

JACKSON TOWNSHIP WATER AUTHORITY

RULES AND REGULATIONS

GOVERNING THE FURNISHING OF WATER SERVICE

IN

**JACKSON TOWNSHIP
CAMBRIA COUNTY, PENNSYLVANIA**

NOVEMBER 18, 2004

REVISED JULY 28, 2005

**JACKSON TOWNSHIP WATER AUTHORITY
WATER SYSTEM RULES AND REGULATIONS
TABLE OF CONTENTS**

| | | |
|-----------------------|--|-----------|
| ARTICLE I. | ESTABLISHMENT.. | 1 |
| ARTICLE II. | DEFINITIONS.. | 1 |
| ARTICLE III. | GENERAL PROVISIONS. | 2 |
| ARTICLE IV. | WATER AND SERVICE CONNECTIONS.. | 4 |
| ARTICLE V. | SPECIFICATIONS AND STANDARDS. | 8 |
| ARTICLE VI. | RIGHT OF INSPECTION.. | 9 |
| ARTICLE VII. | EXTENSIONS OF WATER SYSTEM. | 9 |
| ARTICLE VIII. | MAINTENANCE AND REPAIR. | 11 |
| ARTICLE IX. | UNLAWFUL USE OF WATER. | 13 |
| ARTICLE X. | CROSS CONNECTION. | 13 |
| ARTICLE XI. | WATER SUPPLY. | 13 |
| ARTICLE XII. | TERMS OF PAYMENT. | 14 |
| ARTICLE XIII. | CONDITIONS OF USE. | 15 |
| ARTICLE XIV. | RESERVATIONS.. | 18 |
| ARTICLE XV. | WATER CONSERVATION CONTINGENCY PLAN. | 19 |
| ARTICLE XVI. | CHANGES TO THE RULES AND REGULATIONS. | 20 |
| ARTICLE XVII. | SERVICE CHARGES. | 20 |
| ARTICLE XVIII. | MISCELLANEOUS CHARGES.. | 21 |
| ARTICLE XIX. | REPEALER. | 22 |

ARTICLE I. ESTABLISHMENT

JACKSON TOWNSHIP WATER AUTHORITY establishes and does hereby adopt the following Rules and Regulations which are a part of the service contract with every water consumer, person served and any political sub-division who takes water service and every customer, by accepting and taking of the water service, agrees to be bound thereby as they exist on the date service is obtained and as they may change from month to month.

ARTICLE II. DEFINITIONS

The following words and terms are used in this Resolution and shall be construed or defined as follows, unless the context clearly indicates otherwise:

1. Application: Form upon which a prospective Consumer signifies his desire for water service.
2. Authority: JACKSON TOWNSHIP WATER AUTHORITY and its duly authorized representatives and employees.
3. Building: Each single family dwelling unit, Multiple Dwelling Unit, Multiple Use Unit, store, shop, office, business, institutional commercial or industrial unit contained within any structure, erected and intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure water is or may be consumed, and subject to the Township's Water System connection ordinance, or otherwise receiving water service from the Authority.
4. Building Conduits: Pipes installed by the Owner to convey water from the Meter to a point of consumption.
5. Connection: That part of the Water system extending from the end of the Service Line to the Meter.
6. Consumer: The party, either Owner, Tenant, or an agent or representative of the Owner or other Occupant of a Building, receiving water service by the Authority for one or more families or a business or institutional unit on one property owned or tenanted by such party or parties and served through a single Meter.
7. Developer: Any Person who desires to construct, at his own cost and expense, a Water System extension to serve any one or more Buildings and to connect the Water System extension to the Water System.
8. Engineer: A registered professional engineer retained by the Authority, including any authorized member of the staff of such engineer.
9. Inspector: The Person or Persons appointed by the Authority to inspect the Water System (including both public, semi-public, and private Water Systems), Service Lines, Connections, Meters and all other Connections between Building Conduits and the Water Mains.
10. May: Is permissive.

11. Meter: That part of the Water System which registers and records the consumption of water.
12. Multiple Dwelling Unit: Apartments, mobile home parks, multi-family or multi-unit and multi-family dwelling projects. Does not include motels or hotels.
13. 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.
14. Owner: Any and all Person vested with title, legal or equitable, sole or partial, of a Building serviced by the Water System, including all joint tenants or other persons sharing common or joint ownership of such real estate.
15. Person: an individual, firm, company, association, society, corporation, municipality, municipality authority, or other group or entity.
16. 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 (Connection).
17. Service Charges: The connection fee, customer facilities fee, and tapping fee imposed by the Authority under payable upon connection of a Building to the Water System.
18. Shall: Is mandatory.
19. Tenant: Any Building occupant other than the Owner who utilizes the services of the Water System.
20. Township: Township of Jackson, Cambria County, Pennsylvania.
21. Water Main: A pipe or conduit that carries potable water.
22. Water System: The pipe, valves, fittings and appurtenances owned and operated by the Authority including Water Mains, Service Lines, Meters, Tanks, Pumps, Hydrants and any additions thereto or extensions thereof.
23. Other terms: Unless the context specifically indicates otherwise, the meaning of the terms not defined above shall be as defined in the "Glossary-Water and Wastewater Control Engineering", prepared by joint editorial board representing: American Public Health Association, American Society of Civil Engineers, American Water Works Association, and Water Pollution Control Federation.

ARTICLE III. GENERAL PROVISIONS

1. The purpose of these rules and regulations is to provide for the maximum possible beneficial public use of the Authority's water facilities through regulation of construction, use, and to provide for equitable distribution of the costs of the authority's water facilities; and to provide procedures for complying with the requirements contained herein.

