

# RULES AND REGULATIONS FOR USE OF THE SEWER SYSTEM

Adopted November 19, 2024

## LEWISBURG AREA JOINT SEWER AUTHORITY

A RESOLUTION OF LEWISBURG AREA JOINT SEWER AUTHORITY, UNION COUNTY, PENNSYLVANIA, IMPOSING CONNECTION FEES; PROMULGATING RULES AND REGULATIONS FOR USE OF THE SEWER SYSTEM, INCLUDING PROHIBITING OR REGULATING THE DISPOSAL OF CERTAIN TYPES OF SEWAGE AND INDUSTRIAL WASTES AND THE ADMISSION OF CERTAIN TYPES AND QUANTITIES OF SEWAGE AND INDUSTRIAL WASTES INTO THE SEWER SYSTEM; AND FIXING RATES AND CHARGES FOR THE USE OF THE SEWER SYSTEM.

NOW THEREFORE, THE Lewisburg Area Joint Sewer Authority, Union County, Pennsylvania, RESOLVES as follows:

### ARTICLE I DEFINITIONS

SECTION 1.01 -- Definitions. Unless the context specifically and clearly indicates otherwise, the meaning of terms used in this Resolution shall be as follows:

A. Authority. "Authority" means the Lewisburg Area Joint Sewer Authority, a Pennsylvania Municipal Authority, or its successors or assigns.

B. B.O.D. "B.O.D." (Biochemical Oxygen Demand) means the quantity of oxygen, expressed in mg/l, utilized in the biochemical oxidation of organic matter under standard laboratory procedure for 5 days at 20 degrees Centigrade. The standard laboratory procedure shall be that found in the latest edition of "Standard Methods for the Examination of Water and Sewage" published by the American Public Health Association.

C. Borough. "Borough" means the Borough of Lewisburg, Union County, Pennsylvania, a municipality organized and existing under the laws of the Commonwealth of Pennsylvania.

C.1. Charges. In addition to charges levied for the collection, treatment, and disposal of sanitary sewage discharges into the Sewer System, "charges" includes any other invoice properly issued by the Authority for any other work or service rendered by it on behalf of, or by law properly chargeable to, a property owner within its jurisdiction.

D. Dwelling or Dwelling Unit. "Dwelling" or "Dwelling Unit" means any room, group of rooms, house trailer or other enclosure occupied, or intended for occupancy, as separate living quarters by a family or other group of persons living together or by persons living alone.

E. Improved Property. "Improved Property" means any property upon which there is now or hereafter erected a structure intended for continuous or periodic habitation, occupancy or use

by human beings or animals and from which structure Sanitary Sewage and/or Industrial Wastes shall be or may be discharged and which wastes are accepted by the Authority into the Authority's Sewer System as it exists now or with any extensions or enlargements that may be made in the future at any time.

F. Industrial User. An Industrial User is defined as any nongovernmental user, existing or future, of publicly owned sewage pumping and treatment facilities identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented, under the following divisions: Agricultural, Forestry, and Fishing; Mining; Manufacturing; Transportation and Public Utilities; and Services. A user in the divisions listed may be excluded if it is determined that it will introduce primarily segregated domestic wastes or wastes from sanitary conveniences.

G. Industrial Waste. "Industrial Waste" means any and all wastes discharged from an "Industrial Establishment", other than Sanitary Sewage.

H. Owner. "Owner" means any person vested with ownership, legal or equitable, sole or partial, of any Improved Property.

I. Person. "Person" means any individual (male or female), partnership, company, association, society, corporation or other group or entity; "his" means his, hers, or theirs, as is appropriate.

J. pH. "pH" means the logarithm of the reciprocal of the weight of hydrogen ions, expressed in grams per liter of solution, indicating the degree of acidity or alkalinity of a substance.

K. mg/l. "mg/l" means milligrams per liter.

L. Sanitary Sewage. "Sanitary Sewage" means normal water carried household and toilet wastes from any Improved Property.

M. Sewer. "Sewer" means any pipe or conduit constituting a part of the Sewer System or usable for sewage collection purposes.

N. Sewer System. "Sewer System" means all facilities, as of any particular time, for collecting, pumping, treating or disposing of Sanitary Sewage and/or Industrial Wastes, owned by the Authority.

O. Township. "Township" means the Township of East Buffalo, Union County, Pennsylvania, a municipality organized and existing under the laws of the Commonwealth of Pennsylvania.

ARTICLE II  
APPLICATIONS FOR SERVICE;  
CONNECTIONS AND CONNECTION FEES

SECTION 2.01 -- Application for Permits.

A. Sewer Hook-up Permit. Any property owner or his duly authorized agent desiring a sewer service connection to the Authority's sewage collection system, shall, at least one week before service is required, make a written application for a Sewer (Hook-up) Permit on the forms as furnished by the Authority, giving the street and lot number or location, the name of the owner, the name of the contractor (and, if different, the name of the contractor responsible for sewer installation), the purpose for which the service will be used and such other appropriate information as shall be required by the Authority. The sewer permit application shall also be signed by all contractors named in the application.

