

**MUNICIPAL AUTHORITY  
OF THE  
BOROUGH OF SOMERSET**

**SOMERSET COUNTY, PA**

**WATER, WASTEWATER, and STORMWATER  
RULES AND REGULATIONS**

**January 2025**  
**VERSION 0**

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# DEFINITIONS AND ABBREVIATIONS

## ARTICLE 1. DEFINITIONS

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

### SECTION 1.1 GENERAL

- a. Authority: shall mean the Municipal Authority of the Borough of Somerset, Somerset County, Pennsylvania.
- b. Authority Service Area – the geographic area served directly or indirectly by the Authority.
- c. Borough: shall mean the Borough of Somerset, Somerset County, Pennsylvania.
- d. Customer – shall mean the owner or tenant with existing or contracting for water and/or sewage service. Customer shall also mean the bulk water purchaser or interconnecting water purchaser.
- e. Developer: persons who have, propose to, or are currently constructing facilities and infrastructure.
- f. Inspector – shall mean the designated representative appointed by the Manager for purposes of making various types of inspections.
- g. Manager: hereunder shall mean the Manager of the Borough of Somerset (the Borough being the Manager under the Management Agreement, dated as of December 15, 1984, between the Authority, as Owner, and the Borough, as Manager thereunder, and herein defined as the Management Agreement) who, with their duly authorized agents or representatives, shall administer these Rules and Regulations.
- h. Owner – shall mean the owner of any real property or building within the Borough of Somerset or Authority service area.
- i. Person: shall include natural persons, partnerships, associations and corporations, public or private.
- j. Rate Schedule – the entire body of effective rates, rentals, charges, and regulations, as published by the Authority, which are made a part of the Rules and Regulations governing water and wastewater service.
- k. Tenant: shall mean any person other than the owner occupying the premises, building, property with water or wastewater service.

- l. Terms:
  - a. “Shall”: is mandatory.
  - b. “May”: is permissive.

## SECTION 1.2 WATER

- a. Authority Service Line: piping, valves, and appurtenances provided for the purpose of conveying potable water from the Authority’s main to a premise. The service line shall begin at the main and extend to the curb stop. The service line shall be owned and maintained by the Authority.
- b. Customer Service Line: piping, valves, and appurtenances provided for the purpose of conveying potable water from the Authority’s main to a premise. The customer service line shall begin at the curb stop and extend to a point inside the walls of the premise or Authority approved termination point. The customer service line shall be owned and maintained by the customer.
- c. Curb Stop: a valve installed at the end of the service line and beginning of the customer service line. The curb stop shall be accessible through an Authority approved curb box which extends to the surface and has a protective lid.
- d. Premises: the parcel, property, building, townhouse, condo, mobile home, vacant property which is served individually by one (1) water service connection and one (1) water meter.
  - i. A building under one (1) roof, owned or leased by one (1) person and occupied as one (1) residence or business.
  - ii. The one (1) side of a double house, each side having a separate meter.
  - iii. Each side or part of a building occupied by more than one (1) family or business, each side or part being separately metered.
  - iv. One (1) developed or vacant, parcel or property.
  - v. A mobile home park.
  - vi. The Authority reserves the right to require an individual service and meter for any customer of the system. The Authority also reserves the right to permit connection of multiple customers, owners, premises, etc. through one (1) service and meter. The Authority shall approve all deviations from the Rules and Regulations on a case-by-case basis.
- e. Water Mains: distribution and transmission pipeline used to convey potable water, located within public and Authority right-of-way, and are owned and operated by the Authority.

## SECTION 1.3 WASTEWATER

- a. 100-year Flood Plain: shall mean the area inundated by a flood event caused by a storm which has a 1% probability of occurring in any given year, as defined by the Federal Emergency Management Agency (FEMA).

- b. Abnormal Industrial Waste: shall mean any industrial waste having a suspended solid content or B.O.D. appreciably in excess of that normally found in municipal sewage. For the purposes of these regulations any industrial waste containing more than 350 milligrams per liter of suspended solids or having a B.O.D. in excess of 300 milligrams per liter, shall be considered an abnormal industrial waste regardless of whether or not it contains other substances in concentrations differing appreciably from those normally found in municipal sewage.
- c. ACT or "the Act": shall mean the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et. seq.
- d. Authority Service Lateral: the sewer piping beginning at the viewport or property line and extending to the public sanitary sewage system.
- e. B.O.D. of Sewage or Industrial Waste: shall designate its "Biochemical Oxygen Demand" and shall mean the quantity of oxygen utilized in the biochemical oxidation of the organic matter in said sewage or industrial waste under standard laboratory procedure in 5 days at 20 Degrees Centigrade (under aerobic conditions), expressed in milligrams per liter by weight. It shall be determined by one of the acceptable methods described in the latest edition of "Standard Methods for the Examination of Water and Wastewater," cited above.
- f. Building Drain: shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.
- g. Combined Sewer: shall mean a sewer designed to receive both sewage and storm water runoff which has been approved for such purpose.
- h. Customer Sewer Lateral: shall mean the private sewer piping beginning at the building drain and ending at the sewer viewport or property line.
- i. Equivalent Dwelling Unit (EDU) – The amount of wastewater discharged to the public sanitary sewage system that is equivalent to the amount of wastewater produced by a single-family residence, both in strength and volume, during a one-year period. The number of gallons per day equal to one EDU is listed in the rate schedule.
- j. Extraneous Water: shall mean any source of water which is not considered sanitary sewage or industrial waste.
- k. Food Waste: shall mean solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.
- l. Garbage: shall mean organic and non-organic materials and wastes which do not classify as food waste.
- m. Industrial Wastes: shall mean any liquid, gaseous or water borne wastes from industrial processes or commercial establishments, as distinct from sanitary sewage.



- n. Lateral Testing or Pressure Test: shall mean a method to determine air or water tightness of a customer sewer lateral.
- o. Natural Outlet: shall mean any outlet into a water course, pond, ditch, lake, or other body of surface or ground water.
- p. Occupied Building: shall mean any structure erected and intended for continuous or periodic habitation, occupancy or use by human beings or animals, and from which structure sanitary sewage and industrial wastes, or either thereof, is or may be discharged.
- q. pH: shall mean the reciprocal of the logarithm to the base 10 of the hydrogen ion concentration expressed in grams per liter. It shall be determined by one of the acceptable methods described in the latest edition of “Standard Methods for the Examination of Water and Wastewater” published jointly by the American Public health Association, the American Water Works Association, and the Water Pollution Control Federation.
- r. Public Sanitary Sewage System: (also called the “Sewer System” and the “Public Owned Treatment Works” and the “POTW”) shall mean all sanitary sewers, pumping stations, force mains, sewage treatment works, and all other sewerage facilities owned and operated by the Authority and/or Borough and/or other Authorities or Municipalities and/or other parties in applicable cases governed by agreements, for the collection, transportation and treatment of sanitary sewage and industrial wastes, together with their appurtenances, and any additions, extensions or improvements thereto. It shall also include sewers within the Authority’s service area which serve one or more persons and discharge into the public sanitary sewerage system even through those sewers may not have been constructed by the Authority and/or the Borough and/or other Municipalities and/or other Authorities, in applicable cases governed by an agreement, and are not owned or maintained by the Authority. It does not include separate storm sewers or culverts which have been constructed for the sole purpose of carrying storm and surface runoff, the discharge from which is not and does not become tributary to the sewage treatment facilities.
- s. Premises Accessible to the Public Sanitary Sewage System: shall mean any real estate abutting on or adjoining or having access to any street, alley or right-of-way in which a sewer is located which ultimately connects to the public sanitary sewage system.
- t. Private Sewage Disposal System: shall mean any sewage disposal system within the Borough of Somerset which is not owned by either the Authority or the Borough.
- u. Sanitary Sewage: shall mean the normal water-carried household and toilet wastes from residences, business buildings, institutions, industrial and commercial establishments, exclusive of storm water runoff, surface water or ground water.
- v. Sanitary Sewer: shall mean a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

- w. Sewage and Wastewater: shall mean a combination of water-carried wastes from residences, business buildings, institutions, and industrial and commercial establishments, together with such ground, surface or storm water as may be present.
- x. Sewage Enforcement Officer: shall mean the designated representative appointed by the Authority or Borough to regulate private sewage disposal systems.
- y. Sewer: shall mean a pipe or conduit for carrying sewage.
- z. Slug: shall mean any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quality of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.
- aa. Storm Sewer: shall mean a sewer which is intended to carry storm water runoff, surface waters, groundwater drainage, etc., but which is not intended to carry any sanitary sewage or polluted industrial waste.
- bb. Storm Water Runoff: shall mean that portion of the rainfall which reaches a channel, trench or sewer.
- cc. Suspended Solids: shall mean solids that either float on the surface or are in suspension in water, sewage, industrial waste or other liquids, and which are removable by laboratory filtration. The quantity of suspended solids shall be determined by one of the acceptable methods described in the latest edition of "Standard Methods for the Examination of Water and Wastewater," cited above.
- dd. Toxic Pollutant: shall mean any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under the provision of GWA 307(a) or other Acts.
- ee. Unpolluted Water or Waste: shall mean any water or waste containing none of the following: free or emulsified grease or oil; pH less than 5.0 or greater than 8.5; phenols or other substances imparting taste and odor to receiving waters; toxic or poisonous substances in suspension, colloidal state or solution; obnoxious or odorous gases. It shall contain no more than 1,000 milligrams per liter by weight of dissolved solids of which not more than 250 milligrams per liter shall be as chloride and not more than 10 milligrams per liter each of suspended solids and B.O.D. The color shall not exceed 50 color units. Analyses for any of the above-mentioned substances shall be made in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," cited above.
- ff. Water Company: any publicly or privately owned duly authorized agency, corporation or organization, including the Authority in this capacity, which is the approved purveyor of the public water supply within the limits of the Authority's service area.
- gg. Watercourse or waterway: a channel or conveyance of surface water having defined bed and banks, whether natural or artificial, with continuous, perennial, or intermittent flow.

## SECTION 1.4 STORMWATER

- a. Applicable Stormwater Related Definitions – definitions provide in the Borough of Somerset Stormwater Management Ordinance shall be made part of these Rules & Regulations and are incorporated by reference.
- b. Authority Stormwater System – all stormwater facilities located within or on public roadway easement and not located on a specific property or stormwater facilities constructed by the Authority or Borough of Somerset on, through, or across a property and remains the responsibility of the Authority or Borough of Somerset and enumerated by specific recorded easement describing said facility.
- c. Equivalent Residential Unit (ERU) – The amount of impervious area contained on a single parcel that is occupied by single family residential home located within the Borough of Somerset, Somerset County, PA. The value of impervious area for a single ERU is listed in the rate schedule.
- d. Inlet – a structure or facility that provides a connection to the underground stormwater system.
- e. National Pollutant Discharge Elimination System (NPDES) - The federal government's and Commonwealth of Pennsylvania's system for issuance of discharge permits under the federal Clean Water Act ("CWA"), the Pennsylvania Clean Streams Law and Storm Water Management Act. The Pennsylvania Department of Environmental Protection ("PADEP") has been delegated the responsibility to implement the federal CWA NPDES program in Pennsylvania.
- f. Operation and Maintenance – the associated costs of equipment and facilities, energy, manpower, materials, transportation, and services required to collect, convey, detain, retain, pump and transport stormwater, keep equipment, infrastructure, and facilities functioning satisfactorily and economically, administer the Stormwater Management Program and shall include sums paid to defray costs of the Authority's improvements and Replacement to the Stormwater Management System.
- g. Outlet/Outfall – a point where the stormwater system daylight to the surface and discharges stormwater to ground, a waterbody, or a waterway.
- h. Owner - any person, firm, corporation, individual, partnership, trust, company, association, government agency, society or group owning real Property.
- i. Property – the individual and specific lot, tract, parcel, or division of land identified by a single Map Number assigned by the Somerset County Recorder of Deeds office.
- j. Stormwater – surface water resulting from precipitation events (snow, rain, hail, etc.).

- k. Stormwater System - The public system of collection and conveyance, including underground manholes, conduits, culverts, and pipes; inlets, catch basins, gutters, ditches, outfalls, flood control structures, stormwater best management practices, channels, retention or detention ponds, public streets, curbs, drains and all devices, appliances, appurtenances and facilities appurtenant thereto used for collecting, pumping, conveying, retaining, detaining, discharging and/or treating stormwater.
- l. Stormwater Management Ordinance – the prevailing Stormwater Management Ordinance adopted by the Borough of Somerset or another municipality in which a stormwater customer resides. The stormwater management ordinance where the stormwater customer resides shall apply.
- m. User – any person, firm, corporation, individual, partnership, company, association, government agency, society or group using, benefiting from or being served by the Authority Stormwater System.
- n. User or Rate Fee - costs assessed, imposed and to be collected from each Property by discrete Map Number which uses, benefits from, or is serviced by the Authority Stormwater System or Program, or discharges stormwater, directly or indirectly, into the boundary of the Authority Stormwater System, for the use of such system and the service rendered by, and improvement of, such system.

## ARTICLE 2. ABBREVIATIONS

DEP: Pennsylvania Department of Environmental Protection

EPA: Environmental Protection Agency

NPDES: National Pollutant Discharge Elimination System

POTW: Publicly Owned Treatment Works

IU: Industrial User

SIU: Significant Industrial User

CIU: Categorical Industrial User

EDU: Equivalent Dwelling Unit

FOG: Fats, oils, and grease

LF: Liner Feet

lb: Pound

g: Gram

mg: Milligram

L: Liter

Gal: Gallon

GPD: Gallon Per Day

gpm: Gallon Per Minute

MGD: Million Gallon Per Day

PVC: Polyvinyl Chloride

DIP: Ductile Iron Pipe

CFR: Code of Federal Regulations

COD: Chemical Oxygen Demand

BOD: Biochemical Oxygen Demand

TSS: Total Suspended Solids

SWDA: Solid Waste Disposal Act, 42 U.S.C. 6901, et. Seq.

