

**Application of SUEZ Water Pennsylvania Inc. for the Acquisition of Wastewater Assets of  
the Township of Mahoning Pursuant to 66 Pa. C.S. §1329  
Application Filing Checklist –Wastewater  
Docket No. A-2018-\_\_\_\_\_**

18. Rates.

- b. Provide a copy of the seller's current rules and regulations for service.

**RESPONSE:**

- b. See wastewater rate schedule of the Township of Mahoning, enclosed at **Appendix A-18-a**.

In addition, see enclosed Rates, Rules and Regulations of the Township of Mahoning (adopted April 17, 2018).

**TOWNSHIP OF MAHONING**

**Montour County, Pennsylvania**

**RATES, RULES, AND REGULATIONS**

Governing Use of Public Water and Sewer System

Current Revision \_\_\_\_\_, 2018

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TOWNSHIP OF MAHONING

Montour County, Pennsylvania

RATES, RULES, AND REGULATIONS

Governing Use of Public Water and Sewer System

As amended \_\_\_\_\_, 2017

The following rates, rules and regulations are a part of the service contract with every customer and are incorporated by reference into all applications for water and sewer service connections and metered water service. Each person, by taking water or using the sewer system, agrees to be bound thereby.

ARTICLE I

DEFINITIONS

The following words and terms used in these Rules and Regulations shall be constructed or defined as follows, unless the context clearly indicates otherwise:

- A "Applicant." The person or entity who makes an application for water or sewer service. The Applicant may either be the intended Customer or a person on behalf of a Customer or prospective Customer.
- B "Township." The Township of Mahoning, Montour County, Pennsylvania..
- C "Customer." Any person, partnership, association or corporation, and shall mean anyone to whom water or sewer service is supplied by the Township, whether as owner or tenant and contracting for the use of water or sewer service as hereinafter classified:
  1. A building under roof and occupied as one business or residence, or
  2. A combination of buildings in one common enclosure occupied by one family or business, or
  3. One side of a double house having a solid vertical partition wall, or
  4. One side or part of a house occupied by one family even though the water closet and/or other fixtures are to be used in common, or
  5. Each room or group of rooms in a building occupied or intended for occupancy as a separate business or as separate living quarters by a family or other group of persons living together or by a person living alone, the water fixtures of which are not used in common, or
  6. Each apartment, office and/or suite of offices and/or business in the building or house, several such apartments, offices and/or suites of offices and/or business and using in common one or more hallways and one or more means of entrance; or

7. An industrial, institutional, or commercial, or manufacturing establishment; or
  8. Any house trailer.
- D “Developer.” Any person(s) requesting an extension to provide service to an existing lot(s) where service is to be provided to something other than a preexisting structure; namely, a newly constructed structure, structures to be constructed in the future, or to a preexisting non-residential structure.
- E “Owner.” Any person, firm, corporation or association in whose name any property being supplied or about to be supplied water or sewer service by the Township is recorded in the Office for Recording of Deeds in and for the County of Montour, Pennsylvania.
- F “Curb Stop.” The water shut off valve on the water service connection, to any Customer, installed and owned by the Township and located at or near the curb line or edge of right- of-way line.
- G “Water System” All the facilities of the Township for the supplying of water to the Township's Customers.
- H “Sewer System” All the facilities of the Township for collecting, pumping, and conveyance of sanitary sewage.
- I “Customer Water Service Line” The service line between the curb stop and the main building including the pipe valves and appurtenances. The customer service line shall be installed, owned and maintained by the customer.
- J “EDU” (Equivalent Dwelling Unit) Shall equal one for all residential customers. For nonresidential customers, it shall be as established by the EDU Schedule.
- K “Sewer Lateral.” The line between the sewer main and the building being served and shall include pipe, traps, cleanouts and test tees. The sewer lateral shall be installed, owned and maintained by the customer.
- L “Water Service Connection.” The water service pipe between the water main and the curb stop installed by the customer but to be owned and maintained by Township after inspection and acceptance by the Township.

## ARTICLE II

## WATER AND SEWER EXTENSIONS

## A. APPLICANT

An Applicant desiring water and/or sewer for service shall run the water and/or sewer extensions to the boundary line of their property at the point of connection designated by the Township.

## B. DEVELOPERS

Developers shall run water and sewer lines to all developments within Mahoning Township. Any exemptions to running water and sewer to a development must be granted by the Township.

## ARTICLE III

## APPLICATIONS

## A. SERVICE CONNECTION

1. Any owner desiring the introduction of water or sewer service or both water and sewer service from the Township's main into his or her premises, must first make written application on the form furnished by the Township, at least one week before service is required. The application shall state the exact time when the trench from main to property will be ready for making the connection.
2. The application must be signed by the property owner, or his duly authorized agent, which application shall, together with the Rules and Regulations of the Township, regulate and control the service to such premises.
3. The application must be accompanied by a connection fee for each water and or sewer service connection as hereinafter provided. The connection fee shall be comprised of two parts.
  - (a) The Tapping Fee - The flat fee for each EDU to be served.
  - (b) The Connection Fee - The service connection installation cost for the Customer to install the service pipe from the main to the curb stop including the curb box, meter and meter pit (if required) per the Schedule of Rates.
4. The application must be accompanied by a connection fee for each sewer and or water service connection as hereinafter provided.