2. The definitions of terms used in these rules and regulations are found above. The provisions of these rules and regulations shall apply to all of the facilities of the Authority. These rules and regulations provide for use of the Authority' s water facilities, regulation of construction, control of the quantity and quality of water, equitable distribution of costs, assurance that existing customer' s capacity will not be preempted, approval of construction plans, issuance of Permits, minimum water connection standards and conditions, and penalties and other procedures in cases of violation of these rules and regulations.
3. These rules and regulations shall apply to users of the Jackson Township Water Authority' s facilities.
4. Except as otherwise provided herein, the Jackson Township Water Authority shall administer, implement, and enforce the provisions of these rules and regulations.
5. Any person found in violation of these rules and regulations or any requirements of a permit issued hereunder, shall be served with a written notice stating the nature of the violation and providing a reasonable time limit for compliance. Any such notice given shall be in writing and served in person or by registered or certified mail. The notice shall be sent to the last address of the violator known to the Authority. Where the address is unknown, service may be made upon the owner of record of the property involved. If satisfactory action is not taken in the time allotted by the notice, violation penalties of these rules and regulations shall be implemented.
6. All fees, and charges payable under the provisions of these rules and regulations shall be paid to the Authority. Such fees and charges shall be set forth herein.
7. All fees, penalties and charges collected under these rules and regulations shall be used for the sole purpose of constructing, operating or maintaining the wastewater facilities of the Authority, or the retirement of debt incurred for same.
8. All fees and charges payable under the provisions of these rules and regulations are due and payable upon the receipt of notice of charges. Unpaid charges shall become delinquent and shall be subject to penalty and interest charges as set forth herein.
9. The Authority, bearing proper credentials and identification, shall be permitted to enter properties at any reasonable time for the purposes of inspection, observation, measurement, and sampling of the water to ensure that the Authority' s water facilities is in accordance with the provisions of these rules and regulations.
10. The Authority, bearing proper credentials and identification, shall be permitted to enter all private property through which the Authority holds an easement for the purposes of inspection, observation, measurement, sampling, repair, and maintenance of any of the Authority' s water facilities lying within the easement. All entry and any subsequent work on the easement, shall be done in full accordance with the terms of the easement pertaining to the private property involved.
11. 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.

12. While performing the necessary work on private properties, the Authority shall observe all safety rules established by the owner or occupant of the property and applicable to the premises.
13. During the performance on private properties of inspections, water sampling, or other similar operations, the owner and occupant shall be: (1) held harmless for personal injury or death of the Authority personnel and the loss of or damage to Authority supplies or equipment; (2) indemnified against loss of or damage to property of the owner or occupant by the Authority; and (3) indemnified against liability claims asserted against the owner or occupant for personal injury or death of the Authority personnel or for any loss of or damage to property of the Authority, except as such may be caused by negligence or failure of the owner or occupant to maintain safe conditions as required by these rules and regulations.
14. No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which is a part of the Authority's water facilities. Any person who violates this section shall be subject to the maximum fine and penalty pursuant to criminal prosecution and or civil liability.
15. A finding by any court or other jurisdiction that any part or provision of these rules and regulations is invalid shall not affect the validity of any other part or provision of these rules and regulations which can be given effect without the invalid parts or provisions.
16. Public notice shall be given prior to adoption of any amendments of these rules and regulations.

ARTICLE IV. WATER AND SERVICE CONNECTIONS

1. Prohibition of Private Water Supply

It shall be unlawful for any Owner of property within the Township who is required by Township Ordinance and amendments to connect to and use the Water System to construct or maintain any private or other water supply for use in or about any Building or for human consumption except as set forth in Article IV, Section 2.

2. Required Connection

Each owner of any such Building within the Township, located on property abutting upon the Water System, except any property that shall constitute an industrial establishment or a farm and that its own supply of water for uses other than human consumption, at his own expense shall connect such Building to the Water System in accordance with the Township Ordinance and these Rules and Regulations within ninety (90) days after the date of official written notice to do so from the Authority, unless otherwise approved in writing by the Authority.

3. Failure to Connect

In the event any Owner refuses or neglects to connect within the ninety (90) day period, he shall be deemed to be in violation of the Authority's Rules and Regulations, and applicable Township ordinances; and the Authority, as agent for the Township, may enter

upon such Owner's property and construct the Connection. In such case, the Authority shall, upon Connection of the work, send an itemized bill of the cost of the construction of Connection to Owner. In case of neglect or refusal by owner to pay bill within thirty (30) days, the Authority may file appropriate municipal liens for such costs together with applicable penalties and interests. No Owner of a Building shall connect such Building to Water System if the Authority determines in its discretion that the water supply available to the Authority is insufficient to serve such Building. Any Person who fails to make a proper Connection to the Water System within the time specified shall be subject to any and all fines and penalties imposed by the Township under appropriate ordinances.

4. Conditions and Procedures for Initial Service

No Person shall make or cause to be made any Connection with the public 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 Water Mains into his Building must first make a written Application in the form furnished by the Authority, at least two (2) weeks before the service is requested stating the address location, the name of the Owner and the Consumer, the purpose for which service will be used, the size of Service Line, Connection, and Meter required under these rules and regulations.
- b. The Application must be signed by the Owner of the Building or his duly authorized agent. The Application together with these 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 Connection Fee, Customer Facilities Fee and Tapping Fee. Other fees and charges established by the Authority, including, but not limited to, road boring and road cuts, are payable before water service is provided. Fees for state building code inspections are not part of the Authority's charges.
- d. The Application must contain indication of the date when the Connection will be ready for inspection and making of such Connection. Because of weather conditions, Connections may be made only between March 15, and November 15 of each year.
- e. The Owner will be granted a Connection permit only upon satisfying all of the Authority's Application procedures and conditions.

