

**VALLEY TOWNSHIP**  
**WATER SYSTEM**  
**RULES AND REGULATIONS**

PENNONI ASSOCIATES INC.  
WILMINGTON, DE

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VALLEY TOWNSHIP WATER SYSTEM

RULES AND REGULATIONS

FOR WATER SERVICE

**I. RULES AND REGULATIONS**

These Rules and Regulations are a part of the Contract with every person who takes water service from Valley Township's system, and every such person by taking water agrees to be bound hereby.

**These Rules and Regulations shall also apply to those properties in Valley Township that have on-lot well water or other permitted private system in the sections pertaining to drought conditions. On-lot wells or other private systems shall be restricted from providing water to adjacent properties that are not owned by the person owning the well**

**II. EFFECTIVE DATE**

These Rules and Regulations shall become effective at once and shall be applicable on or after April 30, 1992, to all properties then connected to, or as soon as they respectively become connected to and have the right to use, the water system. The Township reserves the right to amend these Rules and Regulations or to change the rates or charges in such manner and at such times as, in its opinion, may be advisable.

**III. DEFINITIONS**

- A. **Applicant:** A person who enters into a contract with the Township for water service at a premises.
- B. **Contractor:** A builder or other user of water on a temporary basis for construction purposes.
- C. **Corporation Stop:** The first valve on a service line from the main. This valve is operated to turn on service to a customer.
- D. **Cross-Connection:** Any connection, direct or indirect, which physically joins a customer service line or any piping extension thereof to a non-potable body or source of water, or to a water supply system other than that of the Township, or to a possible source of contamination.
- E. **Curb Stop and Box:** The second valve on a service line from the main after the Corporation Stop. The valve and box cover is located near the right-of-way line with the box cover set at ground level. The valve is operated to turn on service or to shut off

- service to a customer.
- F. **Customer:** Any person who receives water service from the Township and/or is responsible for payment for water service to a property.
- G. **Customer Service Line:** The entire water service pipe extending from the Township's water service connection to the customer's building including the curb stop or service valve, curb box or valve box, and meter pit or box, backflow preventer and, if required, a pressure reducing valve and any other fittings deemed appropriate by the Township. The customer service line is the property of the owner.
- H. **Fire Line Capacity Fee:** A one-time charge to owners of new fire service lines that connect to the Township's water system. This charge to a new customer is equal to the equity of existing customers per gallon of capacity, at a rate of \$\_\_\_\_\_ per gallon. That is, new customers purchase ownership in the system in a manner similar to the purchase of stock ownership in an investor owned company. This charge is based on the cost of transmission lines and storage facilities only.
- I. **Fire Service Connection:** A connection made to the Township's water supply system to provide for flow of water to fire hydrants or to fire suppression systems contained within buildings. A fire service connection can be metered or unmetered (as in the case of fire hydrants) as provided in Article 8 of these regulations.
- J. **Main Extension:** Extension of service requiring the construction of one or more additional water mains.
- K. **Meter:** A device for measuring the quantity of water used, which is a basis for determining charges for water service to a customer.
- L. **Owner:** The person in whose name the deed for a property is recorded.
- M. **Person:** An individual, partnership, company, corporation, association, corporate political body, joint ownership, or any other entity capable of functioning in the context used herein.
- N. **Premises:** The property, building, or other site to which water service is furnished, including:
1. A building or combination of buildings owned and/or leased by one person, served by one service line;
  2. Each side of a double house or each housing unit; each side or end of which is serviced by a separate customer service line and meter.
  3. Each apartment, office, or suite of offices located in a building having several such apartments, offices, or suites of offices, each being

served by a separate meter;

4. Such other situations as the Township shall deem proper and advisable.
- 
- O. **Service Line Inspection Form:** - A form, written and signed by a Township representative, verifying the proper installation and/or disconnection of a customer service line and compliance with the Township's Rules and Regulations.
  - P. **Standby Service:** Water service provided by the Township either metered, or unmetered, through which flows are not normally recorded and for which the Township must maintain water service capacity at an agreed upon level. Standby service can include service for fire protection as well as to supplement service provided from a source of supply other than that of the Township.
  - Q. **Temporary Service:** - Temporary metered water service supplied to a customer at a location which does not receive permanent service.
  - R. **Township:** - The Township of Valley, Chester County, Pennsylvania.
  - S. **Water Capacity Fee:** A one time charge to owners of new buildings that connect to the Township water system for the first time. It is a charge to new customers that is equal to the equity of the existing customers per gallon of capacity, which is \$\_\_\_\_ per gallon. That is, the new customers purchase ownership in the system in a manner similar to the purchase of stock ownership in an investor owned company. As a result, the new customer, whose rates are the same as existing customers, is placed on an equal basis with existing customers who have contributed the Township's capital requirements in past years.
  - T. **Water Connection Fee:** Reimbursement to the Township for the expense and cost of administration and inspection costs pertaining to a new connection to the Township water distribution system.
  - U. **Water Connection Permit:** The permit describing capacity and connection fees, required from first time users and from those persons requiring a new tap.
  - V. **Water Disconnection Fee:** Reimbursement to the Township for the labor and materials required to physically disconnect a customer service line from a Township water main.
  - W. **Water Service Application:** An application required for any person requesting of receiving water service from the Township.
  - X. **Water Service Connection:** The fitting, owned by the Township and installed on a Township water main for connecting a customer service line to a Township water main.

This fitting consists of a Corporation Stop Valve.

- Y. **Tenant:** A person who leases or rents premises from an owner.
- Z. **Water Service:** Provision by the Township of water as a commodity.
- AA. **Water System:** Township's water supply and distribution facilities, taken as a whole, or any portion thereof.
- AB. **Automatic Readout:** A remote receptacle mounted on the outside of the structure that is electrically connected to the water meter that enables obtaining a water meter reading without entering the premises.
- AC. **Water Service Agreement:** An agreement between the Developer/Owner and the Township for the purpose of obtaining water service for the unit(s) to be constructed or existing that require public water service.

**IV. WATER SERVICE**

**A. WATER CONNECTION PERMIT**

1. Anyone desiring the installation of a new service connection into the Township's water main shall first make application, at least five (5) days before service is required, for a Water Connection Permit, which shall include the following fees:

- a. Water Connection Fees

The physical tap of the water main for a new service shall be made by a Township approved contractor under the inspection of the Township Engineer and/or the Township Plumbing Inspector.

- b. Water Capacity Fees

Capacity fees, based on meter size, will be charged to customers connecting to the Township's system for the first time and shall be due and payable at the time of application for water service. These charges shall be charged in addition to all other applicable connection fees, rates, rentals, and charges.

The size of the meter to be installed shall be determined by the Township based on American Water Works Association's standards for sizing meters.

Township will charge a capacity fee to existing customers only if it becomes necessary to increase the size of the service meter at the customer's request. The Township will not charge a capacity fee for replacing an existing service line, unless it is necessary to increase the size of the meter. There will be no rebate to customers down-sizing the meter on an existing service line.

All capacity fees will be charged in accordance with the Township's Schedule of Rates and Charges.

- c. Fire Line Capacity Fees

A Fire Line Capacity fee, applicable for buildings equipped with an internal sprinkler and based on meter size, will be charged to customers tying into the Township system for the first time for Fire Line Service and shall be due and payable before any taps are made and before an application for service is approved. These charges shall be charged in addition to all other applicable connection fees, rates, rates, rentals, and charges.



Sizing of meters for Fire Line Service shall be determined by applicant's insurance carrier.

The Fire Line Capacity fee to be established by Township for each case. The charge for all meters larger than one inch will be computed on the basis of \$\_\_\_\_\_ for each gallon of maximum daily capacity subject to the following rules:

Charges for 1-1/2" and 2" meters will be based on maximum daily capacity, which shall be computed at a peak day factor of 2 times the requested average daily capacity;

Charges for 3" meters will be based on maximum daily capacity which shall be computed at a peak day factor of 1.8 times the requested average daily capacity;

Charges for 4", 6", and 8" meters will be based on maximum daily capacity, which shall be computed at a peak day factor of 1.4 times the requested average daily capacity;

Should the customer exceed the average daily capacity during any calendar year, a new average and maximum daily capacity will be calculated by the Township. The average daily use during the year will become the new requested average daily capacity;

The customer will be billed for the new maximum daily capacity differential at the \$\_\_\_\_\_ per gallon rate. Such differential is the difference between the old and new maximum daily capacity. The customer will have thirty (30) days to pay the new charge.

## B. WATER SERVICE APPLICATION

1. A new application for water service must be made and approved by the Township at least five (5) days before service is required for introduction of new water service and in the case of any change in ownership of property and/or in tenancy where the tenant is the customer. In the event of a change in billing name, without a change in occupancy (i.e., owner requests change from his name to tenant's name or vice versa) a new application will be required. The Township shall have the right, upon ten (10) days notice, to discontinue existing water supply services until a new application has been made and approved.
2. All applications for water service are made subject to approval of the Township. The application will not be approved until the Township receives

payment of the appropriate connection and capacity fees, as stipulated in the Schedule of Rates and Charges, and other charges stipulated by the Township in duly adopted schedules of charges.

3. The application for water service, which must be signed by the applicant and all deeded owners, together with these Rules and Regulation of the Township, shall constitute the contract between the customer, owner and Township to regulate and control the service of water to such premises.
4. A tenant may enter into a contract for water service providing that the application is co-signed by the owner, and that the owner acts as guarantor for the payment of all bills rendered on the account.
5. If a customer is on the system less than six weeks prior to the Township's quarterly billing date, the customer will not receive a bill that quarter. During the next billing cycle, the customer will be billed for their current three months, along with the weeks not billed in the previous quarter. If a customer is on the system for more than six weeks prior to the Township's quarterly billing date, the customer will be billed for usage based on meter readings.
6. Separate applications for water service must be made for:
  - a. Each premises;
  - b. Each fire service connection, whether public or private; or such other cases as the Township deems proper and advisable under the circumstances.
7. All water service furnished by the Township must be provided through approved connections, complete with water meters. Any water taken through unmetered services or unapproved connections including but not limited to lawn sprinkler systems to service lines prior to a meter or Township water mains will result in the discontinuance of service and the imposition of other charges as deemed appropriate.

