

THE BOROUGH OF EVERETT AREA MUNICIPAL AUTHORITY

RULES AND REGULATIONS

GOVERNING THE

FURNISHING OF WATER SERVICE

IN

EVERETT BOROUGH

WEST PROVIDENCE TOWNSHIP

AND

HOPEWELL TOWNSHIP

BEDFORD COUNTY, PENNSYLVANIA

With Updates Through May 10, 2016



The Borough of Everett Area Municipal Authority

SECTION 1: TABLE OF CONTENTS

SECTION 1	TABLE OF CONTENTS
SECTION 2	DEFINITIONS
SECTION 3	PROHIBITION OF PRIVATE WATER SUPPLY
SECTION 4	REQUIRED CONNECTIONS
SECTION 5	FAILURE TO CONNECT
SECTION 6	CONDITIONS AND PROCEDURES FOR INITIAL SERVICE
SECTION 7	RIGHT OF INSPECTION
SECTION 8	SERVICE LINE AND CONNECTION SPECIFICATIONS AND STANDARDS
SECTION 9	EXTENSION OF WATER SYSTEM
SECTION 10	MAINTENANCE AND REPAIR
SECTION 11	UNLAWFUL USE OF WATER SYSTEM
SECTION 12	CROSS CONNECTIONS
SECTION 13	WATER SUPPLY
SECTION 14	GENERAL PROVISIONS
SECTION 15	BILLING
SECTION 16	LATE PAYMENTS
SECTION 17	DISCONTINUANCE OF SERVICE
SECTION 18	CHANGING RULES AND REGULATIONS
SECTION 19	SERVICE LINE CHARGE
SECTION 20	MISCELLANEOUS CHARGES
SECTION 21	REPEALER



The Borough of Everett Area Municipal Authority

SECTION 2: DEFINITIONS

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

- A Application: Form upon which a prospective Consumer signifies a desire for water service.
- B Authority: The Borough of Everett Area Municipal Authority and its duly authorized representatives and employees.
- C Borough: Everett Borough, Bedford County, Pennsylvania.
- D 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 periodic habitation, occupancy or use by human beings or animals and from which structure water is or may be used, located in the Borough or Township.
- E Building Conduits: Pipes installed by the Owner to convey water from the Meter to a point of consumption.
- F Connection: That part of the Water System extending from the end of the Service Line to the Meter.
- G Consumer: The party, either Owner or tenant, who is an agent or representative of the Owner, contracting with the Authority for water service for one or more families, or a business or institutional unit on one property, owned or tenanted by the party or parties, and served through a single Meter.
- H Developer: Any person who desires to construct, at his or her own cost and expense, a Water System extension to the Water System.
- I Engineer: A Registered Professional Engineer retained by the Authority, including any authorized member of the staff of the Engineer.
- J Inspector: The person or persons appointed by the Authority to inspect the Water System (including both public, semi-public, and private water system), Service



The Borough of Everett Area Municipal Authority

Lines, Connections, Meters and all other connections between Building Conduits and the Water Mains.

- K Large Consumer: Consumer who consistently uses more than 10,000 gallons of water per month.
- L May: Is permissive.
- M Meter: That part of the Water System which registers and records the consumption of water.
- N Multiple Dwelling Unit: Apartments, multi-family or multi-unit, and multi-family dwelling projects (does not include motels or hotels).
- O Multiple Use Unit: A combination of a single family dwelling unit, store, shop, office, business, institutional, commercial, or industrial unit contained within any structure or any Building determined by the Authority to have more than one use.
- P Owner: Any person vested with ownership, legal or equitable, sole or partial, of real estate serviced by the Water System.
- Q Person: An individual, firm, company, association, society, corporation, or other group or entity.
- R Permit: The form provided to the prospective Consumer upon satisfactory completion and submission of the Application and associated fees.
- S Service Line: That part of the Water System including the corporation stop, saddle, pipe, curb stop and curb box extending from the Water Main to the property line.
- T Shall: Is mandatory.
- U Tenant: Any Building occupant other than the Owner who utilizes the services of the Water System.
- V Township: West Providence or Hopewell Township, Bedford County, Pennsylvania.
- W Water Main: A pipe or conduit that carries potable water.



The Borough of Everett Area Municipal Authority

- X     Water System:   The pipe, valves, fittings and appurtenances owned and operated by the Authority, including any additions or extensions.

SECTION 3:     PROHIBITION OF PRIVATE WATER SUPPLY

3.01     It shall be unlawful for any Owner of property within the Borough, who is required to connect to the Water System, to construct or maintain any private or other water supply or to connect any Building thereto.