## APPLICABILITY AND ADMINISTRATION

### ARTICLE 3. APPLICABILITY OF REGULATIONS

#### SECTION 3.1 GENERAL

These Rules and Regulations are a part of the contract with every person, firm or corporation who takes water or discharges sewage and, by taking water or discharging sewage, agrees to be bound thereby.

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 shall forthwith, without notice become and thereafter by a part of every such application, contract, agreement or license for water, wastewater and stormwater service in effect at the time of such alteration, amendment and/or adoption.

The Authority shall own the facilities related to the water, wastewater, and stormwater systems. The Authority has authorized the Borough by agreement to operate and maintain these facilities.

#### SECTION 3.2 SPECIAL CONDITIONS

For all purposes not named in these rules and regulations and for all special or peculiar circumstances, special assessments or contracts, the decision of the Authority, Borough, Manager, and its authorized representatives shall be final and conclusive.

#### SECTION 3.3 POLICIES & PRACTICES

The policies and practices of the Authority may modify these rules and regulations from time to time in the interest of the Authority and at its discretion, for the purpose of adhering to local, state, and federal regulations; meeting standard construction practices, and following technical standards (e.g. American Waterworks Association (AWWA) and International Building Code).

#### SECTION 3.4 DEVELOPMENT, ZONING, AND SUBDIVISION

- 3.4.1. The Rules and Regulations pertaining to Stormwater described herein are limited to matters of authority, operation, maintenance, use, prohibitions, billing, collection of fees, policies, and penalties.
- 3.4.2. These matters relate to the stormwater collection and conveyance systems located within the Borough of Somerset or which contribute stormwater to the Borough of Somerset's stormwater system.
- 3.4.3. These Rules & Regulations serve to define and regulate the private use of the publicly owned stormwater system. The amount of use is directly related to the nature of the

property located in the Borough or located tributary to the Borough and its association to the stormwater system.

- 3.4.4. These Rules and Regulations are intended to complement Stormwater Management, Zoning, and Subdivision Ordinances currently in place and as amended. These Rules and Regulations do not serve to regulate development, zoning or subdivision. These Rules and Regulations exclusively relate to the volume, rate, location, and connectivity of private property to the public stormwater system; after application of prevailing development, zoning or subdivision ordinances.

## ARTICLE 4. ADMINISTRATION

### SECTION 4.1 MANAGEMENT

The Borough shall have exclusive charge and management of the water, wastewater, and stormwater systems and shall elect or appoint such officers as shall be deemed necessary for the operation and protection thereof.

### SECTION 4.2 MANAGER

The Manager and their representatives have full charge of the water, wastewater, and stormwater systems, buildings and all appurtenances. The Manager shall have full charge of all employees and work pertaining to said systems. It shall be the duty of the Manager to see that the ordinances, rules and regulations governing the water, wastewater, and stormwater systems, that now or may hereafter be adopted, be properly executed; that the conditions of all contracts by or with the Authority and Borough pertaining to said systems are faithfully complied with; to see that the assessment of water, wastewater, and stormwater rents are made and collected according to the schedule of rates made from time to time and to pay over said collections to the Borough Treasurer forthwith; to employ such regular and temporary labor or assistance and at such rates or wages as may be necessary to operate the systems successfully as authorized and approved by Borough. The Manager shall have general supervision over all operations and interests of the water, wastewater, and stormwater systems and shall report to the Borough at least once a month as to the condition of the entire water, wastewater, and stormwater systems and shall make an annual report of said systems and perform such other duties as the Borough may prescribe or direct.

### SECTION 4.3 POWER OF INSPECTIONS

- 4.3.1. The Manager and other duly authorized representatives of the Authority shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of these Rules and Regulations.
- 4.3.2. The Manager and other duly authorized representatives of the Authority shall be permitted to enter all private properties within the Authority's service area through which the Authority holds an easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the water, wastewater, or stormwater systems lying within said easement.
- 4.3.3. The Authority shall have the right to inspect private water, wastewater, and stormwater connected to the Authority's system to ensure compliance with these Rules and Regulations.

# WATER SYSTEM RULES & REGULATIONS

## ARTICLE 5. APPLICATION FOR SERVICE

### SECTION 5.1 APPLICATION FOR WATER SERVICE

- 5.1.1. Any property owner desiring the introduction of a water service line or lines from the Authority main into a property or premise must first make a written application on the form prescribed by the Authority, at least two (2) weeks before service is desired.
- 5.1.2. The application must state the street and lot number or location, the name of the owner, the purpose for which service will be used and the guaranty that such service will continue for at least one (1) year.
- 5.1.3. The application shall be submitted to the Authority with all appropriate fees as defined in the rate schedule. All appropriate fees are due upon submission of the application. Failure to provide the appropriate fees may result in delays related to application review and water service connection.
- 5.1.4. The application must be signed by the owner of the property, which application shall, together with the rules and regulations of the Authority, regulate and control the service of water to such premises.
- 5.1.5. The application for water service shall be a binding contract on both the Authority and Customer upon approval by the Authority. Established rates for water service shall accrue from the date the water supply has been connected to the main and water is available to the premises, with respect to the work and responsibilities of the Authority.
- 5.1.6. Upon approval of the application of any property owner for a supply of water and the payment of charges hereinafter set forth, the Manager or their representatives will tap the water main, carry service pipe to curb and install curb stop and service box.
- 5.1.7. The Authority will be responsible for the maintenance and repair of the service line between the main and curb stop.
- 5.1.8. Request for service from any applicant will not be granted until all arrearages and charges due at any premises now or heretofore occupied by him shall have been paid or satisfactory arrangements made in regard thereto.

### SECTION 5.2 APPLICATION FOR WATER SERVICE BY TENANT

- 5.2.1. The Authority will accept written requests for water service from tenants on a form supplied by the Authority. It is also understood that the owner of each property is responsible for the payment of all bills charged to his tenants and is responsible if the tenant neglects or refuses to make payment of any water bill within the time prescribed.

### SECTION 5.3 CHANGES IN THE CONTRACT REQUIRING APPLICATION SUBMISSION

- 5.3.1. Customers shall be required to submit a service application to the Authority for an existing service connection if the Customer modifies any of the following:
  - a. Tenant change
  - b. Owner change
  - c. Development resulting in a planned increase in water use.
  - d. Change in pipe, valve, and appurtenance size.

## SECTION 5.4 CONDITION OF PLUMBING SYSTEM

- 5.4.1. The Customer agrees that by signing the application and submitting it the Authority that the existing plumbing or plumbing to be constructed is in satisfactory condition. Therefore, the Authority shall 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 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 any piping or fixtures are not suitable for a water service connection, the customer shall render them suitable. Failing to do so will result in suspension of service or delays in connections to the water system of the Customers facilities to the public water supply system.

## ARTICLE 6. SERVICE CONNECTIONS

### SECTION 6.1 AUTHORITY SERVICE LINE

- 6.1.1. Authority services lines, as previously defined, shall be installed by the Authority for the purpose of furnishing water supply to the customer's premise.
- 6.1.2. The service line shall be installed for each premise by the Authority with water main tap, corporation stop, piping, curb stop, and curb box.
- 6.1.3. Large diameter service lines shall include appropriately sized water main taps, piping, fittings, valves, and valves boxes. Large diameter service lines shall begin at the water main tap and end at the valve placed at the curb, property line, or other Authority approved location.
- 6.1.4. The customer shall not be permitted to operate the curb stop or valve at any time.
- 6.1.5. The Authority shall install the service line and extend the service to the front property line. The Authority reserves the right to approve service line connections at locations other than the front of the premises when such is in the best interests of the Authority.
- 6.1.6. All service line connections must be made to main lines which abut the property for which service is requested unless agreed to by the Authority.
- 6.1.7. The Authority shall own and maintain the service line.
- 6.1.8. Each premise shall be connected individually by one (1) service line unless approved by the Authority.

### SECTION 6.2 CUSTOMER SERVICE LINE

- 6.2.1. Customer service lines, as previously defined, shall be installed by the customer for the purpose of making full connection to the Authority's water system for the supply of water.
- 6.2.2. The customer service line shall be installed complete by the customer with all equipment, piping, and fixtures as defined and illustrated in the Construction Specifications and Details, made part of these Rules & Regulations.
- 6.2.3. The customer shall install, own and maintain the customer service line.



- 6.2.4. Whenever the Authority, Manager, or their representatives shall find any customer service line or any fixture upon the customers premises is broken or not in serviceable condition, the owner shall at once be notified of the fact and ordered to repair the same at once. Should the Authority, Manager, or its representatives, in its excavations for repairs to a leaking pipe, find that the leak is on a customer service line or private line, the customer shall be held responsible and shall be required to repair the leak(s). The Authority will provide written notice to the Customer to correct the leak within 10 days of notification.
- 6.2.5. Damages resulting from grounding to the any portion of the public water system shall be the responsibility of the Customer.

## ARTICLE 7. METERS

### SECTION 7.1 GENERAL

- 7.1.1. In all cases where water is supplied a water meter shall be required. The meter shall measure and quantify the volume of water supplied to the customer.
- 7.1.2. The meter shall be installed by the Authority and remain property of the Authority. The customer shall provide means and ensure the Authority has access to the meter for maintenance, reading, and replacement.
- 7.1.3. The Authority reserves the right in all cases to stipulate the location, size and type of the meter to be installed on each service line.
- 7.1.4. All meters are required to be protected from physical damage and freezing.
- 7.1.5. All customer connections shall be individually metered unless otherwise approved by the Authority.
- 7.1.6. The Authority will maintain all meters at its expense, except that the customer is liable and responsible for all damage to all meters while in service on their premises or in meter pits/vaults located elsewhere. In the event of damage to or impairment of the meter, the customer shall notify the Authority promptly. The Authority will furnish and set a replacement meter. The customer shall be responsible for all costs related to this meter replacement.
- 7.1.7. Multiple meters serving a single premise shall not be permitted unless approved by the Authority. The Authority may assess fees associated with the operation and maintenance of multiple meters. The fees will be described in the Water Rate Schedule.
- 7.1.8. Customers wishing to meter multiple connections at a single premise may do so at their own cost.

### SECTION 7.2 METER LOCATION

- 7.2.1. All customers shall be required to install an approved meter pit or vault provided with suitable cover and constructed in accordance with a plan furnished by the Authority, said meter pit or vault to be installed at the property line, curb line, or approved location and to be used for housing the meter required for the service of the premises. The Authority reserves the right to approve or disapprove of meter installation within a building in lieu of installation within a pit or vault.

- 7.2.2. If the installation of a meter pit or vault is not feasible the Authority shall permit the installation of a meter within a building at a convenient and accessible location. Adequate access and protection for meter accessories shall be provided in addition to the meter.
- 7.2.3. Existing meters located within an existing building are permitted to remain unless a material change in the service line occurs, the customer service line is completely replaced, or the premise is redeveloped. The customer may install a meter pit or vault at any other at their discretion upon Authority approval.
- 7.2.4. The Authority reserves the right to install a meter pit or vault on existing water service connections at the initial expense of the Authority. After installation and re-establishment of water service, the customer shall assume ownership and maintenance responsibilities.

### SECTION 7.3 METER TESTING

- 7.3.1. All meters furnished by the Authority are accurately tested by the manufacturer prior to shipment and installation by the Authority.
- 7.3.2. The Authority may replace meters at any time at their discretion.
- 7.3.3. The customer may request a meter test at any time for the purpose of verifying the accuracy of the meter. The customer shall be responsible for the meter test fee as defined in the Rate Schedule if the meter is found to be accurate in accordance with AWWA standard testing methods. If the meter is found to be inaccurate in accordance with the AWWA standard testing methods the customer will not be assessed the meter test fee and the Authority shall bear the cost.
- 7.3.4. Should the meter inaccuracy be characterized as over counting (over billing) then the Authority shall credit the account of the customer the over billed amount of the current bill.

### SECTION 7.4 METER READING AND REGISTRATION

- 7.4.1. All meters shall be read on a monthly or quarterly basis, at the option of the Authority, and the quantity recorded by the meter shall be conclusive on the part of the customer and the Authority, except when the meter has been found to register inaccurately or has ceased to register.
- 7.4.2. The Authority reserves the right to forego meter reading activities and estimate the reading for the current billing period or periods. The estimate shall be either the previous billing periods usage or an average of previous billing periods. If an average of previous billing periods is used, then the Authority shall only use usage of the same customer and shall not exceed 12 billing periods of usage in the average.
- 7.4.3. The registered and read value shall be taken to be the volume, measured in gallons, of total water passing through the meter. The previous reading will be subtracted from the current meter reading to determine the volume of water consumed during the applicable billing period.

- 7.4.4. The volume of water measured for the applicable billing period shall be multiplied by the consumption factor as described in the rate schedule and the resultant cost shall be the responsibility of the customer.
- 7.4.5. All water passing through the customers meter shall be charged at the prevailing rate described in the rate schedule, and no allowance will be made for excessive consumption due to leaks or waste.
- 7.4.6. Failure to receive a bill shall not exempt any customer from loss of discount or the accruing of a penalty as the case may be. The presentation of a bill to the customer is only a matter of accommodation and not a waiver of this rule.

## ARTICLE 8. WATER SUPPLIED BY CONSUMERS RESTRICTED

### SECTION 8.1 GENERAL

- 8.1.1. No owner or tenant of any property supplied with water by the Authority shall supply another consumer with water except by written permit from the Authority. Owners or tenants who violate this rule may have their water shut off after a notice of five (5) days and remain so until the Authority is satisfied that the rules and regulations will be observed.

