

Ebensburg Municipal Authority

Rules & Regulations Governing Water Service

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**EBENSBURG MUNICIPAL AUTHORITY
WATER SYSTEM
RULES AND REGULATIONS**

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1. SECTION ONE: PREAMBLE

- 1.1. Ebensburg Municipal Authority (“Authority”) is the Owner of the Ebensburg Water System.
- 1.2. The Authority leases the entire Water System to the Borough of Ebensburg (“Borough”).
- 1.3. The Authority is responsible for establishing rates and fees, capital improvements to the System, managing debt necessary for said improvements, obtaining construction and operating permits, and adopting Rules & Regulations for the operation of the System.
- 1.4. The Borough is responsible for all aspects of the operation of the System; maintenance and repair of the System; billing, collection of water rates and other charges, financial accounting; and enforcement of these Rules & Regulations.
- 1.5. These Rules & Regulations are a part of the contract with every person, firm, corporation or municipality who takes water; and by taking water, each customer agrees to be bound hereby.
- 1.6. The Authority has the right, in its sole discretion and upon just cause shown, to waive or vary any provision of these Rules & Regulations that it deems to be in the best interests of the Authority and in the fair and efficient operation of the Water System.
- 1.7. The Borough is vested by the Authority with any power and authority granted herein to the Authority, except those powers listed in Section 1.3. above, which the Authority reserves unto itself.

2. SECTION TWO: DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of the terms shall be as follows:

- 2.1. Application: Form used by an Owner to apply for service from the Water System. To be considered complete, the form will be accompanied by the appropriate service charges, a schedule for installation of required facilities, and registration of the contractor who is to perform the installation.
- 2.2. Authority: Ebensburg Municipal Authority and its authorized representatives.
- 2.3. Borough: The Borough of Ebensburg, Cambria County, Pennsylvania.

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- 2.4. **Building:** Each single-family dwelling unit, multiple dwelling unit, multiple use unit, store, shop, office, business, institutional, commercial, or industrial unit; contained within any structure; erected and intended for continuous or periodic habitation, occupancy, or use by humans or animals; for which water is or may be used.
- 2.5. **Connection:** The attachment of an Owner's service line to the Authority's water main for the purpose of providing Owner's Building or property with water service.
- 2.6. **Curb Box or Curb Stop:** Used interchangeably herein to refer collectively to the in-ground service shut-off valve and the vertical sleeve with cap between the valve and surface.
- 2.7. **Customer:** The individual or individuals, partnership, association, company, municipality, or any entity whatsoever becoming the contractual applicant or actually using the water service of the Authority and responsible for payment thereof, as provided in the Rules & Regulations of the Authority.
- 2.8. **Developer:** Any person who desires to construct, at their own expense and cost, a water main extension to serve any one or more Buildings or other uses; and to connect said extension to the existing Water System.
- 2.9. **Engineer:** A registered professional engineer who is retained by the Authority, including any authorized member of the staff of such engineer.
- 2.10. **Equivalent Dwelling Unit (EDU):** One EDU is equal to a daily usage of 145 gallons per day, based upon 65 gallons per person times the average number of persons per household in the latest U.S. census.
- 2.11. **Inspector:** The person or persons appointed by the Authority to inspect existing or proposed facilities of the Water System, service lines, meters, and Building piping and fixtures.
- 2.12. **May:** Is permissive.
- 2.13. **Multiple Dwelling Unit:** A building with individual apartments, mobile home park with individual units, a multi-family or multi-unit dwelling project. Does not include motels or hotels which contract for occupancy terms of less than one month.
- 2.14. **Multiple Use Unit:** A combination of single-family dwelling, store shop, office, business, institutional, commercial, and/or industrial units contained within one Building; for which the Authority has determined that more than one use exists.
- 2.15. **Meter:** That part of the Water System which registers and records the consumption of water.

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- 2.16. Owner: Any and all persons vested with title, legal or equitable, sole or partial, of a Building or other real estate.
- 2.17. Person: An individual, firm, company, association, society, corporation, partnership, or other group or entity.
- 2.18. Service Charges: The customer facilities fee, connection fee, and tapping fee (comprised of capacity, distribution, special purpose and reimbursement fees) imposed by the Authority under Act 57 of 2003, as amended, payable upon connection of a Building or property to the Water System.
- 2.19. Service line: That part of the water system including the saddle, corporation stop, curb stop, and pipe extending from the water main to the property line as owned and maintained by the Authority, and that part of the pipe extending from the property line to the structure wall being served or meter pit defining the connection point with the facilities served as owned and maintained by the Owner. The meter located within the structure or pit is the property of the Authority.
- 2.20. Shall: Is mandatory.
- 2.21. Water Main: A pipe or conduit that carries water.
- 2.22. Water System: The pipe, fittings, and appurtenances owned by the Authority, including reservoirs, wells, tanks, pumps, valves, water mains, meters, and defined portions of the service line.
- 2.23. All Other Terms: Unless the context specifically indicates otherwise, the meaning of terms not defined above shall be as defined in the "Glossary - Water and Wastewater Control Engineering", prepared by a joint editorial board representing the American Public Health Association, the American Society of Civil Engineers, the American Water Works Association, and the Water Environment Federation.

3. SECTION THREE: REQUIREMENTS OF PRIVATE WATER SUPPLY

- 3.1. The maintenance of private water systems by Persons receiving water service from the Authority represents a significant public health hazard due to potential cross connection. It shall be unlawful for any Owner or other Person receiving water service from the Authority to construct or maintain any private or other water supply without the knowledge and written consent of the Authority. No such private water supply is to be connected to any Building plumbing system, or to any facility allowing human consumption.

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4. SECTION FOUR: CONDITIONS AND PROCEDURES FOR INITIAL SERVICE

- 4.1. No Person shall make or cause to be made any connection with the Water System until they have fulfilled all of the following conditions and procedures:
 - 4.1.1. Any Owner desiring the introduction of service and/or connection to the Water System of the Authority must first make a written application on the form furnished by the Authority, at least two (2) weeks before the service is required.
 - 4.1.2. The application will state the address, the name of the Owner, the purpose for which service will be used, the proposed use of the property, anticipated water usage, and the size of service line, connection, and meter desired.
 - 4.1.3. The application must be signed by the Owner or his duly authorized agent. The application together with the Rules and Regulations of the Authority shall regulate and control the service of water to the Building.
 - 4.1.4. The application must be accompanied by the required service charges and any other fees established by the Authority.
 - 4.1.5. The application must contain a proposed date when the service line will be ready for inspection and making connection.
 - 4.1.6. The Authority has the right to approve or disapprove the application.
- 4.2. When an application has been made for a new service or for reinstatement or change in an existing service, it is assumed that the piping and fixtures which the service will supply are in order to receive the service. The Authority shall not be liable in any case for any accident, breaks, or leakage arising in any way in connection with the supply of water or failure to supply water, or the freezing of pipes or fixtures, nor for any damage to the Building which may result from the usage or non-usage of water supplied to the Building.
- 4.3. The Owner shall notify the Authority, at least seventy two (72) hours prior to the time when connection will be made, in order that an Inspector can be present to inspect and approve the service line work and connection.
- 4.4. At the time of the inspection of the service line and connection, the Owner shall permit the 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.

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- 4.5. No water service line shall be laid in the same trench with a sewer or gas pipe or with any facility of a public service company, or within three feet of any excavation or vault; without written approval of the Authority.
- 4.6. The Owner will provide, free of charge and expense to the Authority, a location for installation of a meter. Generally, this location is to be a readily accessible spot inside the Building near the entrance of the service line. The Owner will also provide an exterior location for the remote readout portion of the meter.
- 4.7. In cases where it is not practical to place the meter within a Building, the meter may be located in an outside pit. This will particularly apply to house trailers and mobile homes. The pit may be an approved pre-fabricated meter box, or otherwise constructed of brick or concrete. It is to have a suitable iron cover. In general, the pit is to be located at the property line. Installation will generally be by the Authority, and at the expense of the Owner. The Owner may construct the pit or box, with written approval from the Authority, providing the pit or box size and dimensions are approved by the Authority, that it gives adequate access to the meter, and permits its installation or removal.
- 4.8. The inspector shall signify his approval of the connection by endorsing his name and the date of approval on the permit.
- 4.9. The Owner shall install isolation valves on both sides of the meter and a dual check backflow preventer on the outlet side of the meter.
- 4.10. Notwithstanding any other provisions to the contrary, the Authority shall at all times reserve the right to withhold the issuance of any permit for connection to the Water System until the Owner provides collateral or security as the Authority in its sole and absolute discretion deems adequate. Such security is to provide a fund from which all costs and expenses can be paid for the construction of any necessary connection from the existing water main to the property of the Owner; in the event the Owner or any successor fails to complete the required construction.