SECTION 4:     REQUIRED CONNECTIONS

4.01     Each Owner of any Building within the Borough, 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 Building is within one hundred fifty (150) feet of a Water Main, at his or her own expense, shall connect the Building to the Water System in accordance with the 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.

SECTION 5:     FAILURE TO CONNECT

5.01     In the event any Owner refuses or neglects to connect within the sixty (60) days period, that Owner shall be deemed to be in violation of the Authority's Rules and Regulations, and the Borough Ordinances, and the Authority or its agents may enter upon the property and construct a Connection. In such case, the Authority shall, upon completion of the work, send an itemized bill of the cost of the construction of the Connection to the Owner. In case of neglect or refusal by the Owner to pay within thirty (30) days, the Authority may file a municipal lien. No Owner of a Building shall be required to connect the Building to the Water System if the Authority determines that the water supply available to the Authority is insufficient to serve the Building.



SECTION 6: CONDITIONS AND PROCEDURES FOR INITIAL SERVICE

6.01 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:

- A Any Person desiring the introduction of a Service Line and/or Connection from the Authority's mains into his or her Building must obtain an Application from the Authority. The Application must be completed and submitted at least two (2) weeks before the service is required. The completed Application must include the address of the Building, the location of the Connection, the name of the Consumer, the purpose for which service will be used, and the sizes of the Service Line, Connection, and Meter desired. No work of any nature shall commence before the issuance of the Permit.
- B The Application must be signed by the Owner of the Building or a duly authorized agent of the Owner. The Application together with the Rules and Regulations of the Authority shall regulate and control the service of water to the Building.
- C The Application must be accompanied by the required Service Line charge and any other fees established by the Authority.
- D The Application must indicate the date when the Connection site will be ready for inspection, and the date for construction of the Connection.
- E Applications must be submitted for approval by the Authority at a regular meeting of the Board of Directors.
- F No Service Lines or Connections will be installed between November 1 and the following April 1, to avoid excavating frozen ground or working in inclement weather. Exceptions may be granted on a case by case basis by the Authority or the Authority Manager.
- G The Owner will be granted a Permit upon meeting the Authority's Application procedure.

6.02 When service is initiated for a new service or for reinstatement or change in an existing service, all plumbing,



The Borough of Everett Area Municipal Authority

pipings, fixtures, and appurtenances that will be serviced must be in working order and ready 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, fixtures, or appurtenances, nor for any damage to the Building which may result from the usage or non-usage of the water supplied to the Building.

6.03 The Owner shall notify the Inspector, at least twenty-four (24) hours prior to the time when the Connection will be made, in order that the Inspector can be present to inspect and approve the work of connection.

6.04 At the time of the inspection of the 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 Connection shall be covered over, or any manner concealed, until after it is inspected and approved by the Inspector.

6.05 No Connection 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 (3) feet of any excavation or vault.

6.06 The Authority may require the Owner to conduct a hydrostatic test of the Connection for leakage.

6.07 The Owner will provide, free of charge and expense to the Authority, a readily accessible location near the entrance of the Connection for the Meter. This location will be equipped by the Owner with valves as specified in Section 10.12. The Owner will also provide an exterior location for the remote readout portion of the Meter.

6.08 In cases where it is not practical to place the Meter within a Building, the Authority shall furnish and install, where practical, a meter pit inside the property line, at the expense of the Owner. This provision applies in particular to house trailers and mobile homes.

6.09 The Inspector shall signify approval of the Connection by endorsing his or her name and the date of approval on the Permit.

6.10 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, unless the applicant provides collateral or security, as the Authority,



The Borough of Everett Area Municipal Authority

in its sole and absolute discretion, deems adequate to insure 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 Owner's property, in the event the Owner or any successor fails to complete the construction.

SECTION 7: RIGHT OF INSPECTION

7.01 The Authority and its duly authorized representative and employees, bearing proper credentials and identification, shall be permitted to enter upon all property for the purpose of inspection, observation, testing and re-testing of the Meter and Connection, at all reasonable hours.

SECTION 8: SERVICE LINE AND CONNECTION SPECIFICATIONS AND STANDARDS

8.01 A separate Connection will be required for each Building constructed as a detached unit or as one of a pair or row. A single Connection may be permitted to serve a school, factory, or other permanent Multiple Dwelling Unit or Multiple Use Unit structure whose individual units may not be subject to separate ownership, at the discretion of the Authority.

8.02 No repairs, alterations or additions to any Connection shall be made unless the Person desiring to make them shall first make application to and receive permission from the Authority.

8.03 No Consumer shall be allowed to permit any other Persons or Buildings to use or connect with the Consumer's Connection except upon written permission of the Authority.

