

---

# Chapter 64 — Water

---

## Article I — In General

§ 64-101	Short Title.....	64-5
§ 64-102	Management of Water System.....	64-5
§ 64-103	Books, Records, and Bills.....	64-5
§ 64-104	Mandatory Use of Borough Water System.....	64-5
§ 64-105	Waste and Repairs.....	64-6
	(a) Waste Prohibited.....	64-6
	(b) Responsibility for Repair of Common Pipe.....	64-6
	(c) Investigation of Waste.....	64-6
	(d) Obstruction of Investigation.....	64-6
§ 64-106	Emergency Curtailment of Water Use.....	64-6
§ 64-107	Temporary Shutoff of Water Service.....	64-6
§ 64-108	Right of Entry.....	64-6
§ 64-109	Fire Hydrants.....	64-7
§ 64-110	Violations and Penalties.....	64-7
	(a) Civil Penalty.....	64-7
	(b) Initial Determination of Violation.....	64-7
	(c) Civil Enforcement Proceeding.....	64-7
	(d) Separate Offenses.....	64-7
	(e) Equitable Remedies.....	64-7

## Article II — Permits

§ 64-201	Water Service Permit.....	64-8
	(a) Application.....	64-8
	(b) Permit.....	64-8
	(c) One Premises Only.....	64-8
§ 64-202	Construction Permit.....	64-8
§ 64-203	Water Main Shutoff Permit.....	64-8

## Article III — Attachments & Connections

§ 64-301	Water Service Installation.....	64-9
§ 64-302	Compliance Required.....	64-9
§ 64-303	Water Mains.....	64-9
§ 64-304	Service Pipes.....	64-9
	(a) Connection.....	64-9
	(b) Location.....	64-9
§ 64-305	Corporation Stop.....	64-9
§ 64-306	Curb Stops.....	64-10
	(a) Location.....	64-10
	(b) Curb Stop Box.....	64-10

## Article IV — Backflow & Cross-Connection Control

§ 64-401	Purpose.....	64-10
§ 64-402	Scope.....	64-10

§ 64-403	Policy .....	64-11
§ 64-404	Water System Definitions .....	64-11
§ 64-405	Cross-Connections Prohibited .....	64-11
	(a) In General .....	64-11
	(b) Auxiliary Water Supply .....	64-11
§ 64-406	Survey and Investigations .....	64-12
	(a) Access to Consumer's Premises .....	64-12
	(b) Information from Consumer .....	64-12
	(c) Surveys by Consumer .....	64-12
§ 64-407	Where Protection is Required .....	64-12
	(a) Branch Line .....	64-12
	(b) Service Line—Certain Conditions .....	64-12
	(c) Service Line—Certain Facilities .....	64-13
§ 64-408	Type of Protection Required .....	64-13
§ 64-409	Backflow-Prevention Devices .....	64-13
	(a) In General .....	64-13
	(b) Existing Devices .....	64-14
§ 64-410	Installation of Devices .....	64-14
§ 64-411	Inspection and Maintenance .....	64-15
	(a) Inspection Schedule .....	64-15
	(b) Performance of Inspection .....	64-15
	(c) Records .....	64-15
	(d) Devices May Not Be Made Ineffective .....	64-15
§ 64-412	Booster Pumps .....	64-15
	(a) Cutoff Device Required .....	64-15
	(b) Maintenance and Certification .....	64-15
§ 64-413	Violations of This Article .....	64-16
	(a) Termination of Service .....	64-16
	(b) Restoration of Service .....	64-16
	(c) Civil Penalties .....	64-16

#### **Article V — Water Meters**

§ 64-501	Meters Required .....	64-16
§ 64-502	Supervision of Installation; Regulations .....	64-16
§ 64-503	Metering New Service .....	64-16
§ 64-504	Meters Furnished .....	64-17
§ 64-505	Ownership of Meters .....	64-17
§ 64-506	Placement of Meters .....	64-17
§ 64-507	Authorized Personnel .....	64-17
§ 64-508	Protection of Meters; Repairs .....	64-17
§ 64-509	Defective Meters .....	64-17
§ 64-510	Testing of Meters at Customer Request .....	64-18
	(a) Request for Test .....	64-18
	(b) Deposit .....	64-18
§ 64-511	Separate Meters for Each Establishment .....	64-18

