

INDIAN CREEK VALLEY WATER AUTHORITY

RULES AND REGULATIONS
GOVERNING WATER SERVICE

TOWNSHIPS OF SALTICK AND SPRINGFIELD

FAYETTE COUNTY PENNSYLVANIA

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INDIAN CREEK VALLEY WATER AUTHORITY
County of Fayette, Commonwealth of Pennsylvania

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INDIAN CREEK VALLEY WATER AUTHORITY
TOWNSHIPS OF SPRINGFIELD AND SALTICK
COUNTY OF FAYETTE, COMMONWEALTH OF PENNSYLVANIA

RULES AND REGULATIONS GOVERNING WATER SERVICE

SECTION I - DEFINITIONS

1. AUTHORITY: The word "Authority," whenever the same appears herein, means the Indian Creek Valley Water Authority, a body corporate and politic organized and existing under the laws of the Commonwealth of Pennsylvania.
2. CUSTOMER: The word "Customer," as used herein, means the owner or tenant contracting for or using water service on a single premises; and the word "Customers" means all so contracting for and using service.
3. DATE OF PRESENTATION: The date upon which a bill or notice is mailed, as evidenced by the United States Post Office mark.
4. MAINS: Distribution pipelines which are located in streets, highways, public ways or private rights of way, and which are used to serve the general public.
5. MAIN EXTENSIONS: Extensions of distribution pipelines beyond existing facilities and exclusive of service connections.
6. OWNER: The word "Owner," whenever the same appears herein, means the person, firm or corporation or association having an interest as owner, or a person, firm or corporation representing itself to be the owner, whether legal or equitable, sole or only partial, in any premises which is or is about to be supplied with water by the Authority; and the word "Owners" means all so interested.
7. PREMISES: The word "Premises," as used herein, means the property or area, including improvements thereto, to which water service is or will be provided and, as used herein, shall be taken to designate:
 - a. A building under one roof owned or leased by one customer and occupied as one residence or one place of business; or
 - b. A group or combination of buildings owned by one customer, in one common enclosure, occupied by one family or one organization, corporation or firm as a residence or place of business or for

- manufacturing or industrial purposes, or as a hospital, church, public or private school or similar institution, except as otherwise noted herein; or
- c. The one side of a double house having a solid vertical partition wall; or
 - d. Each side or each part of a house or building occupied by one family, including a ne-person family, even though the closet and/or other fixtures be used in common; or
 - e. Each apartment, office or suite of offices, and/or place of business located in a building or group of buildings, even though such buildings in a group are interconnected by a tunnel or passageway, covered areaway, or patio or by some similar means or structure; or
 - f. A public building devoted entirely to public use, such as a town hall, schoolhouse, fire engine house; or
 - g. A single vacant lot or park or playground; or
 - h. Each house in a row of houses; or
 - i. Each dwelling unit in a row of houses, a dwelling unit being defined as a building or portion thereof with exclusive culinary facilities designed for occupancy and used by one person or one family (household); or
 - j. Each individual and separate place of business and/or occupancy located in one building or group of buildings commonly designated as shopping centers, supermarket areas and by such other terms; or
 - k. Each dwelling unit in a public housing development owned and operated by the United States of America, a municipal subdivision of the Commonwealth of Pennsylvania, or an agency or instrumentality of the United States or the Commonwealth of Pennsylvania; by a philanthropic foundation or organization or some such similar body or organization; or operated under private ownership; or
 - l. Each mobile home, whether located on owned or leased land.

Each premise shall be served through a separate service connection, a separate service line and through a separate meter, except where physical conditions render impractical the installation of separate service facilities and meters as determined by the Authority. Effective January

1, 1984, the practice of allowing multiple premises not under or within the same building structure, e.g., a framed home and a separate mobile home on the same parcel of property, will no longer be allowed. Each premise on a parcel of property not physically connected in framed construction must install a separate, individual, service connection (Revised November 30, 1983).

The charge for water services in all cases where more than one premise is served through one meter or a meter installation (a meter installation being defined as an installation including two or more meters placed at one or more locations for the purpose of serving one or more premises in a building or a related group of buildings, in a facility or related group of facilities, in an area or a related group of areas, and in such other properties; more than one meter generally being provided to allow flexibility of operation, to furnish adequate capacity, to permit more accurate measurement of water, due to the physical layout of the property, and for such other reasons) shall be determined as follows:

- 1) The average use of water for each billing period for each premise shall be equal to the total number of gallons of water registered by the meter or meter installation divided by the number of premises. The customer or customers shall notify the Authority promptly relative to any changes in the number of premises, the number at any time always being subject to determination by the Authority. The potential number of premises in any building or group of buildings and the charges therefor are subject to determination by the Authority prior to original approval by the Authority to furnish water services, and are subject to determination subsequent to any alterations, additions or changes in the building or group of buildings.
- 2) The average use of water for each premise, as determined under the foregoing item, shall provide the basis for billing, and the amount of the charge for each premise shall be computed on the basis of a 5/8-inch meter installation, as set forth in the Rate Schedule Governing Water Service; the minimum charge and allowance in gallons for a 5/8-inch meter to apply and the total charge for each premise to be the minimum charge plus charges for all water in excess of the allowance in gallons in accordance with the Rate Schedule, the excess to be the average use in gallons as determined under (a), minus the quantity allowed for the size of meter. If it be determined that meters larger than 5/8-inch in size would be necessary if each premise was provided with individual service, the

charges for each premise will be based on the larger meters.

- 3) The total charge for the water service shall be equal to the average charge for each premise multiplied by the number of premises, determined as previously set forth; and the total charge shall be submitted to the customer or customers as the proper charge for water service furnished to the type of building and/or buildings included hereunder.
 - 4) This regulation shall apply regardless of whether a business may be owned by a customer also receiving household water service through the same meter or the two or more premises are located in one building or in different buildings, the ownership of the property or business not being significant.
 - 5) Should the owner desire that the Authority conduct business directly with the tenant or each premise, he must first provide means of controlling the supply and housing of the meter or meters for each premise and/or provide means of billing and collecting the water charges therefor. The property owner shall be secondarily liable on all tenant billings.
8. RATE SCHEDULE (TARIFF): The entire body of effective rates, rentals, charges and regulations, as published by the Authority, are made a part of these Rules and Regulations.
 9. RATE SCHEDULE SHEET: An individual sheet of rate schedules and regulations.
 10. SERVICE - COMMERCIAL: Provision of water to premises where the customer is engaged in trade and/or commerce.
 11. SERVICE - DOMESTIC: Provision of water for office or household residential purposes, including water for sprinkling lawns, gardens (not commercial type) and shrubbery, watering livestock, washing vehicles, and other similar and customary purposes.
 12. SERVICE - FLAT RATE: Provision of water to premises in unmeasured quantities at a fixed periodic charge for an unmetered service.
 13. SERVICE - INDUSTRIAL: Provision of water to premises for use in manufacturing or processing activities.
 14. SERVICE - METERED: Provision of water to premises in measured quantities.

15. SERVICE - MULTIPLE: Provision of water through one meter installation to more than one premise, billing therefor to be in accordance with the principle of Multiple Billing as outlined under Item 7 and Section XI, Item 87.
16. SERVICE - PRIVATE FIRE PROTECTION: Provision of water to premises exclusively for fire protection.
17. SERVICE - PUBLIC FIRE PROTECTION: The furnishing of service through public fire hydrants.
18. SERVICE - PUBLIC OR MUNICIPAL: Provision of water to a municipal subdivision of the Commonwealth of Pennsylvania or agency thereof or to other similar public bodies.
19. SERVICE - SEASONAL COMMERCIAL: In cases where the meter size is in excess of 5/8-inch and the business conducted on the premises is of such a seasonal nature that the customer has no commercial use for water of the Authority for at least two of the four quarters of the Authority's billing period, regular rates for the size meter required may, at the customer's option, be applied during a billing period involving no commercial use. This provision is not applicable for community outdoor swimming pools.
20. SERVICE - TEMPORARY: A service for circuses, bazaars, fairs, construction work, irrigation of vacant property, trailers or trailer camps and similar uses that because of their nature will not be used steadily or permanently.
21. SERVICE LINE CONNECTIONS: (Authority Service Line) The pipe, valves and other facilities by means of which the Authority conducts water from its distribution mains to the curb stop to be located at the curb line or property line of the premises, and specifically includes the corporation stop or other means of connection to the main, the service line connected to the corporation stop and extending to the point of connection to the curb stop, the curb stop, the service box and such other facilities.
22. SERVICE LINE EXTENSIONS: (Customer Service Line) The pipe, valves and other facilities by means of which water is conducted from the curb stop to the premises, and specifically includes the service line extending from a point of connection to the curb stop to a point inside the walls of the premises or meter box, where approved, a stop cock or compression valve on the line at this point, connections for the inlet and outlet sides of the meter, a stop and waste cock on the outlet side of the meter and such other facilities.
23. TENANT: The word "Tenant," whenever the same appears herein, is anyone

other than the owner occupying the premises and obtaining water from the mains of the Authority.

24. WATER DEPARTMENT: The term "water department" shall mean the Indian Creek Valley Water Authority. Each place in these Rules and Regulations where the term "Authority" is used, the term "Water Department" may be substituted with equal force and effect.

SECTION II - CONDITIONS OF SERVICE

25. GENERAL: The Authority will furnish water and service only in accordance with the currently prevailing and as hereafter revised Rates, Rules and Regulations of the Authority, which Rates, Rules and Regulations are made a part of every application, contract, agreement or license entered into between the property owner or customer and the Authority. These Rules and Regulations Governing Water Service are applicable alike to all service districts of the Authority.

The Authority hereby reserves the right, so often as it may deem necessary, to alter, amend, and/or repeal the Rates and/or these Rules and Regulations, or any part, and in whole or in part to substitute new Rates, Rules and Regulations, which altered, amended and/or new Rates, Rules and Regulations shall forthwith, without notice, become and thereafter be a part of every such application, contract, agreement or license for water service in effect at the time of such alteration, amendment and/or adoption.

SECTION III - APPLICATION FOR SERVICE AND CONTRACTS

26. APPLICATION FOR WATER SERVICE CONNECTION: A written application, prepared on the form furnished by the Authority, must be submitted to the Authority for the purpose of requesting the installation of a water service line connection to each premise or group of premises where an individual service line connection is permitted in accordance with these Rules and Regulations; said application to be signed by the owner of the premises or his duly authorized agent; said application to be subject to such water service connection fees and charges currently in effect which application, together with the Rules and Regulations of the Authority shall regulate and control the service of water to such premises; and said application to be submitted at least one month before the service line connection is required.
27. APPLICATION FOR WATER SERVICE: A written application, prepared on the form

furnished by the Authority, must be submitted to the Authority for the purpose of requesting water service; said application to be signed by the owner of the premises or his duly authorized agent, except that such application may be signed by a tenant, but the landlord shall be secondarily liable on all tenant billings, said application to be subject to the requirements relative to deposits and fees as hereinafter set forth; which application, together with the Rules and Regulations of the Authority, shall regulate and control the service of water to the premises; and said application to be submitted at least one week before service of water is required. Where more than one premise is served by a single meter, the landlord shall be the applicant for service.

28. INFORMATION ON APPLICATIONS: Each applicant for a water service connection and/or water service will be required to sign a form or forms, provided by the Authority, giving such data as may be required by the Authority.
29. APPROVAL OF APPLICATIONS: Applications are merely written requests for service line connections and/or water service, all applications being and are subject to approval of the Authority, being subject to payment of all required fees and compliance with all regulations relative thereto prior to commencement of the work or service requested therein
30. APPLICATION, A CONTRACT: The application for water service shall be a binding contract on both the customer and the Authority upon approval by the Authority. Rates for water service shall accrue from the date the water supply service has been connected and water is available to the premises, with respect to the work and responsibilities of the Authority.
31. CONTRACTS WITH DELINQUENTS: No agreement will be entered into by the Authority with any applicant for water service, whether owner or tenant, until all arrears for water, rents, bills for meter repairs or other charges, due from applicant at any premise now or theretofore owned or occupied by him, shall have been paid or until satisfactory arrangements for payment of such unpaid bills shall have been made. Such payments shall include the minimum meter charge for each quarter that service was suspended, but said additional charge shall not exceed the minimum meter charge.
32. TERM OF CONTRACT:
 - a. All contracts covering metered water supply service shall continue in force from month to month or quarter to quarter, subject to the billing period, unless ten days' written notice is given by either party of a desire to terminate the contract. Excepting in the case of delinquent accounts (Paragraph 31) and those cases discussed in Section (b) of this Paragraph 32, when written notice, as aforesaid,

is given by the customer of a desire to terminate the contract and water is turned off at the curb at the end of any month or quarter.

- b. Where a customer suspends service temporarily, water shall not again be furnished to such premises until the minimum meter charge has been paid for the period of non-use. This charge shall be in addition to any other charges due from the customer. Community swimming pools requesting service shall be billed on a basis of the actual period for which service is required. Cancellation of service is governed by Item 68 a.
33. SPECIAL CONTRACT: The Authority may require, prior to approval of service, a special contract other than application for service under the following conditions:
- a. If required by provisions in the Schedule of Rates, the duration of the contract to be as specified in the schedule.
 - b. If the construction of an extension and/or other facilities is necessary.
 - c. For providing temporary service, including water service for building or other special purposes. Water for building purposes shall be used only from a temporary connection approved by the Authority, and shall not be permitted to flow into the house fixtures.
 - d. For standby or fire protection service.
 - e. For connections with other qualified utilities or municipal subdivisions.
 - f. For extensions from the water supply system, whether or not such facilities are to be conveyed to the Authority.
 - g. Where service is provided from a main which does not abut the frontage of the property to be served.
 - h. If deemed necessary by the Authority.
34. GOVERNMENTAL REGULATIONS A PART OF CONTRACT: All contracts for water service shall be subject to the following provision:

The contract shall at all times be subject to such changes or modifications as may be directed by action of the Legislature of the Commonwealth of

Pennsylvania or other regulatory body.