5. The service connections will only be installed after approval of the Township. The Township will only approve the application after determining that a main with adequate available capacity does exist in the public street or on a private right-of-way along or through the property to be served, and said main must extend across the total frontage of the deeded property. In instances where the required main or mains do not exist, the applicant shall enter into an extension agreement with the Township as defined in the Standard Specifications for Water and Sewer System Additions and Improvements In Developments Mahoning Township.

#### B. WATER AND SEWER SERVICE

1. Every Customer desiring water and/or sewer service shall make written application on the form furnished by the Township at least one week before service is required. The Township will not make any inspections until application is complete and required fee is paid in full. All applications are taken subject to the approval of the Township. When application is made by one other than the property owner, the property owner shall guarantee, in writing on the form provided by the Township, payment of the services and water furnished.
2. All contracts for water and or sewer service shall continue in force from quarter to quarter. For service beginning during a quarterly period, the minimum charge shall be prorated on a monthly basis.
3. Separate application must be made in the following cases:
  - (a) For each building under one roof owned or leased by one party, and occupied as one residence or business; or
  - (b) For each combination of buildings owned or leased by one party in one common enclosure and occupied by one family or business; or
  - (c) For each side of a double house having a solid vertical partition wall; or
  - (d) In such other cases as the Township shall deem proper and advisable under the circumstances.

#### C. CHANGES IN OWNERSHIP

A new application for service shall be made to and approved by the Township or its duly authorized agent upon any change in ownership of the property or for any change in service from that described in the application and the Township shall have the right to discontinue service upon five (5) days' notice until such new application has been made and approved.

Applications may be disapproved by the Township for any cause deemed proper by the Township. In such event, applicants will be notified within five (5) days from the decision by the Township to disapprove the application.

D. PAST DUE CHARGES

No application for service will be approved by the Township or its agents until all arrearages and past due charges accrued on said property shall have been paid or satisfactory arrangements made in regard thereto.

E. DEPOSITS

The Township may require a deposit with the application of an amount equal to the minimum charge for the type of service purposed to be rendered for one year. The deposit, if required, shall be refunded upon payment without default of all charges for four consecutive quarters. The deposit will be refunded without interest.

## ARTICLE IV

### CONDITIONS OF INSTALLATION AND USE

A. WRITTEN PERMIT FOR CUSTOMER TO SUPPLY PERSON OR FAMILIES

No Customer or any premises supplied with water and or sewer by the Township will be allowed to supply other persons or families or other premises except by written permit from the Township. Customers who violate this rule may have their water shut off after a notice of five (5) days, and it may remain so until the Township is satisfied that the Rules and Regulations will be observed.

B. SERVICE LINES TO CURB

Upon the approval of the application of any property owner for a supply of water, the owner shall make arrangements for excavation, backfilling and restoration of all lines from the property to a curb stop. The Township will make a tap to the water main (up to and including a ¾" tap) and insert a corporation stop. The cost for labor and materials will be billed to and paid by the Customer. The Customer or approved contractor will install service pipe from the main to the curb and install curb stop, curb box, and meter pit (if required). If a service larger than standard is required, the owner must contract with an approved contractor to perform the work. Prior to backfilling the trench an Township Representative will inspect the installation. A street permit must be obtained if needed. The customer service line between the water main including the curb stop and the water meter and main building shall include pipe valves and appurtenances. After installation and acceptance by the Township, the Township shall be responsible for the main, the line from main to curb stop and the curb stop. The customer shall be responsible for all lines, valves and appurtenances from the curb stop to and on the property. The customer service line shall be installed, owned and maintained by the customer."

Upon the approval of the application of any property owner for sewer service, the owner shall make arrangements for excavation, tapping the sewer main, installing the lateral, backfilling and restoration. Prior to backfilling the trench a Township representative will inspect the work. A street permit is required for any work in a Township street.

The applicant must reimburse the Township for the cost of any paving permit required and the cost of paving such opening or openings as may be made in any street or highway in connection with the installation of the service line covered by the application.

The location of the service line will be designated by the Township and no service line shall occupy the same trench with any facility of a public service company, or be within four feet of any open excavation or vault, unless such installation plan shall have been previously authorized and approved by the Township as evidenced by its written permission.

No service connection will be installed during the period that street openings are prohibited by municipal regulations, nor at any time when in the judgment of the Township working conditions are unfavorable for installation either by reason of weather, temperature, conditions of the soil or otherwise.

When the Customer desires a change in location or size of an existing service line, the entire cost of the change shall be borne by the Customer.

The Customer will be responsible for the maintenance and repairs of the sewer lateral between the main and the house.

Service lines will not be installed when the service line must pass over or through premises which at the time are the property of persons other than the owner of the premises to be supplied, unless the Township is provided with an easement, right-of-way or license acceptable to the Township, at the expense of the Customer.

In the case of sub-divisions, a separate connection fee shall be paid for each unit or each EDU in accordance with the current Schedule of Rates.

When it is necessary to renew an existing service connection line from the main to the curb, the Township will bear the cost of renewing said service line of the same size in the same location as the old one. If the Customer, for their own convenience, desires the new service connection line at some other location, or of a larger size, the Customer shall pay all expenses including the cost of cutting off the old service line, and have an approved contractor lay the line.