#### C. SERVICE REPLACEMENTS

1. Anyone desiring to replace a service line or lines from Township into his or her premises must make application for a new water connection permit. Rules and Regulations applying to Water Connection Permits, Paragraph A above, shall apply to the installation of all replacement services.
2. No new service connection will be activated, by the Township, for service

replacement until the old service connection is disconnected from the main and the new service line is inspected and approved by the Township.

3. The Township will not activate any new service connection until all fees, per Paragraph A, have been paid. A capacity fee will not be required, unless the meter size increases.
4. The repair of leakage in a water service line from the outlet of the curb shut off to the structure or within the structure is the responsibility of the customer. Repair shall be ~~in~~ actively in-progress within 72 hours of receipt of official written notification or the service line will be shut off and appropriate charges for shut off and reinstatement of service will apply.

#### D. DEPOSITS

1. Temporary Service - A deposit will be required in cases of temporary service in an amount equal to the estimated gross bill for such temporary period, and subsequently, will be applied to the actual usage charge.
2. Special Cases - A deposit, based on prior years usage, shall be required from the following customers:
  - a. A customer who has filed bankruptcy and is not legally required to pay for past service.
  - b. A customer who has a record with the Township of late payments at another Township service address.
  - c. A customer who violated these the Rules and Regulations in the past.
  - d. A customer who has an outstanding final bill at another Township service address
  - e. Any other instances the Township deems necessary.
3. Deposit will be returned, without interest, to the depositor when he shall have paid bills for service on a timely basis for a period of twelve (12) consecutive months; or upon discontinuance of service by the customer request and payment of all charges due.
4. Any customer having a deposit shall pay bills for water service as rendered in accordance with the Rules and Regulations of the Township, and the deposit shall not be considered as payment of a bill during the time the customer is receiving water service.

5. Deposit will be in an amount equal to the average or projected average usage for six months. The deposit will not accrue interest for the benefit of the customer.

V. **CONDITIONS OF INSTALLATION, DISCONNECTION AND USE**

A. SERVICE LIMITED TO PREMISES ONLY

1. No customer or any premises supplied with water by the Township shall be allowed to supply water to other persons or families or other premises. Customers who violate this rule shall have their water service discontinued five (5) days from the date of a written notice mailed to the customer, and the water shall remain off until the township is satisfied that the Rules and Regulations shall be observed. The published turn-on fee will be charged and collected prior to turning on the water.

B. CUSTOMER SERVICE CONNECTION/DISCONNECTION

1. After a customer applies for and obtains a new water connection permit, and pays all applicable capacity fees, connection fees, disconnection fees and other charges, and enters into a contract for water service through an approved water service application, Township shall approve installation of the fitting allowing for connection of the customer service line to a Township main (water service connection), but water service shall not be turned on until a complete customer service line (see definition) is installed, tested by the installer under the supervision of a Township representative, and subsequently approved through a service line inspection form completed by said Township representative.
2. In the event a new service line is to be installed at a location where there is an existing service line to be abandoned, the Township shall not turn on the new service line until the existing corporation stop has been turned off and inspected by a Township representative as evidenced by a completed service line inspection form.
3. The customer or owner is responsible for excavation, backfill, street restoration and any street opening permits at the location where there is a new service connection, or a disconnection of the old water service connection. The connection or disconnection of water service shall be made only by a Township authorized contractor.

## C. CUSTOMER SERVICE LINES

1. Each premises must have a separate customer service line, which shall be installed and maintained by, and at the expense of, the owner. It shall be laid not less than four (4) feet below the surface (and not less than four (4) feet distant from any open area or vault) and shall not be covered until the water service connection is inspected by a Township representative authorized to make said inspection and the service line is tested and approved by the authorized Township representative. If any defects in workmanship are found, the service shall not be turned on until such defects are corrected. See Valley Township Resolution 94-19. (Property owner responsibility of service line begins at the Corporation Stop.)
2. Residential, commercial, industrial, and fire service lines shall be properly sized by the Township for the required demand, but shall be no smaller than 3/4 inch diameter.
3. All water service piping less than 3-inch diameter shall be Type K copper tubing with compression type joints. No soldered joints shall be permitted underground. Piping 3-inch diameter and larger shall be ductile iron with push-on or mechanical joints.
4. The location of the service line, curb stop and curb box shall be designated by the Township, and no water service line shall occupy the same trench with any other facility, including a sewer lateral, of any public or private utility unless such installation plans shall have been previously authorized and approved by the Township as evidenced by its written permission.
5. No service connections shall 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.
6. When the customer desires a change in location or size of an existing line, or the replacement of any portion, the entire cost of the change shall be borne by the customer.
7. A curb stop with a four inch diameter curb box and cover shall be

installed in each customer service line between the main and the premises out of the street cartway at a location at or near the street right of way line. Failure to install a curb box to existing service lines, within 60 days of notice, shall result in excavation of the service line by the Township at the point of connection to the water main and discontinuation of service. The owner shall in turn be billed for all related costs including costs of disconnection. If the owner fails to pay the related costs upon billing, said costs shall be incorporated into a municipal lien, appropriately filed and recorded against the property consistent with state law.

8. A separate stop or valve, shall be installed in each customer service line immediately inside the wall between the wall and the meter. The customer or owner shall also install a stop or valve, with drain, shall be provided on the outlet side of the meter.
9. If the pressure in a service line at the water service connection is deemed excessive by either the Township, customer, or owner, the responsibility of installing a pressure regulator (Watts model or approved equal) and all costs thereof, shall be borne by the customer or owner. The Township assumes no responsibility for property damage due to excessive system pressure.

The customer service line, including curb stop, curb box, valves, and meter pit or box shall be kept in good physical condition by the owner. The curb box or meter pit/box shall be kept free of dirt and debris by the owner. The Township has the right to require an owner to replace a deteriorated customer service line or any part thereof within 60 days of notice. Failure to adhere to these requirements shall result in discontinuance of service by the Township and a charge to the owner for all related costs including costs of disconnection.

11. The Township shall not be responsible for damage done by water escaping from the customer service line. **All leaks must be repaired by the owner within seventy-two (72) hours of a written notice from the Township.** If a leak has not been repaired by the owner within (72) hours of said notice, the Township may discontinue service and shall bill owner for all related costs including costs of disconnection and water loss.
12. If the Township finds a leak to be excessive and/or to create an emergency condition, to protect the public, the Township may without notice take any steps deemed necessary to reduce the leak and/or discontinue service until repairs are made. The cost of such emergency

steps taken with regard to the customer service line shall be billed to the property owner, together with the estimated cost of water loss.

13. All underground service line work must be inspected and approved in writing by Township personnel before back filling.
14. When outside meter pits or boxes are deemed necessary by the Township, installation standards will be determined by the Township and installation must be approved by the Township, as evidenced by a completed service line inspection form.
15. The methods and workmanship shall be approved by the Township Plumbing Inspector. All work shall comply with the requirements of the local and State plumbing codes, and the work shall be of professional quality.
16. No connections to the service line prior to the meter will be permitted

#### D. OPENING AND CLOSING VALVES

1. Under no circumstances shall a customer, plumber, or any person not authorized by the Township open or close the curb stops, corporation stops, or service valves in any public or private line. Violators shall be charged for Township time expended in each case.
2. The Township shall not be responsible for the failure of customer's valves, including, but not limited to, the curb stop and meter valves, during use by the Township. Failure to repair or replace faulty customer service line valves shall result in the discontinuance of service as described in Section V, Paragraph C, Item 10.

#### E. TWO OR MORE CUSTOMERS ON SAME SERVICE LINE

1. It is not permitted to have more than one customer on a service line.

#### F. TEMPORARY SERVICE

1. **Temporary water service is not intended to provide water to a residence. This provision is intended for water service needed on a temporary basis for contractors or others needing water to perform a specific task that is of a limited time duration.** An approved water service application shall be required prior to the Township granting temporary service. Water for temporary service

shall be furnished by metered service. The Township shall install and disconnect the meters and shall charge for temporary service in accordance with the Schedule of Rates and Charges. A meter deposit of One Hundred Fifty Dollars (\$ 150.00) shall be made.

G. NON-PERMISSIBLE CONNECTIONS AND BACKFLOW PREVENTION

1. It is the intent of the Township to protect the quality of the potable water in its water supply system by prohibiting connections within its customers' plumbing systems to a source of contamination and by preventing the backflow of water from its customers plumbing system into the Township's water system.
2. The Township shall have the right to inspect its customers' plumbing systems for prohibited cross connections, to require that the cross connection be eliminated and to require the installation at the customers' expense of backflow prevention devices for existing or new services.
3. The following connections are prohibited:
  - a. Cross-connection of Township's water system with any other water supply system such as private wells without Township authorization.
  - b. Cross-connection of the Township's water system with any device that may create or cause the condition known as "water hammer" in the water system.
  - c. Direct connection between a booster pump, boiler plant, boiler pump, or boiler and the water system.
  - d. Connections for water use as cooling water.
4. With all new applications for water service connections, a backflow preventer shall be installed at the customer's expense. For residential connections, a Watts series 7 dual Check valve backflow preventer or approved equal.
5. The Township will require an existing customer, upon replacement of service or meter set, to install a backflow prevention device. If, upon inspection by the Township, it is determined that an immediate hazard exists because of the potential for backflow from the customer's property, the Township reserves the right to disconnect the service.



Customers who have been ordered to install a backflow prevention device shall do so within three (3) days of notice from the Township or the Township shall have the right to disconnect the customer's service. Disconnections of service shall be subject to the payment of charges and all costs as provided herein. The customer is the owner of the backflow prevention device and shall be responsible for such periodic testing and maintenance as required by the Township.

6. The Township shall approve the type of backflow prevention device that is required.
7. A double check valve backflow preventer assembly with built-in provision for testing the check valves shall be used for low and intermediate degrees of contamination hazard. (Watts double check valve Series 709 with dual ball type shut-off valves).
8. A reduced pressure backflow preventer assembly shall be used for high degrees of contamination hazard. (Watts reduced pressure backflow prevention Series 909 with dual ball type shut-off valves).

**VI. TERMS OF PAYMENT**

**A. BILLS RENDERED & COMPUTED**

1. All bills will be rendered quarterly for the period immediately preceding the date of the bill. Bills for metered service shall be determined according to the rates in the Schedule of Rates and Charges by meter registration or minimum charges, whichever is the higher. In every case where a meter fails to register, a bill will be rendered based on the last five quarters of full meter registration, or average consumption for the total period of service, whichever is shorter.
2. Bills for new services and final bills will be computed for the initial or final period of water use according to the Schedule of Rates and Charges on the actual consumption or a pro-rated minimum, whichever is the greater. The minimum charge shall be pro-rated on a daily basis for the quarter in which service is established or terminated.

