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Part 1

Rules and Regulations

§101. Rules and Regulations.

1. These rules and regulations are a part of the contract with every person who takes, uses, or contracts for water service, and by every owner of any property serviced by the water system, and every such person by taking, using or contracting for water agrees to be bound thereby.

2. The Borough of New Holland (Borough) leases the water system from the New Holland Borough Authority, which is the owner. The Borough will administer these rules and regulations in the maintenance, operation and use of the water system and its facilities.

3. These rules and regulations are not intended to conflict with any local, State or Federal legislation. Any provisions that are found to be in direct conflict with such legislation shall not be applicable.

(Ord. 427, 12/28/1993)

Part 2

Enforcement

§201. Enforcement. These rules and regulations shall become effective on and after December 28, 1993, to all properties than and after connected to the water system. All prior Borough rules, regulations and resolutions not consistent herewith are hereby repealed; provided, however, that all rights accrued and monies due the Borough under any such rules, regulations and resolutions are preserved to the Borough. The Borough reserves the right to amend these rules and regulations and schedules of charges in such manner and at such times as, in its opinion, may be advisable. (Ord. 427, 12/28/1993)

Part 3

Definitions

APPLICANT - a person who applies for a water connection permit.

BOROUGH - Borough of New Holland, a Pennsylvania municipal corporation.

BOROUGH'S SERVICE LINE - the water service main and appurtenances extending from the Borough's main including the tee or tap in the main, the service pipe to a point at or near the property line, the curb stop or service valve and the curb box or valve box.

COMMERCIAL WATER HAULER - a person delivering the Borough's water to retail customers.

CONTRACTOR - a builder or other person who uses Borough water on a temporary basis for construction purposes.

CROSS-CONNECTION - any connection, direct or indirect, that physically joins a consumer's service line, or any piping extension thereof, to a source of water or a water system other than that of the Borough.

CONSUMER - any owner of a property using water service provided by the Borough. [Ord. 452]

IMPROVED PROPERTY - any property within the Borough of New Holland upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals.

INDUSTRIAL ESTABLISHMENT - any improved property located within the Borough of New Holland and used or intended for use, wholly or in part, for the manufacturing, processing, cleaning, laundering or assembling of any product, commodity or article.

MAIN - any pipe or conduit constituting a part of the water supply system of the Borough of New Holland used or usable for water distribution purposes.

CONSUMER'S SERVICE LINE - that part of the water service line extending from the Borough's service line (curb stop) to the premises, except the water meter.

MAIN EXTENSION - water service requiring the construction of one (1) 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 consumer.

METERED WATER RATES - the charges applicable to water supplied to and used by the consumer as measured by installed water meters. Metered rates are presented in Schedule A.

OWNER - the person or persons, association or associations, corporation or corporations, or any combination thereof, possessing record title to real property within the Borough.

PERSON - an individual, partnership, company, corporation, association, society, corporate political body, joint ownership, or any other group or entity capable of functioning in the context used herein.

PREMISES - the property, building or other site to which water service is furnished, including:

A. A building under one (1) roof, owned or leased by one (1) person, and occupied as one (1) residence or business.

B. Each combination of buildings owned or leased by one (1) person, served by one (1) service line, and occupied by one (1) family or business.

C. Each side of a double house or each housing unit.

D. Each apartment, office or suite of offices located in a building having several such apartments, offices or suites of offices and using in common one (1) or more means of entrance.

E. Each room or group of rooms in a building occupied or intended for occupancy as a separate business, or as separate living quarters by a family or other group of persons living together, or by a person living alone.

F. Any trailer occupied by one (1) family or business.

G. Any other situations as the Borough shall deem proper and advisable.

PRIVATE SYSTEM - a water supply system wholly within the dwelling or dwellings, or building or buildings, of a consumer.

PUBLIC WATER SYSTEM - all facilities, as of any particular time, for production, transmission, storage and distribution of water within the Borough of New Holland, owned by the New Holland Borough Authority and leased unto the Borough of New Holland for maintenance, operation and use.

STANDBY SERVICE - water service intended to supplement service provided from a Borough-approved potable source of supply other than that of the Borough.

TENANT - a person who leases or rents premises from an owner.

UNMETERED WATER RATES - the charges applicable to water supplied to and used by the consumer and not measured by installed water meters.

WATER COMMITTEE - such members of the New Holland Borough Council who have been appointed to oversee the affairs of the water system.

WATER RATES - the fixed charges, including metered and unmetered water rates, which are imposed and collected by the Borough merely as compensation for the supplying of water to the consumer and the use thereof by the consumer.

WATER SERVICE - provision by the Borough of water as a commodity, of readiness to serve water for any purposes and of any services related thereto.

WATER SYSTEM - the Borough's water supply, treatment, transmission and distribution facilities, taken as a whole, or as any portion thereof, including all related facilities heretofore or hereafter constructed, installed or acquired by or for the Borough.

(Ord. 427, 12/28/1993; as amended by Ord. 452, 4/7/1998, §1)

Part 4

Application for Water Connection Permit

§401. Service Connection.

1. The owner of any improved property abutting any street in which any main is constructed, or any property having an easement or right-of-way to such a street giving the owner of such property the right to construct a water line in such an easement or right-of-way, except for any improved property which shall constitute an industrial establishment or a farm which has its own supply of water for uses other than human consumption, shall connect such improved property with and shall use such water system in such manner as the Borough may require, within ninety (90) days after notice is given or served to such owner from the Borough to make such connection; subject, however, to such limitations and restrictions as shall be established herein or otherwise shall be established by the Borough.

2. The notice by the Borough to make connection to a main shall be in writing, and shall provide that such connection shall be made in accordance with the provisions of all ordinances and regulations of the Borough, and specifying that such connection shall be made within ninety (90) days after the date such notice is given or served. Such notice may be given or served at any time after a main is constructed in any street abutting the property of the owner, which main can deliver water to the particular improved property. Such notice may be by personal service, regular mail or certified mail.

3. Any owner desiring the introduction or alteration of a service line or lines from the Borough's main to his (or her) premises must first make application for a water connection permit to the Borough, at least thirty (30) days before service is required.

4. The water connection permit, upon approval, together with this Part, regulate and control water service to the premises. The approved permit shall be binding upon the heirs and assigns of the owner.

5. Any person desiring standby service shall submit an application for a water connection permit.

6. The application for a water connection permit will not be approved until the Borough receives full payment of all applicable fees and other charges as duly adopted by the Borough.

7. The Borough may, at its option, waive the application for water connection permit requirement or any parts thereof.

(Ord. 427, 12/28/1993)

§402. Water Service.

1. The provisions and regulations contained herein shall be a part of the contract, express or implied, with every person who takes, uses or contracts for water, and by every owner of any real property serviced by the water system, and every such owner and/or consumer, by taking water, and by having property connected to the water system, agrees to be bound thereby.

2. Any person desiring water service shall submit an application for a water connection permit for Borough approval at least thirty (30) working days before service is required.

3. When application is made by someone other than the owner, the owner shall guarantee payment for water service.

4. The fact that an application for water connection permit may not exist shall not relieve the owner of his responsibility for ultimate payment of all water service bills related to a premises.

5. All contracts for water service shall continue in force from month to month.

6. The Borough shall be notified by the consumer whenever the premises are to be vacated.

7. An application for service connection permit may be cancelled by the Borough for proper cause, at any time, upon giving five (5) days notice of such cancellation.

8. When service is initiated or discontinued during a billing period, base charges will be prorated according to the number of days of service rendered during the period.

9. A separate application for water connection permit shall be made for:

A. Each building under one (1) roof, owned or leased by one (1) party, and occupied as one (1) residence or business.

B. Each combination of buildings in one (1) common enclosure, owned or leased by one (1) party and occupied by one (1) family, person or business.

C. Each side of a double house having a solid vertical partition wall.

D. Each room or group of rooms in a building occupied by one (1) family, person or business, even though the kitchen, bath or other fixtures are used in common.

E. Each apartment, business establishment, office or suite of offices located in a building having several such apartments, business establishments, offices, suites of offices or combinations thereof.

F. Each fire service connection, whether public or private.

G. Standby service.

H. Such other cases as the Borough shall deem proper and advisable.

(Ord. 427, 12/28/1993)

§403. Deposits.

1. Deposits may be required from consumers taking service in an amount equal to the estimated gross bill for a single billing period plus one month. Deposits may be required from other consumers as the Borough deems necessary.

2. Deposits will be returned only to the depositor when he (or she) has established his (or her) credit to the satisfaction of the Borough; has paid service bills for a period of twelve (12) consecutive months; or upon discontinuance of service by the consumer and payment of all charges due. Any consumer of good credit who has been returned a deposit will not be required to make a new deposit unless service has been discontinued for violation of this Part.

3. No interest will be paid on deposits.

4. Any consumer having a deposit shall pay bills for water service rendered in accordance with this Part. The deposit shall not be considered as payment for normal water service.

5. Deposits may be applied to outstanding and unpaid bills at the option of the Borough.

(Ord. 427, 12/28/1993)

Part 5

Conditions of Installation and Use

§501. Written Permit for Consumer to Supply Other Premises. No owner or consumer at any premises receiving water service shall be allowed to supply water to other persons or other premises except by written permission of the Borough. Consumers who violate this rule will have water discontinuance procedures initiated against them. Water service that is turned off will remain off until this Part are satisfied. (Ord. 427, 12/28/1993)

§502. Borough's Service Line.

1. Upon approval of the application for water connection permit and payment of all applicable charges which are presented in Schedule B, the Borough will install its service line. The Borough will tap the main, insert a corporation stop, install service pipe to the curb and install a curb stop and service box. All connections from the water main to the curb box shall be made by the Borough, its employees or agents under the direction of the Water Superintendent.

2. Separate service lines shall be installed for normal domestic water service and fire protection service, unless a combined service is approved by the Borough.

3. The location of the service line will be designated by the Borough.

4. No sewer or drain line shall be within ten (10) feet of the service line trench, unless previous written approval is secured from the Borough.

5. If the Borough permits the water service line to be placed in the same trench with a building drain or building sewer line, the following conditions shall be met:

A. The bottom of the water service line, at all points, shall be at least eighteen (18) inches above the top of the sewer line at its highest point.

B. The water service line shall be placed on a solid shelf excavated at one (1) side of the common trench.

6. When a consumer desires a change in location or size of an existing service line, he (or she) shall bear the entire cost of the change. There is no charge for replacement of an existing service line if it is of like size and in the same location.

7. The Borough will be responsible for the maintenance and repair of its service line between the main and the curb stop.

