOWNSHIP Water Service to other persons or Premises without prior written approval of the TOWNSHIP.

3. Where two (2) or more Customers are supplied from the Water Service Line a separate valve and valve box shall be provided for each Customer.

4. When two (2) or more Customers are supplied from the same Water Service Line, controlled by a single shutoff valve, any violation of the Rules and Regulations of any Customer shall be deemed a violation by all Customers, and the TOWNSHIP may take action against the entire group of Customers as if they were a single customer. If the violation is not immediately cured, the TOWNSHIP may, upon ten (10) days written notice to all Customers on said line, discontinue Water Service. Water Service will not be reinstated until separate service lines have been installed to each Customer in accordance with TOWNSHIP's Rules and Regulations.

5. The above stated rule regarding two (2) or more customers supplied from the same Water Service line shall not apply to tenants within the meaning of the Utility Service Tenant's Rights Act and the TOWNSHIP will be governed by the rules of such Act with regard to application and termination of Water Service.

F. TEMPORARY USES

1. Water Service may be provided on a temporary basis for special conditions, which do not fall under the classification of permanent Water Service. Each case shall be reviewed on an individual basis and Water Service shall be at the discretion of the TOWNSHIP.

2. Applicants for temporary use of Water Service shall submit a written application to the TOWNSHIP for approval. A deposit, if required by the TOWNSHIP, shall accompany the application.

3. All costs for installing and dismantling TOWNSHIP Water Service connections shall be paid for by the applicant.

4. Temporary Water Service may be metered, at the option of the TOWNSHIP. The TOWNSHIP will install and remove the meter, and all costs shall be paid by the applicant.

5. If water is used where a meter is not installed, the TOWNSHIP shall establish the charge for Water Service, from the date of initial use to the date of meter installation or termination of use.

6. In the event of a temporary water line for extractive mineral purposes or for a temporary construction project, the customer's temporary service line may be laid across or under private property provided the customer provides a written easement agreement, subject to approval of the TOWNSHIP. No temporary service line may have a term in excess of twelve (12) months, but may renewed for six (6) month periods, at the discretion of the TOWNSHIP. The owner of the temporary service line shall be responsible for all costs of installing and removing of said line (s), as well as any and all damages incurred by any landowner or incurred by the TOWNSHIP.

G. NON-PERMISSIBLE CONNECTIONS

1. The following connections are prohibited.

(a) Any device which, in the opinion of the TOWNSHIP, may cause water pressure surges

(b) a connection to a booster pump, boiler plant, or boiler pump without a back flow prevention device approved by the TOWNSHIP.

H. BACK FLOW PREVENTION DEVICE

1. The cost of furnishing and installing all back flow prevention devices shall be borne by the Customer, who shall also retain ownership and be responsible for testing and maintaining the backflow preventer device. The TOWNSHIP reserves the right to require that back flow prevention devices be tested at least once every twelve (12) months and that a certified test report be furnished to the TOWNSHIP with regard to such test indicating that the backflow prevention device is functioning properly.

I. WATER HAULERS

1. Any Customer desiring Water Service as a water hauler shall submit a written application to the TOWNSHIP.

2. The Customer shall provide a location for loading water, which location shall be approved by the TOWNSHIP.

3. The Customer shall pay all costs of installing the Water Service connection, meter, meter pit, valves, riser pipe and facilities to control spillage and surge conditions.

VI. METERS

A. GENERAL

1. All water used by Customers of the TOWNSHIP, with the exception of public fire protection service, shall be metered.

B. SIZE, INSTALLATION AND OWNERSHIP

1. The Meter size will be based on Water Service requirements indicated by the applicant. The TOWNSHIP will furnish all meters at the expense of the Customer as hereinafter described. Installation of Meters will be performed subject to the provisions of these Rules and Regulations by the TOWNSHIP. All Meters and connections thereto shall become TOWNSHIP property and shall be maintained by the TOWNSHIP at its expense.

2. Customer shall provide to the TOWNSHIP access to the Meter at all reasonable times for reading, inspection, testing and repairs.

3. A Customer shall not remove or disconnect a Meter. Fixtures shall not be attached to the service pipe between the Meter and the street main.

4. If Water Service to a Customer has been discontinued for any reason, an approved backflow prevention device must be installed at the Customer's expense before re-issuance of Water Service.

C. PAYMENT FOR METERS

1. The Customer shall pay all costs for furnishing and installing the Water Service Meter according to the applicable schedule of charges.