All water and sewer connections must be made and maintained in accordance with the Township's standard specifications, approved and amended by Resolution of the Township's Board of Supervisors.

#### C. SERVICE LINES FROM MAIN TO PREMISES

The water service shall be laid no less than four feet below the surface and no less than four feet from any open area or vault and shall not be covered until the tap on the main is made and the service line tested. If any defects in workmanship are found, the water service will not be turned on until such defects are remedied. All plumbing connections shall be able to withstand a pressure of at least 125 pounds per square inch.

The lateral is the line between the sewer main and the building being served and shall include pipe, traps, cleanouts and test tees. The lateral shall be installed, owned and maintained by customer.

No connection, or outlet, will be permitted on the service pipe, or pipes, supplying any premises, between the curb stop and the meter.

**D. RESPONSIBILITY FOR CONDITION OF SERVICE LINE FROM CURB TO PREMISES**

The Customer's service line, from the curb stop, to the premises shall be kept in good condition by the property owner under penalty of discontinuance of service by the Township. All meters and appurtenances owned by the Township and located on the Customer's property shall be properly protected by the Customer.

All leaks in the Customer water service line, fixtures and laterals, and upon the premises supplied, shall be repaired promptly by the Customer at their own expense. Upon failure of such Customer to make such repairs within a reasonable time, the Township may discontinue water service to the premises and will not resume service until all necessary repairs have been made and a Turn on Charge as shown in the Schedule of Rates is paid to cover the cost of discontinuing and then restoring water service.

**E. OPENING AND CLOSING VALVES AND STOP COCKS**

Under no circumstance shall any person not authorized by the Township open or close the curb stops or street valves in any public or private line.

**F. TWO OR MORE CUSTOMERS ON SAME SERVICE LINE**

In case two or more Customers are supplied with water from the same service line from the main, a distinct and separate stopcock, curb box, meter and a tapping charge must be established for each Customer. Any violation of these rules and regulations by either or any of said Customers shall be deemed as a violation as to all. Any Customer who is not in violation of the Township's regulations will be given reasonable opportunity to install a separate service line in compliance with these regulations.

**G. TEMPORARY USES**

Contractors, builders, or others will be required to obtain a written permit from the Township before using water for any construction purpose. The Township may require a guarantee deposit from contractors and builders.

Water for such purposes, at the option of the Township, may be furnished by metered service. The Township will install and disconnect the meters. Charge will be at the Township's established rates. Flat rates for temporary lines for water service to contractors will apply in instances where the Township does not install temporary meter service.

Non-meter rates, where the meter has not been installed and occupants are consuming water, will be calculated from the date of occupancy to the date of meter installation at the same rate of consumption when using metered water, or at the rate of gallons per person per day established as average Customer daily use as approved by the Township in Schedule of Rates.

## H. CROSS CONNECTIONS

No person obtaining water from a private water supply, under any circumstances, shall construct or maintain, or cause or permit to be constructed or maintained, any connection, directly or indirectly, between such private water supply and the Township water system. No direct connection of pumping equipment for any purpose is permitted.

No cross connection with any other piping system is permitted.

The Township will require Backflow preventers in all services.

In cases of unmetered fire protection systems, a double check valve backflow preventer will be installed at the owner's or Customer's expense prior to any branches or pumping connections.

The Township reserves the right to require any Customer and/or owner to install, at their expense as part of the service connection, such equipment or material which the Township deems necessary and as may be acceptable or required from time to time by any regulatory agency or by good engineering practices to prevent backflow into the Township water supply system and minimize or eliminate possible contamination of the Township water system. The Township reserves the right to test this equipment periodically.

The Customer or owner is obligated, at their expense, to provide annual certification to the Township that the equipment and material has been maintained and tested and is in good operating condition to serve the purpose for which it is intended.

In cases of meters two (2") inches and larger, the Customer shall provide suitable piping and valves to bypass the meter in order to provide uninterrupted service during testing and/or changing of the meter. All bypasses shall be valved, wired and sealed to prevent unauthorized and unmetered water use during normal periods of service.

## I. INSPECTION

Employees of the Township shall be permitted, at all reasonable hours, to inspect all parts of the premises to which water and sewer is supplied.

## J. SPECIAL CHARGES, CONNECTION FEES AND TAPPING FEES

In instances where the Township has constructed oversized mains, or additional water supply or storage facilities, which benefit a particular class of user, the Township may in its discretion impose special charges, tapping fees or connection fees for such classes of users. Such charges will be applied uniformly to classes of users benefited by such oversized mains, or additional water supply or storage facilities, and may consist of a single charge, tapping fee or connection fee, or may be levied periodically. In addition, particular Customers may be required to pay the cost of installing special facilities constructed exclusively for their benefit.

## K. CHANGING OF REGULATIONS

The Township reserves the right to change, or amend, from time to time, the Regulations and the Rates for the use of water and sewer.

## ARTICLE V

### BILLS

#### A. WATER AND SEWER RATES

Water rates are hereby fixed and imposed and shall be collected from each owner of improved property within or outside of the Township which is now or shall hereafter be connected with a water main of the Township as follows:

1. Residential Properties - For each exclusively residential property a water rate as determined in the Rate Schedule shall be charged. In the case of apartment houses and multiple dwellings, each apartment and each family unit shall be deemed a separate residential property.
2. Commercial and Other Properties - for each commercial property and each property of a class not here in above described, a water rate as established by the Rate Schedule.

