

**DOWNINGTOWN MUNICIPAL WATER AUTHORITY
WATER TREATMENT PLANT
CHESTER COUNTY, PENNSYLVANIA**

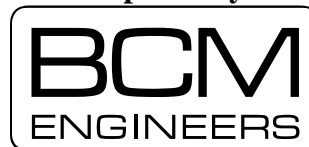



RULES & REGULATIONS



JANUARY 10, 2005

Prepared by:



A Division of  **ATC**

RULES AND REGULATIONS
FOR
FURNISHING WATER SERVICE
IN THE SERVICE AREA OF THE
DOWNINGTOWN MUNICIPAL WATER AUTHORITY
CHESTER COUNTY, PENNSYLVANIA

Downingtown Municipal Water Authority
100 Water Plant Way
Downingtown, PA 19335
Telephone: (610) 269-5362
Fax: (610) 269-2329
EMail: dtownwater@aol.com

**DOWNINGTOWN MUNICIPAL WATER AUTHORITY
RESOLUTION OF ADOPTION
OF
RULES AND REGULATIONS
FOR
FURNISHING WATER SERVICE IN THE SERVICE AREA OF
DOWNINGTOWN MUNICIPAL WATER AUTHORITY
IN CHESTER COUNTY, PENNSYLVANIA**

WHEREAS, the Pennsylvania Municipality Authorities Act, PA Title 53, Chapter 56 Section 5607-d (powers) grants the Authority the right to promulgate Rules and Regulations outlining the practices and procedures concerning the operation and administration of its water supply, storage, treatment and distribution system in order to adequately serve existing and potential customers; and

WHEREAS, pursuant to the Act, the Downingtown Municipal Water Authority has prepared "Rules and Regulations for Furnishing Water Service in the Service Area of the Downingtown Municipal Water Authority, Chester County, Pennsylvania". (the "Rules and Regulations") that are consistent with the Act; and

WHEREAS, the Rules and Regulations have set forth a comprehensive scheme for the administration of the Authority, including comprehensive regulations concerning applications for service, construction of facilities, maintenance and service and fees and charges; and

WHEREAS, the adoption of the Rules and Regulations is in the best interest of both the Authority and the customers of the Authority.

NOW, THEREFORE, BE IT RESOLVED by the Downingtown Municipal Water Authority this 10th day of January 2005 as follows:

1. The Rules and Regulations be and the same are hereby approved and adopted, in the form on file in the Business Office of the Authority.
2. All previous Rules and Regulations including the practices and procedures attendant thereto as may have been adopted from time to time by the Authority are hereby separated and revoked by the adoption of these new Rules and Regulations.
3. This Resolution shall take effect immediately.

I do hereby certify that the foregoing Resolution was duly adopted at a duly advertised regular public meeting of the Downtown Municipal Water Authority conducted on the 10th day of January 2005.

John A. Lichman
Executive Director

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SECTION I. DEFINITIONS

101. DEFINITIONS

Unless the context specifically indicates otherwise, the following terms and phrases, as used in these Rules and Regulations, shall have the following meanings:

"Applicant", "Customer" or "User". Any person applying or contracting for water connections or for the use, products, or services of the water systems, or who uses said services of the water systems, or who is the owner or occupant or both of any real property which directly or indirectly has been connected to the water system or to which directly or indirectly has been furnished or supplied the use, products or services of the water system or water services, facilities or products.

"Authority or DMWA". The Downingtown Municipal Water Authority, established by the Borough of Downingtown, to provide water service to the public and private uses within the service area.

"Authority Board". The Board Members of the Downingtown Municipal Water Authority.

"Corporation Stop". The water shutoff mechanism and valve located on the main.

"Curb Stop". The water shutoff mechanism and valve on the service line located at approximately the street or road curb between the main and the building.

"Fire Enforcement Official". The person designated as the Fire Enforcement Official, including his or her designee, or in the absence of a Fire Enforcement Official, such other person as may be designated by the Fire Enforcement Official., or in the absence of such a designated person, the Fire Company itself.

"Main". The Authority-owned or leased piping and appurtenances, in or along public highways and streets, or along privately owned rights-of-way, used for the transmission or distribution of water to its customers.

"Meter". The water measuring device connected to the service line for measuring the amount of water in gallons distributed from the main by way of the service line to the user.

"New Service". Any water connection which had not previously been made or which requires a main extension.

"Nonresidential Customer". A customer other than a residential customer.

"Occupant". The person using a parcel of land and premises or living in the building thereon as a tenant, lessee or party in actual possession thereof, including the owner.

"Owner". The person holding legal title to lands and premises or any person legally authorized to exercise powers of or for an owner of property for purposes of its purchase, sale, use occupancy or maintenance.

"Person". Any individual, firm, company, partnership, corporation, association, group or society, including the United States of America, the State of Pennsylvania, and agencies, districts, commissions and political subdivisions created by or pursuant to State law, and Federal agencies, departments or instrumentality's thereof.

"Residential Customer". A customer who is provided water service to a single-family detached dwelling, a single condominium, townhouse, mobile-home or apartment unit or a single residential unit designed to house one family unit.

"Rules and Regulations". The "Rules and Regulations for Furnishing Water Service in the Service Area of the Downingtown Municipal Water Authority", as approved by the Authority Board.

"Service Area". The geographical area encompassing all or parts of Downingtown Borough, East Caln Township, East Brandywine Township, and Caln Township for retail or bulk water sales.

"Service Charges". The rates, fees and charges imposed for the use of the Authority's water services.

"Service Line". The water service pipe from the corporation stop to the building.

"Specifications". The detailed description of the size, quality, performance or terms of the particulars of the water system or of any water extension thereto, as developed and provided by the Authority.

"State". The State of Pennsylvania.

"Water Extension". The water mains, pumping or booster stations, water supply facilities, water storage facilities, water treatment facilities, service lines and other water appurtenances that are necessary to extend water service from the Authority's water system to the unit or units for which water service is requested.

"Water System". The plants, structures and other real and personal property acquired, constructed or operated or to be acquired, constructed or operated by the Authority, including reservoirs, basins, dams, canals, aqueducts, standpipes, conduits, pipelines, mains, pumping stations, water distribution systems, compensating reservoirs, waterworks or sources of water supply, wells, purification or filtration plants or other plants and works, connections, rights of flowage or division, and other plants, structures, boats, conveyances, and other real and personal property, and rights therein, and appurtenances necessary or useful and convenient for the accumulation, supply or distribution of water.

SECTION II. APPLICATIONS

201. APPLICATIONS FOR WATER SERVICE

A. Applications to Connect in General

1. The Downingtown Municipal Water Authority is an entity, separate, distinct and independent of the Borough of Downingtown with respect to the legal, financial, administrative and other aspects of providing potable water service. Unless otherwise specified in the statute, DMWA is not bound by any decision of the Borough of Downingtown related to providing potable water service within its service area. Accordingly, only DMWA has the authority to approve or allow any water service connection within its service area.

2. No Application to Connect shall be approved by the Authority until the applicant has paid all fees and charges which were due by the applicant for any prior services.

