

## **CHAPTER 26**

### **WATER**

#### **PART 1**

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**PART 1**

**RULES AND REGULATIONS FOR THE SUPPLY OF WATER**

**§26-101. Definitions.**

**CONSUMER** - any party receiving water from the City.

**CUSTOMER** - a party who contracts for water service to a property, which property is hereinafter described as follows, but not limited to such description:

- A. A building under one roof, owned or leased by one party and occupied as one residence or business, shall be considered as one customer.
- B. A group or combination of buildings owned or leased by one party, in one common enclosure and occupied by one family or business as a residence or a place of business, or for manufacturing or industrial purposes, or as a hospital or other institution shall be considered as one customer.
- C. A public building such as a town hall, school houses, fire engine house, etc., shall be considered as one customer.

**SERVICE CONNECTION** - the service pipe beginning at its connection with the street main and ending with and including the curb stop box, generally just inside the line of the curb.

(*Ord. 98B, 12/27/1979, §III; as amended by Ord. 507B, 6/3/1996, §III*)

**§26-102. Application for Service.**

1. Service connections will be made and water will be furnished upon written application by the prospective customer, or his properly authorized agent, on the form furnished by the water office, at least 2 weeks before service is required and upon approval by the Water Department or its duly authorized agent.
2. The application and its acceptance by the City of Lock Haven Water Department shall constitute a contract between the City and the applicant obligating the applicant to pay the City its rates for water service from the date the water is turned on.
3. The rules and regulations are part of the contract with every person, municipal authority or political subdivision which takes water service and every such person, authority or political subdivision, by contracting with the City, agrees to be bound thereby.
4. A customer who has made application for water service to any property shall be held liable for all water service furnished to such property until such time as the customer properly notifies the City Water Department to discontinue the service for his account.

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5. A new application for service must be made to, and approved by, the City Water Department upon any change in the ownership of the property or in the service as described in the application.
6. No agreement will be entered into by the City Water Department with any applicant for water service until all arrearages for water service rendered at any property now or heretofore owned or occupied by him shall have been paid or until satisfactory arrangements for payment of such unpaid bill have been made.
7. The payment of any undisputed bill, within the meaning of the Public utility Law, shall be payment of the bill with or without interest, within 30 days for residential and commercial customers following the date of the bill, except in the case of bills to the Commonwealth of Pennsylvania. (See §26-107(3).)
8. Upon approval of the application made by any customer for a supply of water, the City will tap the main, insert corporation stop, install the service line to the curb or property line and install curb stop, service box and meter at its expense. City will supply a meter setter at customer's expense for basement settings.
9. Adequate pressure must be available to provide proper service, which determination will be by the City.

(*Ord. 98B*, 12/27/1979, §III; as amended by *Ord. 507B*, 6/3/1996, §III)

### **§26-103. Service Connections.**

1. The City will install and maintain, at its own cost and expense, all service connections for general service. Service connections for special service not considered to be permanent shall be installed and maintained, unless otherwise provided, at the expense of the applicant. [*Ord. 507B*]
2. The service line beyond the curb stop shall be installed and maintained by and at the expense of the customer. The portion of the service line installed by the customer shall not be less in size and quality than the service line in the street laid by the City and shall be laid not less than 48 inches below the surface and shall not be covered until the top on the main is made and the service line tested. If any defects in workmanship are found, the service shall not be turned on until such defects are remedied. All service pipe must meet the specifications established by the City and be installed to the specifications of the pipe manufacturer and the City. The minimum service line shall be 3/4 inch. [*Ord. 507B*]
3. The service line from the curb to the premises of the customer shall be kept in good condition by the customer under penalty of discontinuance of service by the City. No service line shall be laid in the same trench with any gas pipe, sewer pipe or any other facility of a public service company, nor within 3 feet of any manhole, vault or open ditch.

4. A service line will be used to supply property only. No property shall have more than one service connection, except where impossible or impracticable to adequately furnish water thereto through one service connection, in which event, the City may agree to the installation and use of more than one service connection. In case two or more customers are supplied with water from the same service pipe, a distinct and separate curb stop and curb box will be provided for each customer.
5. Where two or more premises are supplied through a single service, and it is not possible to provide separate curb stop for each premise, any violation of these rules by either or any of the consumers shall be deemed a violation as to all, and unless said violation is corrected, the City may, after reasonable notice (30 days), take such action as can be taken for a single customer, except that such action shall not be taken until the innocent consumer, who has not violated the rules and regulations, has been given a reasonable opportunity to attach his service pipe to a separately controlled service connection and make application to become a customer.
6. Service lines will not be installed when the service line must pass through property which, at the time, may be the property of a party other than the owner of the premises to be supplied, unless the owner of the premises supplied provides, in writing, all necessary rights-of-way in the name of Lock Haven City Authority and assumes all liability and provides free access for installation and maintenance.
7. Curb stops at the curb line are for the exclusive use of the City and shall not be used by the consumer of customer. The customer shall have installed on his service line a stop and waste valve, meter and check valve to be located, in general, just inside the building wall at the nearest point of entry. This stop and waste valve is the customer's control of his water supply and will provide for the turn-off of water in case of leaks and to drain pipes to prevent freezing.
8. The City reserves the right to require any customer to install on or in conjunction with his service connection such valves, backflow preventers, check valves, relief valves, pressure regulator, air chamber, tank, float valves or other apparatus of approved design when and where, in the opinion of the City, the conditions may require it for the safeguarding and protection of the City's property or water supply.
9. The City shall, in no event, be liable for any damage done by water escaping from the service pipe or any other pipe or fixture on the outlet side of the curb stop and it is expressly understood by the City and the customer that no claims shall be made against the City on account of the bursting or breaking of any main or service pipe or any attachment to said water works unless said damage is a direct result of gross negligence on the part of the City. All leaks in service lines from the curb stop to, in and upon the premises supplied shall be promptly repaired. On failure to make repairs with reasonable dispatch, the City will turn off the water and it will not be again turned on until all proper and necessary repairs are made and the sum of \$20 for turning on the water is paid in full. [Ord. 507B]
10. All water passing through a meter shall be billed at the regular rate and no allowance will be made for excessive consumption due to leaks and waste. [Ord. 507B]