Sewer rents are hereby fixed and imposed and shall be collected from each owner of improved property within or outside the Township which is now or shall hereafter be connected with a sewer line of the Township as follows:

1. Residential Properties - For each exclusively residential property, a sewer rental as determined in the Rate Schedule shall be charged. In the case of apartment houses and multiple dwelling, each apartment and each family unit shall be deemed a separate residential property.
2. Commercial and Other Properties - For each commercial property, each residential property in part devoted to commercial or other purposes, and each property of a class not here in above described, a sewer rent as established by the Rate schedule.

#### B. BILLS RENDERED

All bills will be rendered at slated intervals, either monthly or quarterly, at the option of the Township, for service during the previous month or quarter. Bills for water service and or sewer service when the sewer portion is enacted shall be determined by meter registration. In every case where a meter fails to register, a bill will be rendered based on average consumption (a) for the previous 12 months, or (b) for the total period of service, whichever period is shorter.

The Township may estimate the bill of any Customer if the weather conditions, emergencies, equipment failure, work stoppages or other circumstances prevent actual meter reading.

Bills for new services will be computed on the actual consumption or a prorated

minimum whichever is the greater. The proration of a minimum bill shall be made on the basis of a full month's charge if service was furnished at least 15 days in the month.

Where special service rates are fixed or cost of service of any kind is estimated, payment must be made at the time the application is submitted and before the service is granted.

#### C. BILLS DUE AND PAYABLE

1. All water and sewer bills are due and payable on the first day of the second month of the quarter for which they are rendered. If not paid within thirty (30) days from the date of the bill, a penalty of ten percent (10%) will be added. In the event of extreme circumstances, penalties for late payment may be waived provided the Customer has paid bills on time in the three preceding quarters.
2. The use of water by the same Customer having separate installations: each installation shall be billed separately.
3. Payments in advance of furnished service may be required for; construction of facilities and furnishing special equipment; restoration or reconnection of service where service has been actually discontinued for Customer's failure to comply with these Rules and Regulations.

#### D. WATER SHUTOFF

1. For owner occupied properties, if a water or sewer bill is not paid within forty-five (45) days from the date of the bill, a final notice will be sent to the property owner stating the water service will be shut off after fifteen (15) days if the bill is not paid.
2. For tenant occupied properties in which the landlord is responsible for payment, if a water or sewer bill is not paid within forty-five (45) days from the date of the bill, a notice will be sent to the landlord stating the water service will be shut off after thirty-seven (37) days if the bill is not paid or the tenant(s) has not paid for continued service. The notice to the landlord shall demand the landlord provide a list of names and addresses of all tenants of the property to the Township within seven (7) days. If the landlord has not paid the bill within thirty (30) days or filed a petition in court disputing the right to terminate service, the Township shall provide written notice to the tenant(s), in accordance with the requirements of 68 P.S. § 399.6 (Utility Service Tenants Rights Act), that the water service will be shut off after seven (7) days unless the landlord pays the entire bill or the tenant(s) pays for the service for the prior thirty (30) days and for continued service after the notice. If the tenant(s) makes the requirement payments, the tenant(s) can deduct the amounts from any rental payments due to the landlord.
3. For tenant occupied properties in which the tenant(s) is responsible for payment, if a water or sewer bill is not paid within forty-five (45) days from the date of the bill, a final notice will be sent to the tenant(s) and the property owner stating the water service will be shut off after fifteen (15) days if the bill is not paid. The water service will not be shut off for an overdue bill that is for service prior to the tenant(s) occupying the property.

E. INVESTIGATION OF BILLS OF DOUBTFUL ACCURACY

Any Customer, upon receipt of bill, having reason to doubt its accuracy, shall bring or mail the bill, within thirty (30) days to the office of the Township for investigation. In the event of a dispute, the Customer will be required to pay at least the undisputed portion of the bill within the allotted times for payment. If the undisputed amount is unpaid for 45 days or more, shut off procedures will be initiated by the Township after fifteen (15) days final notice. The failure of a Customer to notify the Township within thirty (30) days shall signify the Customer's acceptance of their bill as being accurate.

F. RECONNECTION CHARGE

When service has been discontinued for a failure to pay any bill when due or for any violation of the Rules and Regulations of this Township, service will not be restored until the bill plus a reconnection charge as specified in the Schedule of Rates has been paid.

G. CHECKS AND CERTIFICATIONS

If a bad check is returned to the Township from the bank due to insufficient funds, an additional service charge as specified in the Schedule of Rates will be made. A charge as specified in the Schedule of Rates will be made for each certified statement of account.

H. RESPONSIBILITY OF PROPERTY OWNER AND CUSTOMER

The responsibility for the payment for water and sewer service to any premises rests with the property owner. In the event of failure by a Customer (either the property owner or a tenant) to pay any charge due the Township or in the event that the Customer shall leave the premises with a water or sewer bill remaining unpaid, service will be discontinued and will not be restored until all previous charges and a reconnection charge have been paid by the owner desiring water service.