8. The Borough's service line will not be installed on private property, unless the consumer provides a duly recorded written easement

granting permission for the Borough to install and maintain the service line on said private property.

9. The Borough reserves the right to construct its service line after the consumer installs his service line to the Borough's satisfaction.

(Ord. 427, 12/28/1993)

§503. Consumer's Service Line.

1. The consumer's service line, beyond the Borough's service line at the curb stop, shall be installed and maintained by the consumer at his expense.

2. The size of the service line shall be established by the consumer, but shall not be smaller than the pipe size at the curb stop. Line size will be subject to Borough review and comment; however, the Borough will assume no responsibility for adequacy of service line size. Minimum service line size shall be three-quarter (3/4) inch.

3. The consumer's service line shall be installed as a continuous length of pipe, and shall meet Borough specifications. If the length of the service line is less than one hundred (100) feet, then no coupling(s) shall be permitted. If the length of the service line is greater than one hundred (100) feet, then one (1) coupling shall be permitted on the street side of the length of pipe.

4. The consumer's service line shall be laid not less than three (3) feet below finished grade.

5. The service line trench shall not be backfilled until the Borough's service line is installed and both service lines are tested. If any defects are found in the consumer's service line, water service will not be furnished until such defects are remedied.

6. A separate stop or valve, with drain, shall be furnished and installed by the consumer immediately inside the basement wall between the basement wall and the meter.

7. The consumer shall also furnish and install the plumbing in an approved manner and at a location approved by the Borough. The consumer shall furnish and install a stop or valve immediately after the meter to prevent plumbing drainage when the meter is removed.

8. If service line pressure exceeds one hundred (100) psi and/or is deemed excessive by either the Borough, the applicant or the consumer, it shall be the consumer's responsibility to install a pressure regulator at his (or her) expense.

9. Although service line pressure may be undesirably low, the Borough shall be under no obligation to increase pressure by pumping or other means.

10. No connections or outlets are permitted on the consumer's service line between the curb stop and the meter, unless approved by the Borough. All water is to pass through the meter.

11. The consumer shall keep his (or her) service line in good condition under penalty of service discontinuance.

12. The consumer shall pay all costs for relocating or changing the size of his (or her) service line.

13. Installation of all new or replaced consumer service lines shall be subject to Borough inspection and approval.

14. If the Borough is required to renew its water service line, and the consumer's service line does not meet the Borough's specifications, the Borough may issue notice to the consumer to renew his (or her) service line at the consumer's expense, coincident with the Borough's renewal.

15. All fire service line requirements shall reflect the guidelines set forth in this Part and schedules of charges, and shall be in accordance with the Borough's specifications.

(Ord. 427, 12/28/1993)

§504. Opening and Closing Valves or Hydrants. No unauthorized consumer or person, including fire companies, shall operate any curb stop, valve or hydrant in any Borough line or main, without previous notification of the Borough; hydrant operation during a fire emergency is excluded. (Ord. 427, 12/28/1993)

§505. Two (2) or More Consumers on Same Service.

1. No owner of any premises shall furnish Borough water to other persons or premises without written Borough approval.

2. When two (2) or more consumers are supplied from the same service line, any violation of this Part by any of said consumers shall be deemed a violation by all, and the Borough may take action against the group of consumers as if they were a single consumer. However, such action will not be taken until an innocent consumer is given the opportunity to install a separate service connection.

(Ord. 427, 12/28/1993)

§506. Temporary Service.

1. Water service may be provided on a temporary basis for special conditions which do not fall under the classification of permanent or standby service. Each case shall be reviewed on an individual basis and service shall be at the discretion of the Borough.

2. Applicants for temporary use of water shall submit an application for water connection permit to the Borough for approval. The application for water connection permit shall be accompanied by a deposit in the amount of

the estimated quarterly charge, as determined by the Borough.

3. All costs for installing and dismantling temporary Borough service connections shall be paid for by the applicant.

4. Temporary water service must be metered. The Borough will install and remove the meter, and all costs shall be paid by the applicant.

(Ord. 427, 12/28/1993)

§507. Nonpermissible Connections. The following connections are prohibited:

- A. Connection to any water system not approved by the Borough.
- B. Connection to any device that may cause water hammer.
- C. An unprotected connection to a booster pump, boiler plant or boiler pump.
- D. Any cross-connection.

(Ord. 427, 12/28/1993)

§508. Backflow Prevention Devices.

1. Section 109.709 of the Pennsylvania Department of Environmental Resources (DER) Rules and Regulations (25 Pa. Code, Chapter 109) requires that "the public water supplier shall develop and implement a comprehensive control program for the elimination of existing cross-connections, or the effective containment of sources of contamination, and prevention of future cross-connections." The requirements for the cross-connection control program are defined in the DER Public Water Supply Manual, Part VII, and are supplemented herein for the Borough water system. Pertinent sections of the DER Public Water Supply Manual, Part VII, are shown in Appendix A.

2. The Borough reserves the right to require that all permanent and temporary water service connections to the Borough water system, regardless of size, including residential service connections and fire service connections, be equipped with a backflow prevention device. All such devices, including those installed on three-quarter (3/4) inch diameter residential service lines, shall be furnished by the consumer or owner. All backflow prevention devices shall be the property of the consumer or owner, as the case may be, who shall remain responsible for their installation, inspection, testing and overhaul in accordance with Borough requirements.

3. No water service connection shall be installed or maintained to any premises where actual or potential cross-connections between the Borough system and any other source of water supply may exist.

4. When, in the opinion of the Borough or its authorized representative, an approved backflow prevention device is required, the consumer shall furnish and install such approved backflow prevention device at each service

connection to the premises. The backflow prevention device shall be installed at a location and in a manner approved by the Borough and shall be installed by a properly qualified person. The device shall be located on the consumer's side of the water meter, prior to any other branch piping to the consumer's premises. However, a reduced pressure backflow prevention device shall not be permitted in the meter pit, but shall be installed in the building or above the meter pit in a location where it will not be subject to flooding and will be maintained free from standing water.

5. The type of backflow protection device required for a particular consumer shall be determined by the Borough based on then-current regulatory requirements. An approved air gap separation shall be installed where there are substances that are dangerous to public health. An approved air gap separation or an approved reduced pressure zone device (RPZD) shall be installed where the Borough's water system may be contaminated with a substance that could cause a water system or health hazard. An approved air gap separation, or an approved RPZD, or an approved double-check valve assembly (DCVA) shall be installed where the Borough water system may be polluted with substances that would be objectionable but not dangerous to health. Portions of the DER Public Water Supply Manual, Part VII, are shown in Appendix A, which provides backflow prevention device information.

6. Costs of furnishing and installing any backflow prevention device shall be borne by the consumer, who also retains ownership of the device and is responsible for testing and maintaining it. Devices shall be inspected, tested and overhauled at the consumer's expense in accordance with the following schedule:

A. An air gap separation shall be inspected at the time of installation and at least every twelve (12) months thereafter.

B. Double-check valve assemblies shall be inspected and tested for tightness at the time of installation and at least every twelve (12) months thereafter. They shall be dismantled, inspected internally, cleaned and repaired whenever needed, and at least every thirty (30) months.

C. Reduced pressure zone backflow prevention devices shall be inspected and tested for tightness at the time of installation and at least every twelve (12) months thereafter. They shall be dismantled, inspected internally, cleaned and repaired whenever needed, and at least every five (5) years.

Inspections, testing, and overhaul shall be performed by a person certified for that work, and repair or replacement shall be made without delay at the consumer's expense. The consumer shall maintain a complete record of each backflow prevention device, and a record of inspections, tests, repairs and overhauls shall be submitted to the Borough upon request.

7. The consumer shall be responsible for conducting periodic surveys of water use practices on the premises to determine whether there are actual or potential cross-connections through which contaminants or pollutants could backflow into the Borough's water system, and the consumer shall furnish such water use information to the Borough on request. The consumer's premises

shall be open at all reasonable times to the Borough or its authorized representatives on request to conduct surveys and investigations related to water use practices and actual or potential cross-connections. Should a cross-connection be identified, water service from the Borough will be discontinued until the cross-connection is eliminated. Water service from the Borough system will be resumed only after the consumer's water lines have been disinfected and tested following DER requirements at the cost of the consumer.

8. Where a booster pump has been installed on the service line to or within any premises, such pump shall be equipped with a low pressure cut-off device designed to shut off the booster pump when the pump suction pressure drops to ten (10) pounds per square inch gauge or less for a period of thirty (30) seconds or longer. The consumer shall maintain the low pressure cut-off device in proper working order and certify to the Borough, at least once a year, that the device is operating properly.

9. The Borough may deny or discontinue, after reasonable notice to the occupants thereof, water service to any premises wherein any backflow prevention device is not installed, tested and maintained as required; or if the backflow prevention device has been removed or by-passed; or if a cross-connection exists on the premises; or if a low pressure cut-off device is not installed and maintained in working order. Water service to such premises shall not be restored until the consumer has corrected or eliminated such conditions or defects to the satisfaction of the Borough.

(Ord. 427, 12/28/1993)

§509. Standby Service

1. Any consumer desiring standby water service shall submit an application for water connection permit to the Borough.

2. The Borough will determine the size and location of service lines and the number and type(s) of meter(s) required for standby service based on information supplied by the applicant.

3. Facilities deemed necessary by the Borough to provide standby service and to protect the Borough's water system shall be installed at the consumer's expense.

4. All normal water service charges shall apply unless waived by the Borough.

5. The terms of the standby service shall be as agreed upon by the Borough and the applicant.

(Ord. 427, 12/28/1993)

§510. Commercial Water Haulers.

1. Any consumer desiring service as a commercial water hauler shall submit an application for water connection permit to the Borough.

2. The consumer shall provide a location for loading, which location shall be approved by the Borough.

3. The consumer shall pay all costs of installing the consumer's service connection, meter, meter pit, valves, riser pipe and facilities to control spillage and surge conditions.

(Ord. 427, 12/28/1993)

§511. Leaks and Defective Plumbing.

1. In the event that any leakage, waste of water or unnecessary flow of water comes to the knowledge of or is reported to the Water Superintendent, he (or she) shall immediately correct the condition causing the leakage, waste or unnecessary flow. If said leakage, waste or unnecessary flow is in a private system and is caused by a willful or negligent act of a person, or by a defect in the private system, and the consumer or owner of the private system refuses to make immediate repairs, the Water Superintendent may shut off the water and discontinue the service to said consumer until the defect is remedied. In the event that the leakage, waste or unnecessary flow occurs in the Borough's water system, the Water Superintendent shall take all necessary steps in order to efficiently and in a workmanlike manner repair and correct the condition.