B. Sewer Repair Permit. Any property owner or his duly authorized agent desiring to make repairs to a sewer service connection between the sewer line of the Authority and the structure to be served, shall, at least twenty-four hours before inspection is required, make a written application for a Sewer Repair Permit on the form furnished by the Authority, giving the street and house or lot number location, the name of the owner, the name of the contractor(s) who will perform the repairs and such other appropriate information as shall be required by the Authority. The sewer repair permit application shall also be signed by all contractors named in the application. No repairs may be made to the sewer service connection line without the proper issuance of a Sewer Repair Permit. The line shall not be backfilled or otherwise covered up without inspection by the Authority. Upon inspection and approval by the Authority a final approval permit will be issued by the Authority. No fee shall be charged for the Sewer Repair Permit.

C. Refusal of Permit, Prior Violations. The Authority, in its discretion, may refuse to issue any sewer permits to a property owner who has previously violated the Rules and Regulations of the Authority. Similarly, the Authority may, in its discretion, refuse to issue a sewer permit for construction which will be performed by a contractor or sub-contractor who has previously violated the Rules and Regulations of the Authority.

D. Conditional Issuance of Permit. The Authority may, on deposit of an amount set by resolution of the Authority, issue a sewer permit where the identity of contractors and sub-contractors is unknown at the time of the application. Any deposit required to be made under the preceding sentence, shall be returned when the appropriate information is provided and the required signatures of the contractors and sub-contractors have been obtained. In the event that a sewer permit is issued prior to the time that the identity of the contractor or sub-contractor who will be responsible for sewer connections is known, the Authority shall give notice to the property owner and any other contractor involved of the names of those individuals or entities who have been determined to be ineligible for sewer permits under SECTION 2.01C. After such notice, it shall then be a violation of these Rules and Regulations for the property owner or contractor to engage the services of the ineligible individuals or entities.

SECTION 2.02 -- Connection, Inspection, and Tapping Fees. A Sewer Permit to make actual connection to the Authority's sewer collection system will be granted after the payment of proper

connection, inspection, and tapping fees and after physical inspection in the field to observe the installation and to determine that service laterals exclude prohibited drainage waters.

A. A Sewer Connection Fee of \$300.00 shall be paid by property owners whose property requires a sewer line from the dwelling to the sewer main. The property owner shall obtain a permit to open the street from the Borough, Township, or other entity having jurisdiction and shall dig the trench, backfill, and return the street to its original condition. The Authority shall inspect the work, make the connection to the sewer main, provide the furnishings necessary for attachment, and supervise initial backfilling of the trench. In the event that the entity having jurisdiction requires the Authority rather than the property owner to obtain permits or perform any or all of the work required in the installation of the sewer line, the Authority or its designee shall perform the work and the property owner shall be responsible to the Authority for all costs incurred by the Authority for the performance of obligations which the property owner would otherwise have under this paragraph. The Authority may require the property owner to advance the cost of permits and estimated cost of installation. All such costs shall be in addition to the Sewer Connection Fee.

B. A Sewer Connection Inspection Fee of \$150.00 shall be paid by those property owners whose place of service connection is located in a subdivision where a developer has installed both the sewer mains and laterals and there is no construction costs borne by the Authority.

C. Tapping Fee. With respect to each new connection to the sewer system, the property owner shall pay a Tapping Fee, which shall be calculated in accordance with the provisions of the Municipality Authorities Act which govern such tapping fees and which, at the time of the adoption of this amendment, were found at 53 P.S. §306B(t) (iii)

D. Notwithstanding the provisions of the foregoing, any property owner who is not required by ordinance to connect to the sewage collection system shall pay a Sewer Connection Fee of \$300.00 to connect to an adjacent installed sewer main. Such a property owner would be required to obtain a permit from the Borough or Township or other entity having jurisdiction to open the street and would be required to dig the trench, backfill and return the street to its original condition. The Authority or its representative will make the connection to the sewer main and will provide the furnishings necessary for attachment as a part of the Sewer Connection Fee.

#### SECTION 2.03 -- Service Connections and Lines.

A. For all property owners required by ordinance to connect to the Authority's sewage collection system, the Authority or its duly authorized representatives will make all lateral connections directly to the main and will provide the furnishings necessary for attachment. The Authority shall provide for all repair of all service lines from the sewer main to the curb line. (Curb line means the road side of an established curb, to the edge of the cartway where no curb exists, or the boundary of the right-of-way where no curb or cartway exists.) All service lines from the structure to be served to the existing lateral stub or to the sewer main shall be installed by the owner or person to be served, at his expense, and shall be of a pipe approved by the Authority. No service connection facility between the point of attachment and the structure to be served shall be covered up in the process of installation until inspected and approved by the Authority or its duly authorized representatives.

All laterals, mains, manholes, pump stations and other components of sewage delivery systems sought to be connected to the Authority's existing system shall conform to the standards and specifications set forth in the then-prevailing edition of the "Contract Documents and Standard Specifications for Utility Construction in Pennsylvania" promulgated by the Engineers and Contractors Joint Committee and under copyright to the Pennsylvania Utility Contractors Association. The failure of a lateral, main, manhole, pump station, or other component of a system to conform to such standards shall constitute grounds for a refusal by the Authority to accept sewage from such systems.

B. For all property owners not required by ordinance to connect to the system who nevertheless elect to connect pursuant to SECTION 2.02C, the Authority shall have no obligation to furnish, install, or repair service lines beyond the point of connection. All service lines beyond that point shall be installed by the owner or person to be served and shall be of a pipe approved by the Authority. No such service line shall be covered up in the process of installation until inspected or approved by the Authority or by its duly authorized representatives.