**B. BILLS DUE AND PAYABLE**

1. All water bills must be paid by the due date stated on the bill.
2. Charges for connections, temporary uses, and special services shall be payable at the time the application is submitted and before the service

is granted, or on demand. Actual use shall be based on meter readings.

3. Payment must be received at the Township office by the due date. If mailed, the postmark is not considered.
4. The use of water by the same customer in different premises or localities will not be combined and each installation shall be billed separately.
5. Payments made at the Township office must be accompanied by the original bill.

C. **BILLS OF QUESTIONABLE ACCURACY**

1. Any customer, upon receipt of any bill and having reason to question it's accuracy, shall bring or mail such bill to the Township office at least 10 days prior to the due date. In the event proper notice is given, the Township will investigate the bill and confirm its accuracy or issue a corrected bill and adjust the due date accordingly. In the event a request for investigation is received without the proper notice, the Township will investigate the bill and confirm the accuracy or issue a corrected bill and there will be no adjustment to the due date. The customer can, at his option, pay the questioned bill by the due date to avoid the penalty. Should the bill prove to be incorrect, an adjustment will be made to the account.
2. If the Township has already verified a questionable reading as accurate, and the customer requests an additional reading, a service charge will be applied.

D. **FAILURE TO RECEIVE BILL**

1. Failure to receive a bill shall not exempt any customer from the obligation to pay the bill.

E. **CHARGE FOR LATE PAYMENT**

1. Bills remaining unpaid after the due date shall accrue interest charges until paid in accordance with the rate in the Schedule of Rates and Charges.

F. **BAD CHECKS**

1. If a customer's check is returned to the Township from a financial

institution, an additional service charge, in accordance with the rate in the Schedule of Rates and Charges, will be made for each occurrence.

VII. **METERS**

A. DETERMINATION OF METERING

1. All water use shall be metered, unless otherwise approved by the Township.

B. SIZE, INSTALLATION, AND OWNERSHIP OF METERS

1. The Township shall determine the size of the meter to be installed which shall be purchased from the Township at the customer's expense. The meter shall remain 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.
2. Meters will have a remote readout device which shall be mounted on the exterior of the building in an accessible location at an elevation of not less than 42" above the ground level acceptable to the Township. The readout device shall be wired to the meter by the customer's installer in accordance with the manufacturer's instructions, using the wire size and color-coding designated by the manufacturer.
3. Access shall be maintained to the readout device at all times. the customer will be notified by letter if access to the readout device is causing difficulty in obtaining a meter reading, and a reasonable time will be allowed for the home owner to remove the blockage. If there is no action by the home owner, costs incurred by the Township to remove shrubbery or other obstacles limiting access to the readout device shall be billed to the customer

C. PAYMENT FOR METERS

1. The customer shall pay for furnishing the meter and for the installation of the meter. Where a service line and meter already exists, no meter payment will be required unless a change in meter size is required or there is a change in the number of dwelling units.

D. LOCATION OF METERS

1. The Township will determine the location of all meters. Outside meters must be placed in an approved meter box, provided by the customer, at the expense of the customer, and must have suitable stops

or valves, with drains, approved by the Township. If the Township determines that the meter is to be placed within the building, the customer will provide an accessible location and have the meter installation made in accordance with Valley Township requirements.

2. Notwithstanding the foregoing Rules, multiple users on a single or several contiguous properties under single ownership may be supplied through a single meter providing the owner accepts liability by written agreement with the Township for billings resulting from the metered water served to the property. Users of water after the meter shall not be considered customers of the Township. In the event the property is subdivided in the future and the resulting properties become owned by two or more owners, this allowance will no longer be valid, and each property shall be served by a separate service line that is individually metered as required by these Rules and Regulations.

#### E. PROTECTION OF METERS

1. The customer must, at all times, properly protect the meter against loss or damage due to freezing, external causes, or customer negligence. Any loss or damage to the meter or readout device will be repaired by the Township at the customer's expense. In case payment for any loss or damage is not made within ten (10) days after presentation of the bill, Township may terminate the supply of water to the customer until all proper charges are paid.
2. No one shall remove, replace or otherwise tamper with water meters. Water meters will be installed, removed, replaced or maintained only as directed by Township personnel.

#### F. METER TESTS

1. The Township reserves the right to test or replace any meter at any time.
2. At the written request of a customer, the Township will make a test of the accuracy of the meter supplying his premises. Each request for a meter accuracy test shall be accompanied by a fee in accordance with the Schedule of Rates and Charges. If the results of such a test indicate that the meter registers more than four (4) percent high, the fee shall be refunded. If the test shows the meter is registering properly or low, the meter testing charge is retained by the Township, and the current water bill in question shall be recalculated.

G. LEAKS AND DEFECTIVE PLUMBING

1. 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, and it is expressly stipulated that no claims shall be made against the Township on account of the bursting, or leaking, or breaking of any main or service pipe or any attachment to the Township's distribution system, and the customer expressly waives and relinquishes all claims and agrees to hold the Township harmless from any such claim of himself or his tenant.
2. All water passing through a meter shall be charged at the regular rate in effect. No allowance will be made for excessive consumption due to leaks or waste.
3. In order to prevent the loss of excessive water, the Township may upon notice to the customer discontinue service until such time as repairs are made to leaks or defective plumbing.

VIII. FIRE SERVICE AND OTHER SPECIAL USES

A. PUBLIC HYDRANT SERVICE

1. Upon written request of a private user, and when appropriate conditions of water system pressure and supply exist to support the installation of fire hydrants, the Township may approve installation of such hydrants, at its option. The installation shall be made by a contractor approved by the Township, at the expense of the private user. The private user shall be responsible for payment of fire protection service in accordance with the then prevailing Township Rate Schedule, which shall be billed monthly, quarterly, or annually in advance.
2. When a private user no longer desires service from a particular hydrant, the private user shall send written notice to the Township requesting its removal. All costs associated with the removal shall be paid by the private user, with a deposit of the Township's estimated cost submitted prior to the removal of the hydrant. The private user shall retain financial responsibility for the hydrant for 30 days after the Township's receipt of the written notice. If the private user has already paid the annual hydrant rental fee, as specified in the then prevailing Township rate schedule, a pro-rated rebate or credit will be

issued to them at the end of the 30 day period. After the 30 day period, the Township is no longer responsible for the maintenance of the hydrant.

3. When a private user desires removal of a fire hydrant, the user shall send written notice to the Township for such change, which shall be made by the Township, at the expense of the private user. A deposit covering the Township's cost of removal must be submitted to the Township prior to removal of the hydrant(s).
4. No fire hydrant shall be used without the Township's permission for any purpose other than the extinguishing of fires. Fire hydrants **may not** be used for filling any tank trucks for any purpose than documentable fire fighting purposes. A report to the Township must be made by the fire company after any use of a fire hydrant, including, to the extent available, the number of gallons taken.
5. No person, other than Township personnel, may conduct flow tests or otherwise tamper with a fire hydrant. Hydrants may be used only by authorized/trained fire fighting personnel during the actual fighting of fires.
6. The Township does not assume liability as insurer of property or person. Any municipality or customer receiving fire hydrant service will not be entitled (in the event of fire) to any service, pressure, capacity, or facility other than that available at the time. The Township shall not be liable for any damage or injury to any person or property for failure to supply water, or pressure, or capacity due to any cause beyond the reasonable control of the Township, and the customer hereby expressly holds the Township harmless for any such damage(s) or injury (injuries) that may result.
7. The municipality or private user understands that fire hydrant charges are a compensation for "Standing Ready to Serve", and that for said charge the use of water is not contemplated, except for the actual extinguishing of fires. All unauthorized hydrant use will be subject to criminal prosecution as theft of service. 18 Pa. C.S.A. Section 3926

B. PRIVATE FIRE SERVICE

Any person desiring a private fire service connection, shall submit an application for that connection and service to the Township. Applications and service connections shall be made and paid for in accordance with previous requirements contained in these Rules and

Regulations. Availability of such service is subject to conditions of pressure and supply in the Township's water system.

2. Fire service meters shall be required on all private fire service lines. The fire service meters shall be furnished by the Township at the expense of the customer.
3. No customer service line for private fire service shall be larger than the maximum size permitted by the Township, and each private fire service shall be at least one commercial size smaller than the main to which it is to be connected.
4. No water shall be used through a customer service line for private fire service, except for the purpose of extinguishing fires. No cross-connection shall be made between any such private fire service line and any regular water service or supply line. Fire and regular water service shall be metered separately.
5. The Township does not assume any liability as insurer of property or person. Any customer receiving fire service will not be entitled (in the event of fire) to any service, pressure, capacity, or facility other than that available at the time, in view of the circumstances of the Township at that time. The Township shall not be liable for any damage or injury to any person or property by reason of any fire, water failure to supply water, or pressure, or capacity, or lack thereof, due to any cause beyond the reasonable control of the Township.
6. Private fire protection service charges shall be paid by the customer, as contained in the Township's Schedule of Rates and Charges. These charges are compensation for "Standing Ready to Serve" and such charges include the use of water for the actual extinguishing of fires, and for the testing of the fire protection service system. No testing is to be done, unless prior notification is given to the Township and written approval received.

#### C. BOILERS

1. The Township will not be responsible for any accidents or damage resulting from the use of water for steam boilers, or any facilities, depending upon the hydraulic or hydrostatic pressure in the pipe system of the Township for supplying such boilers or facilities.

**IX. DISCONTINUANCE OF SERVICE**

**A. DISCONTINUANCE**

1. The Township reserves the right to discontinue water service for non-payment of delinquent water bills, after first giving the customer ten (10) days notice of such proposed action in writing. Service so discontinued shall not be restored until the delinquent payments are made and turn-off and turn-on fees as stipulated in the Schedule of Rates and Charges have been paid to the Township.
2. The Township reserves the right to shut off water for refusal to comply with the Rules and Regulations of the Township until the costs of the Township's work, plus a 10% service fee has been paid.