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11. The proper officials of the city may prescribe the size, material and weight per foot of the service pipe when it is deemed necessary in order to give satisfactory service. [Ord. 507B]

(Ord. 98B, 12/27/1979, §III; as amended by Ord. 507B, 6/3/1996, §III)

### **§26-104. Service.**

1. In case of accident, breakdown, emergency or for any other unavoidable cause, the City shall have the right to temporarily shut off the water supply to make necessary repairs, renewals or replacements and shall in no manner be held responsible for any consequences of such shut offs.
2. The City shall have the right to renew all service pipe from the main to the curb line upon notification to resurface or rebuild any street, alley or roadway.
3. Every effort to give continuous and uninterrupted service will be made by the City and, in the event of any shut off, notice will be given, when practicable, to all consumers affected. Nothing in these rules shall be construed as a guarantee, covenant or agreement to give such notice of shut off, or to give such continuous and uninterrupted service and such temporary shut off of the water supply shall not entitle the customer to any abatement or reduction in charges.
4. Whenever the customer desires to have his service contract terminated, he shall notify the City Water Department to that effect in writing. The customer will be responsible for the payment for all services rendered by the City until such written notice is received or until water service is actually discontinued by the City.
5. The properly identified agents of the City shall have, at all reasonable hours, free access to all parts of the property to which water is delivered for the purpose of inspection, examination of fixtures, etc., and all persons using water must, at all times, answer all questions asked of them relating to their service consumption.
6. Under no circumstances shall any person not authorized by the City open or close curb stops or valves in any public line.

(Ord. 98B, 12/27/1979, §III; as amended by Ord. 507B, 6/3/1996, §III)

### **§26-105. Discontinuance of Service.**

Service under any contract may be discontinued, after due notice, for any of the following reasons:

- A. For any misrepresentation in the application.

- B. For adding to said property or fixtures or altering the use to be made of the water supplies, without notice to the City.
- C. For waste of water.
- D. For failure to maintain in good order any connection, service lines or fixtures beyond the curb stop and owned by the customer.
- E. For molesting any service pipe, meter seal, curb stop or any appliance of the Water Department.
- F. For neglecting to make payments of any account for water supplied or service maintained.
- G. For refusal of access to property for purpose of inspection or for reading, caring for or removing meters and to install remote meters.
- H. For failure to maintain a healthy atmosphere in the area where the water meter is located or failure to maintain open access to the meter.
- I. For violation of any rules and regulations of the City.

(*Ord. 98B*, 12/27/1979, §III; as amended by *Ord. 507B*, 6/3/1996, §III)

**§26-106. Renewal of Water Service After Discontinuance.**

When water service to any property has been terminate for any reason, it will be renewed only after the acceptance of a new application and when the conditions, circumstances or practices which cause the water service to be discontinued are corrected to the satisfaction of the City.

(*Ord. 98B*, 12/27/1979, §III; as amended by *Ord. 507B*, 6/3/1996, §III)

**§26-107. Bills for Water Service.**

1. All water bills shall be rendered quarterly for service during the previous quarter. Bills for metered service shall be determined by meter registration, unless the meter fails to register, in which case a bill will be rendered based on previous average consumption. Average consumption as used herein is defined as the average of the previous four quarters actual usage. Estimated bills will not be included in an average.
2. All charges shall be due and payable upon presentation of bill(s) covering service for the billing period completed and shall be payable 30 days from date of billing.
3. If water rental and water service invoices are not paid within 30 days from the date of the bill, the Water Department will add to the bill for service a late payment penalty at a monthly rate of 1½% for residential customers and 5% for all other customers. In the

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case of bills to the Commonwealth of Pennsylvania, or any department or institution thereof, the nonpenalty provision of all schedules are extended as to provide a 60 day period during which payment may be made at net rates.