C. No sewer service line shall be laid in the same trench with gas lines, water lines or any other facilities of a public service company. The size of a service connection from the sewer main to the structure to be served will be a pipe of terra cotta, cast iron, PVC schedule 40, or other type approved by the Authority, with a minimum inside diameter of four (4) inches, and will have a type "O" ring joint or other type approved by the Authority. Only persons properly authorized by the Authority shall be permitted to make service line connection installations.

D. The Authority shall not be responsible for the opening or removal of blockages from the service line from the sewer main to the structure to be served. The Authority shall not be responsible for the maintenance of any service line or any other line, pipe or fixture from the curb line to the structure to be served, nor shall the Authority be responsible for any damages resulting from the escape of sewage from any service connection from the curb line to the structure to be served. The owner and any other person being served at all times shall comply with all federal, state and municipal regulations and shall make any and all changes to their service connections between the curb line and the structure to be served which shall be required or shall be made necessary as a result of any change of grade of the main lines, or otherwise. The Authority will bill the property owner (or such third party as may otherwise be appropriate) for any work performed by the Authority beyond the Authority's obligations as established by applicable law or these regulations.

E. If the Authority, upon investigation of a complaint regarding the Sewer System, determines that the fault lies with a service line, then the Authority, with consent of the owner of said line, may proceed to remedy the defect and bill the owner for materials at cost and for labor at a reasonable hourly rate to be fixed by the Authority.

SECTION 2.04 -- Application When Service is Not Available. If sewer service is not available as set forth in this Resolution, any property owner or other proper person may make application to the Authority for service upon a form provided by the Authority setting forth the location, estimated date and type of proposed connection, together with such other information as the Authority may require. After receipt of such application the Authority, in its sole discretion, will determine whether the construction of

an addition to the Sewer System is economically feasible, based upon engineering estimates of cost of construction and revenues from proposed or expected use of such addition.

A. Extension of Sewer System if Feasible. If in the opinion of the Authority the construction of an addition to the then existing Sewer System to service the applicant is economically feasible and if the Authority has sufficient funds, or is able to borrow sufficient funds, to finance such construction, and the Authority can obtain permission from appropriate governmental agencies as required, the Authority may construct an addition to the existing Sewer System.

Before construction of such addition is begun, the Authority may require the applicant to post a bond, either in cash or with other sufficient surety, guaranteeing and providing for the annual payment of a sum which together with the annual rental and charges for the use of the addition would be sufficient to amortize the cost of such construction with interest thereon, whether or not interest is actually paid by the Authority over the then projected useful life of such addition.

B. Extension of Sewer System with Contribution of Applicant. If in the opinion of the Authority the construction of an addition to the existing Sewer System to serve the applicant is not economically feasible and the applicant nevertheless desires sewer service, the Authority may require a cash contribution by the applicant toward the cost of constructing such addition so that the project would be economically feasible.

C. Refund on Bond or Contributed Cost. The Authority may, prior to the execution of the bond or payment of the contribution mentioned above, agree that if, after the addition to the Sewer System has been constructed, and it is determined that the annual revenues from such addition are more than sufficient to amortize the cost of such construction, including interest, the Authority will pay to the applicant or his successor in interest a refund of the portion of such payments made by the applicant as are equal to the amount by which such revenues exceed the annual cost of such addition. Such repayments shall be limited to those owing within two years and applied for within three years after the annual amortized costs have been determined. The agreement shall provide that unless the right thereto is reserved by the applicant in writing, the rights under this section shall pass to any successors in title to the land served by the addition, prorata, based on the front footage of such owners.

D. Authority not Restricted to Financially Feasible Additions. Nothing in this section shall be construed as preventing the Authority from extending any sewer line beyond the limits of the then-apparently financially feasible limits, if, in the opinion of the Authority, such extensions are needed for reasons of public health and water purity and are approved by holders of any revenue indentures, real estate mortgages or other security given by the Authority, or to require hookup after such construction and to require reasonable contributions from users for construction costs of such additions, in addition to normal rates and charges for hookup to and use of the Sewer System.

SECTION 2.05 -- Restrictions on Service. The Authority reserves the right to refuse connection to the Sewer System, when in its judgment, the facilities of the Sewer System are not adequate to handle properly the additional sewage to be anticipated by such connection.

ARTICLE III  
PROHIBITED WASTES

SECTION 3.01 -- Natural or Artificial Overflow or Drainage Waters; Floor Drains. No person or entity shall discharge or cause to be discharged any storm water, surface water, spring water, ground water, roof run-off, sub-surface drainage, building foundation drainage, drainage from roof leader connections, water from swimming pools, overflow, or draining from cesspools, or unpolluted industrial process waters into any sewer.

3.01.1 No person or entity shall attach to any part of the Sewer System a pipe leading from a sub-surface floor drain, roof drain, spouting, or other similar drainage device.

3.01.2 No person or entity shall attach to any part of the Sewer System a pipe leading from a sub-surface toilet, sink, shower, laundry connection, or other device or fixture that discharges water.

3.01.3 LAJSA shall not be responsible for sewer backups through any device described in this Section 3.01 irrespective of when installed after due notice has been given to the owner that the Authority will bear the expense of plugging such device.

SECTION 3.02 -- Harmful Wastes. In addition to the specific prohibitions herein, the Authority reserves the right to refuse permission to connect the Sewer System, to compel discontinuance of use of the Sewer System or to compel pretreatment of Industrial Wastes by an Industrial Establishment, in order to prevent discharges deemed by the Authority to be harmful or to have a deleterious effect upon any sewer of the Sewer System.