**B. REASONS FOR DISCONTINUANCE**

1. Service may be discontinued for any of the following reasons:
  - a. Violation of any rules or regulations of the Township.
  - b. Misrepresentation in application as to property or fixtures to be supplied, or the use of the water supply.
  - c. The use of water for any property or purpose(s) other than those described in the application.
  - d. Interference with any service pipe, meter, curb stop or seal, or any appliance of the Township.
  - e. Failure to install and maintain, in good order, connections, service lines, or fixtures for which the customer or owner is responsible.
  - f. Waste of water through improper or imperfect pipes, fixtures, or otherwise.
  - g. Vacancy of the premises.
  - h. Neglecting to make payments of any charges against the property



- i. Refusal of access to property for purpose of inspecting, or for reading, servicing, or removing meters.
- j. Refusal to conserve water during periods of restricted supply.
- k. Failure to pay all Township bills for a previous service within the Township.
- l. Any cross-connection, such as private wells, which would introduce water or liquid other than that supplied by the Township's system into the service line of the Township.
- m. The Township shall have the right to discontinue water service, without notice, in case of breakdowns or for other unavoidable causes, or for the purpose of making necessary repairs, connections, etc. Reasonable notice will be given when practicable. In no case shall the Township be liable for any damage, or for inconvenience suffered.

C. DISCONTINUANCE AT CUSTOMER'S REQUEST

1. When the premises are vacated, the customer (owner(s) or tenant(s)) must make a written request to the Township for discontinuance of water service. The customer will be responsible for payment of all water used until the water is turned off. The customer must have as a part of his water service, facilities for discontinuing service, i.e., curb stop and/or a service valve ahead of the meter. The Township has the right to require installation of such valves at the customer's expense before discontinuing service. When service is discontinued, the meter may be removed. Meters will be re-installed upon the completion of a new application for water service if appropriate and payment of all charges for the premises involved.
2. All contracts for water service shall continue in force from day to day, and cannot be canceled by the customer until all bills have been paid in full, but either party may cancel the contract by giving five (5) days written notice that the contract shall terminate at the expiration date contained in the notice. The final charge shall be pro-rated on a daily basis for the quarter. In cases where water is turned off and the meter removed for final billing, no further charge for water service will be made until service is again requested. The customer may request a temporary discontinuance of water service without removal of meter, at a charge, but the monthly minimum water charge shall continue during the period of discontinuance. If the customer requests the removal of the water meter in order to suspend minimum charges during the period of discontinuance, a turn-off and a turn-on fee shall

be charged as set forth in the Schedule of Rates.

3. A new water service application must be entered into for any change in ownership or property or customer identity. The Township shall have the right to discontinue water service until a new application is completed, signed, and approved. Contracts may be cancelled by the Township for proper cause at any time, upon giving five (5) days notice of such cancellation to the applicant.
4. Where a building is to be demolished, the disconnection of service will include excavation and disconnection of the service line at the water main. The cost of such disconnection at the water main will be borne by the customer and will be in addition to the disconnection fee payable at the time of application for disconnection of service.
5. No customer may disconnect or re-install service to a property by operating the curb stop subject to charges for theft of service. (18 Pa CSA) Section 3926.

## **X. EXTENSION OF SERVICE**

### **A. MAIN EXTENSION REQUIREMENTS**

1. Applicants requiring a water main or system extension shall complete an application form and submit preliminary plans for review by the Township to determine system capability to accept the proposed additional requirements.
2. If accepted, the applicant will be notified in writing. Upon notification the applicant is required to proceed with detailed engineering and plans in accordance with the Townships Water Service Specifications.
3. Upon completion, extension plans shall be submitted for engineering and compliance review by the Township's engineer. With presentation of the plans for review, the applicant shall deposit with the Township an amount estimated by the Township Engineer to be required for the performance of the review. This amount may increase depending upon the number of resubmittals necessary to obtain approval. Any excess monies deposited after completion of the review and approval process will be returned to the applicant.
4. Following engineering approval and prior to construction, the applicant will be required to enter into a Service Agreement, a Public

Improvement Escrow Agreement, and a Professional Services Escrow Agreement with the Township.

5. Mains shall be sized to meet the applicant's needs, except that all main extensions shall be a minimum main size of 8" in residential areas, and a minimum main size of 12" in commercial and industrial areas. Main extensions at less than the minimum size must be approved in writing in advance of installation by the Township.
6. Where the size of a main is increased beyond the larger of either of the minimum size or the size required to serve the applicant's needs as determined by the Township, and the increase is a requirement of the Township, rather than a requirement of the service requested, the additional cost thereof shall be borne by the Township.
7. The applicant shall obtain for and supply to the Township executed easements in a form approved by the Township providing for access for construction, replacement, maintenance and repair of all water mains and service connections to be installed in easements not a part of public rights of way.
8. Extension of service to a new area may require the construction of facilities in addition to water main, such as pumping stations and storage tanks. The necessity for these facilities will be determined by the Township and the construction of said facilities shall be accomplished in the same manner as water main extensions.

## **XI. MISCELLANEOUS REGULATIONS**

### **A. ACCESS BY TOWNSHIP PERSONNEL**

1. Any authorized employee of the Township, upon presentation of credentials, shall be provided with access at all reasonable hours to any premises connected to Township mains, for the purpose of reading meters, making inspections or repairs, and securing such other information as may be deemed necessary by the Township. Upon neglect or refusal on the part of the customer to provide such access to the premises, service may be discontinued, and in that case the Township will not be liable for any damages or inconveniences suffered by the customer.

### **B. TEMPORARY INTERRUPTION OF SERVICE**

As necessity may arise in case of a break, emergency or other

unavoidable cause, the Township shall have the right to temporarily interrupt service in order to make necessary repairs of connections, or to change or test water meters pursuant to the above Rules and Regulations.

In such an event, the Township will use all reasonable and practical measures to notify customers of the proposed discontinuance of service, but will not be liable for any damage or inconvenience suffered by reason of an interruption in service. This would include a lessening or decrease in supply, or inadequate pressure due to any cause beyond the reasonable control of the Township. The customer hereby expressly holds the Township harmless for any damages resulting from such interruption of service.

C. DROUGHT AND SCARCITY OF WATER

1. In time of drought or any scarcity of water, the Township reserves the right to cause a discontinuance of the supply of water for the following reasons: the sprinkling of lawns, gardens, lots, streets, washing of cars, (except commercial car washing establishments) running of fountains, or the use of water in any other way which is not absolutely necessary for health or comfort. Public notice of the discontinuance of water for such purposes shall be given and any person or persons using the said water for any purpose prohibit in said notice after the publication thereof shall, upon conviction in summary proceedings, pay a fine of not less than Five Dollars (\$5.00) nor more than Twenty-Five Dollars (\$25.00) for each and every offense, to be recovered as fine and penalties are by law collected.

D. DAMAGE AND OBSTRUCTION TO WATER FACILITIES

1. If any person or persons shall break, injure or do any damage whatever to any facilities of the Township, or trespass upon the Township's property, or deposit trash upon the same, or do anything to affect the quality of the water the Township supplies or otherwise interfere with the operation of the water system, such person or persons so offending and aiding and abetting the same shall forfeit and pay, upon summary conviction for such offense, a sum not exceeding One-Hundred Dollars (\$100.00) and every such person or persons shall be liable to an action to make good the damage done.

END

**Chapter 26**

**WATER**



**Part 1**  
**WATER SYSTEM RULES AND REGULATIONS**

**§ 26-101. Contract. [Res. 93-12, 6/1/1993, § 1]**

These rules and regulations are a part of the contract with every person who takes water service, and every such person by taking water agrees to be bound hereby.

**§ 26-102. Effective Date. [Res. 93-12, 6/1/1993, § II]**

This Part shall become effective at once and shall be applicable on or after June 1, 1993, to all properties then connected to or as soon as they respectively become connected to and have the right to use the water system. The Township reserves the right to amend this Part or to change the rates or charges in such manner and at such times as, in its opinion, may be advisable.

**§ 26-103. Definitions. [Res. 93-12, 6/1/1993, § III; as amended by Ord. 99-5, 11/3/1999]**

As used in this Part, the following terms shall have the meanings indicated:

**APPLICANT** — A person who enters into a contract with the Township for water service at a premises.

**AUTOMATIC READOUT** — A remote receptacle mounted on the outside of the structure that is electrically connected to the water meter that enables obtaining a water meter reading without entering the premises.

**CONTRACTOR** — A builder or other user of water on a temporary basis for construction purposes.

**CORPORATION STOP** — The first valve on a service line from the main. This valve is operated to turn on service to a customer.

**CROSS-CONNECTION** — Any connection, direct or indirect, which physically joins a customer line or any piping extension thereof to a nonpotable body or source of water or to a water supply system other than that of the Township or to a possible source of contamination.

**CURB STOP AND BOX** — The second valve on a service line from the main after the corporation stop. The valve and box cover is located near the right-of-way line with the box cover set at ground level. The valve is operated to turn on service or to shut off service to a customer.

**CUSTOMER** — Any person who receives water service from the Township and/or is responsible for payment for water service to a property.

**CUSTOMER SERVICE LINE** — The entire water service pipe extending from the Township's water service connection to the customer's building including the curb stop or service valve, curb box or valve box and meter pit or box, backflow preventer and, if required, a pressure reducing valve

and any other fittings deemed appropriate by the Township. The customer service line is the property of the owner.

**FIRE LINE CAPACITY FEE** — A one-time charge to owners of new fire service line that connect to the Township's water system. This charge to a new customer is equal to the equity of existing customers per gallon of capacity, at a rate per gallon in an amount as established, from time to time, by resolution of the Board of Supervisors. That is, new customers purchase ownership in the system in a manner similar to the purchase of stock ownership in an investor-owned company. This charge is based on the cost of transmission lines and storage facilities only.

**FIRE SERVICE CONNECTION** — A connection made to the Township's water supply system to provide for flow of water to fire hydrants or to fire suppression systems contained within buildings. A fire service connection can be metered or unmetered (as in the case of fire hydrants) as provided in § 26-108 of this Part.

**MAIN EXTENSION** — Extension of service requiring the construction of one or more additional water mains.

**METER** — A device for measuring the quantity of water used which is a basis for determining charges for water service to a customer.

**OWNER** — The person in whose name the deed for a property is recorded.

**PERSON** — An individual, partnership, company, corporation, association, corporate political body, joint ownership or any other entity capable of functioning in the context used herein.