35. INDIVIDUAL LIABILITY FOR JOINT SERVICE: Two or more parties who join to make application for service shall be jointly and severally liable and shall be sent single periodic bills.
36. NEW APPLICATION UPON CHANGE IN OWNERSHIP OR TENANCY OR CONDITIONS OF WATER USE: A new application must be submitted and approved by the Authority upon any change in ownership of the property when the owner is the customer, or in any tenancy where the tenant is the customer, or upon any change in the service as described in the application; and the Authority shall have the right, upon five days' notice, to discontinue the water supply until such new application has been made and approved.

In connection with a change in service, any customer making any material change in the size, character or extent of equipment or operations utilizing water service, or whose change in operations results in a substantial increase in the use of water, shall immediately give the Authority written notice of the nature of the change and, if necessary, amend their application.

37. RENEWAL OF SERVICE: Water 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 provided in the Schedule of Rates or Rules of the Authority due from the applicant.
38. CONDITION OF PLUMBING SYSTEM: The piping and fixtures on the property of the customer are assumed to be in satisfactory condition at the time service facilities (including meters) are connected and water furnished; and the Authority, therefore, will not be liable in any case for any accidents, breaks or leakage that in any way are due to the connection with the supply of water, or failure to supply the same, or for the freezing of piping and fixtures of the customer, nor for any damage to the property which may result from the usage or non-usage of water supplied to the premises. If piping and fixtures are not suitable for a meter connection, the customer shall render them suitable, failing which the Authority may so do at the expense of the customer.

SECTION IV - DEPOSITS

39. GENERAL: The following general conditions shall apply to deposits in connection with applications for water service:

- a. Cash deposits are required from customers taking service for a period of less than thirty days, in an amount equal to the estimated gross bill for such temporary period. Cash deposits may be required with all applications for service and will be required in all cases involving contracts with tenants, provided that in no instance will deposits be required in excess of the estimated gross bill for any single billing period plus one month, the maximum period not to exceed four (4) months with a minimum deposit as established by the Authority. Deposits shall be required from all applicants who are indebted to the Authority or who have impaired their credit with the Authority in any manner.
- b. The payment of any undisputed bill within the meaning of these Rules shall be payment of the bill within 20 days following the period for which the bill was rendered, or payment within 20 days following the DATE OF PRESENTATION of the bill, whichever is the later; or the payment of any contested bill, payment of which is withheld beyond the period herein mentioned, if the dispute is terminated substantially in favor of the customer and if the payment be made by the customer within ten days thereafter. A turn-off notice will be forwarded at the termination of said 20-day period advising that, if the bill is not paid within five business days thereafter, water service will be terminated.
- c. The deposit will not bear interest.
- d. Any customer having a deposit will pay bills for water service as rendered in accordance with the Rules of the Authority, and the deposit shall not be considered as payment on account of a bill during the time the customer is receiving water service.
- e. Where the customer may desire to discontinue service the Authority will apply said deposit to the final bill once a notice to discontinue service has been received, said notice to be rendered in accordance with the conditions set forth herein and subject to Paragraph (b) of Article 32 of these Rules.

SECTION V - SERVICE CONNECTIONS

40. SERVICE LINE CONNECTION DEFINED: The term "Service Line Connection" (Authority Service Line), as used herein and as previously defined, shall include all pipe, valves and other facilities by means of which the Authority conducts water from its distribution system or main water line to the curb

stop to be located at a point between the main water line and the curb or property line; said Service Line Connection generally to include the corporation stop and service line extending therefrom to a point of connection to the curb stop, the curb stop, curb box and such other facilities. Normally the service line connection must be installed from a main line located in the front of the premises. However, the Authority reserves the right to approve service line connections at locations other than in front of the premises when such is in the best interests of the Authority. All service line connections must be made to main lines which abut the property for which service is requested unless the customer enters into a special agreement as required by Article 33 g.

41. SERVICE LINE EXTENSION DEFINED: The term "Service Line Extension" (Customer Service Line), as used herein and as previously defined, shall include all pipe, valves and other facilities by means of which water is conducted from the curb stop to a point on the outlet side of the meter to be located inside the walls of the building or meter pit, if approved; said service line extension generally to include the service line extending from a point of connection to the curb stop to a point inside the building wall or meter pit, a stop cock or compression valve placed immediately ahead of the meter, connections for the inlet and outlet sides of the meter, a stop and waste cock on the outlet side of the meter and such other facilities.
42. INSTALLATION SERVICE LINE CONNECTION: The Authority will install and maintain at its own cost all service line connections, make all connections to the main lines, furnish, install and maintain all service lines from the mains to and including the curb stop and service box which will be placed inside the curb or property line, the said service line connection to be the property of the Authority and to remain under its control. Only duly authorized employees or agents or contractors of the Authority will be permitted to install a service line connection from the mains of the Authority to the premises of the customer.

The installation of all service line connections is subject to the submission of a written application to the Authority, as previously set forth, to such requests being reasonable, to approval thereof by the Authority, and to the payment of such charges for the service line connection installation and meter setting as are in effect at the time of the application, said charges to be payable in advance. Where the governmental unit charges a fee for issuing a permit or permits for street or road openings, or for any other reason in connection therewith, the total fee will be charged to the applicant in addition to the other charges.

The Authority reserves the right to defer the installation of service

connections during inclement weather until such times as, in the judgment of the Authority, conditions are suitable for an expeditious and economical installation.

The Authority reserves the right to determine the size and the kind of the service line connection.

When meter boxes are located at the curb, the entire installation including box, cover, and other appurtenances, except the meter, meter yoke, and valve before and after the meter, shall be installed by and at the expense of the customer.

43. MAINTENANCE-SERVICE LINE CONNECTION: All service line connections originally furnished by the Authority will be maintained by and at the cost of the Authority without expense to the customer for repairs, renewals or replacements.

When meter boxes are located at the curb, no customer or workman shall alter, change or in any way tamper with the meter box, meter, or piping and connections therein without authorization from the Authority.

Prior to laying of new concrete sidewalks, making changes in grade or other changes in sidewalk construction, the customer shall notify the Authority, in order that the Authority may relocate the curb box at the proper grade. Meter box height shall be adjusted by the customer. If such notice is not given and the box or boxes are covered or concreted over, thereby necessitating additional expense to the Authority for finding and relocating the same, the customer shall be billed for such additional expense and the Authority will, under no circumstances, be responsible for damages to the sidewalk.

In cases where services are frozen, the Authority will, at its own expense, thaw out the 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 his own expense. To avoid a recurrence of freezing, the Authority will make an examination of customer's service pipe and, if the same is not at a depth of three feet as required, the Authority shall have the right to require it to be relocated before service is resumed.

44. INSTALLATION-SERVICE LINE EXTENSION: The service line extension, that is, the service line extending from the curb stop to the premises, and all required appurtenances, shall be installed by and at the expense of the customer. The installation shall be in accordance with the following requirements:

- a. General - The installation shall include a connection of the service line to the curb stop, extension of the service line from the curb stop to a point within the building wall or facilities housing the meter, all facilities inside the building to be located so as to be readily accessible, protected from freezing and to provide proper drainage for the piping in the building, the installation to include also such facilities as are hereinafter set forth. The installation shall be made by skilled and qualified workmen. The Contractor for the customer shall notify the Authority when the service line extension will be installed, in order to permit the Authority to schedule its work and install the service line connection. The service line extension shall be laid in a straight line between the curb stop and the premises unless otherwise approved in writing by the Authority.

- b. Material and Size - The material for all service lines two inches in size and under shall be of first quality soft copper service tubing Type K, or copper pipe "I.P." size, as manufactured in accordance with Federal Specification WW-T-799 and its latest revisions, except that heavier weights shall be used if necessary for the operating and static water pressure obtained in the particular districts; and the service line for all service lines three inches in size and over shall be cement-lined ductile iron pipe, manufactured in accordance with the Specifications of A.W.W.A. C151 and latest revisions, and shall have push-on or mechanical joint ends, the latter type joints to be in accordance with A.W.W.A. Specifications C111 or C110; the pipe to be the Class required for the particular service.

The Authority exercises the right at any time to revise these requirements and to stipulate the size and weight per foot of pipe, kind and quality of all materials laid between the curb stop and the premises, which are to be furnished and installed by the owner of the property.

The service line shall be not less than 3/4-inch in size and shall be in keeping with the service for larger sizes.

- c. Installation and Testing Requirements
 - 1) Installation - The service line extension must be laid in a straight line, at right angles to the street where possible, and at a depth to provide not less than three feet cover, and as necessary to secure proper alignment and avoid obstacles. The bottom of the trench shall be excavated so as to conform to the curvature of the pipe and afford good bearing surface.

Where rock is encountered, the excavation shall be carried below the bottom of the pipe for the distance required and the excavation backfilled with earth or clay well tamped to the proper grade.

No metal pipe shall be placed in contact with cinders or other corrosive material unless such installation is unavoidable, in which case, after securing approval of the Authority to make the installation, the pipe shall be given two coats of asphalt and be coated with cement mortar one inch thick. No service pipe shall be laid in the same trench with a gas pipe, drain or sewer pipe, or any other facility of another public service company or within three feet thereof, nor within three feet of any open excavation or vault, nor pass through premises other than served by such consumer's service line unless approved by a special written agreement.

Where special written permission is granted by the Authority to install utilities in the same ditch, the utilities must be installed in their own conduits and in no case closer than 1 (one) foot within each other.

The joints in all copper tubing and pipe laid underground shall be made with a mechanical coupling of a design and material satisfactory to the Authority, no soldered joint shall be used, and no joints shall be made within a distance of less than five feet from the exterior wall of the premises. All pipe passing through foundation or bearing walls shall be provided with suitable wrought iron or plastic sleeves and the annular space between the sleeve and the pipe made watertight. The sleeves shall be the size specified by the Authority. The installation of the ductile iron service lines shall be in complete accordance with the Standard Specifications of the Authority with respect to such work.

- 2) Hydrostatic Tests - No service line shall be covered until the service line is filled with water and subjected to a hydrostatic test, this test to be observed by a representative of the Authority.

The line shall be slowly filled with water, all air expelled and the maximum pressure in the Authority system allowed to develop in the service line. All pipe, fillings, valves and joints shall be carefully examined during the test. All

materials found defective shall be removed and replaced with sound and satisfactory materials and all leaks completely eliminated.

The Authority exercises the right to require that the small service lines be subjected to a hydrostatic test of fifty percent in excess of normal operating pressures, and will require such a test on all service line extensions over two inches in size and on all un-metered service lines, including fire protection lines, the test pressure in no case in connection with this increased pressure test to be less than 100 pounds.

No loss whatsoever due to leakage will be permitted on small service lines. The loss due to leakage shown by tests on service lines three inches in size and larger shall not exceed fifty gallons per inch of diameter per mile of pipe per day.

- d. Inspection - The Authority shall be notified when the installation is completed and prior to backfilling, so that the service line can be subjected to the aforesaid hydrostatic test in the presence of a representative of the Authority and an inspection made of both workmanship and materials. The notice shall include such data as the location, the name of the owner and tenant and the time the work will be ready for inspection.

Water will not be supplied through the service line extension or any related part thereof or through any service or supply line which has not been inspected in the open trench and approved by the Authority. This regulation applies to both original installation and repairs.

The Authority may charge a fee for the inspection of an original installation and a fee for each additional trip necessary to complete the inspection, said fees to be the charges in effect at the time of said inspection work. If the inspection indicates failure to comply with the requirements, water service will not be granted until the proper remedial measures have been taken.

45. MAINTENANCE - SERVICE LINE EXTENSION: All service line extensions, service lines and fixtures installed by the customer shall be maintained by him in satisfactory condition; and all valves, meters and appliances furnished and owned by the Authority and on the property of the customer shall be protected properly and cared for by said customer. When repairs, renewals or replacements or other necessary work are required on the aforesaid facilities of the customer, the customer shall employ, without delay,

competent tradesmen to do the work. All said work shall be done at the expense of the customer. All leaks in the service or any other pipe or fixture or in or upon the premises supplied must be repaired immediately by the owner or occupant of the premises, under penalty of discontinuance of service by the Authority.

No person shall clean the service line extension without first being granted a permit by the Authority and such approval shall be subject to disconnection of the service line at the curb stop before cleaning, protection of the meter and other related requirements. The operation or use of the curb stop shall be subject to control by Authority employees only.

No person except an authorized agent of the Authority shall be permitted to clean the service line between the main and the curb. The penalty for cleaning a line without permission shall be as established by the Authority, and the liability for payment of said amount shall be jointly and severally the responsibility of the owner of the property and of the person actually doing the cleaning work.

The Authority shall in no event be responsible for maintaining any portion of the service line or service line facilities owned by the customer, or for damage done by water escaping therefrom, or from lines or fixtures on customer's property; and the customer shall at all times comply with municipal regulations with reference thereto and make changes therein required on account of change of grade, relocation of mains or otherwise.

46. LENGTH OF SERVICE LINE: The Authority will exercise the right, in cases where the length of the service line extension exceeds 100 feet and in all cases where deemed advisable, to require the customer to construct, at his expense, an approved meter pit provided with a suitable iron cover and constructed in accordance with a plan furnished by the Authority, said meter pit to be constructed at the property or curb line and to be used for the housing of the meter required for the service of the premises.
47. PENALTY FOR PLACING OBSTRUCTIONS OVER, IN OR AROUND CURB BOXES: If obstructions are placed over, in or around curb boxes in such manner as to prevent normal operation of the curb stop or to result in damage to the curb box, curb stop or service line, the Authority will shut the water off at the curb stop and plug the curb box or disconnect the service line, or turn the water off at the corporation stop or ferrule, as it may deem necessary. Before service will be renewed, the customer shall pay to the Authority the expenses incurred in shutting the water off and in turning it on again, including the cost of necessary trenching and backfilling, of cutting and replacing pavement, sidewalk or curbing, of any municipal

permit or permits for opening the pavement, and also shall settle any unpaid bill for water or other service and make a satisfactory deposit to insure the payment of future water bills; the minimum charge to be as is currently in effect.

