RED LION MUNICIPAL AUTHORITY

Center Square, P.O. Box 190, Red Lion, Pennsylvania 17356

WATER SYSTEM
RULES AND REGULATIONS

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RED LION MUNICIPAL AUTHORITY
WATER SYSTEM

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DISCLAIMER

The Rules and Regulations of the Red Lion Municipal Authority (the "Authority") govern and control operation of the Authority's water system and sewer system and distribution and provision of water and sewer to consumers serviced by the Authority. These Rules and Regulations are a part of the contract with each consumer, and every consumer, by taking water or sewer service agrees to be bound hereby and by the rates adopted from time to time by the Authority.

These Rules and Regulations are not intended to conflict with any local, state, or federal legislation, and are intended to be in compliance with the Pennsylvania Municipality Authorities Act of 1945, Act of May 2, 1945, P.L. 382, 53 P.S.§ 301, as amended. If any provision contained herein is held to be invalid, illegal or unenforceable, all other provisions shall nevertheless continue in full force and effect.

All applications, permits or waivers referenced in or required by these Rules and Regulations or by applicable federal, state or local laws or regulations are the sole responsibility of the consumer. These Rules and Regulations are not meant to supersede or replace any existing federal or state laws or regulations regarding public health and safety and all such laws and regulations will remain in full force and effect.

All references to gender in these Rules and Regulations are intended to be gender neutral and whenever used include the corresponding masculine, feminine or neuter forms.

WATER AND SEWER SYSTEM
RULES AND REGULATIONS

1. DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in these Special Regulations Governing Water System shall be as follows:

AUTHORITY shall mean Red Lion Municipal Authority, a municipality authority organized and existing under provisions of the Pennsylvania Municipality Authorities Act of 1945, approved May 2, 1945, P.L. 382, as amended and supplemented from time to time.

CONSUMER shall mean a person who is receiving or shall receive water and/or sewer service.

HOUSE CONNECTION shall mean the pipeline between the curb stop and the meter.

MULTIPLE DWELLING shall mean any building in which more than one family is housed in separate dwelling units.

OWNER shall mean any person having an interest, whether legal or equitable, sole or partial, in any property.

PERSON shall mean an individual, partnership, corporation, company, firm, association, society, trust governmental body or any agency, department or political subdivision thereof or any other group.

PREMISE HAVING ACCESS TO THE FACILITIES OF THE AUTHORITY shall mean any premise of which any part abuts a highway, street, alley or public way in which the facilities of the Authority are located and which can be served by the facilities of the Authority.

PROPERTY shall mean a building under one roof, owned or leased by one party and occupied as one residence or business, a combination of buildings owned or leased by one party in one common enclosure and occupied by one family or business, or the one side of a double house having a solid vertical partition wall, or each family occupying part of a building occupied by more than one family even though some or all fixtures may be used in common, or each apartment, office of suite or offices located in a building having several such apartments, offices or suites of offices and using in common one hall and or one or more means of entrance.

SERVICE shall mean the supplying of water and/or sewer to a consumer at a property.

SERVICE LINE shall mean the pipe line connection between the curb and the street water main and includes the tap and corporation cock at the main, the curb stop and the curb box.

UTILITY ROOM means a room in which all water meters are installed that serve a multiple dwelling, mobile home court or multiple use units served by a single connection. Utility rooms shall be accessible to Authority personnel without having to enter or pass through any of the individual units. Utility rooms shall not be accessible to any individual users.

WATER DEPARTMENT shall mean the water department of the Authority.

WATER MAINS shall mean those water pipes in streets or within easement areas to which service water connections are made, and the water pipe lines connecting between them.

WATER SYSTEM shall mean the water works, water supply works and water distribution system facilities, including all franchises, appurtenances and property, real, personal and mixed, which were acquired by the Authority from Red Lion Water Company, together with all other appurtenant facilities and properties which the Authority has acquired or shall acquire, including all property, real, personal and mixed, rights, powers, franchises, easements, licenses, privileges, rights-of-way and any and all other property of interests in property of any nature, for use in connection with acquiring, constructing, operating and maintaining said water facilities and all additions, extensions, and improvements which hereafter from time to time, may be made thereto.

2. SPECIAL REGULATIONS GOVERNING WATER SYSTEM ADOPTED

This Authority hereby establishes and adopts the following Special Regulations Governing Water System as the rules and regulations which shall govern and control operation of the water system by the Authority and distribution and supply of water to consumers serviced by the Authority.

3. FILING, POSTING AND EFFECT OF RULES AND REGULATIONS

A copy of the Special Regulations Governing Water System is filed with the Authority Secretary or his duly authorized agents for inspection by any interested parties at any time during regularly scheduled office hours. These rules and regulations are a part of the contract with each customer, and every consumer, by taking water service, agrees to be bound hereby and by the rates adopted from time to time by the Authority.

4. APPLICATION FOR WATER SERVICE

(a) Before service is initiated, the owner of the property, or the owner and tenant if a tenant is to be billed directly, shall make written application for service on a form to be provided by the Authority. An agent making application on behalf of the owner shall provide the owner's name and clearly designate the firm or themselves as agent. Upon approval of such application by the Authority, which approval shall be indicated thereon, such application, together with these rules and regulations, shall become the service contract, and the applicant and the Authority shall thus become the contracting parties.

(b) A new application shall be executed in any instance involving a change in the contracting parties, or in the class or scope of service to be taken.

(c) Providing false information on an application shall be considered fraudulent conduct and shall render the contract voidable by the Authority at its sole discretion. Such conduct shall also be considered a violation of these rules and regulations and shall be punishable in accordance with Section 33 hereof.

5. SERVICE PROVIDED BY THE AUTHORITY

(a) Water from the water system may be used for all residential, business, industrial, agricultural and public purposes. The Authority reserves the right to impose at any time such restrictions in the use of water as may become necessary due to accidents, breakdown or unavoidable emergencies or temporary cut-off of water to make necessary repairs, renewals or

replacements. Every effort will be made to notify customers before service is interrupted.

(b) No deduction in water rates will be allowed for failure on the part of the Authority to supply water. The Authority accepts no responsibility for losses due to inability to supply water.

(c) Every consumer, by the taking of water, understands and agrees that the Authority assumes no liability as an insurer of the property or person and that the Authority, by providing public or private fire protection service, does not contemplate any special service, pressures, capacity or facility other than that ordinarily provided in normal operation. The Authority hereby declares and each and every consumer agrees that the Authority shall be free and exempt from any and all claims for injuries or damage to person and/or property by reason of fire, water or failure to supply water, pressure or capacity.

6. FIRE SPRINKLER SYSTEMS

(a) Residential Sprinkler Systems.

(i) Stand-ready service for a residential fire suppression system shall be provided by the Authority at the request and expense of the consumer. The service line and house connection for domestic service and fire protection service shall be in accordance with the Authority's construction and material specifications as then in effect.