#### **Article VI — Rentals, Charges & Fees**

§ 64-601	Volume Charge .....	64-19
§ 64-602	Multiple Residential Units .....	64-19
§ 64-603	Sprinkler System Charge .....	64-19
§ 64-604	Absence or Removal of Consumer From Premises .....	64-19
§ 64-605	Use of Water for Fire Protection .....	64-20

§ 64-606	Tapping Fee.....	64-20
§ 64-607	New Unit/Future Facilities Charge.....	64-20
§ 64-608	Miscellaneous Fees.....	64-20
	(a) Connection Fee.....	64-20
	(b) Disconnection Fee.....	64-20
	(c) Settlement Meter Readings.....	64-20
	(d) Water Meter Unit.....	64-20
	(e) Water Meter Connectors.....	64-20
§ 64-609	Billing and Collection of Quarterly Charges; Penalties.....	64-20
	(a) Rendering of Bills.....	64-20
	(b) Liability for Payment.....	64-21
	(c) Due Date.....	64-21
	(d) Late Payment Penalties.....	64-21
	(e) Collection and Lien.....	64-21

### Article VII — Termination of Service

§ 64-701	Involuntary Termination—In General.....	64-21
	(a) Delinquent Water or Sewer Charges.....	64-21
	(b) No Access to Water Meters.....	64-22
	(c) Failure to Make Repairs.....	64-22
	(d) Violation of Backflow-Prevention or Cross-Connection Requirements.....	64-22
	(e) Disconnect/Reconnect Fees.....	64-22
§ 64-702	Notifications.....	64-22
	(a) Thirty-seven Day Notice to Owner.....	64-22
	(b) Notices under the Utility Service Tenants Rights Act.....	64-23
	(c) Final Two-day Notice.....	64-23
	(d) Notice to Human Service Agencies.....	64-23
	(e) Codes Enforcement.....	64-23
	(f) Other Notices.....	64-23
§ 64-703	Hearings.....	64-23
§ 64-704	Medical Deferral.....	64-24
§ 64-705	Payment Plan.....	64-24
	(a) Eligibility.....	64-24
	(b) Minimum Payments.....	64-24
	(c) Presentation to Council.....	64-24
	(d) Continuation of Service.....	64-25
	(e) Interest and Penalties.....	64-25
§ 64-706	Involuntary Termination of Service.....	64-25
	(a) In General.....	64-25
	(b) Emergencies.....	64-25
§ 64-707	Voluntary Discontinuance of Service.....	64-25

### Article VIII — Authorization of Agreements, Etc.

§ 64-801	2007 Interconnection Agreement with Lehigh County Authority.....	64-26
----------	---	-------

### Appendix

¶ 64-A	Disposition of Ordinance 31.....	64-26
¶ 64-B	Disposition of Ordinances 36 & 39.....	64-27
¶ 64-C	Disposition of Ordinance 135.....	64-27
¶ 64-D	Disposition of Ordinance 203.....	64-28
¶ 64-E	Disposition of 1981 Code, Chapter 133.....	64-28
¶ 64-F	Disposition of Ordinance 342, §§ 3 and 11.....	64-30
¶ 64-G	Disposition of Annual Ordinance Confirming Water Rentals.....	64-30

¶ 64-H Source Ordinances .....64-31  
 ¶ 64-I Prior Ordinances Concerning Related Subject Matter .....64-33

## Article I – In General

### § 64-101 Short Title.

This Chapter shall be known, and may be cited, as the “Alburtis Water System Ordinance”.