48. SERVICE LINE CONNECTION ON PRIVATE PROPERTY: Service line connections will not be installed on property other than that of the premises to be furnished water unless the owner of the premises obtaining such service assumes all liability, and unless approved by the Authority in the form of a written agreement.
49. ONE SERVICE CONNECTION FOR EACH CUSTOMER: A service line will be used to supply a single customer only, and no premises shall have more than one service connection except where impossible or impracticable to furnish an adequate water supply service thereto through one service connection; in which event, the Authority may agree to the installation and use of more than one such connection.
50. SINGLE SERVICE LINE WITH TWO OR MORE CUSTOMERS: Where two or more customers are supplied through a single service line, any violation of the Rules of the Authority by either or any of said customers shall be deemed to be a violation as to all; and unless said violation is corrected after reasonable notice, the Authority may take such action as can be taken for a single customer, except that such action shall not be taken until the innocent customer who has not violated the Authority's Rules has been given a reasonable opportunity to attach his service pipe to a separately controlled service connection.
51. OTHER SERVICE LINE EXTENSION REQUIREMENTS: The Authority reserves the right require any owner to install on or in conjunction with his service line, such valves, stop cocks, check valves, relief valves, pressure regulators, air chamber, tank, float valve, backflow preventer or other apparatus of approved design, when and where, in its opinion, the conditions may require it for the safeguarding and protection of the Authority's property or the water supply.

Should the use of water through a service line connection become excessive during periods of peak use, and cause a substantial decrease in pressure in the distribution system of the Authority to the extent that normal water service to other customers is impaired, the Authority exercises the right to require the installation of properly designed and adequate storage and other required facilities on the system of the premises involved.

The said facilities shall include all piping, valves, fittings, storage

structures, pumps, automatic controls and such other appurtenances as are required to permit the storage of water and delivery therefrom during periods of peak water use on the premises, and thereby avoid a direct use from the system of the Authority during such periods. The basic design of such systems shall be subject to approval by the Authority.

Service will not be furnished for railroad locomotive supply or any use where large quantities of water are required in a short period of time, except through an intermediate storage tank, or unless approved by the Authority; the design of the proposed facilities also being subject to the approval of the Authority.

When steam boilers take a supply of water directly from the service pipe, depending upon the hydraulic or hydrostatic pressure in the pipe system of the Authority for their supply under working pressure, it will be at the risk of the parties making such attachments, as the Authority will not be responsible for any accidents or damages to which such devices are frequently subject.

House boilers for domestic use must in all cases be provided with vacuum valves to prevent collapsing when water is shut off from the distributing pipes. The Authority will in no case be responsible for accidents or damages resulting from failure to observe this rule or due to conditions in the distributing pipes, or from the imperfect action of any such valves, or due to such other causes.

52. CHANGE IN LOCATION OF SERVICE LINE CONNECTION: The customer shall pay for the cost of relocation of all service line connections made at his request or for his convenience.
53. RENEWAL OF SERVICE LINE: Where renewal of service line from the street main to the curb is found necessary, the Authority will renew said service in the same location as the old one. If the property owner or customer, for his own convenience, desires the new service line at some other location and agrees to pay all expenses of such relocation in excess of the cost of laying the service line in the same location as the old service line and cutting off and disconnecting the old service line, the Authority will lay the new service line at the location desired.
54. USE OF CURB STOPS: Curb stops at the curb line shall not be used by the customer for turning on or shutting off the water supply. The control of the water supply by the customer shall be by means of a separate stop cock located, in general, inside the meter box or just inside the building wall. Curb stops are for the exclusive use of the Authority.

SECTION VI - METERS

55. GENERAL: All meters, unless otherwise indicated, will be furnished and installed by the Authority, subject to the fees currently in effect, and will remain the property of the Authority and be accessible to and subject to its control and maintenance. Meters of the Fire Type will not be installed for General Service. A meter will be required for each premise and for each separate service line connection supplying a premise except as otherwise provided herein.
56. SIZE OF METER: The Authority reserves the right in all cases to stipulate the size and type of the meter to be installed on each service line and to require the installation of a larger size meter in any case where the peak use of water places any meter under undue or unusual strain and/or exceeds the recommended meter capacity, and reserves the rights to charge the fees currently in effect for the larger meters.

The minimum size of a meter installed, and or the monthly minimum charge (reaffirmed 3/25/1999), shall be the same size as the service line, except that, on a 3/4-inch or 1-inch line serving a domestic customer, the privilege of using a 3/4 inch by 5/8 inch meter may be allowed by the Authority.

57. LOCATION: The location for the meter and/or remote reading equipment shall be subject to the approval of the Authority, shall be at a convenient and accessible point, shall permit control of the entire supply and shall allow proper protection of the meter from freezing or other harm. Effective January 1, 2011, all new taps will be required to be installed in below grade, freeze protected pit or vault approved by the Authority (revised 12/23/2010).

No fixture shall be attached to, or any branch made in, the service pipe between the meter and the street main.

It is the customer's responsibility to provide, maintain, and protect all meter pits or vaults from the elements and vandalism. The Water Authority will have sole discretion as to the suitability and/adequacy of a customer's below grade, freeze protected pit or vault, installed inside the property line, with an approved suitable cover, such installations to be made in accordance with a plan furnished or approved by the Authority (revised 12/23/2010). The design of the meter pit shall permit adequate access to the meter and its ready installation or removal.

58. INSTALLATION OF METER: All piping, fittings, valves, check valves, gauges bolts, nuts, meter pit structures, manholes or other accessories or materials, and the labor for installing the same, used in connection with meter settings within the property line of the premises, shall be at the expense of the applicant. The customer shall employ for this work the services of skilled tradesmen, qualified and approved by the Authority, who shall cooperate with the Authority and install all the piping and appurtenances in accordance with the dimensions and requirements for each specific case, so that the meter or meters can be properly installed and connected by the Authority. A meter setter shall be required on each new installation.

The Authority shall furnish and install on the service line of all services not required to provide and maintain a backflow preventer a wheel handle round way stop cock, ball or gate valve, without waste, the same size as the service line on the street side and immediately before the meter or pressure reducing valve if installed, and a stop and waste cock, gate or check valve on the outlet side and immediately after the meter. On all services requiring the installation of a backflow preventer, the Authority shall furnish and install a single valve before the meter and the customer shall be responsible to provide, install and maintain an appropriate stop valve past the meter (revised 12/26/1996).

Under certain conditions where there is a demand or necessity for uninterrupted water service, in order to eliminate inconvenience to both the customer and the Authority when repairs to or replacement of the meter is necessary, the Authority may, at its option, require the installation of a battery of two or more meters on the one service line, with a combined capacity approximately equal to the capacity of the single meter requested.

Such installations shall be properly valved to control or cut any single meter out of service and permit its removal without interruption of service through the remaining meter or meters. In cases where meters are so installed, or where the Authority requires more than one meter, bills will be rendered separately for each meter, the minimum charges therefor also to apply.

59. MAINTENANCE, CARE AND RESPONSIBILITY FOR DAMAGE: The Authority will maintain all meters at its expense, except that the customer is liable and responsible for all damage to all meters while on his premises. In the event of the injury to or nonworking of the meter, the customer shall promptly notify the Authority. The Authority will furnish and set another meter to replace the one frozen or damaged and the cost of the repairs to the same, including replaced parts, labor and transportation charges, as well as the cost of testing and costs for reinstallation or changing of the meter, shall be billed to the customer and paid for by him. The minimum cost for

repairing a frozen meter shall be such cost as is currently in effect.

60. METER TESTS: All meters are accurately tested before installation and thereafter are periodically tested.

Should the customer or the Authority at any time doubt the accuracy or correctness of the meter measuring water delivered to the customer's premises, the Authority will, upon a written request of the customer, and if he so desires in his presence or that of his authorized representative, make a test of the accuracy of the meter. When a customer desires, either personally or through a representative to witness the testing of a meter, he may require the meter to be sealed in his presence before removal, which seal shall not be broken until the test is made in his presence. If the meter so tested shall be found to be accurate within the limits herein specified, a fee determined from the schedule indicated shall be paid to the Authority by the customer requesting such test, but if not so found, then the cost thereof shall be borne by the Authority. When making such request, the customer shall be deemed to agree to the basis of payment herein specified or as currently in effect.

A report of such tests shall be made to the customer and complete record of such tests shall be kept by the Authority. The amount of the fee shall be as currently in effect for each water service meter having an outlet not exceeding one inch. For other water service meters having an outlet not exceeding two inches, the test fee shall be determined at that time.

Rates for testing meters not included in the foregoing classification, or which are so located that the cost is out of proportion to the fee specified, will be furnished by the Authority after an appraisal has been made to determine the cost. The fee above stipulated shall be payable by the applicant in advance.

In the event the meter so tested is found to have an error in registration in excess of four percent (4%), the cost of the test will be borne by the Authority and the advance fee will be refunded. The bill, based on the last reading of such meter or meters, shall be corrected accordingly. The correction shall apply both for over and under registration.

The Authority reserves the right to remove and test any meter at any time at its own expense and, if such meter is found to be inaccurate, to substitute another meter of the same size in its place, either permanently or temporarily.

61. CHANGE IN LOCATION OF METERS: The customer shall pay for the cost of

relocation of all meters made at his request or for his convenience.

62. SEALS: No seal placed by the Authority for the protection of any meter, valve, fitting or other water connection shall be tampered with or defaced. It shall not be broken except upon authorization from the Authority or in the presence of the Authority representative. Where the seal is broken, the Authority reserves the right to remove the meter for test at the expense of the customer, even though said meter registers accurately.
63. LEAKS: Customers are urged to give careful attention to their plumbing and fixtures and make immediate correction of all leaks. No allowance will be made by the Authority for water used, lost, stolen or otherwise wasted through the water meter except for the Authority's "Once-in-a-lifetime" adjustment as specified elsewhere in these Rules and Regulations.
64. READING AND REGISTRATION OF METERS: Readings of meters shall be taken monthly or quarterly, at the option of the Authority, and the quantity recorded by the meter shall be taken to be the amount of water passing through the meter, which amount will be conclusive on both the customer and the Authority, except when the meter has been found to be registering inaccurately or has ceased to register. In such cases, the quantity may be determined by the average registration of another meter for a period of at least 20 days, or of the same meter for a period of at least 20 days after it has been repaired, tested and reset; or the quantity consumed during a previous corresponding period may be used as a basis for settlement. If none of these methods can be applied fairly, another method may be used that will be just and reasonable to the Authority and to the customer.
65. ACCESS TO METERS: The Authority at all reasonable times shall have access to a customer's premises and to meters, service connections and other property owned by it on customers' premises, for the purpose of meter installation, maintenance, operation and reading. The failure to permit reasonable access shall be sufficient cause for discontinuance of service.

Should the Authority's agent, empowered to read meters, be unable to obtain access for meter reading, as relates to domestic service or other services, customer may be notified of his default by leaving a notice on the premises that customer must arrange for access for the Authority meter reader within five days. Should customer fail to make such arrangements for meter reading during meter reader's normal working hours within said five day period, a notice shall be given, either by registered or certified mail or by delivery to an adult member of customer's household on the premises. Said notice shall advise that water service will be discontinued seven (7) days after mailing or service of the notice, unless customer has ceased to be

in default under the terms of these Rules and Regulations.

For each notice of discontinuance, as provided in this paragraph, a penalty shall be imposed as is currently in effect. This penalty shall be in addition to all charges made under these Rules and Regulations otherwise currently in effect because of discontinuance and renewal of service.

66. NOTIFICATION RELATIVE TO CONDITION OF METER: The customer shall notify the Authority of damage to or of the nonworking of the meter, or of the breaking of the seal or seal wire, as soon as he is cognizant of such a condition.
67. MINIMUM CHARGE: Every meter is installed subject to a fixed minimum monthly or quarterly charge in accordance with the rates thereof, for which certain quantities of water may be allowed without additional charge; and where more than one premise is furnished service through one meter, the same fixed minimum monthly or quarterly charges shall apply for each and every premise, the method of preparing bills for such installations being set forth elsewhere herein. Such minimum shall be non-abatable for a nonuser of water, and non-cumulative against subsequent consumption (Revised 2/25/2010).

SECTION VII - SERVICE

68. DISCONTINUANCE OF SERVICE:
 - a. By Customer: Any customer may terminate his service contract with the Authority by reason of moving permanently away from the premises, and have his water service discontinued upon giving written notice thereof to the Authority, and upon the lapse of reasonable time thereafter to permit the Authority to take final meter readings and attend to other details in connection with such discontinuance of service. The customer shall remain liable for water furnished to the premises described in his application until the Authority has received written notice from him and the termination of service has taken effect as stated above.

Where a customer temporarily suspends service, either for the purpose of using another source of water or for any other reasons, water shall not again be furnished to such person until the minimum meter charge has been paid for the period of nonuse, provided such period charged shall not exceed four quarters or one year. This charge shall be in addition to any other charges due from the customer. The requirements as to temporary suspension of service are set forth under

Item 32 b.

Discontinuance of service by the Authority for nonpayment of a bill or violation of these rules shall not cancel the application for service nor constitute a waiver of this rule.

- b. By Authority: Service under application may be discontinued for any of the following reasons:
- 1) For misrepresentation in the application.
 - 2) For the use of water for or in connection with, or for the benefit of, any other premises or purposes than those described in the application.
 - 3) For willful waste of water through improper or imperfect pipes, fixture or otherwise.
 - 4) For failure to maintain in good order the service lines and fixtures owned by the applicant or leased by him.
 - 5) For molesting or in any other way interfering with any service pipe, meter, meter box, curb stop, curb box or with any seal on any meter or other fixtures and appliances of the Authority.
 - 6) In case of continued vacancy of the premises.
 - 7) For refusal of reasonable access to the premises for purposes of inspecting the piping, fixtures and other water system appliances therein, or for installing, reading, caring for, repairing or removing meters.
 - 8) For neglecting or refusing to make or renew advance payments where required or for nonpayment of water service, or for any other charge accruing under the application.
 - 9) Where the contract has been in any way terminated by the customer.
 - 10) For making or refusing to sever, upon notice, 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.