8.04 The minimum size Connection for any Building shall be three quarters (3/4) inch diameter pipe where the distance from the Water Main to the Building is not more than one hundred (100) feet. The minimum size Connection for Buildings shall be one (1) inch diameter pipe where the distance from the Water Main to the Building is greater than one hundred (100) feet but less than four hundred (400) feet. The size of the Connection for Large Consumers and Buildings more than four hundred (400) feet from the Water Main shall be considered on an individual basis by the Authority.



8.05 Service Lines and/or Connections shall not be installed when the Connection passes through property which at the time may be the property of Persons other than the Owner of the Building to be supplied, unless the Owner of the Building to be supplied obtains a right-of-way from the Person through whose property the Connection will pass. The right-of-way shall be recorded with Recorder of Deeds at the Bedford County Court House. The curb stop and box shall be placed at the limit of right-of-way abutting the Water Main. The Owner of the Building to be supplied shall be responsible for maintenance of the Connection.

8.06 When an Owner desires water service to a Building which does not have an existing Water Main or an existing Water main of adequate size in the roadway abutting the Building, the Owner may be required, at the Authority's discretion, to extend the Water Main at the Owner's sole cost. The size and length of the Water Main extension shall be determined by the Engineer. (rev. 10/14/08)

8.07 Service Line and Connection pipe installed in open trenches shall be placed on a three (3) inch 2RC aggregate base and back-filled with concrete sand to at least six (6) inches above top of pipe. Where rock is encountered on the trench bottom, over-excavate six inches and back-fill with 2RC 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 will be laid in a straight grade avoiding summits and depressions which can collect air and sediment. The Pipe shall be "snaked" in the trench to allow at least three (3) inches per one hundred (100) feet of length for thermal expansion and contraction of the Pipe. (rev. 1/9/07)

8.08 All connections to the Water Main less than or equal to two (2) inches shall utilize a corporation stop. All connections to polyvinyl chloride (PVC) Water Main pipe shall also utilize a single or double strap saddle of bronze construction with corporation stop threads, Ford S-90 or equal. All connections to cast iron (CI), ductile iron (DI), or asbestos-cement (AC) Water Main pipe shall utilize a double strap saddle of bronze construction with corporation stop threads, Ford 202B 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. If the connection is larger than two (2) inches, a tee and gate valve shall be used. (rev. 10/14/08)



The Borough of Everett Area Municipal Authority

8.09 All Service Lines less than or equal to two (2) inches shall be equipped with a curb stop and box located at the property line 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-15207 Oriseal III or equal for three quarters (3/4) inch, one (1) inch, and two (2) inch curb stops for copper tube service outside diameter both ends. The curb boxes shall be arch pattern base, Buffalo type, complete with lid, Mueller H-10350 or equal with two and one-half (2-1/2) inch shaft. (rev. 10/14/08)

8.10 All Service Lines and Connections two (2) inch and less shall be type "K" flexible copper with compression connections, or HD Polyethylene AWWA C-901 plastic pipe conforming to ASTM D-2239 and ASTM D-2737. All Service Lines or Connection Lines installed in PVC casing shall be HD Polyethylene AWWA C-901 plastic pipe conforming to ASTM D-2239 and ASTM D-2737. In no instance shall copper pipe be placed in PVC casing. PVC casing pipe of two (2) inches in diameter shall be used for 3/4-inch Service Lines and Connection Lines. PVC casing for Service Lines and Connection Lines of diameter greater than 3/4-inch shall be at least two (2) inches diameter greater than the Service Line or Connection Line diameter. (rev. 1/9/07)

8.11 All fittings shall be of brass or bronze construction.

8.12 All connections to the Water Main greater than two (2) inches shall include friction clamps, JCM Series 610 or equal. (rev. 10/14/08)

8.13 All Service Lines and Connection pipe and appurtenances may be subject to a hydrostatic pressure test of one hundred thirty five (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.

8.14 Consumers using water for steam generation are warned not to depend upon the hydraulic or hydrostatic pressure of the Water System for supplying boilers. 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 installations.



8.15 Service Lines of 3/4-inch diameter that extend under state highways shall be installed in two (2) inch diameter PVC casing pipe. Service Lines greater than 3/4-inch diameter that extend under state highways shall be installed in PVC casing at least two (2) inches diameter greater than the Service Line diameter. The casing pipe shall extend at least two (2) feet beyond each side of the highway pavement where possible. Such service lines shall be equipped with a curb stop and curb box located adjacent to the tapped Water Main, in addition to the curb stop and curb box located at the property line. The curb stops and curb boxes shall conform to the requirements of Sections 8.08 and 8.09. Curb boxes shall be installed flush with the ground surface.

#### SECTION 9: EXTENSION OF WATER SYSTEM

9.01 Any Developer shall comply with the provisions of this Section.

9.02 A request for service for Buildings with occupied floor elevations above an elevation which would require additional pumping and water storage facilities, as determined by the Engineer, which would be an additional and maintenance cost for the Authority, will be discouraged.