SECTION 3.03 -- Prohibited Sewage or Industrial Waste. No Sanitary Sewage or Industrial Waste shall be discharged into the Sewer System.

A. Having a temperature higher than 150 ° F. or less than 32 ° F;

B. Containing more than a 30 mg/l of fats, wax, or grease emulsified or not, or any substance which may solidify or become viscous at temperatures between 32 ° F and 150 ° F;

1. Any new establishment desiring to connect to the sewer system, which, in the judgment of the Manager or Engineer of this Authority, is likely to violate Section 3.03 B of these Rules and Regulations, shall install grease traps, at the owners expense, of a size adequate to handle the high peak flow of the affected line or lines. The location of this grease trap (traps) shall be pre-approved by the Manager or Engineer of this Authority. The size of the grease trap (traps) shall also be pre-approved by the Manager or Engineer of this Authority but it is the ultimate responsibility of the owner to install a model large enough to handle the flow of wastewater and capture all associated grease.

2. Any existing establishment already connected to the sewer system, which at the sole discretion of the Manager or Engineer of this Authority violates Section 3.03 B shall be required to implement all requirements of Section 3.03 B1.

C. Containing any gasoline, benzine, naphtha, fuel oil, paint products, acids or other flammable or explosive liquids, solids or gases;

D. Containing any solid wastes resulting from preparation, cooking and dispensing of food and from handling, storage and sale of produce, which wastes commonly are known as garbage, which have not been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particular particle greater than 1/2 inch in any dimension;

E. Containing any ashes, cinders, paper dishes, paper cups, and paper milk cartons, either whole or ground by garbage grinders, sand, mud, straw, shavings, metal, glass, bones, rags, feathers, whole blood, hair, fleshings, tar, plastics, wood, paunch manure, butcher's offal or any other solid or viscous substance capable of causing obstructions or other interferences with the operation of the Sewer System or sewers;

F. Having a pH, stabilized, lower than 5.5 or higher than 9.5, or having any other corrosive property capable of causing damage or hazards to structures, equipment, bacterial action or personnel of the Sewer System or any part thereof;

G. Containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant owned by the Authority, including but not limited to cyanides;

H. Containing strong acid, iron pickling wastes or concentrated plating solutions, whether neutralized or not;

I. Containing iron, chromium, copper, zinc and similar objectionable or toxic substances or substance exerting an excessive chlorine requirement to such degree that any such material received in the composite sewage at the sewage treatment works owned by the Authority is not in compliance with applicable State or Federal regulations, for such materials;

J. Containing phenols or other taste or odor-producing substances, in such concentration exceeding limits which may be established by the Authority, as necessary after treatment of the composite sewage, to meet the requirements of the State, Federal or other public agencies having jurisdiction for such discharge to the receiving waters;

K. Containing any radioactive wastes or isotopes of such half life or concentrations as may exceed limits established by the Authority in compliance with State or Federal regulations;

L. Containing materials which exert or cause:

1. Unusual concentrations of inert suspended solids such as, but not limited to, Fullers earth, lime slurries and lime residues or of dissolved solids such as, but not limited to, sodium chloride and sodium sulfate;

2. Excessive discoloration such as, but not limited to, dye wastes and vegetable tanning solutions;

3. Unusual B.O.D., chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works; and

4. Unusual volume of flow or concentration of wastes;

M. Containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

SECTION 3.04 -- Pretreatment Facilities. Where necessary all owners shall install suitable pretreatment facilities in order to comply with ARTICLE III, SECTION 3.03 of this Resolution.

Plans, specifications and any other pertinent information relating to proposed facilities for preliminary treatment and handling of wastes shall be submitted for approval of the Authority and no construction of any such facility shall be commenced until approval thereof first shall have been obtained, from any governmental regulatory body having jurisdiction.

Whenever facilities for preliminary treatment and handling of wastes shall have been provided by any owner, such facilities continuously shall be maintained, at the expense of such owner, in satisfactory operating conditions; and the Authority shall have access to such facilities at reasonable times for purposes of inspection and testing.

SECTION 3.05 -- Large Garbage Grinders. No person shall install, or operate, in any Improved Property connected to the Sewer System any garbage grinder equipped with a motor of 3/4 horsepower or greater, without prior written approval of the Authority.

SECTION 3.06 -- Requirements for Admitting Industrial Waste into the Sewer System. No person shall discharge or cause to be discharged into the Sewer System any Industrial Wastes not subject to control by the Authority and only after application to the Authority and receipt of a written permit therefor by the Authority.

A. Required Survey Data. Any person desiring to make or use a connection to the Sewer System through which Industrial Wastes shall be discharged into the Sewer System shall file with the Authority a completed "Industrial Wastes Questionnaire" on a form furnished by the Authority, which shall supply to the Authority pertinent data, including estimated quantity of flow, characteristics and constituents, with respect to Industrial Wastes proposed to be discharged into the Sewer System.

B. Control Manholes. Any person who shall discharge Industrial Wastes into the Sewer System, when required by the Authority, shall construct and thereafter properly shall maintain, at

his own expense, a suitable control manhole and other devices as may be approved by the Authority to facilitate observation, measurement and sampling by the Authority for Industrial Wastes discharged to the Sewer System.

Any such control manhole, when required by the Authority, shall be constructed at an accessible, safe, suitable and satisfactory location in accordance with plans approved by the Authority prior to commencement of construction.