### § 64-102 Management of Water System.

Day-to-day operation and maintenance of the Alburtis water system, inclusive of all elements of the physical system such as reservoir, trunk lines, and pumping stations, shall be the major responsibility of the Supervisor of the Maintenance Department. The Maintenance Supervisor shall be charged with and have custody of all tools and machinery in use by his Department and supervise and be responsible for any changes, alterations, or repairs to the water system to the curb box, at which point his responsibility shall cease. The Maintenance Supervisor shall also be responsible for chemical and bacteriological tests and shall keep such charts and records as shall relate to the condition and extent of the Borough water system. The Maintenance Supervisor may be assigned additional duties from time to time by Borough Council.

### § 64-103 Books, Records, and Bills.

The Borough Manager and Treasurer are charged with the responsibility for keeping of proper books and records. It shall be the duty of the Borough Manager to cause the water rate duplicates and water bills to be made out, showing the nature and rate of charge to each person charged for the use of water. Any consumer considering himself aggrieved by the charge may appeal to Borough Council under § 64-703 (relating to Hearings).

### § 64-104 Mandatory Use of Borough Water System.

All owners of improved property abutting the water system within the Borough limits are required to connect such property to the Borough water system and use Borough water.

### § 64-105 Waste and Repairs.

(a) **Waste Prohibited.** All waste or unnecessary use of water either within a building or enclosure or on the outside thereof is prohibited.

(b) **Responsibility for Repair of Common Pipe.** In all cases where two (2) or more persons, families, firms, or corporations receive a supply of water from a common pipe, they shall be bound severally and jointly to keep the same in repair.

(c) **Investigation of Waste.** The Maintenance Supervisor or any other person acting under an order from him shall be and is hereby authorized and empowered to inquire at any dwelling or place whence any unnecessary waste of water proceeds, into the cause of the same. If the waste proceeds from want of repair in the pipe or other fixtures and if the owner or occupier thereof shall neglect or refuse, upon notice given, to have the necessary repairs made forthwith, the Maintenance Supervisor shall shut off the water leading to such place in accordance with the procedures set forth in Article VII, and no one shall turn on the water before the necessary repairs are made.

(d) **Obstruction of Investigation.** Any person who shall obstruct or oppose any authorized person in making an examination under subsection (c) or in detaching the pipes shall be subject to the penalties provided in § 64-110.

### § 64-106 Emergency Curtailment of Water Use.

The Borough may, from time to time, in matters of emergency or for the preservation of a dwindling water supply, curtail the use of water for other than essential household and business activities. Council hereby empowers the Mayor, if he/she determines that such a situation exists, to impose prohibitions upon uses of water in the same manner as described in § 73-104 (relating to Drought Emergencies — Water Use Restrictions — Activities Which May Be Restricted), which shall continue in effect until terminated by action of the Mayor or Council. Council also may impose the same or other water use restrictions whenever it determines that such action is warranted under this Section. The violation of any prohibitions or restrictions imposed by the Mayor or Council under this Section shall subject the offending user to the penalty provisions of § 64-110.

### § 64-107 Temporary Shutoff of Water Service.

The Maintenance Department is authorized to limit or discontinue the supply of water in cases of emergency or for the purpose of repair or extension of water mains.

### § 64-108 Right of Entry.

Authorized employees of the Maintenance Department and members of the Borough Water Committee shall have the right to enter upon or into premises supplied or believed to be supplied by Borough water service for the purpose of inspecting any pipe or fixture, or of setting, reading, or repairing any meter, turning off or on any valves, or for any act for the enforcement

of the provisions of this Chapter. Such entry shall be made during normal business hours, except that, upon good and sufficient cause, entry may be at any time. No person shall deny entrance to any such premises to persons authorized to make entry under this Section.