## ARTICLE 9. PUBLIC FIRE SERVICE

### SECTION 9.1 GENERAL

- 9.1.1. The Authority may install and maintain fire hydrants within the water system for the purpose of supplying water for firefighting activities occurring in, along, and near the service area in the interest of the general public. The Authority does not guarantee the supply of water, pressure, flow, and volume through any fire hydrant.
- 9.1.2. Fire hydrants shall only be operated and used by duly authorized agents of the Authority and duly authorized fire company personnel.

### SECTION 9.2 REQUEST FOR FIRE HYDRANT

- 9.2.1. Municipalities within the Authority's service area may request installation of a fire hydrant. The municipality shall provide appropriate details related to the proposed location including affected properties, right-of-way, and topography.
- 9.2.2. The Authority shall review each fire hydrant request and shall only provide approval if sufficient water capacity is available to serve the hydrant. No request shall constitute a guarantee of approval and the Authority reserves the right to deny any request for fire hydrant installation.
- 9.2.3. The Municipality shall be responsible for the entire cost related to the installation of the fire hydrant. The Authority and Municipality shall enter into an agreement for each fire hydrant approved for installation. The Authority shall be responsible for the installation of the fire hydrant.

## ARTICLE 10. PRIVATE FIRE SERVICE

### SECTION 10.1 GENERAL

- 10.1.1. Customers shall submit a written application to the Authority for approval to provide private fire service on their premise. Private fire service shall be interior sprinkler system, exterior fire hydrants, or other approved facilities connected to and served by the Authority's system.
- 10.1.2. Customers must submit detailed plans of the proposed private fire system to the Authority for review. The Authority reserves the right to approve or deny any application for private fire service. The Authority's approval for the customer to provide private fire service on their premise does not constitute verification or commitment by the Authority that the customer's system will provide adequate protection and operation.
- 10.1.3. Customers shall provide separately metered and valved customer service lines for the sole purpose of fire protection. The customer shall be responsible for providing necessary improvements to ensure adequate supply of water and proper operation of their private fire service.
- 10.1.4. All costs related to private fire service shall be the responsibility of the customer.
- 10.1.5. Existing fire service is permitted to remain unless a material change in the service line occurs, the customer service line is completely replaced, or the premise is redeveloped. The customer shall at that time comply with the Rules and Regulations.

## ARTICLE 11. WATER LINE EXTENSIONS

### SECTION 11.1 GENERAL

- 11.1.1. Development within the sanitary water service area of the Authority which results in the required connection or elected connection the water sewer system shall be required to submit an application, along with the appropriate fees, to the Authority for service and follow these rules and regulations.
- 11.1.2. Developers, customers, authorities, or others seeking to extend the water system and transfer ownership of the extended portion to the Authority shall be required to submit an application along with the appropriate fees to the Authority. The Authority reserves the right to approve or disapprove of any transfer of ownership request.
- 11.1.3. All water line approved for transfer of ownership shall include a twenty foot (20') wide permanent easement, measured perpendicular to the constructed center of the water line ten feet (10') each way, which allows for the maintenance, repair, inspection, operation, and replacement of the water facilities. Facilities within public right-of-way shall not be required to furnish separate easement but shall obtain approval of the governing body of the right-of-way to install the facilities.
- 11.1.4. The Developer or customer shall submit all required items identified in the Developer's Checklist
- 11.1.5. The Authority reserves the right to approve, condition, or disapprove all water line extension applications.
- 11.1.6. Private fire service connections shall be assessed fees in accordance with the Rate Schedule.

## SECTION 11.2 AGREEMENT AND FINANCIAL GUARANTEE

- 11.2.1. The Authority and customer shall enter into an agreement which governs the conditions of the water line extension. The responsibility of costs related to the water line extension or improvement shall be enumerated and established in the agreement.
- 11.2.2. The customer shall provide a financial guarantee in an amount equal to one hundred ten percent (110%) of the estimated construction cost. The financial guarantee shall be provided in a form agreeable to the Authority.

## ARTICLE 12. CROSS CONNECTIONS AND BACKFLOW DEVICES

### SECTION 12.1 GENERAL

- 12.1.1. It is the purpose and intent of these rules and regulations to protect the community public water system of the Authority from the possibility of contamination or pollution by isolating within its customer's private water service systems, such contaminants or pollutants which could backflow into the Authority's water system. 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 the contamination or pollution of the Authority's water system.
- 12.1.2. The customer is responsible for back-siphoned material, contamination, and/or pollution through backflow. If contamination or pollution of the Authority's potable water supply system occurs through an illegal cross-connection and/or improperly installed, maintained, or repaired device, or a device that has been bypassed, the Customer shall be liable for all associated costs of clean-up required of the potable water supply system and any associated damages.

### SECTION 12.2 EQUIPMENT AND INSPECTIONS

- 12.2.1. All customers shall be required to install and maintain satisfactory backflow prevention devices as so approved by the Authority.
- 12.2.2. Customers shall be required to test backflow devices as stated in the Authority's Policies.
- 12.2.3. The Authority shall have the right to inspect backflow prevention equipment at any time and satisfactory access to the backflow prevention device shall be available at all times.
- 12.2.4. Customers who have one (1) inch diameter water service connections and are classified by the Authority as a Commercial or Industrial customer shall be required to install and maintain a testable backflow prevention device. The backflow device shall be tested at least once annually. The Customer shall provide evidence of satisfactory performance of the backflow prevention device to the Authority at least once annually and when directed by the Authority.
- 12.2.5. The Authority reserves the right to require or waive the requirement to install, operate, test, and maintain testable backflow prevention devices for any Customer.

## ARTICLE 13. CONDITIONS OF SERVICE

### SECTION 13.1 GENERAL

- 13.1.1. The Authority does not and shall not guarantee the flow, volume, pressure, and continuous supply of potable water through the public water supply system to all customers. The customer, upon making application to the Authority for water service, agrees to the former and further understands that the Customer may have to improve portions of the Authority's system or portions of private infrastructure in order to meet their needs or specific water service requirements. The Customer is responsible for notifying the Authority of any needed improvements to the Authority's system prior to making an application.
- 13.1.2. The customer shall not cause undue stresses on the water system through intentional means. If the customer operates their privately owned water infrastructure in a manner that damages, pollutes, or otherwise compromises (e.g., inducing water hammer) the Authority's water system the customer shall be responsible for all relating costs incurred by the Authority.
- 13.1.3. The customer shall take precaution to protect their water service connection infrastructure, buildings, and other items which could be damaged. The Authority shall not be responsible for any damages resulting from normal operations of the water system which include fluctuations in water pressure, chemistry, flow, volume, and other parameters.
- 13.1.4. The customer, its agents, or any other persons shall not be permitted to operate or modify valves, hydrants, piping, or other appurtenances of the water system.
- 13.1.5. No use of water shall be permitted which may or does cause water hammer.

### SECTION 13.2 INSPECTION BY AUTHORITY

- 13.2.1. The Authority reserves the right to inspect any pipe, fixture, fitting, valve, or appurtenance connected to the public water system at any time to ensure satisfactory conditions and help mitigate potential damage, pollution, or hazards which may affect the public water supply system.
- 13.2.2. The customer shall notify the Authority at the following construction intervals to allow the Authority to perform a visual inspection of the work performed and all infrastructure connected to the public water system.
  - a. Placement of Customer Service Line in Trench, if installed using open excavation (cut & cover) methods.
  - b. Meter pit and setter, upon completion and if applicable.
  - c. Interior meter set and appurtenance, upon completion and if applicable.
  - d. Large developments, bulk water purchasers, etc. shall be required to coordinate multiple inspections of the water infrastructure being installed. If the Authority requires full-time inspection of the work, then the customer shall be responsible for all costs incurred by the Authority related to inspection of the customer's activity.

### SECTION 13.3 INITIATING SERVICE

- 13.3.1. The Authority will initiate water service upon completing all appropriate inspections of the water service connection. The initiation of water service shall also be the start of the first billing period.
- 13.3.2. A turn-on fee will be assessed for all water services that have been duly turned off for reasons defined by these rules and regulations. All fees shall be paid in full prior to the Authority initiating service. Turn-on fees shall be assessed in accordance with the rate schedule. No fees shall apply to new service connections.

### SECTION 13.4 DISCONTINUATION OF SERVICE

- 13.4.1. The Authority reserves the right to shut off the water service to any premise, customer, or person for the purpose of making repairs, improvements, emergency condition, or other operational activities. The Authority shall not be required to provide any customer advance notice of any service disruption.
- 13.4.2. The Authority may discontinue, suspend or terminate water service for any of the following reasons:
  - a. For any tampering with the meter so as to affect its proper operation and the registration of water supplied or with seals on the meter.
  - b. Waste through broken or faulty pipelines or fixtures.
  - c. For nonpayment of any account for water supplied or for service maintenance.
  - d. In the case of vacancy of the premises.
  - e. For the violation of any of the rules and regulations.
  - f. The borough shall have the right to cut off the water supply without notice in the case of breakdowns or for other unavoidable causes; or for the purpose of making necessary repairs, connections, etc., on reasonable notice, when practicable.
- 13.4.3. If water service has been discontinued, suspended, or terminated the customer shall pay all applicable fees and submit a written request to initiate service.
- 13.4.4. The customer may request a temporary or permanent discontinuation of service from the Authority. The request shall identify all customer information, the reason for discontinuation, requested date of termination, and anticipated service initiation date (if applicable). The customer must pay the appropriate turn-off fee prior to the discontinuation of service taking effect. The customer shall also follow the service initiation section to turn-on water service, if applicable.

## ARTICLE 14. GENERAL

### SECTION 14.1 WATER SERVICE CONNECTION AND TAP FEE

- 14.1.1. 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 connection and such other factors, set forth in the schedules of tapping fees.

### SECTION 14.2 WATER RATES, RENTS AND FEES

- 14.2.1. The Authority has established schedules of minimum water rates, water consumption rates, and various fees. The rates and fees shall be established in the Rate Schedule and from time to time be updated, revised, amended, repealed or replaced.

### SECTION 14.3 ACTS OF AUTHORITY EMPLOYEES AND/OR OTHERS

- 14.3.1. No agent or employee, except the Manager, of the Authority shall have the power or right to bind the Authority by any promise, agreement, or representation contrary to the Rules and Regulations.

### SECTION 14.4 SWIMMING POOLS

- 14.4.1. All swimming pools shall be filled through a metered connection. No swimming pool shall be directly connected to the water system unless proper backflow or air gap is provided.

## WASTEWATER SYSTEM RULES & REGULATIONS

### ARTICLE 15. DISCHARGE OF SANITARY SEWAGE TO PUBLIC SANITARY SEWER SYSTEM REQUIRED

#### SECTION 15.1 AUTHORIZED AND REQUIRED CONNECTIONS

- 15.1.1. All persons owning any occupied building now erected within the Authority's service area upon premises accessible to the public sanitary sewage system, shall, at their own expense, make connection with the public sanitary sewage system in accordance with the applicable Connection Ordinances and Regulations in effect in the Authority's service area, if they are not presently so connected.
- 15.1.2. All persons owning premises within the Authority's service area accessible to the public sanitary sewage system, upon which an occupied building is subsequently erected, shall, at the time of erection of such building, and at their own expense, make connection with the public sanitary sewage system in accordance with the applicable Connection Ordinances and Regulations in effect in the Authority's service area.
- 15.1.3. All connections to the public sanitary sewage system shall be made in accordance with Article 20 – Connections to Sewer System and all other additional requirements set forth in these Rules and Regulations.



## SECTION 15.2 PROHIBITED ACTIONS AND DISCHARGES

- 15.2.1. It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the Authority's service area, or in any area under the jurisdiction of the Borough, any human or animal excrement, garbage or other objectionable waste.
- 15.2.2. It shall be unlawful to discharge to any surface, natural outlet, channel, waterway, or waterbody within the Authority's service area any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of these Rules and Regulations.

## SECTION 15.3 PROHIBITED CONNECTIONS

- 15.3.1. No privy vault, cesspool, septic tank, hole or similar receptacle for human excrement shall presently or at any time hereafter be connected with the public sanitary sewage system.
- 15.3.2. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.
- 15.3.3. No owner or tenant of any premises connected to the public sanitary sewage system shall be allowed to permit any other persons or premises to use or connect with his building drain, building sewer, or service lateral except upon written permission of the Borough.

## SECTION 15.4 PUBLIC & PRIVATE WATER SERVICE

- 15.4.1. Customer's premises served by a public or private water system which do not have a water meter and not owned by the Authority shall be assessed appropriate rates based on typical usage consistent with occupancy type of the premise. The customer will be billed based on the Authority's billing practices and at the "Non-Metered Customer Rate".
- 15.4.2. Customer's premises served by a public water system other than the Authority shall be required to coordinate or furnish water use and consumption quantities to the Authority at the billing frequency of the Authority. Failure to provide water use quantities shall result in the estimation of water use by the Authority.
- 15.4.3. Customer's may install, at their expense, water meters for the purpose of billing on a consumption basis and in accordance with the Rate Schedule.

## ARTICLE 16. PRIVATE SEWAGE DISPOSAL

### SECTION 16.1 GENERAL

- 16.1.1. Where a premise is served by the Authority's public water supply system and public sanitary sewer service is not available under the provisions of Article 15, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Section and Pennsylvania Act 537.

- 16.1.2. At such time as public sanitary sewer service becomes available to a property served by a Private Sewage Disposal system, as provided in Article 15 hereof, the property shall make connection to the public sanitary sewage system in compliance with these Rules and Regulations, and any septic tanks, cesspools, and similar Private Sewage Disposal facilities shall be abandoned and filled with suitable material.
- 16.1.3. The Owner shall operate and maintain the Private Sewage Disposal facilities in a sanitary manner at all time at the sole expense of the Owner.