9.03 The Developer shall submit five (5) copies of plans for the proposed extension of the Water System to the Engineer for review, comments, recommendations and approval, on twenty four inch by thirty six inch (24" X 36") sheets showing plan views to a scale of one inch equals fifty feet (1" = 50') or such other scale as the Engineer shall deem acceptable, a north point, a suitable title block, the date, the name of the Developer's engineer, and the imprint of the engineer's registration seal.

9.04 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 building, trees, utility poles, or property corners.

9.05 Easements for Water Mains to be constructed outside of dedicated street rights-of-way shall be recorded in the name of the Authority.

9.06 All pipe with a diameter four (4) inches or larger, used for Water Main extensions, shall be Class 200 DR 14 PVC pipe. Mains smaller than four (4) inch diameter shall be SDR 21 PVC pipe if the static pressure is less than eighty (80) psi, or



The Borough of Everett Area Municipal Authority

Schedule 80 PVC pipe if the static pressure is more than eighty (80) psi. The SDR 21 PVC pipe shall conform to ASTM D 2241, the Schedule 80 PVC pipe shall conform to PS-21-70, and the DR 14 PVC pipe shall conform to AWWA C-900.

9.07 All water main pipe shall be placed on a three (3) inch 2RC aggregate base and back-filled with 2RC aggregate to at least six (6) inches above top of pipe. Where rock is encountered on the trench bottom, over excavate six (6) inches and back-fill with 2RC aggregate. All pipe shall have at least forty-eight (48) inches of cover mechanically tamped in layers not to exceed twelve (12) inches.

9.08 All fittings shall be cast iron, cement lined, mechanical joint, and conform to AWWA C-110.

9.09 Main line valves shall be non-rising stem, resilient-seated gate valve, mechanical joint ends, and conform to AWWA C-509.

9.10 All proposed developments shall include provision for fire protection. The maximum distance of any portion of a Building in the development shall be six hundred (600) feet or less from a fire hydrant.

9.11 No mains smaller than six (6) inches diameter shall provide flow to a fire hydrant. A gridiron of mains in a residential district may consist of six (6) inch diameter mains. Where intersection of mains is inadequate to provide the proper gridiron, or dead ends are necessary, a minimum of eight (8) inch main shall provide an extension of the existing transmission system through the development.

9.12 Depending on the layout of the existing water distribution system and/or potential for future development beyond the area in question, the size of a Water Main extension may vary, based upon Engineer review and recommendations.

9.13 All Fire Hydrants shall be traffic type with five and one quarter (5-1/4) inch main valve opening. All hydrants shall conform to AWWA C-502 and be equipped with one (1) four (4) inch pumper nozzle and two (2) two and one-half (2-1/2) inch hose nozzles. Developer shall verify nozzle thread dimensions with the fire company chief prior to purchasing the hydrant. Fire hydrants shall be Mueller Centurion fire hydrant, catalog number A-423, or equal. Hydrants shall have six (6) inch mechanical joint inlet connection with positive automatic drain, National



## The Borough of Everett Area Municipal Authority

Standard one and one-half (1-1/2) inch pentagon operating nut, and open left (counter-clockwise).

9.14 All Water Mains shall be subjected to a maximum two hundred (200) psi hydrostatic test pressure and the allowable leakage shall not exceed ten (10) gallons per inch of pipe diameter per mile of pipe per twenty four (24) hours. Developer shall provide pump, pipe connection and all necessary apparatus for testing. The duration of the test shall be two (2) hours.

9.15 All Water Main shall be disinfected in accordance with AWWA C-601 prior to Authority acceptance.

9.16 Service Lines may not be installed prior to start of Building construction unless otherwise approved by the Authority.

9.17 The Authority will make the connection of the Water Main extension to the Water System. The Developer shall furnish the necessary fitting and/or valve to make the connection.

9.18 The Water Mains and all appurtenances shall be subject to full time inspection by the Authority's representative 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 the Developer's designated representative. If the work is not satisfactory, the Inspector shall advise what must be done to meet the Authority requirements.

9.19 No Water Main extension constructed by a Developer will be approved for use and acceptance by the Authority until the Water Main 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.

### SECTION 10: MAINTENANCE AND REPAIR

10.01 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.



The Borough of Everett Area Municipal Authority

10.02 All Connections to the Water System as well as all Building Conduits are the responsibility of the Owner and shall be maintained and repaired by the Owner at the Owner's cost. The repairs to the Connection shall be subject to the direction, approval, and inspection of the Authority.