5. SECTION FIVE: CONNECTION FEES

5.1. Customer Facilities Fee

- 5.1.1. The Customer Facilities Fee is applicable to that portion of the facilities serving the connected property from the curb stop to the proposed dwelling or building to be served. The property Owner who requests customer facilities shall be required to construct such customer facilities, and shall be responsible for all direct and indirect costs associated with providing said facilities. The Customer Facilities Fee is intended to cover the Authority's actual cost, on average, of providing a service meter, installing same and monitoring compliance testing of the customer facilities.

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5.2. Connection Fee

5.2.1. The Connection Fee is based upon the actual cost of connecting the customer facilities to the Authority's main transmission line. This fee shall include the cost of making the actual connection to an existing curb box, and may include the cost of excavating the main transmission line, making the tap, surface restoration, and installing a new curb box.

5.3. Tapping Fee

5.3.1. The Tapping Fee has been established by the Authority in accordance with the provisions of Act 57 of 2003. Water service from the Authority cannot be secured without payment of the appropriate Tapping Fee.

5.3.2. Components of Tapping Fee

5.3.2.1. Capacity Fee – The Capacity Fee component is based upon the cost of capacity-related facilities, including but not limited to source of supply, treatment, pumping, transmission, storage, interconnection and other general system facilities.

5.3.2.2. Distribution Fee – The Distribution Fee component is based upon the cost of distribution facilities required to provide service, such as water mains, pumping stations, and fire hydrants.

5.3.2.3. Special Purpose Fee – The Special Purpose Fee component, if applicable, is based upon the cost of providing a particular service to a specific group of customers or a specific service area, such as booster pump stations and fire service facilities.

5.3.2.4. Reimbursement Fee – The Reimbursement Fee component, if applicable, is based upon collecting the allocable portion of the cost of facilities in order to reimburse the Person at whose expense the facilities were constructed.

5.3.3. All prospective Customers will pay an equitable Tapping Fee representing their respective share of the cost of the Authority's existing water facilities. Tapping Fees will be based upon the Customer's projected water usage, calculated in terms of equivalent dwelling units (EDUs).

5.3.4. For the purpose of allocating water capacity for new residential construction, one EDU is equal to a daily usage of 145 gallons per day, based upon 65 gallons per person times the average number of persons per household in the latest U.S. census. For new, non-residential construction, the Authority may accept the Customer's estimated or projected water usage for the purpose of allocating water capacity.

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- 5.3.5. Any prospective, residential Customer who proposes to utilize a property where a previous water Customer had existed shall be allocated one EDU of water capacity. In the case of non-residential Customers, water capacity shall be allocated based upon the number of EDUs purchased by the previous Customer. Where a previous non-residential Customer had existed, but where Act 57 charges did not apply, an EDU value shall be assigned/grandfathered based upon an analysis of past usage records. Purchased or historic EDU capacity/usage shall be compared to the EDU total requested by the new, prospective Customer. Where the proposed usage is less than the purchased or historic, no additional Tapping Fees will be owed. Conversely, should the prospective Customer's request exceed the purchased or historic usage, Tapping Fees will be owed for the additional capacity.
- 5.3.6. The Authority reserves the right to conduct a usage analysis. Customers found to have exceeded their original, purchased or assigned usage for any twelve-month period shall be billed additional Tapping Fees, based upon their actual usage. Payment shall be due and payable within thirty (30) days of billing for the difference between the previously paid-for or assigned usage and the peak month usage, as demonstrated by the Authority's water meter reading records during the preceding twelve-month period. The charge for additional usage will be billed at its corresponding EDU value and at the current rate. Partial EDUs shall be rounded up to the next whole EDU.
- 5.3.7. In cases where the capacity paid for by the Customer exceeds the actual usage of the Customer, the Authority does not refund or rebate any portion of such user charges. Once a particular capacity is requested and paid for, that portion of capacity is perpetually allocated to the property served by the water facilities of the Authority. Said capacity runs with the property and is available for future Owners or users of water service in that location.
- 5.3.8. No Tapping Fee (or Special Purpose, etc.) shall be assessed to any Customer seeking to establish or reinstate water service to a new or existing, auxiliary structure (garage, shed, pool house, etc.) located on their property, unless the structure is used as a residence or is used to house a commercial/industrial activity requiring water consumption in excess of previously allotted or purchased capacity in the water system. Appropriate Customer Facility Fees and Connection Fees may be payable.
- 5.3.9. Tapping Fees will be waived for any commercial or industrial type applicant whose tenure or operations are deemed to be temporary, with the term temporary to mean a period of time not to exceed two years, and with such status to be reviewed annually. Water bills for Customers classified as temporary will be calculated according to the Authority's current rate chart. In the event that operations continue beyond two years, the appropriate Tapping Fee will become payable immediately.

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6. SECTION SIX: RIGHT OF INSPECTION

- 6.1. The Authority and its duly authorized representatives and employees, bearing proper credentials and identification, shall be permitted to enter upon all property for the purpose of inspection, observation, testing and retesting of the meter, service line, and connection; at all reasonable hours.
- 6.2. The Authority and its duly authorized representatives and employees, bearing proper credentials and identification, shall be permitted to enter upon all property at all reasonable hours; for the purpose of conducting surveys and investigations of water use practices to determine whether there are actual or potential cross connections through which contaminants could backflow to the Water System.

7. SECTION SEVEN: SERVICE CONNECTIONS

- 7.1. Residential Service Connections
 - 7.1.1. For the purpose of this section all service connections either 1" or $\frac{3}{4}$ " in diameter shall be viewed as a residential-size connection. All required water applications must be completed, and all water fees must be paid to the Authority prior to obtaining building permits. It shall be unlawful to obtain or take water service from the Authority's Water System without having first paid the appropriate fees as required. After the Customer has completed the required application form and paid the appropriate fees, the Authority will schedule the proposed installation at its discretion, but in a timely manner. The Authority will provide the connection to its main line and run the appropriate size service line to the Customer's property. The service connection shall terminate with a brass curb stop and cast iron curb box placed within the road right-of-way at a point as near the actual property line as can be determined by conditions in the field. The Authority standard is to provide a $\frac{3}{4}$ " service connection.
 - 7.1.2. If the Customer can document the need for a larger size (1" instead of the standard $\frac{3}{4}$ ") service the Authority will provide same at a higher fee. Any service larger than a 1" is installed at time and material plus overhead.
 - 7.1.3. The location of the service connection shall be determined exclusively by the Authority. The Customer may request the service connection and curb stop at a preferred location, prior to actual installation. If possible, as determined by the Authority, the service connection will be installed at said preferred location.
 - 7.1.4. No service connections will be installed during any period when street openings are prohibited by State or municipal regulations, nor at any time when, in the judgment of the Authority, working conditions are unfavorable for the installation either by reason of weather, temperature, soil conditions, or otherwise.

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7.2. Large Size Service Connections

- 7.2.1. All service connections greater than 1" will be initiated after the Applicant has completed the required application forms and paid Tapping Fees. It shall be unlawful to obtain or take water service from the Authority's Water System without having first paid the appropriate fees as required. Upon completion of the service connection, the Authority will invoice the applicant for the cost of the installation. The total cost will be computed, including time and material plus overhead.
- 7.2.2. Contractors, developers, persons constructing premises for resale and others applying for new connections wherein the entire connection fee is not tendered in full with the application, will be denied further connections if the fee billed to them remains unpaid for a period of thirty (30) days from the date of the invoice.
- 7.2.3. Ultimate responsibility for the payment of tapping and connection fees shall be on the Owner of the premises served, whether or not the application is sought by a contractor, developer or others. All remedies for payment, including suit, liens and discontinuance of service may be utilized against said Owner.
- 7.2.4. All large size service connections shall include either a curb stop, gate valve, butterfly valve, or other type control valve as deemed appropriate by the Authority.

8. SECTION EIGHT: SERVICE LINES

- 8.1. The Customer, or his designee or contractor, must connect to the service connection provided by the Authority and complete the service line installation into the building or structure requesting water service. The installation of the service line must be in conformance with the Authority's Rules and Regulations. The cost for such service line installation is the exclusive responsibility of the Customer.
- 8.2. All fittings and/or adapters required by the Customer, along with the actual physical connection thereof to the Authority's curb stop, shall be the exclusive responsibility of the Customer.
- 8.3. The service line shall be and shall remain the exclusive property of the Customer; and any maintenance, replacement, repair, upgrading, thawing etc. shall be the exclusive responsibility of the Customer.
- 8.4. No service line shall be within three feet of any open excavation or vault, unless such installation plan shall have been previously authorized and approved by the Authority, as evidenced by its written permission.