3. The approved application shall constitute a contract between the Authority and the applicant, obligating the applicant to pay to the Authority its service charges as established from time to time and to abide by and comply with its Rules and Regulations.

4. Prior to the submission of an Application to Connect, it is the responsibility of the applicant to inspect and examine all service lines and pipes and fixtures on the applicant's property to determine whether they are in good condition. An Application to Connect shall constitute a representation by the applicant that the inspection has been made and that the appurtenances have been found to be in good condition. The Authority shall not be liable for any accident, breaks, leakage or damage arising in any way from the supplying or failing to supply water, or from freezing of water pipes or fixtures of the customer, nor for any damage to the property which may result from water supplied to the premises.

4. All completed applications to connect shall be approved on a first-come, first-served basis. The obligation of the Authority to approve completed applications to connect is contingent upon the availability of capacity in the existing water system.

B. Applications for New Service

All applicants for new service must contact the Authority and request an Application to Connect. The applicant must then fill out and return a completed Application to Connect back to the Authority for approval. Procedures for applying for establishing a new water service are as follows:

1. Contact DMWA by phone (610) 269-5263, fax (610) 269-2329, or e-mail dtownwater@aol.com to request that an "Application to Connect" be sent to you. Office hours are 7 AM to 3 PM, Monday through Friday.

2. Fill out the Application as completely as possible as this will help expedite your request. Return the completed application to DMWA.

3. In filing an Application to Connect with DMWA, the applicant agrees that DMWA shall provide water to the applicant's project to the exclusion of all other providers.

4. When applicant's project involves more than one single family dwelling unit, then applicant's application must be accompanied by a **\$3,500 plan review escrow check**, payable to "DMWA". The escrow fee will be used to cover all costs associated with the engineering review of applicant's plans, as well as DMWA's legal and administrative fees associated with applicant's project. All unused escrow will be returned at the completion of applicant's project, providing applicant has complied with all other aspects of DMWA's Rules and Regulations.

5. Upon posting of the required plan review escrow, applicant will be required to submit sufficiently detailed engineering/architectural site plans of all proposed site improvements pertaining to potable water mains and appurtenances to allow review by DMWA's engineer. In order to allow expeditious review of such plans, applicant should take care to validate their accuracy and should supplement them with whatever additional technical information deemed appropriate to allow clear understanding of applicant's project.

6. If requested by applicant's engineer, DMWA will provide static pressure and water main sizes at applicant's project location. Consumptive use and fire flow data must be calculated by the applicant's engineer. DMWA will use its hydraulic modeling to validate applicant's fire flow calculations made by applicant's engineer.

7. Upon applicant's receipt of written approval of its engineering/architectural site plans, applicants must have either its engineer or contractor submit to DMWA a construction cost estimate. The estimate will be considered by DMWA in preparing applicant's Construction Escrow, Construction Contingency Escrow and Construction Inspection Escrow amounts. After applicant posts the requisite construction escrow amounts but prior to start of construction, a Pre-Construction meeting **is required** and will take place but only after all fees and charges applicable to applicant's project are paid in full to DMWA.

8. Without exception, all physical building service line connections to DMWA's existing mains will be made by either DMWA's field maintenance crew or a DMWA approved contractor. The entire cost of making the building service line connection to DMWA's main is to be paid by the applicant directly to either DMWA or to the DMWA approved contractor.

9. Applicant is also required to pay DMWA a Tapping Fee pursuant to the provisions of Pennsylvania Title 53, Chapter 56. This Tapping Fee will be calculated by multiplying the residential dwelling unit equivalency of applicant's project by DMWA's then current single family residential dwelling unit Tapping Fee. DMWA's current Tapping Fee is \$2,740 per equivalent residential dwelling unit or EDU. This Tapping Fee is subject to change annually. Unless otherwise agreed upon by DMWA, applicant's requisite Tapping Fee must be paid in full prior to commencement of construction of any potable water related aspect of applicant's project.

10. Following the completion of applicant's project, all water mains and appurtenances attendant thereto that are to be dedicated to DMWA must undergo a one-year performance maintenance period. Following successful completion of the one-year performance maintenance period, DMWA will accept dedication of the project as long as all other DMWA requirements have been satisfied. All service lines will remain the applicant's/site owner's property and the total responsibility for maintenance of same rests with these parties.

The one (1) year performance maintenance period will not commence until DMWA's engineer has reviewed and approved applicant's as-built drawings which must be submitted within 90 consecutive days of applicant's completion of the installation of all water mains and appurtenances thereto. Failure to provide the as-builts within the designated time will result in DMWA authorizing its engineer to produce as-builts utilizing generally accepted engineering procedures. The entire cost of DMWA having to prepare as-builts will be taken from either applicant's Construction Escrow Account or its Construction Contingency Escrow Account.

11. DMWA requires the use of only Invensys[®] meters in its system. Upon DMWA's confirmation of the size of any required meter, DMWA will advise applicant of the cost of the meter(s) and will, upon receipt in advance from the applicant of the entire amount of said cost, order the meter(s). All meters are to be installed in either a meter pit or a meter room which complies with DMWA's technical standards for such facilities. The entire amount of the cost to install a meter pit/room is the responsibility of the applicant.

12. Unless there exists a written agreement to the contrary between applicant and DMWA, the following summarizes applicant's fees and charges, the entire costs of which are all the applicant's responsibility:

- Engineering Plan Review Escrow - \$3,500 (Item #4)
- Construction, Construction Contingency, and Construction Inspection Escrow as determined by DMWA (Item #7)
- Costs to make building service connection to DMWA's mains (Item #8)
- Tapping Fee (Item #9)

- Cost to purchase and install all meters and meter pits/rooms (Item #11)
- Cost to construct all exterior and interior mains/valves/hydrants/meter pits/meter rooms required for project

Upon submission to the Authority of a completed application for water service, the Authority shall make a reasonable attempt to approve or disapprove the application within ninety (90) consecutive calendar days of the date that the application is certified as completed. No application shall be considered complete until all applicable fees are paid and escrow deposits made.

The Authority reserves the right to extend the time for the aforesaid approval or disapproval for a period not to exceed sixty-five (65) consecutive calendar days upon written notice to the applicant.

C. Applications for Additional Capacity

1. An application for additional capacity must be made by any existing customer whenever there is any physical or operational change, associated with an increase in estimated, projected flow of water, whether for consumptive use or fire service, to any building, facility or structure for which a building permit, site plan, subdivision or other municipal approval is required.

2. All applicants for additional capacity must contact the Authority and request an Application to Connect form. The applicant must then completely fill out the Application to Connect form and return it to the Authority for review and, if all DMWA requirements are met, approval.

3. For residential customers only and at the sole discretion of the Authority, this provision may either be waived in its entirety or modified in any form.

D. Application for Service Based Upon Change in Ownership or Tenancy

1. Upon change of ownership, the former owner shall contact the Authority and request a final meter reading and final water bill. A certification of final bill fee in accordance with Section V – Fees and Charges shall be charged to the former owner. The new owner shall provide to the Authority all necessary information to start their new account and must familiarize themselves with the Rules and Regulations of the Authority.