(ii) Residential fire protection service lines and fire suppression systems shall be designed and installed in accordance with the International Residential Code and other applicable fire safety regulations as then in effect for the governing municipality. The consumer shall be solely responsible for engineering, installation and maintenance of residential fire protection service lines and fire suppression systems; provided, however, the Authority retains the right to inspect and approve the service line and house connection. The consumer shall submit calculations of the peak demand that may be used by the fire suppression system. The calculations must demonstrate that sufficient water pressure and volume exists in the water system to service the fire suppression system at peak demand as certified by a licensed professional engineer. Authority representatives must be notified at least twenty-four (24) hours of service line flushing prior to connection of the sprinkler system in advance.

(iii) The house connections for domestic service and fire protection service shall be exclusively owned and controlled by the consumer, while the service line shall be the responsibility of the Authority following dedication and acceptance by the Authority. The fire protection service shall be used only in case of fires. Violation of this section of the Rules and Regulations is subject to the penalties set forth in Section 34 below.

(iv) The consumer may be charged a base fee for stand ready water service for residential fire protection. Actual usage of the residential fire protection service line will be charged at then current water rates.

(b) Non-Residential Sprinkler Systems.

(i) Stand-ready service for a non-residential fire suppression system shall be provided by the Authority at the request and expense of the consumer. A water meter shall be installed on the service line for fire suppression service.

(ii) Non-residential fire protection service lines and fire suppression systems shall be designed and installed in accordance with the International Building Code and other applicable fire safety regulations as then in effect for the governing municipality. The consumer shall be solely responsible for engineering, installation and maintenance of non-residential fire protection service lines and fire suppression systems; provided, however, the Authority retains the right to inspect and approve the service line and house connection. The consumer shall submit calculations of the peak demand that may be used by the fire suppression system. The calculations must demonstrate that sufficient water pressure and volume exists in the water system to service the fire suppression system at peak demand as certified by a licensed professional engineer. Authority representatives must be notified at least twenty-four (24) hours of service line flushing prior to connection of the sprinkler system in advance.

(iii) The fire protection service line shall be exclusively owned and controlled by the consumer from and after the water main connection. The fire protection service line shall be used only in case of fires. Violation of this section of the Rules and Regulations is subject to the penalties set forth in Section 34 below.

(iv) The consumer may be charged a base fee for stand ready water service for non-residential fire protection. Actual usage of the residential fire protection service line will be charged at then current water rates.

7. DEPOSITS

(a) Deposits may be required from consumers taking service for a period of less than thirty (30) days in any amount equal to the estimated gross bill for such temporary period. Deposits may be required from all other consumers provided that in no instance may deposits be required in excess of the estimated gross bill for a single billing period plus one (1) month (the maximum period not to exceed two (2) months), with a minimum of fifty dollars ($50.00).

(b) Deposits secured from consumers shall be returned to the depositor when he shall have paid undisputed bills for service over a period of twelve (12) consecutive months; and any such consumer, having secured the return of a deposit, shall not be required to make a new deposit unless the service has been discontinued for any reason.

8. PAYMENT OF BILLS

(a) Bills for water service will be rendered and are payable on a regular basis, no less than monthly for regular water service furnished in the preceding period. Final bills will be rendered upon the change of ownership or the discontinuance of service. Overpayments on bills will be carried over to the next bill as a payment credit. Overpayments on final bills will only be refunded to the consumer if the credit balance exceeds $5.00. Underpayments on final bills will be assessable against the property as a municipal lien in the case of discontinued service or against the new owner in the case of a change in ownership. Service to the new owner may be terminated in accordance with this Section 8 following notice to the new owner of the past due amount.

(b) Each bill shall be made out in the name of the consumer, who the Authority shall hold responsible for its payment. Presentation of a bill is merely an accommodation and nonpresentation of a bill shall not be considered a waiver of payment or the rules with respect to

due date.

(c) If the ultimate consumer is not the owner of the premises served by the Authority, and such consumer fails to pay the bill for a period of five (5) days following the due date, the Authority shall within thirty (30) additional days notify the owner and the consumer of the delinquency by first-class mail at the address of the owner provided to the Authority and the billing address of the consumer, respectively, and the owner shall be jointly and severally liable for full payment of the bill immediately at the applicable rate. The Authority may also take action to discontinue service to the consumer in accordance with paragraph (f) below. In such case, upon request of the Authority, the owner shall arrange access to the premises within forty-eight (48) hours for the Authority to cut-off metered service to the consumer, and failure of the owner to do so shall subject the owner to a fifty dollar ($50.00) penalty. In no case shall the owner be liable for any service provided to a consumer ninety (90) or more days after the consumer's delinquent bill first became due unless the Authority has been prevented by court order from terminating service to the consumer.

(d) Bills rendered for water service are due and payable on or before the due date set forth on the bill. Bills paid after the due date are subject to a late charge of ten percent (10%) of the amount due on the bill.

(e) All bills shall be payable, upon presentation, at the business office of the Authority during its regular working hours or the offices designated on the bill. When bills are paid by mail, the date of the postmark will be considered the date of payment. A late charge of ten percent (10%) of the amount due will be applied on all bills not paid by the due date on the bill.

(f) Whenever any bill for water service rendered shall remain unpaid for a period in excess of five (5) days after the due date, it shall be delinquent, and the Authority may, after five (5) days written notice discontinue water service, in which case water service will not be restored until the bill, together with late charges and a turn-on charge of fifty dollars ($50.00) have been paid. Any customer desiring restoration of water service outside of normal working hours will be charged a minimum of four (4) hours overtime wages (may change from time to time as dictated by the Authority's Labor Agreement), plus late charges and the turn-on fee.

(g) If prior to the termination date, the consumer provides the Authority a written statement, under oath or affirmation, stating a bill dispute and defense to the claim for payment, plus payment of a $300.00 deposit against the cost of a hearing, the water supply shall not be terminated until heard by hearing officer in accordance with the local public agency law. The Authority Board may appoint the hearing officer for the purpose of taking testimony, and preparing a written decision. Additional costs incurred by the Authority as a result of conducting the hearing, including stenographer fees and reasonable attorney fees, shall be paid by the party requesting the hearing. The hearing officer may waive the costs of hearing in cases in which the requesting party prevails in the dispute. If the dispute is resolved substantially in favor of the consumer, the consumer will be allowed five (5) days from the date of the decision by the Authority to pay the bill and will be assessed the prescribed late charges thereafter.

(h) The charges stipulated in paragraph (f) shall be paid directly to the Authority Office in cash, certified check or money order only. PERSONAL CHECKS WILL NOT BE ACCEPTED FOR SUCH PAYMENT.

