

EXHIBIT H

**MUNICIPAL AUTHORITY OF THE BOROUGH OF SHENANDOAH,
PENNSYLVANIA
RESOLUTION NO. ____**

A RESOLUTION OF THE MUNICIPAL AUTHORITY OF THE BOROUGH OF SHENANDOAH, SCHUYLKILL COUNTY, PENNSYLVANIA (“MABS”) MEMORIALIZING THE BILLING RATE SCHEDULES AS OF SEPTEMBER 1, 2022.

WHEREAS, MABS is governed by Pennsylvania’s Municipal Authorities Act (the “Act”); and

WHEREAS, MABS bills its customers at varying rates for residential water service, large meter water service, fire protection services, fire hydrant services, and for various maintenance and service. A complete copy of which is attached hereto as Exhibit A.

WHEREAS, MABS desires to enact this Resolution to memorialize the rates as of September 1st, 2022. This resolution does not constitute any increase or change in rates or billing for services.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Board of MABS of Shenandoah, Schuylkill County, Pennsylvania, and it is hereby enacted by the authority of the same as follows:

SECTION 1. All ordinances or resolutions or parts of ordinances or resolutions inconsistent herewith are hereby are rescinded, cancelled and annulled.

SECTION 2. In the case any one or more of the provisions of this Resolution shall, for any reason, be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions of this Resolution shall be construed and enforced as if such illegal or invalid provisions had not been contained herein.

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SECTION 3. This Resolution shall become immediately effective upon the earlier of (a) the date of adoption and (b) the earliest date permitted by law.

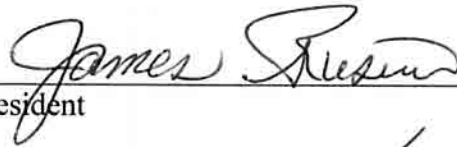
PASSED FINALLY IN COUNCIL: September 1st, 2022

By the following vote:

Yeas:

Nays:

Absent:



President



Vice-President

ATTEST: I do hereby certify that the following is a true and correct copy of Resolution No. _____ as the same was enacted by the Municipal Authority of the Borough of Shenandoah, Schuylkill County, Pennsylvania.

Miscellaneous Water Service

Temporary Service	\$133.09 Connection Fee
- Usage metered according to corresponding regular rates.	
Breakdown Service	\$10.16 per 1,000 Gallons
- Subject to availability of adequate supply for permanent customers.	

Service Fees

Burst Meter 5/8" or 1/4" Meter	\$190.00
On/Off Fee	\$123.00
Meter Testing	\$10.00
Weekday Service Call (up to 3hrs)	\$138.88
Weekend Service Call (up to 5hrs)	\$231.47
Holiday Weekday Service Call (up to 3hrs)	\$185.16
Holiday Weekend Service Call (up to 5hrs)	\$308.60
Lien Fee	\$18.00
Lien Release	\$13.00
Curbbox Lock	\$61.20

Miscellaneous Fees

D.E.P. Commercial	\$1.00/Month
D.E.P. Residential	\$3.00/Quarter

EXHIBIT A

Quarterly Rate Structure - 5/8", 5/8 x 3/4, 3/4", 1" Meters:

Base Rate up to 3000 Gallons 5/8", 5/8 x 3/4 Meters	\$61.46
Base Rate up to 3000 Gallons 3/4" Meters	\$89.63
Base Rate up to 3000 Gallons 1" Meters	\$122.73
Additional Usage:	
4,000 – 6,000 Gallons	\$20.49 Per 1,000 Gallons
6,000 – 9,000 Gallons	\$10.96 Per 1,000 Gallons
10,000 – 21,000 Gallons	\$4.83 Per 1,000 Gallons
Greater than 21,000 Gallons	\$10.96 Per 1,000 Gallons

Monthly Rate Structure Large Capacity Meters:

Base Rate 2" Meter up to 2,000 Gallons	\$110.29
Base Rate 3" Meter up to 84,000 Gallons	\$679.73
Base Rate 4" Meter up to 150,000 Gallons	\$1223.46
Base Rate 6" Meter up to 324,000 Gallons	\$2582.84
Base Rate 8" Meter up to 453,000 Gallons	\$3616.05
Additional Usage:	
Next 500,000 Gallons beyond base allowance	\$3.92 Per 1,000 Gallons
Usage beyond base allowance + 500,000 Gallons	\$1.89 Per 1,000 Gallons

Fire Suppression Service:

Fire Line:	\$569.00/month
Private Fire Hydrants (2", 3", 4", 6")	\$152.94/Hydrant per Quarter
Public Fire Hydrants	\$28.48/Semi-Annual
Automatic Sprinkler Systems	\$.0869/sq. ft. with \$1033.51 Minimum charge (Annually) OR .021725/sq. ft. with \$258.38 Minimum Charge (Quarterly)

**MUNICIPAL AUTHORITY OF THE BOROUGH OF SHENANDOAH
P.O. Box 110
SHENANDOAH, PA 17976**

**TELEPHONE: (570) 462-1904
FAX: (570) 462-0354**

**RATES, RULES AND
REGULATIONS
GOVERNING
WATER SERVICE**

RULES AND REGULATIONS

1. These Rules and Regulations are a part of the contract with every person who takes water and every such person, by taking of the water, agrees to be bound thereby.

APPLICATION FOR SERVICE CONNECTION

2. Any property owner desiring the introduction of a service line or lines from the Authority's main into his or her premises, must make a written application on the form furnished by the Authority, at least one week before service is required, stating the street and lot number or location, the name of the owner and the purpose for which service will be used, and the guarantee that such service will continue for at least one year and the exact time when the trench from curb to property will be ready for making the connection.

3. The application must be signed by the owner of the premises, or his duly authorized agent, which application shall together with the Rules and Regulations of the Authority regulate and control the service of water to such premises.

APPLICATION FOR WATER SERVICE

4. Any property owner desiring a supply of water must make a written application on the form furnished by the Authority at least one day before service is required, which must be properly approved by the Authority or its duly authorized agent before the water will be turned on. When requested in writing by the property owner application for a supply of water may be received from a tenant under the condition that the owner act as guarantor for the payment of all bills as rendered. If a tenant neglects to make such payments within the time specified in Rule 14 it will be the responsibility of the owner to make such payments.

- (A) If an owner who has balances owed to the Authority request water to a new account the Authority will not supply water to the new account until all balances owed the Authority are cleared.
- (B) The Authority requires a Security Deposit of \$250.00 for anyone requesting water to be turned on to a property, this money is placed in a non-interest bearing account (general fund) and will be refunded when the property becomes vacant and a final reading is done, if the final bill is paid, if the final bill is not paid, the deposit will go toward the final bill(s) owed and if there is any money remaining, it will be refunded to the property owner that paid the deposit. The Authority has the right to apply the deposit to balances owed on other properties of that owner.

DEFINITION OF CONSUMER

5. Each separate family and/or business, which to a major degree is a separate institution shall each be a "Consumer."

"Consumer" as used herein shall be the party contracting for a supply of water to a property as hereinafter classified, i.e.

- (A) A building under one roof and occupied as one business or residence, or
- (B) A combination of buildings in one common enclosure occupied by one family or business, or
- (C) The one side of a double house having a solid vertical partition wall, or
- (D) One side or part of a house occupied by one family even though the closet and/or fixtures be used in common, or
- (E) A building of more than one apartment and using in common one hall and one entrance, or
- (F) A building having a number of apartments and/or offices and/or businesses using in common one hall or one or more means of entrance.

WRITTEN PERMIT FOR CONSUMER TO SUPPLY PERSONS OR FAMILIES

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

SERVICE LINES TO CURB

7. Upon approval of the application of any property owner for a supply of water and the payment of the following charges the Authority will tap the main, insert corporation cock, carry service pipe to curb and install curb stop and service box:

¾ inch service – the cost of installation

1 inch service line- the cost of installation

2 inch service line- An amount equal to the cost as estimated by the Authority.