2. The Borough is not liable for damage resulting from leaks, broken pipes or any other causes, occurring to or within any house or building, or between the curb stop and the meter. It is expressly stipulated by and between the Borough and the consumer that no claims shall be made against the Borough on account of the bursting or breaking of any main, service pipe or water system appurtenance attached to the water system.

3. All metered consumption will be billed according to the schedule of water rates, and no adjustment will be made for excessive consumption due to leakage or waste.

(Ord. 427, 12/28/1993)

Part 6

Meters

§601. Determination of Metering. The Borough will determine when and where meters shall be installed. (Ord. 427, 12/28/1993)

§602. Size, Installation and Ownership.

1. The Borough will determine the meter size, based on water service requirements indicated by the applicant for a water connection permit, and will furnish all meters for installation by others. The cost of the meter is included in the water service connection fee. All meters and connections thereto shall be Borough property, and shall be maintained by the Borough at its expense, except as modified hereinbelow.

2. In no case shall the size of the meter be more than one (1) commercial size below the size of the service line. Where two (2) or three (3) consumers receive their supply through a single meter, the meter size shall be at least three-quarter (3/4) inch, and when four (4) or more consumers receive their supply through a single meter, the size shall be at least one (1) inch.

3. Each consumer unit of any type or class and whether owner or tenant occupied, shall have a separate meter, except as permitted otherwise by the Borough.

4. Multiunit buildings served through a single service line, where units are tenant occupied, such as apartment buildings and office buildings, may have a single meter if approved by the Borough.

5. Each owner occupied unit of a multiunit building shall have a separate service line and separate meter, even if converted to that type of occupancy from other prior use.

6. A bypass line shall be provided around any meters one and one-half (1 1/2) inch or larger, along with the proper valvings and fittings, as may be deemed necessary by the Water Superintendent, such bypass lines to be as follows:

1 1/2 inch meter	3/4 inch bypass
2 inch meter	1 inch bypass
3 inch meter	1 1/2 inch bypass
4 inch meter	2 inch bypass
6 inch meter	2 inch bypass

The bypass shall have a valve that shall be appropriately sealed by the Borough and shall never be opened unless by authorization by the Water Superintendent or his (or her) agents under penalties as set forth herein.

7. The consumer shall provide the Borough access to the meter at all reasonable times for reading, inspection, testing and repairs.

8. No consumer or other unauthorized person shall remove or disconnect a meter.

(Ord. 427, 12/28/1993)

§603. Location

1. The Borough shall determine the location of all water meters. For any consumer's service line one hundred (100) feet in length or longer, or for any consumer's service line two (2) inches in diameter or greater, the meter shall be installed in an approved meter box to be furnished by consumer, subject to approval by the Borough. The approved meter box shall be installed at such location as specified by the Borough adjacent to or in the vicinity of the curb stop. [Ord.465]

2. When a meter is to be installed within a building, the consumer shall provide, at his (or her) expense, an approved installation space and approved piping connections complete with stops or valves, with drains, on the inlet side and the immediate outlet side of the meter.

3. When a meter is to be installed outside a building, it shall be placed in an approved meter box, furnished by the Borough at the expense of the consumer, complete with approved stops or valves, with drains, all provided at the consumer's expense.

(Ord. 427, 12/28/1993; as amended by Ord. 465, 9/7/1999, §1)

§604. Protection.

1. The consumer shall protect the meter against damage due to freezing, hot water, negligence and other causes. The Borough will repair any loss or damage at the consumer's expense. If payment for loss or damage is not made within ten (10) days of the billing date, service will be discontinued until the bill is paid.

2. Where steam or hot water is used, the consumer shall install a check valve on the consumer side of the meter.

3. In the event any water line is used for the property electrical service ground, the consumer shall provide an approved ground bridge around the meter installation.

(Ord. 427, 12/28/1993)

§605. Meter Tests

1. The Borough may test or replace a consumer meter at any time after notification.

2. After receipt of a written request and deposit, as listed below, the Borough will test the accuracy of a consumer's meter in his (or her)

presence, if so desired. If the meter accuracy is within three (3) percent, the meter is considered accurate and the deposit will be retained by the Borough. If the meter accuracy exceeds three (3) percent against the consumer, the meter will be repaired or replaced at Borough expense, and the deposit will be returned to the consumer.

[Text continued on following page.]

3. Required meter test deposits are as follows:

<u>Meter Size</u>	<u>Deposit</u>
For any meter 5/8 to 1 inch meter	\$ 15.00
For any meter 1 1/4 to 2 inch meter	\$ 25.00
For any 3 inch meter	\$ 50.00
For any 4 inch meter	\$ 100.00
For any 6 inch meter	\$ 150.00

4. If a meter is found to be inaccurate, an adjustment will be made for the current billing period only, based on test results. If there is evidence to establish the date of inaccuracy, the adjustment will be made from that date.

(Ord. 427, 12/28/1993)

Part 7

Fire Service and other Special Uses

§701. Public Fire Service.

1. No Borough fire hydrant shall be used without the Borough's permission for any purpose, other than the extinguishing of fires. All persons are forbidden to open any fire hydrant or to use any water therefrom for sprinkling streets, for building, or for any purpose without written permission from the Borough, except in the case of fire, and by fire companies to test the hydrants, after prior notification has been given to the Borough.

2. The Borough does not assume any liability as insurer of property of person. Any consumer receiving fire service is not entitled (in the event of fire) to any service, pressure, capacity or facility other than that available at the time of service. The Borough is not 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 Borough.

(Ord. 427, 12/28/1993)

§702. Private Fire Service.

1. Each person desiring private fire service, such as for a sprinkler system, shall make application for a water connection permit to the Borough.

2. If requested by the Borough, the applicant shall submit information on his (or her) private fire service requirements including, but not necessarily limited to, flow, residual pressure and flow duration. The Borough reserves the right to deny provision of fire service until such time as all necessary information is provided for Borough review.

3. Each applicant shall be required to pay all charges associated with the provision of private fire service, in accordance with the Borough's schedules of charges, including those charges due and payable before service is provided and those due and payable in conjunction with the actual provision of the service.

4. The applicant shall be solely responsible for the design, installation, operation and maintenance of the fire service system to which the Borough is providing private fire service. It shall be the applicant's sole responsibility to insure the adequacy of his (or her) onsite fire protection system and to satisfy all applicable governmental regulations in regard to that system. The applicant should have his (or her) fire protection system designed by a qualified and experienced and/or registered fire service protection firm or representative. The Borough reserves the right, both prior to and during the provision of private fire service, to require that the applicant (consumer) submit complete detailed information on the makeup of his (or her) onsite fire service protection system, for the purposes of review to insure its compatibility with the Borough's water system. The size

of each fire service line shall be approved by the Borough prior to installation.

5. Although the Borough may, from time to time, provide information to an applicant or consumer in regard to the availability and/or provision of private fire service, any and all information presented by the Borough and/or its agents is provided solely as a matter of convenience. No warranty or guarantee of any sort is furnished or implied with respect to the actual flow, pressure or other service capability that will be realized from the Borough's water system. The Borough and/or its agents assume no liability or responsibility whatsoever as insurers of property or person, nor in regard to any damage or injury to any person or property by reason of any fire, flooding or water service failure of any type, or any other cause associated with the Borough's provision of water service. No consumer is entitled to any service capability (flow, pressure, etc.) except that which is available at the time of service. The manner in which Borough-furnished information is interpreted and/or used by the applicant or consumer is the sole responsibility of the applicant or consumer.

6. The applicant and/or consumer may request that the Borough provide a determination of estimated fire service capability. Such a determination will be provided by the Borough, at the Borough's discretion, if requested, after proper application for water connection permit is made, and the appropriate fee is paid.

7. All aspects of the design, installation, operation and maintenance of the applicant's fire service protection system shall comply with all requirements of the Borough. The Borough reserves the right to require the applicant and/or consumer to provide it with detailed information on its fire service protection system and also reserves the right to inspect the installed system. The Borough further reserves the right to deny or terminate private fire service if the system is not in compliance with said specifications.

8. When an applicant desires both private fire service and domestic water service to a certain premises, the Borough prefers that such service be provided by means of two (2) independent service connections. However, the Borough reserves the right to permit that such dual service be provided through a single service connection, on the condition that all aspects of the installation satisfy the Borough's inspection and approval.

9. In cases where an applicant requests private fire service to a premises after domestic water service has already been installed, the Borough reserves the right to require that a new and separate service connection be installed for the provision of the private fire service.

10. All private fire service lines shall be equipped with Borough approved backflow prevention devices, consistent with Pennsylvania Department of Environmental Resources regulations, and in accordance with the Borough's requirements. All backflow prevention devices shall be the property of the consumer who shall be fully responsible for all costs associated with their proper installation, operation, and maintenance. The Borough reserves the right to require that consumers appropriately test and maintain said backflow prevention devices. Failure to comply with Borough stipulations in this regard shall be grounds for termination of private fire service.

11. All watch meters (bypass meters) installed on private fire service lines shall become the property of the Borough. The Borough reserves the right to charge the consumer for metered consumption through such watch meters in accordance with its schedule of water rates.

12. With the exception of the watch meters (bypass meters), all fire service meters, including detector check assemblies, shall be the property of the consumer, who shall be solely responsible for all costs associated with their installation, testing, repair, maintenance, etc. The Borough reserves the right to require consumer actions in that regard, and failure to comply shall constitute grounds for termination of private fire service.

13. No cross connection of any type shall be permitted between any pipe served through a private fire service line and any pipe served through a domestic water service line. If determined to exist, all such cross connections shall be immediately disassembled. Failure to disassemble such cross connections shall constitute grounds for immediate termination of private fire service and/or domestic water service.

14. No cross connection shall be made between a pipe served from the Borough's private fire service connection and any other source of water supply, such as a consumer well supply. If determined to exist, all such connections shall be immediately disassembled. If not disassembled, such cross connections shall constitute grounds for immediate termination of private fire service by the Borough.

15. Private fire service lines are not to be used for water service, except for actual fire service emergencies or for testing of fire protection service systems. Unauthorized use of fire service lines shall constitute grounds for the Borough's termination of private fire service, and the consumer shall be liable for estimated quantities of unauthorized water use.

16. In addition to rendering charges for metered consumption through fire service line meters, the Borough reserves the right to impose flat rates (standing ready to serve) and other appropriate charges, if any, for the provision of private fire service, all in accordance with the schedule of water rates.