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- 8.5. Service lines are not permitted to be installed across the property of a third party in order to access an Authority-owned water line (See Line Extension Rule). The Authority may waive this requirement on a case by case basis in extenuating circumstances. In such cases, a right-of-way shall be obtained from the third party, and recorded with the Recorder of Deeds.
- 8.6. No service line shall occupy the same trench with any telephone, electric, cable TV wire, or any other facility, without written approval of the Authority. Where the water service line and sanitary sewer line do occupy the same trench, the installer must take measures to maintain a physical separation of at least 18" between those facilities.
- 8.7. All service line and connection pipe shall be placed on a three (3) inch deep PaDOT type 2B aggregate base; and backfilled with PaDOT type 2B aggregate to at least six (6) inches above the top of the pipe. Where rock is encountered on the trench bottom, over-excavate six inches and backfill with PaDOT type 2B aggregate. All pipe shall have at least forty eight (48) inches of cover mechanically tamped in layers not to exceed twelve (12) inches. All pipe is to be laid in a straight grade; avoiding summits and depressions which could collect air and sediment. The pipe is to be "snaked" in the trench to allow at least an additional three (3) inches per one hundred (100) feet of length for thermal expansion and contraction of the pipe.
- 8.8. All connections to the water main of less than two (2) inches in diameter shall utilize a corporation stop. All connections to polyvinyl chloride (PVC) water main of any size, and ductile iron pipe of less than six (6) inches in diameter, shall also utilize a saddle. The saddle shall have a single strap and be of bronze construction with corporation stop threads, Mueller H - 13400 or H - 16000 series or equal. The corporation stop shall have bronze body with AWWA C-800 thread dimensions and AWWA taper inlet threads and be equipped with compression connection for copper service tubing; Mueller H - 15008 or equal for three quarters (3/4) inch and one (1) inch corporation stops; Mueller H - 15013 or equal for one and one half (1-1/2) inch stops. If the connection is two inches or greater in diameter; a tee and gate valve shall be used.
- 8.9. All service lines less than 2 inches in diameter shall be equipped with a curb stop and box; located at the property line and with the top mounted flush with the ground surface. The curb stop shall be of bronze construction, with check, without drain, and be equipped with compression connections for copper service tubing: Mueller H - 1504-2 Oriseal III or equal for three quarters (3/4) inch and one (1) inch curb stops for copper tube service outside diameter both ends; Mueller H - 15172 Mark II Oriseal or equal for three quarters (3/4) inch and one (1) inch curb stops for copper tube service outside diameter tubing one end / inside iron pipe thread other end. The curb boxes shall be Mueller H - 10314 complete with stationary rod and #87081 lid, or equal.

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- 8.10. All service lines and connections shall be type "K" flexible copper or PVC plastic, in accordance with the Uniform Construction Code. Detectable tracer wire shall be installed for any and all plastic pipe.
- 8.11. All service lines and connection pipe and appurtenances may be subject to a hydrostatic pressure test of 135 psi for fifteen (15) minutes with no appreciable water leakage (less than one (1) fluid ounce per one hundred (100) feet of pipe) at the sole cost of the Owner.
- 8.12. Consumers using water for fire protection systems, steam generation or heating systems are warned not to depend upon the hydraulic or hydrostatic pressure of the water system. Steam and hot water heating plants and hot water generators and storage tanks shall in all cases be provided with a check valve in the water supply piping and other proper devices to prevent damage or collapse if the water supply should be shut off or fail for any reason. The Authority in no case will be responsible for accident or damage resulting from the imperfect installation or action of check valves or other devices or from the omission of such installation.
- 8.13. Specifications and standards for all service lines and connections shall be as described herein, or as a minimum, as prescribed by the Uniform Construction Code.
- 8.14. If a Customer wishes to replace his existing service line, the Customer must complete same, at their own cost, under the same terms and conditions in effect at that time governing new water service lines.
- 8.15. If a Customer wishes to relocate their existing service line, necessitating a relocation of the Authority's service connection, the Customer must pay in advance the appropriate connection fee as required for new service connections.
- 8.16. In all cases the new service line or replacement service line is permitted to service only a single Customer. No other property, building, structure, or user is permitted to connect to the customer service line.
- 8.17. When a single structure is so constructed or converted to allow for separate occupancy and possible separate Ownership (such as a Duplex, Triplex, Townhouse, etc.) separate service connections and service lines will be required for each unit requiring water service. Waiver of this policy is at the sole discretion of the Authority.
- 8.18. Where a single structure is so constructed to allow for separate occupancy but the layout does not lend itself to possible separate Ownership (such as a Commercial Office Building, Apartment Building, Retail/Commercial/Industrial Complex, etc.), the Authority may allow the installation of a single larger size service connection and service line. Said service line must enter the building in a specially-constructed "meter room" where individual control valves and meters will be located for each separate, prospective Customer. Each individual meter

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set-up will be in compliance with the Authority's Rules and Regulations, and each prospective Customer will be required to pay all applicable fees and charges and abide by these Rules and Regulations, as would a Customer supplied by a typical, single service line. The meter room shall be so constructed and locked so that access is gained via an outside door and access is limited to the landlord, Authority, and other utilities. The separate Customers must not be able to gain access to the meter room.

- 8.19. In cases where a single structure is so constructed to allow for separate occupancy with single ownership, at the discretion of the Authority, a bulk meter may be installed. The minimum rate for water will be equal to the minimum unit rate times the number of units available for occupancy.
- 8.20. When more than one Customer is supplied through a single, common service line, due to a preexisting condition, failure to pay a bill when due or any violation of these Rules and Regulations by any one Customer shall be deemed a violation by all those supplied through said common service line. Upon proper notice to all those Customers sharing the common service line, the Authority may discontinue water service until the Customer or Customers causing such violation have come back into compliance with the Authority's Rules and Regulations.
- 8.21. Any Customer who shares a common, single, private service line with another Customer may request the Authority to provide a new, separate service connection. If the Customer making such request installs a new, separate service line (per Authority specifications) and upgrades his inside plumbing arrangement (as required of a new Customer), the Authority will provide the new, separate service connection free of charge.
- 8.22. All leaks in the customer service line shall be promptly repaired by the Customer. If the Authority becomes aware of any such leak, it will provide the Customer written notice to complete repairs within 10 days. If the Customer fails to make said repairs without good cause, the Authority will terminate service until the Customer has affected repairs. Service will be restored only after the Customer has paid the appropriate Turn-On Fee. At the Authority's sole discretion, it may immediately terminate service if a leak on the customer's service line is causing or has the potential to cause a traffic hazard or property damage.
- 8.23. The operation of the Authority's curb stop or valve by anyone, other than an employee or a designated representative of the Authority, is absolutely prohibited, unless approved by the Authority.
- 8.24. Any cost incurred by the Authority to repair or replace a curb stop or curb box damaged by the Customer or their designee shall be charged to the Customer.

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8.25. The Authority's curb box/lid must not be covered (by sod, stone, pavement, concrete, etc.) or otherwise tampered with. Any cost incurred by the Authority in locating and/or making its curb box/lid accessible will be charged to the Customer.

9. SECTION NINE: WATER METERS

9.1. A new service line or a replacement service line must include an individual meter which will service only a single Customer.

9.2. All meters will be furnished and installed by the Authority and shall remain the property of the Authority. The Authority will determine the type and size of the meter installed. For a new service, the actual cost (parts + labor + overhead) of such installation shall be invoiced and is considered due and payable upon receipt.

9.3. The meter shall be accessible to the Authority at all reasonable hours and shall be subject to its control exclusively. Nothing shall be built, constructed or placed in proximity to the meter which would hamper the Authority's ability to readily inspect, maintain or replace said meter. The Authority shall not be responsible for the repair of any demolition or damage to the Building that is necessary in order to access or maintain the meter.

9.4. The meter will be set after the Customer has prepared his plumbing to accept same, following the standards as required by the Authority. These standards may be changed from time to time. Prior to completing the plumbing requirements, a Customer must contact the Authority to determine those requirements in effect at the time.

9.5. The meter horn is the responsibility of the Customer, and is not considered part of the meter. If it is necessary for the Authority to provide or replace a meter horn, the Customer will be invoiced for the actual cost of the meter horn.

9.6. For new construction, meter registers are required to be connected to a meter transceiver unit (MXU). The Authority reserves the right to approve the location of all meter sets, including the location of the associated Touch Pad or MXU Unit.