4. The City will accept, without penalty, remittances bearing local postmarks for the last day for payment without penalty.
5. Payments in advance of furnishing service may be required for:
  - A. Private fire protection service.
  - B. Restoration or connection of service where the service has been actually discontinued for failure to comply with tariff provisions.
  - C. Construction of facilities and special equipment.
  - D. Public fire hydrant service.
6. Any customer, upon receipt of bill, having reason to doubt its accuracy shall bring or mail the bill, within 10 days, to the Water Department for investigation.
7. Failure to receive a bill shall not exempt any customer from accruing a penalty. The presentation of a bill to the customer is only a matter of accommodation and not a waiver of the rules and regulations of this Part.
8. **Final Billing.** When a final billing is requested and less than the appropriate minimum number of gallons of water is consumed, the minimum charge for the size meter in service will be assessed. Where multiple unit buildings are involved, if the total metered consumption divided by the number of units results in per unit consumption figure of less than the appropriate minimum numbers of gallons, the final bill shall be based on the total metered consumption as if the building were a single unit. The new customer on the premises will be afforded the same courtesy in his initial bill.
9. There shall be no service rendered free of charge.
10. All water bills and water charges shall be the ultimate responsibility of the customer or his authorized representative or agent.
11. Payment may be made either in person or by mailing check, draft, post office or express money order drawn to the order of "Water Department, City of Lock Haven."
12. Partial payments may be accepted upon approval of the Water Department; however, full payment must be made within 90 days from date of billing. Customers may participate in a payment plan whereby bill may be paid in two equal payments at no additional cost. Customers must execute a written payment agreement at the water office to participate. The first payment (50% of total bill) must be made by the normal due date of the bill and the second payment 30 days thereafter. If the first payment is not made by the normal due date, the full amount of the bill will be subject to the late



payment penalty under subsection (3), above. If the second payment is not made within 30 days after the normal due date, any unpaid balance will be subject to the late payment penalty under subsection (3).

(*Ord. 98B*, 12/27/1979, §III; as amended by *Ord. 507B*, 6/3/1996, §III)

**§26-108. Meters.**

1. The City will, without charge, furnish and install for each customer supplied with water a suitable meter of type and size to be determined by the City and will keep the same in repair, except in case of misuse or damage by (i) frost in basement setting; (ii) hot water; or (iii) external cause, in which case the expense of repair must be borne by the customer. Auxiliary water meters may be installed at the expense of the customer with prior approval of the City Water Department. [*Ord. 507B*]
2. The customer will provide, at no expense to the City, a meter location in an easily accessible place in the cellar near the entrance of service pipes to the cellar, with a stop and waste valve at the inlet side of the pipes to the cellar, with a stop and waste valve at the inlet side of the meter and a check valve on the outlet side of the meter.<sup>1</sup> In any case where it is not convenient to place the meter within the building, it must be placed in an approved meter box furnished by the City at the expense of the customer, installed according to City specifications with suitable stop and waste valves and backflow connections. The installation must be inspected and approved by an authorized representative of the Water Department before the service will be turned on.
3. Under no circumstances shall any party receive water from the City without the water first passing through a water meter; any violation hereof shall result in termination of service.
4. Each customer shall have a separate meter.
5. All water meters connected directly to the Lock Haven water system shall be furnished by and remain the property of the Water Department. The City will not furnish any additional or auxiliary water meter, where the water to be metered by the additional meter has not been previously metered.
6. Meters will be maintained by the Water Department as far as ordinary wear and tear is concerned, but the customer shall be responsible for any injury to or loss of any meter arising out of or caused by the customer's negligence or carelessness or that of his servants, employees, member of his household or any person upon his property under or by his consent or sufferance. The customer shall permit no one, except an agent of the City, to remove, inspect or tamper with the City meter or other property of the City on his premises.

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<sup>1</sup>Editor's Note: The City will supply a meter setter at the expense of the customer for all cellar or basement locations.

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7. **Meter By-Pass.** All meters 2 inches in size or over are required to have a by-pass with approved valves. It is the responsibility of the customer to provide all required by-passes and valves at his own expense for all meters 2 inches and over in size presently installed, which do not have an approved by-pass and valves. If, for any reason, a water meter which does not have an approved by-pass cannot be repaired or tested during regular working hours, the additional costs (overtime) for working irregular hours shall and will be charged to the customer. All valves on the approved by-pass shall be sealed by the City.
8. **Remote Reading Meter.**
  - A. The city shall have the right to install upon all metered properties a remote reading device which shall be located at a mutually agreeable spot on said property to be determined by the property owner and the City.
  - B. Any structure hereafter built or moved within the service area of the Lock haven water system requiring the installation of water meters shall be constructed so that the remote reading device connected to the water meter shall be located outside the building, at a location easily accessible to City personnel. [Ord. 507B]
  - C. The City is hereby authorized to alter all existing water meters so that a remote reading device connected to said meter is in a convenient and accessible location. The cost of such alteration shall be borne by the City [Ord. 507B]
  - D. The City reserves the right to determine type, location and number of remote reading devices required for any service. [Ord. 507B]
  - E. If a discrepancy occurs between the remote reading device and the meter generator, the generator shall take precedence over the remote reading. [Ord. 507B]
  - F. If, due to a discrepancy between the meter generator and the remote reading device, the volume of water used differs from the amount billed, that difference will be included in the next regular quarterly water bill. [Ord. 507B]
9. **Testing of Meters.**
  - A. At the written request of a customer, the Water Department will test the meter supplying his premises upon payment of the fee specified herein. If the meter tested upon such request shall be found to be accurate within the limits specified in subsection (9)(B), below, the fee shall be retained by the Water Department; but if not so found, then the cost thereof shall be borne by the utility and the fee paid by the customer shall be refunded. However, if a meter has been in service without being tested within the time period defined by the P.U.C. as the "current test cycle," the meter will be tested at the customer's request at no cost to the customer.