5. When an Application has been made for a new service or for reinstatement or change in an existing service, it is assumed that the piping and fixtures which the service will supply are in proper order to receive the service, and the Authority shall not be liable in any case for any accident, breaks or leakage arising in any way in Connection with the supply of water or failure to supply water, or the freezing of pipes or fixtures, nor for any damage to the Building which may result from the usage or nonusage of water supplied to the Building.

6. The Owner shall notify the Inspector, at least twenty-four (24) hours prior to the time when Connection will be made, in order that Inspector can be present and approve the Connection.
7. 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 in any manner concealed, until after it is inspected and approved by Inspector, as evidenced by notation on the Connection permit.
8. 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 feet of any excavation or vault unless approved in writing by the Authority.
9. The Owner will provide, free of charge and expense to the Authority a readily accessible location near the entrance of the Connection for installation of the Meter. This location will be equipped by the Owner with such valves as may be specified by the Authority or required by the State Building and plumbing code. The Owner will also provide a readily accessible and safe exterior location for the remote readout portion of the Meter.
10. In cases where it is not practical to place the Meter within a Building, an approved Meter pit shall be constructed on the property, where practical, by the Authority at the expense of the Owner, including, for example, house trailers and mobile homes.
11. The Authority's Inspector shall signify his approval of the Connection by endorsing his name and the date of approval on the permit.
12. 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 which Authority in its sole and absolute discretion deems adequate to indemnify the Authority from all costs and expenses arising from 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 said construction.
13. Owners Maintenance Responsibility

The service line beyond the curb stop shall be installed and maintained by and at the expense of the property owner. The portion of the service line installed by the property owner shall be not less in size and quality than the service line in the street laid by the Authority and shall be laid not less than 4 feet below the surface and not less than 5 feet distant from any open area or vault and shall not be covered until the tap on the main is made and the service line tested. The service line shall be installed in accordance with the plumbing code. If any defects in workmanship are found, the service shall not be turned on until such defects are remedied. The Authority is not assuming responsibility to inspect and discover such defects. All plumbing connections shall be able to withstand a pressure of at least 150 pounds per square inch.

A ball valve shall be installed by the applicant in each consumer service line immediately inside the basement wall between the basement wall and the meter. If such a service line is 1-1/2 inches or larger in diameter, the applicant shall also install a valve on the outlet side of the meter. In the event the pressure in a service line inside the basement wall is deemed excessive by either the Authority or the applicant, the responsibility of installing a pressure regulator and all costs thereof, will be borne by the applicant. A backflow prevention device as determined by the Authority to be suitable and appropriate for the anticipated flows, property uses and site conditions shall be installed prior to service being initiated pursuant to Article XIII Sect. 7 (commercial/industrial).

14. Owner Responsible for Leaks in Service Line

The service line from the curb stop to the premises shall be kept in good condition by the property owner under penalty of termination of service by the Authority and the Authority shall not be responsible for damage done by water escaping therefrom.

15. Prohibition on Operating Curb Stop

Under no circumstance shall any person not authorized by the Authority open, close or otherwise operate the curb stops or street valves in any public or private line. Any person who violates this section shall be subject to the maximum fine and penalty pursuant to criminal prosecution and/or civil liability.

16. Authority to Locate Meters and Remote Readers

The Authority reserves the exclusive right to determine when and where meters and remote readers shall be installed. If the Authority decides that the meter is to be placed within the building, the consumer will provide free of charge and expense to the Authority, an easy accessible place near the entrance of service pipes, with a ball valve at the inlet side of the meter. If the Authority decides that the meter is to be placed outside of the building, it must be placed in an approved meter pit, provided by the Authority at the expense of the consumer, and must have suitable valves approved by the Authority.

The customer shall also provide a location suitable to the Authority on the outside of the building or no more than 50 feet from the meter for the placement of the remote reader. The area around the remote reader shall be kept free of obstructions and safety hazards including, but not limited to, holes, dogs, animals and any other obstructions on the path to read the meter.

17. Authority to Size Meters for Use

The Authority shall determine the size of the meter to be installed based on the service sought and will furnish and set meters and connections free of charge other than for temporary uses. The meter and connections shall remain the property of the Authority, and access to same for reading of the meter, inspection, testing, repairs, etc., must be permitted at all reasonable times by the consumer.

The Authority may change the size of meter for a service which has already been installed.

18. Areas which do not meet minimum pressures

Services may not be installed in areas which do not currently meet the PADEP mandated minimum system pressures. Services may be installed in minimum pressure areas by installation of a tank and pressure pump. No new service shall be installed where in the reasonable determination of the Authority, the use of the service would reduce the pressure in existing service areas below the state mandated minimums.