## ARTICLE 17. EXCLUSION OF STORMWATER RUNOFF, GROUNDWATER, AND OTHER SOURCES OF EXTRANEEOUS WATER

### SECTION 17.1 PROHIBITED CONNECTIONS

- 17.1.1. The discharge of storm water runoff, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, unpolluted industrial process water, or any other source of extraneous water to the sanitary sewer is prohibited.
- 17.1.2. All persons connecting to the public sanitary sewage system shall provide and maintain adequate means for excluding water listed in paragraph (1) from the sanitary sewer.
- 17.1.3. No person connected to a sanitary sewer shall connect any roof drain, outside drain, cellar under drain, or foundation drain thereto or permit any such drains to remain connected thereto, nor shall they permit, allow or cause to enter into any sanitary sewer any spring water, surface water or unpolluted water from any other source.
- 17.1.4. All sump pumps shall have discharge permanently piped to exterior of building using plastic pipe. Sump pumps shall not discharge storm, surface, ground or other extraneous water prohibited herein into the public sanitary sewer system either directly or indirectly.

### SECTION 17.2 LATERAL CONNECTION AND REPAIR

- 17.2.1. Connection to the sanitary sewer system will be denied if a building drain shows presence of storm, surface, ground or other any other source of extraneous water. Prior to connection to the public sanitary sewer system, sources of illegal water must be removed from the building drain, building sewer, and service lateral; and subsequently comply with Article 22.

## ARTICLE 18. ADMISSION OF INDUSTRIAL WASTES TO PUBLIC SANITARY SEWAGE SYSTEM

### SECTION 18.1 GENERAL

- 18.1.1. The economy and desirability of the combined treatment of industrial wastes and sanitary sewage is recognized. The treatment facilities which the Authority owns and the Borough operates are of a type and design to permit reasonable flexibility in the treatment of various types of industrial wastes. In general, any and all industrial wastes may be discharged to the public sanitary sewage system except those which are deemed harmful to the system or are specifically prohibited by the Sewer System Rules and Regulations. However, it is also recognized that the treatment of abnormal industrial wastes may add to the cost of operating and maintaining the public sanitary sewage system. Such additional cost must therefore be borne by the person or persons receiving the benefit of such treatment.
- 18.1.2. The Authority and the Borough reserve the right to refuse connection to the public sanitary sewage system for deleterious industrial wastes, or to compel discontinuance of the use of the system for such wastes, or to require pretreatment and/or equalization of flow thereof in order to prevent harmful or adverse effects upon the system. The design, construction and operation of such pretreatment and/or flow equalization facilities shall be made at the sole expense of the person discharging said wastes and shall be subject to the approval of the Borough or its designated representative.
- 18.1.3. In general, industrial waste shall be considered harmful to the public sanitary sewage system if it may cause any of the following damaging effects:
  - a. Chemical reaction either directly or indirectly with the materials of construction of the public sanitary sewage system in such a manner as to impair the strength or durability of any sewerage structures.
  - b. Mechanical action that will destroy any sewerage structures.
  - c. Restriction of the hydraulic capacity of any sewerage structures.
  - d. Restriction of the normal inspection or maintenance of any sewerage structures.
  - e. Danger to public health and safety.
  - f. Obnoxious conditions inimical to the public interest.
  - g. Substances that are toxic to the normal biological activity required to treat domestic sewage.

- 18.1.4. When required by the Authority, any person discharging to the public sanitary sewage system any industrial wastes, or industrial wastes and sanitary sewage together, shall install a suitable manhole or manholes or metering chamber on his connecting sewer or sewers to facilities observation, sampling and measurement of the combined flow or wastes from his premises. Such manhole or manholes or metering chamber shall be accessible and safely located and shall be constructed in accordance with plans approved by the Authority or its designated representative. The manhole or manholes or metering chamber shall be installed by such person at his expense and shall be maintained by him so as to be safe and accessible to the Authority or its designated representative at all times. The construction and maintenance of such manhole or manholes or metering chamber shall be mandatory for the producers of abnormal industrial wastes, and if deemed necessary by the Authority, flows from such manhole or manholes or metering chamber shall be continuously monitored, transmitted and recorded by means of an approved receiving device to be located at the treatment plant.
- 18.1.5. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in this Section, and which in the judgement of the Manager, may have a deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Manager may:
- a. Reject the wastes,
  - b. Require pretreatment to an acceptable condition for discharge to the public sewers,
  - c. Require control over the quantities and rates of discharge, and/or,
  - d. Require payment to cover the added cost of handling and treating the wastes not covered by existing sewer charges.
- 18.1.6. If the Manager permits the pretreatment or equalization of waste flows, the design and installation of the plant and equipment shall be subject to the review and approval of the Manager, and subject to the requirements of all applicable codes, ordinances and laws.
- 18.1.7. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Authority, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients; except that in such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall of a type and capacity approved by the Authority and shall be located as to be readily and easily accessible for cleaning and inspection.

## SECTION 18.2 INDUSTRIAL PRETREATMENT

- 18.2.1. The Borough, pursuant to federal regulations of the Environmental Protection Agency, is required to enact, implement and enforce Industrial Pretreatment Standards due to the existence of persons, businesses, and users of the public sanitary sewer system which are categorized or classified as Industrial Users. The Authority and its customers are subject to the same and shall follow the requirements of the Clean Water Act, 40 CFR Part 403, and all other applicable laws and regulations pertaining to the discharge of industrial wastes to the public sanitary sewer system.
- 18.2.2. The customer shall be responsible for providing details related to the characteristic, nature, or quantity of discharge to the sanitary sewer system upon making an application to the Authority for sewer service.
- 18.2.3. The customer shall be required to obtain an Industrial User permit if the characteristic, nature, or quantity of sewage is consistent with that of an Industrial User or if the Authority considers the nature of the sewage potentially hazardous to the POTW a permit may be required even if the customer does not specifically classify as an Industrial User.
- 18.2.4. Customers shall be required to notify the Authority immediately upon changing the characteristic, nature, or quantity of sewage discharge. The Authority will then determine if the Customer is required to obtain an Industrial User permit or if the discharge may commence and be classified as sanitary sewage.

## SECTION 18.3 SURCHARGE FOR CERTAIN INDUSTRIAL WASTE AND WASTEWATER

- 18.3.1. Although the sewage treatment works will be capable of treating certain industrial wastes as heretofore defined in these Rules and Regulations, the actual treatment of such wastes may increase the cost of operating and maintaining the public sanitary sewage system. Therefore, there will be imposed upon each person discharging such industrial waste into the public sanitary sewage system a surcharge, or surcharges, which are intended to cover such additional cost. Such surcharges shall be in addition to the regular sewage collection, transportation and treatment charges set forth in the Rate Schedule of the Authority, and shall be payable as therein provided.

- 18.3.2. The strength of any industrial waste, the discharge of which is to be subject to surcharge, shall be determined at least once annually, or more frequently as the Authority shall determine, either (1) by suitable sampling and analyses of the wastes for a 3-day period during which time the strength of waste discharges or production is at a maximum, excluding all non-production time; (2) by relating production and waste strength at the time of sampling to waste strength at maximum production; or (3) from estimates; or (4) from known relationships of products produced to strengths of waste for those establishments where such factors have been established. The frequency and duration of the sampling period shall be such as, in the opinion of the Manager, will permit a reasonably reliable determination of the average composition of such waste. Samples shall be collected or their collection supervised by a representative of the Authority and shall be in proportion to the flow of waste, and composited for analysis in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," cited above. Except as hereinafter provided, the strength of the waste so found by analysis shall be used for establishing the surcharge or surcharges. However, the Manager may, if it so elects, accept the results of routine sampling and analyses by the producer of such wastes in lieu of making its own samplings and analyses.
- 18.3.3. In the event any industrial waste is found, by the Authority, to have a B.O.D. in excess of 300 milligrams per liter (mg/L), the producer of said waste shall be surcharged an amount equal to the product of the actual volume of wastes in thousand gallons per billing period discharged to the public sanitary sewage system and the "B.O.D. surcharge rate." The "B.O.D. surcharge rate" shall be determined by the following formula:

$$R_c = 0.00834 P (C - 250 \text{ mg/L})$$

$R_c$  = the B.O.D. surcharge rate in cents per  
1,000 gallons of waste discharged

$P$  = \$XXX.XX (See Rate Schedule)

$C$  = the average B.O.D. of the industrial  
waste expressed in milligrams per liter as  
determined in accordance with paragraph  
18.3.2 of this Section

The figure 250 mg/L appearing in the above formula corresponds to the maximum B.O.D. permissible without surcharge. The figure 0.00834 is the factor to convert milligrams per liter to pound per 1,000 gallons. No discount will be permitted for sewage or industrial wastes having a B.O.D. less than 250 mg/L.

- 18.3.4. In the event any industrial waste is found, by the Authority, to have an average suspended (including settleable) solids concentration in excess of 350 milligrams per liter (mg/L), the producer of such waste shall be surcharged an amount equal to the product of the actual volume of wastes in thousand gallons per billing period discharged to the public sanitary sewage system and the “suspended solids surcharge rate.” The “suspended solids surcharge rate” shall be determined by the following formula:

$$R = 0.00834 \times B (S - 350\text{mg/L})$$

R = the suspended solids surcharge rate in cents per 1,000 gallons of waste discharged

B = \$XXX.XX (See Rate Schedule)

S = the average suspended solids concentration of the abnormal industrial waste expressed in milligrams per liter as determined in accordance with paragraph 18.3.2 of this Section

The figure 350 mg/L appearing in the above formula corresponds to the maximum suspended solids concentration permissible without surcharge. The figure 0.00834 is the factor to convert milligrams per liter to pounds per 1,000 gallons. No discount will be permitted for sewage or industrial wastes having a suspended solids concentration less than 350 milligrams per liter.

- 18.3.5. Wastes, pollutants, and other pretreatment analytes not specifically described herein, but otherwise required to be regulated by Municipal Ordinance or EPA regulation shall also be reviewed on an as needed basis for the purpose of assessing certain surcharges related to the additional cost of treatment. Surcharges imposed by the Authority shall be consistent with the calculations and determinations of other analytes described in this Section, but the concentrations shall be as listed or published in the Municipal Ordinance or EPA regulation.

- 18.3.6. The surcharges provided for in this Section shall be added to the sewage collection, transportation and treatment charges imposed by the Authority under the Rate Schedule.

## ARTICLE 19. UNACCEPTABLE SANITARY SEWAGE AND INDUSTRIAL WASTES

### SECTION 19.1 UNPOLLUTED WATER

- 19.3.1. The discharge of excessive amounts of unpolluted water to the sanitary sewer is expressly prohibited. The Authority reserves the right to define the amount it deems excessive in each particular instance.

- 19.3.2. Customers shall be required to obtain approval to discharge unpolluted water onto public right-of-way, into a storm sewer, into a surface conveyance system, or into a waterway or waterbody from any and all parties effected by the discharge, owner of the property(ies) receiving the discharge, or regulatory body which has jurisdiction to issue such approval.

#### SECTION 19.2 GARBAGE

- 19.3.1. The discharge of garbage to the sewage system is expressly prohibited and shall be disposed in a solid waste receptacle, properly collected in accordance with local, state, and federal requirements, and disposed of at an approved landfill. Garbage shall specifically include, but is not limited to, pharmaceutical products, feminine hygiene products, condoms, baby wipes, wipes advertised/labeled as “flushable”, or any other type of waste that should be properly disposed of in a waste receptacle.

#### SECTION 19.3 FOOD WASTE

- 19.3.1. All food waste generated by residential and non-residential customers shall be properly shredded. Proper shredding shall reduce the particle size of food waste to one-half inch (1/2”) or smaller. The particles discharged shall be such that they can be freely carried under the normal flow conditions in the public sanitary sewer system.
- 19.3.2. The discharge of non-residential food waste is expressly prohibited unless the establishment is utilizing a properly function disposal unit, solids separator, and grease trap.

#### SECTION 19.4 NATURE AND CHARACTER OF SEWAGE AND INDUSTRIAL WASTES

- 19.4.1. No sanitary sewage or industrial waste from any property other than that for which a permit has been issued as provided in Article 18 hereof shall be discharged to the public sanitary sewage system.
- 19.4.2. No person shall discharge to the public sanitary sewage system any sanitary sewage or industrial wastes having any of the following characteristics:
- a. Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by injurious in any other way to the POTW or to the operation of the POTW. At no time, shall two successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system) be more than five percent (5%) nor any single reading over ten percent (10%) of the Lower Explosive Limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances with the Authority, the Borough, the State or EPA has notified the User is a fire hazard or a hazard to the system.



- b. Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to: grease, food waste with particles greater than one-half inch (1/2") in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes.
- c. Wastes having a pH lower than 5.0 or higher than 8.5 or having any corrosive properties capable of causing damage or hazards to structures, equipment or personnel of the public sanitary sewage system. Where the Authority deems it advisable, it may require any person discharging industrial wastes to install and maintain, at his own expense, in a manner approved by the Authority or its designated representative, a suitable device to continuously measure and record the pH of the wastes so discharged.
- d. Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the POTW, or to exceed the limitation set forth in a Categorical Pretreatment Standard. A toxic pollutant shall include, but not be limited to, any pollutant identified pursuant to Section 307(a) of the Clean Water Act.
- e. Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair.
- f. Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in non-compliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Clean Water Act, any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State criteria applicable to the sludge management method being used.
- g. Any substance which will cause the POTW to violate its NPDES and/or State Disposal System Permit or the receiving water quality standards.
- h. Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.
- i. Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in interference, but in no case wastewater with a temperature at the introduction into the POTW which exceeds 49°C (120°F), or which, at point of introduction, is less than 0°C (32°F).