10.03 The Authority reserves the sole right to turn the curb stop on or off. Should repairs to the Connection be required, Authority shall operate the curb stop to facilitate repairs.

10.04 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.

10.05 The Authority shall in no event be responsible for maintenance, or damage done by water escaping from the Connection or any other pipe or fixture on the outlet side of the curb stop.

10.06 The Owner shall keep the Connection (from the curb stop to the Meter) in good condition at all times under penalty of discontinuance of service by the Authority. Should a serious leak on the Owner's property threaten the Authority's supply, however, the Authority reserves the right to discontinue service without notice until such time as the condition is corrected.

10.07 In the case of leaks, the location of which are not readily apparent, the Authority will upon request of the Consumer excavate in and about the curb stop for the purpose of determining the responsibility for a leak. The Authority shall assume the costs 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.

10.08 The Authority may at any time require the Consumer to install in connection with his or her 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 or the Owner's property, or the water supply.

10.09 All Meter installations are the property of the Authority and will be maintained and repaired, for ordinary wear and tear, by the Authority. Should damage to the Meter occur due to freezing, hot water, carelessness, or negligence, however, the repairs shall be at the expense of the Owner.



The Borough of Everett Area Municipal Authority

10.10 The Consumer shall notify the Authority of any injury to or any cessation in registration of the Meter, as soon as it comes to his or her knowledge.

10.11 No seal placed by the Authority shall be tampered with or defaced. A seal 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 the Owner. It is a violation of the Laws of Pennsylvania to break or deface the seal of, or otherwise damage a Meter.

10.12 The Consumer shall place a ball valve on the Connection directly in front of the Meter, and a stop and waste valve on the outlet side of the Meter. The Consumer shall also place a check valve between the stop and waste valve and the Meter. A safety valve shall be inserted at a convenient point on the house piping to relieve excess pressure due to heating water.

10.13 When it is necessary to replace an existing Service Line, the Authority will install a Service Line of the same size in the same location as the old Service Line. If the Owner, for his or her own convenience, desires that the new Service Line be installed at some other location, and agrees to pay all expenses of shutting off the old Service Line at the Water Main, and the cost of corporation stop and saddle, and additional pipe, excavation, and resurfacing, if any, the Authority will place the new Service Line at the location desired, if possible.

10.14 When the Owner desires a change in location or size of an existing Service Line, the cost of the change shall be borne entirely by the Owner.

SECTION 11: UNLAWFUL USE OF WATER SYSTEM

11.01 No Person shall open any fire hydrant or use any water from a hydrant for sprinkling streets, construction, or any purpose without a permit from the Authority, under the penalty prescribed by law, except in case of fire or by fire companies to test the hydrants. Such tests shall be made only under supervision of an authorized agent of the Authority.

11.02 No Person shall, without a permit from the Authority, interfere with any fire hydrant, and no Person shall place any material of any description within eight (8) feet of any fire hydrant or over a valve box.



The Borough of Everett Area Municipal Authority

11.03 No outlet shall be permitted on the Connection or Service Line pipe supplying a Building, between the Water Main and Meter. All water used must pass through the Meter.

SECTION 12: CROSS CONNECTIONS

12.01 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 the Authority.

SECTION 13: WATER SUPPLY

13.01 The Authority shall not be liable for a deficiency or failure in the supply when occasioned by shutting off water to make repairs or Connections or failure from any causes beyond control. House boilers must, in all cases, be provided with proper valves to prevent damage when the water is shut off.

13.02 The Authority reserves 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 main or any other occurrence affecting its plant or equipment or operation, the Authority shall not be liable to any Consumer for any claim or damage arising from an interruption in service, inadequate supply or pressure, quality of water or any cause beyond its control.

13.03 The Authority shall have the authority to 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 notice, water service to Consumer may be terminated and service may not be restored until all the cost of terminating and initiating the service have been paid.

13.04 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.



The Borough of Everett Area Municipal Authority

SECTION 14: GENERAL PROVISIONS

14.01 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.

14.02 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.

SECTION 15: BILLING

15.01 Failure to receive a bill shall not exempt the Consumer from the responsibility to make prompt payment. The presentation of a bill to the Consumer is only a matter of accommodation.

15.02 All Meters shall be read quarterly, except for Large Consumers, whose Meters shall be read monthly, insofar as possible, and the quantities recorded by the Meter shall be considered conclusive on both the Consumer 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 any fair or reasonable method, and the finding thus determined shall be final and binding upon both parties.

15.03 Whenever ownership of a Building is transferred, the new Owner must file with the Authority an application for the continuation of the service as provided for in Section 20.01. Failure to do so will result in the discontinuance of the water service.