- 11) For resale of water except where subject to a special agreement.
 - 12) For premises where the demand for water is greatly in excess of past average or seasonal use, or where such excessive demands for water by the premises are or may be detrimental or injurious to, or make inadequate, or in any way impair water service furnished to other customers.
 - 13) For premises where apparatus, appliances or equipment using water is dangerous, unsafe and not in conformity with any laws or ordinances.
 - 14) For fraud or abuse.
 - 15) For violation of these Rules and Regulations or other requirements governing the supply of water furnished by the Authority.
 - 16) For failure to maintain a current mailing address or phone contact number (Revised 2/25/2010).
 - 17) For failure of Landlord rate payer to provide the names and addresses of non-rate paying tenants (Revised 2/25/2010).
69. RENEWAL OF SERVICE AFTER DISCONTINUANCE: Service may be renewed under a proper application when the conditions under which such service was discontinued are corrected and upon the payment of all proper charges or amounts provided in the schedule of rates or rules of the Authority due from the applicant.
70. TURN-OFF WITHOUT AUTHORIZATION: The customer shall not turn the water off at any corporation stop or curb stop, or disconnect or remove the meter, or permit its disconnection or removal without the consent of the Authority.
71. SUSPENSION OF SERVICE DUE TO EMERGENCY: The Authority shall have the right as necessity may arise in case of breakdown, emergency or for any other unavoidable cause, to cut off the water supply temporarily in order to make necessary repairs, connections, and to do such other work. The Authority will use all reasonable and practical measures to notify the customer of such discontinuance of service. In such cases, the Authority shall not be liable for any damage or inconvenience suffered by the customer or any claim against it at any time for interruption in service, lessening of the supply, inadequate pressure, poor quality of water or for any other causes beyond its control; and such temporary shutoff of the water supply shall

not entitle the customer to any abatement or deduction in or from the water service charges, nor the refund of any portion of such service charges paid in advance during or for the time of such shutoff. When a supply of water is to be temporarily cut off, notice shall be given, when practicable, to all customers affected by the shutting off, stating the probable duration of the interruption of service and also the purpose for which the shutoff is made. Nothing in these Rules contained, however, shall be construed as a guarantee, covenant or agreement of the Authority to give notice of any shutoff due to emergencies or otherwise.

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

SECTION VIII - PUBLIC FIRE SERVICE

73. APPLICATION FOR FIRE HYDRANT AND LOCATION: A written application prepared on the form furnished by the Authority must be submitted by any municipality that is served water by the Authority, for the purpose of requesting the installation of public fire hydrants, said application to be signed by duly authorized officials of the municipality.

The application must be accompanied by a plan showing the proposed location of each fire hydrant on the public highway or public property, showing the line and grade of the highway or area and such other data.

The authority will determine whether proper service can be furnished at the fire hydrant under normal and ordinary conditions, subject to the size of the existing street main, to the sizes of the lines in the surrounding distribution system, to the available pressures and to such other factors.

The municipality will be advised relative thereto.

The entire cost of a fire hydrant installation shall be paid in accordance with the agreement governing its installation.

A fire hydrant installation is intended to include a tee and other fittings required in the main line, a branch 6-inch line extending from the tee placed in the main line to the fire hydrant, a valve in the 6-inch line and a valve box, a standard Authority fire hydrant, proper blocking of the fire hydrant, the tee and other fittings, and such other work as is indicated on the standard plans of the Authority relative to fire hydrant installations.

Each fire hydrant will be subject to the public fire service charge set forth in the Rate Schedule.

74. MAINTENANCE: All fire hydrants will be maintained by the Authority at its own cost and expense, provided that any expense for repairs caused by carelessness or negligence of the employees of the particular municipality or the member of the fire department thereof shall be paid for by the municipality.
75. ALLOWABLE USE: Only persons authorized by the Authority shall take water from any public fire hydrant or hose plug, except for fire purposes or for the use of the fire department in case of fire; and no public fire hydrant shall be used for sprinkling streets, flushing sewers or gutters or for any other than fire purposes, except with the approval and issuance of a permit by the Authority, said permit being subject to revocation at any time. If prior approval has not been granted and a fire hydrant or hydrants are used by a fire department, municipality, or any others, such party or parties shall notify the Main Office of the Authority of such use immediately in order to allow the Authority to check the condition of the hydrant or hydrants.
76. CHANGE OF LOCATION: Whenever a municipality or person or persons desire a change in the location of any fire hydrant, the Authority, upon written notice to do so, will make such a change if determined feasible, at the expense of the municipality or person or persons, subject to the right of the Authority to refuse such location because of size of main, pressure, condition of distribution system and other reasonable causes.
77. INSPECTION: Upon request of the duly authorized officials of any municipality, the Authority will make inspections at convenient times and at reasonable intervals to determine the condition of the fire hydrants, such inspections to be made by a representative of the Authority and a duly authorized representative of the municipality.

SECTION IX - PRIVATE FIRE SERVICE

78. APPLICATION FOR PRIVATE FIRE PROTECTION SERVICE: A written application prepared on the form furnished by the Authority must be submitted to the Authority for the purpose of requesting a special fire connection for private fire protection service, said application to be signed by the owner of the premises or his duly authorized agent, said application to be subject to

such fees and terms and conditions as are hereinafter set forth and included therein, and to the execution of a contract, which application, together with the Rules and Regulations of the Authority, shall regulate and control the furnishing of such services to such premises, and said application to be submitted at least two months before the service line is required.

Effective January 1, 2011, all new taps and existing taps being utilized to supply any form of sprinkler system will be required to be a minimum 1" metered service. It will be the customer's onus to provide the Water Authority with their requested service demand need for any size greater than 1" metered service (Revised 12/23/2010).

79. INFORMATION ON APPLICATION: Each applicant for a special connection to be used for private fire protection will be required to sign a form or forms provided by the Authority, as previously set forth, the following data to be included thereon and/or attached thereto:
- a. The date and place of the application.
 - b. The name of the owner and tenant of the premises.
 - c. The location of the premises to be served, including the name of the street, the lot number, the municipal subdivision and the general location.
 - d. The date on which the applicant will be ready for service.
 - e. Whether the premises have ever before or are now being furnished water service or ever before been given a special connection by the Authority.
 - f. The number, type and location of the fixtures, sprinklers, devices, fire hydrants, pumps, storage reservoirs and other openings that will be attached to the service line extending into and throughout the premises.
 - g. The purpose for which service will be used and whether such service will be temporary.
 - h. The size of the service.
 - i. The address to which bills are to be mailed or delivered.
 - j. Whether the applicant is an owner or tenant of, or agent for, the

premises.

- k. An agreement to abide by all Rules and Regulations of the Authority.
 - l. Such other information as the Authority may reasonably request.
80. APPROVAL OF APPLICATIONS: The application does not bind the Authority to approve the requested special connection. The Authority will make an engineering study of each proposed installation to determine whether such a connection is reasonable and practical, and whether such a connection will in any way endanger the general water service in the vicinity; the Authority reserving the right to refuse approval of an application relative thereto. The Authority further reserves the right to make an approval subject to the installation of adequate storage facilities and related appurtenances on the premises thereof, if found necessary in order to permit maintenance of adequate water service to other customers.
81. TERMS AND CONDITIONS: The final approval of an application and furnishing of private fire protection service will be subject to the execution of a contract between the responsible parties and the Authority, containing the following terms and conditions and containing such other terms and conditions as are found necessary:
- a. The Authority, by its representatives, shall have the right to enter the premises of the applicant at any reasonable time for the purpose of making such inspections as it may deem necessary, and it shall have the right to attach any testing device or use any means which it may elect to ascertain the condition of the pipe and appurtenances and uses made of same.
 - b. The service connection from the street main up to and including the curb or valve box and control valve shall be installed at the expense of the applicant and shall be maintained by the Authority: that all other pipe, fixtures and appurtenances shall be installed in accordance with the requirements set forth relative to service line and/or water main extensions and maintained in good condition by and at the expense of the applicant. In such instances where the service connection is approved to provide fire protection service and other metered service, always being subject to a design satisfactory to the Authority, the control valves on the fire service line may be installed on the property of the premises at approved locations.
 - c. The Authority may install at the owner's expense, or have installed by the owner, a detector device on said service pipe at such location

as may be determined by the Authority. Such detector device shall be maintained by the Authority and shall be subject to the control of the Authority.

- d. The said control valve shall be under the control of the Authority, except during times of fire when it shall be under the control of the Chief of the Fire Department of the municipality in which the premises are located, and the applicant agrees to obtain approval of this application by the Chief.
- e. All fixtures and openings (other than the controlling valves) shall be kept closed and sealed and not opened or used except during times of fire. Upon the extinguishment of each fire, the applicant shall immediately notify the Authority so that said fixtures and openings can again be closed and sealed.
- f. The applicant agrees the Authority shall not be considered in any manner an insurer of property or persons, or to have undertaken to extinguish fire or to protect any person or property against loss or damage by fire or otherwise.
- g. The applicant does not contemplate uses of fixtures other than herein stated. If a supply of water for use other than extinguishment of fire is desired by the applicant, then same shall be taken only through a service pipe separately connected with the street main of the Authority and not connected directly or indirectly with the service pipe contemplated by this application. The Authority may consider approval of alternate designs contrary to this condition in the case of public bodies, schools and public institutions. Any waste of water or use of water for purposes other than the extinguishment of fire through this connection shall be deemed a violation of the terms and conditions of this application and the rules and regulations of the Authority.
- h. The applicant shall furnish, attach and make a part hereof, an accurate sketch showing the pipes, valves, hydrants, tank openings and appurtenances contemplated in this application. Such sketch must also show any other water supply system and pipelines and appurtenances which may exist on the premises. There shall be no connection between such other supply and pipes connected to the Authority's mains.
- i. The rights and obligations of the applicant hereunder shall be further subject at all times to the Rates, Rules and Regulations of the Authority that now exist of which may hereafter be adopted.

- j. The applicant agrees to obtain in advance the approval of the Authority for any change, alteration, addition or deduction contemplated in the fixtures, openings and uses herein specified.
 - k. Upon acceptance by the Authority and the completion of the service connection herein contemplated, the application shall be in force as a contract and shall continue as such until cancelled by written notice, 15 days in advance, given by the applicant to the Authority.
 - l. The Authority has the right to discontinue or disconnect said service pipe and terminate the application, upon written notice given 15 days in advance by the Authority to the applicant, for the terms and conditions of this application, or for any violation of its rules; and, in emergencies, also has the right, without notice, to shut off all or any part of its facilities and discontinue the service when deemed necessary by the Authority for the purpose of making any repairs, alterations, additions or to prevent possible contamination through cross-connected facilities of the applicant or to prevent negligent or willful waste of water through the facilities of the applicant.
82. METER REQUIREMENTS - PRIVATE FIRE SERVICE CONNECTIONS: Meters and/or detector check valves may or may not be installed on connections providing service for fire protection, subject to determination of need by the Authority, such connections to be used exclusively for fire service. Water used for extinguishing fires shall be subject to no charge, provided that notice be given the Authority after such use so that the meter may be read promptly. The fire service shall be subject to the rates established for Private Fire Service.

If the customer is found in violation of the rules and regulations controlling such service, in such instances where a detector check or equal installation was not required by the Authority, the Authority reserves the right to discontinue such service or, at its option, to install a fire meter and small bypass meter, the cost of such meters, all piping, valves, fittings and appurtenances relative thereto, and the structure for housing the meters, to be paid for by the customer. The size of the meters, not to exceed the diameter of the main supplying the service, shall be stipulated by the customer.

The metered water used in connection with this type of service shall be paid for in accordance with the regular metered rates for Private Fire Protection Service, subject to the applicable minimum meter charge and other water charges.

The Authority also reserves the right, where water is used through a special connection for other than fire protection purposes, to cancel the contract and shut off the supply; or at its option, to replace the fire meter, if used, with a general service type meter of equal inch size, the customer to pay all costs in connection therewith and as set forth with respect to the fire meters.

The customer shall pay under this arrangement, for all water used, in accordance with the regular schedule of service and consumption charges for general service, except as noted above.

83. GENERAL CONDITIONS - PRIVATE FIRE HYDRANTS: The private fire hydrant or fire hydrants installed on a separate fire service main, subject to all the foregoing requirements, will be subject to flat charges set forth under Flat Rates - Private Fire Service, subject to a special contract and to the rules and regulations controlling such service.

When a special contract is entered into by the Authority with a private party for a private fire hydrant which is to be located in a public street or thoroughfare, said hydrant, with service connection, will be installed at the expense of the applicant .

When a hydrant is to be located within the yard of the customer's premises, the entire installation, from the street main to and including the hydrant, shall be installed at the expense of the customer.

Such connections, where allowed, are to be used solely for the extinguishment of fire and for no other purpose, except upon the written consent of the Authority; and any violation of this provision shall be cause for the cancellation of the contract and discontinuance of the service.

The listed rate for each private fire hydrant shall apply regardless of whether the installation is made by the Authority or at the expense of the customer.

84. COST OF FIRE SERVICE CONNECTION: All service connections for flat rate fire service, also those for metered fire service, which are specified to be at the expense of the customer, shall be installed by the Authority and the customer will be charged with the exact cost of labor and materials used in the work, with an addition of a percentage fee to cover the cost of supervision, use of tools, etc., plus such other applicable fees.

SECTION X - RESPONSIBILITY FOR FIRE SERVICE

85. **RESPONSIBILITY FOR SERVICE:** It is agreed by the parties receiving public fire service, private fire service, or any other service, that the Authority does not assume any liability for injury of persons or property and that the agreement does not guarantee any special service, pressure, capacity or facility other than can be supplied by the ordinary and changing operating conditions of the Authority, as the same exist from day to day. It is agreed by the parties receiving service that the Authority shall be free and exempt from any and all claims for injury to persons or property by reason of fire, water, failure to supply water pressure or capacity.

SECTION XI - BILLS, PAYMENT AND TERMINATION OF SERVICE

86. **PLACE OF PAYMENT:** All bills are payable at any office or any pay agency as designated by the Authority.
87. **BASIS FOR PREPARATION OF BILLS:** All bills for services furnished by the Authority will be based on the published Rate Schedule of the Authority. All bills shall be rendered and are due and payable monthly or quarterly or such other period, at the option of the Authority.