**PREMISES** — The property, building or other site to which water service is furnished, including:

1. A building or combination of buildings owned and/or leased by one person, served by one service line.
2. Each side of a double house or each housing unit; each side or end of which is serviced by a separate customer service line and meter.
3. Each apartment, office or suite of offices located in a building having several such apartments, offices or suites of offices, each being served by a separate meter.
4. Such other situations as the Township shall deem proper and advisable.

**SERVICE LINE INSPECTION FORM** — A form, written and signed by a Township representative, verifying the proper installation and/or disconnection of a customer service line and compliance with this Part.

**STANDBY SERVICE** — Water service provided by the Township, either metered or unmetered, through which flows are not normally recorded and for which the Township must maintain water service capacity at an agreed upon level. Standby service can include service for fire protection as well as to supplement service provided from a source of supply other than that of the Township.



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TEMPORARY SERVICE — Temporary metered water service supplied to a customer at a location which does not receive permanent service.

TENANT — A person who leases or rents premises from an owner.

TOWNSHIP — The Township of Valley, Chester County, Pennsylvania.

WATER CAPACITY FEE — A one-time charge to owners of new buildings that connect to the Township water system for the first time. It is a charge to new customers that is equal to the equity of the existing customers per gallon of capacity which is in an amount per gallon as established, from time to time, by resolution of the Board of Supervisors. That is, the new customers purchase ownership in the system in a manner similar to the purchase of stock ownership in an investor-owned company. As a result, the new customer, whose rates are the same as existing customers, is placed on an equal basis with existing customers who have contributed the Township's capital requirements in past years.

WATER CONNECTION FEE — Reimbursement to the Township for the labor and materials required to physically tap a water main for the connection of a customer service line to a Township water main.

WATER CONNECTION PERMIT — The permit describing capacity and connection fees required from first time users and from those persons requiring a new tap.

WATER DISCONNECTION FEE — Reimbursement to the Township for the labor and materials required to physically disconnect a customer service line from a Township water main.

WATER SERVICE — Provision by the Township of water as a commodity.

WATER SERVICE AGREEMENT — An agreement between the developer/owner and the Township for the purpose of obtaining water service for the unit(s) to be constructed or existing that require public water service.

WATER SERVICE APPLICATION — An application required for any person requesting or receiving water service from the Township.

WATER SERVICE CONNECTION — The fitting, owned by the Township and installed on a Township water main, connecting a customer service line to a Township water main. Primarily consists of a corporation stop valve, a short length of pipe and a curb stop valve in a box to provide access to the valve from the ground surface.

WATER SYSTEM — Township's water supply and distribution facilities, taken as a whole, or any portion thereof.

**§ 26-104. Water Service. [Res. 93-12, 6/1/1993, § IV; as amended by Ord. 99-5, 11/3/1999]**

1. Water Connection Permit.

- A. Anyone desiring the installation of a new service connection into the Township's water main shall first make application at least five

days before service is required for a water connection permit which shall include the following fees:

- (1) Calculation of Connection Fee, Customer Facilities Fee, and Tapping Fees. **[Amended by Ord. No. 2003-01, 1/21/2003; and by Ord. No. 2005-08, 9/6/2005]**

(a) Background.

- 1) Act 57 of 2003 (House Bill 51, Printers' Number 3049) amends Act 203 of 1990.<sup>1</sup> Act 57 of 2003 governs municipal authorities in the charging of fees and, by reference, fees for other local government units providing water and sewer service. Act 57 continues the imposition of three separate fees for those connecting to the distribution facilities of the Township. The three authorized fees are the connection fee, the customer facilities fee, and the tapping Fees. The tapping fees are composed of four parts or components. These components are the capacity part, the distribution part, the special purpose part and the reimbursement part. The fees are intended to allow the Township to recoup the expenditure of certain specific capital costs related to building the facilities.
- 2) Act 57 has no bearing or affect on water bills. Water bills are for operating and maintaining the water system and to pay off related water revenue bonds.

<b>Schedule Reference</b>	
<b>Title</b>	<b>Reference</b>
Connection Fee	Schedule A
Customer facilities fee	Schedule B
Tapping fee capacity part	Schedule C
Tapping fee distribution part	Schedule D
Tapping fee special purpose part	Schedule E
Tapping fee reimbursement part	Schedule F

(b) Schedule A: Calculation of the Connection Fee.

- 1) The connection fee covers the actual cost of the facilities installed between the Township's water main

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1. Editor's Note: See 53 Pa.C.S.A. § 5607

and the curb stop or right-of-way line of the property to be connected to the Township water system.

- 2) Valley Township requires that this installation be performed by an approved pipe line contractor at the property owner's cost. The Township's cost to open an account, explain the regulations and issue a permit is chargeable to the property owner. The Township Engineer inspects the work, and this cost is also the responsibility of the property owner.

- 3) Costs are broken down as follows:

Administrative costs (50 minutes at \$30 per hour)	\$25
Township Engineer	
Connection inspection (1 hour at \$65 per hour)	\$65
Surface repair inspection (1 hour at \$65 per hour)	\$65
Maximum allowable connection fee	\$155

- 4) Any conditions that result in extra work by Township Administration or Township Engineer shall be charged at the cost of time and materials in addition to the above fee. This shall include PennDOT and Township road opening permits, when required.

(c) Schedule B: Calculation of Customer Facilities Fee.

- 1) The customer facilities fee covers the actual cost of the facilities installed between the curb stop or right-of-way line of the property and the property owner's building to be connected to the Township water system.
- 2) Valley Township requires that this work be performed by an approved contractor and at owner's cost. The property owner must first obtain a permit as described in Schedule A. The Township Building/Plumbing Inspector inspects the work, and this cost is also the responsibility of the property owner.
- 3) Costs are broken down as follows:

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Township Building/Plumbing Inspector (1 hour at \$30 per hour)	\$30
Maximum allowable customer facilities fee	\$30

4) Any conditions that result in extra work by Township Administration or Township Inspectors shall be charged at the cost of time and materials in addition to the above fee.

(d) Schedule C: Calculation of Water System Capacity Part Fee.

Valley Township average household size from 2000 census	2.66 persons
Water capacity required per person from Act 57 of 2003	65 GPCD
Flow per connection per day (65 GPCD X 2.66 persons)	172.90 GPD
Capacity by contract with CCA (now PAWC) December 6, 1990 <sup>1</sup>	0.950 GPD
Total allowable cost	0.527 million dollars
Unit cost (\$0.527M/.950MGD)	\$0.555 per GPD
Maximum allowable capacity facilities tapping fee (172.90 GPD X \$0.555/GPD)	\$95.91 per connection

Note 1: CCA is the City of Coatesville Authority. PAWC is the Pennsylvania American Water Company which took over CCA.

(e) Schedule D: Calculation of Water System Distribution Part Fee.

Valley Township average household size from 2000 census	2.66 persons
Water capacity required per person from Act 57 of 2003	65 GPCD
Flow per connection per day (65 GPCD X 2.66 persons)	172.90 GPD
Capacity by contract with CCA (now PAWC) December 6, 1990 <sup>1</sup>	0.950 MGD
Total allowable cost	0.0182 million dollars

Unit cost (\$0.0182M/0.950MGD)	\$0.0192 per GPD
Maximum allowable distribution facilities tapping fee (172.90 GPD X \$0.0192/GPD)	\$3.31 per connection

Note 1: CCA is the City of Coatesville Authority. PAWC is the Pennsylvania American Water Company which took over CCA.

(f) Schedule E: Calculation of Water System Special Purpose Part Fee.

- 1) The special purpose part is for special purpose facilities and is applicable only to a particular group of customers or for serving a particular purpose or a specific area based upon the cost of the facilities, including, but not limited to, booster pump stations, fire service facilities, water or sewer mains, pumping stations and industrial wastewater treatment facilities. Such facilities may include only those that provide existing service.
- 2) This component of the tapping fee is computed for each particular special purpose or group or area. The ultimate cost will depend on the cost elements of the special purpose component. The special purpose part tapping fee may not be collected after the cost of the special purpose part has been paid by the original design capacity number of units.
- 3) The special purpose part is applicable to existing facilities only and may not be used for future facilities.
- 4) There are no special purpose part tapping fees in the water system of Valley Township at this time. They may be included when the need arises. Calculations of the special purpose part shall be in accordance with Act 57.

Maximum allowable special purpose fees	\$0
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(g) Schedule F: Calculation of Water System Reimbursement Part Fee.

- 1) The reimbursement part shall only be applicable to the users of certain specific facilities when a fee required to be collected from such users will be reimbursed to the person at whose expense the facilities were constructed as set forth in a written

agreement between the Township and such person at whose expense such facilities were constructed.

- 2) The reimbursement fee can only be charged to those who will have a direct use of the facilities. Total reimbursement may not exceed the actual cost of construction.
- 3) A reimbursement agreement between DHLP-Meadowbrook, LP and Valley Township was signed on December 11, 2002, to compensate DHLP-Meadowbrook for the cost of water mains constructed by them but that will be used by other residences not in their development. See Exhibit C.<sup>2</sup>
- 4) The amount of this reimbursement is defined in the agreement (see Exhibit A) attached.<sup>3</sup> It is calculated to be \$643.35 per residence. A total of 691 residences are allowed to connect after paying the fee. No money may be collected after the developer has recouped his costs.

Maximum allowable reimbursement fee	\$643.35
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(h) Summary of Maximum Allowable Fees.

Connection Fee (new service within the public right-of-way)	\$155.00
Customer facilities fee	\$30.00
Capacity fee	\$95.91
Distribution fee	\$3.31
Special purpose part	\$0.00
Total maximum allowable fee	\$284.22
Reimbursement part, as applicable	\$643.35

2. Water Service Application.

- A. A new application for water service must be made and approved by the Township at least five days before service is required for introduction of new water service and in the case of any change in ownership of property and/or tenancy where the tenant is the customer. In the event of a change in billing name without a change in occupancy (i.e., owner requests change from his name to tenant's name or vice versa) a new application will be required. The Township shall have the right, upon 10 days' notice, to discontinue

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2. Editor's Note: Exhibit C is on file in the Township office.

3. Editor's Note: Exhibit A is on file in the Township office.

existing water supply services until a new application has been made and approved.