(i) A fee will be charged for any dishonored or returned check in the amount of

$50.00 or the amount charged by the financial institution for such return, whichever is greater. The unpaid amount and the fee will be payable by CASH, CERTIFIED CHECK or MONEY ORDER only. After sufficient notice, the Authority reserves the right to specify that any future payments will be CASH, CERTIFIED CHECK or MONEY ORDER.

9. CHANGE IN OWNERSHIP OF SERVICE

(a) When the ownership of a property changes from one person to another, the previous owner shall notify the Authority in writing and in advance of the date of discontinuance of the service under his ownership. Should the owner fail to give such notice, he shall be responsible for all charges up to and including the date the new owner makes application for service. The new owner shall make application for service in the same manner as for the new service.

(b) If the owner of a premise is not the consumer served by the Authority and there is a change in occupancy of such a premise, the owner shall within seventy-two (72) hours of a change in occupancy notify the Authority of such a change. If an owner fails to give the required notice he shall be assessed a penalty in the amount of one hundred dollars ($100.00).

10. WATER CONNECTION AND SERVICE LINES

(a) The service line for each property abutting upon a street, alley or right-of-way in which there is a water main owned by the Authority, will be extended by the owner to the curb line, or property line where no curb line exists, upon proper application by the property owner. Such application shall be under exclusive control of the Authority. Following dedication and acceptance by the Authority, the Authority owns the service line and all maintenance and repairs shall be the responsibility of the Authority.

(b) The size, location, depth and type of construction of all such service lines, including the house connection from the curb stop to the meter, shall be as determined by the Authority.

(c) It will be the responsibility of the home or property owner to pay full cost of labor and materials from the main to the meter. This cost will include the necessary excavation and permanent repair of the street should any such repairs be required. A deposit, as established by the Authority, will be paid prior to the beginning of work if being done by Authority personnel.

(d) When a request for installation of water service is received, the installation shall be done as soon as possible. At the time of installation the meter shall be installed in an accessible position for reading and service. The property owner is responsible to have the piping installed to receive the meter connections and for a tapping fee for each dwelling unit. All meters shall be sealed and should it be necessary to remove a meter for any reason, it shall be done by the Water Department. A service charge shall be paid for this service unless removal is required by the Department.

(e) It shall be unlawful for any person to turn off or on the water at a curb stop before first contacting the Water Department, and then only in case of extreme emergency. In all other instances, the Water Department shall turn a service on or off. The Authority may charge a fee for this service.

(f) It shall be unlawful for any unauthorized person to open or close the valves or

stop cocks in any line up to and including the curb stop before a house connection. The owner of any property found to have a curb stop that has been turned on or off without the permission of the Water Department will be billed a fifty dollar ($50.00) penalty for each occurrence.

(g) Where new connections are completed, no water service shall be initiated until the property has been metered. Curb stops will be left in the off position until the owner has made application for water service, all fees have been paid and the meter has been installed. Any owner, builder, developer or plumbing contractor violating this regulation shall be charged a minimum of three hundred dollars ($300.00) per occurrence.

(h) The use of unmetered water shall be prohibited. Upon proper arrangements with the Water Department, a temporary meter will be installed for water to be used during building construction.

11. MAINTENANCE AND OWNERSHIP OF HOUSE CONNECTION

(a) The property owner shall own the house connection and all maintenance and repairs of the house connection shall be the responsibility of the property owner. Should a leak occur in the house connection, the owner shall take immediate steps to repair the leak. When the Authority notifies the owner of a leak in the house connection, the owner shall have ten (10) days from the date of notification to repair the leak. Upon failure to repair the leak within a reasonable time, the Authority shall cut off the supply of water until such repairs are made, and the owner has applied for service. The same penalty shall be provided as for cut-off due to nonpayment of bills, heretofore provided.

(b) Where an existing house connection is found to be leaking and the material used for construction does not meet present Authority specifications, the entire house connection must be replaced with materials meeting Authority specifications that are in force at the time of repair.

(c) No connection of an existing galvanized or lead service line, not presently in use will be permitted. The owner shall be responsible for the installation of the service line and house connection to meet the Authority specifications as may be in force at the time. The existing unused service line shall be disconnected at the corporation stop at the owner's expense.

(d) Where a service line and/or house connection is voluntarily abandoned by the property owner, the property owner shall be responsible to disconnect the abandoned service line at the corporation stop. This shall apply when the owner of the property desires to change the size of the service due to a change in use of the property, take water from another water supplier or source, or upgrade an existing, functioning house connection and/or service line with materials meeting the Authority specifications as may be in force at the time.

(e) Where new connections are made, material used for the connection from the main to the meter shall conform to the Authority specifications as may be in force at the time. A shut off valve shall be placed on the main side of the meter, a back flow prevention device, as approved by the Authority, and a shut off valve shall be placed on the discharge side of the meter. Where directed by the Water Department, a pressure regulator valve shall be installed. On existing house connections, these valves must be installed if and when the connection is renewed or repaired.

(f) No service will be installed in, over or through premises not owned by the property owner of the property to be served. Where these types of connections are preexisting

the service line and/or house connection shall be brought into compliance with this regulation at the time of sale, change of use, or when renewed or replaced .

(g) Under no circumstances shall the potable water system of any property be connected to more than one water source or supply, except where an on site well exists, the well may be connected separately from the potable water system for the purpose of irrigation or other approved external uses.

12. SEPARATE CONNECTIONS

(a) Except as provided in paragraph (b) below, not more than one (1) building shall be served by each house connection on private property. A "building" for this purpose being any structure or part thereof intended for a single occupancy; and provided further that garages, stables, etc., on the rear of a lot, are under the same ownership as the main building on the lot, may be served by a single connection prior to the adoption of these rules and regulations, the single connection may be allowed at the option of the Authority, provided however, that a separate meter is installed for each dwelling.

(b) Any multiple dwellings, mobile home courts or multiple use units served by a single connection at the time of enactment of these rules and regulations, shall be permitted to continue with the said single service connection, subject to the following:

(i) In the case of a single service connection, the bill shall be calculated as follows: "Water Used" divided by "Units Served" equals "Gallons Per Unit"; "Cost of Gallons Per Unit" times "Units Served" equals the "Monthly Bill". Any violation of Authority specifications and regulations, such as nonpayment of water bill, by the owner of the single service connection shall result in the owner being required to bring the property into compliance with Authority specifications and regulations then in effect.

(ii) Any new service connection for multiple dwellings shall have a separate meter for each individual dwelling unit. Such multiple dwelling shall provide either (i) a utility room within which all meters and shutoffs are located, or (ii) individual meters located in each unit, with individual shutoffs located outside the building. The type of connection for a mobile home court shall be at the discretion of the Authority.

(iii) In the event the owner of a multiple use or multiple dwelling property being served by a single connection and meter desires to convert to individually metered units, such conversion shall be done in accordance with Authority specifications and regulations that are in effect at the time with respect to service lines, house connection sizes, and individual shut-offs located outside or individual meters located within a utility room.