17. No separate charge will be imposed by the Borough for fire hydrants installed on the consumer's side of the fire service meter or detector check assembly. However, appropriate flat rate charges will be imposed by the Borough for all hydrants installed on the Borough's side of the fire service meter or detector check assembly. Charges for such hydrants will be as set forth in the Borough's schedule of water rates.

(Ord. 427, 12/28/1993)

§703. Use of Fire Service Facilities.

1. No fire hydrant or private fire service line shall be used for any purpose other than extinguishing fires and testing fire protection systems.

2. Any municipality, fire company or consumer desiring to test hydrants or fire service lines shall notify the Borough at least five (5) working days in advance of the scheduled test. The conduct of such tests shall be subject

to Borough approval. The Borough reserves the right to permit the use of fire hydrants for training purposes by authorized personnel of local fire departments.

(Ord. 427, 12/28/1993)

§704. Boilers. Consumers who use the water supply for steam boilers or similar facilities do so at their own risk. The Borough, upon request, will furnish water system pressure data for consumer convenience in setting relief valves, but in no way guarantees the results. (Ord. 427, 12/28/1993)

§705. Heat Transfer Equipment.

1. Heat transfer equipment includes air conditioning, refrigeration, heat pump or other heating or cooling equipment, air compressor, atmospheric condenser, vacuum pan or similar equipment or heat exchangers attached to any such equipment supplied with water from the Borough water system.

2. Where a consumer desires to utilize water for heat transfer equipment, an application shall be submitted to the Borough for that use. The Borough reserves the right to reject approval of such application if projected water consumption is excessive.

3. If the Borough determines that water consumption for heat transfer purposes is excessive, the Borough may discontinue service until the consumer reduces consumption to an acceptable level.

(Ord. 427, 12/28/1993)

Part 8

Discontinuance of Service

§801. Notice and Charges.

1. Any rental, rate or charge for water, whether for metered service or nonmetered service, shall be due and payable upon presentation. If the consumer shall neglect or fail to pay, for a period of thirty (30) days after the date of mailing the bill for any such rental, rate or charge for water, the Borough reserves the right to shut off the supply of water to such premises until all such overdue rentals, rates and charges, together with any penalties and interest thereon, shall be paid in full. In no case shall the water supply be shut off to any premises until ten (10) days after written notice of the intention to shut off the water supply has been mailed to the owner of the premises and, in the event water bills are being paid by any person occupying the premises who is not the owner thereof, unto such occupant, and, in addition thereto, there has been posted a written notice at the main entrance to the premises. In the event of any shut-off of supply of water, a charge in the amount of twenty-five dollars (\$25.00) shall be assessed for resumption of water service. Water service shall be resumed at such time as the Borough has received payment in full of all such overdue rentals, rates and charges, together with any penalties and interest thereon, and the aforesaid twenty-five dollar (\$25.00) charge.

2. There will be no charge for temporarily shutting off and turning on water service to a premises if requested by the consumer and performed during the Borough's normal weekday business hours, except when service discontinuance is involved.

3. There will be a charge of twenty-five dollars (\$25.00) for temporarily shutting off and turning on water service to a premises if the service is performed at the consumer's request for nonemergency purposes outside of the Borough's normal weekday business hours, including holidays.

4. The Borough reserves the right to shut off water service without notice during emergencies, and the Borough shall not be liable for any damages or inconveniences suffered.

(Ord. 427, 12/28/1993)

§802. Reasons for Discontinuance.

1. The Borough reserves the right to shut off water for nonpayment of delinquent water bills and for any of the other reasons listed hereinbelow. The Borough will give the consumer advance written notice of discontinuance, will post a written notice at the premises prior to shutting off service, and will follow procedures required by Pennsylvania law. Discontinued service will not be restored until a service restoration fee of twenty-five dollars (\$25.00) is paid to the Borough. Service may be discontinued for any of the following reasons:

A. Violation, neglect or refusal to comply with any of the Borough water service rules and regulations.

B. Misrepresentation in the application as to property or fixtures to be supplied, or the use to be made of the water supply.

C. Use of water for any other property or purpose not described in the application.

D. Tampering with any curb stop, service pipe, meter, seal or any appliance of the Borough.

E. Failure to maintain, in good order, connections, service lines, backflow preventers or other fixtures for which the consumer is responsible.

F. Waste of water through improper or imperfect pipes, fixtures or other facilities, or otherwise.

G. Vacancy of the premises.

H. Failure to make payment of any water system charges against the premises.

I. Refusal of access to the premises to inspect, read, care for or remove meters.

J. Refusal to conserve water during periods of advertised restricted supply.

K. Failure to pay Borough water bills or charges incurred at another premises.

L. Existence of any cross-connection at a premises.

M. Grounds authorized by current law.

N. At request of coverage utility.

(Ord. 427, 12/28/1993)

§803. Supply of Water.

1. The Borough shall not be liable for any water supply deficiency, or its consequences, or a failure in the supply when occasioned by shutting off water to make repairs or connections, or failure from any cause beyond the Borough's control. Reasonable notice will be given when practicable.

2. The Borough reserves the right to restrict water service in case of scarcity, or whenever the public welfare may require such restriction, in the opinion of the Borough.

(Ord. 427, 12/28/1993)

§804. Vacating the Premises.

1. Whenever the premises of a consumer are to be vacated, either temporarily or permanently, notice thereof shall be given to the Water Superintendent before vacating the premises.

2. When the premises are vacated, the consumer shall give the Borough written notice to turn off the water service. The consumer shall pay for all water used until the service is turned off.

3. A new application for water connection permit shall be submitted each time there is a change in property ownership or consumer identity at a premises, and the Borough shall have the right to discontinue service until a new application for water connection permit is made and approved.

(Ord. 427, 12/28/1993)

Part 9

Extension of Service

§901. Main Extension Requirements.

1. Any person desiring water service shall submit an application for water connection permit for Borough approval.

2. The Borough shall determine whether a main extension is required in order to extend water service.

3. Main extensions shall consist of any new main, including mains lying wholly within a new development or tract of land.

4. When an applicant requests water service that requires a main extension, as determined by the Borough, the policies stated hereinbelow shall apply, and the applicant shall submit a main extension application and shall enter into a main extension agreement with the Borough.

5. All costs associated with a main extension project, including legal, engineering, construction, inspection and administrative costs, shall be borne by the applicant. The Borough shall not be obligated to grant refunds, other than unexpended deposits, although it reserves the right to do so.

6. All main extension plans shall be reviewed or prepared by the Borough at the applicant's expense, as detailed below.

7. Mains shall be sized by the Borough to meet the applicant's needs, except that a minimum main size of eight (8) inch diameter is required in the system.

8. Where a main size is increased by the Borough beyond the size required to serve the applicant's needs, the additional cost thereof shall be borne by the Borough.

9. All main extensions shall be constructed in public rights-of-way or Borough-owned easements. The applicant shall grant to the Borough any easements across his (or her) property that are necessary for the main extension, or future extensions thereof, by execution of a satisfactory right-of-way agreement between the applicant and the Borough, which right-of-way agreement shall be executed prior to execution of a main extension agreement.

10. All main extensions shall extend the entire length of the property, from property line to property line, to be served in all directions, unless otherwise approved by the Borough.

11. The number and location of fire hydrants, which shall be installed at the applicant's expense, shall conform to Borough's requirements.

12. Until conveyed to another owner, the applicant and his (or her) assigns are responsible for payment of all charges for water service to each service unit.

13. Deposits for main extensions shall not bear interest.

(Ord. 427, 12/28/1993)

§902. Procedure for Main Extensions Constructed by the Applicant.

1. In addition to a main extension application, an applicant is required to submit to the Borough a plan, or plans, showing in detail the locations of all proposed water mains and appurtenances for the main extension. The Borough shall determine, upon reviewing the application, whether to accept or reject the application, and shall notify the applicant of its decision.

2. If the Borough accepts the application for a main extension, the Borough will furnish the applicant an estimate of initial engineering and administrative costs associated with the engineering review of the applicant's plans.

3. If the applicant accepts the estimate of initial engineering and administrative costs, he (or she) shall be required to deposit with the Borough a sum of money equal to that estimate and execute a main extension agreement with the Borough. After the main extension agreement is executed and the deposit received, the Borough or its agent will review the applicant's plans and recommend any changes required to conform to the Borough's policies. The plan review is a service to the applicant, and the review is not intended to detail all the requirements with which the applicant must comply under the rules and regulations and materials specifications of the Authority. Final payment by the applicant for initial engineering and administrative costs shall be based on the actual costs incurred.

4. After the applicant's main extension application and related water plans are approved by the Borough, the Borough will submit to the applicant an estimate of the inspection and administrative costs associated with construction of the main extension.

5. If the applicant accepts the Borough's estimate of the inspection and administrative costs, the applicant shall deposit with the Borough a sum of money equal to the estimated inspection and administrative costs. After receipt of this deposit, the Borough will permit the applicant to proceed with construction of the main extension.

6. After completion of the main extension, the Borough will furnish the applicant a tabulation of the actual inspection and administrative costs incurred during construction. If the inspection and administrative costs are less than the deposit of the applicant, the Borough will return to the Applicant any excess monies deposited. If the inspection and administrative costs exceed the funds deposited, the applicant will be required to pay the excess amount to the Borough prior to the receipt of water service.

7. The applicant shall pay to the Borough an amount equal to the Borough's cost of preparing "as-built" drawings and notes to reference all

valves, corporations, curb stops and fittings to nearby structures prior to receipt of water service.

8. Ownership of water mains and appurtenances comprising the main extension shall be transferred to the Borough, with all associated easements and rights-of-way. A one (1) year maintenance period shall commence upon acceptance by the Borough of said mains, appurtenances, easements and rights-of-way.

(Ord. 427, 12/28/1993)

§903. Procedure for Main Extensions Constructed by the Borough.

1. In addition to a main extension application, the applicant shall submit a plan, or plans, showing in detail the locations of all proposed residential or commercial units. The Borough will determine, upon reviewing the application and plan, whether to accept or reject the application, and will notify the applicant of its decision.

2. If the Borough accepts the main extension application, the Borough will furnish the applicant an estimate of initial engineering and administrative costs associated with the preparation of plans, specifications, contract documents and related costs.

3. If the applicant accepts the initial engineering and administrative costs, he (or she) shall deposit the estimate of initial engineering and administrative costs with the Borough and shall execute a main extension agreement. Subsequently, the Borough will prepare plans, specifications and contract documents for receiving bids on the main extension. Final payment by the applicant for initial engineering and administrative costs shall be based on the actual costs incurred.