ARTICLE V. SPECIFICATIONS AND STANDARDS

1. A separate Connection will be required for each Building whether constructed as a detached unit or as one of a pair or row. A single Connection will 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.
2. No repairs, alterations or additions to any Connection shall be made.
3. No Consumer shall be allowed to permit any other Persons or Buildings to use or connect with his Connection.
4. 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 exceeding in this distance shall be determined on a case by case by the Authority.
5. Service Lines and/or Connections which encroach on property of any Persons other than the Owner of the Building to be supplied shall not be constructed until the Authority or the Owner of the Building to be supplied obtains a satisfactory right-of-way from the Person through whose property the Connection will pass through. The right-of-way shall be duly recorded with Recorder of Deeds at the Cambria County Courthouse. The curb stop and box shall be placed at the limit of such right-of-way abutting the Water Main. The Owner of the Building to be supplied shall be responsible for maintenance of the Connection. No other person may connect to such Connection.
6. When an Owner desires water service to a Building which does not have an existing Water Main or an existing main of adequate size in the roadway abutting the Building, the Owner may be required by the Authority to extend the Water Main at his sole cost and expense as a condition of service. Size of the Water Main and length of the Water Main which will have to be extended shall be approved by the Engineer.
7. All Service Line and Connection pipe shall be placed on a three (3) inch sand or 2RC aggregate base and backfilled with sand or 2RC aggregate to at least six (6) inches above top of pipe. Where rock is encountered on the trench bottom, overexcavate six inches and backfill 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.

8. All Service Lines less than 2 inches in diameter shall utilize a corporation stop. All Service Lines connecting to polyvinyl chloride (PVC) Water Main of any size and ductile iron pipe of less than 6 inches in diameter shall also utilize a saddle. The saddle shall have a single strap and be of bronze construction with corporation stop threads. The corporation stop shall have bronze body with AWWA C800 thread dimensions and AWWA taper inlet threads and be equipped with compression Connection for copper service tubing. If Connection is two inches or larger, a tee and gate valve shall be used.
9. All Service Lines less than 2 inches in diameter 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: The curb boxes shall be complete with stationary road and lid.
10. All Service Lines and Connections shall be type "K" flexible copper with compression Connections.
11. All Service Lines and Connection pipe and appurtenances may be subject to a hydrostatic pressure test of a 50 psi above system pressure or a minimum of 135 psi for fifteen (15) minutes with no appreciable water leakage (less than one (1) fluid ounce per one hundred (100 feet of pipe) at the sole cost of the Owner.
12. Consumers using water for steam generation are warned not to depend upon the hydraulic or hydrostatic pressure of the Water System for supplying boilers and do so at their own risk. Steam and hot water heating plants and hot water generators and storage tanks shall in all cases be provided with a check valve in the water supply piping and other proper devices to prevent damage or collapse if the water supply should be shut off or fail for any reason. The Authority in no case will be responsible for accident or damage resulting from the imperfect installation or action of check valves or other devices or from the omission of such installation.

ARTICLE VI. RIGHT OF INSPECTION

1. The Authority and its duly authorized representative and employees shall be permitted to enter upon all property connected to the Water System for the purposes of inspection, repairs, servicing and reading of the Meter.

ARTICLE VII. EXTENSIONS OF WATER SYSTEM

1. Any Developer also shall comply with the provisions of this section.
2. A request for service for any Building 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 operation and maintenance cost for the Authority, may be prohibited by the Authority.

3. The Developer shall submit two (2) copies of plans for the proposed extension of the Water System to the Authority for review, comments, recommendations and approval on 24" x 36" sheets showing plan views to a scale of 1"= 50' or such other scale as the Engineer shall deem acceptable, a north point, a suitable title block, date and the name of the developers' Engineer and imprint of his registration seal.
4. Prior to final acceptance of any Water System extension by the Authority, the Developer shall furnish to the Authority "Record Drawings" showing the location of all Water Mains, valves, and curb boxes relative to permanent landmarks such as Buildings, trees, utility poles, or property corners.
5. Easements for Water Mains to be constructed outside of dedicated street rights-of-way shall be dedicated and conveyed by deed to the Authority.
6. All pipe used for the Water Main extensions where the static pressure is less than 100 psi shall be either S.D.R. 21 pvc or Class 52, cement lined ductile iron pipe. Where static pressures greater than 100 psi are encountered Class 52 ductile iron pipe or Class 150, S.D.R. 18 pvc pipe will be permitted. Mains larger than 3" diameter shall be push on joint. The pvc pipe shall conform to AWWA C-900 and the ductile iron pipe shall conform to AWWA C-100. The minimum depth of cover shall be forty-eight (48) inches.
7. All Water Main and Service Line pipe shall be placed on a three (3) inch sand or 2RC aggregate base and backfilled with sand or 2RC aggregate to at least six (6) inches above top of pipe. Where rock is encountered on the trench bottom overexcavate six (6) inches and backfill 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. Where Water Mains or Service Lines are installed in traveled portions of roadways, including shoulders, berms, median strips, etc., the pipe shall be backfilled with 2RC aggregate to the surface.
8. All fittings shall be cast iron, cement lined, mechanical joint, and conform to AWWA C-110.
9. Main line valves shall be non-rising stem gate valves with mechanical joint ends and conform to AWWA C-500.
10. All proposed developments shall include adequate provision for fire protection. The maximum distance of any portion of a Building in the development to a fire hydrant shall be 500 feet or less.
11. No Water Mains smaller than six (6) inches in diameter shall provide flow to a fire hydrant. A gridiron of mains in a residential district may consists 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, deadends, when absolutely necessary, shall be equipped with a blowoff.