It at the time of a change in ownership DMWA's records indicate that the water meter servicing the facility is in need of replacement, said replacement will be done at the time of the change in ownership. The cost of replacement of the meter will be borne by DMWA.

2. Upon change of tenancy, the owner or tenant shall contact the Authority and provide to the Authority all necessary information to start their new account and must familiarize themselves with the Rules and Regulations of the Authority.

3. No new owner or new tenant of any existing property shall be provided with water service in those instances where there is any outstanding bill, either current or past due, for goods and/or services owed to the Authority regarding the property.

E. Applications for Reinstatement of Service

1. An application for reinstatement of service shall be made whenever a customer is renewing a previous service that had been abandoned or terminated or when replacing a structure which has been demolished or substantially totally destroyed.

2. In the event that water service was terminated by the Authority because of improper construction, maintenance or use of any connections to the water system of the Authority, the correction of any deficiency shall be a condition precedent to the application for reinstatement of service.

3. The application procedure for renewing a previous service that has been abandoned or terminated or when replacing a structure which has been demolished or substantially destroyed shall be the same as in the case of an application for new service. The Authority shall, in its discretion, determine whether any of the applications can be waived, based upon the circumstances of the request for reinstatement of service.

202. SUPPORTING DOCUMENTATION FOR APPLICATIONS

A. All customers that apply for service shall provide the following information to the Authority, in addition to other information required by the application:

1. Detailed description of the type and size of buildings.
2. The nature of the business to be conducted in each structure.
3. The number and type of fixtures to be served.
4. Two (2) copies of plans showing:
 - a. The boundaries of the property.
 - b. The location within the property of the structures to be served.
 - c. The location and profile, with respect to finished grade, of the services.
 - d. Details of the proposed connections to the water system, and arrangements and details of meter installation.
5. Any other information that the Authority deemed is necessary.

B. For residential customers only and at the sole discretion of the Authority, this provision may either be waived in its entirety or modified in any form.

203. ESCROW FEES AND ESCROW ACCOUNTS

A. Escrow fees shall be posted by the applicant in the amount specified in these Rules and Regulations. The funds so posted shall be held by the Authority in an escrow account. The

Authority shall, from time to time, withdraw funds from this escrow account to reimburse itself for costs incurred by the Authority for inspection, engineering review, legal review or for other services provided to or on behalf of the applicant by the Authority. In the event that the escrow fund is depleted or in deficit, the applicant shall post additional escrow funds with the Authority in an amount to be set by the Authority. Any funds held in the escrow account shall not bear interest for the applicant.

B. The applicant may request the return of any unused portion of the escrowed funds at the completion or termination of construction or after the Authority has accepted all improvements, or after final release of all maintenance guarantees, whichever is later.

C. The Authority may, in its discretion, refuse to process any application if there is a deficit in the escrow amount of any applicant.

204. WATER EXTENSIONS

A. Main Extensions

1. Cost of Extensions

a. Work Performed by Authority

When Application to Connect has been received by DMWA for water service requiring an extension of main to provide such service, or where application has been received for extension of mains into newly developed tract of land and the work is to be performed by the Authority or its agents or contractors, the applicant must pay to the Authority, prior to the commencement of work, a sum equal to and covering the entire estimated cost of installing the necessary pipe lines, appurtenances, Property Connections, and including but not limited to engineering and legal fees as determined by the Authority.

If the work has been performed by the Authority or its agents or contractors, and the actual cost of installing the necessary pipe lines and appurtenances, other than House Connections, is greater than the estimated cost, this difference shall be paid by the applicant before service shall be rendered. Should the estimated cost of said pipe line and appurtenances, other than the service line, and including but not limited to engineering and legal fees, be greater than the actual cost, this difference shall be returned to the subdivider.

b. Work Performed by Developer

When an Application to Connect has been received by DMWA for water service requiring an extension of main to provide such service, or where application has been received for extension of mains into newly developed

tract of land, and the construction work is to be performed by the developer or its agents or contractors, at the Authority's discretion, the developer shall post a bond or escrow account (the escrow account shall consist of two escrows: an engineering escrow and construction escrow) and in the amount which the Authority determines to be adequate to cover the construction through municipal sponsorship in the event of default or bankruptcy of the developer. The posted bond or escrows shall also include costs to cover the completion of as-built drawings by the Authority's engineer if not completed by the developer within 90 consecutive calendar days after conclusion of construction.

The Authority's review of the Developer/Builder's construction plans is for general conformance with these Rules and Regulations and the Specifications for Additions and Extensions of the Downingtown Municipal Water Authority. The Developer/Builder remains responsible for implementation of the Authority specifications, requirements and details. The Developer/Builder is also responsible for the accuracy of the adopted plans and for the designed facility to function as intended. The Developer/Builder is also responsible for determining the size, type, and location of all existing utilities and is subject to the approval of the Authority.

The Developer/Builder shall employ the contractor to install the water main extension, corporation stop, service connections, and curb stops. The standards for construction and materials shall be established by the Authority and its engineer. The Authority shall require the installation of all water system extensions and appurtenances to be inspected and approved by the Authority's Engineer. At the Authority's discretion, the Developer/Builder shall establish a separate escrow account for payment of legal, engineering and administrative fees associated with water supply to the subdivider or land development. The escrow account shall be adequately funded to cover costs prior to the incurring of such costs.

If the work has been performed by the Developer/Builder or its agents or contractors, when the work has been satisfactorily completed and inspected and approved by the Authority and payment of all legal, engineering and administrative fees associated with water supply to the subdivider or land development have been paid, the Authority shall return any remaining funds held in escrow to the subdivider, except such funds as are necessary to comply with any maintenance or warranty agreement as may be in effect between the Authority and the developer.

2. Extension Rules

On private property, extensions will only be allowed after right's-of-way have been granted to the Authority. For newly developed land or other than private property, extensions will only be allowed where there will be a dedication of streets

and ways and where all plot plans have been previously approved by the local planning commissions and municipal governing bodies. The developer shall grant a permanent right-of-way or easement to the Authority. The right-of-way or easement shall be for the full width of the street right-of-way. All extensions shall conform to the specifications of the Authority. The Authority shall approve all water supply design, and shall require inclusion of reasonable easements of convenience in recorded subdivision plans prior to approval of water service to subdivisions and land developments.

3. Size of Mains

The Authority shall determine the size of the mains to be installed. Minimum main size shall be 8 inch. For mains larger than 10 inches in diameter, the Authority may pay the difference between the installed cost of the larger main and the installed cost of the 10-inch main. All mains, pipe and fittings shall be ductile iron pipe, cement mortar lined, class 52 or greater and shall meet AWWA specification C100, latest revision. All valves shall be Mueller (right-hand open) valves meeting AWWA specifications C504, latest revision and suitable for installing in ground or resilient seat valves meeting AWWA Specification C509, as authorized by the Authority. All other appurtenances connected to the water system shall meet the DMWA's Specification, latest revision.

4. Length of Extensions

In determining the minimum length necessary for any extension requested pursuant hereto, the terminal point of such extension shall, in all cases, be at the farthest extremity of the most distant lot to be served.