### **§ 64-109 Fire Hydrants.**

No person shall be allowed to open a fireplug except such persons as have been granted a permit by the Maintenance Supervisor. If any person entrusted with the spanners of the fireplugs, or others, shall open a fireplug upon any occasion except at the request or permission of one (1) of the employees of the Maintenance Department or the Maintenance Supervisor, or in case of fire in the neighborhood and shall neglect or refuse to shut the same as soon as the fire is extinguished, or if any person or persons shall willfully, negligently, or carelessly injure the pipes of conduct, the hydrants or fireplugs, or any other device connected with the pipes in the street, he, she, or they so offending shall be subject to the penalties provided in § 64-110.

### **§ 64-110 Violations and Penalties.**

(a) **Civil Penalty.** Any person who violates any provision of this Chapter shall be subject to a civil penalty of One Hundred Dollars (\$100.00).

(b) **Initial Determination of Violation.** Council hereby delegates the initial determination of violations under this Chapter to the Maintenance Supervisor. The Maintenance Supervisor or the Borough Manager shall serve notice of the violation(s) upon the person determined to have violated this Chapter in person or by first class U.S. mail addressed to that person at his/her last known address. The notice shall include a description of the violation(s), the provision(s) of the Codified Ordinances violated (*i.e.* section, subsection, paragraph, etc.), the penalty imposed for each violation, and the time for payment prior to the commencement of a civil enforcement proceeding. Service shall be complete on the date of in-person service or the date of mailing.

(c) **Civil Enforcement Proceeding.** When the penalty imposed for a violation(s) of this Chapter is not voluntarily paid to the Borough within fifteen (15) calendar days after service of the violation notice under subsection (b), the Borough Manager shall initiate a civil enforcement proceeding in the name of the Borough before a magisterial district judge (or, where applicable under Borough Code § 3321(5), 53 PA. STAT. ANN. § 48321(5), the Lehigh County Court of Common Pleas). The civil enforcement proceeding shall be initiated by complaint or by such other means as may be provided by the Pennsylvania Rules of Civil Procedure. Any person found to have violated this Chapter in the civil enforcement proceeding shall be assessed court costs and reasonable attorney fees incurred by the Borough in the proceedings, in addition to the penalty provided.

(d) **Separate Offenses.** Each day or portion of a day that a given violation exists or continues shall constitute a separate offense, and each violation of a separate section, subsection, paragraph, or other division of this Chapter shall constitute a separate offense.

(e) **Equitable Remedies.** In addition to or in lieu of enforcement of this Chapter through a civil action, the Borough may enforce this Chapter through an action in equity brought in the

Court of Common Pleas of Lehigh County. The Borough Solicitor shall have authority to commence the action in equity on behalf of the Borough without explicit authorization of Council in any situation where the Solicitor or the President of Council deems it advisable to act before the next regular Council meeting.

## Article II — Permits

### § 64-201 Water Service Permit.

(a) **Application.** Every person or persons who requires a supply of water or desires to make extensions or alterations in the use thereof, other than those already provided for in the permit, shall make application to the Borough Manager.

(b) **Permit.** A water service permit shall be issued by the Borough Manager, containing information as to the name and occupant of the premises, location of the premises and nature of the work to be done.

(c) **One Premises Only.** Any permit issued authorizing the supply of water to any premises shall authorize supply only to such premises and to no other.

### § 64-202 Construction Permit.

It shall not be lawful for any person to use water from public or private pipes for building purposes of any kind without first having a permit for such purpose, unless such person has secured a construction permit.

### § 64-203 Water Main Shutoff Permit.

It shall be unlawful for any plumber or other person to shut off the water in any of the mains without first having obtained a permit for that purpose, which permit shall set forth that the applicant has permission to shut off the water at a certain shutoff valve (naming the location) for the space of (naming the time). Any plumber or other person violating this provision shall be subject to the penalties provided in § 64-110, and, in addition, in case of neglect or refusal to turn on the water after the expiration of the time allotted in such permit, the parties so offending shall forfeit and pay a fine of One Dollar (\$1.00) for every ten (10) minutes exceeding the time specified in the permit. All plumbers or other persons authorized by this permit to shut off the water in any mains shall give one (1) hour's notice to citizens in whose neighborhood they propose to make alterations or repairs of water pipes before turning off the water.