## ARTICLE VI

### METERS

A. DETERMINATION OF METERING

All connections to the Township water system will be metered. The Township reserves the exclusive right to determine where the meters will be installed. All meters will be accessible to and under control of the Township and will remain the property of the Township. The cost for furnishing the meter is included in the connection fee as set forth in the Schedule of Rates. The meter shall be installed by the property owner or such agent as may be hired by the property owner for the work.

**B. SIZE OF AND OWNERSHIP OF METERS**

The Township shall determine the size and the style of the meter to be installed. However, in no case will the meter be more than one (1) commercial size below the size of the service connection line. The meter and connections shall become the property of the Township, and access to same for reading of the meter, inspection, testing, repairs, etc., must be permitted at all reasonable times by the Customer. The maintenance and repairs caused by the actions of the Customer or their agents will be at Customers expense.

A 5/8" meter will be the smallest meter to be installed on a service line for domestic use. However, a 5/8" meter will be considered as being adequate for only one (1) Customer or EDU.

Where two or three Customers or EDU's receive their supply through a single meter, the meter size shall be at least 3/4". and when four or more Customers or EDU's receive their supply through a single meter, the size shall be a minimum 1 -inch.

**C. LOCATION OF METERS**

The Township will determine the location of all meters. If the Township decides that the meter is to be placed within the building, the Customer will provide free of charge and expense to the Township, an easily accessible place in the cellar near the entrance of service pipes to cellar, with a stop and waste cock on the inlet side of the meter and a stop and waste cock on the outlet side of the meter. If the Township decides that the meter is to be placed outside of the building; it must be placed in a meter pit, provided by the Township, at the expense of the Customer, and must have suitable stop and waste valves approved by the Township.

**D. INACCURATE METERS**

The quantity of water recorded by the meter will be conclusive to both the Customer and the Township except when the meter has been found by the Township to be registering inaccurately or has ceased to register. In either case excepted above, the quantity of water consumed for the billing period when the meter was not registering or registering inaccurately will be estimated by the average registration of the meter on the three (3) immediately previous consecutive billing periods or by another method determined by the Township.

**E. PROTECTION OF METER**

The Customer must, at all time, properly protect the meter from injury by frost or freezing or any other cause and will be held responsible for repairs to the meter made necessary due to their negligence. Cost to repair the damage due to freezing, hot water, or any other cause in any way due to the actions of the Customer will be paid for by the Customer.

The charge for reinstallation or changing of a meter when removed because of damage in any way due to the actions of the Customer will be the same as listed herein for meter tests. The charge will include testing of the repaired meter.

F. METER TESTS

At the written request of a Customer the Township 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 to cover the cost of the test in an amount governed by the size of the meter as set forth in the Township's rate schedule.

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 Township as compensation for such tests. If an error in registration of four percent (4%) or more is found, the deposit shall be returned to the Customer.

Deposits required with requests for meter tests are as follows:

5/8" to 1" Meter	\$25.00
1 W to 2" Meter	\$50.00
3" Meter	\$60.00
4" Meter	\$80.00
6" Meter	\$100.00
8" Meter	\$200.00

The Township reserves the right, from time to time, to adopt modifications of, supplements to, or amendments of the meter test rates.

A report of the test will be furnished to the Customer. If the meter so tested is found to have an error in registration of more than four percent (4%), the Customer's bill will be increased or decreased accordingly for the immediately preceding 4 calendar bills.

G. LEAKS OR WASTE

All water passing through a meter shall be considered consumption by the Customer and be charged for at the regular rate, and no allowances will be made for excessive consumption due to leaks or waste.

H. METER TAMPERING

All meters shall be the property of the Township and no person other than an authorized agent or employee of the Township shall at any time repair, adjust, remove, replace, interfere with or molest in any way any meter or do any act to limit or interfere with the regular operation thereof.

I. MULTIPLE METERS

A separate tap, service line and meter shall be provided for each Customer, except that the Township may by special action in the case of apartment houses, trailer courts, commercial buildings and shopping centers authorize a single tap to be connected to a yoke on which separate meters in back are provided for each Customer as herein defined.

J. ACCESS TO METER

The Township shall have the right of free access at all reasonable times to the premises in or on which a meter is installed for purposes of setting, reading, testing, inspecting, replacing or repairing.

ARTICLE VII

FIRE HYDRANTS, SPRINKLER SYSTEMS, PRIVATE FIRE SERVICE.  
AND AIR CONDITIONERS

A. HYDRANT INSTALLATION

The actual cost of the installation of each hydrant must be paid by the applicant before water is turned on. All fire hydrants will be located by the Township, with due consideration being given to local firefighting authorities and requirements of insurance underwriters.

B. USE OF HYDRANTS

All Customers, their agents, servants or employees, are forbidden to open any fire hydrant or to use any water therefrom for sprinkling streets, for building or any purpose without permission in writing from the Township, under the penalty prescribed by law, except in case of fire. Fire companies may test equipment provided that such tests shall be scheduled and made with the permission of and under the supervision of authorized representatives of the Township.

C. PRIVATE FIRE SERVICE

An application in duplicate for "Special Connection" is to be made for each connection to Distribution System. Fire protection charges are mainly a compensation for "Standing Ready to Serve" and for such charges the use of water is not contemplated except for the actual extinguishing of fires or for testing of the system. Such testing shall not be done without first notifying the office of the Township. Fire protection connections and lines shall not be used for any other purpose, and all water consumed on the premises for a purpose other than the actual extinguishing of the fire will be charged in accordance with the regular rates. Detector checks meters with by-pass may be required on fire lines.