D. LOCATION OF METERS

1. The TOWNSHIP will determine the location of all Meters.

2. When a Meter is installed within a building, the Customer shall provide, at his expense, an approved installation space and approved piping connections complete with stops or valves with drains.

3. When a Meter is installed outside a building, it shall be placed in an approved meter box, complete with approved stops or valves, backflows, provided at the Customer's expense.

4. Each Customer unit, whether single house, double house, or row house, and whether owner or tenant occupied, shall have a separate meter, except as otherwise permitted by the TOWNSHIP.

5. Multi-unit buildings serviced through a single Water Service Line, such as apartment buildings and office buildings, may have a single Meter if approved by the TOWNSHIP.

E. PROTECTION OF METERS

1. The Customer shall protect the Meter against damage due to freezing, hot water, negligence, fire, vandalism, and other causes. The TOWNSHIP will repair any loss or damage to the meter at the Customer's Expense. Service will be discontinued until such repair charges are paid.

2. The Customer shall not remove or tamper with a Meter installation nor permit any other person except an authorized employee of the TOWNSHIP to remove a Meter. When a Meter seal has been tampered with or broken, or the meter has been removed by an unauthorized person, the TOWNSHIP may remove, test, reseal and install the Meter at the expense of the Customer and at its discretion, may terminate Water Service to the Customer until a tampering fee has been paid.

F. METER TESTS

1. The TOWNSHIP may test or replace a service Meter at any time it deems necessary, or upon notification by the Customer as herein after described.

2. After receipt of a written request to test or replace a Meter and the payment of a deposit, the TOWNSHIP will test the accuracy of its Meter. If the Meter accuracy is within the American Water Works Association Standards of $\pm 2\%$, the Meter is considered accurate and the deposit will be retained. If the Meter accuracy is not within $\pm 2\%$, the Meter will be repaired or replaced at the TOWNSHIP's expense, and the deposit will be returned.

3. Required Meter test deposits shall be in an amount as from time to time set forth on the TOWNSHIP Rate Schedule.

4. If a Meter is found to be inaccurate, an adjustment will be made only for the current billing period, based on test results or on the recorded consumption for the same billing period during the prior year. However, if the TOWNSHIP determines the beginning date of inaccuracy, the adjustment will be made from that date.

G. LEAKS AND DEFECTIVE PLUMBING

1. All-metered consumption will be billed according to the TOWNSHIP Rate Schedule as may be modified by the TOWNSHIP from time to time and no adjustment will be made for excessive consumption due to leakage of water.

VII. FIRE SERVICE AND OTHER SPECIAL USES

A. PUBLIC HYDRANT INSTALLATION

1. Public fire protection service shall be paid by the TOWNSHIP per the Schedule of Water Rates.

2. Fire hydrants shall not be used without the TOWNSHIP's permission for any purpose, other than the extinguishment of fires by persons authorized by the laws of the Commonwealth of Pennsylvania for such purpose.

3. The TOWNSHIP does not assume any liability as insurer of property or person. Any Customer receiving fire service will only be entitled (in the event of a fire) to the service, pressure, capacity, and facilities available at such time to the TOWNSHIP. The TOWNSHIP shall not be liable for any damage or injury to any person or property by reason of any fire, flooding, water supply failure, pressure failure, excess pressure, or lack of capacity or any other cause.

4. All new water main extensions and any replacement water main projects will require public fire protection as deemed necessary by the Township based on available existing system pressures. All fire hydrants shall be placed as specified by local, state and federal regulations relating to distance and sizing of proposed use.

B. PRIVATE FIRE SERVICE

1. A person desiring private fire service shall submit an application to the TOWNSHIP and if such service is granted by the TOWNSHIP, shall pay all necessary charges before such service is rendered. The granting of private fire service shall be at the complete discretion of the TOWNSHIP.

2. No cross connection shall be made between a fire service line and a regular Water Service line, without the proper backflow appurtenances required by the TOWNSHIP.

3. By providing fire service, the TOWNSHIP does not assume liability as an insurer of property or person. Any Customer receiving fire service is only entitled to the service, pressure, capacity, and facilities available at the time of service. The TOWNSHIP is not liable for any damage or injury to any person or property by reason of any fire, flooding, water supply failure, pressure failure, excess pressure, lack of capacity, or any other cause.

4. Private fire protection service charges shall be determined according to the TOWNSHIP Rate Schedule as may be established by the TOWNSHIP from time to time by simple Resolution. These charges are compensation for "Standing Ready to Serve".