## Article III — Attachments & Connections

### § 64-301 Water Service Installation.

Any person requesting installation of water service shall furnish and install a brass curb stop, a cast-iron curb box to contain the curb stop, and copper pipe to conduct water from the main to the curb stop. The Borough will furnish and install corporation cocks, for which the property owner shall be charged at the prevailing rate of cost of material and installation.

### § 64-302 Compliance Required.

Every person or persons having attachments of any kind made without first complying with the requirements of this Article shall, upon conviction in summary proceedings, be subject, for each offense, to the penalties provided in § 64-110.

### § 64-303 Water Mains.

Where street mains are required to be installed by property owners, such installation shall be in accordance with Borough specifications and under the supervision of the Borough Engineer or the Maintenance Supervisor, if so designated by the Borough Engineer. In such cases the expense to the property owner required to make said installation shall be set forth in a written agreement with the Borough before construction takes place.

### § 64-304 Service Pipes.

(a) **Connection.** Service pipes leading off from the main shall be installed by the property owner. Thereafter the property owner shall be responsible for repair and maintenance only from the curb box to the dwelling. All connections with water mains are to be made only by a duly registered plumber to whom a permit authorizing the connection has been issued by the Borough.

(b) **Location.** All service pipes conveying water shall be laid not less than three and one-half (3.5) feet under the surface, and no corporation shall be inserted into the Borough water mains until the service ditch has been opened to the proper depth from the Borough main to the curb stop.

### § 64-305 Corporation Stop.

It shall be unlawful for any person or persons to connect pipe or pipes to the service mains or other pipes in such manner that more than one (1) dwelling house or other building with its appurtenances shall be supplied with water by means of the same corporation stop and supply pipe, but each separate premise shall have a separate attachment. Each corporation attaching to



the main shall be placed at an angle of forty-five degrees (45°) upwards from the horizontal center line.

### § 64-306 Curb Stops.

(a) **Location.** All the connecting or conducting pipes from mains shall have a curb stop affixed thereto, located within the limits of the sidewalk or pavement, at a distance of twelve (12) inches from the curb.

(b) **Curb Stop Box.** To every curb stop there shall be left an opening of at least four (4) inches square, or if round, of that diameter, which shall be protected with a suitable curb box and securely covered with a cast iron top in such a manner that the situation of the curb stop may be readily distinguished, wherever placed, and shall be even with the surrounding pavement or level to the top of grade.

## Article IV — Backflow & Cross-Connection Control

### § 64-401 Purpose.

The purpose of this Article is to—

(a) Protect the public water supply system from contamination or pollution by isolating within the consumer's water system contaminants or pollutants which could backflow through the service connection into the public water supply system;

(b) Promote the elimination or control of existing cross-connections, actual or potential, between the public or consumer potable water system and nonpotable water systems, plumbing fixtures, and sources or systems containing process fluids; and

(c) Provide for the maintenance of a continuing program of cross-connection control which will systematically and effectively prevent the contamination or pollution of the public and consumer's potable water system.

### § 64-402 Scope.

This Article shall apply to all premises served by the public water supply system of the Borough of Alburdis.

### § 64-403 Policy.

The public water supplier and the consumer have the joint responsibility for protection of the public water supply system from contamination due to backflow of contaminants through the water service connection. If, in the judgment of the public water supplier or his authorized representative, an approved backflow-prevention device is required, the supplier shall give notice to the consumer to install such approved backflow-prevention device at each service connection to his premises. The consumer shall immediately install such approved device or devices at his own expense, and failure, refusal, or inability on the part of the consumer to install such device or devices shall constitute grounds for discontinuing water service to the premises until such device or devices have been installed. (See § 64-701(d) and § 64-706(b).)

### § 64-404 Water System Definitions.

For purposes of this Article—

(a) The “public water supply system” shall mean the Borough’s water system.

(b) The “public water supplier” shall mean the Borough.

(c) The “water system” shall be considered as made up of two (2) parts: the public water supply system and the consumer’s water system.