SECTION III. CONSTRUCTION

301. PERFORMANCE AND MAINTENANCE GUARANTEES

A. "Performance guarantee" and "maintenance guarantee" shall mean either cash, third party surety bonds from a reputable insurance company or third party letters of credit from a financial institution having assets of One Billion Dollars or more, in a form that is acceptable to the Authority.

B. Prior to the commencement of any construction of any water extension that either will be dedicated to the Authority or will remain as private property, the applicant shall post with the Authority a performance guarantee covering the improvements. The amount to be posted under the performance guarantee shall be 130% of the estimated cost of the improvements to be constructed. The estimated cost shall be prepared by the Authority upon the advice of its Consulting Engineer. The Authority's Solicitor shall approve the form of the performance guarantee before it shall be accepted. The performance guarantee shall be posted by sections.

C. The applicant may request a reduction in the performance guarantee posted if at least fifty percent (50%) of the improvements to be constructed within a section under the performance guarantee are satisfactorily completed and tested in accordance with the Rules and Regulations and Specifications and if the improvements, in the opinion of the Authority, are adequately protected from future damage due to continuing construction. The Authority may allow up to a maximum of a seventy-five percent (75%) reduction of the dollar value of the improvements that are satisfactorily completed, tested and protected.

D. Maintenance guarantees for water extensions to be dedicated to or maintained by the Authority shall be posted upon final acceptance of the water extensions, for a one (1) year period in an amount of ten percent (10%) of the original performance guarantee for the improvements constructed. Final acceptance of the improvements constructed in the section shall not occur until the date that the maintenance guarantee, in a form satisfactory to the Authority's Solicitor, shall be received by the Authority.

302. "BUY AMERICAN" PROVISION

All items or materials used in the construction of water system, water extensions, service lines, or other water appurtenances, or other projects, which are constructed by a private contractor for a customer but which are to be deeded or dedicated to the Authority for ownership and maintenance, shall be manufactured products of the United States, wherever possible.

303. CONSTRUCTION OF FACILITIES

No construction of any potable water facilities can commence without a signed DMWA/Developer agreement in place and all fees and charges attendant thereto having been paid in full unless otherwise stated in the agreement.

All developments are stand alone and DMWA will not be bound by any independent agreement between two or more developers.

The applicant shall construct and install, at no cost to the Authority, all off-site and all on-site water extensions and facilities including mains, pumping or booster stations and any and all related appurtenances which are necessary to extend service from the existing water system of the Authority to the units for which application for service has been made. All construction shall be in accordance with the Rules and Regulations and Specifications and the engineering plan submitted by the applicant and approved by the Authority.

304. SIZE AND KIND OF SERVICE LINE

A. The service line beyond the corporation stop shall be installed and maintained by and at the expense of the customer. The portion of the water line installed by the customer shall not be less in size and quality than as established by the Authority, and shall be laid with a minimum of 3-1/2 feet of cover and shall include a brass curb stop including curb box and cover of a size, type, manufacturer, and quality as established by the Authority, at a point easily accessible to both the Authority and the occupants to facilitate repairs to the service line. The service line shall not be covered until it is tested. If any defects in workmanship are found, the service will not be turned on until such defects are remedied. All plumbing connections shall withstand a pressure of at least 150 Pounds per square inch, be at minimum 3/4" Ø copper tube type K (AWWA C-800, latest revision). The 3/4" Ø copper service line shall extend from the corporation stop up to the water meter regardless of where the meter is located. Plastic pipe will be allowed from the water meter to the structure only if permitted in writing by DMWA. No lead to copper connections are allowed under any circumstances.

B. The service line from the main to the curb stop shall be inspected by the Authority prior to backfilling the trench, and any construction not approved shall be immediately removed and reconstructed in an approved manner.

C. In the event of any danger to the health, welfare and safety of the community caused by any defect, disrepair or malfunction of the service line, the Authority may in its discretion, make the necessary repairs and bill the customer on the basis of time and materials for the cost of repairs.

D. All required permits shall be the responsibility of the customer.

305. INSPECTION OF CONSTRUCTION

The Authority or its consulting engineer shall inspect the construction of all water extensions to determine whether the water extensions are being properly constructed. The Authority shall inform the applicant of any improper construction or any deviation from the approved plans of the Authority or from its Rules and Regulations or Specifications. The applicant shall thereafter correct any defects or deficiencies. The Authority reserves the right to issue a stop-work order to the applicant in the event of improper construction. The Authority shall be under no obligation to provide water service to an applicant if the water extensions are

not built in accordance with the approved construction plans and the Rules and Regulations and Specifications. The cost of inspection shall be borne by the applicant.

306. ACCEPTANCE OR APPROVAL OF COMPLETED CONSTRUCTION

A. After construction has been completed, the Applicant shall request in writing that the Authority accept or approve the water extensions.

B. The Applicant shall, at the time of a request to accept the water extensions, submit to the Authority any and all completed documents which are necessary to:

1. Except for service lines, dedicate all water main extensions and appurtenances thereto to the Authority where such mains and appurtenances are located either (a) within the public right-of-way or (b) within a non-public right-of-way which has been approved by the Authority and its engineer and which will be dedicated with warranties at no cost to the Authority;

2. Deed, with warranties, at no cost to the Authority, all necessary titles and/or rights-of-way to lands necessary for the maintenance or operation of the water extensions, including rights-of-way needed for either immediate or future extension of mains to adjacent properties;

3. Post a one (1) year maintenance bond in the amount of ten percent (10%) of the original performance guarantee to cover cost of repairs for any latent defects discovered during the one (1) year period; and

4. Furnish to the Authority within the time limit specified in Section 201 B (10) "as-built" drawings of the water extensions signed, sealed and certified by both the Applicant and the engineer for the Applicant.

Upon the completion of all of the requirements herein, the Authority shall determine whether the water extensions are constructed in accordance with the approved plans and rules, regulations and specifications and shall determine whether all supporting documents are in order. If all construction and submissions are approved, the Authority shall proceed to accept the water extensions so constructed and shall accept and have recorded, wherever necessary, the dedications, deeds, easements, bonds and as-built drawings. All engineering, legal and administrative costs for reviewing and recording of documents shall be paid by applicant. The responsibility for all construction, maintenance and cost of operations prior to acceptance by the Authority shall be borne by the applicant.

C. The Authority may, in its sole discretion, decline to accept any water extensions which are not located in the public right-of-way or in private right-of-way approved by the Authority, even if the extensions were bonded improvements. In this event, the Authority shall approve final construction, but shall not accept the water extensions, and the water extensions shall remain the private property of, and shall be maintained by, the applicant and/or owner.

SECTION IV. MAINTENANCE AND SERVICE

401. RESPONSIBILITY FOR SERVICE

A. It is a condition of providing service that the Authority does not assume any liability as insurer of person, property or economic loss, and that the Authority does not guarantee any service, pressure, capacity, volume or facility to any customer. It is a condition of providing service that the Authority shall be free and exempt from any and all claims for injury to any persons, or property, or for economic loss, by reasons of fire, water damage, or the failure to supply water service, pressure, capacity, volume or facility.