5. When an Owner requests the installation of a fire hydrant on the Water System, the Owner shall make an application to the TOWNSHIP for such installation. If the TOWNSHIP determines the Water System is capable of providing fire protection, the TOWNSHIP shall install the fire hydrant. The furnishing and installation of the fire hydrant will be made at the cost of the municipality.

6. No annual charge will be made for fire hydrants installed on the Customer's side of the meter, in cases where the meter has been sized to measure the fire flow and the Customer is paying that metered rate.

C. USE OF FIRE SERVICE FACILITIES

1. Fire hydrants or private fire service lines shall not be used for any purpose other than extinguishing fires and shall not be used by anyone other than persons authorized by the Commonwealth of Pennsylvania to use them to extinguish fires.

2. Fire company or Customer desiring to test hydrants or fire service lines shall notify the TOWNSHIP at least ten (10) working days in advance of the schedule test. The conduct of such test shall be subject to TOWNSHIP approval and shall be at the cost and expense of the party requesting such test.

D. BOILERS

1. Customers who use the TOWNSHIP water supply for steam boilers or similar facilities do so at their own risk. The TOWNSHIP, upon request, will furnish water system pressure data for Customer convenience in setting relief valves.

VIII. DISCONTINUANCE OF SERVICE

A. NOTICE AND CHARGES

1. The TOWNSHIP reserves the right to shut off water for nonpayment of delinquent water bills, and for any of the other reasons herein set forth. The TOWNSHIP will give the Customer advance written notice of discontinuance, and will follow those procedures as set forth in the applicable State and Federal statutes. Discontinued service will not be restored until all delinquent water bills, collection costs incurred by the Township and a service restoration fee set forth in the TOWNSHIP rate schedule as may be established by the TOWNSHIP from time to time are paid to the TOWNSHIP.

2. There will be no charge for temporary shut off and turn on of water service, for a maximum of seven (7) days, with the option for extension of time as the circumstance requires, if requested and performed during the TOWNSHIP's normal weekday business hours, except when service discontinuance is involved.

3. There will be a charge as set forth in Schedule B, for shut off and turn on water service if the service is performed at the Customer's request outside of the TOWNSHIP's normal weekday business hours, including holidays.

4. The TOWNSHIP reserves the right to reduce or shut off water service without notice during emergencies, and the TOWNSHIP shall not be liable for any damages or inconveniences suffered because of such reduction or shut off.

B. REASON FOR DISCONTINUANCE

1. Service may be discontinued for any of the following reasons:

- a) Violation of any of the TOWNSHIP Rules and Regulations
- b) Misrepresentation in Customer's application as to property or fixtures to be supplied, the use of the water supply, or the Customer/Owner of record.
- c) Use of water for any property or purpose not described in the application.
- d) Tampering with any service pipe, meter, curb stop or seal, or any appliance of the TOWNSHIP.
- e) Failure to maintain, in good order, connections, service lines, back flow preventers, meter housing or other fixtures for which the Customer is responsible.
- f) Waste of water through improper or imperfect pipes, fixtures, or other facilities.
- g) Vacancy of the premises.
- h) Failure to make payments of any Water System charges against the Premises.
- i) Refusal of access to the Premises to inspect, read, maintain or remove meters.
- j) Refusal to conserve water during period of advertised restricted supply.
- k) Failure to pay TOWNSHIP water bills or charges incurred at Premises other than the one to which Water Service is being supplied.
- l) Existence of any cross connection at a Premises.
- m) Placement of obstruction in, around, or over curb box.

C. SUPPLY OF WATER

1. The TOWNSHIP shall not be liable for any water supply deficiency, or its consequences.

2. The TOWNSHIP reserves the right to restrict water service in case of scarcity, or whenever the public welfare may require restriction.

D. VACATING THE PREMISES

1. When the Premises are vacated, the Owner or the Customer of the leased Premises, as the case may be, shall give an Affidavit to the TOWNSHIP stating that the Premises are vacant and that there are no tenants at the premises, before a request to turn off water service will be honored. The Owner or the Customer of the leased premises, as the case may be, shall pay for all water used until the Water Service is physically turned off, as opposed to when the shut off is approved.

2. A new application shall be submitted each time there is a vacancy and/or change in Ownership, or Customer identified at a premises, and the TOWNSHIP shall have the right to discontinue Water Service until a new application is made and approved by the TOWNSHIP.