- j. Any pollutants, including oxygen demanding pollutants (BOD, etc.) released at a flow rate and/or pollutant concentration which a user knows or has reason to know will cause interference to the POTW. In no case shall a slug load have a flow rate or contain concentration or qualities of pollutants that exceed for any time period longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration, quantities, or flow during normal operation.
- k. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Manager in compliance with applicable State or Federal regulations.
- l. Any wastewater which causes a hazard to human life or creates a public nuisance.
- m. Wastes containing insoluble, non-flocculent substances having a specific gravity in excess of 2.65.
- n. Wastes containing any of the following substances in solution or in suspension in concentrations exceeding those shown in the following table:

<u>Substance</u>	<u>Maximum for any one day (mg./l.)</u>	<u>Monthly Averages not to be exceeded (mg./l/)</u>
Cadmium	0.69	0.26
Chromium, total trivalent plus hexavalent	2.77	1.71
Copper	3.36	2.07
Cyanide	1.20	0.65
Lead	0.69	0.43
Phenols	3.50	
Nickel	3.98	2.38
Silver	0.43	0.24
Zinc	2.61	1.48
TTO (Total Toxic Organics)	2.13	1.48

- o. Wastes containing more than 100 mg./l/ by weight of fat, oil or grease.
- p. Wastes containing more than 10 mg./l/ of any of the following gases: hydrogen sulfide, sulfur dioxide, nitrous oxide, or any of the halogens.
- q. Wastes containing gases or vapors, either free or occluded, in concentrations toxic or dangerous to humans or animals.

- 19.4.3. When the Manager determines that a user(s) is contributing to the POTW any of the above enumerated substances in such amounts as to interfere with the operation of the POTW, the Manager shall: 1) advise the user(s) of the impact of the contribution on the POTW; and 2) develop effluent limitation(s) for such user to correct the interference with the POTW.
- 19.4.4. Upon the promulgation of the Federal Categorical Pretreatment Standards for a particular industrial subcategory, the Federal Standard, if more stringent than limitations imposed under these Sewer System Rules and Regulations for sources in that sub-category shall immediately supersede the limitations imposed under these Rules and Regulations. The Manager will notify all affected users of the applicable reporting requirements under 40 CFR, Section 403.12.
- 19.4.5. State requirements and limitations on discharges shall apply in any case where they are more stringent than Federal requirements and limitations or those in these Rules and Regulations.
- 19.4.6. Each user shall provide protection from accidental discharge of prohibited materials or other substances regulated by these Rules and Regulations. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or user's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Manager for review, and shall be approved by the Manager before construction of the facility. All existing users shall complete such a plan within six (6) months of notification by the Manager to prepare such a plan. No user who commences contribution to the POTW after the effective date of these Rules and Regulations shall be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by the Authority. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify the user's facility as necessary to meet the requirements of these Rules and Regulations. In the case of an accidental discharge, it is the responsibility of the customer to immediately telephone and notify the Authority of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions, and the following:
  - a. Written Notice. Within five (5) days following an accidental discharge, the user shall submit to the Manager a detailed written report describing the cause of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the customer of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, fish kills, or any other damage to person or property, nor shall such notification relieve the user of any fines, civil penalties, or other liability which may be imposed by these Rules and Regulations or other applicable law.

- b. Notice to Employees. A notice shall be permanently posted on the customer's bulletin board or other prominent place advising employees whom to call in the event of a dangerous discharge. Employees shall insure that all employees who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedure.

## SECTION 19.5 FATS, OILS, AND GREASE

- 19.5.1. Non-residential customers shall be required to install and maintain devices which control the discharge of fats, oils, and grease (FOG) if the activity, operation, or process conducted in, on, or around the premise generates sufficient quantities of FOG that exceed the limits defined in these rules and regulations. The Authority reserves the right to require FOG control devices be installed for any customer which has the potential discharge a quantity or concentration of FOG which has the potential to damage, disrupt, or negatively affect the operation of the sanitary sewer system and treatment of wastewater.
- 19.5.2. All FOG control devices are the responsibility of the customer to design, manufacturer, install, and maintain. All costs associated with FOG control devices are the responsibility of the customer.
- 19.5.3. The Authority recommends providing FOG control devices not connected to the sanitary sewer system whenever possible.
- 19.5.4. Required Installation of FOG Control Device:
  - a. Customers conducting the following activities shall be required to provide FOG control devices.
    - i. Food Preparation
    - ii. Washing of food preparation and service utensils, equipment, dishes, or other cooking apparatus.
    - iii. Automotive, Agricultural, and Transportation
      - 1. Maintenance, repair, sales, service, washing, and storage of all automotive, agricultural, and transportation vehicles and apparatus.
    - iv. Machining, Welding, and Manufacturing
  - b. Customers required by the Authority to install FOG control devices because of the potential to damage, disrupt, or negatively affect the operation of the sanitary sewer system and treatment of wastewater.
- 19.5.5. Installation
  - a. FOG control devices shall be installed outside of the structure whenever possible. FOG control devices shall be easily accessible and maintained to allow access.
  - b. FOG control devices installed within the interior of a structure shall be easily accessible and maintained to allow access.
  - c. All FOG control devices shall be installed in accordance with the current Uniform Plumbing Code and these Rules and Regulations.
- 19.5.6. Design and Size
  - a. The Customer is responsible for engaging appropriate FOG control device design and manufacturing services for the type, flow, and location for which the FOG control device will serve.

- b. The FOG control device shall be sized based on the nature and quantity of flow to provide a minimum FOG storage volume of one (1) week. FOG control devices requiring a more frequent cleaning schedule than one (1) week at the outset of design and installation shall be prohibited unless otherwise approved by the Authority.

19.5.7. Maintenance, Cleaning, and Record Keeping

- a. The Customer shall be required to keep FOG control device maintenance and cleaning records on the premise. Five (5) years' worth of records shall be maintained. Customer shall submit FOG Maintenance & Cleaning Form to Authority on an annual basis.
- b. Maintenance and cleaning records shall be kept on the form provided by the Authority or as acceptable to the Authority.
- c. Maintenance shall be completed on an as needed basis to ensure appropriate function of the FOG control device. The customer shall inspect the FOG control device at least once annually. The customer shall document the date of inspection and observations.
- d. FOG control devices shall be cleaned at the frequency recommended by the designer/manufacture or at least every forty-five (45) days. The Authority may require increased cleaning frequencies if upon inspection and observation of inadequate cleaning the FOG control device appears to be inadequately controlling FOG. The cleaning frequency may be reduced if the Authority provides written approval and it is demonstrated that the FOG control device is achieving adequate control.

## ARTICLE 20. CONNECTIONS TO SANITARY SEWER SYSTEM

### SECTION 20.1 APPLICATION

- 20.1.1. All persons seeking sanitary sewer service shall be required to make an application to the Authority for such service.
- 20.1.2. Applications for connection to the public sanitary sewage system shall be made to the Authority upon the permit form to be formulated and furnished by the Authority.
- 20.1.3. All information requested on said form shall be furnished by the applicant, including the character and use of each structure located upon the property.
- 20.1.4. The required tap connection and inspection fee that is set forth in the Authority's Rate Schedule, shall be paid at the time of making application for permission to make a connection.
- 20.1.5. No work shall commence before the payment of aforementioned tap connection and inspection fee, completion of lateral testing requirements included in Section 9 herein, and issuance of a Certificate of Compliance.

## SECTION 20.2 LATERAL CONNECTIONS

- 20.2.1. Unless written permission is obtained from the Authority, separate connections, and corresponding tap connection and inspection fees, will be required for each individual occupied building, whether constructed as detached unit or as one of a pair or row, but a single connection will be permitted to serve a school, factory, apartment structure or other permanent multiple unit structure whose individual apartments or units may not be subject to separate ownership.
- 20.2.2. If the Municipality or Municipalities in which the customer's property or premise is located the Customer and the Municipality or Municipalities has/have adopted a sanitary sewer connection ordinance, and proper notice has been given, the Customer shall be required to connect to the sanitary sewer in accordance with the schedule set forth in the ordinance and in accordance with these Rules and Regulations.
- 20.2.3. All connections to the public sanitary sewage system shall be subject to certain restrictions as to unacceptable sanitary sewage which are described and set forth herein.
- 20.2.4. All connections to the public sanitary sewage system shall be subject to lateral testing requirements set forth in Article 22.
- 20.2.5. All sewer connections shall be inspected by the Authority or its representatives at the time of connection. At the time of inspection of the connection, the owner or owners of properties shall permit the Inspector full and complete access to all sanitary and drainage arrangements and facilities in each building and in and about all parts of the property. No building drain, building sewer, or sewer service line shall be covered over, or in any manner concealed, until after it is inspected and approved by said Inspector.
- 20.2.6. It is the intention of these Rules and Regulations that the entire connection be inspected at one time; however, if the property owner feels special conditions warrant more than one inspection, or if property requires more than one inspection, in the opinion of the Manager an additional fee will be charged for each inspection.
- 20.2.7. All pipe, fittings, and construction materials used for the installation and construction of the customer sewer lateral connection shall be in accordance with the prevailing Construction Specifications and Details made part of these Rules and Regulations.
- 20.2.8. The Customer shall construct the customer sewer lateral connection in accordance with the current Construction Specifications and Details as they may apply.
- 20.2.9. A viewport or inspection tee shall be installed at the end of every Customer service lateral and beginning of the service lateral.
- 20.2.10. Cleanouts or service tees shall be installed at fifty-foot (50ft) intervals along all customer laterals equal to or exceeding one hundred feet (100ft) in length.
- 20.2.11. Basement floor drains will not be permissible for connection to the public sanitary sewage system for structures which are either located within the 100-year flood plain (as defined by the Federal Emergency Management Agency FEMA), or their basement floor elevation is located below the 100-year flood plain elevation.
- 20.2.12. Basement floor drains, where permissible, shall be equipped with a suitable grate or perforated cover to keep foreign objects from entering the public sanitary sewage system.
- 20.2.13. Building's drain pipe shall be equipped with backflow device, if in the opinion of Manager such device be warranted.

- 20.2.14. Commercial installations must also comply with all local construction regulations.
- 20.2.15. All costs and expenses of the construction of a building sewer and all costs and expenses of connection of a building sewer to a sewer, and all costs and expenses of the testing of a building sewer or building drain shall be borne by the Customer and the Customer shall indemnify and save harmless the Authority and Municipality from all loss or damage which may be occasioned, directly or indirectly, as a result of construction of a building sewer, connection of a building sewer to a sewer, or testing of a building sewer or building drain.
- 20.2.16. Maintenance and repair of the customer sewer lines, building sewers, or building drains, as well as the cost thereof, will be the responsibility of the Customer and/or property owner. If the Customers use of the service lateral causes damage to the Authority service lateral then the Customer shall be responsible for all repair and maintenance costs incurred by the Authority. Damage caused by the Customer may include, but is not limited to, prohibited discharges to the sanitary sewer system and disturbance, striking, crushing, cutting, and puncturing of the authority sewer lateral.
- 20.2.17. No work shall be done on any sewer service lines, customer sewer lateral, building sewer, or buried building drain without prior approval by the Authority, and all work shall be subject to inspection during performance. No work shall be done in any right-of-way of any street, roadway or any street or alley, or private right-of-way without first obtaining a permit from the Municipality. The Authority reserves its right to do all work with respect to the service lateral, connections to the main sewers and termination at the viewport and/or property line and bill the Customer and/or Governmental body. Three days' notice must be given to the Authority prior to any work being done on the customer service line or building sewer, and approval therefore obtained.
- 20.2.18. An existing building sewer that served a previously occupied building on the property may be used to serve a new occupied building that is replacing the earlier occupied building only when it is properly tested per Article 22 and it meets all additional requirements set forth in these Rules and Regulations.
- 20.2.19. The building drain and customer sewer lateral leading from the building to the property line shall be the responsibility of the person, firm, or corporation owning the property for maintenance, repair, or replacement regardless of whether the sewer lateral has been installed by the Authority. The Authority sewer lateral beginning at the property line or viewport and connecting to the interceptor or collection sewer of the Authority shall be the responsibility of the Authority, except where the Customer causes damage to the Authority service line as described in paragraph 20.2.16.
- 20.2.20. From time to time, the Authority will undertake and complete sanitary sewer projects whereby the Authority will install the collection sewers and service lateral to each Owner's property line.

- 20.2.21. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Manager or Inspector, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be designed by a professional engineer, or approved manufacturer, and shall be located as to be readily and easily accessible for cleaning and inspection.
- 20.2.22. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.
- 20.2.23. Subject to the requirement by the Authority, a suitable manhole or manholes shall be constructed on the building sewer to facilitate observation, sampling and management of flow from the premises. Such structures shall be constructed in accordance with plans approved by the Authority and Municipality and shall be accessible, properly designed, and in a safe location. The structures shall be constructed and maintained by the Customer at their expense and shall be maintained to be safely accessible at all times. The providing of such structures is mandatory.

## SECTION 20.3 EQUIVALENT DWELLING UNIT DETERMINATION

- 20.3.1. The Authority shall have the sole right to determine the Equivalent Dwelling Unit (EDU) quantity for a customer. The Authority shall review all customers' EDU quantities on an annual basis. EDU quantities may be used by the Authority for purposes of billing, fees, surcharges, or other factors applicable to these Rules and Regulations.
- 20.3.2. The Authority shall annually review and calculate the quantity of flow for an EDU of the Authority's wastewater system. EDU flow quantities may be used by the Authority for purposes of billing, fees, surcharges, or other factors applicable to these Rules and Regulations.