B. Any customer that may require, as part of its operations, guaranteed water service, pressure, capacity, volume or facilities shall be responsible for making alternative arrangements for same or for constructing any special appurtenances that may be necessary to guarantee service in the event that the Authority cannot provide its ordinary and customary services.

C. The Authority may refuse to connect with any customer's installation when it is not in accordance with the standard terms and conditions of the provisions of these Rules and Regulations.

D. When, because of its size or character, the customer installation desired to be connected to the facilities of the Authority is so unusual as to adversely affect the adequacy of the service furnished to other customers, present or prospective, the Authority may require special provisions for the service in question or may refuse the same.

E. All water passing through a meter shall be charged for at the regular rate, and no allowance will be made for excessive consumption due to leaks or waste, unless approved by the Authority Board following an investigation.

F. Authority shall have the right and power to request at any time any changes in water service and/or methods of providing such service in any building on any property regardless of its use.

402. MAINTENANCE BY CUSTOMER

A. All connections, service lines and fixtures from the corporation stop to and within the building shall be maintained by the customer in good order.

B. Meters shall be protected properly by the customer from freezing, flooding, vandalism or other damage. In case of such damage, the replacement cost of the meter shall be the responsibility of the customer.

C. All leaks in the service line or any other pipe or fixture in or upon the premises supplied from the corporation stop to the structure must be repaired immediately by the owner or occupant of the premises. The cost of all such repairs is the responsibility of the owner/occupant.

D. The customer shall make such changes to the service line that are required by reasons of changes of grade, relocation of mains, or otherwise.

E. The customer is responsible for keeping the top of the curb box exposed at all times.

403. MAINTENANCE BY AUTHORITY

A. The Authority shall not be responsible for the maintenance of any portion of the service water line from the main to the structure.

B. The Authority shall not be responsible for maintaining any portion of the service line or fixtures owned by the customer or for damage done by water escaping therefrom.

404. REPLACEMENT OF SERVICE LINE

In the event that it is necessary to replace any or all of the service line from the corporation stop to the structure, the owner shall replace the service in the same location as previously used, unless otherwise approved by the Authority.

405. PROPERTY SUPPLIED BY SINGLE SERVICE LINE

A. A service line from the corporation stop to a property, facility or structure shall not supply more than one property, facility or structure. For clarification purposes, the following list identifies a single property, facility or structure:

1. A single detached residential dwelling unit or one side of a double house, or one house in a row of houses, or a single condominium or townhouse unit, provided that a garage, and similar structures accessory shall be considered as a portion of the dwelling.

2. A separate building used for industrial, institutional, public, commercial, or manufacturing purposes.

3. A use separated from adjacent uses by a party wall or party walls, and comprising apartments, stores or offices, or any combination thereof, as in the case of a strip-shopping center.

4. A detached apartment building.

5. A single condominium unit for commercial, institutional, or industrial use.

B. Any of the aforesaid properties, facilities or structures referred to in the preceding paragraph, upon application of the owner, may be supplied by two or more service lines and meters provided that the supply to each such meter has an individual stop at or near the curb line.

C. Any property, facility or structure existing as of January 1, 2004, which does not conform to the above regulation shall install separate service lines to each property, facility or structure upon either subdivision of land, change of ownership, change of use or upon repair or replacement of the existing service lines. All other properties, facilities or structures must conform to the above regulation, unless a specific written request for a waiver has been presented to, and granted by, the Authority.

D. Where two or more customers are now supplied through a single service line, any violation of the Rules and Regulations, with respect to either or any of said customers, shall be deemed a violation as to all. Unless said violation is corrected after reasonable notice, the Authority may take such action as can be taken for a single customer.

406. DISCONTINUANCE OF SERVICE

A. The Authority shall, upon reasonable notice, when it can be given, have the right to suspend or curtail or discontinue service for the following reasons:

1. For the purpose of making permanent or temporary repairs, changes or improvements in any part of the water system;
2. For compliance in good faith with any governmental order or directive notwithstanding such order or directive subsequently may be held to be invalid;
3. For any of the following acts or omissions on the part of the customer:
 - a. Nonpayment of a valid bill due for service furnished at a present or previous location. The customer(s) of record whose name(s) appear on the bill shall be held responsible for utility service rendered. Service shall not be discontinued for nonpayment of repair charges, merchandise charges, installation of conservation measures and other non-fee contracted service charges between the customer and the Authority, nor shall notice threatening such discontinuance be given;
 - b. Tampering with any facility of the Authority;
 - c. Fraudulent representation in relation to the use of service;
 - d. Moving from the premises, unless the customer requests that service be continued;
 - e. Providing the Authority's water service to others without approval of the utility;
 - f. Failing to make or increase an advance payment or deposit as provided for in these Rules and Regulations;
 - g. Refusing to contract for service where such contract is required;

h. Connecting and operating in such manner as to produce disturbing effects on the service of the Authority or other customers;

i. Where the condition of the customer's installation presents a hazard to life or property;

j. Failing to repair any faulty facility of the customer;

4. For refusal of reasonable access to customer's premises for necessary purposes in connection with rendering of service, including meter installation, reading or testing, or the maintenance or removal of the Authority's property.

5. For, without authorization, opening, closing, or adjusting or attempting to adjust any flow control device on a service line. Under no circumstances shall any person not authorized by the Authority open or close any corporation stops, curb stops, valves, or hydrants in any public or private line.

6. All leaks in Service Pipes and fixtures from the main to the structure shall be repaired promptly by the Customer at their own expense. Upon failure of such Customer to make such repairs within a reasonable time, the Authority, upon appropriate notice, may discontinue water service to the Property and will not resume service until all necessary repairs have been made and the applicable shut-off and turn-on charges paid. If it is necessary for the Authority to make repairs, or excavate in the street to shut-off the corporation stop, then all costs will be borne by the Customer.

7. Anyone tampering with or making connections to obtain the use of water without first having the application, therefore, approved by the Authority or its Agent, and anyone using water without proper authority from the Authority or its Agent, shall have serviced discontinued. Such service shall not be resumed until proper application for water service shall have been made and approved and all fees and charges attendant thereto paid in full.

B. A customer wishing to discontinue service must give written notice to that effect. Within 48 hours of said notice, the Authority shall discontinue service and obtain a meter reading for the purpose of calculating a final bill. Where such notice is not received by the Authority, the customer shall be liable for service until the final reading of the meter is taken. Notice to discontinue service will not relieve a customer from any minimum or guaranteed payment under any contract or rate.

C. The Authority shall not discontinue residential service except between the hours of 8:00 AM and 4:00 PM Monday through Thursday, unless there is a safety related emergency. There shall be no involuntary termination of service on Fridays, Saturdays, and Sundays or on the day before a holiday or on a holiday absent such emergency. The Authority shall not discontinue service unless the customer's arrearage is more than \$50.00 or the account is more than three (3) months in arrears. The Authority shall terminate service for nonpayment of bills rendered, unless:

1. It has confirmed that appropriate payment has not been received through the end of the notice period;

2. It has confirmed on the day on which termination may occur, that payment has not been posted to the customer's account at the opening of business on that day;

3. If a residential customer offers payment of the full amount or a reasonable portion of the amount due at the time of termination, the Authority shall accept payment without discontinuance of service. Whenever such payment is made, the Authority shall provide the customer with a receipt showing the date, account number, customer's name and address and amount received.