(iv) When two or more consumers are supplied through a single service, any violation of the rules and regulations of the Authority by either or any of said consumers shall be deemed a violation by all such consumers and the Authority may take such action as could be taken against a single consumer, except that such action shall not be taken against a non-violating consumer until given reasonable opportunity to attach his line to a separately controlled service connection. The Authority may direct, at its discretion, the violating party to install the separately controlled service connection for the non-violating consumer.

(v) The owner of a multiple use or multiple dwelling property being served by a single connection and meter shall not re-sell or otherwise collect separate payment for water service from occupants or residents of the multiple use or multiple dwelling property at a rate greater than the rate paid by the owner to the Authority.

(c) A group of public, ecclesiastical, educational, charitable, club, farm or industrial buildings under one ownership and on a single tract of ground, may be served by one connection, at the option of the Authority.

(d) Special service lines installed shall be installed at the cost of those requiring the service and, except for those used in approved fire systems, shall be provided with a water meter paid for by those requiring the service. The water meter shall be of the size, type and manufacture as the Authority determines suitable and shall become the property of the Authority and be maintained by the Authority.

13. FROZEN WATER LINES

In the event that the water service to a property is frozen underground but it cannot be determined if the frozen portion is in the house connection or the service line, Authority personnel shall contact a welding firm to thaw the line. Thawing shall be attempted first on the house connection. If this is successful and indicates the frozen line is in the house connection, the property owner shall be responsible for all costs incurred for the welding firm. Additionally, if this occurs after normal working hours the property owner will be billed for labor costs incurred by the Authority but not less than four (4) hours at one and one-half times the prevailing hourly rate. In the event the frozen line is in the service line, the Authority will assume all expenses to thaw the line.

14. METERS

(a) Except as provided in Section 12(d), the Authority will furnish, install and maintain a meter on each water connection upon commencement of water service. The consumer will pay a customer facilities fee for this service prior to installation of the meter and commencement of the water service. The size, type, manufacture and location of the meter, and type of setting shall be such as the Authority shall determine suitable. Meters shall be located immediately inside the building along the interior wall nearest where the house connection enters the foundation of the building. Where the building is constructed on a concrete slab, no house connection shall be permitted under the slab prior to the meter. In all such cases a meter pit will be required.

(b) The meter for water service shall remain under the ownership of the Authority and will be maintained by the Authority.

(c) Industrial and commercial consumers, upon approval of the Authority and, if not connected to the Authority sewer system, approval of the municipality or authority owning the sewer system to which the consumer is connected, may install a water meter to measure the water that is not being or will not be discharged into the municipal sanitary sewer system. The size, type and manufacture of the meter shall be such as the Authority shall determine suitable. The meter shall be purchased from the Authority at the cost applicable at the time of purchase. The consumer shall be responsible for the installation and maintenance of such meter. The installation must be inspected by the Authority's designated representative before being put into

use. The Authority reserves the right to remove and test the meter at any time, and if such meter is found to be inaccurate it shall be repaired or replaced at the owner's expense. IN NO CASE WILL SUCH A METER BE PERMITTED TO BE INSTALLED AHEAD OF THE METER MEASURING TOTAL WATER FLOW INTO THE PROPERTY.

(d) During new construction, the developer/builder shall contact the Authority for meter installation when the piping is installed to accept the meter or the building is enclosed, whichever event occurs first. Thereafter a meter will be set and the developer/builder or person making application for service will be billed the appropriate meter rate. Failure to notify the Authority will be considered a violation of Section 10(g) of these regulations.

(e) A property owner, who desires to have a remote meter reading device installed on the outside of the building, will be given the opportunity to request such meter and recorder from the Authority. The installation must be made by Authority personnel, however, in the case of new construction, it shall be done by the contractor. The remote reading device shall remain under the ownership of the Authority and will be maintained by the Authority.

(f) House connections shall be of one continuous length of copper tubing between the curb stop and meter. House connections in excess of one continuous length of copper tubing, or where a joint is created, will require the installation of the water meter in a meter pit. In the case of an industrial plant, the meter shall be placed in a meter pit.

(g) Property owners shall be responsible for the protection of meters and remote reading devices from damage including but not limited to damage due to hot water, vandalism or external causes, including freezing. Repairs to, or replacement of, meters and/or remote reading devices so damaged shall be at the expense of the property owner. It shall be the responsibility of the property owner to provide accessibility to the water meter and remote reading device. Property owners where meters and or remote reading devices are found to be inaccessible shall be given written notice to have the obstructions removed within ten (10) days or face termination of water service. A turn-on fee of fifty dollars ($50.00) will be charged to reinstate service.

(h) If, in the opinion of the Authority, it becomes necessary to install a remote meter reading device on a property, the owner, after written notice shall have ten (10) days to contact the Authority and make an appointment for Water Department personnel to install the device during normal working hours. Failure to contact the Authority may result in the termination of water service and a fifty dollar ($50.00) turn-on fee will be charged to reinstate service.

(i) It shall be unlawful for any person not specifically authorized by the Authority to interfere with, remove, replace or tamper with the meter. Anyone tampering with the meter shall be billed five times the previous quarter, but in no case less than fifty dollars ($50.00) in addition to penalties hereinafter provided.

15. METER PIT CONSTRUCTION AND MAINTENANCE

(a) When a meter pit is required, the construction and maintenance of the meter pit is the responsibility of the owner. The meter pit shall be constructed in accordance with specifications provided by the Authority. Failure to properly maintain the meter pit may, after written notification from the Authority, result in the termination of water service until such time as the meter pit is repaired or replaced in accordance with the Authority's specifications at the time. In the event water service is terminated, a fifty dollar ($50.00) turn-on fee will be charged to reinstate service.

(b) The meter pit location will be determined by the street right-of-way or water main right-of-way. The meter pit location will be within five (5') feet of the right-of-way line unless otherwise determined after an on-site conference between the applicant or his representative and the Authority representative.

16. TESTING METERS

(a) The Authority reserves the right to remove and test any meter at any time, and if such meter is found to be inaccurate, to substitute another meter of the same size in its place, either permanently or temporarily.

(b) In case of a disputed account involving the accuracy of the meter, such meter will be tested by the Authority upon the written request and payment of deposit by consumer. In the event that the meter tested is found to have an error in registration greater than 2%, plus or minus, the cost of the test will be borne by the Authority and the deposit returned, and the bills will be adjusted accordingly. Should the meter be found to be correct or within the 2% tolerance, the deposit will be retained by the Authority.

17. BY PASSES

No by-pass around the meter will be allowed under any condition.

18. CONNECTION OF OUTSIDE METERS

No connection shall be made to any water service pipe between the water main and the meter.