9.7. Any Customer who schedules a meter installation date/time must have all required plumbing completed prior to said date/time. If the Authority meter-installation personnel are unable to complete the scheduled work due to faulty or incomplete preparation of the Customer's plumbing, or if the Authority personnel are unable to gain access to the location, the Authority may charge a fee for each subsequent return visit needed to complete the meter installation.

9.8. Upon installation, the Authority will "seal" the meter set to prevent tampering. Only the Authority is permitted to break the meter seal to facilitate repair or for replacement of a meter. Any broken or defective meter seal noticed by the

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Customer must be promptly reported, by the Customer, to the Authority; and access provided during normal working hours for replacement. Any broken, cut, missing, or damaged seal discovered by the Authority will be attributed to the current Customer and considered a violation of these Rules and Regulations.

- 9.9. Those Customers whose premises require greater than 150' of customer service line, from the Authority's curb stop to the premises, may be required to pay the added cost for a meter pit installation, as determined by the Authority. The meter pit will be furnished and installed by the Authority immediately downstream of the Authority's curb stop. Said meter pit will remain the property of the Authority, as are the other Authority-installed facilities comprising the service connection. The Actual Cost (parts + labor + overhead) of the meter pit shall be invoiced to the Customer, with invoice considered due and payable upon receipt.
- 9.10. In cases where it is not practical, as determined by the Authority, to install the meter within the Customer's building, such as in the case of a mobile home, the meter will be set in an approved meter box or pit. The cost for construction of said meter pit is the sole responsibility of the Customer. Construction of same may be by the Authority or, if approved, by the Customer. The pit must be of sufficient size to permit easy access and to allow for the installation, repair, removal, and maintenance of the meter and all related piping.
- 9.11. In the case of a meter larger than 2", which requires a meter pit, the minimum meter pit shall include a "Bilco" type access hatch, steps, 6½' of headroom, floor drain, adequate inside dimensions for primary and by-pass plumbing, and insulation as needed to prevent freezing of the meter. All costs associated with installing the meter (piping, valving, wiring, labor, etc.), in addition to the costs of constructing the meter pit, will be charged to the Customer. The Authority assumes ownership of all facilities within such pit, and the pit itself, and will maintain same. The Customer is responsible for maintaining all facilities beyond (downstream) the outside wall of the Authority's meter pit.
- 9.12. The requirement of a meter pit may be waived, solely at the discretion of the Authority, if the Authority is satisfied with the location, installation, backfill, and integrity of the customer service line.
- 9.13. A second or "deduction" meter may be requested by a Customer to meter that amount of water that does not eventually discharge into the Authority's sewer system. After the Authority has approved the Customer's request and the location of said deduction meter, the Customer is required to complete the necessary plumbing arrangements; and the applicable water application must be completed. Water used through a deduction meter will be deducted from the total water as registered by the primary meter. The amount registered by the deduction meter will be charged only according to the water rate schedule. The balance, less the deducted gallonage, registered by the primary meter will be charged according to both the water rate and sewer rate schedules.

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- 9.14. As with the primary meter, all deduction meters are the property of the Authority.
- 9.15. Customers who choose not to install a deduction meter to meter that amount of water that does not eventually discharge into the Authority's sewer system, may be afforded one credit each year for sewer and sewer treatment charges on the initial fill-up, only, of swimming pools. The amount of the credit will be determined solely by the Authority.
- 9.16. Meters will be maintained by the Authority so far as ordinary wear and tear are concerned. The Customer shall pay for loss or damage due to freezing, hot water or external causes. Where hot water or heating systems or boilers are so constructed that there is a possibility of hot water being forced back through the meter, the Customer shall protect the meter by installing a check valve or backflow preventer on the outlet side of the meter and shall, for their own protection, insert a safety valve in connection with the hot water or heating system. The Authority will not be liable for any damage due to the failure of the Customer's safety valve or check valve, or lack thereof.
- 9.17. The charge for the replacement or repair of any damaged meter due to the negligence of the Customer, including their failure to prevent freezing, shall be paid by the Customer.
- 9.18. For a new service installation, or anytime a new water meter is installed for any reason, it is a condition of receiving service that the new owner must bring the plumbing into compliance with the same standards as required for new installations. At a minimum, all such plumbing must include a properly operating shut off valve, pressure reducing valve, proper connections and spacing to receive a meter, and a check valve or backflow preventer. Failure to do so will result in termination of service until the Customer has brought said plumbing into compliance.
- 9.19. The quantity of water registered by the meter shall be conclusive for both the Customer and the Authority unless the meter shall be found to have registered inaccurately or has ceased to register, whereupon the quantity may be determined by the average registration of the meter when in proper working order.
- 9.20. If at any time a Customer questions the accuracy of the meter, upon their request and accompanied by payment of the appropriate fee, the Authority will have the meter tested and adjust the matter accordingly if the test proves the meter to have been operating outside of permissible limits.
- 9.21. If the meter so tested shall be found to be accurate to within 4% (high or low), the Customer's advance payment for the meter test will be retained by the Authority and the bill(s) in question considered accurate and due and payable. If the meter shall be found to be registering over 4% from actual, the advance payment will be refunded and the account corrected and reduced by the percentage difference between the test result percentage and 4%. In no case will

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correction of billing be for greater than two months prior to the time of the meter test, unless the Authority is satisfied that the inaccuracy has been of longer duration.

10. SECTION TEN: REQUIRED CONNECTION

- 10.1. No Owner of a Building shall be required to connect such Building to the Water System if the Authority determines that the water supply available from the Authority is insufficient to serve the Building.
- 10.2. Subject to the above, each Owner of a Building within the Water System, located on property abutting any street, alley, or right-of-way in which a Water Main has been provided by the Authority and where any part of the property is within one hundred fifty (150) feet of Water Main, at his own expenses shall connect Building to the water system in accordance with these Rules and Regulations within sixty (60) days after the date of official written notice to do so from the Authority, unless otherwise approved in writing by the Authority.

11. SECTION ELEVEN: FAILURE TO CONNECT

- 11.1. In the event any Owner refuses or neglects to connect within the sixty (60) day period, he shall be deemed to be in violation of the Authority's Rules and Regulations and Borough or Township ordinances.
- 11.2. The Authority or its agents then may enter upon the property and construct a service line and connection; and install a meter. Upon completion of such work, the Authority will send an itemized bill of the cost of the construction and related items to the Owner. In case of neglect or refusal by the Owner to pay the bill within thirty (30) days, it shall be the duty of the Authority to file municipal liens.
- 11.3. In the alternative, any Owner who fails to make a proper connection to the Water System within the time specified after receipt of proper notice or after obtaining a time extension in writing from the Authority shall, upon conviction thereof before a District Magistrate, pay a fine or penalty of \$50.00 for each day that the violation continues.
- 11.4. At its sole discretion, the Authority may waive the requirement for a physical connection. In such instance, the Owner shall still be required to pay the tapping fee and the minimum bi-monthly rate in effect, despite not having actually connected to the System. The Owner will not be required to pay the customer facilities fee or the connection fee until such time that an actual connection is made. In the event the Owner fails to pay the tapping fee and/or the minimum bi-monthly fees, the Authority shall withdraw the waiver, and the terms of these Rules & Regulations and any applicable Ordinance relative to mandatory connection shall apply and be enforced.

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12. SECTION TWELVE: EXTENSIONS OF WATER SYSTEM

- 12.1. Service is available only to prospective Customers who own property fronting on an existing Authority-owned water line, which is sufficient in size and pressure to provide the level of service requested by the Customer. It shall be the Authority's sole decision as to whether an existing water line is capable of providing the intended service. If a property does not front on any such Authority-owned water line, the Customer requesting service must pay the cost for extending the Authority's distribution system (water line) as provided for herein.
- 12.2. In determining the length of any extension to a bona-fide Customer, the beginning point of such extension shall, in all cases, be at the location as determined by the Authority, and the terminal point shall be at a point perpendicular to and twenty feet (20') beyond the designated point where the water service line enters or is proposed to enter the structure, except that such terminal point shall not be located within the bounds of a driveway. In such cases the terminal point shall be extended beyond, to avoid ending within any driveway and aprons/approaches. In the event a prospective Customer changes the location of the point of entry for the proposed service line, or the location of the proposed structure intended to be serviced, the terminal point of the water line extension shall be field adjusted by the Authority to a point which complies with these Rules and Regulations. The person requesting such water service shall grant unto the Authority a right-of-way with a minimum width of 10 feet within which the water line shall be installed. Said right-of-way shall be adjacent to the municipal or State or Federal road right of way for the entire frontage along any such roadway, notwithstanding that the required water line extension may be terminated within such right of way at a point shorter than the total length of the required right of way.
- 12.3. No extension to a distribution line will be made unless and until the applicant or applicants for such extension have entered into a written contract, which must be approved by the Authority. Such written contract may allow for the Customer to install the required line extension, or may provide for the installation of said line extension by the Authority, with the costs borne by the Customer.
- 12.4. In accordance with state recommendations, no service will be granted in situations where water pressure cannot be maintained above 20 PSI. A request for service which would require the Authority to operate and maintain additional pumping and water storage facilities (which would be an additional operation and maintenance cost for the Authority), may be denied.
- 12.5. The developer shall submit two (2) copies of plans for any proposed extension of the Water System to the Authority for review, comments, recommendations and approval. Plans shall be drawn on 24" x 36" sheets. Plan views shall be shown at a scale of 1" = 50'; and include a north point, a suitable title block, date, and the name of the developers' engineer and imprint of his registration seal.