Each premises will be subjected to a fixed minimum monthly or quarterly charge for each meter, based on the size of the meter and in accordance with the Rate Schedule, the use of certain quantities of water being allowed for each size meter without additional charge. Such minimum charge shall be non-abatable for a nonuser or water, and non-cumulative against subsequent consumption (**Revised 2/25/2010**). The charges for the use of water in excess of the quantities allowed for each size meter will be in accordance with the section Meter Quantity Charges, as set forth in the Rate Schedule, the allowances of water for the minimum charges to be deducted from the quantities set forth in applying the meter schedule.

The charge for water service in all cases where more than one premise is served through one meter or one meter installation (a meter installation being defined as an installation including two or more meters placed at one or more locations of buildings in a facility or related group of facilities, in an area or a related group of areas, and in such other properties, to furnish adequate capacity, to permit more accurate measurement of water, due to the physical layout of the property, and for such other reasons), shall be subject to a minimum charge for each premises served through the one meter or meter installation based on the size meter that would be required to serve each individual premises. The charge shall

be determined as follows:

- a. The average use of water for each billing period for each premise shall be equal to the total number of gallons of water registered by the meter or meter installation divided by the number of premises. The customer or customers shall notify the Authority promptly relative to any changes in the number of premises, the number at any time always being subject to determination by the Authority. The potential number of premises in any building or group of buildings, and the charges therefor, are subject to determination by the Authority prior to original approval by the Authority to furnish water services, and are subject to determination subsequent to any alterations, additions or changes in the building or group of buildings.
- b. The average use of water for each billing period for each premise as determined under the foregoing item shall provide the basis for billing; and the amount of the charge for each premise shall be computed on the basis of a 5/8-inch meter installation, as set forth in the Rate Schedule Governing Water Service, the minimum charge and allowance in gallons for a 5/8-inch meter to apply, and the total charge for each premise to be the minimum charge, plus charges for all water in excess of the allowance in gallons in accordance with the Rate Schedule, the excess to be the average use in gallons as determined under (a) minus the quantity allowed for the size of meter. If it be determined that meters larger than 5/8-inch in size would be necessary if each premise were provided with individual service, the charges for each premise will be based on the larger meters.
- c. The total charge for the water service shall be equal to the average charge for each premise multiplied by the number of premises, determined as previously set forth, and the total charge shall be submitted to the customer or customers as the proper charge for water service furnished to the type of building and/or buildings included hereunder.
- d. This regulation shall apply regardless of whether a business may be owned by a customer also receiving household water service through the same meter or the two or more premises are located in one building or in different buildings, the ownership of the property or business not being significant.

Should the owner desire that the Authority conduct business directly with the tenant of each premise in buildings of multi-occupancy, he must first provide means of controlling the supply and housing of the meter or meters

for each premise, and/or provide means of billing and collecting the water charges therefor.

The charges for public fire service shall be paid semi-annually.

The charges for private fire service shall be paid semi-annually or annually at the Authority option, prorated from the per annum charges.

The charges for temporary service and other miscellaneous services shall be as set forth elsewhere herein and/or in the Rate Schedule.

88. **BILLS RENDERED AND DUE:** The Authority will make regular meter readings either monthly or quarterly, at its option, and bills will be rendered as soon as practicable after the reading of the respective meters.

All bills are due and payable within the number of days after the Date of Presentation as required by these Rules and Regulations. Acceptance or remittance of bills on the last day of this period shall be determined as evidenced by the postmark of the United States Post Office. Payment of the bill after the expiration of the allowable period will incur such penalty being added to the bill as is currently in effect.

If bills are not paid within the required period during which the gross amount shown thereon applies, a delinquent notice shall be served as provided hereafter and service may be terminated as provided hereafter.

If service is thus discontinued it will not be restored until all unpaid bills and charges, including the turn-off and turn-on charges, are paid or satisfactory arrangement made for payment. The Authority further will make a charge for any collections accepted at other than regular collection points.

The Authority shall mail or deliver the bills and notices to the consumer at his address given in the application for service and the Authority shall not be responsible for the delivery thereto. Failure to receive bills will not be an excuse for nonpayment.

Any check received by the Authority in payment of any bill due the Authority, which check is returned unpaid by the drawee bank for any reason, shall be charged against the account involved and, in addition, charges shall be made against said account for cost of handling, for each call for collection and for any other costs involved, such charges to be as currently in effect (**Revised 2/25/2010**). Any returned checks or payments of any kind returned to the Authority as not satisfied as payment to the Authority's

credit shall be just cause for immediate termination.

89. TERMINATION OF WATER SERVICE

- a. Termination of water service shall be regulated by these Rules and Regulations, including Items 89 through 93.
- b. A Delinquency Notice, substantially in the form at Appendix A hereto, shall be mailed to the customer (and any other appropriate parties), specifying such violation of these Rules and Regulations (such as non-payment of bill, or failure to make a required deposit, or failure to permit meter installation or reading, etc.) as has occurred, and informing the customer that, unless the customer (or other appropriate party) remedies the violation within seven (7) days, water service termination procedures shall thereafter be initiated.

90. TERMINATION OF WATER SERVICE TO OWNER-OCCUPANTS

- a. Where the customer is an owner-occupant to whom has been mailed the Delinquency Notice and who has failed to remedy the violation, a Water Service Shut-Off Notice, substantially in the form at Appendix B hereto, shall be served upon the customer, which notice shall specify such violation of these Rules and Regulations as has occurred, shall specify the scheduled date for termination of service, and shall inform the customer that termination can be avoided by remedying the violation or by scheduling an Administrative Hearing at which the customer proves the absence of any violation.
- b. The scheduled date for termination of service shall be twenty (20) days from the date the Water Service Shut-Off Notice is served.

91. TERMINATION OF WATER SERVICE TO TENANTS

- a. When a tenant is the party responsible for payment of any bill due the Authority or for any violation of any other Rule or Regulation, Items 89 and 90 shall govern.
- b. When it is not clear whether the landlord, a tenant or a third party is the party responsible, Item 91 d. to g. shall govern.
- c. When the landlord, or a prior owner, or a prior tenant is the party responsible, Item 91 d. to g. shall govern.
- d. When the landlord is the party responsible for payment of any bill

and voluntarily requests termination of service, service shall not be terminated until:

- 1) All tenants have vacated the premises or have consented in writing to a termination of service.
 - 2) The landlord completes and executes a Landlord's Request For Water Service Shut-Off substantially in the form at Appendix C hereto.
- e. When the violation of these Rules and Regulations is the landlord's non-payment of any bill due by the landlord to the Authority, water service shall not be terminated until the Authority complies with the Utility Service Tenants Rights Act, 68 P.S. Paragraph 399.1 et seq., as now or hereafter amended, and with any other state or Federal statute, now or hereafter adopted and amended. In complying with the Utility Service Tenants Rights Act, the Authority shall serve upon the landlord, tenant, and any required community agencies the notices, substantially in the form at Appendix A, A-2, B, C, D, and E, in the manner and to the extent required by said Act.
- f. When the violation of these Rules and Regulations is the landlord's violation of any rule or regulation other than non-payment of any bill, water service shall be terminated only after the Authority serves upon the tenant the notice contemplated by Item 90 and affords the tenant a right to an administrative Hearing.
- g. When the violation of these Rules and Regulations is a prior owner's or a prior tenant's non-payment of any bill due the Authority, Item 91 e. shall govern.

92. ADMINISTRATIVE HEARING PRIOR TO TERMINATION OF WATER SERVICE

- a. Whenever under these Rules and Regulations or under the Local Agency Law, 2 PA C.S.A. Paragraph 105 et seq., an administrative hearing is required to be offered a customer (or other appropriate party), and is, in fact, conducted, the hearing shall be:
- 1) held at the Indian Creek Valley Water Authority office, Indian Head, Pa., during the hours 9:00 a.m. to 4:30 p.m. on week days;
 - 2) conducted by a Hearing Officer appointed by the Authority;

- 3) governed by the local Agency Law, 2 PA C.S.A. Paragraph 105 et seq., if applicable.
- b. The Hearing Officer shall have authority to receive evidence, permit examination and cross examination of witnesses, and to render a decision on all issues presented. The Hearing Officer may also cause an inspection of the premises and/or a meter testing to be made whenever pertinent. In cases involving delinquent bills, the sole issue shall be the customer's liability and the amount of said liability.
- c. The Hearing Officer shall render a written decision as expeditiously as possible and shall cause same to be served upon the customer (or other appropriate party) at least thirty (30) days prior to any termination of service. The Hearing Officer's Decision shall be substantially in the form at Appendix H hereto.
- d. Water service will not be terminated for at least thirty (30) days following service of the Hearing Officer's Decision upon the customer (or other appropriate party).

93. SERVICE OF NOTICES UPON PARTIES IN WATER SERVICE TERMINATIONS

- a. Service of any notices required by the Utility Service Tenants Rights Act shall be in the time and by the manner prescribed by said Act.
- b. Service of the Delinquency Notice shall be by regular mail to the customer's address as shown on Authority records.
- c. Service of the Water Service Shut-Off Notice and the Hearing Officer's Decision shall be by:
 - 1) hand-delivery to the customer, if possible.
 - 2) if hand-delivery has been unsuccessfully attempted, then by regular mail and, in addition, by hand delivery to an adult person at the premises where water service is to be terminated, or by posting on said premises in a conspicuous place.
- d. The effective date of service of any notice shall be the date of dispatch if by mail, and the date of delivery or posting in all other cases. Where notice is given by two (2) methods under Item 93 c (2), the effective date of service shall be the date of service by regular mail.

94. ABATEMENT: Customers desiring an abatement from water bills due to

vacancies shall give written notice at the office of the Authority requesting the water to be shut off. Abatement will be made of a portion of the charges in the proportion that the period when water has been shut off bears to the entire period. No adjustments on meter bills will be made for any reason other than incorrect registering of meter. No adjustment shall be made on meter bills for leaks or for water wasted or damaged or defective fixtures or plumbing, and/or such other causes, unless approved by the Authority.

APPENDIX A

(Letterhead)

DELINQUENCY NOTICE

To:

Account #:

Service Address:

Dear Customer:

We are notifying you that your water bill for the premise at , is delinquent in the amount of , plus the current months bill of or a total due of .

PLEASE CONTACT THE WATER AUTHORITY BY CALLING A SERVICE REPRESENTATIVE AT 724.455.2905 OR VISITING OUR OFFICE IN INDIAN HEAD, PENNSYLVANIA TO MAKE PAYMENT WITHIN FIVE DAYS OF THE DATE OF THIS LETTER.

If a payment is not made within five (5) days of receiving this notice, you will be subject to a termination of water service. Water service that has been terminated

cannot be restored until all past due charges associated with the account have been paid.

INDIAN CREEK VALLEY WATER AUTHORITY

(Letterhead)

VIOLATION NOTICE

To:

Account #:

Service Address:

Dear Customer:

We are notifying you that your premise at , is in violation of the Authority's

Rules and Regulations in the following respect:

PLEASE CONTACT THE WATER AUTHORITY BY CALLING A SERVICE REPRESENTATIVE AT 724.455.2905 OR VISITING OUR OFFICE IN INDIAN HEAD, PENNSYLVANIA TO MAKE PAYMENT WITHIN FIVE DAYS OF THE DATE OF THIS LETTER.

FAILURE TO REMEDY this within five (5) days of the date of this notice will subject

you to termination of water service. Water service that has been terminated cannot be restored until the specified violation has been corrected and all past due charges associated with the account have been paid.

INDIAN CREEK VALLEY WATER AUTHORITY

APPENDIX B
(Letterhead)

WATER SERVICE SHUT-OFF NOTICE

To:

Account No.
Premises at:

Date of this Notice:

WATER SERVICE to your premises WILL BE SHUT OFF 20 DAYS AFTER the DATE OF THIS NOTICE (see above) because of:

- (A) your failure to pay your bill for water service for the periods to is delinquent in the amount of plus the current months bill of or a total due of . A penalty will be applied if payment is not received by the net due date.
- (B) [describe any other violation - if none, write "none"]

YOU CAN PREVENT A SHUT-OFF OF WATER SERVICE by selecting one (1) of the following REMEDIES:

- (A) If your violation is failure to pay your bill, then by paying your bill (plus penalty and interest) before the scheduled shut-off date. **Payment must be by cash, money or postal order or by certified or cashier's check** and must be made at the Indian Creek Valley Water Authority Office, Indian Head, Pennsylvania.
- (B) If your violation is failure to pay your bill, and if you dispute the accuracy of the bill or your liability for it, you may request an Administrative Hearing with a Hearing Officer of the Indian Creek Valley Water Authority. You must request the hearing before the scheduled shut-off date, and, following the Hearing Officer's Decision, you must comply with the Decision within 30 days, or appeal within 30 days to the Fayette County Court of Common Pleas, in order to further postpone or prevent a shut-off of water service.
 - (1) You request your Administrative Hearing by contacting the Indian Creek Valley Water Authority in Indian Head, Pennsylvania or by telephoning 455-2905.
 - (2) At the hearing you may present any evidence, including testimony of witnesses, on the issues of the bill's accuracy in amount or your liability for it. You may be represented by an attorney, if you desire.
 - (3) Financial hardship will not be an excuse for non-payment of a bill.
- (C) If your violation is a violation other than a failure to pay your bill, and if you dispute the violation, you may postpone or prevent a water service shut-off by requesting an Administrative Hearing with a Hearing Officer in the same manner as set forth in the above paragraphs.
 - (1) Any evidence you present must relate to the violation with which you are charged.
 - (2) You must request the hearing before the scheduled shut-off date.
 - (3) Following the Hearing Officer's Decision, in order to further postpone or prevent a shut-off, you must within 30 days either comply with the Decision or appeal it to the Fayette County Court of Common Pleas.

The Hearing Officer's Decision will be in writing, will precede any shut-off of service by at least 30 days, and will be hand-delivered to you, if you are available when the effort is made - otherwise, it will be mailed to you and also delivered to or posted on your premises where service is to be shut off.