- B. No water meter shall be placed in service which has an error in registration of more than 2% and no meter shall be allowed to remain in service which has an error in registration of more than 4% when water is passing through it at approximately the following rates of flow:

5/8 inch meter	6 gallons per minute
3/4 inch meter	10 gallons per minute
1 inch meter	20 gallons per minute
1 1/2 inch meter	30 gallons per minute
2 inch meter	50 gallons per minute
3 inch meter	90 gallons per minute
4 inch meter	180 gallons per minute
6 inch meter	300 gallons per minute

C. **Schedule of Fees for Testing Meters.**

- (1) For each water meter having an outlet not exceeding 1 inch \$10
- (2) For water meters having an outlet not exceeding 2 inches \$20
- (3) For other water meters having an outlet exceeding 2 inches, the charge shall be on a time and material basis.

- D. **Periodic Testing.** Periodic testing of meters shall be done in accordance with P.U.C. Water Regulation No. 7B.

E. **Adjustment of Bills for Meter Error.**

- (1) **Fast Meters.** If, upon test of any meter, the meter is found to have an error of more than 4% fast, the public utility shall refund to the consumer the overcharge, based upon the corrected meter reading for a period equal to 1/2 the time elapsed since the last previous test, but not to exceed 12 months. If the period of registration error can be definitely fixed, the overcharge shall be computed for such period. If the meter has not been tested in accordance with this Section, the period for which it has been in service beyond the regular test period shall be added to the 12 months in computing the refund.
- (2) **Slow Meters.** If, upon test of any meter, the meter is found to have an error of more than 4% slow, the public utility may render a bill for the water consumed, but not covered by bills previously rendered for a period equal

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to ½ of the time elapsed since the last previous test, but not to exceed 12 months. If the period of registration error can be definitely fixed, the charge may be computed for such period.

[*Ord. 507B*]

(*Ord. 98B, 12/27/1979, §III; as amended by Ord. 507B, 6/3/1996, §III*)

### **§26-109. Main Extensions.**

1. **Application for Extension.** The City of Lock Haven may extend the water pipes and improvements of any or all of its water works within and beyond the bounds of the City of Lock Haven within the approved service area. The City shall, upon application made to and approved by the Council of the City of Lock Haven, furnish water to any and all persons, corporations, institutions, authorities and municipalities with the approval of the governing body of the affected community; provided, however, that any person, corporation, authority, institution or municipality desiring to be furnished water outside the limits of the City shall apply for such service to the Councils of the City of Lock Haven, on a form provided by the City for that purpose, and procure a permit which shall stipulate the rates, terms and conditions at and upon which the desired service will be supplied. No extension will be made or agreement executed until the necessary rights-of-way have been furnished to the City and the City may require an enabling ordinance from the municipality being served by the extension of mains. [*Ord. 507B*]
2. In determining the length of and necessity for any extension required pursuant hereto, the terminal point of such extension shall, in all cases, be at the point in the curb line which is equidistant from the side property lines of the last lot for which water service is requested. [*Ord. 507B*]
3. **Permits Required.** No extension of street mains shall be made unless the required permits and regulations of the Pennsylvania Department of Transportation and the Department of Environmental Protection have been complied with. [*Ord. 507B*]
4. The City of Lock Haven will extend existing mains a distance of 35 feet for each bona fide prospective customer making application for water service therefrom. The type and size of the main will be determined by the City. "Bona fide prospective customer" shall mean any owner or lessee for an existing premises which is not a portion of a subdivision from which more than one new lot is subdivided during the calendar year during which the application is made for water service and having a curb line abutting on that part of a street or public highway in which there is, or is to be, located a distribution main of the City, and who shall file a signed application for a new street service connection to such premises and for water service to begin immediately following installation of the street service connection. [*Ord. 507B*]

5. **Main Extension Reimbursement Agreement.**

- A. When an extension greater than 35 feet in length for each bona fide prospective customer is required or requested, such extension will be made under the terms of a main extension reimbursement agreement, as provided by the City. The City shall have exclusive rights to determine the type and size of mains to be installed and the facilities required to render adequate service; provided, however, that where the City decides to install pipe larger than the minimum size necessary to render adequate service throughout the extension, all estimated or actual cost figures referred to in the main extension reimbursement agreement shall include the estimated costs for the size of the pipe necessary to provide adequate service; however, the minimum size shall be 6 inches. All estimated or actual cost figures referred to in the agreement shall include a reasonable allowance for overhead costs. The costs of material greater than that of 6 inch, or the minimum size necessary to render adequate service, whichever is the larger size, will be borne by the City.
- B. Under the main extension agreement, the applicant or applicants for water service shall agree to reimburse the City for all costs attributable to the extension of the mains beyond the initial 35 feet per customer. The agreement will be based on estimated costs of the main extension, which shall be adjusted upon completion of the construction to reflect actual costs.
- C. Upon completion of construction and prior to the initiation of service, the applicant or applicants shall reimburse the City for the actual costs of the main extension beyond the initial 35 feet per customer. Water service shall not be supplied until said reimbursement is made in full.