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- 12.6. Prior to final acceptance of any Water System extension by the Authority, the Developer shall furnish to the Authority "Record Drawings" showing the location of all water mains, valves, and curb boxes relative to permanent landmarks such as buildings, trees, utility poles, or property corners.
- 12.7. Easements for water mains to be constructed outside of dedicated street rights-of-way shall be recorded in the name of the Authority. Highway occupancy permits for water mains constructed within dedicated street rights-of-way shall be obtained in the name of the Authority.
- 12.8. All pipe used for the water main extensions where the static pressure is less than 100 psi shall be either S.D.R. 21 PVC or Class 52, cement lined ductile iron pipe. Where static pressures are greater than 100 psi are encountered Class 52 ductile iron pipe or Class 150, S.D.R. 18 PVC pipe will be used. Mains shall have push-on joints for flexibility, expansion, and contraction. The PVC pipe shall conform to AWWA C-900. The ductile iron pipe shall conform to AWWA C-151. The minimum depth of cover shall be forty eight (48) inches. Detectable tracer wire shall be installed for any and all plastic pipe.
- 12.9. All water mains and service lines shall be placed on a three (3) inch deep PaDOT type 2B aggregate base; and backfilled with PaDOT type 2B aggregate to at least six (6) inches above the top of the pipe. Where rock is encountered on the trench bottom, over-excavate six inches and backfill with PaDOT type 2B aggregate. All pipe shall have at least forty eight (48) inches of cover mechanically tamped in layers not to exceed twelve (12) inches. All pipe is to be laid in a straight grade; avoiding summits and depressions which could collect air and sediment. Where water mains or service lines are installed in traveled portions of roadways, including shoulders, berms, median strips, etc., the pipe shall be backfilled with PaDOT type 2B aggregate to the surface.
- 12.10. All fittings shall be cast iron, cement lined, mechanical joint, and conform to AWWA C-110 or C-153.
- 12.11. Main line valves shall be non-rising stem gate valves with mechanical joint ends and conform to AWWA C-509 resilient seated valve.
- 12.12. All proposed developments shall include provision for fire protection. The maximum distance from any portion of a building in the development to a fire hydrant shall be 600 feet.
- 12.13. No water mains smaller than four (4) inches diameter shall be used. No water mains smaller than eight (8) inches diameter shall provide flow to a fire hydrant. Dead ends are to be avoided. Any dead ends which are absolutely necessary, shall be equipped with a blow-off.
- 12.14. Depending on the layout of the existing Water System and/or the potential for future development beyond the area in question, the size of a water main extension could vary, based upon review and recommendations of the Engineer.

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- 12.15. All fire hydrants shall be traffic type with 5-1/4 inch main valve opening. All hydrants shall conform to AWWA C-502 and be equipped with one 4-1/2 inch pumper nozzle and two 2-1/2 inch hose nozzles. The developer shall verify nozzle thread dimensions with the local fire company chief prior to purchasing hydrant. Fire hydrants shall be Mueller Centurion fire hydrant, catalog number A-423 or equal. Hydrants shall have a six (6) inch mechanical joint inlet connection with positive automatic drain, National Standard 1-1/2 inch pentagon operating nut and open left (counterclockwise).
- 12.16. All water mains shall be subject to a 150 psi hydrostatic pressure test. The duration of the test shall be two hours. The allowable leakage shall not exceed 10 gallons per inch of pipe diameter per mile of pipe per 24 hours. The developer shall provide the pump, pipe connection and all necessary apparatus for testing.
- 12.17. All water mains shall be disinfected in accordance with AWWA C-651 prior to Authority acceptance.
- 12.18. Service lines shall be installed while the water main extension is being constructed.
- 12.19. The Authority will supervise the connection of the water main extension to the Water System. The Developer shall furnish the necessary labor, equipment, fittings and/or valve to make the connection.
- 12.20. Installation of the water mains and all appurtenances shall be subject to full-time inspection by the Authority's Inspector; at the sole cost of the developer. If the installation of the water mains or appurtenances has been properly made, written approval will be furnished to the developer or his designated representative. If the work is not satisfactory, the Inspector shall advise what must be done to meet the Authority requirements.
- 12.21. No water main extension constructed by a developer will be approved for use and acceptance by the Authority until: the scope of the water main project is formally approved by the Authority, all connection and inspection fees have been paid, the Authority has been reimbursed in full for all inspection costs incurred by the Inspector during construction, testing and approval, and the water main extension has been dedicated to the Authority.

13. SECTION THIRTEEN: MAINTENANCE AND REPAIR

- 13.1. The Authority shall have the ultimate responsibility for the use, operation, maintenance, and repair of the Water System from the source of supply up to and including the individual curb stop. The maintenance and repair of meters shall also be the responsibility of the Authority.
- 13.2. All service lines downstream from the curb stop, as well as all Building piping and fixtures, are the responsibility of the Owner and shall be maintained and repaired by the Owner at his own cost. Repairs to the service line upstream of

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the meter shall be subject to the direction, approval, and inspection of the Authority.

- 13.3. The Authority reserves the sole right to turn the curb stop on or off. Should repairs to the service line or other piping and fixtures be required, a plumber shall obtain written approval from the Authority to operate the curb stop to facilitate repairs.
- 13.4. The Authority reserves the sole right to remove a meter from its setting. Should it be necessary to remove a meter from its setting, notice shall immediately be given to the Authority.
- 13.5. The Authority shall in no event be responsible for maintenance, or damage done by water escaping from the service line or any other pipe or fixture downstream of the curb stop.
- 13.6. The Owner shall keep the service line from the curb stop to the meter in good condition at all times; under penalty of discontinuance of service by the Authority upon forty eight (48) hours notice. However, should a serious leak on the Owner's property threaten the Authority's supply, the Authority reserves the right to discontinue service without notice until such time as the condition is corrected; or take action necessary to correct the situation.
- 13.7. In the case of leaks of undetermined location, the Authority will, upon request of the Owner, excavate in and about the curb stop for the purpose of determining the responsibility for leak. The Authority shall assume the cost of work if it is found that the leak is located between the curb stop and main. If the leak is determined to be between the curb stop and building, the Owner shall reimburse the Authority for the actual costs of the work required to determine responsibility.
- 13.8. The Authority may at any time require the Owner to install in connection with his service pipes, such valves, pressure regulators, tanks, or other apparatus as may be, in the opinion of the Authority, required for the safeguarding and protection of the Authority's property or water supply.
- 13.9. All meters are the property of the Authority and will be maintained and repaired by the Authority. The Authority will assume the cost associated with ordinary wear and tear. However, should damage to the meter occur due to freezing, hot water, carelessness, or negligence, the repairs shall be at the expense of the Owner.
- 13.10. The Owner shall notify the Authority of any damage to or any cessation in registration of the meter, as it comes to his knowledge or the knowledge of any user of his connection.
- 13.11. No seal placed by the Authority shall be tampered with or defaced. It shall not be broken except upon authorization from the Authority. Where the seal is broken, the Authority reserves the right to remove the meter for test at the expense of

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the Owner. It is a violation of Clause 6, Section 34, Act of 1974 of the Laws of Pennsylvania to break or deface the seal of, or otherwise damage the meter.

- 13.12. When it is necessary to renew an existing connection, the Authority will renew the connection at no cost to Owner. This renewal is limited to items from the main to the curb stop using pipe of the same size and in the same location as the old one. If the Owner, for his own convenience, desires the new service line at some other location, he will be responsible for payment of all expenses. These include the cost of shutting off the old service line at the main, a new corporation stop and saddle, and additional pipe, excavation, and resurfacing.
- 13.13. When the Owner desires a change in location or size of an existing service line, the cost of the change shall be borne by the Owner.