15.04 In any instance where a Building has not, for any reason, had a Meter installed, the Authority will estimate the bill taking into consideration usage by other Buildings having similar characteristics, or by any fair or reasonable method, and 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 shall be established by the Authority at an amount equal to the maximum bill for any Building of similar characteristics for service during billing period, and the



The Borough of Everett Area Municipal Authority

determination of the Authority in this regard shall be conclusive upon both parties.

15.05 The bills for repairs or replacement of damaged Meter installations or parts will be rendered to the Consumer.

15.06 The Owner of each Building is ultimately responsible for paying the water bills for the Building. All billings shall be sent directly to the property Owner(s), or to the Tenant occupying the property when the Owner has provided written authorization to the Authority to send billings to the Tenant. Before BEAMA agrees to an Owner's request that a billing be sent to a new tenant, the balance on the account shall be paid in full. All delinquent notices shall be sent to the Owner and to the Tenant.

SECTION 16: LATE PAYMENTS

16.01 The water rates and charges imposed hereunder shall be paid not later than the due date appearing on the bill. If not paid on or before the due date, the charge shall bear interest at a rate of the maximum allowed by law. If not paid within sixty (60) days after the due date, the bills shall be deemed to be delinquent bills, 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 be subject to a lien against property in the office of the Prothonotary of Bedford County and may be collected in a manner provided by law.

16.02 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.

SECTION 17: DISCONTINUANCE OF SERVICE

17.01 Application for water service may be canceled or water service discontinued for any of the following reasons:

- A Failure of the Consumer to pay his or her water bill and other charges when due.
- B Tampering with any Meter or with any service pipe or curb stop or box, or permitting tampering by others.



The Borough of Everett Area Municipal Authority

- C Use of water by a Consumer for any purpose other than described in the Application.
- D Use of water by a Consumer at any location other than described in the Application.
- E Waste of water by a Consumer.
- F Vacancy of Building.
- G Failure of the Consumer to maintain in good order the Connection between the curb box and Meter.
- H Refusal of access to property for the purposes of inspection, reading, maintaining, or removing Meters.
- I Failure to comply with any water use restrictions which may be imposed from time to time.
- J Violation by a Consumer of any of the Rules and Regulations.
- K Pursuant to any other laws of the Commonwealth of Pennsylvania.

17.02 Any damage to a Service Line and/or Water Main caused by careless undermining, or by negligent excavating or back-filling of excavation for private drains, sewers or other purpose, shall be chargeable to the Person causing damage. If the charge to repair a Service Line and/or Water Main is not paid, the Authority reserves the right to discontinue water service.

17.03 The Authority shall have the right to interrupt water supply without notice in case of breakdowns, or for other unavoidable causes, or for the purpose of making necessary repairs or Connections. Reasonable notice will be given when practicable. In no case shall the Authority be liable for any damage or inconvenience suffered.

17.04 Where 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, except that action shall not be taken until the non-violating Owner(s) has been given a reasonable notice and opportunity to install a separate Connection(s).



The Borough of Everett Area Municipal Authority

SECTION 18: CHANGING RULES AND REGULATIONS

18.01 The Authority reserves the right to change or amend from time to time these Rules and Regulations, including the Rates for water service, in a manner provided by law.

SECTION 19: SERVICE LINE CHARGE

19.01 Upon making Application for water service to a new Building or to connect an additional use, the Authority will prepare a written estimate of the cost of installation. A Service Line fee in an amount equal to the actual cost of installation, will be charged for each Building connected directly to the Water System.

19.02 The tapping fee for the connection of a three quarters (3/4) inch or one (1) inch domestic water service is One Thousand Dollars (\$1,000.00). Tapping fees for connections larger than one (1) inch shall be determined on a case by case basis.

The tapping fee is for the purpose of initiating service to the Consumer as set forth in the written service Application. The fee is due and payable upon receipt of the Application. No physical connection to Authority facilities will be completed until the fee is credited to the Authority account, Service Lines are inspected, and verification of lead free plumbing is completed. The tapping fee shall not be applied towards the account for services provided nor the cost of physical connection.

19.03 An Application fee of Twenty-Five Dollars (\$25.00) and an inspection fee of Fifteen Dollars (\$15.00) will be charged for each Building.

19.04 The Authority shall furnish and install corporation stop, saddle if required, Service Line, curb stop and curb box, and Meter for the Service Line Fee. The Person desiring water service shall furnish and install the Connection at his or her sole cost.



The Borough of Everett Area Municipal Authority

SECTION 20: MISCELLANEOUS CHARGES

20.01 Any Consumer desiring a supply of water from a previously discontinued service, and each new Owner of a Building then connected, must submit with the Application for water service a payment according to the fee schedule presented in Exhibit A for initiating service. No service shall be furnished by the Authority to a Consumer until all arrears for water rents, water repairs, or other charges then incurred or previously owed with respect to a Building, shall have been paid, or satisfactory arrangement for payment has been made.