12. Depending on layout of existing water distribution system and/or potential for future development beyond the area in question, the size of a Water Main extension shall be based upon Engineer review and approval.
13. All fire hydrants shall be traffic type with 5¼inch main valve opening. All hydrants shall conform to AWWA C-502 and be equipped with one 4½inch pumper nozzle and two 2½ inch hose nozzles. Developer shall verify nozzle thread dimensions with local fire company chief prior to purchasing hydrant. Fire hydrants shall be current Authority Standard. Hydrants shall have six (6) inch mechanical joint inlet Connection with positive automatic drain, National Standard 1½inch pentagon operating nut and open left (counterclockwise).
14. All Water Mains shall be subjected to a minimum 150 psi hydrostatic pressure test and the allowable leakage shall not exceed 10 gallons per inch pipe diameter per mile of pipe per 24 hours. Developer shall provide pump, pipe connection and all necessary apparatus for testing. The duration of such test shall be two hours.
15. All Water Mains shall be disinfected in accordance with AWWA C-601 prior to Authority acceptance.
16. Service lines shall be installed while the Water Main extension is being constructed.
17. The Authority will make the Connection of the Water Main extension to the Water System at the direction of the Authority. The Developer shall furnish the necessary fitting and/or valve to make the Connection.
18. All water Main extensions 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 his designated representative. If the work is not satisfactory, the Inspector shall advise the Developer what must be done to meet the Authority requirements.
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 costs, Tapping Fees (if applicable), 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 and appurtenances have been properly dedicated and conveyed to the Authority.

ARTICLE VIII. MAINTENANCE AND REPAIR

1. The Authority shall retain ownership of and 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.

2. 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 his own cost. The repairs to the Connection shall be subject to the direction, approval, and inspection of the Authority.
3. The Authority reserves the sole right to turn the curb stop on or off. Should repairs to the Connection be required, a plumber may obtain approval from the Authority to operate the curb stop to facilitate repairs.
4. The Authority reserves the sole right to remove a Meter from its setting. No Meter shall be removed from its setting without prior written approval from the Authority.
5. 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. By connecting to the Water System, the Consumer agrees to indemnify and save harmless the Authority from and against any liability, costs or damages arising from faulty Connections.
6. 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. The Authority shall endeavor to provide advance notice of such discontinuance of service. However, should a leak on the owner's property comprise the Authority's supply, the Authority reserves the right to immediately discontinue service without notice until such time as the condition is corrected by the Owner.
7. In the case of leaks, the location of which are not readily apparent, the Authority will upon request of the owner excavate in and about the curb stop for the purpose of determining the responsibility for leak. The Authority shall assume the cost of work if it is found that the leak is located between the curb stop and Water Main. If the leak is determined to be between the curb stop and Building, the owner shall reimburse and Authority for the actual costs of the work required to determine responsibility.
8. The Authority may at any time require a Consumer to install with his service pipes, such valves, pressure regulators, tanks, or other apparatus as may be in the sole opinion of Authority, required for the safeguarding and protection of the Water System.
9. All Meters are the property of the Authority and will be maintained and repaired by the Authority subject to ordinary wear and tear. However, should damage to the Meter occur due to freezing, hot water, carelessness, or negligence, or other action or inaction on the part of the Owner, the repairs shall be at the expense of the Owner.
10. The consumer shall immediately notify the Authority of any damage to or any cessation or irregularities in registration of the Meter.
11. No seal placed by the Authority on a Meter shall be tampered with or defaced. It shall not be broken except upon express written 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 and exercise such rights and remedies available at law to prosecute wrongful

tampering with a Meter. It is a violation of Clause 6, Section 34, Act of 1974 of the Laws of Pennsylvania to break or deface the seal of, or otherwise damage a Meter. Any person who violates this section shall be subject to the maximum fine and penalty pursuant to criminal prosecution and/or civil liability.

12. When it is necessary to replace an existing Service Line, the Authority will replace such Service Line of the same size in substantially the same location as the old one. If the Owner, for his own convenience, desires the new Service Line at some other location, and agrees to pay all expenses of shutting off the old Service Line at the main and the cost of corporation stop and saddle, and additional pipe, excavation, and resurfacing, if any, and any other costs associated therewith, the Authority may place the new Service Line at the location desired. In no way shall the cost be less than the current schedule of rates and charges for a tapping fee.
13. When the Owner desires a change in location or size of an existing Service Line, which change is approved by the Authority, the cost of such change shall be borne by the Owner, and shall be subject to the prior written consent of the Authority.

ARTICLE IX. UNLAWFUL USE OF WATER

1. No person shall open any fire hydrant or use any water from hydrant for sprinkling streets, construction or any other purpose without a permit from the Authority, under penalties prescribed by law, except in case of fire or by authorized fire companies to test the hydrants. Such test shall be made only under supervision and upon approval of an authorized agent of the Authority.
2. No Person shall, without a permit from the Authority, interfere with, damage or deface 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.
3. No outlet shall be permitted on the Connection or Service supplying a Building, between the Water Main and Meter. All water consumed in or about a Building must pass through the Meter.
4. Any person who violates this section shall be subject to the maximum fine and penalty pursuant to criminal prosecution and/or civil liability.

ARTICLE X. CROSS CONNECTION

1. 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.

ARTICLE XI. WATER SUPPLY

1. The Authority shall not be liable for any deficiency or failure in the quality or quantity of the water supplied by the Authority. House boilers must, in all cases, and any other potentially hazardous condition shall be provided with proper valves to prevent damage when the water is shut off.

2. The Authority reserves the right to reserve a sufficient supply of water at all times to provide for public health and safety, including fire protection and other emergencies. In the event of any accident or damage to any part of the Water System, including by reason of the bursting of any Water Main or any other occurrence affecting the Water System or operation, the Authority shall not be liable to any Person for any claim or damage arising from any interruption in service, inadequate supply or pressure, quality of water or any other cause.
3. The Authority may prohibit the use of hoses for street, lawn or garden sprinkling or for any other purpose when, in its judgement, 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 general circulation. Should any consumer fail to comply with the requirements of notice, water service to consumer may be terminated and service shall not be restored until all the costs of terminating and initiating the water have been paid.
4. If at any time the total water supply shall be insufficient to meet all of the needs of all the Consumers for domestic, commercial, and /or industrial purposes, the Authority may elect in its discretion to first satisfy all Consumers for domestic purposes before supplying any water for any other purposes or uses.