4. Sealed proposals for the main extension construction will be received, publicly opened and tabulated by the Borough. The applicant may submit a bid proposal. The Borough will select the main extension contractor.

5. The Borough will submit the tabulation of bid proposals to the applicant, including the estimated total construction cost and the selected contractor.

6. If the applicant accepts the estimated construction cost and desires to proceed with the main extension construction, the applicant shall deposit a sum of money equal to the estimated total construction cost, plus costs for permits, inspection, administration and other related costs with the Borough. After receipt of this deposit, the Borough will proceed with the main extension construction.

7. After completion of the main extension construction, the Borough will prepare a tabulation of the main extension costs and will submit it to the applicant. If the total cost is less than the applicant's deposit, the Borough will return any excess monies deposited. If the total cost exceeds the applicant's deposit, the applicant shall pay the excess amount prior to receipt of water service.

(26, §903, cont'd)

(26, §903, cont'd)

(Ord. 427, 12/28/1993)

Part 10

Miscellaneous Regulations

§1001. Access by Borough Personnel. Any authorized Borough employee, upon presentation of credentials, shall be provided with access to all parts of the premises supplied with water, at all reasonable hours, for the purpose of reading meters, making inspections or repairs, shut off the service when empowered to do so, or securing any other information the Borough deems necessary. If the consumer refuses to provide access, service may be discontinued, upon proper notification, and the Borough will not be liable for any damages or inconveniences suffered. (Ord. 427, 12/28/1993)

§1002. Temporary Interruption of Service. During any emergency, and during the changing or testing of water meters, the Borough has the right to temporarily interrupt service to make repairs or connections. The Borough will notify consumers of such service interruptions, if possible. The Borough will not be liable for any damages or inconveniences suffered due to service interruptions. (Ord. 427, 12/28/1993)

§1003. Water Emergency.

1. The Borough, or a State or Federal regulatory agency, reserves the right to declare a water emergency, due to a water shortage or other emergency condition, and to impose any water use restrictions deemed necessary during such an emergency. The Borough, at its discretion, may prohibit the use of water from the water system for other than necessary human consumption and sanitary domestic needs. Water emergency restrictions will continue in effect until terminated by the Borough.

2. The Water Superintendent, or in his absence the Borough Manager or the Chairman of the Borough's Water Committee, is authorized to act for the Borough in declaring a water emergency and imposing water use restrictions. Such actions shall be ratified by the Borough at the next meeting or the water emergency declaration shall automatically terminate.

3. Notice of a water emergency declaration and water use restrictions will be published in a newspaper in general circulation.

4. The Borough, through its Water Superintendent and/or Borough Manager, shall have authorization to limit the use of water to any or all consumers to coincide with availability of water distribution.

(Ord. 427, 12/28/1993)

§1004. Acquisition of Existing Facilities

1. The Borough may acquire or accept ownership, at its discretion, of any existing water mains, distribution systems or other water system facilities, if the facilities are properly assigned and transferred to the Borough by the previous owner.

2. Water mains, distribution systems or other water system facilities will not be accepted by the Borough unless the previous owner furnishes all necessary rights-of-way or easements to the Borough.

(Ord. 427, 12/28/1993)

§1005. Encroachments

1. No consumer, person, owner, tenant, firm, agency or any other party shall be permitted to install facilities within or upon Borough-owned easements or rights-of-way, or at any other locations that may interfere with the Borough's need to construct, operate and maintain existing and new water service facilities.

2. The Borough reserves the right to remove or cause to be removed any facilities that interfere with its need to construct, operate and maintain its existing or new water service facilities, all at the sole expense of the encroaching party. The Borough further assumes no responsibility for the restoration or replacement of such encroaching facilities.

(Ord. 427, 12/28/1993)

§1006. Water Committee and Water Superintendent.

1. There shall be appointed annually by the President of New Holland Borough Council, a committee of three (3) members of Council, to be known as the Water Committee, who shall exercise general supervision of the Borough water system and to whose direction the Water Superintendent shall be subject, except as herein modified.

2. The New Holland Borough Council may, from time to time, appoint a Water Superintendent, who shall hold such position and employment for an indefinite tenure, serving at the pleasure of the Council. The Water Superintendent, under the direction of New Holland Borough Council and the Water Committee thereof, shall manage and operate the Borough water system. He (or she) shall have charge of all equipment, tools, purification plants, reservoirs, mains, connections, fire hydrants and pumps. He (or she) shall make or cause to be made all water readings at times as specified by the New Holland Borough Council and shall submit the same to the Borough Secretary for the preparation of bills and delivery of same to the consumer. He (or she) shall keep accurate records of all consumers' meter readings, reservoir readings, filtration plant readings, supplies and materials used in the operation of the water system. It shall be his (or her) duty to keep the fire hydrants in proper condition so that they will be available for immediate service at all times. It shall be his (or her) duty to direct all connections and repairs to ensure that they are made in a proper, workman-like and efficient manner. He (or she) shall perform faithfully such other directions and duties as may be imposed from time to time by the New Holland Borough Council and/or the Water Committee, in order that the water system may be efficiently operated and managed to the advantage of and for the benefit of the consumers and the citizens of the Borough.

(Ord. 427, 12/28/1993)

§1007. Offenses and Penalties.

1. It shall be unlawful:

A. To pollute the reservoir, water system, and water supply course.

B. To damage any part of the water system.

C. To open any fire hydrant, unless authorized and permitted to do so by the Borough.

D. To willfully or negligently allow water to flow unnecessarily from his, her, its or their building or buildings.

E. To supply water to any person for use off of the premises of the consumer, unless authorized and permitted to do so by the Borough.

F. To refuse access to the consumer's premises to the Water Superintendent or a Borough employee.

G. To tamper with, break or destroy any water meter or part thereof.

H. To change the location of any water meter.

I. To make a connection to the water system without first having obtained Borough approval.

J. To add any additional outlets, fixtures, spigot or private fire hydrant to any private system where unmetered service is rendered without first obtaining Borough approval.

K. To use water from the water system for other than necessary human consumption and sanitary domestic needs in defiance of a water emergency proclamation.

L. To knowingly create a cross-connection between the Borough system and any other source of water supply.

2. Any person, firm or corporation who commits any of the above offenses shall, upon conviction thereof, be sentenced to pay a fine of not more than one thousand dollars (\$1,000.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed thirty (30) days. Each day that a violation continues constitutes a separate offense.

(Ord. 427, 12/28/1993)

Part 11

Terms of Payment

§1101. Bills Rendered.

1. Bills for water supplied or consumed will be rendered at stated intervals, not less than quarterly, for a specified service period preceding the billing date, as the Borough may from time to time prescribe, except as modified herein.

2. For special or estimated charges, bills will be rendered, upon application, before service is granted.

(Ord. 427, 12/28/1993)

§1102. Computation of Bills.

1. Bills for metered service will be determined according to the schedule of water rates. Metered water rates shown on the schedule of water rates shall be imposed upon all properties within the Borough with mains or pipes which presently exist or which may be hereafter constructed and used in connection with the Borough's water supply system.

2. Where a meter fails to register, or is found to be faulty, a bill will be estimated based on average consumption for the previous four (4) quarters, or for the quarters available, whichever period is shorter. If no consumption history is available, the bill will be estimated at a rate of forty-five dollars (\$45.00) per person per quarter. Adjustment may be made by request of the consumer after four (4) quarters of actual use has been established.

3. Bills for a partial billing period will be determined according to the schedule of water rates, based on actual consumption during the period, and a prorated base charge, based on the number of days in the billing period.

(Ord. 427, 12/28/1993)

§1103. Bills Due and Payable.

1. The owner of a property provided with water from the water system shall be liable to the Borough for any rental, rate or charge for the water provided to the property of the owner. All contracts for the providing of water service to any property shall be with the owner of the property only, and shall not be with any tenant or other occupant thereof. Unless otherwise requested by the owner and approved by the Borough, all bills for water service shall be forwarded to the owner of the property served. In the event of any default in payment of any outstanding rental, rate or charge for water service, the Borough shall have the right to proceed against the owner of the property serviced. Each owner shall provide the Borough with, and continuously shall keep the Borough advised of, his or her correct service and mailing address. The Borough may consider, at its sole discretion, sending

bills for such service to a tenant, upon request from the owner and the tenant. In the event billing to a tenant is approved, the owner shall nevertheless remain ultimately responsible for payment of the entire bill for water service provided to the property of the owner, regardless of whether or not the owner received any billings for such service. [Ord. 452]

2. All bills shall be paid by the due date shown on the bill.

3. Charges for connections, temporary uses and special services shall be payable on demand.

4. Payment delivered to the Borough or the collection agency, as evidenced by the date stamped on the bill, on or previous to the due date of the bill will be considered timely payment.

5. Water use by the same consumer in different premises will not be combined.

6. Water bills that remain unpaid beyond the due date are considered delinquent, which delinquency constitutes grounds for discontinuance of service.

7. The Borough reserves the right to take any legal action it deems necessary, including the lien of property, in order to recover amounts due and payable.

8. If discontinued, water service will not be restored until all bills and charges, including turn-on/turn-off charges and any administrative fees, have been paid to the Borough.

(Ord. 427, 12/28/1993; as amended by Ord. 452, 4/7/1998, §2)

§1104. Bills of Doubtful Accuracy Any consumer who doubts the accuracy of a bill shall bring or mail the bill, within ten (10) days of receipt, to the Borough office. The Borough will check the bill, and either confirm the original billing or issue a corrected bill. The due date will be adjusted by the time required to check and reissue the bill. (Ord. 427, 12/28/1993)

§1105. Failure to Receive Bill. The presentation of a bill to the consumer is only a matter of accommodation. Failure to receive a bill shall not exempt a consumer from the obligation to pay the bill by its due date. (Ord. 427, 12/28/1993)

§1106. Charge for Late Payment. In the event payment of any water bill is not made within thirty (30) days, a penalty shall be added in the amount of ten (10) percent of the total outstanding charges due as set forth on the bill. Every thirty (30) days thereafter, an additional three (3) percent of the outstanding balance due, as set forth on such delinquent bills, excluding any prior penalty, shall be added to the total outstanding balance due. (Ord. 427, 12/28/1993)

§1107. Bad Checks. When a consumer's check is returned to the Borough by the bank for insufficient funds, the Borough will impose a service charge

of twenty dollars (\$20.00) to the bill for each occurrence. (Ord. 427, 12/28/1993)

§1108. Connection Fees.

1. Upon application by the owner for a water connection permit, the applicant shall pay to the Borough a connection fee, prior to receipt of service, in accordance with the schedule of connection fees.