- B. All applications for water service are made subject to approval of the Township. The application will not be approved until the Township receives payment of the appropriate connection and capacity fees, as stipulated in the schedule of rates and charges, and other charges stipulated by the Township in duly adopted schedules of charges.
  - C. The application for water service, which must be signed by the applicant and all deeded owners, together with these rules and regulations of the Township, shall constitute the contract between the customer, owner and Township to regulate and control the service of water to such premises.
  - D. A tenant may enter into a contract for water service providing that the application is cosigned by the owner and that the owner acts as guarantor for the payment of all bills rendered on the account.
  - E. If a customer is on the system less than six weeks prior to the Township's quarterly billing date, the customer will not receive a bill that quarter. During the next billing cycle the customer will be billed for their current three months, along with the weeks not billed in the previous quarter. If a customer is on the system for more than six weeks prior to the Township's quarterly billing date, the customer will be billed for usage based on meter readings, taking into consideration minimum usage charges and quantity discount levels.
  - F. Separate applications for water service must be made for:
    - (1) Each premises.
    - (2) Each fire service connection, whether public or private.
    - (3) Such other cases as the Township deems proper and advisable under the circumstances.
  - G. All water service furnished by the Township must be provided through approved connections, complete with water meters. Any water taken through unmetered services or unapproved connections to Township water mains will result in the discontinuance of service and the imposition of other charges as deemed appropriate.
3. Service Replacements.
- A. Anyone desiring to replace a service line or lines from the Township into his or her premises must make application for a new water connection permit. Rules and regulations applying to water connection permits, Subsection 1 above, shall apply to the installation of all replacement services.

- B. No new service connection will be activated by the Township for service replacement until the old service connection is disconnected from the main and the new service line is inspected and approved by the Township.
  - C. The Township will not activate any new service connection until all fees, Subsection 1, have been paid. A capacity fee will not be required unless the meter size increases.
4. Deposits.
- A. Temporary Service. A deposit will be required in cases of temporary service in an amount equal to the estimated gross bill for such temporary period, and subsequently, will be applied to the actual usage charge.
  - B. Special Cases. A deposit, based on prior years usage, shall be required from the following customers:
    - (1) A customer who has filed bankruptcy and is not legally required to pay for past service.
    - (2) A customer who has a record with the Township of late payments at another Township service address.
    - (3) A customer who violated this Part in the past.
    - (4) A customer who has an outstanding final bill at another Township service address.
    - (5) Any other instance the Township deems necessary.
  - C. Deposit will be returned, without interest, to the depositor when he shall have paid bills for service on a timely basis for a period of 12 consecutive months; or upon discontinuance of service by the customer request and payment of all charges due.
  - D. Any customer having a deposit shall pay bills for water service as rendered in accordance with the rules and regulations of the Township and the deposit shall not be considered as payment of a bill during the time the customer is receiving water service.
  - E. Deposit will be in an amount equal to the average or projected average usage for six months. The deposit will not accrue interest for the benefit of the customer.

**§ 26-105. Conditions of Installation, Disconnection and Use. [Res. 93-12, 6/1/1993, § V; as amended by Ord. 99-5, 11/3/1999]**

- 1. Service Limited to Premises Only. No customer or any premises supplied with water by the Township shall be allowed to supply water to other persons or families or other premises except by written permission from the Township. Customers who violate this rule shall



have their water service discontinued five days from the date of a written notice mailed to the customer and the water shall remain off until the Township is satisfied that the rules and regulations shall be observed. The published turn-on fee will be charged and collected prior to turning on the water.

2. Customer Service Connection/Disconnection.

- A. After a customer applies for and obtains a new water connection permit, pays all applicable capacity fees, connection fees, disconnection fees and other charges and enters into a contract for water service through an approved water service application, Township shall approve installation of the fitting allowing for connection of the customer service line to a Township main (water service connection) but water service shall not be turned on until a complete customer service line (see "definitions") is installed, tested by the installer under the supervision of a Township representative and subsequently approved through a service line inspection form completed by said Township representative.
- B. In the event a new service line is to be installed at a location where there is an existing service line to be abandoned, the Township shall not turn on the new service line until the existing corporation stop has been turned off and inspected by a Township representative as evidenced by a completed service line inspection form.
- C. The customer or owner is responsible for excavation, backfill, street restoration and any street opening permits at the location where there is a new service connection or a disconnection of the old water service connection. The connection or disconnection of water service shall be made only by a Township authorized contractor. The cost is included in the water connection or disconnection fee.

3. Customer Service Lines.

- A. Each premises must have a separate customer service line which shall be installed and maintained by, and at the expense of, the owner. It shall be laid not less than four feet below the surface (and not less than four feet distant from any open area or vault) and shall not be covered until the water service connection is inspected by a Township representative authorized to make said inspection and the service line is tested and approved by the authorized Township representative. If any defects in workmanship are found, the service shall not be turned on until such defects are corrected.
- B. Residential, commercial, industrial and fire service lines shall be properly sized by the Township for the required demand, but shall be no smaller than three-quarters of an inch in diameter.

- C. All water service piping less than three inches in diameter shall be Type K copper tubing with flared joints. No soldered joints shall be permitted underground. Piping three inches in diameter and larger shall be ductile iron with push-on or mechanical joints.
- D. The location of the service line, curb stop and curb box shall be designated by the Township and no water service line shall occupy the same trench with any other facility, including a sewer lateral, of any public or private utility unless such installation plan shall have been previously authorized and approved by the Township as evidenced by its written permission.
- E. No service connections shall 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.
- F. When the customer desires a change in location or size of an existing line, or the replacement of any portion, the entire cost of the change shall be borne by the customer.
- G. A curb stop with a four-inch diameter curb box and over shall be installed in each customer service line between the main and the premises out of the street cartway at a location at or near the street right-of-way line. Failure to install a curb box to existing service lines, within 60 days of notice, shall result in excavation of the service line by the Township at the point of connection to the water main and discontinuation of service. The owner shall in turn be billed for all related costs including costs of disconnection. If the owner fails to pay the related costs upon billing, said costs shall be incorporated into a municipal lien, appropriately filed and recorded against the property consistent with state law.
- H. A separate stop or valve shall be installed by the customer or owner in each customer service line immediately inside the wall between the wall and the meter. The customer or owner shall also install a stop or valve, with drain, on the outlet side of the meter.
- I. If the pressure in a service line at the water service connection is deemed excessive by either the Township, customer or owner, the responsibility of installing a pressure regulator (Watts model or approved equal) and all costs thereof shall be borne by the customer or owner. The Township assumes no responsibility for property damage due to excessive system pressure.
- J. The customer service line including curb stop, curb box, valves and meter pit or box shall be kept in good physical condition by the owner. The curb box or meter pit/box shall be kept free of dirt and debris by the owner. The Township has the right to require an owner to replace a deteriorated customer service line or any part thereof within 60 days of notice. Failure to adhere to these

requirements shall result in discontinuance of service by the Township and a charge to the owner for all related costs, including costs of disconnection.

- K. The Township shall not be responsible for damage done by water escaping from the customer service line. All leaks must be repaired by the owner within 72 hours of a written notice from the Township. If a leak has not been repaired by the owner within 72 hours of said notice, the Township may discontinue service and shall bill the owner for all related costs, including costs of disconnection and water loss.
  - L. If the Township finds a leak to be excessive and/or to create an emergency condition, to protect the public, the Township may, without notice, take any steps deemed necessary to reduce the leak and/or discontinue service until repairs are made. The cost of such emergency steps taken with regard to the customer service line shall be billed to the property owner, together with the estimated cost of water loss.
  - M. All service line work must be inspected and approved in writing by Township personnel before back filling.
  - N. When outside meter pits or boxes are deemed necessary by the Township, installation standards will be determined by the Township and installation must be approved by the Township as evidenced by a complete service line inspection form.
  - O. The methods and workmanship shall be approved by the Township Plumbing Inspector. All work shall comply with the requirements of the local and State plumbing codes and the work shall be of professional quality.
  - P. No connections will be permitted to the service line prior to the meter.
4. Opening and Closing Valves.
- A. Under no circumstances shall a customer, plumber or any person not authorized by the Township open or close the curb stops, corporation stops or service valves in any public or private line. Violators shall be charged for Township time expended in each case.
  - B. The Township shall not be responsible for the failure of any customer's valves including, but not limited to, the curb stop and meter valves during use by the Township. Failure to repair or replace faulty customer service line valves shall result in the discontinuance of service as described in Subsection 3J.
5. Two or More Customers on Same Service Line.

- A. Each customer with an inside meter shall be supplied through a separate water service connection and line, including a separate curb stop and curb box, and a separate meter. Two or more customers on the same service shall separate such water within 60 days after issuance of written notice. Failure to comply with such notice shall be considered a violation of this Part and may result in discontinuance of service and a charge to the owner for all related costs.
  - B. Each customer with an outside meter shall be supplied through a separate water service connection and line and a separate meter with an approved meter pit. The customer or owner shall separate such water service after receiving 60 days' notice. Failure to comply with such notice shall be considered a violation of this Part and may result in discontinuance of service and a charge to the owner for all related costs.
  - C. When two or more customers are supplied through a single water service line, any violation of this Part, including delinquency on water and sewer bills, by either or all of said customers, shall be deemed a violation to all customers, and the Township may take such action as could be taken against a single customer, except that such action shall not be taken until the customer, who is not in violation of this Part, has been provided 60 days to install a separate water service connection. Failure to comply with such notice shall be considered a violation of the rules and regulations and may result in discontinuance of service and a charge to the owner for all related costs.
6. Temporary Service. An approved water service application shall be required prior to the Township granting temporary service. Water for temporary service shall be furnished by metered service. The Township shall install and disconnect the meters and shall charge for temporary service in accordance with the Schedule of Rates and Charges. A meter deposit in an amount as established, from time to time, by resolution of the Board of Supervisors, shall be made.
  7. Nonpermissible Connections and Backflow Prevention.
    - A. It is the intent of the Township to protect the quality of the potable water in its water supply system by prohibiting connections within its customer's plumbing systems to a source of contamination and by preventing the backflow of water from its customer's plumbing system into the Township water system.
    - B. The Township shall have the right to inspect its customers' plumbing systems for prohibited cross-connections, to require that the cross-connection be eliminated and to require the installation at the customer's expense of backflow prevention devices for existing or new services.
    - C. The following connections are prohibited:

- (1) Cross-connection of Township's water system with any other water supply system, such as private wells, without Township authorization.
  - (2) Cross-connection of the Township's water system with any device that may create or cause the condition known as "water hammer" in the water system.
  - (3) Direct connection between a booster pump, boiler plant, boiler pump or boiler and the water system.
  - (4) Connections for water use as cooling water.
- D. With all new applications for water service connections, a backflow preventer or approved equal shall be installed at the customer's expense. For residential connections, a Watts series 7 dual check valve backflow preventer or approved equal.
- E. The Township may order an existing customer, upon replacement of service or meter set, to install a backflow device. If, upon inspection by the Township, it is determined that an immediate hazard exists because of the potential for backflow from the customer's property, the Township reserves the right to disconnect the service. Customers who have been ordered to install a backflow prevention device shall do so within three days of notice from the Township or the Township shall have the right to disconnect the customer's service. Disconnections of service shall be subject to the payment of charges and all costs as provided herein. The customer shall retain ownership of the backflow prevention device and shall be responsible for such periodic testing and maintenance as required by the Township.
- F. The Township shall approve the type of backflow prevention device which shall be required.
- G. A double check valve backflow preventer assembly with built-in provisions for testing the check valves shall be used for low and intermediate degrees of contamination hazard. (Watts double check valve Series 709 with dual ball type shutoff valves).
- H. A reduced pressure backflow preventer assembly shall be used for high degrees of contamination hazard. (Watts reduced pressure backflow prevention Series 909 with dual ball type shutoff valves).