D. SPRINKLER SYSTEMS

Sprinkler service shall be furnished only for the protection of buildings from fire and shall be furnished on application of a Customer duly approved by the Township.

E. LIABILITY OF TOWNSHIP

It is expressly understood and agreed that in authorizing and connecting any form of fire service, the Township does not assume any liability as an insurer of persons or property. It does not guarantee any particular service, pressure, capacity or facility other than the ordinary and changing conditions of the Township, as the same may exist from day to day.

The Customer, by signing the written application, releases the Township from any and all claims for injuries to persons or property; it's agents, servants or employees.

F. AIR CONDITIONING

Water-cooled air conditioners installed in the future must be approved by the Township or Engineer who shall determine whether the water must be re-circulated. If at any time in existing systems the Township or Engineer is of the opinion that the water consumption is excessive, then the Township may discontinue service unless the air conditioner is converted to a re-circulating system.

ARTICLE VIII

LIABILITY FOR DAMAGE

A. DAMAGES

The Township 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, or between the curb stop and meter. It is expressly stipulated by and between the Township and the Customer that no claim shall be made against the Township on account of bursting or breaking of any water main, sewer line or service line or connection or any attachment to the Water and Sewer System.

ARTICLE IX

WATER SUPPLY

A. AUTHORIZED SHUT-OFFS

The Township will use every reasonable means to provide the Customer with an adequate supply of potable water. The Township shall not be liable for a deficiency in or failure of the supply when occasioned by an authorized shutting off of the water to make repairs, additions, or betterments, by an act of God or from any other cause beyond the control of the Township.

**B. RESTRICTING USE**

The Township reserves the right to restrict the supply or the use of water in case of scarcity, or whenever such action may be required by the public welfare in accordance with the adopted Drought Contingency Plan of the Township which is hereby made a part of these regulations.

**C. DISCONTINUANCE OF SERVICE**

The Township reserves the right at all times, after due notice, to shut off the water for nonpayment of water bills, or for neglect or refusal to comply with the Regulations of the Township and to charge a fee as set forth in the Schedule of Rates for the resumption of service.

Water service may be discontinued for any of the following reasons, but not necessarily limited to these reasons.

1. Any misrepresentation in an application.
2. Any violation of any of the Rules and Regulations of the Township then currently in force.
3. Willful waste of water.
4. Using water for a purpose other than as authorized under the application.
5. Neglecting to make payments of any charges against the property.
6. Molesting or tampering with any service pipe, meter, curb stop, seal or any other appliance of the Township controlling or regulating the water supply.
7. Failure to maintain, in good order, connection; service lines or fixtures and owned by the applicant.
8. Vacancy of the premises.
9. Refusal of access to the property for the purpose of reasonable inspection or reading, caring for or removing meter.
10. No down spouts, or surface water from any source, basement drains, sump pumps privies, cesspools, or septic tanks are permitted to be connected with the sewer line.

The Township shall also have the right to cut off water without notice in case of water leakage from Customer's facilities, failure of Township facilities or other unavoidable cause, or for the purpose of making necessary repairs, connection, etc. Reasonable notice shall be given when practicable. In no case will the Township be liable for any damage or inconvenience

## ARTICLE X

### DROUGHT CONTINGENCY PLAN

#### A. PURPOSE

When the Township is experiencing a Short Term Supply Shortage, the Township may request general conservation of water uses and may impose mandatory conservation measures to reduce or eliminate non-essential uses of water.

#### B. SCOPE

The conservation measures shall apply to all Customers within the service area of the Township.

#### C. NON-ESSENTIAL USES

Non-essential uses of water include, but are not limited to:

1. The use of hoses, sprinklers, or other means for sprinkling or watering of shrubbery, trees, lawns, grass, plants, vines, gardens, vegetables, flowers, or any 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 street, 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 for construction purposes or fire drills.
8. The use of water 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.
10. Hauling/Pumping from system by non-Township Entities.

## DROUGHT CONTINGENCY PLAN

1. This plan establishes priorities for water conservation measures from voluntary to mandatory- curtailments of nonessential uses.
2. Notice of the implementation of the Drought Contingency Plan shall be sent to all Customers or be provided by radio, television or newspaper advertisements.
3. The first phase of the Drought Contingency Plan requests all Customers of the Township to voluntary curtail all non-essential uses of water.
4. The second phase of the Drought Contingency Plan is to require mandatory curtailment of all non-essential uses of water.
5. If any Customer refuses to comply with such mandatory measures, the Township may either adjust the outside water valve connection in a manner which will restrict water flow by up to one-half (1/2) or otherwise restrict flow by the insertion of a plug devise.
6. Prior to valve adjustment or other restriction of flow, the Township shall make a bona fide attempt to deliver notice of the valve adjustment or other flow restriction to a responsible person at the affected premises and fully explain the reason for the proposed flow restriction. Less restrictive means may be imposed to secure compliance. The notice shall inform the Customer that a fine may be imposed for further violation and steps may be taken to shut off water service.
7. Complete service termination may be imposed by the Township or other regulatory agency after an expedited hearing has been held to provide the effected Customer with an opportunity to be heard.
8. These conservation measures shall be terminated at such time as the supply shortage is eliminated.