6. **Main Extension Agreement.** When application has been received for water service requiring an extension of the main to provide such service, excluding that required for a bona fide prospective customer, or where application has been received for extension of mains into a newly developed tract of land, such extension will be made under the terms of a main extension agreement, as provided by the City. The City shall have the exclusive right to determine the type and size of mains to be installed and other facilities required to render adequate service. However, where the City decides to install pipe larger than the minimum size necessary to render adequate service throughout the extension, all estimated or actual cost figures referred to in the main extension agreement shall include the estimated material cost for the size of the pipe necessary to provide adequate service. However, the minimum size of the pipe shall be 6 inches. All estimated or actual cost figures referred to in the main extension agreement shall include a reasonable allowance for overhead cost. The cost of materials which exceed the cost necessary to provide adequate service to the development shall be borne by the City.

- A. **Main Extension Deposit Required.** At the time of the execution of the main extension agreement by the developer, a deposit must be made by the developer covering the entire estimated cost of installing the necessary pipe lines and appurtenances, as determined by the City. Such deposits shall not bear interest and shall be adjusted from the estimated cost to the actual cost upon completion

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of the work. The developer shall increase his deposit or receive a refund as determined by the final cost. Reimbursement of the deposit shall be made to the developer at such time as each house abutting on such pipe line is completed, the prospective customer's equipment installed and the house occupied by a water customer who has entered into a contract for use of the City's water service. Reimbursement to the developer shall be in the amount of \$300 per service tap where the water consumed passes through a water meter for each property within the development.

**B. Extension of Street Mains Where the Developer Wishes to Use His Own Engineer or Perform the Actual Work Himself.** The Council of the City of Lock Haven shall give approval for the extension of street mains within an area supplied by the Lock Haven water system, provided the developer agrees to the following terms and conditions, which shall be formalized in a main extension agreement:

- (1) The City shall have the exclusive right to determine the type and size of the mains to be installed and the method of installation. Six inch mains shall be the minimum diameter of said mains; and all such mains shall, upon completion, become the property of the Lock haven City Authority.
- (2) The developer shall submit two sets of complete plans for the construction of said extension, stating the specifications for all construction, pipe, fittings and appurtenances.
- (3) All construction and appurtenances must adhere to the specifications set up by the City of Lock Haven.
- (4) Upon acceptance of the construction plans and specifications by the City of Lock Haven Engineer, both sets of submitted plans will be signed by the developer and City Engineer, and the developer's engineer shall stamp said construction plans. One set of these construction plans shall remain on record in the office of the City Engineer.
- (5) It shall be the responsibility of the developer to acquire all necessary permits, at his cost.
- (6) No extension shall be considered by the City of Lock haven if the street or street do not meet the specifications of line and grade established by the governing body of the community affected.
- (7) The main extension agreement between the developer and the City of Lock Haven will be recorded in the office of the Recorder of Deeds of Clinton County, the cost of which shall be borne by the developer. Proof of recording will be presented to the City Engineer.

- (8) After the construction specifications are typed and ready for bid acceptance, two copies must first be submitted to the City Engineer for his approval. Upon approval of these specifications, these two submitted copies shall be signed by the developer and the City Engineer. The developer's engineer shall stamp both copies and one shall remain on record in the office of the City Engineer.
- (9) The City of Lock Haven will have an authorized inspector at the job site during all working hours and the cost of the inspection will be borne by the developer by means of reimbursement to the City. [Ord. 507B]
- (10) If there are any deviations from the construction plans or specifications without prior documented approval by the City Engineer, the City of Lock Haven shall not be bound to any agreement signed by the City and the developer. [Ord. 507B]
- (11) After completion of said main extensions, two sets of "as built" plans will be submitted to the City Engineer by the developer. [Ord. 507B]
- (12) The developer shall provide a maintenance bond in the amount to be determined by the City Engineer for a period of 1 year from the date of acceptance of the extension by the City. The bond shall be submitted to the City at the time of application. [Ord. 507B]

7. **Quality of Mains.** All mains must be cement lined ductile iron or PVC plastic pipe meeting the specifications of A.W.W.A. and the City. Installation of said pipe shall be to the specifications of the pipe manufacturer and the City. [Ord. 507B]

(Ord. 98B, 12/27/1979, §III; as amended by Ord. 507B, 6/3/1996, §III)

**§26-110. Turning Off Water and Turn On Charge.**

The City reserves the right at all times, after 30 days due notice to the customer, to shut off water for nonpayment of water bills and the water shall remain shut off until the water bill(s), together with all applicable penalties and the \$20 charge for turning on water, except as otherwise provided herein, have been fully paid. Notice shall be sent in accordance with the following: [Ord. 507B]

- A. Water shall not be shut off while the premises are occupied by human beings, except for the purpose of making repairs to the building piping system or for carrying out provisions of the rules and regulations.
- B. The charge for turning on water service following the discontinuance thereof, whether at the request of the customer or his duly appointed agent, or by City forces as a result of settlement on nonpayment or correction of violations of the rules and regulations, shall be \$20.