2. The connection fee shall be due and payable each time a water service connection is made, unless the installation is a like-size replacement of a prior service connection. If the installation is a replacement to relocate or increase the size of a prior service connection, the connection fee shall be applicable.

3. In the event the Borough is not to perform any installation work and is not to incur any costs for such installation, the applicant shall pay to the Borough a connection fee based on service line size, prior to receipt of service, in accordance with the schedule of connection fees.

4. In the event the applicant for a water connection permit is to have both water and sewer connections installed by the Borough at the same time and in the same ditch, with the sewer service line size not exceeding four (4) inches in diameter, the Applicant shall pay to the Borough a water connection fee based on the size of the water service connection, in accordance with the schedule of connection fees.

(Ord. 427, 12/28/1993)

SCHEDULE A

SCHEDULE OF WATER RATES

All rates are net. A ten (10) percent penalty will be added to all bills not paid within thirty (30) days. Every thirty (30) days thereafter, an additional three (3) percent penalty shall be assessed on the outstanding balance, excluding any prior penalty.

METERED RATES

A base quarterly water rental charge in the amount of ten dollars (\$10.00) shall be imposed upon each water meter.

An additional charge in the amount of three dollars and fifty cents (\$3.50) shall be imposed for each one thousand (1,000) gallons of water used or consumed on any property as measured by a water meter, pursuant to Borough rules and regulations, up to a maximum of fifteen million (15,000,000) gallons per quarter. [Ord. 477]

[Ord. 479]

FIRE SERVICE

All private fire service connections, regardless of size, will be assessed an annual charge of two hundred dollars (\$200.00) per year.

(Ord. 427, 12/28/1993; as amended by Ord. 442, 12/3/1996, §1; by Ord. 477, 1/2/2001, §1; and by Ord. 479, 8/7/2001, §1)

SCHEDULE B

SCHEDULE OF CONNECTION FEES

A connection fee shall be charged for connection to the Borough's water system and, if applicable, installation of a service lateral from the Borough's water main to the curb adjacent to the premises to be served. The fee to be charged will be determined as follows:

A. Except as hereinafter set forth, in the event the Borough is requested to install a service lateral from the water main to the curb line, upon application by the owner for a connection permit, the applicant shall pay to the Borough the sum of one thousand five hundred dollars (\$1,500.00) for each approved service lateral. In the event a requested service lateral exceeds three-fourths (3/4) of an inch in diameter, prior to service connection installation by the Borough, the applicant shall pay to the Borough an additional amount equal to an estimate by the Borough of all costs of installation and materials due to the requested increase in service lateral size. Any portion of any such increased costs collected by the Borough not used for the installation of the service lateral shall be refunded to the applicant. Any additional costs incurred in the installation of a the service lateral in excess of the increased cost and fees previously paid by the applicant shall be immediately payable by the applicant prior to initiation of water service to the premises.

B. In the event the Borough is not to perform any installation work and is not to incur any costs for such installation, the following connection fees shall be due and payable by the applicant for a water service connection permit:

<u>Service Provided</u>	<u>Line Charge</u>	<u>Meter Charge</u>	<u>Total Fee</u>
3/4-inch line and meter	\$ 415.00	\$ 85.00	\$ 500.00
1-inch line and meter	\$ 425.00	\$ 135.00	\$ 560.00
1 1/2-inch line and meter	\$ 475.00	\$ 300.00	\$ 775.00
2-inch line and meter	\$ 620.00	\$ 435.00	\$1,055.00
3-inch line and meter	\$ 770.00	\$1,290.00	\$2,066.00
4-inch line and meter	\$ 900.00	\$2,150.00	\$3,050.00
6-inch line and meter	\$1,150.00	\$3,895.00	\$5,045.00
8-inch line and meter	\$1,400.00	\$5,8975.00	\$7,275.00

C. In the event that any applicant for a water service connection permit is to have both water and sewer connections installed by the Borough at the same time and in the same ditch, and the sewer service shall not exceed four (4) inches in diameter, the following charges shall be applicable and payable to the Borough upon application by the owner for a water service connection permit:

(26, Schedule B, cont'd)

(26, Schedule B, cont'd)

(1) A connection fee in the amount of one thousand four hundred dollars (\$1,400.00) shall be imposed for the installation of a three-fourths (3/4) inch water service lateral.

(2) A connection fee in the amount of one thousand five hundred dollars (\$1,500.00) shall be imposed for the installation of a one (1) inch water service lateral.

(Ord. 427, 12/28/1993)

APPENDIX A

EXCERPTS FROM DER PUBLIC WATER SUPPLY MANUAL, PART VII

CHAPTER 1 - DEFINITIONS

**CHAPTER 3 - RECOMMENDED CROSS-CONNECTION CONTROL AND
BACKFLOW PREVENTION DEVICES**

TABLE VII-1 - DEGREE OF HAZARD

TABLE VII-2 - RECOMMENDED BACKFLOW PREVENTION DEVICES

PART VII

CHAPTER 1—DEFINITIONS

For the purpose of this Part, the following words shall have the meaning indicated unless clearly indicated otherwise in the text:

- A. **Air Gap Separation**—means the unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying potable water to a tank, plumbing fixture, or other device and the flood level rim of the receptacle. The differential distance shall be at least double the diameter ($2 \times D$) of the supply pipe measured vertically, above the top of the rim of the vessel. In no case, shall the air gap be less than one (1) inch.
- B. **Approved**—means that a backflow prevention device or method has been accepted by the public water supplier as suitable for the proposed use.
- C. **Atmospheric Vacuum Breaker**—The term “atmospheric vacuum breaker” (also known as the non-pressure type vacuum breaker) shall mean a device containing a shut-off valve followed by a valve body containing a float-check, a check seat and an air inlet port. When the shut-off valve is open, the flow of water causes the float to close the air inlet port. When the shut-off valve is closed, the float falls and forms a check valve against back siphonage and at the same time opens the air inlet port.
- D. **Auxiliary Water System**—Means any water source or system on the premises of or available to the customer except connections to other approved community water supply systems.
- E. **Backflow**—Means a flow condition, induced by a differential in pressure, that causes the flow of water or mixtures of water and other liquids, gases or other substances into the distribution pipes of a potable water supply system from a source other than its intended source.
- F. **Backflow Preventer**—A device or other means which will prevent the backflow of water or liquids of questionable quality into the public water supply system.
- G. **Backsiphonage**—Means the backflow of water or mixture of water and other liquids, gases or other substances from a plumbing fixture or other customer source, into a public water supply system main due to a temporary negative or sub-atmospheric pressure within the public water supply system.
- H. **Consumer**—means the owner or person in control of any premises supplied by or in any manner connected to a public water supply system.
- I. **Consumer's Water System**—means any water system, located on the consumer's premises, supplied by or in any manner connected to a public water supply system. A household plumbing system is considered to be a consumer's water system.
- J. **Containment**—Means cross-connection control which isolates the customer's entire facility from the public water supply system so as to provide the protection necessary to prevent contamination of the public water supply in the event of backflow from the customer's facility.
- K. **Contamination**—Means the degradation of the quality of the drinking water by wastewaters, processed fluids, or any water of a quality less than accepted drinking water quality to a degree which would create an actual hazard to the public health through poisoning or through the spread of disease.
- L. **Cross-connection**—An arrangement allowing either a direct or indirect connection through which backflow, including backsiphonage, can occur between the drinking water in a public water system and a system containing a source or potential source of contamination.
- M. **Degree of Hazard**—Means an evaluation of the potential risk to health and the adverse effect upon the public water supply system.

- N. **Double Check Valve Assembly**—Means an assembly composed of two single, independently acting, check valves including tightly closing shut-off valves located at each end of the assembly and suitable connections for testing the water tightness of each check valve.
- O. **Health Hazard**—means any condition, device, or practice in a water system or its operation that creates, or may create, a danger to the health and well being of its users. The word "severe" as used to qualify "health hazard" means a hazard to the health of the user that could reasonably be expected to result in the significant morbidity or death.
- P. **Interchangeable Connection**—Means an arrangement or device that will allow alternate but not simultaneous, use of two sources of water.
- Q. **Non-potable Water**—means water not safe for drinking, personal, or culinary use.
- R. **Person**—Any individual, partnership, association, company, corporation, municipality, municipal authority, political subdivision or any agency of federal or state government. The term includes the officers, employees and agents of any partnership, association, company, corporation, municipality, municipal authority, political subdivision or any agency of federal or state government.
- S. **Pollution**—means the presence in water of any foreign substance that tends to degrade its quality so as to constitute a hazard or impair the usefulness or quality of the water to a degree which does not create an actual hazard to the public health but which does adversely and unreasonably affect such waters for domestic use.
- T. **Potable Water**—means water which is satisfactory for drinking, culinary, and domestic purposes and meets the requirements of the Department of Environmental Resources.
- U. **Process Fluids**—means any fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a health, pollutional, or system hazard if introduced into the public or a consumer's water system. This includes, but is not limited to:
1. polluted or contaminated waters;
 2. process waters;
 3. used waters originating from the public water system which may have deteriorated in sanitary quality;
 4. cooling waters;
 5. contaminated natural waters taken from wells, lakes, streams, or irrigation systems;
 6. chemicals in solution or suspension;
 7. oils, gases, acids, alkalis, and other liquid and gaseous fluids used in industrial or other processes, or for fire fighting purposes;
 8. heating system waters from boilers or heat pumps.
- V. **Public Water Supplier**—A person who owns or operates a public water system.
- W. **Public Water Supply System**—A system which provides water to the public for human consumption which has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year. The term is either a community or non-community water system and includes any collection, treatment, storage and distribution facilities under control of the operator of the system and used in connection with the system. The term includes collection or pretreatment storage facilities not under such control which are used in connection with the system. The term also includes a system which provides water for bottling or bulk hauling for human consumption.
- X. **Reduced Pressure Zone (RPZ) Device**—Means a minimum of two independently acting check valves, together with an automatically operated pressure differential relief valve located between the two check valves. During normal flow and at the cessation of normal flow, the pressure between these two checks shall be less than the supply pressure. In case of leakage of either check valve, the differential relief valve, by discharging to the atmosphere, shall operate to maintain the pressure between the checks at less than the supply pressure. The unit must include tightly closing shut-off valves located at each end of the device, and each device shall be fitted with properly located test cocks.

- Y. **Service Connection**—Means the terminal end of a service line from the public water supply system. If a meter is installed at the end of the service, then the service connection means the downstream end of the meter.
- Z. **System Hazard**—means a condition posing an actual or potential threat of damage to the physical properties of the public water system or the consumer's potable water system.