ARTICLE XII. TERMS OF PAYMENT

1. All bills will be rendered on a monthly basis. The billing period runs from the 25th of one month to the 25th of the next, with bills being due the following month. (ex. Billing period Sept. 25th to Oct. 25 with a due date of Nov. 25th)

Bills must be paid at the office of the Authority located at 2949 William Penn Avenue, Johnstown, PA, 15909 or any authorized collection agency in the service areas within thirty (30) days of the date of the bill. A bill for service to the Commonwealth of Pennsylvania, United States Government, or any department or institution thereof must be paid within thirty (30) days of the bill. Charges for billing purpose and other temporary uses shall be payable on demand.

A penalty of 10% of the previous month's water charges shall be applied to a customer's bill where such bill is unpaid for more than thirty (30) days.

Customer's bills are due the 25th of each month. An account will be placed in delinquent status on the 26th day of the same month in which the bill is issued, if a bill is not **paid in full** by the "due date" (the 25th of each month). Once an account is delinquent for thirty (30) days, a ten (10) day service termination notice will be sent to the customer, the termination procedure will not be stopped unless and until the delinquent bill is **PAID IN FULL**. If payment is not received, the Authority shall have the right to lien the property subsequent to Municipal Lien 53 P.S. Section 7101.

Delinquent customers who were required to tap onto the system but are not physically using water will have a lien applied after no response to delinquent and termination notices.

2. Customer to Pay for all Water Delivered
 - a. All water passing through a meter shall be charged at the regular rate and no allowance will be made for excessive consumption due to leaks or waste.
 - b. The quantity of water recorded by the meter shall be conclusive upon both the consumer and the Authority except when the meter has been found by test to be registering inaccurately or not to have been registering for any period. If there is a difference between the reading on the Remote Dial and the Meter, the reading on the Meter will be used for billing.

3. Water Leak Adjustment

- a. Situations may occur that are beyond the control of the responsible party, and may result in an adjustment being granted. However, only one leak adjustment will be granted per person per metered account. Requests for leak adjustments should be submitted to the JACKSON TOWNSHIP WATER AUTHORITY for consideration. All requests for adjustment must be made within 30 of days of the end of the billing cycle in question.
- b. It shall be the responsibility of the customer to report each adjustment request to the JACKSON TOWNSHIP WATER AUTHORITY at the next regularly scheduled monthly board meeting.

4. Testing of Water Meters

At the written request of a consumer the Authority will make a test of the accuracy of the meter supplying his premises, if so desired, in his presence or that of his authorized representative. Each request for the test of a meter for accuracy shall be accompanied by a deposit in an amount governed by the size of the meter. Cost of the entire test must be borne by the consumer. If the meter so tested shall be found to have an error in registration of less than four per cent (4%), the deposit required shall be retained by the Authority as compensation for such tests; if the error in registration is found to be four percent (4%) or more, then the cost of the test shall be borne by the Authority and the amount of the deposit shall be returned to the consumer.

5. Adjustment of Charges for Inaccurate Meter

If a meter is found to be in error at any test by more than four per cent (4%), an allowance or charge shall be made to the customer by the Authority, equal to the excess or deficiency in quantity charges to the customer, figured back from the date of test through the entire period of the current bill, unless it can be shown that the error is due to an accident or other cause, the exact date of which can be determined, in which case it shall be figured back to such date.

ARTICLE XIII. CONDITIONS OF USE

1. Authority not Liable for Damage to Plumbing

The Authority shall not be responsible or liable for damage resulting from leaks broken pipes or from any other cause occurring to or within any house or building. It is expressly stipulated by and between the Authority and the consumer that no claims shall be made

against the Authority due to the bursting or leaking of any main or service pipe or any attachment to the said Water System. It is the responsibility of every customer of the water system to install such plumbing devices as the customer may determine to be necessary to prevent property damage or personal injury from high pressure, service interruption or other fluctuation in the water system.

2. Customer and Owner Responsibility

Customers and owners shall be jointly and severally responsible to maintain the service line from the curb stop to the premises served and all internal plumbing in a manner that can withstand pressures from the water main of at least 150 psi. Customers and owners are responsible for maintaining internal plumbing in a manner which can withstand the pressures and strains created in their own system without relieving pressure or water back through the curb stop.

3. Release of Liability

The Authority shall not be liable for any damage resulting from leaks, broken pipes, or from any other cause occurring to or within any house or building; and it is expressly stipulated by and between the Authority and the consumer that no claims shall be made against the said Authority on account of the bursting or breaking of any main or service pipe or any attachment to the said Water System.

4. Customer to Maintain Sufficient Heat in Premises Served

Customers whose meters are located inside a structure shall be responsible to maintain heat in the premises sufficient to prevent the freezing of the Authority's meter, and backflow device or other items provided to the customer as part of the service.

5. Customer Liability for Meter and Equipment

Meters will be maintained by the Authority so far as ordinary wear is concerned, but loss or damage due to freezing, hot water or external causes shall be paid for by the consumer except for meters which are located in an approved meter pit. In the event payment for any such loss or damage is not made within fourteen (14) days after presentation of the bill the Authority may shut off and discontinue the supply of water to the consumer until all proper charges are paid.