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- C. At times other than normal working hours, the charge for turn on shall be \$50.
- D. Only Water Department employees or its authorized agents shall turn on or shut off water.
- E. Termination of service to any health care facility as defined in current P.U.C. regulations shall not be made unless the facility has received at least 37 days notice.

(*Ord. 98B, 12/27/1979, §III; as amended by Ord. 507B, 6/3/1996, §III*)

### **§26-111. Vacating the Premises.**

- 1. When the premises are vacated, the customer must give notice at the office of the Water Department so that water may be turned off at the curb. The customer will be responsible for the water rent until such notice is given.
- 2. A new application must be made on any change in ownership or residence of property as described in any application and the Water Department shall be at liberty to discontinue the water supply until such new applications have been made and approved.
- 3. A customer desiring an abatement from water bills during a temporary vacancy shall report the same in writing at the office of the Department of Water. When a temporary vacancy (not less than 90 days) is properly reported in advance, an allowance will be made for the vacancy.

(*Ord. 98B, 12/27/1979, §III; as amended by Ord. 507B, 6/3/1996, §III*)

### **§26-112. Fire Protection.**

- 1. **Private Fire System.** The customer or premises having a private fire protection system shall pay, in addition to the established meter rates for all water used, except that used for fire extinguishment of fires, the following amount, which is hereby termed a fire service charge:



Premises having a 3 inch fire connection	\$ 1.95 per month
Premises having a 4 inch fire connection	\$ 3.90 per month
Premises having a 6 inch fire connection	\$ 6.50 per month
Premises having a 8 inch fire connection	\$ 9.10 per month
Premises having a 10 inch fire connection	\$11.70 per month
Premises having a 12 inch fire connection	\$14.30 per month
For every 1 inch thereafter, charge will increase	\$ 1.30 per month

- A. For each private hydrant directly connected to mains furnishing water which does not pass through a water meter, the charge is \$65 per annum.
- B. When a fire meter indicates that water has been used for some purpose other than fire extinguishment, the full service charge, as listed under §26-115, will be enforced.
- C. An application in duplicate for "special connections" must be made for each connection to the distribution system. Private fire protection customers will understand that fire protection charges are a compensation for "standing by in reserve" and that for said charge the use of water is not contemplated for the actual extinguishing of fires or for testing the system. Testing shall not be done without first notifying and receiving approval of the Water Department.
- D. It will be expressly understood by and agreed between the parties receiving private fire service and the City, that the City does not assume any liability as insurers or property or person(s) and that the agreement does not contemplate any special service, pressure, capacity or facility, other than the ordinary or changing conditions of the City as the same exist from day to day and the City hereby declares and it is agreed by the party receiving service, that the City shall be free and exempt from any and all claims for injuries to persons or property by reason of fire, water, failure to supply water, pressure or capacity, or any reason incidental hereto.
- E. **Private Company Fire Service.** Where private fire service connections are to be made to the City's system, the City shall have the right to approve the plans for such installation prior to approval of the application for service. The City shall make any connection to the distribution system that is required and the customer shall pay City the actual cost for making such connections. The City shall have the right to require a compound type meter for installation in the private fire line, if deemed necessary. Waiver of the requirements for installation of a meter at the time the connection is made shall not prohibit the City from requiring a meter installation at a future date, if such installation is warranted in the opinion of the City. Any meter required will be supplied and installed by the City with the cost for the meter, together with labor and materials for installation, to be borne by the

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customer. Where a private fire connection is approved by the City, no other connection for domestic, commercial or industrial use shall be made to the fire connection line unless prior approval is received from the City and unless a compound type meter is installed between the City's main and the connection for such line.

- F. All fire services shall have an approved check valve and a gate valve. If a fire connection is used for the sole purpose of fire protection, no meter shall be required on such connection, nor shall any extension be made or any additional fixtures be installed on such connection.
  - G. All roof tanks and storage tanks must be provided with an antisiphon device and an automatic device for complete shut off of water supply when said tanks are filled.
  - H. It shall be expressly understood by and agreed between the parties having a private hydrant that the maintenance of the private hydrant is the responsibility of the property owner. The City hereby declares and it is hereby agreed by the owner on whose property the private hydrant is located, that the City shall be free and exempt from any and all claims for injuries to persons or property due to an inoperative hydrant and said property owner shall hold the City safe and harmless from any and all claims arising as a result of any injuries or damages caused thereby.
  - I. A private fire hydrant shall be any hydrant that is situated on private property and is owned or maintained by a party other than the Lock Haven City Authority or the City.
2. **Public Fire Hydrants.** The Lock haven City Authority shall own all public fire hydrants within the service area. The City shall maintain said hydrants in working condition; provided, that the conditions hereinafter set forth are complied with in full.
- A. The City shall inspect and maintain all public fire hydrants and branches located within the service area. The City shall furnish and install hydrants as prudent and necessary in areas of existing development.
  - B. Public fire hydrants will be installed at the written request of any municipality included in the City's defined service area; provided, that the system mains are of sufficient size. All costs of installing such hydrants, including labor and materials, shall be the responsibility of the municipality. The City may require posting of a deposit covering the estimated cost of the installation, with the balance to be refunded or the excess billed upon completion of the installation.
  - C. For all public fire services, the following charge shall be made: for each hydrant in each township or municipality other than the City of Lock Haven, there will be a charge of \$65 per hydrant per annum.