19. STANDARD METHODS AND PROCEDURES FOR WATER MAIN EXTENSION

(a) ***Plan Submission and Approval.*** Any person desiring to construct a water main extension shall submit a signed Water Main Extension Agreement, along with an application fee, to the Authority. Forms for the Main Extension Agreement may be obtained from the Authority Office. All plans for water main extensions must be approved by the Authority before any construction may begin. The procedure to submit plans for approval will be as follows:

(i) Preliminary plans must be provided to the Authority Engineer, Manager and Superintendent (1 set to each) at least two (2) weeks prior to the Authority meeting where approval is desired. All plans for water main extensions must be submitted in accordance with the standards as described in APPENDIX A and must contain the notes as described in APPENDIX B.

(ii) After review by the Engineer, Manager and Superintendent, four sets of plans containing recommended changes, if any, and a signature block for Authority Members must be submitted along with four (4) copies of the subdivision plan and two (2) copies of plan profiles.

(b) ***Rights-of-Way.*** Water main extensions may only be constructed across permanent water easements or rights-of-way conveyed to the Authority. All permanent water easements or rights-of-way necessary for construction of a water main extension must be obtained before any construction may begin. Permanent water easements or rights-of-way will

be of the nature and width prescribed by the Authority Engineer for the construction, maintenance, repair and placement of water lines and appurtenant facilities, including, but not limited to valves, valve boxes, manholes and service lines. Developer must also obtain any temporary easements necessary for the construction and installation of the water main extension.

(c) ***Financial Security.*** The Authority may require the developer to post financial security in the amount and of the type provided for in the Municipality Authorities Act, 53 Pa.C.S. § 5607(d)(23) to insure the completion in accordance with the approved plan and with the rules and regulations of the authority of any water mains or sanitary sewer lines, or both, and related apparatus and facilities, required to be installed by the developer under the approved plan, provided, however, the developer agrees that the portion of the financial security posted for construction of the water main extension will not be reduced or released without prior inspection and approval of the Authority.

(d) ***Reservation of Capacity.*** A developer may reserve capacity in the Water System by executing a Reservation of Capacity Agreement with the Authority and paying an annual reservation of capacity fee as determined by the Authority in accordance with the Municipality Authorities Act, 53 Pa.C.S. § 5607(d)(24). A developer may, alternatively, reserve capacity by pre-paying the tapping fee for each property to be connected to the water system. Each property for which a tapping fee has been pre-paid must connect to the water system within three (3) years of the date of pre-payment of the tapping fee or the tapping fee and right to connect to the water system shall expire. Tapping fees are non-refundable and non-assignable. A Reservation of Capacity Agreement must be executed or pre-paid tapping fees must be paid in full before any capacity on the water system will be reserved for the developer.

(e) ***Rules Governing Construction of Water Main Extensions.***

(i) Water mains shall be constructed in compliance with all applicable regulations of the Authority in effect at the time of construction. The Authority may, at its discretion, require that mains shall be larger than six (6”) inches to accommodate future extensions of the system.

(ii) No water main shall be placed in new streets until concrete curbing is in place. In new streets where no concrete curbing is to be constructed, water main installation shall not proceed until all storm sewer catch basins have been set to finished grade. If neither curbing nor catch basins are to be constructed, no water main shall be placed until approval of the Authority inspector has been obtained.

(iii) Where a water main extension is required, it shall be the responsibility of the property owner to extend the main to the furthest limit of the property. In the event that the water main extends past undeveloped or uncommitted property owned by parties other than the party making the extension, the Authority may, but shall not be required to, agree with the person making the extension that no intervening property shall be connected to the extension unless and until a connection charge in an amount specified by the Authority is first paid to the Authority, which charge shall be refunded to the person making the extension. Any change in ownership of property, in whole or in part, for which water has been allocated or approved and to which water mains and services have not been satisfactorily extended and accepted by the Authority, shall require application to the Authority by the new owner for extension of water main and service lines to said property.

(iv) Only approved contractors or Water Department personnel shall install water main extensions and then only in accordance with accepted design criteria and construction standards and other regulations of the Authority in effect at the time of installation.

(f) ***Final Inspection and Dedication.***

(i) After completion of construction and installation, the developer will submit a signed Acceptance Agreement to the Authority. Upon approval of the Acceptance Agreement by the Authority, the water main extension and all appurtenances shall become the property of the Authority.

(ii) Within forty-five (45) days after acceptance of the water main extension by the Authority, the developer must provide the Authority with an "AS BUILT" drawing of the project, signed and sealed by a registered professional engineer. The "AS BUILT" drawing will include electronic mapping data for the project in a GIS-compatible format approved by the Authority.

(iii) Upon acceptance of the water main extension and submission of an acceptable "AS BUILT" drawing, the Authority shall allow the new water main extension to be placed into service.

(iv) The Authority may, at its discretion, supply interim service through the water main extension if requested, provided, however, that no water service provided through a water main extension constructed hereunder shall be deemed permanent service until acceptance of the water main extension and submission of an "AS BUILT" drawing as required in this subsection (e).

(v) The Authority may, as a condition of acceptance of dedication, require posting of financial security to secure the structural integrity of the improvements as well as the functioning of the improvements in accordance with the design and specifications as depicted on the final plan and the Authority's rules and regulations. The financial security shall be in an amount and duration as provided for in the Municipality Authorities Act, 53 Pa.C.S. § 5607(d)(23).

(g) ***Costs.*** All application, permit, recording, engineering, inspection, legal and other Authority expenses incurred for the project are the responsibility of the developer.

(h) ***Enforcement.*** A violation of any of the procedures in this Section 19 will result in cancellation of service and subject the developer and any contractor to the enforcement and penalty provisions of these rules and regulations. In the case of a phased development, service may be canceled to all phases of the development, at the discretion of the Authority. A waiver by the Authority of any of the requirements of this Section 19 shall not be deemed a waiver of any other requirements described herein.

20. INSTALLATION OF WATER LINES

All water lines shall be installed in accordance with the detailed specifications and standards of the Authority in effect at the time of installation. All such specifications and standards of the Authority are incorporated herein by reference and made a part of these Rules and Regulations.

21. BRACING WATER LINES

The Authority hereby adopts the following procedures as minimum requirements for bracing water mains and service lines which have been undercut:

(a) Bracing procedure as prescribed in FIGURE 1 for bracing perpendicular cuts under water mains.

(b) Bracing procedure as prescribed in FIGURE 2 for bracing parallel exposures or cuts under water mains.

(c) Bracing procedure as prescribed in FIGURE 3 for bracing exposed service lines.

22. CROSS CONNECTION

Under no circumstances shall the potable water system of any property be connected or cross-connected to more than one water source or supply, except where an on-site well exists, the well may be connected separately from the potable water system for the purpose of irrigation or other approved external uses.