(d) The “public water supply system” shall consist of the source facilities and the distribution system and shall include all of those facilities of the public water supply system under the control of the public water supplier up to the point where the consumer’s water system begins.

(e) The “source” shall include all components of the facilities utilized in the production, treatment, storage, and delivery of water to the public distribution system.

(f) The “public distribution system” shall include the network of conduits used for delivery of water from the source to the consumer’s water system.

(g) The “consumer’s water system” shall include all facilities beyond the service connection which are utilized in conveying water from the public distribution system to points of use.

### § 64-405 Cross-Connections Prohibited.

(a) **In General.** No water service connection shall be installed or maintained to any premises where actual or potential cross-connections to the public water supply system or consumer’s water system may exist unless such actual or potential cross-connections are abated or controlled to the satisfaction of the public water supplier.

(b) **Auxiliary Water Supply.** No connection shall be installed or maintained whereby water from an auxiliary water supply may enter a public or consumer’s water system unless such

auxiliary water supply and the method of connection and use of such supply shall have been approved.

### § 64-406 Survey and Investigations.

(a) **Access to Consumer's Premises.** The consumer's premises shall be open at all reasonable times to the public water supplier, or his authorized representative, for the purposes of conducting surveys and investigations of water use practices within the consumer's premises to determine whether there are actual or potential cross-connections to the consumer's water system through which contaminants or pollutants could backflow into the public potable water system.

(b) **Information from Consumer.** On request by the public water supplier, the consumer shall furnish information on water use practices within his premises.

(c) **Surveys by Consumer.** It shall be the responsibility of the water consumer to conduct periodic surveys of water use practices on his premises to determine whether there are actual or potential cross-connections to his water system through which contaminants or pollutants could backflow into the public water supply system.

### § 64-407 Where Protection is Required.

(a) **Branch Line.** An approved backflow prevention device shall be installed prior to the first branch line leading off each service line to a consumer's water system where, in the judgment of the public water supplier, an actual or potential hazard to the public water supply system exists.

(b) **Service Line—Certain Conditions.** An approved backflow-prevention device shall be installed on each service line to a consumer's water system where the following conditions exist:

(1) Systems having an auxiliary water supply, unless such auxiliary supply is accepted as an additional source by the public water supplier and approved by the Department of Environmental Protection.

(2) Systems where any substance is handled in such a fashion as to create an actual or potential hazard to the public water supply system. This shall include systems having sources or auxiliary systems containing process fluids or waters originating from the public water supply system which are no longer under the sanitary control of the water purveyor.

(3) Systems having internal cross-connections that, in the judgment of the public water supplier, are not correctable, or intricate plumbing arrangements which make it impractical to determine whether or not cross-connections exist.

(4) Systems where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete cross-connection survey.

(5) Systems having a repeated history of cross-connections being established or reestablished.

(6) Others specified by the public water supplier.

(c) **Service Line–Certain Facilities.** An approved backflow-prevention device shall be installed on each service line to a consumer's water system serving, but not necessarily limited to, the following types of facilities, unless the public water supplier determines that no actual or potential hazard to the public water supply system exists:

- (1) Hospitals, mortuaries, clinics and nursing homes.
- (2) Laboratories.
- (3) Piers, docks and waterfront facilities.
- (4) Sewage treatment plants, sewage pumping stations, or stormwater pumping stations.
- (5) Food or beverage processing plants.
- (6) Chemical plants.
- (7) Metal plating industries.
- (8) Petroleum processing or storage plants.
- (9) Radioactive material processing plants.
- (10) Car washes or truck washes.
- (11) Others specified by the water purveyor.

#### **§ 64-408 Type of Protection Required.**

The type of protection required under § 64-407 shall depend on the degree of hazard which exists as follows:

(a) An approved air-gap separation shall be installed where the public water supply system may be contaminated with substances that are dangerous to the public health and could cause a severe health hazard.