IX. WATER MAIN EXTENSION

A. APPLICATION FOR EXTENSION

1. A written application on the form furnished by the TOWNSHIP, unless otherwise indicated, must be submitted to the TOWNSHIP for the purpose of requesting approval of a Water Line extension and Water Service there from, said application to be signed by the Owner, to be subject to the terms and conditions as are hereinafter set forth and included herein and to the execution of an agreement, which application, together with the Rules and Regulations of the TOWNSHIP, shall regulate and control the installation of Water Line extensions and the furnishing of Water Service there from.

2. The application shall be accompanied by accurate plans showing the proposed location of the Water Line extension, the layout of the streets and roads, the layout of existing and proposed plans of lots, and other pertinent data with such plans to be in sufficient detail to permit the preparation by the TOWNSHIP of detailed plans of the Water Line extension. The Water Line extension is to extend along the property to the property line at the far end of the property to receive Water Service.

B. DETERMINATION OF COST

1. The cost of a Water Main Extension or installation shall include the following:

- a) The cost of water lines at least six (6) inches in size, except in very unusual instances where a lesser size inch line is approved by the TOWNSHIP, the smaller diameter being considered only for very short streets where there is practically no possibility of any further extension or need for fire prevention.
- b) The cost of connections to the existing main lines.
- c) The cost of all main lines meters, valves, valve boxes, fitting, fire hydrants and all related work.
- d) The cost of all land and rights of way, required by the TOWNSHIP for such Main Extension.

- e) The cost of all hydrostatic tests of all facilities and elimination of leakage and loss of water, of disinfection of all facilities of all bacterial and other tests and such other items of testing and disinfecting as the TOWNSHIP may deem appropriate.

C. RESPONSIBILITY FOR COST

- 1. The entire cost of the Main Extensions, including the cost of the fire hydrants and other appurtenances and facilities, shall be borne wholly by the Owner.

D. PERFORMANCE AND LABOR DEPOSIT

1. The Owner shall deposit with the TOWNSHIP, prior to the execution of any work, a sum of money sufficient to pay all the estimated costs of the water main extension, as determined in accordance with the procedures set forth in Section IX, Item B, the deposit to be made upon the execution of an agreement between the TOWNSHIP and the Owner. No interest shall be paid on any deposit.

E. AGREEMENT

1. The Owner shall enter into an agreement with the TOWNSHIP prior to the execution of any work with the agreement to contain but not limited to the following:

- a) The cost of all work, professional and legal review of the proposed extension project by the Township and tests shall be borne by the Owner.
- b) Amount and Terms of the Performance and Labor Deposit.
- c) The materials and workmanship to be in accordance with the specifications of the TOWNSHIP.
- d) The highways, streets, alleys and lanes in which the water main extension is to be located to be dedicated to public use and the lines and grades thereof established.
- e) The ownership of all installations, as well as all properties and/or rights of ways as required to be conveyed to and vested in the TOWNSHIP.
- f) The TOWNSHIP to have the right to make further extensions beyond or laterally from the Main Extension with such Extension Main not to be considered as connections and not to be subject to any refund.
- g) Developer's acknowledgements of all required State and Federal Permits.
- h) All water lines are to be extended to the far property line of the last property serviced.

X. MISCELLANEOUS REGULATIONS

A. ACCESS BY THE TOWNSHIP PERSONNEL

1. Any authorized TOWNSHIP employee, upon presentation of credentials, shall be provided with access to any Premises, at all reasonable hours, for the purpose of reading meters, making inspection or repairs, and securing any other information the TOWNSHIP deems necessary. If the Customer neglects or refuses to provide reasonable access to the premises by TOWNSHIP personnel, the TOWNSHIP shall send written notice to the Customer requesting access to the property at a mutually convenient time, and if the Customer again refuses or neglects to provide access to TOWNSHIP personnel, service may be discontinued, and the TOWNSHIP will not be liable for any damages or inconvenience suffered by the Customer because of such termination.

B. TEMPORARY INTERRUPTION OF SERVICE

1. During an emergency, and during the changing or testing of Meters, the TOWNSHIP has the right to temporarily interrupt service to make repairs or connections. The TOWNSHIP will make a reasonable attempt to notify Customers of such service interruptions if reasonably possible. The TOWNSHIP will not be liable for any damage or inconvenience suffered due to service interruptions or due to failure to provide notice of such interruptions.

C. WATER EMERGENCY

1. The TOWNSHIP has the right to declare a “water emergency” due to a water shortage or other emergency conditions, and to impose any water use restrictions deemed by the TOWNSHIP to be necessary during such an emergency. Water emergency restrictions will continue in effect until terminated by the TOWNSHIP.