### E. ADDITIONAL RESTRICTIONS

In addition to the provisions set forth above, the Pennsylvania Emergency Management Council is authorized to promulgate, adopt, and enforce a water-rationing plan by virtue of the Emergency Management Services Code 35 PA.C. S. 1701 et seq. as implemented by the Drought Emergency Proclamation dated November 6, 1980.

**F. TOWNSHIP REGULATIONS**

The Drought Contingency Plan described herein is hereby adopted by the Township and made a part of the Township's regulations.

The provisions of these Regulations are severable, and if any section, sentence, clause or part or provision hereof shall be held illegal, invalid, or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of these Regulations. It is hereby declared to be the intent of the Board that these Regulations would have been adopted if such illegal, invalid, or unconstitutional section, sentence, clause, part or provision had not been included herein.

The Township reserves the right from time to time, to adopt modifications of, supplements to, or Amendments of these Regulations.

TOWNSHIP OF MAHONING  
TAPPING & CONNECTION FEES  
 2017

TAPPING FEES

(RESIDENTIAL)

<u>Water</u>	<u>Sewer</u>
Tapping Fee \$1798.50 per EDU	Tapping Fee \$1305.00 per EDY

(COMMERCIAL, INSTITUTIONAL AND INDUSTRIAL)

<u>Water</u>	<u>Sewer</u>
\$1798.50 per EDU	\$1305.00 per EDY

CONNECTION FEES

<u>Water</u>	<u>Sewer</u>
Connection Fee	Connection Fee
Annual Cost to Township plus meter Cost and meter pit if required	Actual Cost to Township
Plus 25% administrative, handling and service fee Apply to both water and sewer	

MISCELLANEOUS FEES

Shut Off Fee	\$25.00
Reconnection Fee	\$25.00
Returned Check Fee	\$25.00
Certified Statement of Account	\$20.00
Termination of Service	\$200.00 plus Restoration Costs
Transfer Fee Per Occurrence (Water and Sewer)	\$50.00

**MAHONING TOWNSHIP RESERVES THE RIGHT FROM TIME TO TIME, TO ADOPT MODIFICATIONS OF, SUPPLEMENTS TO, OR AMENDMENTS OF THESE RATES.**

APPENDIX B

TOWNSHIP OF MAHONING  
SCHEDULE OF EDU's  
\_\_\_\_\_, 2017  
(WATER TAPPING CHARGES)

All commercial, residential, institutional and industrial Customers will be billed on a minimum of equivalent Customer units as established in the following EDU schedule.

Category	Equivalent Dwelling Units
Residential	1
Each retail store, office, business, industry or institutional:	
1. Ten or less employees	1
2. Each additional five employees or fraction thereof	1/2
3. Can be based on estimated water useage	
Each business, industry or institutional providing showers for employees:	
1. Eight or less employees	1
2. Each additional four employees or fraction thereof	1/2
3. Can be based on estimated water useage	
Funeral Home	2
Each school, public or private:	
1. Toilet facilities only, per 40 pupils and staff or fraction thereof	1
2. Toilet facilities and kitchen, per 30 pupils and staffer fraction thereof	1
3. Toilet facilities and gymnasium, per 25 pupils and staff or fraction thereof	1
4. Toilet facilities, kitchen and gymnasium, per 20 pupils and staff or fraction thereof	1
Each hotel per four rental rooms or fraction thereof	1
Each restaurant, club or tavern, per 15 seats or fraction thereof	1
Each Church or social hall, plus Daycare centers plus any other businesses in church or social hall or banquet rooms.	1

B

Category	Equivalent	Dwelling Units
Each firehouse or hall, plus with clubhouse, restaurant, tavern or banquet hall		1
Each service station or automobile repair garage		
1. Two bays or less		2
2. Each additional bay over two		1/2
Each hair salon, spa, nail salon, and massage station		
1. Two chairs or less		2
2. Each additional chair		1
Each laundromat, per five washers or fraction thereof		1
Each Convalescent home, per two beds/Hospitals/ Institutions		1
Each barn or stable, per five stalls or fraction thereof		1
All Categories mentioned or not mentioned may be based on estimated water consumption		

The Provisions of the Water Tapping Fees are severable, and if any section, sentence, clause, part, or provision hereof shall be held to be illegal, invalid, or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of these Tapping Fees. It is hereby declared to be the intent of the Board that these Tapping Fees would have been adopted if such illegal, invalid, or unconstitutional section, sentence, clause, part or provision had not been included herein.

The Township reserves the right from time to time, to adopt modifications of, supplements to, or amendments of the water tapping fees.

TOWNSHIP OF MAHONINGSCHEDULE OF EDU's

\_\_\_\_\_, 2017

## (SEWER TAPPING CHARGES)

All commercial, residential, institutional and industrial Customers will be billed on a minimum of equivalent Customer units as established in the following EDU Schedule.