WATER SERVICE THAT HAS BEEN TERMINATED cannot be restored until all past due charges associated with the account have been paid.

INDIAN CREEK VALLEY WATER AUTHORITY

by _____

OFFICIAL USE ONLY: This Notice served (check applicable method):

- _____ by hand delivery to: on: at:
- _____ by regular mail to: on: at: ,
- _____ and to: on: at: ,

(Signature of employee making service)

APPENDIX C

(Letterhead)

LANDLORD'S REQUEST FOR WATER SERVICE SHUT-OFF

TO: Indian Creek Valley Water Authority
P.O. Box 486
Indian Head, Pa. 15446

Pursuant to the Utility Service Tenants Rights Act, 68 P.S. 399.3, the undersigned landlord requests that water service to the following described premises by shut-off:

This Shut-off Notice applies to all premise units at _____

except the following: _____
_____.

The undersigned certifies that all premise units are unoccupied except the following units occupied by the following tenants:

- (1) Name of tenants: _____
Address: _____
- (2) Name of tenants: _____
Address: _____
- (3) Name of tenants: _____
Address: _____
- (4) Name of tenants: _____
Address: _____

and that these above named tenants have consented in writing to the shut-off of water service.

The undersigned acknowledges that shut-off will not occur unless and until the above named tenants have informed the Indian Creek Valley Water Authority in writing of their consent to the shut-off.

The undersigned makes this request with full knowledge that FALSE STATEMENTS ARE A CRIMINAL OFFENSE.

Signed by: _____ Print Name _____

Address: _____

Phone No.: _____

Notorized:

Sworn to and subscribed before
me this ____ day of _____, 20____

APPENDIX D

(Letterhead)

LANDLORD'S WATER SERVICE SHUT-OFF NOTICE

Date of this notice: _____

To: _____

(Landlord)

(Address)

1. Because of your non-payment of the following water bills due the Indian Creek Valley Water Authority:

Name of Landlord: _____

Account Number: _____

Address of Leased Premises: _____

Amount due as of _____ in the amount of \$ _____

water service will be discontinued on or after _____.

2. Notice to your tenant(s) of the proposed shut-off, and of their rights under the Utility Service Tenants Rights Act, 68 P.S. 399.7, 399.9 and 399.10, will be given on or after the third day following the date of this Notice to you.

(A) You have the right to stay the giving of the above notice to your tenant(s) by filing a Petition with the Fayette County Court of Common Pleas disputing the right of the Indian Creek Valley Water Authority to shut-off water service.

3. Unless you pay the amount due (or make arrangements to pay satisfactory to the Indian Creek Valley Water Authority) within 5 days of your receipt of this Notice, you are hereby required under 399.4 of the above statute to furnish to the Indian Creek Valley Water Authority a list of the names and addresses of every tenant affected by the proposed water service shut-off. You must furnish this list within 5 days of receipt of this Notice or Failure to do so will result in a civil penalty of \$500, or less, for each and every

day that you fail to comply and, in addition, the court may order you to pay reasonable attorney fees if the Indian Creek Valley Water Authority finds it necessary to commence legal action to force disclosure of the above list.

4. Any payment, any list of tenants names and addresses, and any inquiries should be directed to the undersigned at:

INDIAN CREEK VALLEY WATER AUTHORITY

By _____

APPENDIX E

(Letterhead)

HEARING OFFICER'S DECISION

To: ___(Name of Customer)_____ Customer's Mailing Address: _____

Account #: _____

Premises at:_____

Date of this Decision: _____

An Administrative Hearing was held with _(Customer and Other Parties Present)_____ on _(Date)_____ at _(Time)_____ at the Indian Creek Valley Water Authority Office, Indian Head, Pennsylvania concerning a water service shut-off at the above premises.

The purpose (Violation) of the administrative hearing (reference Rules & Regulation Address):

_____.

The finding of the Hearing Officer is as follows: Relieves Customer of Violation¹ Supports Violation Against Customer²
 Other, Explain _____

¹ No further action needed by customer.

² Unless this violation is remedied within thirty (30) days following delivery of this Decision, or unless you Appeal within said thirty (30) days to the Fayette County Court of Common Pleas, water service will be shut off immediately on or after the thirty-first (31st) day. (If you decide to appeal, you should probably engage an attorney; if you cannot afford an attorney, you should contact the Prothonotary, Fayette County Court House, Uniontown, Pa. 15401, and request help in obtaining an attorney.

Indian Creek Valley Water Authority

By _____
Hearing Officer

OFFICIAL USE ONLY: This Notice served (check applicable method):

___ by hand delivery to _____ on _____ at _____

___ by regular mail to _____ on _____ at _____

___ and by hand delivery to _____ on _____ at _____

___ (or by posting on affected premises on _____).

(Signature of employee making service)

SECTION XII - CROSS CONNECTIONS AND INTERCONNECTIONS

95. **PURPOSE AND INTENT:** It is the purpose and intent of these regulations to protect the community potable water system of the Authority from the possibility of contamination or pollution by isolating within its customers private water distribution system or systems, such contaminants or pollutants which could backflow into the water distribution system of the Authority. It is the intent of this regulation to provide for the maintenance of a continuing program of cross connection control which will systematically and effectively prevent contamination or pollution of the water distribution system of the Authority.

Definitions: When used in these Rules and Regulations the following words and phrases shall have the meaning herein provided:

- a. Cross Connection - Cross connection is a physical arrangement whereby a public water system is connected with another water system, public or private, in such a manner that a flow of water into such public water supply system from other water system is possible. Specifically it is the intent of these regulations to regulate any source or system containing water or substances the quality and quantity of which cannot be approved by the county, state or federal regulatory agencies.

- b. Interconnection - An interconnection is a plumbing arrangement, other than a cross connection by which contamination might be admitted or drawn into the distribution system of the Authority, or into the lines connected therewith used for the conveyance of potable water. For the purposes of these rules and regulations, when the term cross connection is used for regulatory purposes, it shall be meant to include interconnection in all instances.

- c. Acceptable Cross Connection - An acceptable cross connection is a cross connection having all of the following characteristics:
 - 1) The source of the supply other than the lines of the Authority directly connected is a source approved by the Pennsylvania Department of Environmental Resources and the Environmental Protection Agency as an acceptable, safe and sanitary source of public water supply and which continues as such at all times when the cross connection is in existence.

 - 2) Installed or continued in existence with the knowledge and specific consent of the Authority, and when installed on the premises of a customer or installed by a customer, such consent

to be evidenced by proper written agreement or written approval executed by the proper officers of the Authority.

- 3) Installed or continued in existence and operated at all times in strict compliance with all applicable laws, ordinances, rules and regulations.
- d. Indian Creek Valley Water Authority - The Indian Creek Valley Water Authority shall mean that body corporate and politic existing by and under virtue of the laws of the Commonwealth of Pennsylvania, whose principal place of business is located at P.O. Box 486, 2019 Indian Head Road, Indian Head, 15446, Fayette County, Pennsylvania, its duly authorized agents, assigns and employees.
- e. Approved - Approved shall mean accepted by the Authority as meeting an applicable specification stated or cited in the Rules and Regulations or as suitable for the proposed use. The term "approved" used in reference to a backflow prevention device shall mean the backflow prevention device that meets the requirements of the American Water Works Association's Standard C506-69 and the Foundation for Cross Connection Control and Hydraulic Research of the University of Southern California and is acceptable to the Authority. Competent testing laboratories other than the Foundation for Cross Connection Control may be qualified by the Authority to approve backflow preventers.
- f. Backflow - The flow of water or other liquids, mixtures or substances into the distribution system of the Authority potable water system from any source or sources other than its intended source. Back siphonage and back pressure are two types of backflow specifically contemplated by these Rules and Regulations.
- g. Contamination - An impairment of water quality to a degree which creates an actual or potential health hazard such as but not limited to chemical poisoning or spread of diseases, or impairs the composition and odor of the water to such an extent that it is considered by said odor or composition to be not acceptable by the Authority for human consumption.
- h. Pollution - The presence of any foreign substance (organic, in-organic or biological) in water which tends to degrade its qualities so as to constitute a hazard or impair the usefulness or quality of the water to a degree which does not create an actual public health hazard but which does adversely or unreasonable affect such water for domestic

use.

- i. Potable Water - Water which is safe for human consumption according to recognized state and federal standards.
- j. Non-potable Water - Water which is not safe for human consumption or is of questionable potability.
- k. Customer - Shall be as is defined in these Rules and Regulations under Section I Definition 2.
- l. Service Connection - Shall be as defined in the Rules and Regulations under Section I, Definition 21.
- m. Health Hazard - An actual or potential threat of contamination or pollution to the Authority water system to such a degree or intensity that there would be a danger to the public health of the Authority's water system customers.
- n. Pollutional Hazard - An actual or potential impairment to the physical properties potability of the community water system which constitutes a nuisance or is aesthetically objectionable or would not be dangerous or threatening to public health.
- o. Air Gap - The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device and the flood level rim of said vessel. An approved air gap shall be at least double the diameter of the supply pipe, measured vertically, above the top of the rim of the vessel; and, in no case less than one inch. When an air gap is used at the service connection to prevent the contamination or pollution of the public potable water system, it is required that an emergency by-pass be installed around the air gap system and an approved reduced pressure principal device shall be installed in the by-pass system.
- p. Backflow Prevention Device - Three types of devices, reduced pressure principal device (RPPD), double check valve assembly (DCVA) and air gap (AG) which are designed to prevent the occurrence of backflow.
- q. Reduced Pressure Principal Device - A device that shall incorporate two or more check valves and an automatically operating differential relief valve located between the two check valves, two tightly closing shut-off valves, and equipped with necessary appurtenances for

testing. The device shall operate to maintain the pressure in the zone between the two check valves, less than the pressure on the Authority potable water supply system side of the device. At cessation or normal flow, the pressure between the check valves shall be less than the supply pressure. In case of leakage of either check valve, the differential relief shall operate to maintain this reduced pressure by discharging to the atmosphere. When the inlet pressure is two pounds per square inch or less, the relief valve shall open and vent to the atmosphere, thereby providing an air gap in the device.

To be approved by the Authority or its designated agents, the device must be readily accessible for maintenance and testing and installed in a location where no part of the device will be subject to outside flooding. The device shall be used on the service connections which may be subject to backflow and where there is a possibility of contamination that constitutes an actual or potential health hazard.

- r. Double Check Valve Assembly - A device composed of two independently operating approved check valves with tightly closing shut-off valves on each side of the check valves, plus necessary appurtenances for testing. To be approved by the Authority or its designated agent, the device must be readily accessible to maintenance and testing and installed in a location where no part of the device will be subject to outside flooding. The device shall be used on service connections which may be subject to backflow and where there is a possibility of pollution that constitutes an actual or potential pollution hazard.
 - s. Air Gap - See Definition o.
 - t. Community Water System or Distribution System - Shall mean the water distribution system that furnished water for general use, is owned and operated by the Authority and is recognized by regulatory agencies as a community potable water supply system.
96. RESPONSIBILITY: The Authority shall exercise reasonable diligence to insure the customer takes proper precaution in order to protect the community water system from contamination or pollution due to backflow through the water service connection. The Authority or designated agent shall determine the degree of hazard to the community water system and require, at the customer's expense, installation of an approved backflow prevention device at the water service connection commensurate with the degree of hazard. The Authority or its designated agent also shall give notice in writing to said customer to install such an approved backflow prevention device at each service connection. The Authority or its agent shall require at

the customer's expense annual or more frequent testing, proper maintenance and repair, and adequate records of each test and subsequent repair, including material or replacement parts for each installed, approved backflow prevention device. The customer as a condition of service or continued service must send to the Authority the written test results and/or repair information on forms supplied by the Authority. Failure, refusal, or inability on the part of the customer to install, test, maintain, repair, or keep record of safe devices, shall constitute a ground for the Authority to discontinue the water service of said customer. The testing of backflow prevention devices shall be done only by individuals who are deemed as qualified and approved prior to said testing by the Authority.

97. PROHIBITION:

- a. No water service connection to any customer shall be installed or maintained by the Authority water system unless said connection is protected as required by these Rules and Regulations. Service of water to any customer shall be discontinued by the Authority or its agents if any approved backflow prevention device, required by these Rules and Regulations is (a) improperly installed or (b) not installed, or (c) not regularly tested and maintained, or (d) removed, bypassed or inaccessible to the Authority water systems' personnel or agents for the purpose of inspection or testing. Also, water service to any customer shall be discontinued by the Authority if adequate records of test results for approved backflow prevention devices are not kept and forwarded in writing to the Authority on forms provided by the Authority.
- b. Delivery of water shall be discontinued immediately and without notice to the customer if a duly authorized regulatory agency determines that the Authority water distribution system is being or is in immediate danger of being contaminated or polluted.
- c. Delivery of water shall not be discontinued in all other cases until written notice thereof has been given to the customer pursuant to Section 89 of these Rules and Regulations.
- d. In the case of discontinuance of service for violations of this section of the Rules and Regulations, said notice shall state the conditions or defects which must be corrected and the date on or after which delivery of water will be discontinued which shall be not less than fifteen (15) days nor more than ninety (90) days following the date of delivery of the mailing of the notice. The Authority or its agent may grant to the customer an extension of an additional period not to exceed ninety (90) days if in the Authority's opinion the customer

has exercised due diligence but has been unable to comply with the notice within the time period originally given.