C. Waste Sampling. The strength of wastes to be used for establishing industrial cost recovery payments (see SECTION 4.02E) and for surcharges (see SECTION 3.09), if any, for major industries (see SECTION 4.02E) shall be based on annual sampling and analysis of their industrial wastes and for minor industries (see SECTION 4.02E) shall be based on periodic sampling and analysis at the discretion of the Authority. The collection and analysis of waste samples for determining applicable industrial cost recovery payments and/or surcharges shall be supervised by a professional engineer registered in Pennsylvania and approved by the Authority. All costs for waste collecting and sampling shall be paid by the Industrial User. The analysis of all waste samples collected to determine applicable industrial cost recovery payments and/or surcharges, shall be made in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," as published by the American Public Health Association.

D. Changes in Type of Water. Any Industrial User discharging Sewage into the Sewer System and contemplating a change in the method of operation which will alter the characteristics and/or volumes of wastes at the time being discharged into the Sewer System shall notify the Authority, in writing, at least ten (10) days prior to consummation of such change, and secure permission for such change.

SECTION 3.07 -- Special Agreement for Unusual Industrial Waste. Nothing contained in this article shall be construed as prohibiting any special agreement or arrangement between the Authority in consultation with its engineer and any person whereby Industrial Wastes of unusual strength or character may be admitted into the Sewer System by the Authority, either before or after preliminary treatment.

SECTION 3.08 -- Regulating Rate of Discharge of Industrial Wastes. The Authority reserves the right to require Industrial Users having large variations in rates of waste discharge to install suitable regulating devices for equalizing waste flows to the Sewer System.

SECTION 3.09 -- Surcharges and Changes in Charges for Industrial Wastes. The Authority reserves the right to impose surcharges in connection with and Industrial Waste discharge into the Sewer System either by agreement with the owner of the Industrial User or by additional regulations.

SECTION 3.10 -- Access to Premises and Inspection. Authorized employees of the Authority, identified by proper identification cards, shall have access to a subscriber's premises at all reasonable hours for any legitimate purpose related to the operation of its sewer system and the enforcement of these Rules and Regulations, including, but not limited to, inspections or tests for inadequate or illegal connections to the system.

ARTICLE IV  
SEWER RENTALS OR CHARGES;  
PAYMENT OR COLLECTION

SECTION 4.01 -- Occasion and Time when Charges Begin. Sewer rentals or charges are imposed upon and shall be collected from the owner of each Improved Property which shall be connected with the Sewer System, whether such use shall be direct or indirect, which sewer rentals shall commence and be effective thirty (30) days after such owner is first given written notice by the Authority to connect to the Sewer System as set forth elsewhere in this Resolution, and is reasonably able to connect, or as of the date of connection of each Improved Property to the Sewer System, which ever first shall occur.

SECTION 4.02 -- Rentals and Charges. Rentals and charges shall be payable as provided herein.

A. Sanitary Sewer Rents and Charges for collection, treatment, and disposal of sanitary sewage discharged into the Sewer System are hereby imposed based upon the amount consumed as determined from meter readings of the Pennsylvania-American Water Company.

The rates and their effective date shall be established by Resolution of the Authority Board from time to time. The text of the current prevailing Resolution shall be made available through the Authority office and on its website.

The increased sewer rates and charges hereby imposed shall be effective for all sewer bills initially issued by the Authority on and after 1st Qtr April, 2015.

B. In cases where the users of the sewer system have sources of water supply other than, or in combination with, water supplied by the Pennsylvania-American Water Company the user shall be required to install an approved water meter to measure the usage or the Authority may set the user rate based on a Variable Flat Rate System using the number of occupants either living or working at the residence. Certain conditions and circumstances warrant the sewer rent may be established in accordance with SECTION 4.02 E.

C. In the event that a subscriber intends to use a large volume of water, which is metered and would otherwise serve as a basis for the subscriber's sewage rental charge but which will not pass through the sewage system, then the Authority will waive its charge with respect to that amount of water if the following conditions are met:

1. The written waiver of charges has been procured from the Authority's Manager in advance of the use of water, except in an emergency situation where all other conditions below are met.
2. The use of water will clearly not involve use of the Authority's sewage system.
3. Monitoring of the use of water will not require involvement by any employee of the Authority.

4. The volume of water which is the subject of the waiver is reasonably ascertainable.

5. A similar request for waiver has not been granted to the subscriber within the past 24 months.

6. The subscriber agrees to pay a Waiver Application Fee of \$15.00.

D. Connection Fees and Multiple Water Meters. Any property which is connected to the sewer system shall be subject to at least one quarterly minimum charge, regardless of usage. Any building unit which is connected to the sewer system and receives water through two or more meters shall be subject to a quarterly minimum charge for each meter, regardless of usage and irrespective of the number of connections to the sewer system emanating from that unit. In cases where a building unit has two or more water meters, the Authority shall continue to assess the quarterly minimum charge for each meter, regardless of usage, until such time as the property owner notifies the Authority in writing that a lesser number of water meters are supplying the entire building.

E. Special Agreement. Nothing herein contained shall be deemed to prohibit the Authority from entering into special agreements with respect to sewer rentals or charges under conditions and circumstances making special agreements advisable and necessary.