- D. In the event any public fire hydrant requires replacing in the judgment of the City, it will be done at the cost of the City.
3. **General Fire Hydrant Usage.** No person or persons shall take water from any hydrant, public or private, except for fire purposes. Fire companies may test the hydrants with the permission and prior approval of the Water Department. No public or private fire hydrant shall be used for any purpose other than fire purposes, unless specifically permitted by the Water Department for that particular time or occasion. The person or persons requesting permission for the use of public or private fire hydrant must obtain from the Water Department a permit stating the time, location and purpose for use of the hydrant and the person or persons, including property owner or his duly authorized agent, who will be responsible for all costs and water consumed at the regular meter rates as measured by a hydrant meter supplied by the Water Department.
- A. The cost for installing and removing the hydrant meter shall be at the regular labor rate plus 20% compensation expense and equipment usage during regular working hours.
- B. The cost for installing the hydrant meter at times other than regular working hours shall be based on the overtime rate plus 20% compensation expense and equipment usage.
- C. The hydrant meter and hydrant wrench shall be the sole responsibility of the person or person granted use of the public or private fire hydrant.
- D. The City shall be free from all claims and damages resulting from any such use of public or private fire hydrants.

(Ord. 98B, 12/27/1979, §III; as amended by Ord. 507B, 6/3/1996, §III)

**§26-113. Deposits.**

1. The City reserves the right to require a deposit equal to the estimated bill for any single billing period, plus 1 month with a minimum \$5 to secure payments for water service rendered where the credit of the customer has not been established to the satisfaction of the City. On deposits held more than a year, the utility will pay to the customer, at the end of the year, the interest accrued thereon at the rate defined in Title 52, Chapter 56, ¶56.57. Deposits shall be due and payable in accordance with the latest Title 52, Chapter 56, ¶56.42. The City reserves the right to require a deposit equal to the estimated bill for any single billing period, plus 1 month with a minimum of \$5.
2. Deposits will be required from customers who apply for a period of less than 60 days, in an amount equal to the estimated bill for such temporary service.
3. The City will refund said deposit on notice to discontinue service and after payment in full has been made for all services rendered or when the customer shall have paid bills for service over a period of 12 consecutive months; any customer having secured the

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return of a deposit shall not be required to make a new deposit unless the service has been discontinued and the customer's credit standing impaired through failure to comply with these rules and regulations.

4. The payment of any undisputed bill, within the meaning of the rules, shall be payment of the bill within 30 days following the date of the bill or the payment of any contested bill, payment of which is withheld beyond the period herein mentioned, if the dispute is terminated substantially in favor of the customer and if payment be made by the customer within 10 days thereafter.
5. Any customer having placed a deposit shall pay bills for water service as rendered in accordance with these rules and regulations, and the deposit shall not be considered as payment toward any bill during the time the customer is receiving water service.

(*Ord. 98B, 12/27/1979, §III; as amended by Ord. 507B, 6/3/1996, §III*)

### **§26-114. General.**

1. No customer supplied with water by the City will be allowed to supply other persons or families or other premises, except by written permit from the City. A person who violates this Section may have his water shut off 30 days after written notice is given to that person and it may remain so until the City is satisfied that provisions of the rules and regulations have been complied with. [*Ord. 507B*]
2. Where two or more premises are supplied through a single service, any violation by either or any of said customers shall be deemed a violation at to all and the City may take such action as could be taken against a single customer, except that such action shall not be taken until the innocent consumer who is not in violation of the rules has be given reasonable opportunity to make application to attach his pipes to a separately controlled service connection. [*Ord. 507B*]
3. In the case of large properties, two or more connections may be allowed provided they meet City approval, as described in §26-103(4)
4. The City may, at any time, declare that an emergency situation exists and restrict use if water. After notice of said order is published on 3 different days in at least one local newspaper, any consumer who violates said order shall be subject to discontinuance of service.
5. No customer shall permit any condition to exist upon premises served whereby there is or, in the opinion of the Water Department, could be, a backflow into the mains of the City of nonpotable matter, hot or other liquids or any leakage or seepage of such matter into said main.
6. For the prevention of backflow, all connections are required to have a stop and waste valve on the inlet side of the meter and a check valve on the outlet side of the meter of a type approved by the City.

7. The City will not be responsible for any damage caused within the consumer's premises by an increase or decrease of pressure within the City's distribution mains. It shall be incumbent on the customer to install and maintain in his service line, between the curb and the meter, such pressure regulating devices as may be necessary to prohibit excessive pressure from being transmitted to the inside piping or fixtures.
8. **Changing of Rates.** Lock Haven City Council may change or amend the rates, rules and regulations for water service as necessary, subject to filing with the Pennsylvania Public Utility Commission, if required.
9. No agent or authorized representative of the Water Department of the City of Lock Haven shall have the authority to exercise any promise, agreement or representation not provided herein, unless such authority is in writing and signed by the proper City officials
10. The City shall not be liable for turbidity in water or a deficiency or failure in the supply or increase or decrease in pressure when occasioned by shutting off water to make repairs or connections or failure from any cause beyond control.