## ARTICLE 21. SEWAGE SERVICE PUMP INSTALLATIONS

### SECTION 21.1 GENERAL

- 21.1.1. Where Customers are unable to make connections from any occupied building or structure individually connected to the sanitary sewer by a gravity service lateral in accordance with the Construction Specifications and Details, the Customer, shall be required to install a sewage service pump. Customers may also elect to install a sewage service pump if they so desire. All sewage service pumps shall be grinding type.



21.1.2. The sewage service pump, consisting of grinder pump, motor, and accessories, are to be specially designed and manufactured so they can operate completely submerged in the liquid being pumped. The sewage service pump unit shall be capable of reducing any material in the wastewater which enters the grinder unit to such size that the material will pass through the pump unit and pressure sewer without plugging or clogging. No screens or other devices requiring regular maintenance shall be used to prevent trashy material from entering the grinder pump unless approved by the Authority or if provided to meet pretreatment requirements.

21.1.3. The Customer's obligations are as follows:

- a. Authority shall have the sole right to determine the manufacturer, the make and model of the sewage service pump to be used by the Customer.
- b. Authority shall have the right to determine what type of parts and fittings will be used for the installation of the grinder pump.
- c. The Customer shall have the sewage service pump installed at their cost and expense but in a method and manner and at the location approved by the Authority.
- d. The Customer shall be responsible for the payment of all electrical services needed for hooking up the sewage service pump, including installation of electrical panels or sub-panels, and for the operation of the sewage service pump.
- e. The Customer shall be responsible for all costs and expenses for maintenance and future replacement of the sewage service pump.
- f. The Customer will give the Authority a right-of-way from the property line to the sewage service pump unit for the maintenance of the pressure lateral and sewage service pump unit. The right-of-way shall serve as means for the Authority to conduct maintenance in the event the Customer fails to properly maintain the sewage service pump, lateral, and associated infrastructure. Granting of the right-of-way shall in no way relieve the Customer of the maintenance and repair responsibilities associated with the sewage service pump and customer lateral.

21.1.4. The Authority's obligations are as follows:

- a. Approval of Customer's proposal for pump unit and pressure piping design.
- b. Inspection of pump unit and pressure piping installation.
- c. Inspection of all plumbing facilities as described in Section 4.3 and related sections.

## SECTION 21.2 SINGLE RESIDENTIAL AND SINGLE EDU SERVICE

21.2.1. Sewage service pumps designed and manufactured to serve a single-family residential home or an EDU shall be provided for single-family residential or services of similar flow and nature. Sewage service pumps for single-family residential homes or one (1 EDU) shall be furnished by the customer as follows:

- a. Sewage service pump, motor, storage tank, and accessories shall be installed in a single enclosure suitable for in-ground installation outside of the structure. Interior installations shall not be permitted unless approved by the Authority.
- b. The storage tank shall have a minimum storage volume of 50 gallons and the grinder pump shall be capable of producing a flow of approximately 8 gpm. The grinder pump unit must be capable of being removed without dewatering the collection tank
- c. Visual alarm and control panel shall be mounted on the exterior of the building served by the sewage service pump. Visual alarms shall be provided for high water level and pump failure, at a minimum.
- d. Check and shut-off valves shall be employed to isolate the sewage service pump unit from the building service and the pressure sewer main.
- e. Provisions shall be made to ensure that the grinder pump operates even under temporary loads above normal and contains integral protection against back siphonage and over pressure.
- f. No pressure sewer lateral less than 1¼" inside diameter shall be provided. The required size shall be determined to maintain low frictional losses in the system and a minimum scouring velocity of 2 feet per second. The pressure sewer piping shall be installed with a minimum 42" depth of cover to protect against freezing and damage from vehicular traffic. Pressure sewer piping shall be color coded (brown) to distinguish the piping from water service lines.
- g. Sewage service pump units must be serviceable and replaceable under wet conditions without electric hazard to the repair personnel. The pump shall be capable of being removed without the need to dewater the storage tank.
- h. The customer service lateral shall extend from five feet (5ft) from the exterior of the building to the curb stop, which may be located at the property line or other at designated by the Authority. The service lateral shall extend from the pressure main to the curb stop.

### SECTION 21.3 NON-RESIDENTIAL AND MULTIPLE EDU SERVICE

- 21.3.1. If a sewage pump unit or units will serve more than one (1) EDU or a non-residential premise, then the Customer shall advise the Authority in writing. The Customer will be solely responsible for the design, layout, procurement, installation, maintenance, and repair of the sewage service pump(s) for non-residential and multiple EDU service.
- 21.3.2. The Customer shall be responsible for inspecting the sewage service pumps of non-residential and multiple EDU service. The Customer shall have the sewage service pumps inspected at least once annually.
- 21.3.3. The Authority shall review the Customer's specific installation requirements and the Customer's proposed sewage service pump design, configuration, pipe size, pump size, and other associated aspects of the sewer service. The Customer shall only proceed after the Authority has provided approval of all aspects of the proposed sewage service pump installation.

- 21.3.4. The Authority will conduct an inspection of the sewage service pump installation at the cost of the Customer. The sewage service pump shall not be placed into service until the Authority has conducted the installation inspection.

## ARTICLE 22. LATERAL TESTING

### SECTION 22.1 GENERAL

- 22.1.1. Customers connected to the public sanitary sewage system are required to maintain all private building drains, building sewers, customer service laterals, and service laterals in good repair free of defects.
- 22.1.2. The Manager is authorized to require and review lateral testing and carry out inspections to all buildings and structures connected to the public sanitary sewage system for purposes of discovering or locating inflow of surface stormwater, ground water, or other sources of extraneous water to the public sanitary sewage system for qualifying events as described herein. The property owner, per the Somerset County Tax records, shall either (a) retain the services of a qualified contractor to perform the lateral testing with inspection by the Inspector or (b) carry out the lateral testing on his/her subject property with inspection by the Inspector. Persons owning property connected to the public sanitary sewage system are required to grant access to the Inspector or other Authority representative and/or lateral testing contractor and to permit lateral testing or other testing or inspection. It is unlawful for any person to refuse access to property for purposes of lateral testing or other testing or inspection.
- 22.1.3. Notice to Property Owners - In the event the Manager identifies any illegal connections, significant defects or leaking, deteriorating or poorly constructed building drains, building sewers, or private sewer laterals which serve as sources of surface storm water, ground water, or other extraneous water to the public sanitary sewage system, the Manager shall give written notice of same to the property owner that such illegal connections be eliminated and/or service connections be, at the property owners expense, repaired, replaced, or rehabilitated within ninety (90) days of the date of this notice. If the condition does not create a health hazard or public nuisance, the Manager, upon written request of the property owner, may extend the deadline to one hundred eighty (180) days from the date of the notice. If the customer fails to correct the issue which caused notice to be given within the timeframes allowed by this section, then the Customer shall be assessed a monthly surcharge fee until the issue is corrected. The fee shall be assessed for the collection, conveyance, and treatment of extraneous water which may or has the potential to be discharged through one of the sources identified in this section. The fee shall be as established in the Authority's Rate Schedule.

### SECTION 22.2 LATERAL TESTING AND INSPECTION QUALIFYING EVENTS

- 22.2.1. Qualifying Events for Property Owners to Conduct Testing - Owners of property shall be responsible to satisfactorily complete lateral testing, in accordance with the prevailing Construction Specifications and Details and/or policy, and obtain a Certificate of Compliance:

- a. at the time of original connection to the public sanitary sewage system,
- b. at the time of sewer lateral replacement, repair or alteration completed by the Customer or its agent;
- c. at the time of property transfer or change of ownership;
- d. and at the time stated in any governing Municipal ordinance which requires lateral testing.

22.2.2. The Authority may conduct testing of the private sewer lateral at any time and at their expense. The Authority may require the Customer to correct any violations of the Rules & Regulations at the Customer's expense.

## SECTION 22.3 CERTIFICATE OF COMPLIANCE

### 22.3.1. Application for Certificate of Compliance

- a. The customer shall perform the lateral test or have a lateral test of the property performed by a qualified contractor in the presence of the Authority or its representative. Upon completion of the lateral test, the person who performed the test shall complete the appropriate section of the Application for Certificate of Compliance, confirming that the property has been lateral tested and certifying the results of the test.
- b. Upon the completion of a successful lateral test the Customer shall apply for a Certificate of Compliance. The Customer shall be responsible for obtaining required signatures of qualified contractors and inspectors. The Customer shall obtain the Certificate of Compliance form supplied by the Authority and use such form to properly submit for a Certificate of Compliance. The fee for filing the completed Application for Certificate of Compliance shall be set forth in the Authority's Rate Schedule.

### 22.3.2. Issuance of Certificate of Compliance

- a. If the application for Certificate of Compliance, properly completed and filed with the Manager with the designated filing fee, indicates that there is no connection of surface storm water, ground water, or any other sources of extraneous water to the private sewer system, then the Manager shall issue the Certificate of Compliance within ten (10) days of application thereof.
- b. If the lateral test reveals the existence of one or more connections of surface storm water, ground water, or any other sources of extraneous water, the Manager shall not issue the Certificate of Compliance until the connections have been removed and a qualified contractor has certified that there is no connection of surface storm water, ground water, or other sources of extraneous water to the private sewer system from the property to be sold or transferred.

- 22.3.3. Municipal Lien Letters – A request to the Authority or Borough for a municipal lien letter must be accompanied by a valid Certificate of Compliance or Temporary Certificate of Compliance and by the appropriate fee set forth in the Authority’s Sewer Rate Resolution. The Borough shall issue the municipal lien letter verification letter within seven (7) days of receipt of the appropriately documented request and the applicable fee.
- 22.3.4. Expiration of Certificate of Compliance – A Certificate of Compliance issued under these Rules and Regulations shall be valid for a period of **ten (10) years** from the date of issuance. A valid Certificate of Compliance shall not relieve a customer from lateral testing if a qualifying event occurs.

## SECTION 22.4 LATERAL TESTING REQUIREMENTS

### 22.4.1. Applicability

- a. All buried piping included in the building drain, building sewer, and service lateral must be inspected, tested, and approved by a Borough representative for compliance with installation standards of the Borough.

### 22.4.2. Acceptable Testing Methods

- a. Testing by water, wherein all buried and under-slab piping (both inside and outside the foundation) is filled with water and a temporary water column is introduced to a minimum of ten (10) feet of head to the highest portion of the buried and under-slab piping, with no water loss observed during a fifteen (15) minute period; and
- b. Testing by air, wherein all buried and under-slab piping is pressurized with air to a minimum of five pounds per square inch (5 psi) and thereafter held for a period of fifteen (15) minutes with no noticeable pressure drop.
- c. For details of such acceptable testing, see §312 of the International Plumbing Code (IPC) as contained in the Pennsylvania Uniform Construction Code, as from time to time amended.

### 22.4.3. Inspection of Lateral Testing by Authority

- a. Requests for inspection and witnessing of the lateral testing by the Inspector must be made a minimum of 72 hours in advance of the requested time.
- b. It is suggested that the piping system be tested before any backfilling and before pouring concrete floor. Testing of the inside piping may be performed separately from the outside sewer inspection testing, at the applicant’s option. However, it may be more convenient for the customer to combine the outside inspection testing and inside testing of the entire buried piping into one operation.

- c. All work necessary to provide for and perform such testing shall be the responsibility of the applicant. The Inspector shall only witness such testing and make the determination as to correct testing procedures and the results of such testing, pass or failure. The applicant shall provide clean and safe access to the location where the testing observation is conducted (e.g. to view the top of the 10' water column or to view the air pressure gauge).
- d. The Inspector shall make the sole determination as to when the actual testing period commences, and thereafter expires after 15 minutes duration. Upon successful completion of the testing, the inspector shall signify his/her approval by affixing their signature and dating the completed Certificate of Compliance, a copy of which shall be provided to the Applicant or their designated agent.
- e. In the event the testing fails to meet the stated requirements, the Inspector will affix their signature and note the time and date of such failed testing on the Sewer Inspection Form. No copy will be provided to the Applicant until such subsequent testing produces an acceptable test result.
- f. All subsequent re-tests shall follow the same 72-hour notice requirements but must also be accompanied by prepayment of the estimated inspection witnessing charge. Said charge to be computed at costs plus overhead for the time involved, including travel, for the Inspector to conduct such subsequent witnessing.

## ARTICLE 23. PROPOSED EXTENSIONS OF SYSTEM BY DEVELOPERS

### SECTION 23.1 GENERAL

- 23.1.1. Development within the sanitary sewer service area of the Authority which results in the required connection or elected connection the sanitary sewer system shall be required to submit an application, along with the appropriate fees, to the Authority for service and follow these Rules and Regulations.
- 23.1.2. Developers, customers, authorities, or others seeking to extend the sanitary sewer system and transfer ownership of the extended portion to the Authority shall be required to submit an application along with the appropriate fees to the Authority. The Authority reserves the right to approve or disapprove of any transfer of ownership request.
- 23.1.3. All sewer line approved for transfer of ownership shall include a twenty foot (20') wide permanent easement, measured perpendicular to the constructed center of the sewer line ten feet (10') each way, which allows for the maintenance, repair, inspection, operation, and replacement of the sanitary sewer facilities. Facilities within public right-of-way shall not be required to furnish separate easement but shall obtain approval of the governing body of the right-of-way to install the facilities.
- 23.1.4. All sewers shall be designed in accordance with the Domestic Wastewater Facilities Manual of the Pennsylvania Department of Environmental Protection (DEP), the rules and regulations, and applicable building code.