14. SECTION FOURTEEN: TEMPORARY USE OF WATER SYSTEM

- 14.1. This service contemplates the supply of water to Customers for hauling water for emergency uses, or for other temporary or special purposes. The supply will be offered, at the discretion of the Authority, at such locations or premises on the water system as may be most conveniently arranged by the Authority. Service may be either by meter measurement or by estimated quantity at the option of the Authority.
- 14.2. When temporary supply of water is measured by a fire hydrant meter, the fire hydrant meter must be rented from the Authority. The amount of rental time must be projected and the rental fee paid when the meter is obtained from the Authority. After return of the meter, an invoice will be rendered showing the proper charge, as determined by the applicable Rate Schedule, for the quantity of water registered by the meter and, if applicable, showing additional rent due.
- 14.3. An applicant for temporary use is responsible to pay the total cost for work performed by the Authority to install and subsequently remove any facilities required to provide such temporary service, including all materials, contracted services, and overhead. Such facilities may include but are not limited to connections, Service Lines, meters, meter pits, appurtenances, etc.
- 14.4. The applicant requesting water service for other than a permanent installation must abide by all the same provisions of these Rules and Regulations, as does a typical Customer. During said period of interim use, the Customer agrees to pay for service in accordance with the rate schedule.

15. SECTION FIFTEEN: FIRE PROTECTION

15.1. Public Fire Protection

- 15.1.1. Upon the written request of a duly-authorized representative of any municipality within the Authority service area, the Authority will investigate

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the possibility of setting a public fire hydrant at the location as requested by the municipality. The Authority will determine if the existing pressure and flow available at the location will allow for any such proposed fire hydrant to produce the minimum flow requirements acceptable to the Authority (Minimum of 500 gpm @20 psi residual pressure).

- 15.1.2. If it is determined that a line extension and/or an additional pumping facility is needed, the cost of the same shall be borne by the municipality.
- 15.1.3. Assuming that the location of a requested public fire hydrant has been deemed acceptable by the Authority, the Authority will complete the installation of said hydrant and bill the municipality for all materials, labor and subcontracted services.
- 15.1.4. All public fire hydrants will remain the property of the Authority and will be maintained by the Authority. The annual service rate for each hydrant will be charged to the municipality in which the hydrant is located.
- 15.1.5. No person, except those authorized by the Authority, shall take water from any fire hydrant, except for fire fighting purposes. No fire hydrant shall be used for sprinkling streets, flushing sewers or gutters, construction, filling of swimming pools or for any other purpose, except with the approval and written consent of the Authority.
- 15.1.6. When any municipality requests a change in the location or position of an existing hydrant, the Authority will perform such change only if the relocated hydrant will meet the same minimum requirements, with respect to pressure and flow, as those of a new hydrant installation. All costs (labor, materials, subcontracting, overhead) incurred to perform the requested relocation will be charged to the municipality requesting it. The municipality agrees, when requesting such a change, not to hold the Authority responsible for consequences resulting from said change.
- 15.1.7. Upon request of any duly-authorized municipal official, the Authority will make an inspection at a convenient time and will determine the operating condition of any fire hydrant (or hydrants). Such inspections shall be made accompanied by a representative of the municipality.
- 15.1.8. Any municipality, company, firm, or individual that damages a fire hydrant will be charged the total cost incurred by the Authority to repair or replace the damaged hydrant.

15.2. Private Fire Protection

- 15.2.1. Upon receipt of a written request for a private fire hydrant, the Authority shall conduct a study to determine if existing water lines and pressures are adequate to service a private fire hydrant at the location requested.

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- 15.2.2. No Customer may cause or permit the installation of any private fire hydrant on any water service line under their ownership or control without having first secured authorization from the Authority.
- 15.2.3. No cross connection or tap for use, other than fire protection, shall be made in the piping of a private fire protection service line on the premises or within a building; and no water shall be used through a private fire service line except for the purpose of fire extinguishment.
- 15.2.4. All private fire hydrants shall conform to the type and manufacture of public fire protection, as installed by the Authority, in that area.
- 15.2.5. The annual service rate for each private fire hydrant will be charged bi-monthly.
- 15.2.6. A Tapping Fee equivalent to one EDU will be assessed for each private fire protection system (private hydrant, sprinkler system). For residential sprinkler systems connected to the normal domestic water system so as to pass through the standard water meter, there is no Tapping Fee or additional charge.
- 15.2.7. Maintenance, repair and replacement of any private fire hydrant is the sole responsibility of the property owner.
- 15.2.8. Each private fire protection service line serving a fire sprinkler system will be charged an annual service fee determined by the size (diameter) of the Authority's connection. This annual service fee will be prorated and charged bi-monthly.
- 15.2.9. Flow testing of a private fire protection system (hydrants, sprinklers) must be performed only upon approval of the Authority. The Authority reserves the right to dictate the date and time that such testing may be performed, as said testing may cause disruption to the Authority's supply system. Additionally, the property owner is responsible for all costs incurred by the Authority (newspaper notices, manpower, etc.) in adequately safeguarding its operations and system during such testing.

16. SECTION SIXTEEN: CROSS CONNECTIONS

- 16.1. Cross connections represent a serious health hazard and are subject to government regulation. No connection shall be made between pipes or containers carrying water supplied by the Authority and pipes or containers carrying water from any other source unless the proposed cross connection has written approval from and has been inspected by the Authority.
- 16.2. It shall be the responsibility of the Owner to conduct periodic surveys of water use practices on his premises to determine whether there are actual or potential

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cross connections through which contaminants or pollutants could backflow into the Water System. An annual report, on a form acceptable to the Authority, will be required from Owners who maintain a well or other non-potable water system under pressure, to further verify the absence of cross connections.

- 16.3. The type of protection required shall depend on the degree of hazard which exists.
 - 16.3.1. An approved air gap separation shall be installed where the Water System may be contaminated with substances that are dangerous to the public health and could cause a severe harm.
 - 16.3.2. An approved air gap separation or an approved reduced pressure zone backflow prevention device shall be installed where the Water System may be contaminated with a substance that could cause a system or health hazard.
 - 16.3.3. An approved air gap separation or an approved reduced pressure zone backflow prevention device or an approved double check valve assembly shall be installed where the Water System may be polluted with substances that would be objectionable but not dangerous to health
- 16.4. An air gap separation shall be at least twice the diameter of the supply pipe, measured vertically above the top rim of the vessel; but in no case less than one inch.
- 16.5. A double check valve assembly shall meet the requirements of AWWA C-510.
- 16.6. A reduced pressure zone backflow prevention device shall meet the requirements of AWWA C-511.
- 16.7. All cross connection control equipment should be maintained in accordance with the manufacturer's recommendations. All systems shall be inspected at the time of installation and at least every twelve months thereafter.
- 16.8. The Owner must maintain a complete record of each backflow prevention device; from purchase to retirement. This shall include a comprehensive listing that includes a record of all tests, inspections, and repairs. A copy of this record shall be delivered to the Authority upon request.
- 16.9. Installation, inspection, testing, overhaul, repair, and recordkeeping of backflow prevention devices shall be done at the sole expense of Owner.

17. SECTION SEVENTEEN: WATER SUPPLY

- 17.1. The Authority cannot guarantee the volume and/or pressure of water available from its system, and shall not be liable for a deficiency or failure in the supply for

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any reason. It is the duty of the Owner to protect his plumbing system and property from damage in the event water supply is reduced or shut off.

- 17.2. The Authority has the right to reserve a sufficient supply of water at all times to provide for public health, fire protection and other emergencies. In the event of any accident or damage to any part of its works or equipment or breakdown of machinery, or bursting of any water main, or any other occurrence affecting its plant or equipment or operation; the Authority shall not be liable to any person for any claim or damage arising from an interruption in service, inadequate supply or pressure, quality of water, or any cause beyond its control.
- 17.3. The Authority shall prohibit the use of hoses for street, lawn or garden sprinkling, or for any other purpose when, in its judgment, such action is necessary for the preservation of the water supply. In such event, due notice shall be given by publication in at least one newspaper of local circulation. Should any consumer fail to comply with the requirements of the notice, water service to that consumer shall be terminated and service shall not be restored until all costs of terminating and initiating the water have been paid.
- 17.4. If at any time the total water supply shall be insufficient to meet all of the needs of all the users for domestic, commercial, and industrial purposes, the Authority must first satisfy all the consumers for domestic purposes before supplying any water for any other purposes or uses.