The JACKSON TOWNSHIP WATER AUTHORITY will assume responsibility for maintaining Remote Read Meters except where damage is caused by circumstances that go beyond routine repairs and maintenance. Customer requesting a review of the contested charges must do so by submitting their request in writing to the JACKSON TOWNSHIP WATER AUTHORITY. A committee of the Authority will review such requests.

6. Discontinuance of Service

The JACKSON TOWNSHIP WATER AUTHORITY reserves the right to discontinue water service for nonpayment of delinquent water bills or for neglect or refusal to comply with the Authority's policies after first having exhausted all attempts to resolve the problem and giving the consumer a ten (10) day written notice, (except that service may

be terminated without notice upon discovery of a cross connection and/or emergency situation). Service so discontinued or shut off temporarily at the request of the consumer shall not be restored until a turn-on fee has been paid to the Authority.

Water service under an application may be discontinued for any of the following reasons:

- a. Application misrepresentation - such as property or fixtures to be supplied or the use of the water supply.
- b. For the use of water for any other property or purpose than that described in the application.
- c. For the willful or careless waste of water by reason of improper, impaired or deteriorated pipes, fixtures or otherwise.
- d. For failure to maintain, in good order, connections, service lines or fixtures for which consumer or owner is responsible.
- e. For tampering, obstructing and/or vandalizing any service pipe, meter, curb stop, seal or other equipment owned by the Authority.
- f. Cases where property served by the Authority becomes vacated. In such cases, the owner will be responsible to notify the Authority. For any violation of the Authority's Policies, Procedures, Rules and Regulations.
- h. For neglecting to make payments of any charges established by the Authority within ten days after expiration of the period allowed for payment.
- i. For any cross-connection which allows or creates the potential for any water or liquid to re-enter the main service line of the Authority.
- j. The Authority shall have the right to cut off service without notice in cases of breakdowns or for other unavoidable causes, or for the purpose of making necessary repairs, connections, etc. Reasonable notice will be give when practicable. In no case shall the Authority be liable for damage or for the inconvenience suffered.
- k. For refusal of access to property by a representative of the Authority providing photographic identification, for the purpose of inspection, meter reading, maintaining or removal of meters or other equipment of the Authority.
- l. For refusal to conserve water during periods of restricted water use and supply.
- m. For failure to pay water bills of the customer or for person currently living in the household of the customer, incurred at a prior location or from service in the name of another person living in the household.

- n. For failure to pay for sewer service when termination is requested by the sewer service provider pursuant to State Law.
- o. In the event of a serious water shortage, for whatever cause, the Authority, in its sole discretion, may terminate or curtail water service to any or all customers or classes of customers. It being the policy of the Authority to terminate or curtail water service in a manner such that residential users will be the last or least affected.

7. Back Flow Prevention Devices at commercial or non residential premises

The owner of a commercial or non residential site shall be responsible to install and maintain in good working order, a backflow device approved by the Authority. The owner of a property served by water shall be responsible for providing proof of annual testing, of the backflow preventer by a registered plumber certified in the installation and inspection of back flow prevention devices. Failure to install, maintain or test a backflow device shall be considered the establishment of a cross connection.

8. Cross Connections are prohibited

No new cross-connection shall be installed and no existing cross-connection shall be continued. The Authority may immediately terminate service upon the discovery of a cross connection, regardless of any time limits contained elsewhere in these regulations.

9. Inspection of Premises

Any authorized employee of the Authority upon the presentation of credentials consisting of photographic ID shall have access at all reasonable hours to any premises supplied with water, for the purpose of reading meters, making inspections or repairs and securing such other information as may be deemed necessary by the Authority. Upon neglect or refusal on the part of the consumer to provide such access to the premises, service may be discontinued and in such case the Authority will not be liable for any damage or inconvenience suffered by the consumer. Where the Authority and consumer make an appointment for inspection correction or other purpose related to water service at a mutually convenient time and the meeting is canceled or missed by the customer, without 24 hours notice a missed appointment fee shall be assessed against the customers account.

ARTICLE XIV. RESERVATIONS

1. Temporary Interruption of Service

As necessity may arise in case of break, emergency or other unavoidable cause, the Authority shall have the right to temporarily interrupt service in order to make necessary repairs or connections or to change or test water meters pursuant to the above mentioned Rules and Regulations adopted by the JACKSON TOWNSHIP WATER AUTHORITY or in any other instance where the Authority has reason to believe that there exists a

danger to the public or the property of the Authority. In such an event, the Authority will use all reasonable and practical measures to notify consumers of the proposed discontinuance of service, but will not be liable for any damage or inconvenience suffered by the consumer. The Authority shall not at any time be liable for any damage or inconvenience suffered by reason of an interruption in service, a lessening or decrease in supply, or inadequate pressure due to any cause beyond the control of the Authority.