- e. The customer's water system shall be open for inspection at all reasonable times to authorize representatives of the Authority or its agents, to determine the adequacy of backflow prevention device records, whether cross connections or violations of these Rules and Regulations exists, the degree of hazard to the Authority water distribution system or for the inspection and operational testing of backflow prevention devices. Each customer, as a condition of the continued delivery to said customer's premises of community water supply, shall be considered as having consented to entry upon said customer's premises by Authority personnel for the purposes stated herein.
- f. An approved backflow prevention device shall be installed at the expense of the customer on each service connection after the water meter or immediately inside the building being served, but, in all cases, before the first branch line leading off the service connection lines wherever the following conditions exist:
 - 1) In the case of the customer having an auxiliary water supply which is not approved by a duly authorized regulatory agency or acceptable to the Authority, the community water supply shall be protected by installing an approved backflow prevention device in the customer's service line or lines.
 - 2) In the case of the customer having any industrial fluids or any other objectionable substance being handled in such a manner as to create an actual or potential hazard to the community water system, the community water supply shall be protected by installing an approved backflow prevention device in the customer's service line or lines. This shall include handling of water originated from the community water supply system which has been subject to deterioration in quality.
 - 3) In cases of the premises having one internal cross connection and cannot be permanently corrected, controlled or intricate plumbing and piping arrangements or entry to all portions of the premises not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not cross connections or the degree of hazard they impose exist, the community water system shall be protected by installing an approved backflow prevention device in the customer's service

connection line or lines.

- 4) All new commercial service connections must install approved backflow preventing devices, immediately following the meter installation, for their service. All existing commercial services connections must have approved backflow preventing devices installed on their service connection, immediately following the meter installation, on or before December 31, 1999 (revised 3/25/1999).
 - 5) Effective January 1, 2011, all new taps (all types) will be required to be installed with approved backflow protection (Revised 12/23/2010).
- g. The type of backflow prevention device required under Subsections f (1), f (2) and f (3) shall depend upon the degree of hazard, as determined by the Authority or its designated agent, which exists as follows:
- 1) In the case of health hazards as defined in the definitions hereto, a reduced pressure principal device (RPPD) or air gap (AG) shall be installed in the customer's service line or lines at the customers expense.
 - 2) In a case of pollution hazards as defined herein-before, a double check valve assemble (DCVA) shall be installed in the customer's service line or lines at the customers expense.
- h. It shall be the responsibility of the customer at any premises where a backflow prevention device or devices are installed or already in place to have a thorough inspection of the operational test performed at least once a year, or more often if previous inspections indicate a need. Inspection and operational tests shall be performed immediately following installation of or maintenance and repair to a backflow prevention device. Each device shall be repaired, overhauled or replaced at the expense of the customer whenever it is found to be necessary.
- i. All presently installed backflow prevention devices which do not meet with the requirements of the "approved" device which can be shown to have been adequately inspected, tested and maintained, shall be acceptable and approved as long as the

Authority is assured that these devices can will constitute a health hazard, the device must be replaced by an approved device.

- j. No customer shall alter, bypass or render ineffective or inoperable any backflow prevention device approved and covered by these Rules and Regulations.

SECTION XIII - REGULATIONS FOR AIR CONDITIONING AND OTHER REFRIGERATION

- 98. GENERAL: The following regulations shall apply to all water-cooled equipment installed on premises for the purpose of reducing the dry-bulb temperature or decreasing the absolute humidity of air, whether for comfort, air conditioning, refrigeration, processing or whatever other purposes.
- 99. DEFINITIONS: For the purpose of the regulations under this section, the following terms shall have, and shall be construed to have, the following meanings:
 - a. The terms "Air Conditioning System" and "Refrigeration System" shall include any combination of equipment, whether compressor or other type, by which heat is removed from the air and from which the accumulated or effluent heat is wholly or partially removed by the use of water.
 - b. "Air Conditioning System" shall mean an installation for maintenance, by heat removal, of temperatures which are not less than 60 degrees Fahrenheit.
 - c. "Refrigeration System" will mean an installation for maintenance by heat removal, of temperatures which are less than 60 degrees Fahrenheit.
 - d. "System" shall mean any combination of apparatus, individual unit, group or collection of units supplied with water through any single customer service pipe connected to the public water system.
- 100. PERMIT REQUIRED: No one shall place into operation or use any equipment for air conditioning or refrigeration which requires a supply of water from the system of the Authority without first having secured a written permit therefor from the Authority.

101. APPLICATION FOR PERMIT: A written application prepared on the form furnished by the Authority must be submitted to the Authority for the purpose of requesting a permit as set forth under the item "Permit Required", said application to be subject to such fees as are required at the time of the application, which application together with the Rules and Regulations of the Authority shall regulate and control the use and operation of any equipment for air conditioning or refrigeration, said application to be submitted at least one month before such use is planned, and including and accompanied by such information as may be requested by the Authority.
102. INFORMATION ON APPLICATION: Each applicant for said permit will be required to sign a form or forms provided by the Authority, as previously set forth, the following data to be included thereon and/or attached thereto:
- a. Name and address of the applicant.
 - b. Location of the premises where installation is proposed.
 - c. Name and address of the owners of the premises.
 - d. Names of manufacturers of the units requiring water.
 - e. Manufacturer's identification and classification of the refrigeration units.
 - f. Manufacturer's rating of maximum refrigerative capacity of the unit or units under the conditions of the planned installation (rating may be stated in tons per 24 hours or in B.T.U. per hour).
 - g. Horsepower of compressor prime mover, if unit is of compressor type.
 - h. Where water conservation devices are required as set forth herein, the manufacturer's name, identification, classification and size of the conservation equipment.
 - i. Elevation and plan showing general piping arrangements and details of all points of connection to building supply water piping (piping direct to condenser units, makeup supply into tower pay, and so forth).
 - j. Such additional information as shall be required by the Authority.
103. FEE FOR PERMIT: A fee shall be paid at the time of application for a permit, as set forth in the Tariffs of the Authority, or otherwise required, to cover an inspection of the installation. For each additional inspection

required, an additional charge shall be made equal to seventy-five percent (75%) of the original fee.

104. WATER USE AND CONSERVATION: Systems with a capacity in excess of 2 1/2 tons per 24 hours shall not use water directly (or indirectly, except when used with conservation equipment) from the public supply. All such systems shall be equipped with evaporative condensers, cooling towers, spray ponds, or other water conservation equipment, the piping in connection therewith to be arranged so as to prevent any back siphonage into the public water supply system. Systems with a total capacity not exceeding 2 1/2 tons (per 24 hours) may use water directly from the public supply at a rate not exceeding 2.0 gpm per ton if the water temperature is 75 degrees Fahrenheit or less, or 3.0 gpm per ton if it is above 75 degrees Fahrenheit provided they are equipped with an automatic regulating valve which will (1) stop the flow of water when the refrigerating machine is shut down, and (2) throttle the flow of water down to the momentary requirements of the system. All systems having total capacities exceeding 2 1/2 tons (per 24 hours) shall be equipped with evaporative condensers, cooling towers, spray ponds or other water-cooling equipment, unless otherwise approved. This equipment shall be of sufficient capacity to insure conformance with the requirements in the following table for make-up water when operating under full loading at maximum summer temperatures:

Maximum Allowable Water Use

Water Hardness p.p.m.	Maximum Use g.p.m./ton
0-139	0.1
140-199	0.15
200-254	0.2
255-339	0.3
340-424	0.4
425 and over	0.5

105. SANITARY PROTECTION: On installations which operate with the use of water directly from the public water supply system, every direct connection shall be equipped with a suitable backflow preventer installed in the branch supply line to each unit.

Discharge connections for the disposal of waste waters shall be in strict accordance with the applicable rules and regulations of State and local health regulatory bodies.

Cooling waters which are to be reused for other purposes shall be provided

with free above-the-rim discharge before entering other equipment; otherwise, permission shall be obtained in writing from the Authority approving the proposed connections and use.

On installations other than those described, there shall be a physical break between the public water supply piping and the piping of the installation, so arranged as to make impossible back-siphonage to the public water supply system, this requirement being in accordance with the regulations prohibiting cross connections.

106. REVOCATION OF PERMIT: Any permit which is issued under these regulations may be revoked by the Authority for any one of the following reasons:
- a. Failure of the holder of the permit to discontinue using water for the purpose covered by the permit, immediately upon notice to do so, issued by the Authority during the emergency or to forestall an impending emergency.
 - b. Alterations, changes of equipment or piping, improper operation or lack of maintenance which results in conditions that (1) are hazardous to the potable water supply either within the premises or in supply mains, or (2) cause unnecessary waste of water.
 - c. The use of water to exceed the quantities approved.
107. EXISTING INSTALLATIONS: The existing installations, that is, such installations as were in operation prior to the effective date of these Rules and Regulations, shall not be subject to these requirements, except where the use of water in connection therewith seriously impairs water service to other consumers in the area and except where modifications are planned in existing equipment and related facilities.

Applications shall be submitted and permits obtained for all modifications.

Existing installations that result in impairment of water service in the area shall be modified to permit conservation of water, failure to remedy such condition being subject to the penalty hereinafter set forth.

108. PENALTIES: Failure to comply with these regulations shall be sufficient cause to discontinue water service.

The Authority exercises the right to refuse to issue permits to anyone who is guilty of prior violation of these Rules and Regulations.

SECTION XIV - GENERAL

109. INSPECTION: Authorized employees of the Authority, identified by proper badges, shall have access to the customer's premises at all reasonable hours, for the purpose of turning the water on or off; inspection, repair and/or replacement of service lines and service line extensions; inspections, setting, reading, repairing, replacing and removal or meter; and for all such justifiable purposes.

The Authority shall have the power to make such excavations as are required for the proper execution of the work.

110. TURN-ON CHARGE: A Turn-on charge, currently in effect, must be paid in cash before water service is restored to an existing tap.
111. INTERFERENCE WITH AUTHORITY'S PROPERTY: No workman, owner, tenant or other unauthorized person shall turn the water on or off at any corporation cock or curb cock or break the seals, disconnect or remove the meter, or otherwise interfere with the Authority's property.

For unauthorized operation of street valve, curb stop, service cock or other service connection, the person owning the premises served by the line connected to said street valve, curb stop, service cock or other service connection shall be required to pay the fee in effect and any costs required in connection with damage to these facilities.

112. ONLY RULES BINDING: No agent or employee of the Authority shall have authority to bind it by any promise, agreement or representation not provided for in these rules without the approval of the Authority.
113. SERVICE OF NOTICES: All notices and bills relating to the Authority or its business shall be deemed to have been properly served if left upon the premises of the customer or if mailed to the customer, directed to, or left at his address as shown on the records of the Authority. Failure on the part of the customer to receive a notice or a bill following proper service by the Authority shall not excuse the customer for payment of all amounts due, including penalties for late payment.

The Authority will send all such notices and bills to the address given on the application for water supply until a notice of change, in writing, has been filed with the Authority by the applicant.

All notices of a general character, affecting or likely to affect a large number of customers, shall be deemed to have been properly given or served if advertised in the newspaper designated by the Authority.

114. COMPLAINTS: Complaints relative to the character of the service furnished or the reading of meters or of bills rendered must be made in writing and delivered to the main office of the Authority.
115. SERVICE NOT GUARANTEED: Nothing in these Rules, nor any contract, nor representation, verbal or written, of the Authority or any of its employees shall be taken or construed in any manner to be or constitute a guarantee to furnish a given quantity of water through any service connection, whether for public or private fire protection purposes, or for any other special purposes; but the Authority will at all times and under all conditions endeavor to maintain the efficiency of its service.

The Authority shall have the right to temporarily cut off the water supply in the case of breaks, emergencies or for any other reasonable cause, in order to make necessary repairs, connections and do such other work. In such cases, the Authority shall not be liable for any damage or inconvenience or any claim for interruption of service, lessening of supply, inadequate pressure, poor quality of water and such other reasons.

116. RESTRICTION OF SUPPLY: The Authority reserves the right to restrict the supply of water in case of scarcity or whenever the public welfare may require it, and to reserve a sufficient supply of water at all times in its reservoirs to provide for fire and other emergencies.
117. COMMONWEALTH OF PENNSYLVANIA - BILLS FOR WATER SERVICE: The Commonwealth of Pennsylvania and any agency thereof is entitled to a 30-day period from the due date of any bill within which it may pay for water service without the imposition of a penalty or without the loss of discount.
118. GROUND WIRE ATTACHMENTS: 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 Authority, and the Authority will hold the customer liable for any damage to its property occasioned by such ground wire attachments.
119. WATER HAMMER: No use of water will be permitted which may or does cause water hammer.
120. ACTS OF AUTHORITY EMPLOYEES AND/OR OTHERS: No agent or employee of the

Authority shall have the power or right to bind the Authority by any promise, agreement or representation contrary to these Rules and Regulations.

121. SWIMMING POOLS: The Authority exercises the right to require that the filling of swimming pools and other work relative thereto shall be subject to the approval of the Authority, notice thereof to be given by the applicant for such approval at least 72 hours in advance of such action.

The filling of swimming pools shall, in general, be subject to the following:

- a. The rate of filling shall not be excessive and/or cause any disturbance or serious pressure drop in the existing Authority system, and be subject to approval of the Authority.
 - b. The lines extending to and around the swimming pool shall be thoroughly flushed to waste until the water is clear and, if necessary, the water shall be passed through the pool filters prior to discharge into the pool or pools. The pool shall be thoroughly flushed and cleaned before closing of the drain valves.
 - c. No chlorine shall be applied to the pool water during the initial filling, except ahead of the filters, and the filter and recirculating systems shall be maintained in constant use during filling. If no filter system exists, the owner and/or operator must accept full responsibility for causing, through the use of chlorine, the precipitation of iron and manganese and such other constituents, and possible causing discoloration of the water.
 - d. No swimming pool shall be filled except through a metered connection unless otherwise approved.
 - e. There shall be an approved backflow preventer on all swimming pool fill lines or a visible air gap.
122. MISCELLANEOUS WORK AND SERVICES FURNISHED BY THE AUTHORITY: The cost of repair and/or restoration of Authority facilities damaged due to the actions of others, including the cost of lost water, shall be paid for by those responsible therefor.

The cost of the foregoing work and any miscellaneous services furnished by the Authority, except as otherwise set forth herein, shall be determined based on the charges and/or methods of computing charges as set forth in the schedule of fees and charges in the published Schedule of Rates and Schedule of Charges, or based on Authority policy.

All bills for such work and services furnished by the Authority, based on the Schedule of Charges and methods of computing charges in accordance with the aforesaid schedules, shall be rendered by the Authority and be due and payable within thirty days after the date of presentation. Acceptance or remittance of such bills on the last day of this 30-day period shall be determined as evidenced by the postmark of the United States Post Office.