23. TEMPORARY WATER SERVICE

(a) Upon request and application, the Authority shall install a temporary water meter on a temporary water service for the purpose of furnishing water for construction purposes and the regular water rates for water consumed will apply.

(b) The consumer shall be responsible for the care and condition of a meter placed on temporary connections, and shall place it in a meter pit if considered necessary by the Authority.

(c) Temporary service from hydrants for private use is prohibited. Bulk water may be purchased at locations designated by the Authority and at the commercial water hauler rate as established by the Authority.

24. ENTRY ON PRIVATE PROPERTY

Properly authorized and identified representatives of the Authority shall have full and free access to the consumer's property at all reasonable times for the purpose of reading meters, for inspection and repairs, for removal of property of the Authority or for any other purpose incident to service.

25. TERMINATION OF SERVICE

Upon failure of any consumer or owner to comply with these rules and regulations or upon termination of sewer service for any reason, the Authority may shut off the supply of water at the curb stop or by removal of the meter and capping of the line at the expense of the owner. Turn-on rates shall apply in such cases before service will be restored. In the case of the owner not being the ultimate consumer, disconnection of the service must be in accordance with the "Utility Service Consumers & Tenants Act," 68 P.S. § 399.1 *et. seq.* Termination of water service shall further be regulated by these rules and regulations as follows:

(a) A violation notice shall be mailed to the consumer and owner specifying the violation, notifying the consumer that the violation must be remedied within ten (10) days or, if

the consumer fails to remedy the violation, water service will be terminated five (5) days thereafter. Failure to make payment on the due date shall be deemed a notice of violation as of the due date and no written notice will be necessary prior to the start of water termination procedures pursuant to subsection (b) below.

(b) Prior to termination of service, the Authority shall mail to the consumer and owner a notice to inform the consumer of the date the water service will be discontinued if the violation is not remedied. If prior to the termination date, the consumer provides the Authority a written statement, under oath or affirmation, stating a defense to the violation or claim for payment, plus payment of a $300.00 deposit against the cost of a hearing, the water supply shall not be terminated until heard by hearing officer in accordance with the local public agency law. The Authority Board may appoint the hearing officer for the purpose of taking testimony, and preparing a written decision. Additional costs incurred by the Authority as a result of conducting the hearing, including stenographer fees and reasonable attorney fees, shall be paid by the party requesting the hearing. The hearing officer may waive the costs of hearing in cases in which the requesting party prevails in its defense.

(c) If water service is terminated, it shall not be restored until all water bill delinquencies, interest, penalties and turn-on fees are paid in full, or until reasonable assurance is given that the consumer will comply with the rules and regulations, as the violation may apply.

26. DAMAGE TO WATER SYSTEM

(a) It shall be unlawful for any person to uncover, tap, repair or interfere with any facilities of the water system without proper notification to, and written authorization of, the Authority.

(b) Hydrants, owned and maintained by the Authority or a municipality, shall not be tampered with or obstructed in any way which would interfere with proper use.

(c) During construction of any private dwelling, building, street or during any excavation work, if a pipe line owned by the Authority should be uncovered, the Authority shall be notified immediately; the person so acting shall be responsible for any damage resulting from such work, either physical damage, or damage due to freezing of the pipe line. The Authority may also, at its sole discretion, bill such person at the prevailing rate for water released as a result of the damage.

27. INTERFERENCE WITH EASEMENTS

(a) It shall be unlawful for any person to encroach, impair, obstruct or otherwise interfere with any easement of the Authority without proper notification to, and written authorization of, the Authority.

(b) It shall be unlawful for any person to construct any improvements or perform any excavation or other construction work in an easement of the Authority without first submitting a plan detailing the work to the Authority. The Authority will review the plan and issue a written determination whether the proposed work may proceed, along with any conditions deemed necessary by the Authority. Any person performing any work shall be responsible for any damage to any facilities of the water system resulting from such work, either physical damage, or damage due to freezing of the pipe line. The Authority may also, at its sole discretion, bill such

person at the prevailing rate for water released as a result of the damage.

(c) Whenever a violation of this section shall remain uncured for a period in excess of ten (10) days after written notice, the Authority may, after five (5) days written notice discontinue water service, in which case water service will not be restored until the violation is cured and a turn-on charge of fifty dollars ($50.00) have been paid. Any customer desiring restoration of water service outside of normal working hours will be charged a minimum of four (4) hours overtime wages (may change from time to time as dictated by the Authority's Labor Agreement), plus the turn-on fee plus the water bill. The Authority may also, in its discretion, take such other actions as permitted under these rules and regulations or at law to remedy the violation, including, without limitation, entry upon the property to remove obstructions and the entry of a municipal lien on the property for the costs of such removal.

28. FIRE HYDRANT SERVICE

(a) Fire hydrants for public fire protection service will be located, installed and maintained by the municipality. The municipality shall be charged accordingly for stand ready water service to public fire hydrants.

(b) Fire hydrants for private fire protection service will be located, installed and maintained by the consumer. The consumer shall be charged accordingly for stand ready water service to private fire hydrants.

(c) Public fire hydrants shall be used only for fire protection unless specifically permitted in writing by the municipality for a specific instance. Private fire hydrants shall be used only for fire protection unless specifically permitted in writing by the Authority for a specific instance.

(d) Flushing and testing of private fire hydrants shall be scheduled to correspond with flushing of the water system where possible. Written notice must be provided in writing to the Authority at least five (5) business days prior to flushing or testing of private fire protection systems. Flushing or testing schedules for private fire protection systems are subject to approval by the Authority. In no event may flushing or testing the private fire protection system interfere with or impede the water system or negatively impact service to the surrounding consumers connected to the system. Violation of this section of the Rules and Regulations is subject to the penalties set forth in Section 34 below.

29. SPECIAL CONTRACTS

When, in the opinion of the Authority, the rates, rules and regulations do not apply to a particular consumer, the Authority reserves the right to make a special contract, if it is in the best interest of the Authority.

30. ENFORCEMENT

Proper officers of the Authority are hereby authorized and directed to do all the things and take all actions necessary and proper to enforce the provisions hereof in the manner permitted by law. All tapping fees, assessments, termination fees, and rates charged hereunder, including all penalties, interest, costs, fines, charges, expenses and fees, including reasonable attorney fees, shall be enforceable as a municipal lien against property in accordance with the

"Municipal Claims and Tax Lien Act," 53 P.S. § 7101 *et seq.*, in addition to all other remedies available under these rules and regulations.

31. EFFECTIVE DATE AND APPLICABILITY

These rules and regulations shall become effective upon the adoption thereof by the Authority and shall be applicable to all consumers and owners serviced or to be serviced by the Authority.

32. RIGHTS RESERVED BY THE AUTHORITY

The Authority reserves the right to repeal, amend or modify these rules and regulations, or any part hereof in such manner and at such times as, in the opinion of the Authority, shall be necessary or desirable. The Authority may from time to time establish fees and charges not otherwise provided for in these rules and regulations.