20.02 Any Consumer desiring a temporary or permanent discontinuance of service shall notify the Authority in writing of this desire and shall remit along with said notice a service termination fee according to the fee schedule presented in Exhibit A. The Authority shall make a final Meter reading, disconnect and remove the Meter, and prepare a final bill. The service termination fee shall also be applied when service is discontinued due to account delinquency.

20.03 Any Owner desiring to transfer ownership of property and water service shall notify the Authority in writing of this desire and a final Meter reading and bill will be prepared at no special charge to the Owner.

20.04 At the written request of a Consumer, the Authority will conduct a test of the accuracy of the Meter supplying the Consumer's Building. A deposit of One Hundred Dollars (\$100.00) for Meters one (1) inch in diameter and smaller, and One Hundred Dollars (\$100.00) per inch in diameter or fraction thereof for Meter larger than one (1) inch shall be required before the Meter is tested, which sum will be returned if the Meter is found to be registering more than four percent (4%) against the Consumer; otherwise, the deposit will be retained by the Authority to cover the cost of the test. In no case will correction of billing for Meter inaccuracy be made for a longer period than three (3) months prior to date of test, unless the Authority is satisfied that inaccuracy has been of longer duration.

20.05 The charge for re-installation or changing a Meter, when removed because of damage in any way due to the negligence of the Consumer, shall be equal to the deposit specified in Section 20.04, plus the cost of repair or replacement of the damaged meter.

20.06 A temporary supply of water for building homes or other construction purposes, except on premises already receiving water



The Borough of Everett Area Municipal Authority

service, shall be provided whenever feasible as determined by the Authority. The contractor shall be held responsible for the theft of the Meter, or physical damage to the Meter, other than expected reasonable wear and tear. When application is made for temporary use of water, requiring a temporary connection, the cost of installation and removal of temporary facilities shall be borne by the applicant and the estimated cost thereof shall be paid to the Authority before service is provided. Adjustments to this prepayment will be made upon removal of the temporary service.

20.07 Upon request for bulk water furnished through a fire hydrant, the following procedure shall apply:

- A All water furnished through a fire hydrant, whenever possible, shall be metered and shall be billed at the rate of Twelve Dollars and Thirty Eight Cents (\$12.38) per thousand gallons.
- B In the event of the inability of the water to be supplied through the use of a water meter, the usage shall be estimated from the capacity of the vehicle supplied and the sum of the loads shall be billed according to Section 20.07 A.
- C Whenever such circumstance causes water to be furnished without the capabilities of Sections 20.07 A and B, a charge of Fifteen Dollars (\$15.00) per hour of service shall be levied for such use.
- D A Borough of Everett Area Municipal Authority employee must be present at the time of loading, except as provided for in subsection E below. The employee's chargeable hourly rate of pay will be charged to the purchaser.

Except as provided for in subsection E below, the Authority in all cases shall provide the services of an attendant for operating the fire hydrant, and a current hourly charge for the work necessary on behalf of the applicant shall be charged to the applicant for the services provided. When a supply of water through a fire hydrant is desired for any purpose, which in the discretion of the Authority is a charitable purpose, the supply of water shall be free of charge. Water obtained from fire hydrants for filling fire trucks shall be from fire hydrants at locations approved by Authority and at times approved by Authority.



- E A Person may withdraw water from a fire hydrant without a Borough of Everett Area Municipal Authority employee being present if that Person has been authorized to do so in writing by the Authority. Such Person shall comply with the following provisions:
1. Individuals acting on behalf of an authorized Person shall be certified by the Authority to operate a fire hydrant, use a fire hydrant designated by the Authority, and use a hydrant meter purchased by the Person and approved by the Authority. Personal identification and proof of certification shall be presented on the request of any representative of the Authority when water is being withdrawn from a fire hydrant. Re-certification shall be required upon notification by the Authority.
  2. The Person shall submit the make, model and license plate number of any vehicle containing a storage tank that may receive water from a fire hydrant, prior to withdrawing water from a fire hydrant.
  3. The Person shall have all functions of the approved hydrant meter inspected and calibrated annually, and submit a inspection report and calibration certification to the Authority.
  4. The hydrant meter shall be presented to the Authority for a meter reading at least once each week, unless no water has been withdrawn the prior week, along with a report showing the volume of water withdrawn each day, the make, model and license plate number of the vehicle containing the storage tank that received the water, and signed by the individual(s) that operated the fire hydrant(s) each day. The report shall be submitted on a form provided by the Authority.
  5. Water withdrawn under the provisions of this section shall only be used by the Person and shall not be sold or given to another Person.
  6. A Person authorized to withdraw water under this section shall post a bond of \$5,000 to protect the Authority from any damage to any component of the Water System resulting from the use of a fire hydrant.
- F The Authority may suspend bulk water sales at any time. When the Governor of the State of Pennsylvania declares a state of drought or water shortage emergency, the Authority shall suspend bulk water sales, except and at



The Borough of Everett Area Municipal Authority

the discretion of the Authority, sales to other municipal water suppliers.