18. SECTION EIGHTEEN: LIABILITY FOR SERVICE

- 18.1. It shall be expressly understood and agreed, by and between the Customer receiving service and the Authority, that the Authority does not assume any liability as insurers of property or persons, and that the agreement does not contemplate any special services, pressure, capacity, or facility, other than the ordinary or the changing conditions of the water supply system of the Authority, as the same exists from day to day. The Authority hereby declares that, by acceptance of service, the Customer agrees that the Authority shall be free and exempt from any and all claims for injury or damage to persons or property on the Customer's premises or to any person or property, by reason of fire, water, or failure of water supply pressure or capacity.

19. SECTION NINETEEN: BILLING

- 19.1. The Owner of each Building or other property receiving service is ultimately responsible for the payment of all water bills. An Owner may elect to have billings sent directly to his authorized agent, including his tenant. In the event of non-payment by a tenant or other agent of the Owner, the Owner shall be ultimately responsible for full payment. If not paid within sixty (60) days after the billing date to the Owner, the bills shall be deemed to be delinquent, and service to the Building may be discontinued until all delinquent bills, penalties, and charges against the Building have been paid. All delinquent water rentals and all penalties and charges shall also be subject to a lien against the property in the

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office of the Prothonotary of Cambria County and may be collected in a manner provided by law.

- 19.2. Bills and notices relating to water service charges will be mailed or delivered to the most recent address specified in writing by the Owner. Failure to receive a bill shall not exempt the Owner from his responsibility to make prompt payment. The presentation of a bill to the Owner or his designated agent is only a matter of accommodation.
- 19.3. Billings will be rendered on a bi-monthly basis for all customers.
- 19.4. All meters shall be read once every two months, insofar as possible. The quantities recorded by the meter shall be considered conclusive on both the Owner and the Authority, except when the meter has been found to register incorrectly or has ceased to register. In this event, the Authority will estimate the bill; taking into consideration average past registrations, or by another fair or reasonable method. The finding thus determined shall be final and binding upon both parties.
- 19.5. Whenever ownership of a Building is transferred, the new Owner must file with the Authority an application for the continuation of the service. Failure to do so will result in the discontinuance of the water supply.
- 19.6. In any instance where a Building has not had a meter installed, the Authority will estimate the bill; taking into consideration usage by other Buildings having similar characteristics, or by another fair or reasonable method. The finding of the Authority in this regard shall be conclusive upon both parties. However, if the absence of a meter is a result of refusal or failure of the Owner of the Building to have a meter installed, the bill for service during such period shall be established by the Authority at an amount equal to the maximum bill for any building of similar characteristics. The determination of the Authority in this regard shall be conclusive upon both parties.
- 19.7. A bill for repairs or replacement of a damaged meter due to neglect, abuse, or lack of standard protection, will be submitted to the Owner and shall be due within thirty (30) days.
- 19.8. A new application must be made to the Authority upon any change in the identity of the Customer at the premises served, or in the class, scope, or type of service, as indicated on the approved application.
- 19.9. Failure to complete a new application may result in the Authority discontinuing service until such application is made and has been approved.
- 19.10. An application is required of the entity assuming responsibility for payment of the bill for service at the service address as noted on the application. The noted Applicant/Customer should be the person, company, corporation, etc. being provided service. However, in such cases where the property Owner, landlord, or

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other party completes an application, thereby assuming responsibility for bill payment, the Authority will not recognize the actual end user as a Customer.

- 19.11. In case the Authority has been unable for any reason to obtain the meter reading at the regular reading period, the Authority reserves the right to regularly bill the Customer for an estimated consumption so noted on the bill. This estimated consumption shall be deducted from the recorded consumption at the subsequent meter reading period, and the bill for the subsequent period shall be rendered accordingly.
- 19.12. If the Authority has been unable to obtain an actual meter reading during any six (6) month period, water service may be discontinued, after proper notice, until the property owner provides access for Authority personnel to obtain said meter reading.
- 19.13. Payment for special or temporary use shall be payable upon receipt of invoice.
- 19.14. Any invoice for repairs or replacement of any Authority-owned facility damaged by any Customer will be due ten (10) days after presentation of the invoice. Failure to pay said invoice within the allotted time may result in termination of service until payment has been rendered. When appropriate, invoices for such repairs or replacement shall be rendered in the name of the property owner and mailed to the address of the Customer of record.
- 19.15. Any Customer who re-enters the service area and who owes an unpaid previous balance from water and/or sewer service to the Authority, must pay the outstanding balance (and any late fees or surcharges) in full before service will be initiated.
- 19.16. A service charge will be imposed for each check returned unpaid due to insufficient funds.
- 19.17. By agreement with the Cambria Township Sewer Authority, the Authority may discontinue the supply of water to a Customer for unpaid sewage treatment charges to the aforementioned treatment facilities. Water service will be re-established upon notice from the Cambria Township Sewer Authority that all proper charges for sewage treatment, and any appropriate late charges have been paid.
- 19.18. If any Customer demonstrates a history, as determined by the Authority, of late payment or non-payment relative to their bi-monthly service bill, the Authority may require a deposit equal to \$200 or the total of the highest two consecutive bi-monthly bills during the previous twelve-month period, whichever is higher.
- 19.19. If any tenant-occupied property demonstrates a history, as determined by the Authority, of tenants making late payments or non-payment relative to their bi-monthly service bill, the Authority may require that the account be transferred into the name of the Owner and remain in the Owner's name regardless of

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occupancy. The Owner may elect to pay a security deposit of \$200 or the total of the highest two consecutive bi-monthly bills during the previous twelve-month period, whichever is higher. The policy relatively to delinquent accounts will be enforced regardless of the Owner's deposit. Any amount delinquent in excess of the Owner's deposit will still be the responsibility of the Owner.

- 19.20. The Owner of a tenant-occupied property, for which the regular bi-monthly bill is being mailed to the tenant, may request that a copy of each bi-monthly bill be mailed to the Owner. Absent such a request, the Authority is not otherwise responsible for informing the Owner of the status of any delinquency.

20. SECTION TWENTY: LATE PAYMENTS

- 20.1. Bills as rendered for any two-month period will show the proper charge, as determined by the applicable rate schedule, the amount of any abatement or deduction allowed, any fee or additional charge due and any payment under the Rules and Regulations. Bills shall be considered as duly rendered when delivered at, or mailed to, the recorded address of the Customer as provided by him for that purpose; or, otherwise, to the premises serviced. Non-receipt of a bill shall never constitute a waiver thereof. The Authority will, upon request, issue a statement to Customers with lost or misplaced bills; but no claim for exemption from assessment charge for delayed payment will be entertained or allowed for any reason whatsoever. Bills are prepared and mailed at approximately the same time each billing period. Any Customer who fails to receive a bill during any period, or who misplaces or loses said bill is required to contact the Authority office to ascertain the amount of that period's bill. Payment of all bills must be received at the Authority office on or before the date specified. Those received later will be subject to the appropriate late charges, which will be applied with the following period's billing.
- 20.2. A Due Date is specified on each bill. Payment is due on or before that Due Date, which is the end of the month in which the bill was issued. Payments mailed, as evidenced by the United States Postal Service, on or prior to the end of the thirty (30) day period will be deemed to be a payment within time period. Payments for which no documentation of delivery exists (i.e. "lost in the mail") will receive no credit.
- 20.3. The water rates and charges imposed hereunder shall be paid not later than the Due Date, which is the end of the month in which the bill was issued. If not paid on or before the Due Date, in addition to the charges, the Owner or user shall pay as a penalty or surcharge, a sum of money equal to five percent (5%) of the total balance due the Authority on account of water service charge then outstanding and unpaid, plus previously imposed penalties or surcharges, if any, thereon.
- 20.4. If payment for a bill for water and/or sewer service is not made by the Due Date of the following billing period, a termination-of-service notice will be issued by the Authority, with a termination date of no less than ten (10) days after the date of

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notice. The Authority may discontinue service to the premises at any time after the termination date, until all proper charges are paid. All delinquent water rentals and all penalties and charges shall also be subject to a lien against the property in the office of the Prothonotary of Cambria County and may be collected in a manner provided by law.

- 20.5. Upon receiving a termination notice, a Customer has only two choices in order to avoid termination of service: the entire balance due can be paid on or before the termination date; or, the Customer may negotiate a Payment Agreement.
- 20.6. Violation of the terms of a Payment Agreement will result in immediate termination of service, without further notice.
- 20.7. The issuance of a check with insufficient funds in order to avoid termination of service will result in immediate termination of service, without further notice.