(Ord. 98B, 12/27/1979, §III; as amended by Ord. 507B, 6/3/1996, §III)

**§26-115. Schedule of Rates.**

1. **Minimum Charges.** Minimum charges shall be based on the size of the meter. Consumption allowance for the minimum charge is 4,000 gallons per quarter.

<b>Meter Size</b>	<b>Minimum Charge Per Quarter</b>
5/8 or 3/4 inch meter	\$ 45.00
1 inch meter	\$ 50.00
1 1/4 inch meter	\$ 57.50
1 1/2 inch meter	\$ 66.25
2 inch meter	\$ 83.75
3 inch meter	\$ 93.75
4 inch meter	\$132.50
6 inch meter	\$176.25
8 inch meter	\$281.25
10 inch meter	\$352.50
12 inch meter	\$487.50

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[Ord. 542B]

2. **Metered Service Schedule (Applicable to All Metered Service).** The quarterly charges for water service furnished by the City of Lock Haven are fixed and established, based on consumption, as follows:

Gallons	Per Quarter
0 to 4,000	Minimum based on meter size
Next 21,000	\$3.44 per thousand
Next 35,000	\$2.75 per thousand
Next 140,000	\$1.83 per thousand
Next 2,800,000	\$1.25 per thousand
All over 3,000,000	\$1.00 per thousand

[Ord. 542B]

(Ord. 98B, 12/27/1979, §III; as added by Ord. 507B, 6/3/1996, §III; as amended by Ord. 542B, 4/20/1998, §II)

**§26-116. Water Conservation Contingency Plans.**

1. **General.** If the city is experiencing a short term supply shortage, the City may request general conservation of inside uses and may impose mandatory conservation measures to reduce or eliminate nonessential uses of water.
2. **Voluntary Conservation.** The City shall first request voluntary curtailment of all nonessential uses of water.
3. **Mandatory Conservation.** If voluntary cooperation does not achieve satisfactory results, mandatory compliance will be imposed. If any customer refuses to comply with such mandatory measures, the City may either adjust the outside water valve connection in a manner which will restrict water flow by up to ½ or otherwise restrict flow, such as by the insertion of a plug device.
4. Non essential uses of water include:
  - A. The use of hoses, sprinklers or other means for sprinkling or watering of shrubbery, trees, lawns, grass, plants, vines, gardens, vegetables, flowers or other vegetation.
  - B. The use of water for washing automobiles, trucks, trailers, trailer houses or any other type of mobile equipment.

- C. The washing of street, driveways, parking lots, service station aprons, office buildings, exteriors of homes, sidewalks, apartments or other outdoor surfaces.
  - D. The operation of any ornamental fountain or other structures making a similar use of water.
  - E. The use of water for filling swimming pools or wading pools.
  - F. The operation of any water-cooled comfort air conditioning which does not have water conserving equipment.
  - G. The use of water from fire hydrants for construction purposes or fire drills.
  - H. The use of water to flush a sewer line or sewer manhole.
  - I. The use of water for commercial farms and nurseries, other than a bare minimum to preserve plants, crops and live stock.
5. In addition to the provisions as set forth above, the Pennsylvania Emergency Management Council is authorized to promulgate, adopt and enforce a water rationing plan by virtue of the Emergency Management Services Code, 35 Pa.C.S §1701 *et seq.*, as implemented by the Drought Emergency Proclamation Dated November 6, 1980.

(Ord. 98B, 12/27/1979, §III; as added by Ord. 507B, 6/3/1996, §III)

**§26-117. Collection of Excess Use Charges.**

In the event of a drought emergency, as declared by a basin commission and by a proclamation or executive order issued by the Governor, the Lock haven Water Department is authorized to collect fines set forth in its local water rationing plan, as filed with and approved by, the Pennsylvania Emergency Management Agency

(Ord. 98B, 12/27/1979, §III; as added by Ord. 507B, 6/3/1996, §III)

**§26-118. Water Use Standards for Certain Plumbing Fixtures.**

- 1. This Section establishes the maximum water use of certain plumbing fixtures installed in all new construction or renovation. Such standards have been implemented to achieve the maximum efficiency of water use which the City of Lock Haven determined is technologically feasible and economically justified.

Plumbing Fixture	Maximum Water Use	Effective Date
Showerheads	3.0 gallons/minute	February 6, 1996
Lavatory Faucet	3.0 gallons/minute	February 6, 1996

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<b>Plumbing Fixture</b>	<b>Maximum Water Use</b>	<b>Effective Date</b>
Kitchen Faucets	3.0 gallons/minute	February 6, 1996
Water Closets	1.6 gallons/minute	February 6, 1996
Urinals	1.5 gallons/minute	February 6, 1996

- 2. Re-Evaluation of Water Use Standards.** The City of Lock Haven may, at any appropriate time, amend any of the water use standards listed above relevant to technological developments relating to the water use or water efficiency of any of the specified plumbing fixtures. Amendments will also apply only to new construction and renovation.
- 3. Exemptions.** The City of Lock Haven may exempt a particular type of customer when it is determined that the water use standards for plumbing fixtures listed above are inappropriate or cannot be accommodated by existing technology.

(*Ord. 98B*, 12/27/1979, §III; as added by *Ord. 507B*, 6/3/1996, §III)