33. CONSTRUCTION AND SEVERABILITY

In the event any provision, section, sentence, clause or part hereof, shall be held to be invalid, such invalidity shall not effect or impair any remaining provision, section, sentence, clause or part thereof, it being the intention of the Authority that such remainder shall be and shall remain in full force and effect.

34. PENALTIES

Any person who violates the provisions of these rules and regulations shall, in a summary proceeding before a District Magistrate and conviction thereof, be sentenced to pay a fine of not less than $50.00 or more than $1,000.00 per offense, plus costs of prosecuting (including attorney fees) and in default of payment of such fine and costs, to undergo imprisonment for not less than five (5) days or more than ninety (90) days. For purposes of this section, a continuing violation shall be considered a separate offense for each day during which the violation continues.

APPENDIX A

DESIGN PLAN STANDARDS
RED LION MUNICIPAL AUTHORITY

I. Index or Key Map
   A. Maximum drawing size: 24” x 36”
   B. Scale: Adjusted to meet maximum drawing size
   C. Details to be shown:
      1. Street layout with names
      2. Lot layout with numbers
      3. Existing water mains with pipe sizes
      4. Proposed water mains with pipe sizes
      5. Existing and proposed sanitary sewers
      6. Sanitary sewer and other utility easements
      7. Topography with 5’ contour intervals
      8. Valve locations
      9. Hydrant locations
      10. Stormwater management facilities
      11. References to Plan and Profile indicated along streets
      12. PA DOT Legislative and traffic route numbers
      13. PA DOT Highway Stationing
      14. Accurate location map with North Arrow

II. Plan and Profiles
   A. Maximum drawing size: 24” x 36”
   B. Plan Scale: 1” = 50’
   C. Profile Scale: 1” = 50” Horizontal; 1” = 5’ Vertical
   D. Profiles shall be shown on same drawing as plan portion
   E. Plan details to be shown :
      1. Same as index map, excluding topography
      2. Adjoining street numbers
      3. Match lines, if utilized
      4. Existing and proposed utilities with pipe sizes
      5. Storm drainage facilities with pipe sizes
      6. Pertinent physical features such as buildings, fences, driveways, etc.
      7. Residential Fire Sprinkler System, the minimum requirements of such as follows:
         a. Location map, street address, lot number and reference for approved subdivision and land development plan where applicable.
         b. Professional certification of RSSP
         c. Required minimum static supply pressure (psi)
         d. Domestic system design system flow rate (gmp)
         e. Sprinkler system design flow rate (gpm) (30-Minute supply design flow rate)
         f. Minimum operating pressure of RFSS
         g. Service line pipe sizing calculation
         h. Peak demand calculation

F. Profile details to be shown:
   1. Existing ground profile
   2. Finished grade profile
   3. Pipe size, pipe material and cover
   4. All utility and storm pipe crossings showing separation distances to sanitary sewers

III. Record Drawings (As Builts)
   A. Final water main and valve location as constructed, including swing ties or dimensions from permanent reference points (i.e. curb lines, etc.), with electronic-mapping data in GIS-compatible format.
   B. The following information shall be shown for the end of all services:
      1. Length of service measured from the main
      2. Distance to closest property corner
      3. Swing ties referenced to at least two (2) permanent points

APPENDIX B

THE FOLLOWING NOTES MUST BE SHOWN ON ALL PLANS FOR WATER LINE EXTENSIONS

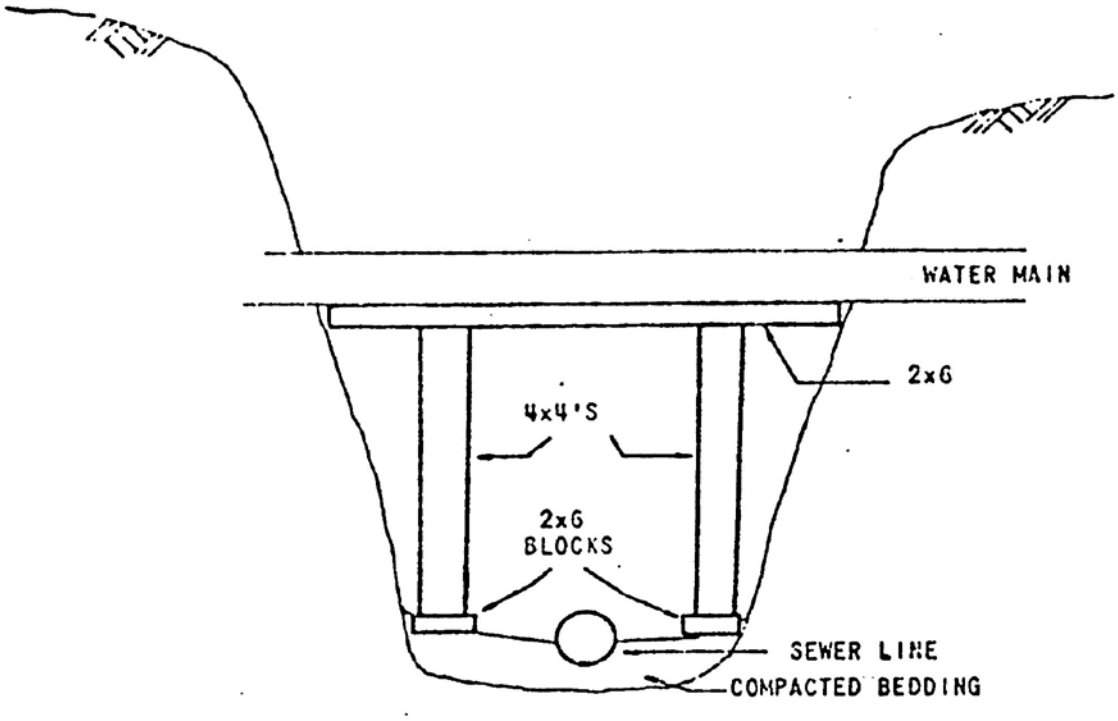
1. All water mains are to be cement lined ductile iron pipe, Class 52, with brass wedges at, at least, two (2) different points in every joint or fitting.
2. All PENN-DEP water supply regulations apply.
3. Water lines shall be kept separated a minimum of five (5') feet horizontally from any other utility, except sanitary sewer lines, the separation for which shall be in accordance with PENN-DEP regulations.
4. All water mains are to be laid on 6" of select excavated material, and covered with 6 " of select excavated material, as measured from the top of the bell.
5. All lines must be a depth of 42" to the top of the bell on mains or to the top of the service line.
6. Chlorine in the liquid form must be input to the new line at 50 parts per million and remain for 24 hours. This line shall be totally flushed to not more than three (3) parts per million.
7. All mains and services must be inspected by a representative of the Water Department prior to backfilling.
8. All mains are to be pressure tested with a representative of the Water Department present during testing.
9. All service lines in excess of one coil of tubing, utilizing a coupling must pressure tested with a representative of the Water Department present during testing.
10. All service connections shall be a minimum of 3/4" K copper. There will be no sweat joints or connections permitted; all shall be flared.
11. All curb and valve boxes shall be brought to finished grade.
12. Unless otherwise stated, the developer/installer/owner shall be responsible for costs incurred by the Authority for street or highway restoration, and the Authority will hire the contractor to complete such work.
13. The remaining rules and regulations for installation of water mains and service lines as in effect at the time of installation shall be adhered to.
14. The remaining construction and material specifications as in effect at the time of installation shall be adhered to.