ARTICLE XV. WATER CONSERVATION CONTINGENCY PLAN

1. Water Shortage.
 - a. All customers shall comply with the Drought Emergency Plan adopted by the Authority and approved by the Pennsylvania Department of Environmental Protection.
 - b. If the Authority is experiencing a short term supply shortage, the Authority may request general conservation of water uses and may impose mandatory conservation measures to reduce or eliminate nonessential uses of water.
 - c. In all cases involving shortage of water, where possible, the Authority shall first request voluntary curtailment of all nonessential uses of water. The Authority reserves the right to curtail water use by termination of service if necessary to maintain the integrity of the water supply system and essential uses for water.
 - d. If any customer refuses to comply with such mandatory measures, the Authority may either adjust the outside water valve connection in a manner which will restrict water flow or otherwise restrict flow such as by the insertion of a plug device or terminate service upon proper notification to the customer, such notice shall be made under the circumstances of the water shortage. Where a customer has failed to comply with mandatory restrictions, the actual cost associated with restricting, terminating and restoring said service shall be paid by the customer.
 - e. Nonessential Uses of Water Include:
 1. The use of hoses, sprinklers or other means for sprinkling or watering of shrubbery, trees, lawns, grass, plants, vines, gardens, vegetables, flowers or other vegetation.
 2. The use of water for washing automobiles, trucks, trailers, trailer houses or any other type of mobile equipment.
 3. The washing of streets, driveways, parking lots, service station aprons, office buildings, exteriors of homes, sidewalks, apartments or other outdoor surfaces.
 4. The operation of any ornamental fountain or other structures making a similar use of water.
 5. The use of water for filling swimming or wading pools.

6. The operation of any water-cooled comfort air conditioning which does not have water-conserving equipment.
7. The use of water from fire hydrants shall be restricted to extinguishing of fires only.
8. The use of water from fire hydrants to flush a sewer line or sewer manhole.
9. The use of water for commercial farms and nurseries other than a bare minimum to preserve plants, crops and livestock.

ARTICLE XVI. CHANGES TO THE RULES AND REGULATIONS

1. The Authority reserves the right to change or amend from time to time, these Rules and Regulations and the Rates for the use of water.

ARTICLE XVII. SERVICE CHARGES

1. A Connection Fee in accordance with the Authority's current rates and charges is hereby imposed against the Owner of any Building which connects to the Water System, and requiring a $\frac{3}{4}$ inch Service Line, payable at the time the Application is submitted to the Authority pursuant to Article IV. This fee is to cover the Authority's average cost of installation of a corporation, saddle, service line, curb stop and box, and surface restoration.
2. For Service lines larger than three quarter ($\frac{3}{4}$) inch, upon making Application for the issuance of a permit to connect a new Building or to connect a new Building or to connect an additional use, the Authority will prepare a written estimate of the Cost of installation. A Connection Fee in accordance with the authority's current schedule of rates and charges and the actual cost of installation, will be charged for each Building connected directly or indirectly to the Water System. The Connection Fee will be due for each Building including Multiple Dwelling Unit and multiple use unit structures whose individual units are not subject to separate ownership.
3. A Customer Facilities Fee in accordance with the Authority's current rate and charges is hereby imposed against the Owner of any Building which connects to the Water System and requiring a $\frac{3}{4}$ inch Service Line, payable at the time the Application is submitted to the Authority pursuant to Section 6. This fee is to cover the Authority's average cost of installation of a water meter and inspection of the Connector.
4. For service lines requiring a 1 inch or larger water meter, the Authority will prepare a written estimate of the cost of installation and inspection. A Customer Facilities Fee in accordance with the Authority's current rates and charges and the actual cost of installation will be charges for each Connection.

5. A Tapping Fee in accordance with the Authority's current schedule of rates and charges is hereby imposed against the Owner of any Building which connects to the Water System, payable at the time the Application is submitted to the Authority pursuant to Article IV.
6. The Person desiring water service shall furnish and install the Connection at his sole cost.

ARTICLE XVIII. MISCELLANEOUS CHARGES

1. Any Consumer desiring a supply of water from a previously discontinued service and each new Owner of a Building then connected must submit with his Application for service a payment in accordance with Jackson Township Water Authority's current rates and charges for initiating service. No service shall be furnished by the Authority to a Consumer until all arrears for water rents, water repairs, sewer rates and charges or other charges then incurred or previously owed with respect to the Building shall have been paid, or satisfactory arrangement for payment has been made.
2. Any consumer desiring a temporary or permanent discontinuance of service shall notify the Authority in writing of this desire along with a payment in accordance with Jackson Township Water Authority's current rates and charges for terminating service. The Authority upon terminating service shall make a final Meter reading and the final bill shall be due and payable within ten (10) days of termination of service.
3. 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. The bill shall be due and payable within the ten (10) days of the transfer.
4. A temporary supply of water for Building homes or other construction proposed, except on premises already receiving water service, shall be specially applied for. Water so supplied shall be by Meter only. The Authority may require a deposit to cover the current discontinuance of service. The Contractor, or other Owner, shall be held responsible for the theft of physical damage to Meter, reasonable wear and tear excepted. 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.
5. When anyone desires to secure a supply of water through a fire hydrant for any purpose, the applicant shall obtain from the Authority a permit and shall pay to the Authority a fee determined by the Authority for the water furnished. 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 applicant for the services provided. When a supply of water through a fire hydrant is desired for any purpose, which in the determination of the Authority is a charitable purposes, the supply of water may be granted free of charge. Water obtained from fire hydrants for filling fire trucks shall be from fire hydrants at locations approved by the Authority and at times approved by the Authority.

6. Any consumer desiring a temporary or permanent discontinuance of service in order to utilize an existing well or other water source shall be required to pay a minimum charge for the availability of water service in accordance with the Authority's current schedule of rates and charges.

ARTICLE XIX. REPEALER

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

These rules and regulations shall be effective July 28, 2005.

DULY ENACTED AND ORDAINED, this July 28, 2005, by the Board of the Jackson Township Water Authority in lawful session duly assembled.

JACKSON TOWNSHIP WATER AUTHORITY

By: Walter Ditchcreek
Walter Ditchcreek, Chairman

ATTEST:

John Wallet
John Wallet, Secretary

(SEAL)