Where a new service will require a state highway to be opened, the property owner must deposit \$560.00 with the Authority.

The Authority will be responsible for the maintenance and repairs of the service line between the main and the curb line.

Service lines will not be installed when the service line passes over or through premises which at the time may be the property of persons other than the owner of the premises to be supplied, unless the owner of the premises supplied assumes the liability and secures the right of way.

FROZEN WATER LINE

7A. The Authority will not thaw water lines for property owners. The property owner must contact a certified plumber. The Authority will aid the plumber with locations for thawing.

SERVICE LINES FROM CURB TO PREMISES

8. The service line beyond the curb stop shall be installed and maintained by and at the expense of the Consumer. The portion of the service line installed by the Consumer shall be not less in size and quality than the service line in the street laid by the Authority, and shall be laid not less than four feet below the surface, and shall not be covered until the tap on the main is made and service line tested.

If any defects in workmanship are found the service shall not be turned on until such defects are remedied. All plumbing connections should be able to withstand a pressure of at least 125 pounds per square inch.

RESPONSIBILITY FOR CONDITIONS OF SERVICE LINE - CURB TO PREMISES

9. The service line from the curb to the premises shall be kept in good condition by the owner under penalty of discontinuance of service of the Authority.

OPENING AND CLOSING VALVES AND STOP COCK

10. Under no circumstances shall any person not authorized by the Authority open or close the stop cocks or valves on any public or private line.

TWO OR MORE CONSUMERS ON SAME SERVICE LINE

11. In case two or more Consumers are supplied with water from the same service pipe, a distinct and separate stop cock and curb box will be provided for each Consumer, if practical.

VIOLATION OF RULES WHERE TWO OR MORE CONSUMERS ARE ON THE SAME SERVICE

12. When two or more Consumers are supplied through a single service any violation of the rules of the Authority by either or any of said consumers shall be deemed a violation as to all and the Authority may take such action as could be taken against a single Consumer, except that such action shall not be taken until the innocent Consumer who is not in violation of the Authority's rule has been given reasonable opportunity to attach his pipes to a separately controlled service connection installed in accordance with Rule 7.

BILLS RENDERED

13A. All bills will be rendered at stated intervals, either monthly or quarterly at the option of the Authority. If bills are rendered monthly, they will be presented on the last day of each month and will cover a charge for service during that month. If bills are rendered quarterly they will be presented on the last day of the month of each calendar quarter and will cover bill for services rendered during that quarter. Bills for meter-services shall be determined by meter registration in every case unless the meter fails to register in which case a bill will be rendered based on previous average consumption.

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BILLING INFORMATION

13B. All commercial, public and industrial services will be served on a metered basis only. All domestic Consumers now receiving water on a metered basis will continue on that basis. All Consumers being billed on a flat rate basis will continue on this basis until meters are installed. The Authority reserves the exclusive right to determine when and where meters will be installed and in exercise of this right may install meters on any or all services at any time.

BILLS DUE AND PAYABLE.

14. All bills, except those for municipal and private fire protection, are due and payable upon presentation, and if not paid within thirty (30) days from the date of bill a penalty of 10% will be added. If not paid within forty (40) days from date of bill, water may be shut off after due notice. Service will not be reinstated until all bills have been paid in full plus the additional charge equal to the expense of the Authority for turning off and turning on.

All bills for public and private fire protection are due and payable upon presentation, and if not paid within thirty (30) days after date of bill are subject to a 10% penalty. If not paid within forty (40) days from date of bill after due notice, service may be discontinued. Service will not be reinstated until all bills have been paid in full, plus the additional charge equal to the expense of the Authority for turning off and turning on.

FAILURE TO RECEIVE BILL.

14A. Failure to receive a bill shall not exempt any Consumer from loss of discount or the accruing of a penalty, as the case may be. The presentation of a bill to the Consumer is only a matter of accommodation and not a waiver of this rule.

INVESTIGATION OF BILLS OF DOUBTFUL ACCURACY.

15. Any Consumer, upon receipt of bill, having reason to doubt its accuracy, shall bring or mail the bill within five (5) days to the Authority for investigation.