(b) An approved air-gap separation or an approved reduced-pressure-zone backflow-prevention device shall be installed where the public water supply system may be contaminated with a substance that could cause a system or health hazard.

(c) An approved air-gap separation or an approved reduced-pressure-zone-backflow-prevention device or an approved double-check-valve assembly shall be installed where the public water supply system may be polluted with substances that would be objectionable but not dangerous to health.

#### **§ 64-409 Backflow-Prevention Devices.**

(a) **In General.** Any backflow-prevention device required by this Article shall be of a model or construction approved by the public water supplier and shall comply with the following:

(1) Air-gap separation to be approved shall be at least twice the diameter of the supply pipe, measured vertically above the top rim of the vessel, but in no case less than one (1) inch.

(2) A double-check-valve assembly or a reduced-pressure-zone backflow-prevention device shall be approved by the public water supplier and shall mean a device that has been manufactured in full conformance with standards established by the American Water Works Association, entitled "AWWA C506 Standards For Reduced Pressure Principle and Double Check Valve Backflow Prevention Devices." Said American Water Works Association standards are herein adopted by the public water supplier. Final approval, however, of the reduced-pressure-principle backflow preventer and the double-check-valve assembly shall be evidenced by a certificate of full approval issued by an approved testing laboratory certifying full compliance with said American Water Works Association standards.

(3) An interchangeable connection to be approved shall be either a swing-type connector or a four-way valve of the lubricated-plug type that operates through a mechanism which unseats the plug, turns it ninety degrees (90°) and reseats the plug. Four-way valves shall not be used as stop valves but must have separate stop valves on each pipe connected to the valve. The telltale port on the four-way valve shall have no piping connected and the threads or flange on this port shall be destroyed so that a connection cannot be made.

(b) **Existing Devices.** Existing backflow-prevention devices approved by the public water supplier at the time of installation and properly maintained shall, except for inspection and maintenance requirements, be excluded from the requirement of subsection (a), *provided* that the public water supplier is assured that they will satisfactorily protect the public potable supply system. Whenever the existing device is moved from the present location or requires more than minimum maintenance or when the public water supplier finds that the maintenance of the device constitutes a hazard to health, the device shall be replaced by a backflow-prevention device meeting the requirements of subsection (a).

## § 64-410 Installation of Devices.

(a) Backflow-prevention devices required by this Article shall be installed at a location and in a manner approved by the Maintenance Department.

(b) Backflow-prevention devices installed on the service line to a consumer's water system shall be located on the consumer's side of the water meter, as close to the meter as is reasonably practical, and prior to any other connection.

(c) Pits or vaults shall be of watertight construction, be so located and constructed as to prevent flooding, and shall be maintained free from standing water by means of either a sump and pump or a suitable drain. Such sump pump or drain shall not connect to a sanitary sewer nor permit flooding of the pit or vault by reverse flow from its point of discharge. An access ladder and adequate natural or artificial lighting shall be provided to permit maintenance inspection and testing of the backflow-prevention device.

### § 64-411 Inspection and Maintenance.

(a) **Inspection Schedule.** It shall be the duty of the consumer at any premises on which backflow-prevention devices required by this Article are installed to have inspections, tests, and overhaul made in accordance with the following schedule or more often where inspections indicate a need:

(1) Air separation shall be inspected at time of installation and at least every twelve (12) months thereafter.

(2) 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.

(3) 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.

(4) Interchangeable connections shall be inspected at the time of installation and at least every twelve (12) months thereafter.

(b) **Performance of Inspection.** Inspections, tests, and overhaul of backflow-prevention devices shall be made at the expense of the water consumer and shall be performed by the public water supplier or a person certified to inspect, test, and overhaul backflow-prevention devices.

(c) **Records.** The water consumer must maintain a complete record of each backflow-prevention device from purchase to retirement. This shall include a comprehensive listing that includes a record of all tests, inspections, and repairs. Records of inspections, tests, repairs, and overhaul shall be submitted to the public water supplier.