**§ 26-106. Terms of Payment. [Res. 93-12, 6/1/1993, § VI]**

1. Bills Rendered and Computed.
  - A. All bills will be rendered quarterly for the period immediately preceding the date of the bill. Bills for metered service shall be determined according to the rates in the schedule of rates and charges by meter registration or minimum charges, whichever is

the higher. In every case where a meter fails to register, a bill will be rendered based on the last five quarters of full meter registration or average consumption for the total period of service, whichever is shorter.

- B. Bills for new services and final bills will be computed for the initial or final period of water use according to the schedule of rates and charges on the actual consumption or a pro-rated minimum whichever is the greater. The minimum charge shall be pro-rated on a daily basis for the quarter in which service is established or terminated.
2. Bills Due and Payable.
- A. All water bills must be paid by the due date stated on the bill.
  - B. Charges for connections, temporary uses and special services shall be payable at the time the application is submitted and before the service is granted or on demand. Actual use shall be based on meter readings.
  - C. Payment must be received at the Township office by the due date. If mailed, the postmark is not considered.
  - D. The use of water by the same customer in different premises or localities will not be combined and each installation shall be billed separately.
  - E. Payments made at the Township office must be accompanied by the original bill.
3. Bills of Questionable Accuracy.
- A. Any customer, upon receipt of any bill and having reason to question its accuracy, shall bring or mail such bill to the Township office at least 10 days prior to the due date. In the event proper notice is given, the Township will investigate the bill and confirm its accuracy or issue a corrected bill and adjust the due date accordingly. In the event a request for investigation is received without the proper notice, the Township will investigate the bill and confirm the accuracy or issue a corrected bill and there will be no adjustment to the due date. The customer can, at his option, pay the questioned bill by the due date to avoid the penalty. Should the bill prove to be incorrect, an adjustment will be made to the account.
  - B. If the Township has already verified a questionable reading as accurate, and a customer requests an additional reading, a service charge will be applied.
4. Failure to Receive Bill. Failure to receive a bill shall not exempt any customer from the obligation to pay the bill.

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5. Charge for Late Payment. Bills remaining unpaid after the due date shall accrue interest charges until paid in accordance with the rate in the Schedule of Rates and Charges.
6. Bad Checks. If a customer's check is returned to the Township from a financial institution, an additional service charge, in accordance with the rate in the Schedule of Rates and Charges, will be made for each occurrence.

**§ 26-107. Meters. [Res. 93-12, 6/1/1993, § VII; as amended by Ord. 99-5, 11/3/1999]**

1. Determination of Metering. All water use shall be metered unless otherwise approved by the Township.
2. Size, Installation and Ownership of Meters.
  - A. The Township shall determine the size of the meter to be installed and will furnish the meter at the customer's expense. The meter shall remain 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.
  - B. Meters will have a remote readout device which shall be mounted on the exterior of the building in an accessible location acceptable to the Township. The readout device shall be wired to the meter by the customer's installer in accordance with the manufacturer's instructions.
3. Payment for Meters. The customer shall pay for furnishing the meter and for the installation of the meter. Where a service line and meter already exist, no meter payment will be required unless a change in meter size is required or there is a change in the number of dwelling units.
4. Location of Meters.
  - A. The Township will Determine the Location of all Meters. Outside meters must be placed in an approved meter box provided by the customer, at the expense of the customer, and must have suitable tops or valves with drains approved by the Township. 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 basement near the entrance of service pipes to the basement with a check valve, stop or valve with drain on the outlet side of the meter and a stop or valve on the inlet side of the meter.
  - B. Notwithstanding the foregoing rules, multiple users may be supplied through a single meter if all the customers are supplied through a single service line and the application for water service is made by the owner, and the owner accepts liability for billings

resulting from the building or buildings occupied by such users and if such application is approved by the Township.

5. Protection of Meters.

- A. The customer must, at all times, properly protect the meter against loss or damage due to freezing, external causes or customer negligence. Any loss or damage to the meter or readout device shall be repaired by the Township at the customer's expense. In case payment for any loss or damage is not made within 10 days after presentation of the bill, the Township may terminate the supply of water to the customer until all proper charges are paid.
- B. No one shall remove, replace or otherwise tamper with water meters. Water meters will be installed, removed, replaced or maintained only as directed by Township personnel.

6. Meter Tests.

- A. The Township reserves the right to test or replace any meter at any time.
- B. At the written request of a customer, the Township will make a test of the accuracy of the meter supplying his premises. Each request for a meter accuracy test shall be accompanied by a charge in accordance with the rate in the schedule of rates and charges. If the results of such a test indicate that the meter registers more than 4% high, the fee shall be refunded. If the test shows the meter is registering properly or low, the meter testing charge is retained by the Township and the current water bill in question shall be recalculated.

7. Leaks and Defective Plumbing.

- A. 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, and it is expressly stipulated that no claims shall be made against the Township on account of the bursting or leaking or breaking of any main or service pipe or any attachment to the Township's distribution system and the customer hereby expressly waives and relinquishes all claims and agrees to hold the Township harmless from any such claim of himself or his tenant.
- B. All water passing through a meter shall be charged for at the regular rate and no allowance will be made for excessive consumption due to leaks or waste.
- C. In order to prevent the loss of excessive water, the Township may, upon notice to the customer, discontinue service until such time as repairs are made to leaks or defective plumbing.



**§ 26-108. Fire Service and Other Special Uses. [Res. 93-12, 6/1/1993, § VIII]**

1. Public Hydrant Service.
  - A. Upon written request of a private user and when appropriate conditions of water system pressure and supply exist to support the installation of fire hydrants, the Township may approve installation of such hydrants at its option. The installation shall be made by a contractor approved by the Township at the expense of the private user. The private user shall be responsible for payment of fire protection service in accordance with the then prevailing Township Rate Schedule which shall be billed monthly, quarterly or annually in advance.
  - B. When a private user no longer desires service from a particular hydrant the private user shall send written notice to the Township requesting its removal. All costs associated with the removal shall be paid by the private user with a deposit of the Township's estimated cost submitted prior to the removal of the hydrant. The private user shall retain financial responsibility for the hydrant for 30 days after the Township's receipt of the written notice. If the private user has already paid the annual hydrant rental fee, as specified in the then prevailing Township rate schedule, a pro-rated rebate or credit will be issued to them at the end of the 30 days' period. After the thirty-day period the Township is no longer responsible for the maintenance of the hydrant.
  - C. When a private user desires removal of a fire hydrant, the user shall send written notice to the Township for such change which shall be made by the Township at the expense of the private user. A deposit covering the Township's cost of removal must be submitted to the Township prior to removal of the hydrant(s).
  - D. No fire hydrant shall be used without the Township's permission for any purpose other than the extinguishing of fires, nor may fire hydrants be used for filling fire pumping equipment for use beyond the limits of the Township without the permission of the Township. A report to the Township must be made by the fire company after any use of a fire hydrant including, to the extent available, the number of gallons used.
  - E. No person other than Township personnel may conduct flow tests or otherwise tamper with a fire hydrant. Hydrants may be used only by authorized trained firefighting personnel during the actual fighting of fires.
  - F. The Township does not assume liability as insurer of property or person. Any municipality or customer receiving fire hydrant service will not be entitled (in the event of fire) to any service, pressure, capacity or facility other than available at the time. The Township shall not be liable for any damage or injury to any person or

property by reason of any fire, water, failure to supply water or pressure or capacity, or lack thereof, due to any cause beyond the reasonable control of the Township and the customer hereby expressly holds the Township harmless for any such damage(s) or injury (injuries) that may result.

- G. The municipality or private user understands that fire hydrant charges are a compensation for "standing ready to serve" and that for said charge the use of water is not contemplated except for the actual extinguishing of fires. All unauthorized hydrant use will be subject to criminal prosecution as theft of service (18 Pa.C.S.A. § 3926).

2. Private Fire Service.

- A. Any person desiring a private fire service connection shall submit an application for that connection and service to the Township. Applications and service connections shall be made and paid for in accordance with previous requirements contained in this Part. Availability of such service is subject to conditions of pressure and supply in the Township's water system.
- B. Fire service meters shall be required on all private fire service lines. The fire service meters shall be furnished by the Township at the expense of the customer.
- C. No customer service line for private fire service shall be larger than the maximum size permitted by the Township and each private fire service shall be at least one commercial size smaller than the main to which it is to be connected.
- D. No water shall be used through a customer service line for private fire service except for the purpose of extinguishing fires. No cross-connection shall be made between any such private fire service line and any regular water service or supply line. Fire and regular water service shall be metered separately.
- E. The Township does not assume any liability as insurer of property or person. Any customer receiving fire service will not be entitled (in the event of fire) to any service, pressure, capacity or facility other than that available at the time, in view of the circumstances of the Township at that time. The Township shall not be liable for any damage or injury to any person or property by reason of any fire, water, failure to supply water or pressure or capacity or lack thereof due to any cause beyond the reasonable control of the Township.
- F. Private fire protection service charges shall be paid by the customer, as contained in the Township's schedule of rates and charges. These charges are compensation for "standing ready to serve" and such charges include the use of water for the actual extinguishing of fires and for the testing of the fire protection

service system. No testing is to be done unless prior notification is given to the Township and written approval received.