Payment of such bills after expiration of the 30-day period will incur a penalty of 10 percent being added to the bill and, after an additional 30-day period, an additional penalty at the rate of 6 percent per annum being added to the bill for the period between the end of the 60-day period and the date of payment.

The Authority, if necessary, will take appropriate legal action to recover all monies due if payment is not made to the Authority.

123. TAPPING FEES: The Authority has established schedules of tapping fees for all connections to main water lines, such fees to vary, subject to the conditions under which the main line or lines have been installed, the locations of the main lines to be subject to the size of the connection and such other factors, as set forth in the schedules of tapping fees.

The tapping fees may vary for each individual size connection, subject to whether the connection is on a line installed by the Authority and/or others, whether the main line is subject to an agreement with others involving reimbursement conditions as related to connections to the line or lines, whether there are any other special conditions.

The tapping fees, as indicated, may vary throughout the various districts.

124. AVAILABILITY - RULES AND REGULATIONS: Copies of these Rules and Regulations Governing Water Service may be obtained at the office of the Authority for \$25.00 per copy. Copies are available for review at the office of the Authority at all times during regular working hours.

Single copies of Rules and Regulations - Water Line Extensions and Schedules of Rates and Charges are available at no cost. The conditions in the Rules and Regulations - Water Line Extensions are the same as those in Section XV - Water Line

Extensions of the Rules and Regulations Governing Water Service, the separate publications being prepared for the convenience of the public, relating to a phase of operation that is constantly of interest and being applicable

to all new work as relates to water line extensions.

SECTION XV - RULES AND REGULATIONS GOVERNING WATER LINE EXTENSIONS

125. GENERAL: The extension of water lines from the utility system of the Indian Creek Valley Water Authority shall be in accordance with the following rules and regulations. All extensions shall be connected to main water lines owned by the Authority, unless otherwise approved.
126. WHEN EXTENSION IS REQUIRED: A water line extension shall be required by the Authority in all or any one of the following instances:
- a. For the furnishing of water service to an individual premise whose property line does not abut a main water line installed in a public or private right of way and owner by the Authority.
 - b. For the furnishing of water service to a group of individual premises whose property lines do not abut main water lines installed in public or private right of way and owner by the Authority.
 - c. For the furnishing of water service to a group of premises located within the limits of a recorded plan of lots where the developer of the plan is desirous of obtaining such service for the lots.
 - d. For the furnishing of public or private fire service to a municipality or a private individual, firm or corporation or others requesting such service where no Authority-owned lines are installed in public rights of way, or where existing Authority-owned lines are not capable of producing the requested fire flows.
 - e. For the furnishing of a requested quantity of water service for a premise or group of premises which is beyond the capability of the existing Authority system in the area where service is required.
 - f. Such other similar instances.
127. LIMIT OF EXTENSION: The extension of a water line shall include the entire quantity of pipeline and appurtenant facilities required to conduct the supply of water from the end of the existing distribution system of the Authority to and across the entire frontage of the last property for which the owner has requested water service.

Where an individual premise for which service is requested is situated on land having extensive frontage on the public right of way beyond the premises, the limit of the required extension shall be based on the minimum frontage required for a buildable lot as set forth in the zoning code of the municipality in which the property is located.

128. APPLICATION FOR EXTENSION: A written application must be submitted to the Authority for the purpose of requesting approval of a water line extension and water service therefrom, said application to be accompanied by plans showing the proposed location of said extension and other pertinent conditions, said application to be signed by the owner or owners, 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 Authority shall regulate and control the installation of water line extensions and the furnishing of water service therefrom.

The application shall be accompanied by accurate plans showing the proposed location of the extensions, the layout of the streets and roads, the layout of existing and proposed plans of lots, and other pertinent data, such plans to be in sufficient detail to permit the Authority to review and approve the plans.

Applicants for water line extensions shall be furnished a preliminary estimate of extension cost. At the time the estimate is furnished, the applicant will also be requested to enter into a Preliminary Engineering Deposit agreement which will cover the conditions under which the extension will be prosecuted. At the time the agreement is executed, the applicant shall be required to deposit five percent of the preliminary estimate cost to cover all preliminary expenses incurred by the Authority in prosecuting the extension.

129. EXTENSION PROCEDURE: All extensions of water lines will be prosecuted by the Authority, the person or persons requesting the extension to be responsible for the payment of the total cost.

Water line extensions required to serve residential, commercial, industrial or lot plan developments shall be designed by the Authority and shall comply with the following conditions:

- a. All extensions shall be located on dedicated streets or on rights of way dedicated for public use. Where required rights of way are not recorded, the Authority

shall be provided with a written right of way suitable for recording.

- b. All extensions shall be designed in such manner as will permit future extensions thereof with rights of way dedicated therefor whenever applicable.
 - c. All water lines shall be constructed in complete accordance with the Authority's standards and specifications.
 - d. The owner shall post with the Authority under written agreement, an amount sufficient to pay for the water line extension. The Authority shall, pursuant to State statute, bid said work in the name of the Authority and award the contract for installation to the lowest responsible bidder. The Authority reserves the right to require and request a predetermination as to qualifications of any contractor requesting to bid for said work, and to require evidence by same of any prior experience in work of a similar nature. Upon receipt of bids, the owner shall have the right to reject same, however, said rejection will result in readvertising by the Authority. The Authority does not warrant nor guaranty its cost estimates as defined herein and the owner is responsible for actual costs regarding said extensions as are defined herein.
 - e. The Contractor shall be required to provide the Authority with performance and payment bonds in the full amount of the work construction cost.
 - f. The contractor shall be required to provide the Authority with certificates of insurance in the amounts specified by the Authority.
 - g. All work shall be inspected on a full-time basis by the Authority's representative, the owner to be responsible for the payment of all inspection costs.
 - h. The owner shall be responsible for all Authority costs incurred in connecting to existing Authority facilities.
 - i. Prior to acceptance of completed facilities, the Contractor shall furnish the Authority with a two-year maintenance bond in the full amount of the completed work.
130. RESPONSIBILITY FOR COST: The entire cost of the requested extension, including fire hydrants and other appurtenances shall be borne by the person

or persons requesting service, the Authority to be subject to no cost. The Authority will be subject to payment of such refunds as are agreed to in writing.

The cost of a water main extension or installation shall include the following:

- a. The cost of all design and/or plan review.
- b. The cost of water lines at least six (6) inches and not more than eight (8) inches in size. The minimum size shall be eight (8) inches in all locations where the line will serve as a main line and/or is necessary for proper future expansion and development of the system.
- c. The cost of connections to the existing main lines, including all costs incurred by the Authority.
- d. The cost of all valves, valve boxes, fittings, fire hydrants and all related work, including the testing of the extension.
- e. The cost of all land and rights of way.
- f. The cost of all inspection.
- g. The cost of all governmental permits and inspection.
- h. All legal and administrative and overhead costs.

The actual cost of items a, f and h, as set forth above, shall be paid by the person or persons requesting the extension. These costs shall not be less than seventeen percent of the construction cost.

131. PAYMENT OF COST: The owner shall deposit with the Authority, prior to the execution of any work, a sum of money sufficient to pay all the estimated costs of the extension, as determined in accordance with the procedures set forth herein, the deposit to be made upon the execution of an agreement between the Authority and the owner. However, the Authority will prepare plans and specifications and will receive bids for the work upon the deposit of five percent of the estimate of total costs of the project as set forth earlier herein.
132. AGREEMENT: The owner shall enter into an agreement with the Authority, prior to the execution of any work, the agreement to contain such pertinent conditions as the following:

- a. The cost of all work to be borne by the owner.
 - b. The materials and workmanship to be in accordance with the Specifications of the Authority.
 - c. The highways, streets, alleys and lanes in which the extension is to be located must be dedicated to public use, the lines and grades thereof established and the rough grading completed. Where a line is located in a private right of way, said right of way shall be dedicated for utility use.
 - d. The ownership title to all installations to be conveyed to and vested in the Authority.
 - e. The Authority to have the right to make further extensions beyond or laterally from the extensions, such extensions not to be considered as connections subject to any refund.
 - f. The payment of refunds to the applicant for additional new customers connected to the extension to be subject to such conditions as set forth in the agreement, and to limiting number of years for the payment of refunds. No refunds are to be made unless monies are received from other consumers for the privilege of obtaining service from the extension.
 - g. Such other related requirements.
133. INSTALLATION SPECIFICATIONS: All water lines shall be installed in accordance with the detailed specifications of the Authority, some of the pertinent requirements being as follows:
- a. The pipe shall be cement-lined ductile iron, SDR 21 Class 200, AWWA C900 Class 150, or better pipe as specified by the Authority with push-on joint ends, all in accordance with the applicable specifications of the American National Standards Institute and of the Class required for the pressure conditions in the area and the installation conditions. Fittings shall be either cast iron with mechanical joint ends or PVC with push-on ends and shall be suitable for a minimum of 200-pound working pressure.

The service lines two (2) inches in size and smaller shall be made of first quality, soft copper tubing, Type K, in accordance with Federal Specifications WWT-799, and the corporation cocks, curb stops

and curb boxes shall be of the manufacture as approved by the Authority.

- b. The valves shall be in accordance with the Specifications of the American Water Works Association and of the same manufacture as the majority of the valves on the remainder of the comprehensive system, unless otherwise approved.
- c. The fire hydrants shall be in accordance with the Specifications of the American Water Works Association and of the same manufacture as the majority of the fire hydrants on the remainder of the comprehensive system, unless otherwise approved.
- d. All water lines shall be laid with a minimum depth of cover of four (4) feet, properly bedded, backfilled, blocked, subjected to a hydrostatic test for leakage and subject to such other requirements.
- e. All connections to existing mains shall be completed by the Authority at the cost of the applicant.
- f. All extensions shall be subjected to a hydrostatic test and shall be disinfected in accordance with A.W.W.A. Specification C601 - Standard for Disinfecting Water Lines.
- g. All service lines and service line connections shall be installed by the Authority.

SECTION XVI - APPLICATION OF FINANCIAL PENALTY FOR
VIOLATION OF RULES AND REGULATIONS (est. 5/28/1998)

134. General: Compliance with the Authority's Rules and Regulations as set forth in this document is imperative for the safe, efficient and equitable operation of the public water system. As a means of offsetting the cost of establishing and maintaining a monitoring system for deterring violations of the Rules and Regulations, the schedule of financial charges are set forth for specified violations.

The charges set forth in this section are independent and in no way replace, modify, reduce, or limit the recourse of the Authority to pursue and involve any and all other applicable sections of the Authority's Rules and Regulations.

The charge classes as set forth in this section are independent of each other with the understanding and intention that where multiple violations have occurred, multiple charges are applicable.

- a. Service connection Facilities
 - 1) Service Line Connection
 - a) Unauthorized operation of the service line connections - \$100.00
 - b) Damage to service line connection facilities - \$100.00
 - 2) Service Line Extension - Removal, tampering, obstructing or damage to the Authority's facilities installed on the Service Line Extension - \$150.00
 - 3) Water Meter
 - a) Removal, tampering, obstructing or damage to meter seal - \$50.00
 - b) Removal, tampering, obstructing or damage to water meter - \$100.00
 - c) Removal, tampering, obstructing or damage to meter accessories - \$100.00
- b. Distribution Facilities - Piping
 - 1) Removal, tampering, obstructing or damage to underground piping facilities - \$200.00
 - 2) Unauthorized use of underground piping facilities - \$200.00
- c. Distribution Facilities - Operational
 - 1) Removal, tampering, obstructing or damage to aboveground operational facilities - \$200.00
 - 2) Unauthorized use of aboveground operational facilities - \$200.00
- d. Water Service
 - 1) Unauthorized redirection of metered service to additional premise - \$500.00

- 2) Unauthorized taking of water from non-metered service connection - \$500.00
- 3) Unauthorized taking of water from distribution main - \$500.00
- 4) Unauthorized taking of water from fire hydrant - \$500.00
- 5) Unauthorized use of a fire hydrant - \$100.00 (5/29/1985)

Section XVII - GENERAL

135. **THE PLUMBING SYSTEM LEAD BAND AND NOTIFICATION ACT** - The Plumbing system Lead Band and Notification Act, 35 Pa. C.S.A. § 723.1 et seq., prohibits the sale and use of certain plumbing materials that are not lead free. 35 Pa. C.S.A. § 723.4 - 723.5. The Authority shall issue notice to customers who maybe affected by lead contamination of their drinking water and require a customer requesting a connection to certify tht the materials used in the plumbing system are lead free (Revised 2/25/2010).

136. **OPEN MEETINGS** - In accordance with the Sunshine Act, as codified in 1986, the Authority's Board of Directors meetings held for the purpose of deliberating agency business or taking official action are public meetings and must be open to the public at all times. 65 Pa. C.S.A. § 701 to §716. No formal action shall be valid unless such action is taken during an open meeting. Executive sessions for enumerated purposes, conferences, and working sessions, as defined by the Act, are limited exceptions to the open meeting requirements; however, no valid official action can occur except at a public meeting, even within the limited exceptions. The Act specifies that written minutes must be kept of all open meetings. 65 Pa. C.S.A. § 706. Also, the Act requires that public notice of the meetings, following a specific procedure, must be given. 65 Pa. C.S.A. § 709. These requirements apply to committees as well as to the full board.

The Act further specifies that an opportunity shall be provided at all advertised regular and special meetings for residents to comment on matters of concern. This opportunity must be given prior to taking official action on a matter or may be given at the beginning of the meeting. 65 Pa. C.S.A. § 710.1 (Revised 2/25/2010).

137. **OPEN RECORDS** - In accordance with Act 3 of 2008, amending P.L. 390, No. 212 and referred to as the Right-to-Know Law, public records as defined by the Act shall be made available to the public as specified and in compliance with the Act (Revised 2/25/2010).

138. **NON-SMOKING PUBLIC WORK ENVIRONMENT** - Pursuant to the 1988 amendment to P.L. 465, No. 299 and referred to as the Fire and Panic Act, smoking is prohibited in all enclosed areas owned or controlled by the Authority and at all public meetings conducted and/or controlled by the Authority (Revised 2/25/2010).