2. The licensed operator of record, TOWNSHIP Chairman, or in their absence, the Vice-Chairmen are authorized to act jointly or separately for the TOWNSHIP to declare a “water emergency” and to impose water use restrictions.

3. Notice of a “water emergency” declaration and water use restrictions will be published in a newspaper of general circulation.

4. It is also recognized that governmental agencies, such as the Pennsylvania Department of Environmental Protection, the West Virginia Department of Health and Human Resources – Bureau of Public Health, the Pennsylvania Emergency Management Council, and others, may declare water emergencies and require the TOWNSHIP to restrict or prohibit certain water uses, and that these Rules and Regulations are subject to such requirements.

XI. TERMS OF PAYMENT

A. BILLS RENDERED

1. The TOWNSHIP has provided that each Customer’s Meter will be read quarterly. The TOWNSHIP hereby reserves the right to read each meter on a monthly basis in any area or for any individual customer or customers.

B. COMPUTATION OF BILLS

1. Bills for metered service will be determined according to the Schedule of Water Rates

2. Where the Meter fails to register or is found to be faulty, a bill will be determined based on the Customer’s average usage based on the previous three (3) consecutive months of meter readings.

3. Bills for a partial billing period will be determined according to the Schedule of Water Rates established by the TOWNSHIP from time to time.

C. BILLS DUE AND PAYABLE

1. All bills shall be payable immediately upon receipt thereof and in no case shall be paid later than the due date appearing on the bills. Bills remaining unpaid after this date shall be considered delinquent, which delinquency may be grounds for discontinuance of service.

2. Charges for connections, temporary uses, and special services shall be payable on demand.

3. Payment delivered to the TOWNSHIP as evidenced by the receipt date stamped on the bill by Authorized Personnel, on or previous to the queue date of the bill, will be considered timely payment.

4. Payment mailed as evidenced by the United States Postal Service mark, on or previous to the date of the bill, will be considered timely payment,

5. Water billed under the same name in different Premises will not be combined, and each installation will be billed separately.

D. BILLS OF DOUBTFUL ACCURACY

1. Any Customer who doubts the accuracy of a bill shall bring or “mail the bill prior to the due date of the bill, to the TOWNSHIP office. The TOWNSHIP will check the bill, and either confirm the original billing or issue a corrected bill.

E. FAILURE TO RECEIVE BILL

1. The presentation of a bill to the Customer is only a matter of accommodation. Failure to receive a bill shall not exempt a customer from the obligation to pay the bill by its due date.

F. CHARGES FOR LATE PAYMENT

1. Charges paid after the due date appearing on the bill will be subject to the addition of a ten (10%) percent penalty. Whenever a bill becomes delinquent written notice will be given, after which, if the bill is still unpaid, Water Service to the premises of the delinquent customer will be shut off. The customer will not again be provided with Water Service until all the charges owed by the Customer have been paid, together with the fee for restoring Water Service as set forth in the TOWNSHIP Rate Schedule as may be established by the TOWNSHIP from time to time.

G. BAD CHECKS

1. When a Customer’s check is returned to the TOWNSHIP by the bank for any reason, the TOWNSHIP will impose a service charge for an amount as set forth in the TOWNSHIP Rate Schedule as may be established by the TOWNSHIP from time to time for each occurrence.

H. CONNECTION CHARGE

1. Each applicant for a service connection shall pay a connection charge in accordance with the Schedule of Charges for Service Connections. The connection charge is in addition to all other charges, fees, and deposits required by the TOWNSHIP.

XII. MISCELLANEOUS

A. GROUND WIRE ATTACHMENTS

1. All customers are forbidden to attach any ground wire or wires to any plumbing which is or may be connected to a service connection or main belonging to the TOWNSHIP, and the TOWNSHIP will hold the customer liable for any damage to its property occurred by such ground wire attachments.

B. ACTS OF TOWNSHIP EMPLOYEES AND/OR OTHERS

1. No agent or employee of the TOWNSHIP shall have the power or right to bind the TOWNSHIP by any promise, agreement, or representation contrary to these Rules and Regulations.

C. AVAILABILITY-RULES AND REGULATIONS

1. Copies of these Rules and Regulations Governing Water Service may be obtained at the Office of the TOWNSHIP for that amount per copy as set forth in the TOWNSHIP Rate Schedule established by the TOWNSHIP from time to time. Copies are available for review at the office of the TOWNSHIP at all times during regular working hours.