SIZE OF METER.

16. The Authority shall determine the size of meter to be installed but in no case shall the meter be more than one commercial size below the size of the service line.

A 5/8" meter shall be the smallest size meter to be installed on a service line for domestic use, but this size meter shall only be considered as being adequate for one Consumer or occupancy.

Where two or three Consumers receive their supply through a single meter, the meter size shall be at least $\frac{3}{4}$ " and when four or more Consumers receive their supply through a single meter the size shall be at least 1 inch.

OWNERSHIP OF METERS.

17. The Authority will furnish meters and connections free of charge for all new accounts, any Consumer on a flat rate basis who wishes to change to a metered service may do so on the approval of the Authority by the making of necessary changes in plumbing, the meter and connections will be furnished free of charge.

The meter and connections will remain the property of the Authority and access to the same for reading, inspection, testing, repairs, etc. must be permitted at all reasonable times by the Consumer.

18. The Authority will determine the location for all meters. If the Authority decides that the meter is to be placed within the building, the Consumer will provide free of charge and expense to the Authority, an easy accessible place in the cellar near the entrance of service pipes to cellar, with a stop and waste cock at the inlet side of the meter and a stop and waste cock on the outlet side of the meter; the stop and waste cock on the outlet side of the meter will be furnished and installed by the Authority at the expense of the Consumer. If the Authority decided that the meter is to be placed outside of the building, it must be placed in an approved meter box furnished by the Authority at the expense of the Consumer, and must have suitable stop and waste valves approved by the Authority.

PROTECTION OF METER

19. The Consumer must, at all times, properly protect the meter from injury by frost or any other cause and will be held responsible for repairs to the meter made necessary due to their negligence. Damage due to freezing, hot water, or external cause shall be paid for by the Consumer. In which the actual cost of the meter will be charged.

If the meter is must be replaced several times in a one year period due to freezing each time the cost of the meter will increase 100%.

METER TESTS

20. At the written request of an owner or a Consumer, the Authority will make a test of the accuracy of the meter supplying the premises, and if so desired, in his presence or that of his authorized representative. A deposit of \$10.00 will be required before the meter is tested, which will be returned if the meter is found to be registering more than 3% against the Consumer on a flow equal to one-eighth of the diameter of the service, otherwise the deposit will be retained by the Authority to cover the cost of the test.

LEAKS AND DEFECTIVE PLUMBING

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

LEAKS OR WASTE

22. 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.

EXCESSIVE WASTE FLAT RATE CONSUMERS

23. Shut off will be made in any case of willful neglect or repair or replacement of leaky fixtures, fittings, valves or lines resulting in excessive use or waste of water.

TURNING OFF WATER

24. (1) The Authority reserves the right at all times, after due notice to shut off the water for non-payment of water bills, or for neglect or refusal to comply with the Rules and Regulations of the Authority and to charge labor ~~house~~ incurred by the work force for the resumption of service.

(2) Service under an application may be discontinued for any of the following reasons:

- (A) For misrepresentation in application as to property or fixtures to be supplied or the use to be made of the water supply.
- (B) For the use of water for any other property or purpose than that described in the application.
- (C) For waste of water through improper or imperfect pipes, fixtures or otherwise.
- (D) For failure to maintain, in good order, connection, service lines or fixtures beyond the curb and owned by the applicant.
- (E) For molesting any service pipe, meter, curb-stop or seal or any appliance of the Authority.
- (F) In case of vacancy of premises.
- (G) For violation of any rules of the Authority.
- (H) For neglecting to make payments of any charges against the property.
- (I) For refusal of access to property for purpose of inspecting, or for reading, caring for or removing meters.
- (J) The Authority shall have the right to cut off the water 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 Authority be liable for any damage or inconvenience suffered.

SUPPLY OF WATER

25. The Authority shall not be liable for a deficiency or failure in the supply when occasioned by shutting off water to make repairs or connections or failure from any cause beyond control

The Authority reserves the right to restrict the supply of water in case of scarcity or whenever the public welfare may require it.