PART VII

CHAPTER 3—RECOMMENDED CROSS-CONNECTION CONTROL AND BACKFLOW PREVENTION DEVICES

3.0 General

In selecting for use the devices outlined in this section, it is vital that the degree of protection provided be commensurate with the degree of hazard present. It is also important that the limitations of each device be understood since the degree of protection provided will depend on the type of backflow prevention device and the maintenance program employed.

Acceptable backflow prevention devices used for cross-connection control are as follows:

- (a) Air Gap
- (b) Reduced Pressure Zone Devices *
- (c) Double Check Valve Assembly *

*RPZD's and DCVA's should conform to AWWA Standard C506

3.1 Air Gap

An air gap separation provides a complete physical separation between the free flowing discharge end of a potable water supply line, faucet, plumbing fixture, or other device and the flood level rim of an open or non-pressure receiving vessel. An acceptable air-gap separation shall be at least double the diameter of the supply line. In no case shall the air gap be less than 1- inch. See Figure VII-1.

Advantages:

Properly designed and installed air gap installations provide the maximum degree of protection against backflow.

Limitations:

Air gap separations can be defeated by the thoughtless addition of a hose that in effect extends the discharge end of the pipe to a point below the highest possible water level of the fixture.

Under some conditions the cost of an air gap separation may be high when compared to a mechanical backflow prevention device.

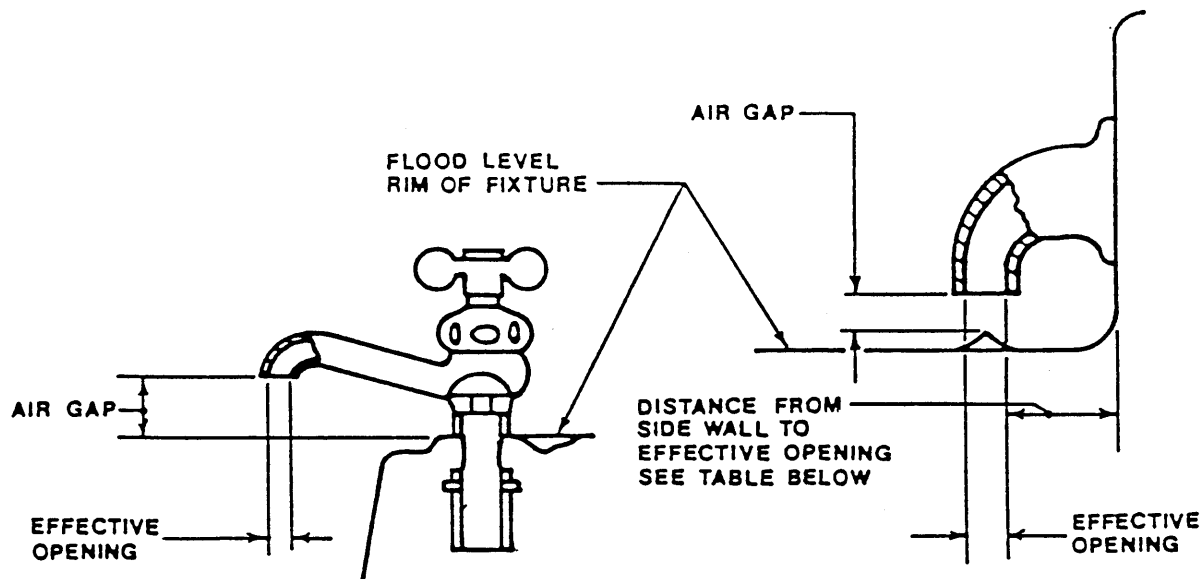
Air gap separation usually deprives the water consumer of the use of the water pressure in the main.

3.2 Reduced Pressure Zone Devices (RPZD)

These devices consist of two spring loaded check valves operating in series, and a spring loaded diaphragm activated differential pressure relief valve, located in the zone between the check valves. See Figure VII-2. Two (2) tightly closing shutoff valves and four (4) test cocks complete the assembly. These devices will indicate leakage through one or both check valves or the relief valve by the discharge of water from the relief valve port. This factor is an important advantage over the double check valve assembly.

Advantages:

The RPZD's, when periodically tested and properly maintained, may be used for backflow protection in situations where it would be extremely difficult to provide an air gap separation between two systems.



AIR GAP AND EFFECTIVE OPENING

NEAR WALL INFLUENCE ON AIR GAP

FIGURE VII-1

MINIMUM AIR GAPS FOR PLUMBING FIXTURES

Fixture	When not Affected By Near Wall (*) (Inches)	When Affected By Near Wall (**) (Inches)
Laboratories and other fixtures with effective opening not greater than 1/2 inch diameter	1	1-1/2
Sink, laundry trays, goose-neck bath faucets and other fixtures with effective openings not greater than 3/4" diameter	1-1/2	2-1/4
Over rim bath fillers and other fixtures with effective openings not greater than 1 inch diameter	2	3
Effective openings greater than one inch	2X Diameter of effective opening	3X Diameter of effective opening

- * Side walls, ribs or similar obstructions do not affect air gaps when spaced from inside edge of spout opening a distance greater than three times the diameter of the effective opening for a single wall, or a distance greater than four times the diameter of the effective opening for two intersecting walls.
- ** Vertical walls, ribs, or similar obstructions extending from the water surface to or above the horizontal plane of the spout opening require a greater air gap when spaced closer to the nearest inside edge of spout opening than specified in (*) above. The effect of three or more such vertical walls or ribs has not been determined. In such cases, the air gap shall be measured from the top of the wall.

Malfunctioning of the RPZD's is indicated by discharge of water from the relief port. RPZD's provide protection from backflow due to both back-pressure or back-siphonage.

Limitations:

RPZD's are mechanical devices that require periodic testing and maintenance.

Pressure loss through RPZD's may be expected to average between 10 and 30 psi, depending upon the size and flow rate of the device.

RPZD's should not be installed below ground level, must be protected from freezing and provided with adequate space to facilitate maintenance and testing.

3.3 Double Check Valve Assembly (DCVA's)

The DCVA consists of two independently acting check valves mounted in series with two tightly closing shut-off valves and four test cocks. See Figure VII-3.

Advantages:

The primary advantage of a DCVA is that when its two check valves are in the wide open position, there is a relative little resistance to flow. The head loss through the device ranges between 3 and 11 psi, depending on the rate of flow and diameter of pipe.

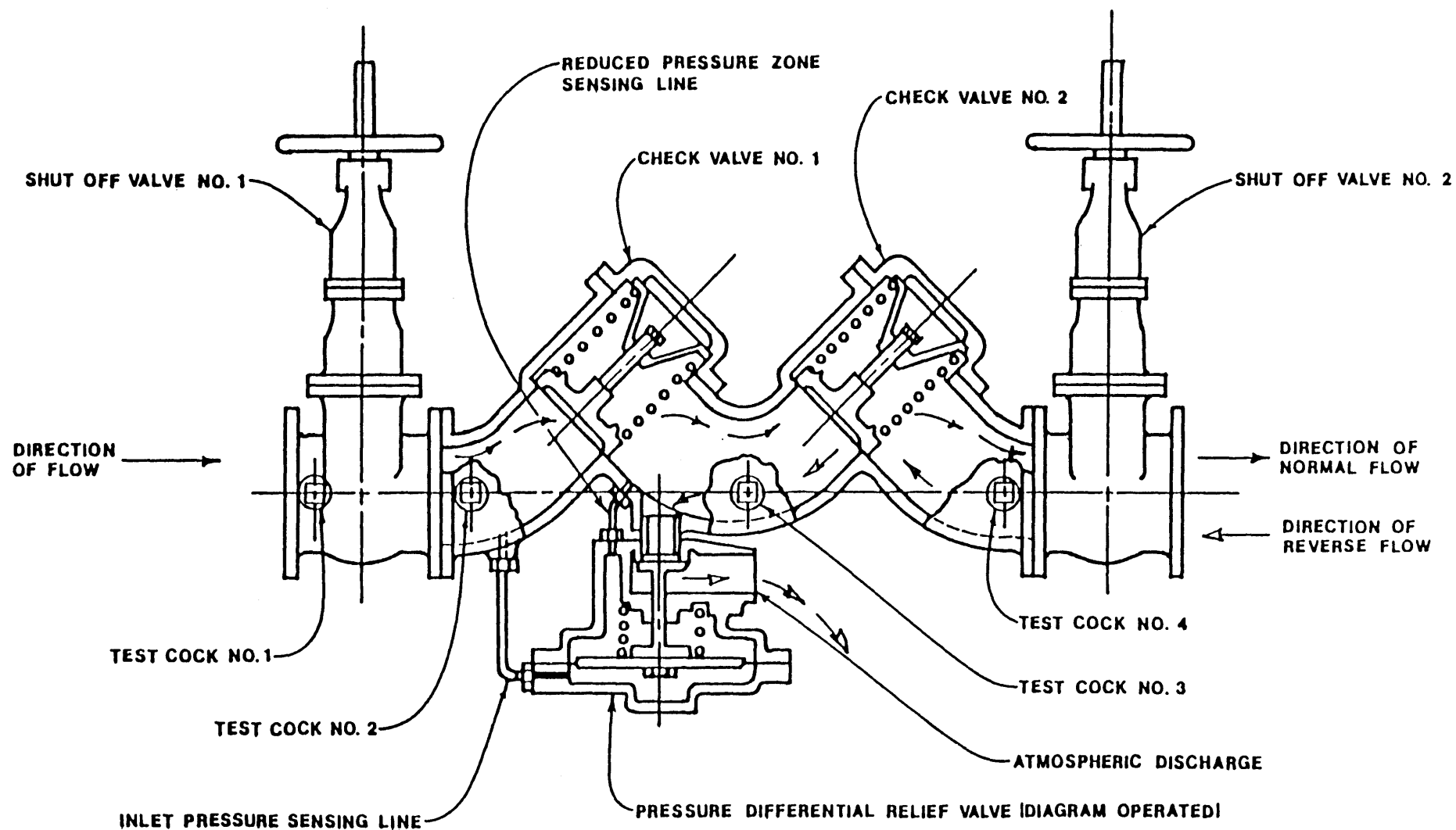
DCVA's provide protection against backflow due to both backsiphonage or back pressure.

The DCVA may be less expensive to install than an air gap or RPZD.