F. Industrial Cost Recovery. In accordance with the requirements of Public Law 92-500, each Industrial User of the pump station and treatment works shall pay an equitable share of the Federal capital grant amount used for construction of those facilities. All definitions and determination of wastewater characteristics, strength and flows shall be in accordance with applicable sections of these Rules and Regulations.

1. Computation of Industrial Cost Recovery (ICR) Payment.

The Industrial User's share shall be calculated as follows:

$$P = \frac{Q + B + SS}{30}$$

Where P = ICR annual payment in dollars

Q

A = Industry's average daily flow in gallons x  
\$951.44/1000 gallons/day  
(Note: Cubic Feet x 7.48 = gallons)

B

A = Average BOD of Waste in pounds per day x \$150.00

SS

A = Average Suspended Solids in pounds per day x \$153.00

Thirty (30) is considered to be the useful life in years the facilities used.

2. Industrial Classification. Any Industrial User shall be classified as a major industry if its annual water consumption exceeds 365,000 cubic feet per year (7,480 gallons per day) or if, based on records of past operation or periodic sampling by the Authority, its BOD concentration exceeds 305 mg/l or its suspended solids concentration exceeds 180 mg/l. All other industries shall be classified as minor industries.

3. Repayment Period. The Industrial Cost Recovery period shall start August 15, 1977 and continue for a period of thirty (30) years. The Industry Cost Recovery payment shall be due and payable ninety (90) days after the end of each calendar year.

Any Industrial User which connects to or begins discharging to the sewer system after the beginning of the Industrial Cost Recovery Period shall be subject to the ICR payment beginning on the date use is initiated and shall continue until the end of the Industrial Cost Recovery Period, August 15, 2007, or until the date use is terminated, whichever occurs first.

4. Right of Appeal. Any Industrial User has the right to request, in writing, a revision of the ICR method of payment or determination of the amount to be paid, provided such request is made prior to the due date of the payment. The User also has the right to request, in writing, a hearing with the Authority regarding the reasonableness of the cost allocations and to review the Authority's ICR records.

SECTION 4.03 -- Time and Method of Payment. Sewer rentals and charges shall be due and payable as follows:

A. Quarterly. The bills for sewer rentals or charges shall be rendered quarterly on such dates as the Authority shall specify.

B. Due date; Penalty for Later Payment. Sewer rentals or charges shall be due and payable upon the applicable billing date as provided for in subsection A of this section and the appropriate amount computed in accordance with these regulations shall constitute the net bill. If sewer rentals or charges are not paid within one month after each billing date an additional sum of ten per centum (10%) shall be added to such net bill, which net bill, plus each additional sum, shall constitute the gross bill. Payment made or mailed and postmarked on or before the last day of such one month period shall constitute payment within such period. If the end of such one month period shall fall on a legal holiday or a Sunday, payment made on or mailed and postmarked on the next succeeding weekday which is not a legal holiday shall constitute payment within such period. Any bill not paid within said one month period shall be deemed delinquent. All actual costs of collection of a delinquent account, including but not limited to, postage, attorney's fees, and water shut-off and restoration charges, shall be added to the gross bill and shall be paid before the account is deemed current and any liens which may have been filed are removed.

C. Failure to Receive Bill. Every owner of Improved Property which is connected to the Sewer System shall initially provide the Authority with, and thereafter shall keep the Authority advised of, his correct address. Failure of any person to receive bills for sewer or charges shall not be considered an excuse for nonpayment nor shall failure result in an extension of the period of time during which the net bill shall be paid.

SECTION 4.04 -- Filing and Collecting Liens for Sewer Rentals and Charges. Sewer rentals or charges imposed by these regulations shall be a lien on the Improved Property connected to and served by the Sewer System. Any such sewer rentals or charges which are delinquent and exceed \$250.00 or which have been delinquent for more than one (1) quarter regardless of amount shall be filed as a lien against the Improved Property so connected to and served by the sewer system. The liens shall be filed in the Office of the Prothonotary of Union County, Pennsylvania, and shall be collected in the manner approved by law for the filing and collection of municipal claims.

**SECTION 4.05 – Enforcement, Violations and Penalties**

- A. In the event of any damage to the Authority's Sewer System by a customer, contractor, or utility, such damage shall be immediately reported to the Authority and said customer shall reimburse the Authority for the cost and expenses associated with any and all repairs and costs associated with said damage, including but not limited to, labor, DEP fines and clean-up costs.  
The customer, contractor, or utility, shall be responsible for the containment, cleanup, abatement, removal and disposal of any pollutant or obstructing substance, or material discharged into the Sewer System by the customer or its agent.
- B. The Authority reserves the right to refuse to accept wastewater or combinations of wastewater which are discharged in violation of the Authority's Rules and Regulations, any permit, or any written directions issued by the Authority pursuant to the Rules and Regulations. The Authority may take such action and steps as it deems necessary to compel the discontinuance of the use of the Sewer System in order to comply with its Rules and Regulations and/or any issued permit.
- C. The Authority will, in its sole discretion, refer for prosecution as a summary offense any violation of the Authority's Rules and Regulations. Any Person who is found to have violated any of the provisions of the Rules and Regulations shall, upon conviction, be punished by a fine of \$300 for each offense, recoverable with costs, and in default of payment of the fine and costs, shall be subject to imprisonment for a period not exceeding 30 days. Each day that a violation is continued shall constitute a separate offense and shall be punishable as such. If the offender is a partnership or association or limited liability company, the penalty may be imposed upon the partners or members thereof. If the offender is a corporation, the penalty may be imposed upon the officers thereof.
- D. In addition to proceeding under any other remedy available at law or equity for a violation of this Part, the Authority may assess a civil penalty upon the user for the violation pursuant to the Publicly Owned Treatment Works Penalty Law, Act No. 1992-9. The civil penalty shall not exceed \$25,000 per day for each violation, regardless of jurisdictional boundaries. Each violation for each separate day shall constitute a separate offense.