D. Service shall be restored within 12 hours upon proper application when the conditions under which such service was discontinued are corrected, and upon the payment of all proper charges due from the customer.

E. Notice of discontinuance.

1. The customer shall be given a period of at least 15 days for payment after the postmark date indicated on the envelope in which the bill was transmitted. When a customer mails any payment for the net amount of a bill for service, and such payment is received at the Authority not more than two full business days after the due date printed on the bill, the customer shall be deemed to have made timely payment. The Authority may discontinue service for nonpayment of bills provided it gives the customer, except for a fire protection service customer at least 10 days written notice of its intention to discontinue. The notice of discontinuance shall not be served until the expiration of the said 15-day period. A new notice shall be served by the Authority each time it intends to discontinue service for nonpayment of a bill except that no additional notice shall be required when, in response to a notice of discontinuance, payment by check is subsequently dishonored. In the case of fraud, illegal use, or when it is clearly indicated that the customer is preparing to leave, immediate payment of accounts may be required.

2. a. The Authority shall annually notify all residential customers that, upon request, notice of discontinuance of service will be sent to a designated third party as well as to the customer.

b. The Authority shall make a good faith effort to determine which residential customers are over 65 years of age, and shall make a good faith effort to notify such customers of discontinuance of service by telephone in addition to notice by regular mail. This effort may consist of an appropriate inquiry set forth on the notice informing customers that they may designate a third party to receive notice of discontinuance.

F. Discontinuance of service to tenants.

1. The Authority shall make a reasonable attempt to determine when a landlord-tenant relationship exists at premises being serviced. If such a relationship is known to exist, discontinuance of service will not occur unless the Authority has, notwithstanding the time periods set forth herein, given a 15-day written notice to either the owner of the premises or to whom the last preceding bill was rendered. In addition, the Authority shall provide the tenant(s) with a 15-day written notice which shall be hand delivered, mailed, or posted in a conspicuous area of the premises and in the common areas of multiple family premises and, in the case of tenants of single and two-family dwellings, a 15-day individual notice. The Authority shall offer the tenant(s) continued service to be billed to the tenant(s) unless the Authority demonstrates that such billing is not feasible. The Authority shall not be held to the requirements of this provision if the existence of a landlord-tenant relationship could not be reasonably ascertained.

2. Notwithstanding a tenant's responsibility for payment of water service bills, where water service is registered to the tenant, the property owner of record shall additionally be responsible for water service bills.

407. WATER METERS

A. In General: All water meters including fire service meters and assemblies shall conform to the Authority's specifications and shall remain the property of the Authority and shall be accessible. The initial cost of purchasing and installing any type of meter, including fire service meters and assemblies, shall be the responsibility of the customer. Only the Authority or those designated by the Authority can install, check, test, repair, replace or remove any meter. The frequency as to when a meter should be tested, repaired or replaced shall only be determined by the Authority.

B. All Water Services Shall Be Metered: A meter shall be required for all water services which are subject to metered service charges. A meter may be required by the Authority, in its discretion, in all other cases. The Authority shall approve the size and location of the meter. Each unit in a multi-unit building, excluding apartment buildings, shall have individual meters with an exterior shutoff. Apartment buildings may have a common metered service for all units. The Authority shall make no special allowances for the conversion of existing apartment buildings into condominiums and the requirement for individual services shall apply.

C. Location: The customer shall provide a location for the meter which is readily accessible and, provides proper protection for the meter. The customer shall have the plumbing arranged to receive the meter at a convenient point approved by the Authority and shall position it so that it registers and controls the entire supply. A remote meter reading device must be installed on the outside of the building in a readily accessible location, approved by the Authority. The remote mounted equipment shall remain the property of the Authority.

In cases where the Authority determines it is not practical to place the meter within a building, an approved meter pit shall be constructed in accordance with the Authority's specifications and standard meter pit detail.

Meters shall be placed in a meter pit if the service line from the house to the main is greater than one hundred feet (100 ft). Otherwise, the meter shall be placed inside the building and a remote meter reading device must be installed on the outside of the meter pit in a readily accessible location, approved by the Authority.

D. Valves Required: A combination valve and meter coupling or flange is required before and after the water meter. All meters three inches (3") and larger must also include a valved bypass equivalent to the size of the service line. All valves shall be supplied by the customer and shall be in accordance with the Authority's specifications.

E. Authority to be Notified When Meter Not Working: The customer shall immediately notify the Authority of damage to the meter, as soon as it is known to the customer.

F. Registration Conclusive: A meter reading shall be deemed conclusive unless the meter is tested and is found to be inaccurate. No reduction shall be made for any water bill unless the water meter has been found to be inaccurate through proper testing.

G. Meter Testing:

1. All water meters are carefully tested by a third party independent before they are installed, and after their installation they are tested as frequently as circumstances warrant.

2. The Authority shall have the right to free access at all reasonable times to the Property in or on which a meter is installed for purposes of setting, reading, testing, inspecting or repairing.

3. In case of a disputed account involving the question as to the accuracy of a meter, such meter will be tested by a third party independent upon the written request of the customer.

4. A deposit will be required before the meter is tested payable by the customer, in advance, according to the Authority's fee schedule for testing meters.

5. Pursuant to State of Pennsylvania statute, the Authority is from time to time required to test, change and/or replace its meters and all customers, whether they are owners or tenants, are required to cooperate in the Authority's enforcement of this State statute.

6. Any leak in a service line that is the result of the Authority having to change a meter on said service line shall be immediately repaired to the satisfaction of the

Authority and the total cost of all such service line replacement or repair shall be the responsibility of the customer and not that of DMWA.

H. Adjustment of Charges:

1. In the event that the meter so tested is found to have an error in the registration in excess of four percent (4%), the cost of the test will be borne by the Authority, and the deposit will be refunded, and the bill rendered, based on the average of the last three readings of such meter or meters, shall be corrected accordingly. This correction shall apply both for over or under registration. Otherwise the deposit will be retained by the Authority to cover the cost of the test.

2. The Authority or its agent reserves the right to remove and test any meter at any time, and if such meter is found to be inaccurate, to substitute another meter of the same size, in its place, either permanently or temporarily. The quantity of water consumed for the billing period when the meter was out of service or registering inaccurately shall be estimated by the average registration of the meter on three (3) previous corresponding billing periods.

I. Meter Replacement:

Meters shall be protected properly by the customer from freezing, flooding, vandalism or other damage. In case of such damage, the replacement cost of the meter shall be the responsibility of the customer. The Authority shall not charge for replacing a meter where such replacement occurs solely through a request by a customer, unless the meter has been in use less than two years, in which case a charge, which shall not exceed the cost of making the replacement, shall be made. No charge shall be made for replacing a meter for test purposes, or for replacing a meter necessitated by a change in service characteristics which conform to the provisions of these Regulations, or for replacing a defective meter, unless the defect is due to the negligence of the customer in which case a charge which shall not exceed the cost of making the replacement may be made.