ABOVE ACKNOWLEDGED this _____ day of _____, 20___.

WITNESS:

_____ _____

OWNER/DEVELOPER/INSTALLER



BRACING EXPOSED
WATER MAINS

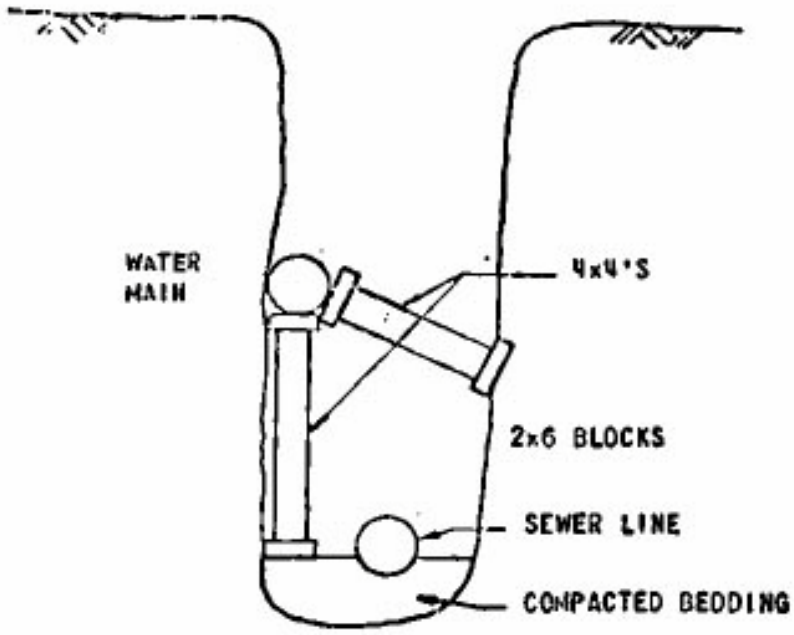
PERPENDICULAR CUTS

NOTES:

1. UNDERCUT OF ALL WATER MAIN EXPOSURE REQUIRES 2x6 SUPPORT FULL LENGTH, WITH 4x4 BRACING BOTH SIDES OF TRENCH OR ON 4 FEET CENTERS, TO COMPACTED BEDDING BENEATH.
2. 4x4'S TO REST ON 2x6 BLOCKS.
3. BRACING TO BE SPIKED TOGETHER AND LEFT IN PLACE.

RED LION MUNICIPAL AUTHORITY
CONSTRUCTION & MATERIAL SPECIFICATIONS
APRIL 1985

FIGURE 1



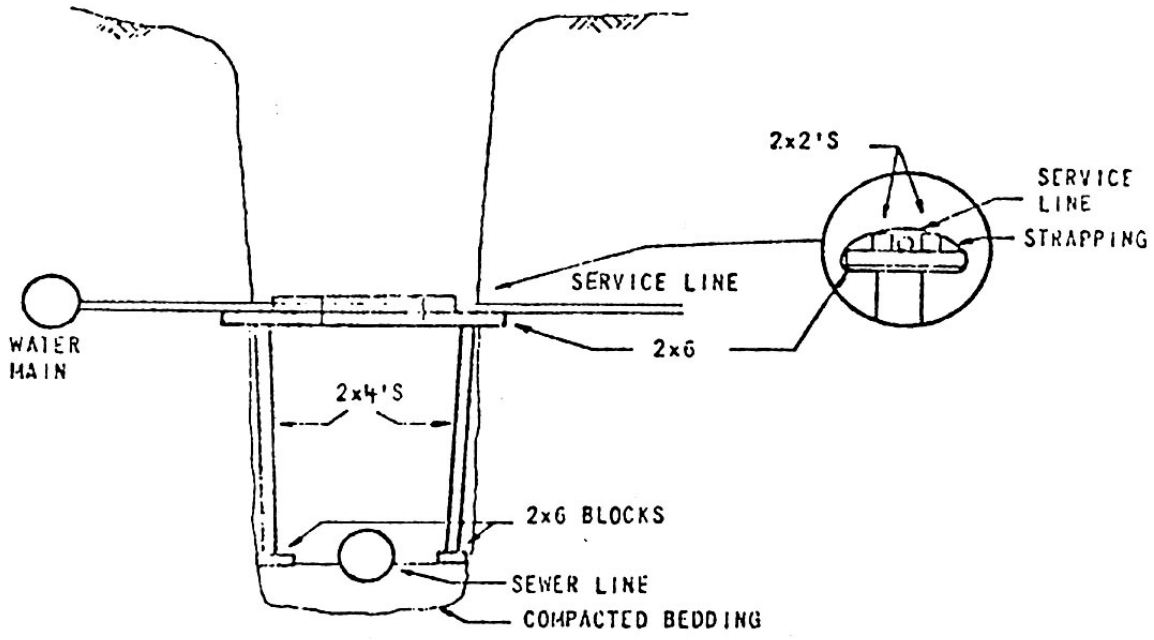
BRACING EXPOSED WATER MAINS
PARALLEL CUTS

NOTES:

1. UNDERCUT OF WATER MAIN REQUIRES 4x4 BRACING BENEATH MAIN AND 4x4 SIDE BRACING WITH 2x6 BLOCKS BOTH ENDS OF THE 4x4'S.
2. SLIGHT MAIN EXPOSURE WITH NO UNDERCUT DISTURBANCE REQUIRES 4x4 SIDE BRACING ONLY.
3. BRACING TO BE SPACED EVERY 4 FEET ALONG EXPOSED MAIN.
4. BRACING TO BE SPIKED TOGETHER AND LEFT IN PLACE.

RED LION MUNICIPAL AUTHORITY
CONSTRUCTION & MATERIAL SPECIFICATIONS
APRIL 1985

FIGURE 2



BRACING EXPOSED WATER SERVICE

NOTES:

1. BRACING TO BE SPIKED TOGETHER AND LEFT IN PLACE.

RED LION MUNICIPAL AUTHORITY
CONSTRUCTION & MATERIAL SPECIFICATIONS
APRIL 1985

FIGURE 3