1. The notice of civil penalties as described above shall include a detailed description of the applicable appeals process to be followed, which shall include the name, address and telephone number of the person responsible for accepting such appeal.
  2. In civil penalty assessments, the Authority will consider all of the following factors and any other information pertinent to the matter:
    - (a) The damage to air, water, land or other natural resources of the Authority and surrounding municipalities.
    - (b) Cost of restoration and abatement.
    - (c) Cost savings, if any, by the user as a result of the violation.
    - (d) Past violations and compliance history.
    - (e) The user's willingness to work with the Authority.
    - (f) Harm to the Authority, its sewer facilities, and its personnel.
    - (g) Whether the violation resulted or could have resulted in a violation of the Authority's NPDES permit.
    - (h) Whether the violation resulted or could have resulted in a violation of the Authority's sludge disposal practices.
    - (i) Magnitude of the violation
    - (j) Good faith before by the user in response to the notice of violations in a timely manner.
  3. In any event, any civil penalty assessed shall, at minimum, be set to fully compensate the Authority for any harm associated with the violation.
- E. The Authority may suspend a sewer permit when such suspension is necessary, in the opinion of the Authority, in order to stop an actual or threatened discharge that presents or may present an imminent or substantial danger to the health or welfare of persons or the environment, causes interference with the Authority's sewage treatment facilities or causes the Authority to violate any conditions of its NPDES permit.
- F. Any person notified of a suspension of a permit shall immediately stop or eliminate the discharge. In the event of a failure of the person to comply voluntarily with the suspension order, the Authority shall take the steps necessary, including immediate severance of the sanitary sewer connection, to prevent or minimize damage to the Authority's sanitary Sewer System or endangerment to any individuals. The Authority may reinstate the permit upon proof of elimination of the noncomplying discharge by the user, payment of any damages, fines, penalties or costs associated with the discharge and the submission of a detailed written statement describing the causes of the harmful contribution and the measures taken to prevent any further occurrence.
1. In the event that the person does not comply with the suspension order, the Authority may then, 10 days after the mailing of a written notice to the person, suspend water service to the property until required actions are complete.
  2. Upon 24 hours' written notice to the owner of a property to which the Authority provides sewer service, regardless of jurisdictional limits, Authority personnel shall have the right to inspect the property for compliance with the terms of this Part. Failure or refusal to permit such inspections shall give the Authority the authority to immediately sever the sewer connection for

the property, regardless of the jurisdictional limits of the property. In the event of a disconnection of the sewer, service shall not be reconnected until inspection of the property by the Authority and completion of any necessary work to the satisfaction of the Authority.

## ARTICLE V

### 6.01. Inspection of Private Property

- A. It shall be unlawful for any person, customer or owner to maintain a building drain or building sewer lateral in a defective condition. As used herein, "defective condition" includes, but is not limited to: (a) displaced joints; (b) root intrusion; (c) substantial deterioration; (d) damaged or missing cleanout; (e) in a condition that will allow infiltration and inflow of extraneous water or ex-filtration of sewage; (f) in a condition that materially increase the possibility of a blockage or overflow; (g) constructed without a proper permit or with materials not approved by the Authority; (h) lack of a manufactured connection to the Authority's Sewer System; (i) otherwise in violation of Authority requirements or the provision of the Rules and Regulations; or (j) in such a condition that the tests required herein cannot be accomplished to the satisfaction of the Authority.
  
- B. Cleaning and inspection of existing building drains and building sewer laterals shall be performed at the person, owner or customer's expense who owns an Improved Property, when any of the following occur:
  - a) Prior to the close of escrow upon a sale or other transfer of an Improved Property served or, if there is no escrow, prior to recording a deed or other document transferring title to the Improved Property served.
  - b) The installation of additional plumbing facilities that produce a major increase in sewage flow from the house, building, property or other structure served.
  - c) A change of use of the Improved Property served from residential to business, commercial, or other non-residential use; or from non-residential, non-restaurant, non-commercial, non-industrial to restaurant, commercial or industrial uses.
  - d) Upon repair or replacement of any portion of the building drain or building sewer lateral.
  - e) Upon the determination that the cleaning, testing, repair or replacement is required for the protection of the public health, safety and welfare.
  - f) Upon request by the Authority at any time commencing upon the expiration of the fifth year after the effective date of this ordinance.
  
- B. Inspection Procedures for Improve Property building drain/sewer lateral.
  - 1) Inspections shall be conducted by Inspectors duly authorized by Authority ("Inspectors").

- 2) The inspection shall consist of the physical inspection of the Improved Property to look for illegal connections to the Sewer System and to determine the condition of the existing sewer lateral. The Inspector shall employ any of the following activities that, in his opinion, are necessary:
  - a) video inspection
  - b) dye testing
  - c) smoke testing
  - d) pressure testing
  - e) Any other reasonable and appropriate method acceptable to Authority to determine if any prohibited waste may be entering the sanitary sewer system.