3. Boilers. The Township will not be responsible for any accidents or damage resulting from the use of water for steam boilers or any facilities depending upon the hydraulic or hydrostatic pressure in the pipe system of the Township for supplying such boilers or facilities.

**§ 26-109. Discontinuance of Service. [Res. 93-12, 6/1/1993, § IX]**

1. Discontinuance.
  - A. The Township reserves the right to discontinue water service for nonpayment of delinquent water bills after first giving the customer 10 days' notice of such proposed action in writing. Service so discontinued shall not be restored until the delinquent payments are made and turn-off and turn-on fees as stipulated in the schedule of rates and charges have been paid to the Township.
  - B. The Township reserves the right to shut off water for refusal to comply with this Part until the costs of the Township's work plus a 10% service fee has been paid.
2. Reasons for Discontinuance. Service may be discontinued for any of the following reasons:
  - A. Violation of any rules or regulations of the Township.
  - B. Misrepresentation in application as to property or fixtures to be supplied or the use of the water supply.
  - C. The use of water for any property or purpose(s) other than those described in the application.
  - D. Interference with any service pipe, meter, curb stop or seal, or any appliance of the Township.
  - E. Failure to install and maintain, in good order, connections, service lines or fixtures for which the customer or owner is responsible.
  - F. Waste of water through improper or imperfect pipes, fixtures or otherwise.
  - G. Vacancy of the premises.
  - H. Neglecting to make payments of any charges against the property.
  - I. Refusal of access to property for purpose of inspecting or for reading, servicing or removing meters.
  - J. Refusal to conserve water during periods of restricted supply.
  - K. Failure to pay all Township bills for a previous service within the Township.

- L. Any cross-connection, such as private wells, which would introduce water or liquid other than that supplied by the Township's system into the service line of the Township.
  - M. The Township shall have the right to discontinue water service, without notice, in case of breakdowns or for other unavoidable causes or for the purpose of making necessary repairs, connections, etc. Reasonable notice will be given when practicable. In no case shall the Township be liable for any damage or for inconvenience suffered.
3. Discontinuance at Customer's Request.
- A. When the premises are vacated, the customer [owner(s) or tenant(s)] must make a written request to the Township for the discontinuance of water service. The customer will be responsible for payment of all water used until the water is turned off. The customer must have as a part of his water service facilities for discontinuing service, i.e., curb stop and/or a service valve ahead of the meter. The Township has the right to require installation of such valves at the customer's expense before discontinuing service. When service is discontinued the meter may be removed. Meters will be re-installed upon the completion of a new application for water service, if appropriate, and payment of all charges for the premises involved.
  - B. All contracts for water service shall continue in force from day to day and cannot be cancelled by the customer until all bills have been paid in full but either party may cancel the contract by giving five days' written notice that the contract shall terminate at the expiration date contained in the notice. The final charge shall be pro-rated on a daily basis for the quarter. In cases where water is turned off and the meter removed for final billing, no further charge for water service will be made until service is again requested. The customer may request a temporary discontinuance of water service without removal of meter, at a charge, but the monthly minimum water charge shall continue during the period of discontinuance. If the customer requests the removal of the water meter in order to suspend minimum charges during the period of discontinuance, a turn-off and a turn-on fee shall be charged as set forth in the schedule of rates.
  - C. A new water service application must be entered into for any change in ownership or property or customer identity. The Township shall have the right to discontinue water service until a new application is completed, signed and approved. Contracts may be cancelled by the Township for proper cause, at any time, upon giving five days' notice of such cancellation to the applicant.
  - D. Where a building is to be demolished, the disconnection of service will include excavation and disconnection of the service line at the

water main. The cost of such disconnection at the water main will be borne by the customer and will be in addition to the disconnection fee payable at the time of application for disconnection of service.

- E. No customer may disconnect or reinstall service to a property by operating the curb stop or service line valve on the main side of the water meter subject to charges for theft of service (18 Pa.C.S.A. § 3926).

**§ 26-110. Extension of Service. [Res. 93-12, 6/1/1993, § X]**

1. Main Extension Requirements.
  - A. Applicants requiring a water main or system extension shall complete an application form and submit preliminary plans for review by the Township to determine system capability to accept the proposed additional requirements.
  - B. If Accepted, the Applicant will be Notified in Writing. Upon notification, the applicant is required to proceed with detailed engineering and plans in accordance with the Township's water service specifications.
  - C. Upon completion, extension plans shall be submitted for engineering and compliance review, by the Township's Engineer. With presentation of the plans for review, the applicant shall deposit with the Township an amount estimated by the Township Engineer to be required for the performance of the review. This amount may increase depending upon the number of resubmittals necessary to obtain approval. Any excess monies deposited after completion of the review and approval process will be returned to the applicant.
  - D. Following engineering approval and prior to construction, the applicant will be required to enter into a service agreement, a public improvement escrow agreement and a professional services escrow agreement with the Township.
  - E. Mains shall be sized to meet the applicant's needs, except that all main extensions shall be a minimum main size of eight inches in residential areas and a minimum main size of 12 inches in commercial and industrial areas. Main extensions at less than the minimum size must be approved in writing in advance of installation by the Township.
  - F. Where the size of a main is increased beyond the larger of either of the minimum size or the size required to serve the applicant's needs as determined by the Township and the increase is a requirement of the Township, rather than a requirement of the service requested, the additional cost thereof shall be borne by the Township.

- G. The applicant shall obtain for and supply to the Township executed easements in a form approved by the Township providing for access for construction, replacement, maintenance and repair of all water mains and service connections to be installed in easements not a part of public rights-of-way.
- H. Extension of service to a new area may require the construction of facilities in addition to water mains such as pumping stations and storage tanks. The necessity for these facilities will be determined by the Township and the construction of said facilities shall be accomplished in the same manner as water main extensions.

**§ 26-111. Miscellaneous Regulations; Violations and Penalties.  
[Res. 93-12, 6/1/1993, § XI; as amended by Ord. 99-5, 11/3/1999]**

1. Access by Township Personnel. Any authorized employee of the Township, upon presentation of credentials, shall be provided with access at all reasonable hours to any premises connected to Township mains, for the purpose of reading meters, making inspections or repairs and securing such other information as may be deemed necessary by the Township. Upon neglect or refusal on the part of the customer to provide such access to the premises, service may be discontinued and in that case the Township will not be liable for any damages or inconveniences suffered by the customer.
2. Temporary Interruption of Service. As necessity may arise, in case of a break, emergency or other avoidable cause, the Township shall have the right to temporarily interrupt service in order to make necessary repairs of connections or to change or test water meters pursuant to this Part. In such an event the Township will use all reasonable practical measures to notify customers of the proposed discontinuance of service but will not 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 reasonable control of the Township and the customer hereby expressly holds the Township harmless for any damages resulting from such interruption of service.
3. Drought and Scarcity of Water. In time of drought or any scarcity of water the Township reserves the right to cause a discontinuance of the supply of water for the following reasons: the sprinkling of lawns, gardens, lots, streets, washing of cars (except commercial car washing establishments), running of fountains or the use of water in any other way which is not absolutely necessary for health or comfort. Public notice of the discontinuance of water for such purposes shall be given and any person or persons using the said water for any purpose prohibited in said notice after the publication thereof, shall upon conviction, pay a fine of not less than \$5 nor more than \$600 for each and every offense, to be recovered as fine and penalties are by law collected.

4. Damage and Obstruction to Water Facilities. If any person or persons shall break, injure or do any damage whatever to any facilities of the Township or trespass upon the Township's property or deposit trash upon the same or do anything to affect the quality of the water the Township supplies or otherwise interfere with the operation of the water system, such person or persons so offending and aiding and abetting the same shall forfeit and pay for each offense a sum not exceeding \$600 and every such person or persons shall be liable to an action to make good the damage done.





**Part 2**  
**WATER-SAVING DEVICES REQUIRED**

**§ 26-201. Water-Saving Devices Required; Violations and Penalties.**  
**[Ord. 89-5, 9/19/1989; as amended by Ord. 96-4, 5/7/1996, § 26; by Ord. 97-2, 3/18/1997, § 26; and by Ord. 99-7, 11/3/1999, § 20]**

1. It shall be the responsibility of the owner(s) of all real properties within the Township presently or hereafter serviced by the Valley Township Water System to have water meters in accordance with the Valley Township water specifications.
2. It shall be the responsibility of the owner(s) of all real properties within the Township to connect to the Valley Township Water System with the following minimum performance standards:
  - A. For sink and lavatory faucets, maximum flow shall not exceed three gallons of water per minute when tested in accordance with American National Standards Institute (ANSI) A112.18.1M.
  - B. For shower heads, maximum flow shall not exceed three gallons of water per minute when tested in accordance with ANSI A112.18.1M.
  - C. For water closets and associated flushing mechanism, maximum volume shall not exceed an average of 1.6 gallons of water per flushing cycle when tested in accordance with the hydraulic performance requirements ANSI A11.2.19.2M and ANSI A112.19.6M.
  - D. For urinals and associated flushing mechanism, maximum flow shall not exceed 1.5 gallons of water per flush when tested in accordance with the hydraulic performance requirements of ANSI A112.19.2M and ANSI A112.19.6M.
3. The performance standards of Subsection 2 shall apply to plumbing fixtures and fittings installed in new construction and in existing structures and undergoing renovations involving replacement of such fixtures and fittings. The performance standards of Subsection 2 shall not apply to fixtures and fittings such as emergency showers, aspirator faucets and blowout fixtures that, in order to perform a specialized function, cannot meet the standards specified in Subsection 2.
4. Manufacturers shall certify that their plumbing fixtures and fittings comply with the water conservation performance standards specified in subsection (2). Such certification shall be based on independent test results.
5. The specifications referenced in Subsection 1 and the performance standards set forth in Subsection 2 shall be revised in accordance with any revision to the minimum performance standards regulated by the Delaware River Basin Commission.

6. Penalties. Any person who shall violate any provision of this Part shall be guilty of a summary offense punishable by a fine not to exceed \$1,000, together with all court costs and reasonable attorney's fees incurred in any such enforcement proceeding, and may further be punished by imprisonment to the extent permitted by law for summary offenses. Each day that a violation continues may be considered a separate offense.