VACATING THE PREMISES

26. (A) When the premises are vacated, the consumer must give notice at the office of the Authority and pay the sum of \$2.00 so that water may be turned off, and he will be responsible for the water rent until such notice is given and the \$2.00 is paid.

(B) A new application must be made on any change in occupancy of property as described in any application, and the Authority shall be at liberty to discontinue the water supply until such new applications have been made and approved.

(C) Application may be cancelled by the Authority for proper cause, at any time, upon giving five days notice of such cancellation.

(D) Consumers desiring abatement from water bills during a temporary vacancy shall report the same in writing at the office of the Authority. All vacancies shall date from the day the same are reported at the office of the Authority. When a temporary vacancy is properly reported, an allowance will be made for the period of vacancy, but not for less than three months.

CONNECTON OR OUTLETS BETWEEN MAIN AND METER

27. No connection or outlet will be permitted on the service pipe or pipes supplying any premises, between the street main and the meter. ALL WATER USED must pass through a meter.

(A) Any customer having a deposit shall pay bills for water service as rendered, in accordance with the rules of the Authority, and the deposit shall not be considered as payment on account of a bill during the time the customer is receiving water service.

SPECIAL SERVICE CHARGES

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

USE OF FIRE HYDRANTS

29. All persons are forbidden to open any fire hydrant or to use any water there from for sprinkling streets, for building or any purpose without permission in writing from the Authority, under the penalty prescribed by law, except in case of fire, and by fire companies to test the hydrants. Such test shall be made directly under the supervisor of an authorized agent of the Authority.

The Consumer will understand that fire protection charges are mainly 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 or for testing fire hydrants, systems and apparatus which shall not be done without first notifying officials of the Authority. If used otherwise, a consumption charge, in accordance with the rates published, will be imposed.

TWO OR MORE PARTIES OR FAMILIES USING WATER THROUGH SAME METER

30. Where conditions make it difficult to install separate meters for each consumer, or where the property owner refuses to arrange his piping so that separate meters can be installed, a single meter will be installed and a minimum charge will be made for each Consumer supplied through his single meter as listed for the size meter that would be required to serve each individual Consumer. The water registered by the meter will be divided by the number of Consumers, and any excess water above the several minimum allowances will be charged pro-rata to the several Consumers.

SERVICE

31. All contracts for water shall continue in force from month to month, but either party may cancel the contract by giving ten (10) days written notice that the contract shall terminate on the first day of the month succeeding date of notice. For service beginning during a monthly period, the minimum charge shall be pro-rated to the first day of the following month. In a case when the water is turned off at the curb at the end of any month, no further charge for water service will be made until service is again requested.

EXTENSION OF STREET MAINS

32. (A) When application has been received for water service requiring an extension of main to provide such service, or where application has been received for extension of mains into newly developed tract of land, a deposit must be made by the applicant covering the entire estimated cost of installing the necessary pipe lines and appurtenances other than service connections, as determined by the Authority.

(B) Such deposit will not bear interest.

(C) Such deposit is to be returned to the depositor when and as houses abutting on such pipe lines are completed, the prospective Consumer's equipment installed, the house occupied by a bona fide owner or responsible tenant who has entered into contract for use of the Authority's service.

(D) If the estimated annual revenue to be received from the new Consumer shall be less than \$100.00 the refund shall be an amount equal to 2 ½ times the estimated annual revenue, and the refund so computed shall be made only once for each new property connected.

(E) if the estimated annual revenue to be received from the new Consumer shall be equal to or greater than \$100.00, the refund shall be made annual at the rate of 25% of each year's revenue for a term of ten (10) years.

33. If a fire hydrant installation is required by a political subdivision outside the boundaries of the Borough of Shenandoah, the applicant will be required to pay the full cost of the installation, including all labor, material, and permit fees, if any, and the estimated amount of installation shall be required to be deposited with the Authority prior to the start of such installation.

CHANGING RULES AND REGULATIONS

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

35. The charge for checks returned from the bank for insufficient funds will be \$25.00 per check.