21. SECTION TWENTY-ONE: DISCONTINUANCE OF SERVICE

- 21.1. An application for water service may be canceled or water service discontinued on ten (10) days notice for violation of any of the following reasons:
 - 21.1.1. Failure of the Owner or Customer to pay a water bill and/or other charges when due.
 - 21.1.2. Failure of the Owner or Customer to pay a sewer bill, either that of the Authority or others providing sewer service.
 - 21.1.3. Tampering with any meter, or with any service line, or curb stop, or box, or permitting tampering by others.
 - 21.1.4. Use of water by a Person for any purpose other than as described in the application.
 - 21.1.5. Use of the water by a Person at any location other than as described in the application.
 - 21.1.6. Waste of water by a Person.
 - 21.1.7. Vacancy of Building.
 - 21.1.8. Failure of the Owner to maintain the service line between the curb box and meter in good order.
 - 21.1.9. Refusal of access to property for purpose of inspecting Owner's service line, piping and fixtures; as well as inspecting, reading, maintaining, or removing meters.

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- 21.1.10. Failure to comply with water use restrictions which may be imposed from time to time.
- 21.1.11. Violation by Owner or Customer of these Rules and Regulations.
- 21.1.12. Pursuant to any other laws of the Commonwealth of Pennsylvania.
- 21.2. The Owner is responsible for construction activities on his property that may impact the Water System. Any damage to a service line or water main caused by careless undermining or by negligent excavating or backfilling of excavation such as for the installation of private drains, sewers, buried cable, or other purpose authorized by the Owner shall be chargeable to the Owner and/or the person causing damage. If the cost associated with repair of the service line and/or water main is not paid within thirty (30) days, the Authority reserves the right to discontinue water service.
- 21.3. The Authority shall have the right to interrupt water supply without notice in case of breakdowns or for unavoidable causes, or for the purpose of making necessary repair or connections. Reasonable notice will be given when practical. In no case shall the Authority be liable for any damage or inconvenience suffered.
- 21.4. When two or more Buildings are supplied through a single water service, any violation of the Rules and Regulations of the Authority by any one Owner shall be deemed a violation by all, and the Authority may enforce compliance with this rule by shutting off the entire service. Action shall not be taken until the non-violating Owner(s) have been given a reasonable notice and opportunity to install separate connections.

22. SECTION TWENTY-TWO: RATES & FEES

- 22.1. The bi-monthly charges for water service shall be as determined from time to time by the Authority.
- 22.2. Charges for tapping fees and water related services shall be as determined from time to time by the Authority.
- 22.3. Charges and fees for miscellaneous services shall be determined from time to time by the Authority. Said charges and fees include, but are not limited to, returned check; turn-ons and turn-offs, regardless of whether at the request of the Owner, for non-payment, for violation of Rules, or for any other reason whatsoever; meter testing; late payment penalties; etc.
- 22.4. The minimum bi-monthly charge applies to each metered unit.

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23. SECTION TWENTY-THREE: GENERAL PROVISIONS

- 23.1. If any section, paragraph, subsection, clause or provision of these Rules and Regulations is declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of these Rules and Regulations as a whole or any other part hereof.
- 23.2. No agent or employee of the 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.
- 23.3. The Authority reserves the right to change or amend from time to time these Rules and Regulations, and rates for the Water System, in a manner provided by law.

24. SECTION TWENTY-FOUR: PENALTIES

- 24.1. Any violation of these Rules and Regulations is hereby declared to be a summary offense in accordance with Section 5607 (d) 17 of the Pennsylvania Municipality Authorities Act, as amended, and shall be punishable by a fine of up to Six Hundred (\$600.00) Dollars for each offense. Each and every day that a violation of these Rules and Regulations exists shall constitute a separate and distinct offense.
- 24.2. These Rules and Regulations may also be enforced by the Authority in an action in equity brought in the Court of Common Pleas of Cambria County, Pennsylvania. In appropriate circumstances and/or when egregious circumstances exist and/or conditions occur posing a threat to public health, safety and welfare, the Authority may discontinue water and/or sewer service to the property or properties where such conditions or circumstances exist. The cost of terminating said service and the restoration thereof, shall be that of the Customer or owner of the property receiving the service which was disconnected and/or restored.
- 24.3. The Borough of Ebensburg is authorized to interpret these Rules and Regulations, enforce same, and impose any fees and penalties provided for herein on behalf of the Authority, including the filing of liens and any and all legal remedies.

25. SECTION TWENTY-FIVE: REPEALER

- 25.1. All prior laws and rules and regulations shall not be applicable after the effective date of these rules and regulations.

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Appendix A

APPLICATION FOR WATER/WASTEWATER SERVICE

BOROUGH OF EBENSBURG
300 WEST HIGH STREET
EBENSBURG, PA 15931
(814) 472-8780 FAX (814) 472-8789
www.ebensburgpa.com

DATE OF APPLICATION _____ SERVICE START DATE _____ OWN _____ RENT _____

CUSTOMER NAME _____

SERVICE ADDRESS _____ MAILING ADDRESS _____
(if different from service address)

CITY _____ STATE _____ ZIP _____ CITY _____ STATE _____ ZIP _____

TELEPHONE NUMBER _____ FAX _____ EMAIL _____

NAME OF ENGINEER / CONTRACTOR _____

If renting, provided the following Landlord information:

Landlord's Name _____

Address _____ City / State / Zip Code _____

Phone Number _____ Fax _____

ESTIMATED USAGE IN EDUs (165 gpd for water / 200 gpd for sewer = 1 EDU) _____

WATER SERVICE LINE SIZE _____ LINE TYPE _____

WASTEWATER SERVICE LINE SIZE _____ LINE TYPE _____

TAP FEE INCLUDED: WATER \$ _____ WASTEWATER \$ _____ TOTAL FEE \$ _____

The Ebensburg Water & Wastewater systems are owned by the Ebensburg Municipal Authority (the "Authority") and operated by the Borough of Ebensburg.

Usage of the Authority's water and/or sewer service subjects the applicant to the Authority's Rules & Regulations, as amended, and current rates and fees.

A copy of the Authority's Rules & Regulations and Rate Structure are available at www.ebensburgpa.com

All applicants are urged to obtain and read the Authority's Rules & Regulations prior to applying for new service.

All required tapping fees and other obligations must be paid in full prior to connection to the System.

The Authority reserves the right to conduct a usage analysis. Customers found to have exceeded their original, purchased or assigned usage for any twelve-month period shall be billed additional Tapping Fees, based upon their actual usage. (Rules & Regulations Section 5.3.6)

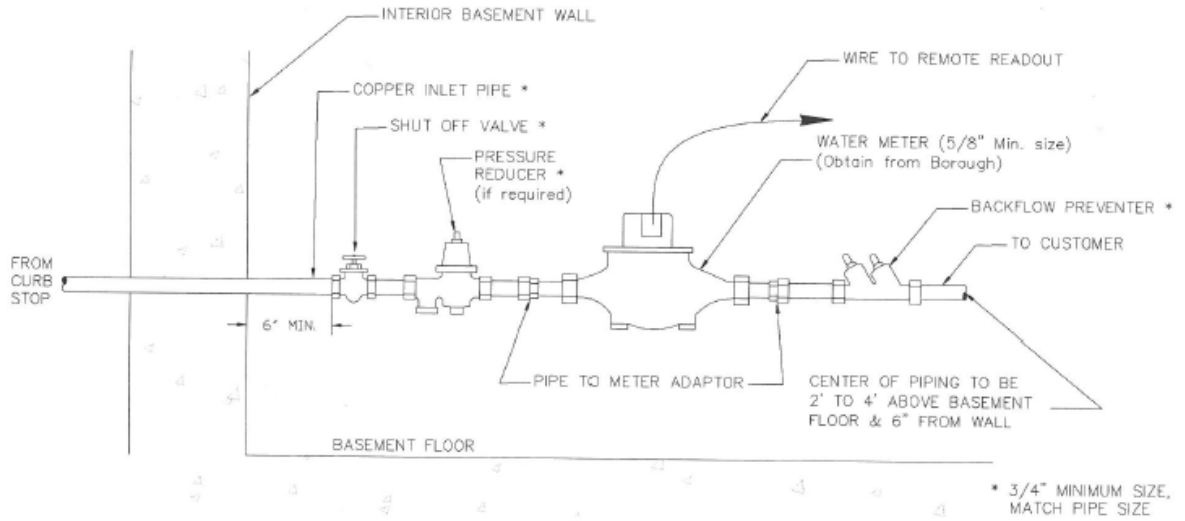
Attach development or lot plan detailing locations and sizes of all water and wastewater lines, fittings and appurtenances.

Name of Applicant (please print)

Applicant's Signature

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**Appendix B
Water Service Installation Detail**



WATER SERVICE INSTALLATION DETAIL

NOT TO SCALE

November 2005