- 23.1.5. As a condition to the approval of plans and specifications for extensions to the sewer system to be built by builders, developers or other agencies, and prior to the commencement of construction of said extension, the builders, developers or other agencies shall execute a sewer extension agreement with the Authority under which the owner agrees upon the completion of the extension to offer to the Authority a deed of dedication to the collection system to be installed, which deed shall convey all right, title and interest in the collection lines to the Authority, free and clear of all encumbrances and charges. The agreement to be signed in this connection shall specifically provide that in the event a deed of dedication is not offered to the Authority, the Authority shall be entitled to specific performance of the agreement and the costs of enforcing the agreement, including reasonable attorney's fees, which shall be paid by the defaulting party and shall be made a part of the order of the court in granting specific performance.
- 23.1.6. The Developer shall be responsible for obtaining all necessary permits prior to construction of the sanitary sewers. All necessary permits shall be obtained at the expense of the customer, developer, or contractor.
- 23.1.7. Prior to final acceptance of any sewer extensions by the Authority, it will be necessary for the developer to furnish to the Authority "as built plans" showing the angle and distance between manholes, the top and invert elevation of each manhole and the exact location of all house sewer connections relative to the nearest manhole both downstream and upstream.
- 23.1.8. Sewers shall be hydrostatically, pneumatically, smoke tested, televised or tested by other means as determined by the Authority for leakage at the discretion of, and in the manner required by, the Authority. Testing shall be done at the developer's expense, and an agent of the Authority shall be present when all testing is being done.
- 23.1.9. The Developer shall file all necessary connection permits and pay the applicable tap connection and inspection fees for each house or building to the Authority which shall become due and payable prior to inspection and approval by the Inspector for each respective house service sewer.
- 23.1.10. The Developer shall also reimburse the Authority in full for all costs of the Engineer's plan review and of inspection of construction of all sanitary sewers. The amount and type of inspection required shall be determined by the Authority prior to construction. Prior to performing any work, the developer shall establish an escrow account at an institution agreeable to both the Authority and developer. Said escrow account shall be in the name of the Authority to be used for paying engineering, legal and inspection fees incurred. The amount to be deposited shall be determined by the Authority. Upon acceptance of the developer's project by the Authority, or project termination, the balance of funds in the escrow account, including accrued interest, will be refunded to the developer.
- 23.1.11. No sewer extensions constructed by a Developer will be approved for use and acceptance by the Authority until said sewers are formally approved by the Authority, all building tap connection and inspection fees have been paid for each building connected to the system, and the Authority has been reimbursed in full for all inspection costs incurred by the Inspector during construction, testing and approval.

- 23.1.12. The cost and expense of any such extensions, subject to the approval and compliance with the Rules and Regulations hereunder, shall be borne by the Developer, and costs shall include, but shall not be necessarily limited to the cost of acquisition of rights-of-way (whether as compensation for the right-of-way expenses or other expenses in connection therewith) or for the construction and extension of the system and shall further include a charge in the amount of the actual costs of review and examination by the Authority's Consulting Engineer payable to the Authority as compensation for the review and examination of plans to be submitted hereunder.
- 23.1.13. Whenever sewers are installed by persons, firms or corporations other than the Authority, the installation and materials shall be made and furnished in accordance with the Authority's standard Construction Specifications and Details and in accordance with the rules and regulations of the Authority. In the event that the person, firm or corporation installing a sewer extension fails to comply with the requirements of the Authority, the Authority shall give notice in writing of such non-compliance; and in the event that the person, firm or corporation so installing the extension shall fail to replace or repair the installation with respect to which notice of non-compliance has been received, the Authority may take whatever measures are necessary to conform the installation to the requirements of the Authority at the costs and expense of the owners, together with 10 percent (10%) additional thereof and all charges and expenses incidental thereto, which sum shall be collected from said developer, customer, owner, authority, or other for the use of the Authority as debts are by now collectible.

## STORMWATER SYSTEM RULES & REGULATIONS

### ARTICLE 24. CONNECTIONS TO THE SYSTEM

#### SECTION 24.1 AUTHORIZED CONNECTIONS

- 24.1.1. All new connections to the stormwater system shall be approved by the Authority. Property Owners seeking to connect to the stormwater system shall make written application to the Authority and only make a connection after approval is granted. All connections shall be inspected by the Authority.
- 24.1.2. All new connections shall be made at the cost of the property owner and shall include a drainage structure, where one is absent, which allows for visual inspection of the connection and character of the flow to the stormwater system. Drainage structures shall be approved by the Authority and include inlets, viewports, manholes, area drains, channel drains, end walls, headwalls, waterways, waterbodies, and points of daylight (where pipe end and are able to discharge to existing grade). Drainage structures shall be located at the property line or within the public easement.
- 24.1.3. Connections to the stormwater system occur within a State Highway the customer shall coordinate the application and approval of a State Highway Occupancy permit through the Municipality or Authority. The property owner shall be responsible for all costs related to the State Highway Occupancy permit.



- 24.1.4. At the time of the inspection of the stormwater connection, the property owner shall permit the Authority's designated inspector full and complete access to all pipes and appurtenances in each building and in and about all parts of the Property. No portion of the work shall be covered over, or in any manner concealed, until after it is inspected and approved by the inspector.
- 24.1.5. The property owner shall be responsible for all costs of stormwater facilities on the property up to the point of connection with a drainage structure which is located on the property line or within a public easement. Drainage structures on private property shall be the responsibility of the property owner.
  - a. If a drainage structure does not exist at the property line or within the public easement the property owner is responsible for stormwater facilities up to the point of connection with the Stormwater System.
  - b. If a property owner's stormwater facilities discharge or connect to an adjacent private property it shall be the responsibility of the property owners to operate and maintain the private stormwater facilities.
- 24.1.6. Connections shall be constructed using materials and methods acceptable to the Authority. Construction specifications and details are provided in Appendix G. Property owners may present alternates to items shown in Appendix G and are only permitted for use if approved by the Authority.
- 24.1.7. No water or wastewater piping shall be connected to the stormwater system. These types of connections are considered cross connections and are strictly prohibited.
- 24.1.8. Private property owners discharging stormwater directly to the surface of adjacent or adjoining properties is not a matter of these Rules and Regulations. Discharges to private property shall be regulated by Local Code, Zoning, Subdivision, and laws of the Commonwealth of Pennsylvania. The Authority and Borough shall not have any responsibility to correct, address, modify, or engage in situations involving the discharge of stormwater by a property owner onto another property.

## SECTION 24.2 RIGHT OF INSPECTION AND CORRECTION

- 24.2.1. The Authority reserves the right to inspect stormwater facilities connected to the stormwater system. The Authority shall be afforded opportunity by the property owner to conduct inspections. The Authority will contact the property owner prior to an inspection and arrange for a date and time to conduct the inspection. The Authority will attempt to contact the property owner up to three (3) times for an inspection over a period of not less than thirty (30) days using all forms of communication including at least one written letter. If the property owner fails to recognize the Authority's attempts to notify property owner of the inspection and successfully schedule an inspection the Authority will post a notice at the property of the time and date of the inspection. Upon which the Authority will conduct an inspection.

- 24.2.2. If after inspection the Authority finds violations of these Rules and Regulations the Authority will notify the property owner of the violations in writing and shall provide a time of correction on the written notice. The time of correction shall be no less than thirty (30) days. If the property owner finds that the corrections will require additional time, then the property owner shall immediately notify the Authority and request an extension of time to correct the violation. The Authority will respond in writing approving or denying the extension request. Denial of an extension request shall be accompanied by a reason for the denial.

### SECTION 24.3 UNLAWFUL USE OF STORMWATER SYSTEM

- 24.3.1. Discharge to the Stormwater System shall be governed by the Clean Water Act of 1972, and as amended, which regulates the discharge of pollutants to surface waters. The Stormwater System ultimately discharges to surface waters and therefore, the Clean Water Act of 1972 applies.

### SECTION 24.4 STORMWATER, ZONING, AND SUBDIVISION ORDINANCES

- 24.4.1. Municipal stormwater management ordinances shall govern the volume and rate at which stormwater may be released or discharged from private property to the stormwater system.
- 24.4.2. Municipal and County zoning and subdivision ordinances shall regulate the development, use, size, and nature of property within the stormwater service area of the Authority.
- 24.4.3. These rules and regulations set forth permissible connections to the stormwater system, establishment of fees, use of fees, and character of discharge to the stormwater system. The stormwater system is provided to receive stormwater runoff from lands within the service area and convey certain volumes and rates of stormwater to surface waters or tributary stormwater systems. The stormwater system shall not collect and convey all stormwater.

### SECTION 24.5 STORMWATER SYSTEM PROGRAM

- 24.5.1. Stormwater Service Area
  - a. The Borough of Somerset fully resides within the boundary of the Coxes Creek Watershed. The existing Stormwater System fully resides within the boundary of the Coxes Creek Watershed. The existing stormwater system collects and conveys stormwater within the Coxes Creek Watershed to Coxes Creek, a surface water of the Commonwealth of Pennsylvania. The current stormwater service area is comprised of the pipes, inlets, and facilities for the specific purpose of collecting and conveying stormwater received by, occurring within, and discharge from the Borough of Somerset.
  - b. The Authority finds that all properties contribute stormwater, directly or indirectly, to the stormwater system and are therefore users of the stormwater system.

- c. The stormwater service area may be amended by Resolution to include other areas which contain pipes, inlets, and facilities for the specific purpose of collecting and conveying stormwater; as authorized and established by the Municipal Authorities Act or other Acts of the Commonwealth of Pennsylvania.

#### 24.5.2. Basis of Fees

- a. All properties within the stormwater service area contribute stormwater, directly or indirectly, to the stormwater system and are therefore users of the stormwater system. The stormwater system requires operation, maintenance, and improvement which are costs of the Authority. The Authority will collect fees from the users of the stormwater system for the purpose of operation, maintenance, and improvement.
- b. The Authority has conducted a stormwater study to determine the costs and use of the stormwater system. The stormwater study determined that each property contributes some level of stormwater to the system and the amount of stormwater contributed to the stormwater system is directly related to the amount of impervious area contained on the property.
- c. The study proposed the use of a defined unit of measure for impervious area which relates to a single-family dwelling or residence. This practice is currently used to define and plan for wastewater or sewage flows. For sewage flow, the unit Equivalent Dwelling Unit (EDU) is used to quantify the typical sewage flow for a single-family dwelling unit. For stormwater flow, the unit Equivalent Residential Unit (ERU) will be used to quantify the typical stormwater flow for a single-family residence.
- d. The amount of impervious area for an ERU is established in the Rate Schedule. ERU values will be periodically evaluated to determine if the ERU value reflects the current single-family residence for the stormwater service area.
- e. The quantity of ERUs assessed to the property shall be the amount of total impervious area on the property divided by the ERU value. The resultant will be rounded to the nearest whole ERU.
- f. The Authority will maintain a list of properties and assigned ERUs which is available for inspection by request. The list may be made publicly available through the Borough or Authority's website.

#### 24.5.3. Stormwater Management

- a. Private and public properties have existing or may develop stormwater management facilities as part of compliance with stormwater management ordinances or to receive reduced stormwater fees. The purpose of stormwater management facilities is to offset the negative impacts, increase stormwater volume and rates, related to impervious area. The stormwater management facilities will reduce the amount each property uses the Authority's stormwater system.
- b. The measure of ERUs for each specific property will consider the presence and function of stormwater management facilities by reducing the measure of impervious area by the amount of impervious area controlled by a stormwater management facility on or associated with each individual property.

- c. Only properties which installed a stormwater management facility with the approval and recognition of the governing Municipality which acknowledges compliance with an approved Act 167 Stormwater Management Plan or Stormwater Management Ordinance consistent with the Plan shall receive consideration in reduced measurement of impervious area on the property for the purpose of establishing the amount of ERUs on the property.
- d. Property owners can review the amount of ERUs assigned to their property and request an evaluation of their current or proposed stormwater management facility to receive a reduced measurement of impervious area and potentially a reduction in ERUs.
- e. Other reductions in the measurement of impervious area are described in the Rate Schedule.

## SECTION 24.6 GENERAL AND MISCELLANEOUS

- 24.6.1. The Authority may implement such administrative procedures necessary to implement the policies and requirements set forth in these Rules and Regulations.
- 24.6.2. Precipitation events may occur occasionally that cause volumes and rates of Stormwater runoff to occur that exceed the capacity of the Stormwater System maintained and financed with Fees. Nothing herein shall be deemed to imply that Property subject to charges shall always be free from flooding or flood damage, or that all flood control projects to control Stormwater can provide complete protection from all flood and storm events. Nothing whatsoever in these Rules and Regulations shall deem the Authority liable for any damages incurred from Stormwater or from adverse water quality. Nothing herein is intended to reduce the need or necessity for flood insurance, and the Authority expressly reserves the right to assert all available immunities and defenses in any action seeking to impose monetary damages upon the Authority, its officers, employees, and/or agents arising out of any alleged failure or breach of duty with respect to the Authority's Stormwater System.
- 24.6.3. Nothing in these Rules and Regulations or in the design, operation or maintenance of the Stormwater System shall be deemed to constitute a warranty, express or implied, nor shall it afford the basis for any action seeking the imposition of money damages against the Authority or Borough, its officers, employees, or agents. The Authority and Borough expressly reserves the right to assert all available immunities and defenses in any action seeking to impose monetary damages upon the Authority, its officers, employees and agents arising out of any alleged failure or breach of duty or relationship as may not exist or hereafter be created.
- 24.6.4. Unless expressly provided for or required by law or applicable agreement related to Stormwater, the funds received from the collection of the Fees authorized by these Rules and Regulations or Resolution shall be deposited into a fund and account dedicated to the operation and administration of the Stormwater System, and for the operation, maintenance, repair, and capital improvement of the Stormwater System.