408. PUBLIC FIRE SERVICE

A. Hydrant Location

1. The Authority and appropriate Fire Enforcement Official with the municipality that the applicant's project is within shall determine the number and location of public fire hydrants along existing water mains or water mains that are to be extended.

2. The Authority shall approve the location of public fire hydrants along existing water mains if the size of the existing street main and surrounding distribution system and the available pressure at the proposed location, as determined by the Authority, are sufficient to provide proper service at the fire hydrant. The cost of the installation of a public fire hydrant shall be borne by the applicant. A written request for installation of a public fire hydrant along an existing main is required.

3. An applicant who intends to extend water mains shall size the mains to accommodate estimated peak flows plus fire service flows. Public fire hydrants required along mains to be extended shall be installed by the applicant at the expense of the applicant as part of the water main extension.

B. Allowable Uses

Any legitimate fire company is authorized at all times to take water from any public fire hydrant for the purposes of fighting fires. The taking of water for conducting practice sessions, refilling pumpers or other legitimate uses related to fire prevention or protection shall also be allowed upon notice to the Authority. No public fire hydrant shall be used by any person for the purposes of sprinkling streets, flushing sewers or gutters, filling swimming pools, use during construction or for any other purpose other than as specifically authorized above, except with the written approval of the Authority.

C. Change of Location

Whenever any person requests a change in the location of any public fire hydrant, and the Authority determines that sufficient service may be provided, the change may be made in the discretion of the Authority, and if made, shall be at the expense of the requesting party.

409. PRIVATE FIRE SERVICE

A. Hydrants

1. The Authority may approve the number and location of private fire hydrants if the size of the existing street main and surrounding distribution system and the available pressure at the proposed location, as determined by the Authority, are sufficient to provide proper service.

2. The cost of the installation of a private fire hydrant, as well as the cost of any water main extension necessary to accommodate estimated peak flows plus fire service flows, shall be borne by the applicant.

3. No private fire hydrant shall be used by any person for the purposes of sprinkling streets, flushing sewers or gutters, filling swimming pools, use during construction or for any other purpose, except with the written approval of the Authority.

4. Whenever the owner shall request a change in the location of any private fire hydrant, and the Authority determines that sufficient service may be provided, the change may be made in the discretion of the Authority, and if made, shall be at the expense of the requesting party.

B. Automatic Fire Service Devices

Automatic sprinklers or other automatic fire service devices located inside a building must be approved by the municipality in which the building is located.

C. In General

1. The Authority shall have the right to require a fire line/compound type meter for installation in the private fire line, if deemed necessary. Waiver of the requirement for installation of a meter at the time the connection is/was made shall not prohibit the Authority from requiring a meter installation at a future date, if such installation is warranted in the opinion of the Authority. Any meter required will be supplied and installed by the Authority with the cost for the meter, together with labor and materials for installation, to be borne by the Owner or applicant.

2. Where a private fire connection is approved by the Authority, no other connection of any kind for any use, shall be made to the fire connection line.

3. Existing private fire hydrants not metered as aforementioned shall, upon notification by the Authority, install Authority-approved fire meters and meter pits in accordance with these regulations and shall pay all costs, etc.

4. Consumption charges, in the event of fire, shall be billed in accordance with the rates for water consumption. The charge for private fire protection service is billed at the current rate per 1,000 gallons in accordance with the schedule of rates then in effect. Fire system testing must be approved by the Authority prior to testing.

5. All private hydrants, automatic sprinklers or other automatic fire service devices shall be maintained by the owner or occupant of the building which is served by the private hydrant or devices.

6. Each private hydrant, service and use shall be subject to the charges shown in the fees and charges.

7. The Authority reserves the right to deny an application for any private fire service when, in the judgment of the Authority, such service cannot be adequately provided.

410. WATER USE FOR CONSTRUCTION PURPOSES

A customer requiring water for construction purposes for property which is not already supplied by a metered water connection must make application for construction water. A meter shall be installed in accordance with these regulations and the applicant shall be responsible for all tapping fees, installation and administrative costs and for metered water consumption. A separate application and fee shall be paid for each separate unit under construction. Construction

water shall not be used for watering lawns, flushing the sewer lines, washing streets, sidewalks or driveways, or any other use which is not directly related to construction.

411. RESTRICTION OF WATER USAGE

A. The Authority shall have the right to reserve a sufficient supply of water at all times in storage, or to provide for fire and other emergencies, and may restrict or regulate the quantity of water used by a customer in case of scarcity or emergency or whenever the public welfare or order of any local, county, State or Federal agency may so require.

B. In the event of a declaration by the Authority of an emergency situation with respect to the availability of potable water, the Authority shall have the right to require any customer to cease and desist using water. In the event that any customer violates the provisions of this rule, the water service to that customer may be discontinued by the Authority for the duration of the emergency.

C. The Authority may, by resolution, adopt water use restrictions preventing or limiting the use of water from its system for non-essential purposes.

412. ILLEGAL USE OF WATER

A. No person shall purchase water from the Authority and resell the same. The Authority may, at its discretion, sell water to other public water systems.

B. If any person shall make any unauthorized connection to, or extension of, any water service supplied from the Authority's water system, whether or not the water supplied by such water service is being registered on a water meter, the Authority shall immediately discontinue water service to such unauthorized connection or extension. In addition, the Authority shall be entitled to recover from the customer responsible for the unauthorized connection: (1) the cost of any administrative, engineering and legal charges associated with the investigation, location and disconnection of such unauthorized connection; (2) the appropriate shut-off charge and turn-on charge, as specified in Section V of these Rules and Regulations for the resumption of water service associated with the disconnection of such unauthorized connection and the reconnection of same to the approved water facilities of the Authority; and (3) the appropriate charges in accordance with Section V of these Rules and Regulations for the estimated amount of water illegally taken from the Authority as a result of such unauthorized connection. With respect to Item (3), the Authority in its sole discretion shall determine the estimated amount of water to be billed and may consider the unauthorized connection as a separate customer for billing purposes. Finally, the Authority shall have the right to discontinue all water service to the customer responsible for such unauthorized connection in accordance with Section IV of these Rules and Regulations, after recovering the charges enumerated above.

In the event of any dispute between the Authority and one or more customer for any such unauthorized connection or extension, the burden of proof shall be upon the customer or customers being served by such unauthorized connection or extension.

413. GENERAL REGULATIONS

A. Complaints: Complaints with respect to the nature of the service furnished, including bill disputes, must be made to the Authority's office in writing. A record of such complaint will be kept by the Authority, noting the name and address of the complainant, the date, the nature of the complaint, and the response of the Authority.

B. Reasonable Access: The Authority shall have the right of reasonable access to customer's premises, and to all property furnished by the Authority, at all reasonable times, for the purpose of inspection of customer's premises incident to the rendering of service, reading meters, or inspecting, testing, or repairing its facilities used in connection with supplying the service or for the removal of its property. The customer shall obtain, or cause to be obtained, all permits needed by the Authority for access to the Authority's facility. In the case of defective service, the customer shall not interfere or tamper with the apparatus belonging to the Authority but shall immediately notify the Authority to have the defects remedied.