Limitations:

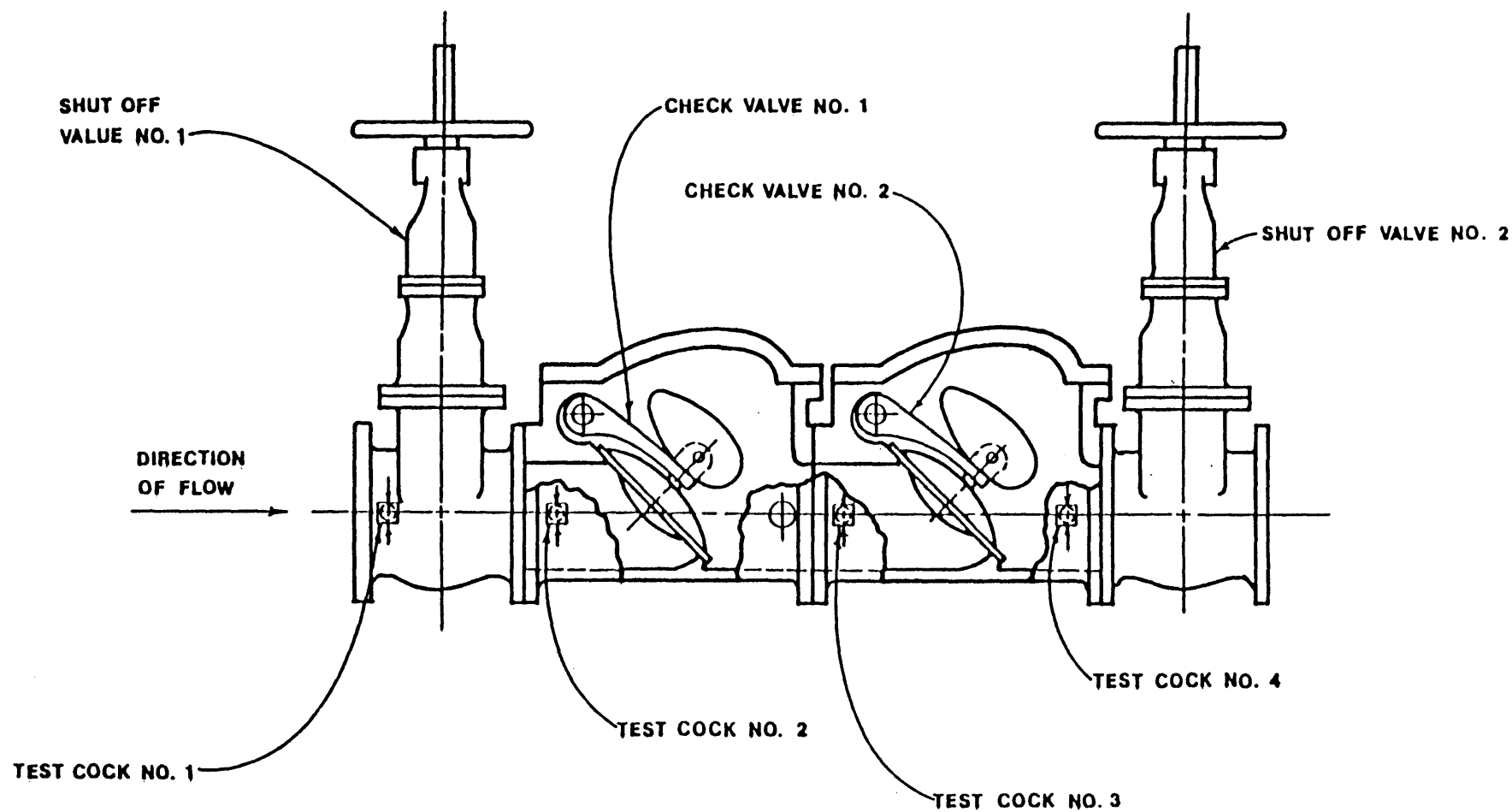
DCVA's have the inherent weakness of possible failure without giving exterior indication that a failure has occurred.

DCVA's are mechanical devices that require periodic inspection and maintenance.



REDUCED PRESSURE PRINCIPLE BACKFLOW PREVENTION DEVICE

FIGURE VII-2



DOUBLE CHECK VALVE ASSEMBLY

FIGURE VII-3

TABLE VII-1
DEGREE OF HAZARD

1. Hazardous Facilities

The following partial listing gives examples of the types of facilities which would *require an acceptable reduced pressure zone (RPZ) device or air gap (AG)* to be installed in the service connection to the public water distribution system. Additional facilities needing RPZ's or AG's can be found in Table VII-2.

Type of Facility	Potential Hazard
Sewage & Industrial wastewater treatment plants & pumping stations, sewer flushers,, etc.	Sewage, Industrial wastewater, contaminated water, toxic chemicals, etc.
Paper manufacturing or processing, dye plants, petroleum processing and, storage facilities, printing plants, chemical manufacturing or processing, industrial fluid systems, steam generation, rubber processing, tanneries	Toxic chemicals, water conditioning compounds Examples: Toxic dyes, acids, alkalies, solvents, quaternary ammonia compounds, mercury, chromium, etc.
Canneries, breweries, food processing, milk processing, ice manufacturing, meat packers, poultry processing, rendering companies, etc.	Process wastewater, steam, detergents, acids, caustics, refrigeration lines
Hospitals, clinics, laboratories, veterinary hospitals, mortuaries, embalmers, shipyards, marinas, nuclear reactor facilities	Bacterial cultures, laboratory solutions, blood & tissue waste, toxic materials, sea water, sewage, contaminated water, etc.
Metal-plating, photo-processing, laundries, commercial car washes, commercial refrigeration systems, dry cleaning establishments	Toxic chemicals, concentrated cleaning agents, solvents, Examples: Cyanides, fluorides, copper, chromium, caustic & acid solutions, etc.
Commerical greenhouses, spraying & irrigation systems using weedicides, herbicides, exterminators	Toxic chemicals Examples: Ammonium salts, phosphates, 2,4-D, sodium arsenite, lindane, malathion, etc.
Boiler systems, cooling towers or internal fire-fighting systems using conditioners, inhibitors, etc. Typically: apartment buildings, cooling towers, warehouses	Toxic chemicals Examples: Hydrazine, anti-freeze solutions, etc.

Table VII-1 Degree of Hazard (continued)

2. Aesthetically Objectionable Facilities

The following partial listing gives examples of the types of facilities which would require an acceptable double check valve (DCV) device to be installed in the service connection to the public water distribution system.

Type of Facility	Potential Hazard
Customer fire protection loops, fire storage tanks with no chemical additives, Fire systems with external pumping connections supplied by an auxiliary source	Stagnant water, objectionable tastes, odors
High temperature potable water	Objectionable temperatures
Utilization of food grade dyes	Objectionable color
Complex plumbing systems in commercial buildings Examples: barber shops beauty salons supermarkets	Plumbing errors, obsolete plumbing equipment, poor plumbing inspection/correction programs

TABLE VII-2

RECOMMENDED BACKFLOW PREVENTION DEVICES

The following TABLE outlines the recommended type of backflow prevention devices which should be installed for the protection of a community water supply. This is a partial list and is not intended to supplant any ordinances or standards developed by a water company. Additional facilities requiring these type of devices can be found in Table VII-1.

PLANT or FACILITY	TYPE of DEVICE to be USED		
	Air Gap	RPZD	DCVA
1. Aircraft and Missile Plants	X	X	
2. Automatic Car Wash	X	X	
3. Automated Manufacturing Plants	X	X	
4. Auxiliary Water Systems	X	X	
5. Beverage Bottling Plants			X
6. Breweries/Distillers	X	X	
7. Chemical Plants (Manufacturing, Processing, Compounding or Treatment)	X	X	
8. Dairies and Cold Storage Plants		X	X
9. Dye Works	X	X	
10. Film Processing	X	X	
11. Irrigation Systems (Green House, Park, Golf Course, Playgrounds, Estates, Cemeteries, etc.)	X	X	
12. Laboratories	X	X	
13. Laundries		X	X
14. Meat Packing and Reduction Plants	X	X	
15. Metal Plating Plants	X	X	
16. Paper and Paper Products (Wet Process)	X	X	
17. Petroleum or Gas Processing or Storage Plants	X	X	
18. Plating Plants	X	X	
19. Power Plants (Heating/Ventilating/Refrigeration/or Commercial Power)	X	X	
20. Rubber Plants (Natural or Synthetic, Mfg. Rubber Goods or Tires)	X	X	
21. Sand and Gravel Plant	X	X	
22. Sewage or Stormwater Treatment/ Processing Facility; Ejector or Pumping Station	X	X	
23. Swimming Pools			X
24. Water Front Facilities and Industries	X	X	
25. Where a Cross Connection is to be Maintained	X	X	
26. Radioactive Materials or Substances, Processing Plants or Facilities Handling	X		

PLANT or FACILITY

TYPE of DEVICE to be USED

Air Gap

RPZD

DCVA

27. Manufacturing, Processing, and
Fabrication Plants Using Toxic Materials
28. Manufacturing, Processing, and
Fabrication Plants Using
Non-Toxic Materials

X

X

X

BUILDINGS

29. Convalescent Home
30. Medical Clinic
31. Medical/Dental Building
32. Multipurpose Commercial Buildings
(Over 3 Stories)
33. Office Building (Over 3 Stories)
34. Hospitals
35. Home for the Aged
36. Mortuary
37. Morgue
38. Nursing Home
39. Elementary, High Schools,
Trade Schools, and Colleges
40. Schools with Laboratories
41. Apartment and/or Hotel with
Restaurant
42. Apartment and/or Hotel
(Over 3 Stories)
43. Apartment and/or Hotel with
Sewage Ejector
44. Apartment and/or Hotel with House Pump
and/or Water Storage Tank
45. Public Building
(Federal/State/City)
- A. Potential Health Threat
- B. Potential Pollution Threat
- C. Restricted/Classified or
 Closed Facilities
46. Restaurant (Any Food Handling
Establishment)
47. Supermarket
48. *Building with house pump and/or
Water Storage Tank
49. *Building with Sewage Ejectors

X

X

X

X

X

X

X

X

X

X

X

X

X

X

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X

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X

X

X

X

*Apply to any building regardless of building purpose

FIRE PROTECTION SYSTEMS

A. No Protection (No Device Required)

1. Wet system, no pumper connection on buildings three stories or less.
2. Dry system, no pumper connection.

B. Double Check Valve Assembly

1. Any system (wet or dry) with a pumper connection.
2. Wet system only within line booster pump on building over three stories high.
3. Any system with private hydrants.

C. Reduced Pressure Zone Device

1. Any system where anti-freeze or inhibitors are used.
2. Any system where an auxiliary water source is available and connected to the fire system.