# GENERAL

## ARTICLE 25. PROTECTION FROM DAMAGE

### SECTION 25.1 GENERAL

- 25.1.1. No unauthorized person shall maliciously, willfully, or negligently break open, damage, uncover, deface, destroy or tamper with any structure, sewer, water line, tank, manhole, pumping station, appurtenance, treatment facility, or equipment which is a part of the Water, Wastewater, or Stormwater Systems.
- 25.1.2. No agent or employee of the Borough or Authority shall have the right or authority to bind the Authority by any promise, agreement or representation contrary to the letter or intent of these Rules and Regulations.

## ARTICLE 26. ABATEMENT OF FEES, RENTALS, AND SERVICE CHARGES

### SECTION 26.1 GENERAL

- 26.1.1. There shall be no abatement of fees, rentals or service charges imposed by the Authority's Rate Schedules unless the property with respect to which an abatement is requested shall have been permanently physically disconnected from the water and wastewater system in a manner satisfactory to the Authority.
- 26.1.2. It is intended by this Section to prohibit any abatement of fees, rentals or service charges for any period during which a property connected to the water or wastewater system shall have been vacant or unoccupied unless the property is permanently physically disconnected, as aforesaid. Further, there shall be no abatement of fees, rentals or service charges imposed by the above-referenced Rate Schedules during the time period in which an occupied building connected to the sewer system is seasonably vacant.
- 26.1.3. Properties within the stormwater service area are by nature typically unable to disconnect or cease the discharge of stormwater. Abatement from fees, rentals or service charges related to stormwater shall be evaluated on a case-by-case basis, but only shall be considered if water and wastewater services have also been properly abandoned consistent with Article 26.

# PAYMENTS, BILLING AND COLLECTIONS

## ARTICLE 27. BASIS OF WATER, WASTEWATER, AND STORMWATER CHARGES

- 27.1.1. Customers of the Authority shall be responsible for all bills for services, fees, surcharges and rates which are established in the Rate Schedules. Bills for services furnished by the Authority to the customer shall be based on the Rate Schedules which are from time to time amended, revised, and retracted as deemed necessary by the Authority.

- 27.1.2. The Authority may by resolution adopt such rules, regulation, policies, and procedures as it deems appropriate to ensure collection of rates and charges assessed and imposed pursuant to these Rules and Regulations. Without limitation, collection procedures may include referral of delinquent accounts to a collection agency, filing of liens, scire facias sur municipal lien proceedings to collect filed liens, and all other measures or combinations thereof which the Board may deem appropriate.
- 27.1.3. All costs of such collection procedures, including but not limited to fees for filing, perpetuation and satisfaction of liens, collection fees, attorney's fees, court costs, litigation expenses, and charges for service of documents, shall upon being incurred by the Authority be imposed as a charge for nonpayment and added to the balance due on said Owner's account.
- 27.1.4. All bills shall be due when rendered and shall be subject to the penalty provisions set forth in the Rate Schedule.
- 27.1.5. Water Service
- a. Each metered water customer shall be billed a fixed minimum monthly or quarterly fee for each meter, based on the size of the water meter and in accordance with the Rate Schedule, the use of certain quantities of water being allowed for each size meter without additional charge.
  - b. In the event of fractional bills covering less than the full billing period month or quarter, the bill shall be prorated. Monthly billing shall be prorated at the rate of 1/30 of the minimum charge for each day of use. Quarter billing shall be prorated at the rate of 1/90 of the minimum charge for each day of use.
  - c. The charges for the use of water in excess of the quantities of water allowed for each size meter will be in accordance with the consumption rate as set forth in the Rate Schedule.
  - d. Temporary service and other miscellaneous services shall be billed at the rates established in the Rate Schedule.
- 27.1.6. Wastewater Service
- a. Wastewater customers connected to the Authority's sanitary sewer system shall be billed for the collection, transportation, and treatment of wastewater on a monthly or quarterly basis in accordance with the Rate Schedule.
  - b. Metered Authority Water Service & Metered Non-Authority Water Service
    - i. Single Customer Connection - Wastewater customers which also have metered water service, of meter types acceptable to the Authority, shall be assessed an EDU fee for each EDU connected to the sanitary sewer service connection. EDU fees shall be assessed on a monthly basis. Customers will be billed monthly or quarterly. Quarterly billings will include the cumulative monthly EDU fee for the quarterly billing period.

- ii. Multiple Customer Connection – Wastewater customers with individual water meters, engaged as a single customer with the Authority, and sharing a single service connection shall be billed individually for wastewater service. Each customer shall be assessed the appropriate EDU fee as determined by the Authority and assessed the sum of the EDU fee on a monthly basis. Customers will be billed monthly or quarterly. Quarterly billings will include the cumulative monthly EDU fee for the quarterly billing period.
    - iii. All metered customers shall be billed for the use of the wastewater system at the appropriate collection, conveyance, and treatment rate which shall be equal to the quantity of used, metered water.
  - c. Non-Metered Customer
    - i. All non-metered customers shall be billed on a monthly or quarterly basis at the non-metered customer rate established in the Rate Schedule.
  - d. Water not Entering the Sanitary Sewer System
    - i. Customers may petition for consideration of water not entering the wastewater system.
    - ii. Requests shall not be granted to any customer not holding a valid Certificate of Compliance.
    - iii. Customers shall be required to furnish proof, satisfactory to the Authority, that metered water does not or did not enter the wastewater system. Customers seeking credit for water not entering the sanitary sewer in perpetuity may be required to furnish proof at intervals consistent with the applicable billing periods.

#### 27.1.7. Stormwater Service

- a. Each stormwater customer shall be billed a fixed minimum monthly or quarterly for the use of, benefit by, and the services rendered by the Stormwater System, including its operation, maintenance, repair, replacement, and improvement of said system and all other expenses. Fees are imposed upon each and every Property that is connected with, uses, is serviced by or is benefited by the Stormwater System, either directly or indirectly. Fees shall be payable by and collected from Property Owners and shall be determined as set forth below.
- b. Fees shall be assessed, liened, and collected by individual Map Number to all Property Owners within the service area.
- c. The fee has been established by a duly adopted resolution of the Authority and is included in the Rate Schedule or these Rules and Regulations; and from time to time by duly adopted resolution amended, revised, and retracted as deemed necessary, and to the extent practicable, by the Authority.

- d. Unless expressly excepted, the Fees fixed and established by these Rules and Regulations shall be effective as to all Properties that use, are served, or are benefited by the Authority's Stormwater System, either directly or indirectly, and are located within the service area of the Authority. Fees fixed and established by the Rules and Regulations shall be effective to all Properties that use, are served, or are benefited by the Stormwater System existing as of the effective date of these Rules and Regulations and shall be effective to all other Properties thereof that use, are served or benefitted by the Stormwater System subsequent to the effective date of these Rules and Regulations.
- e. Fees imposed by this Resolution shall be assessed annually and billed by the Authority or its authorized agent on a monthly or quarterly basis.
- f. Fees assessed and collected will not be subject to the proration or refund by the Authority in the event a Property is sold; provided, however that this sentence shall not bind a buyer and seller from making their own proration of any Fees assessed hereunder.

27.1.8. Estimated Service Charges

- a. The Authority reserves the right to estimate monthly or quarterly billing for water and wastewater services.
- b. Estimates will be based on average usage of the same customer for the rendered service over a period not exceeding the most recent twelve (12) months.
- c. The billing period immediately preceding any and all estimated billing periods shall include any and all overpayment and underpayment. The customer shall be credited with the overpayment for the current billing period or periods. All underpayments shall become immediately due.

## ARTICLE 28. BILLS RENDERED AND DUE

- 28.1.1. Bills will be rendered either monthly or quarterly depending on the type of customer and as approved by the Authority. The Authority shall deliver or mail bills, notices and other correspondence to the customer at the address given in the application for service. Customer must notify the Authority immediately upon change of address. The Authority shall deliver or mail by postal service, email, or other notice type as agreed to by Customer and Authority. The Authority shall not be responsible for the delivery thereto.
- 28.1.2. Failure to receive bills, notices, or correspondence will not excuse the customer from payment or timely payment.
- 28.1.3. All bills are made due as prescribed in the Rate Schedule or as noted on the delivered bill.
- 28.1.4. Payment of bills after the due date will result in the assessment of a late fee assessed at the rate established in the Rate Schedule.
- 28.1.5. Customers who are found to have paid bills due to the Authority with a check that is returned unpaid by the drawee bank for any reason shall be charged a "Returned Check Fee" and in addition may be responsible for any other costs incurred by the Authority related to the returned check. Returned checks shall be just cause for immediate termination of service.



- 28.1.6. Bills not paid by the due date shall result in the customer receiving notice of the unpaid bill status, assessment of a late fee, and service may be terminated in accordance with these Rules and Regulations.
- 28.1.7. In accordance with the Municipal Claims Act, 53 P.S. § 7101, *et seq.* (as amended), all rates, and charges, penalties, interest, collection fees, lien filing and satisfaction fees and other charges imposed for failure to pay promptly shall constitute a lien upon and against the subject Property and its owner from the date of their imposition and assessment.

## ARTICLE 29. PARTIES RESPONSIBLE FOR PAYMENT

- 29.1.1. In accordance with the Municipal Claims Act of April 17, 1929, P.L. 527 as amended December 8, 1959, P.L. 1726 (53 P.S. 7251), the property owner must act as guarantor for the payments of all bills as rendered. If the tenant neglects to make such payments, it will be the responsibility of the property owner to make such payments.

## DELINQUENCIES, VIOLATIONS AND REMEDIES

### ARTICLE 30. DELINQUENCIES

- 30.1.1. Each charge, fee, assessment, surcharge and penalty imposed by the Rate Schedule of the Authority and hereunder shall be a debt due to the Authority and shall be a lien on the property served if not paid within the period prescribed herein or in the Rate Schedule. In such event, the Authority shall proceed to file a lien in the office of the Prothonotary of Somerset County and collect the same in the manner provided by law for the filing and collection of municipal claims.
- 30.1.2. In the event of failure to pay these charges, fees, assessments, surcharges and penalties after they become delinquent, the Authority may also authorize the appropriate personnel to shut off water service to said property or to remove or close the sewer connection and to take such steps as may be necessary to accomplish such shut off or removal or closing. The expense of such shut off or removal or closing, as well as the expense of restoring any such service, shall likewise be a debt due the Authority and a lien on the property served and may be filed and collected as hereinabove provided. Such water and wastewater service shall not be restored until all charges, fees, assessments, surcharges and penalties, including the expense of removal, closing and restoration shall have been paid or adequate provisions for their payment shall have been made.

## ARTICLE 31. VIOLATIONS AND REMEDIES

- 31.1.1. Any person found to be violating any provision of these Rules and Regulations may be given notice of such violation either personally or by means of the United States mails, and if no action to correct said violation is taken within thirty (30) days of the date of such notice, water to said premises may be shut off or the sewer connection may be removed or closed. Reconnection will not be made until after correction of the violation has been accomplished. The expense of such shut off or removal or closing and the expense of restoring the water or sewage service shall be a debt due the Authority and a lien upon the property served and may be filed and collected as provided in Article 30.
- 31.1.2. If any person discharges sewage, industrial wastes or other wastes into the Authority's Sewer System contrary to the provisions of these Rules and Regulations, Federal or State Pretreatment Requirements, or any order of the Borough, the Authority Solicitor or Borough Solicitor may commence an action for appropriate legal and/or equitable relief in the Common Pleas Court of Somerset County.
- 31.1.3. Any user who is found to have violated an order of the Authority or who willfully or negligently failed to comply with any provision of these Rules and Regulations, and the orders, rules, regulations and permits issued hereunder, shall be fined not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000) for each offense. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offence. In addition to the penalties provided herein, the Authority may recover reasonable attorneys' fees, court costs, court reporters' fees and other expenses of litigation by appropriate suit at law against the person found to have violated these Rules and Regulations or the orders, rules, regulations, and permits issued hereunder.
- 31.1.4. Any person who knowingly makes any false statements, representations or certifications in any application, record, report, plan or other document filed or required to be maintained pursuant to these Rules and Regulations, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under these Rules and Regulations, shall be guilty of a summary offense as defined by the Pennsylvania Crime Code, and shall be punished in accordance with the provisions thereof.

# VALIDITY OF RULES AND REGULATIONS

## ARTICLE 32. VALIDITY

### SECTION 32.1 CONFLICT

All resolutions or parts of resolutions which are in conflict with any Section of these Rules and Regulations shall be deemed to be repealed. Further, the invalidity of any section, clause, sentence, or provision of these Rules and Regulations shall not affect the validity of any other part of them which can be given effect without such invalid part or parts, and if any one or more of the provisions of this set of Rules and Regulations shall for any reason be held to be illegal or invalid or otherwise contrary to law, then such provisions shall be null and void and shall be deemed separable from the remaining provisions hereof, but shall in no way otherwise affect the validity of these Rules and Regulations.

All other rules and regulations affecting the Water, Wastewater and Stormwater System not in accordance with these Rules and Regulations are hereby repealed insofar as they affect these Rules and Regulations.

### SECTION 32.2 SEVERABILITY

The invalidity of any section, clause, sentence, or provision of these Rules and Regulations Governing Water, Wastewater and Stormwater Service shall not affect the validity of any other part of them that can be given effect without such invalid part or parts. If any one or more provisions of this set of Rules and Regulations shall for any reasons be held to be illegal or invalid or otherwise contrary to law, then such provisions shall be null and void and shall be deemed separable from the remaining provisions hereof but shall in no way otherwise affect the validity of the Rules and Regulations.

### SECTION 32.3 ADOPTION

These Rules and Regulations were adopted pursuant to and in accordance with a Resolution of the Authority effective on January 1, 2025. Per Resolution 2025-01