C. No Oral Agreements: No agent or employee of the Authority has authorization to bind it by any promise, agreement or representation not provided for in these rules. Any promise, agreement or representation which is binding upon the Authority can only be made by the Authority Board by majority vote at an open public meeting.

D. No Cross-connections: No water will be furnished to any premises where any possibility exists of the mingling of the water furnished by the Authority with water from any other source. No customer shall connect the Authority's mains or service lines to any piping, tank, swimming pool, vat or other apparatus containing liquids, chemicals, or any other matter which may flow back into the Authority's mains or service lines.

No Physical cross connection shall be made between the Water System and any private water system, except such system which is under the jurisdiction of the State Department of Environmental Protection and the connection shall be approved by the Authority.

No connection to fire service lines or internal sprinkler system.

E. Private Water Supply: No person obtaining water from a private water supply, under any circumstances, shall construct or maintain, or cause or permit to be constructed or maintained, any connection, directly or indirectly, between such private water supply and the Water System being operated by the Authority.

F. Amendment to Rules and Regulations: The Authority reserves the right, without having to give prior notice to any party, to change or amend, from time to time, these Rules and Regulations and its Standard Specifications.

414. ENFORCEMENT

A. Proper officers of the Authority are authorized and directed to do all things and to take all legal action necessary, including the filing of municipal claims in accordance with law,

to enforce collection of water rates and other charges established and imposed hereby and otherwise to carry out provisions hereof.

B. The Authority shall not permit violations that affect the water system and the rules and regulations of Pennsylvania Department of Environmental Protection, Delaware River Basin Commission and the United States Environmental Protection Agency. Any violation will be cause for notification to the appropriate agency.

415. EFFECTIVE DATE AND APPLICABILITY

A. This Resolution shall become effective immediately upon adoption.

B. All such rules and regulations shall be construed in conjunction with provisions hereof and shall become effective upon the date fixed by the Authority upon adoption thereof.

416. CONSTRUCTION, SEVERABILITY AND PRECEDENTS

A. In the event any provision, section, sentence, clause or part of this Resolution shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Resolution, it being the intent of the Authority that such remainder shall be and shall remain in full force and effect.

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

417. REPEALER

All Resolutions or part of Resolutions expressly inconsistent herewith expressly are repealed.

SECTION V. FEES AND CHARGES

501. RATES PER CURRENT AUTHORITY RESOLUTION

Rates/Charges/Fees shown herein may not be current. The Authority, by State statute, has the right to change such rates from time to time as they see fit. Please see the Authority for the latest Schedule of Rates and Charges.

A. Minimum Charge: All customers and consumers who are metered will pay a minimum charge for water which will be governed by the meter size and contain a minimum allowance for water as follows:

Meter Size (inches)	Per Quarter Minimum	
	Charge	Allowance (gallons)
5/8	\$44.00	5,000
3/4	\$132.00	15,000
1	\$193.60	22,000
1-1/2	\$404.80	46,000
2	\$844.80	96,000
3	\$2,200.00	250,000
4	\$4,224.00	480,000
6	\$9,504.00	1,080,000
8	\$9,504.00	1,080,000
10	Nothing Set	
12	Nothing Set	

B. Metered Rates: In addition to all minimum quarterly charges, all customers shall pay for metered water at \$6.50 per 1,000 gallons or part thereof.

C. Shut-off Charge: The fee for shut-off of service at the curb stop shall be \$45.00 during normal working hours and \$50.00 at all other times.

D. Turn on Charge: The fee to turn water service on at the curb stop shall be \$45.00 during normal working hours and \$50.00 at all other times.

E. Charge for Certification of Final Bill: The fee for Certification of Final Bill shall be \$20.00.

F. Meter Testing: The fee schedule for testing of meters shall be as follows:

1 inch or less	Actual cost plus 10% administration
1-1/2 – 2 inch	Actual cost plus 10% administration
3 inch	Actual cost plus 10% administration
4 inch	Actual cost plus 10% administration
6 inch	Actual cost plus 10% administration
8 inch and larger	Actual cost plus 10% administration

502. BILLING

A. General

1. All bills for service furnished by the Authority will be based on the Authority’s rate schedule and/or other fees as outlined in the Authority’s Rules and Regulations.

2. Meter reading will be made on a regular basis and bills for service will be rendered as soon as practicable after reading of the respective meters..

3. In case of excessive meter registration, no adjustments will be made of bills prior to the billing period in which complaint was made or of bills of a previous customer or consumer, whether tenant or owner.

B. Locations for Payment

Payments may be made in person during normal business hours or by mail at the locations specified on the invoice for services provided.

C. Accuracy of Bills

Billing When Meter Fails to Register. Should a meter fail to register, or the Authority or its Agent were unable to read the meter, for any part of a quarter, the consumption for the quarter shall be estimated on the basis of the consumption of the previous three (3) full quarters, and a bill rendered for the average amount so obtained.

D. Failure to Receive Bill: Bills or notices, relating to the Authority or its business, shall be mailed to the applicant’s last address as shown by the books of the Authority and the Authority or its Agent shall not be otherwise responsible for delivery. The Authority shall or its agent shall give or mail all such bills and notices to the address given on the application, until a change, in writing, has been filed with the Authority or its Agent by the applicant. Failure to receive a bill for water service shall not be considered an excuse for nonpayment, nor shall such failure result in an extension of the period of time during which such bill shall be payable without penalty. The presentation of a bill to the customer is only a matter of accommodation and not a waiver of this rule.

E. Certification of Final Bill. Requests for Certification of Final Bill must be made in writing by the customer and will be issued for a fee in accordance with the Authority's fee schedule.

503. TAPPING FEES AND METER CHARGES

A. In General

Tapping fees, calculated by the Authority in accordance with PACS Title 53 Chapter 56 Section 5607(d)(24) are payable for any property which connects to the Authority's water system or where the size or use or occupancy of an already connected facility is being changed. Said fee is payable in accordance with the Tapping Fee in effect at the time the connection to the Authority's system is made or in the case of an existing connected facility at such time as the Authority approves of the new size, use and occupancy of the facility. The tapping fee shall be payable, in full, at such time as the application for water service that has been filed with the Authority is approved by the Authority and/or its Consulting Engineer. The meter fee shall be paid concurrently or subsequent to payment of the tapping fee. Payment of the meter fee shall entitle the applicant to receipt of a meter from the Authority. The cost of the Property connection is the responsibility of the Property Owner. All properties must have metering in place prior to occupation.

B. Schedule of Tapping Fees

Authority's current tapping fee is \$2,740 per domestic dwelling unit (EDU) and is subject to change from time to time as allowed by statute.

1. Multiple Use, Multiple Residence Properties

In situations involving persons or consumers seeking to connect parcels of real estate to the Water System on which are situate, or on which are to be constructed, multiple Equivalent Dwelling Units as defined, a separate tapping fee for each individual unit shall be payable. The individual unit tapping fees will be calculated based on the number of Equivalent Dwelling Units assignable to each unit as calculated from the size and probable use and occupancy of the unit. In instances involving subdivision or development of land, such tapping fees shall be paid before the initiation of construction of water supply facilities in such subdivision or land development. In addition, separate meter charges shall be due for the actual number of meters to be put in service.