20.08 When anyone desires to secure a supply of water through an automatic sprinkler or other system for fire protection, the applicant shall file with the Authority complete plans of the proposed connection for approval and record. All lines providing water supply for fire protection through an automatic sprinkler or other system shall be approved by the Authority. No cross connections as provided for in Section 12.01 will be allowed.

20.09 No extensions to fire protection systems shall be made, or additional fixtures installed, without the approval of the Authority. No water shall be used through fire protection systems, except that used for testing the system or for extinguishing fires. It shall be the responsibility of the Consumer to notify the Authority twenty-four (24) hours prior to testing and immediately after the use of water through any fire protection system.

20.10 A Consumer desiring abatement of a water bill, due to a vacancy, shall make a request for abatement in writing to the Authority and shall submit said request together with a fee according to the fee schedule presented in Exhibit A as a service charge for such abatement. The Consumer shall further make a payment according to the fee schedule presented in Exhibit A when such abatement is to be lifted and service billing to be reinstated.

In the event that service can be disconnected without affecting other Consumers, a Consumer desiring disconnection shall notify the Authority and request that service be shut off. Service charges according to the fee schedule presented in Exhibit A for abatement of billing and for reinstating billing shall also include the disconnection and re-connection of water service. All abatements of billings shall date from the day the required notice together with payment of the service charge is received by the Authority, or from the date specified in the notice requesting abatement, whichever date shall be later. An allowance shall be made for the period of vacancy in computing the bill of the Consumer, provided, however, that no request for abatement for a period of less than one month duration shall be granted.

20.11 When a Consumer fails to pay a water bill and other charges for ninety (90) days, a Past Due Notice Charge according to the fee schedule presented in Exhibit A will be added to the bill. If the Consumer's bill remains unpaid for an additional



The Borough of Everett Area Municipal Authority

ten (10) days, a Shutoff Notice Charge according to the fee schedule presented in Exhibit A will be added to the bill.

20.12 When the Authority provides assistance requested by a Consumer or Owner, or responds to an emergency report, for any problem with a Connection, building piping, or any appliance or appurtenance connected to building piping, including but not limited to leaks or freezing, the Authority may charge the Consumer or Owner for any and all costs incurred by the Authority, including but not limited to labor and materials. Labor for assistance provided during normal weekday working hours will be billed at regular labor plus payroll overhead rates in one-half hour increments. Labor for assistance provide outside of normal weekday working hours will be billed at overtime labor plus payroll overhead rates in one hour increments.

20.13 When a Consumer or Owner fails to pay a delinquent bill or fee, the Authority may initiate a Civil Complaint Action with the District Magistrate for collection. The Civil Complaint will include a charge for the preparation of the Civil Complaint according to the fee schedule presented in Exhibit A as well as all costs required by the Magistrate for filing the civil complaint and costs for collection if ordered by the Magistrate. The Consumer or Owner will also be billed for the costs of an Authority representative and/or legal counsel at the hearing before the Magistrate.

SECTION 21: REPEALER

21.01 All prior laws and Rules and Regulations shall not be applicable after the effective date of these Rules and Regulations.



# The Borough of Everett Area Municipal Authority

## Exhibit A Fee Schedule

Service Type			Fee Description
<u>Sewer-Only</u>	<u>Water-Only</u>	<u>Sewer and Water</u>	
\$10.00	\$40.00	\$20.00 + \$20.00	Resume service
10.00	40.00	20.00 + 20.00	Discontinue service
10.00	10.00	10.00 + 10.00	Abatement (billing only)
10.00	10.00	10.00 + 10.00	Abatement lifted (billing only)
n/a	40.00	20.00 + 20.00	Abatement and disconnection
n/a	40.00	20.00 + 20.00	Abatement lifted and reconnection
20.00	20.00	10.00 + 10.00	Past due (90 days) certified mail notice
n/a	40.00	20.00 + 20.00	Shutoff door notice
20.00	20.00	10.00 + 10.00	Civil Complaint Preparation
Chargeable Wage*	Chargeable Wage	Chargeable Wage	BEAMA employee at hearing

---

\* Chargeable Wage consists of employee wage and associated payroll and benefit costs and are updated as wage rates, and payroll and benefit charges change. A copy of the current Chargeable Wage schedule is available on request.