Category	Dwelling Units
<b>Residential</b>	
1	
Bach retail store, office, business, industry or institutional:	
1.    Ten or less employees	1
2.    Each additional five employees or fraction thereof	1/2
3.    Can be based on estimated water usage	
Each business, industry or institutional providing showers for employees;	
1.	
2.    Eight or less employees	1
3.    Each additional four employees or fraction thereof	1/2
4.    Can be based on estimated water usage	
<b>Funeral Home</b>	2
Each school, public or private;	
1.	
2.    Toilet facilities only, per 40 pupils and staff or fraction thereof	1
3.    Toilet facilities and kitchen, per 30 pupils and staff or fraction thereof	1
4.    Toilet facilities and gymnasium, per 25 pupils and staff or fraction thereof	1
5.    Toilet facilities, kitchen and gymnasium, per 20 pupils and staff or fraction thereof	1
Each improved property having a commercial (3/4 horsepower or greater) garbage grinder, for each such grinder	1
Each hotel per four rental rooms or fraction thereof	1
Each restaurant, club or tavern, per 15 seats or fraction thereof	1

C

Equivalent  
Dwelling  
Units

Category

Each Church or social hall plus Daycare Center or any other business in the church, social hall or banquet room	1
Each firehouse or hail plus Clubhouse, restaurant, tavern or banquet hall	1
Each service station or automobile repair garage	
1. Two bays or less	2
2. Each additional bay over two	1/2
Each hair salon, spa, nail salon and massage salon	
1. Two chairs or less	2
2. Each additional chair	1
Each laundromat, per five washers or fraction thereof	1
Each convalescent home, per two beds/Hospitals/Institutions	1
Each barn or stable, per five stalls or fraction thereof	1

All categories mentioned or not mentioned may be based on an estimated water consumption

The Provisions of these Sewer Tapping Fees are severable, and if any section, sentence, clause, part, or provision hereof shall be held to be illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections sentences, clauses, parts, or provisions of the Sewer Tapping Fees. It is hereby declared to be the intent of the Board that the Sewer Tapping Fees would have been adopted if such illegal, invalid, or unconstitutional section, sentence, clause, part or provision had not been included herein.

The Township reserves the right from time to time, to adopt modifications, of, supplements to, or amendments of this Sewer tapping Fee.

## INFLOW AND INFILTRATION

An Inflow and Infiltration inspection must be performed on all homes prior to being sold or transferred in Mahoning Township. The inspection is good for three (3) years from the date of inspection. For remediation of a faulty Sewer line infiltration on a property which is sold to a third party, the property owner must provide the following documentation to verify the satisfactory completion of the remedial work.

1. A copy of the permit issued by the Building Inspector authorizing the performance of such work.
2. A copy of the inspection sticker issued by the Building Inspector indicating that the work has been approved or passed inspection.
3. A copy of the re-televising of the sewer line, showing that the line is fully repaired and undamaged (said re-televising shall be performed by the certified contractor after all work has been completed and the site has been back-filled).

An Escrow Agreement must be signed and executed.

### Liability for Damages

The Township 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, or between the curb and any house or building. It is expressly stipulated by and between the Township and property owner that no claim shall be made against the Township on account of bursting lines or breaking of any water mains or sewer line or connection of any attachment to the water or sewer line.

The Township reserves the right from time to time, to adopt modifications of, supplements to or Amendments of these Standard Specifications.

MAHONING TOWNSHIP

SCHEDULE OF RATES

EFFECTIVE \_\_\_\_\_, 2017

WATER RATES

All rates for water are as set by the latest Resolution of Mahoning Township

SEWER RATES

All rates for sewer are as set by the latest Resolution of Mahoning Township

STANDBY READY TO SERVE RATES

All rates for water for Non-Residential properties are as set by Resolution # \_\_\_\_\_ Schedule A  
THIS TOWNSHIP RESERVES THE RIGHT, FROM TIME TO TIME, TO ADOPT  
MODIFICATIONS OF, SUPPLEMENTS TO, OR AMENDMENTS OF THESE  
RESOLUTIONS.

## MAHONING TOWNSHIP

SCHEDULE OF RATES

## “Standing Ready to Serve” Quarterly Fee Schedule

**PRIVATE FIRE SERVICE STANDBY CHARGES**

Fire Service Pipe Size (Inches)	Fire Flow in Gallons Per Minute (i)	Fire Usage Duration (Minutes) (i)	Total Usage Per Connection (Gallons) (i)	Water Usage Fee Per Thousand Gallons (2)	Service Fee (3)	Total Quarterly Fee (4)
2"	100	30	3,000	\$3.70	\$70.00	\$80.50
3"	220	30	6,600	\$3.70	\$70.00	\$93.50
4"	400	30	12,000	\$3.70	\$70.00	\$112.00
6"	880	60	52,800	\$3.70	\$70.00	\$254.80
8"	1,560	60	93,600	\$3.70	\$70.00	\$397.60
10" & Larger	To be determined on a case by case basis	To be determined on a case by case basis	To be determined on a case by case basis	\$3.70	To be determined on a case by case basis	To be determined on a case by case basis

- (1) Estimate based on NFPA Code 13, Standard for the Installation of Sprinkler Systems and a nominal pipeline velocity of 10 feet per second.
- (2) Usage Fee based on current quarterly charges.
- (3) Includes the witness of up to four flow tests annually (one per quarter).
- (4) The Township reserves the right to increase fees and allowances if fire demands or duration are higher than those indicted above.

THIS TOWNSHIP RESERVES THE RIGHT FROM TIME TO TIME, TO ADOPT MODIFICATIONS OF, SUPPLEMENTS TO, OR AMENDMENTS OF THESE RATES.