D. When all conditions are met to the satisfaction of the Inspector, the building drain or building sewer lateral shall be certified as complying with the provisions of these Rules and Regulations. The Inspector shall provide a report and all pertinent information to the Authority and upon its sole satisfaction of the information provided, the Authority shall issue a certificate of compliance to the person or owner of the Improved Property that the building drain and/or building sewer lateral serving the property is properly equipped, structurally sound and meets the requirements of these Rules and Regulations. Once a certificate of compliance is issued, the building drain and/or building sewer lateral for which the certificate of compliance is issued shall not require testing for a period of five (5) years from the date of issuance of the certificate of compliance unless Authority has reason to believe the building drain or building sewer lateral is in a defective condition. The certificate of compliance shall not imply a warranty or guarantee of any kind.

## **6.02. Repair or Replacement of Building Drain or Building Sewer Lateral Upon Sale or Transfer of Property**

The repair or replacement of a building drain sewer lateral that results from the testing required as a result of the sale or transfer of property in a non-probate transaction shall be completed prior to the close of escrow of the sale or, if there is no escrow, prior to recording the deed or other document transferring title. For properties sold or transferred in a probate or other testamentary proceeding, pursuant to the terms of a revocable living trust or similar instrument, or pursuant to the termination of a joint tenancy or similar proceeding, any repair or replacement of a building drain or sewer lateral shall be completed within 180 days after the probate sale or other transfer.

## **6.03. Common Interest Developments**

The homeowners' association of a common interest development shall provide inspection verification of all privately-owned building drains and building sewer laterals within the common interest areas at least once every five (5) years for compliance with the duties and obligations imposed by Authority's Rules and Regulations in relation to any building drain or building sewer lateral located within a common area of the development. If no homeowners association exists, then the individual unit owners, both jointly and individually, shall be liable for the duties and obligations with respect to building drains and building sewer laterals established by Authority's Rules and Regulations.

#### **6.04 Hardship Deferrals for Building Drains and Sewer Laterals Repair or Replacement**

- (1) In the event that the Owner of an Improved Property establishes to the satisfaction of the Authority that repair or replacement of a building drain or building sewer lateral before the close of escrow in a non-probate sale will result in undue hardship inconsistent with the purpose or intent of these Rules and Regulations, a request for hardship status may be submitted with the Authority if property is within the boundaries of the Sewer System. Authority shall make a hardship finding only if the requested Improved Property Owner presents facts that clearly demonstrate that the Owner's payment for and completion of a building drain or building sewer lateral repair or replacement at the required time would result in an undue hardship. If hardship status is granted, the Improved Property Owner will be required, as a condition of the grant of the waiver, to include in the sale documents a provision that the purchaser of such property shall have no more than 180 days after the close of escrow or other transfer of the Improved Property to repair or replace the building drain or building sewer lateral, as appropriate. For purposes of this Article, undue hardship shall be defined as (a) the severe illness or incapacitation of the Owner; (b) the immediate transfer or removal of the Owner from the state, thereby making the hiring of a contractor to repair or replace the building drain or building sewer lateral impractical or overly burdensome; or (c) any physical or financial situation that would render compliance with the time limits for the repair or replacement of building drain or building sewer lateral extraordinarily difficult or impractical. The Owner shall bear the burden of submitting documentation and proving the existence of such a bona fide hardship to the satisfaction of the Authority.
- (2) Any Owner to whom a hardship finding is granted shall be given written notice of the finding. Said notice shall inform the Owner that the building drain and/or building sewer lateral repair or replacement requirement is only deferred up to 180 days after the close of escrow—not waived entirely. A copy of the notice shall be sent to both the Owner who is selling the Improved Property and to the purchaser of the property.
- (3) In the event of a failure to comply with these Rules and Regulations within the allotted time, the Authority may bring an enforcement action and exercise any other remedy provided by applicable law against the previous or new Owner and any other remedy provided by applicable law against the previous or new Owner and any other responsible party. In addition, thereto, any Owner who fails to fully comply with this provision shall be responsible for all damages that arise from or relate to such failure. For purposes of this Article, "damages" include any compensatory and consequential damages, fines, penalties, assessments and other monetary exactions that may be awarded to, levied or assessed by any person, firm, corporation, company or public entity and shall be liable under the provisions of Section 4.04 of the Rules and Regulations.

ARTICLE V  
ADOPTION OF NATIONAL PLUMBING CODE

SECTION 5.01 -- The Authority hereby adopts as a part of this Resolution and incorporates herein by reference all provisions of the American Standard National Plumbing Code, Minimum Requirements for Plumbing; ASA A40.8-1055, to the extent applicable for the Sewer System and private sewer service lines connected to the same, with the following amendment:

CHAPTER 2, SECTION 17.1 is amended by deleting the same and substituting in place thereof: "Sewers shall be installed below the recorded frost penetration but in no case less than 48 inches below grade."

ARTICLE VI  
CONSTRUCTION; RESCISSION; EFFECTIVE DATE

SECTION 6.01 -- Construction and Severability. In the event any provision, section, sentence, clause, or part of these Rules and Regulations shall be held invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause, or part of this Resolution, it being the intent of the Authority that such remainder shall be and remain in full force and effect.

SECTION 6.02 -- Rescission. All Resolutions or parts of prior Resolutions inconsistent with the Resolution adopting these Rules and Regulations shall be and the same are expressly hereby rescinded.

SECTION 6.03 -- Effective Date. These Rules and Regulations shall become effective immediately upon passage of the Resolution adopting them.