(d) **Devices May Not Be Made Ineffective.** Backflow-prevention devices shall not be bypassed, made inoperative, removed, or otherwise made ineffective without specific authorization by the water purveyor.

### § 64-412 Booster Pumps.

(a) **Cutoff Device Required.** 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 cutoff device designed to shut off the booster pump when the pressure in the service line on the suction side of the pump drops to ten (10) pounds per square inch gauge or less for a period of thirty (30) seconds or longer.

(b) **Maintenance and Certification.** It shall be the duty of the water consumer to maintain the low-pressure cutoff device in proper working order and to certify to the public water supplier, at least once a year, that the device is operating properly.

### § 64-413 Violations of This Article.

(a) **Termination of Service.** The public water supplier shall deny or discontinue, after reasonable notice to the occupants thereof and in accordance with the procedures set forth in Article VII, the water service to any premises wherein any backflow-prevention device required by this Article is not installed, tested, and maintained in a manner acceptable to the public water supplier, or if it is found that the backflow-prevention device has been removed or bypassed, or if an unprotected cross-connection exists on the premises, or if a low-pressure cutoff device required by this Article is not installed and maintained in working order.

(b) **Restoration of Service.** Water service to such premises shall not be restored until the consumer has corrected or eliminated such conditions or defects in conformance with these regulations and to the satisfaction of the public water supplier.

(c) **Civil Penalties.** In addition to the other remedies provided in this Section, each person who violates any provision of this Article shall be subject to the penalties provided in § 64-110.

## Article V — Water Meters

### § 64-501 Meters Required.

In order to provide greater accuracy in the measurement of water consumption by customers provided with water service by the Borough of Alburdis, all customers supplied with water service by the Borough, now and hereafter, shall install a water meter in accordance with the provisions of this Article.

### § 64-502 Supervision of Installation; Regulations.

It shall be the duty of the Maintenance Department to supervise the installation of water meters. The Maintenance Department is hereby authorized to promulgate such rules and regulations as may be required, in addition to the provisions of this Article, to facilitate the installation and maintenance of water meters.

### § 64-503 Metering New Service.

Every building hereafter constructed or for the first time furnished with water by the Borough shall be metered before water service shall be furnished.

**§ 64-504 Meters Furnished.**

Water meters acceptable for installation shall be made available by the Borough. Such meters shall be of the same size as the service pipe entering the building in which installation is to be made. With special permission of the Maintenance Department, a meter one (1) size smaller than the service pipe may be allowed for sufficient reason.

**§ 64-505 Ownership of Meters.**

All meters installed within the water system of the Borough shall be and remain the property of the Alburtis Borough Authority.

**§ 64-506 Placement of Meters.**

When convenient, the water meter shall be located on the premises of the water consumer in an accessible and unobstructed position within the building connected with a remote reader positioned outside the building. When not otherwise convenient to place a meter within a building or at the option of the owner, a meter box or masonry pit with locked-type cover may be constructed, *provided* the same shall also be connected to a remote reader unless the Borough grants special permission to eliminate the remote reader upon good and sufficient cause shown.

**§ 64-507 Authorized Personnel.**

No person other than a licensed plumber or an authorized officer or employee of the Maintenance Department shall install, remove, inspect, or change, alter, or interfere in any way with a water meter.

**§ 64-508 Protection of Meters; Repairs.**

Customer-user shall at all times properly protect the water meter installation from damage by frost or other harm and shall be responsible for the cost of all repairs or replacement of any meter damaged in any way as a result of his neglect. Repair charges shall be payable in full at the time of the next quarterly billing and shall be includable upon such billing.

**§ 64-509 Defective Meters.**

If a meter fails to register or is otherwise out of working order, such meter shall be replaced or repaired by the Borough. In such event, the current billing shall be estimated and determined by the average quarterly water meter reading for the one year period (four (4) billing quarters) ending on the Last Correct Determination Date. For purposes of this § 64-509, the "Last Correct Determination Date" shall mean the date six (6) months before the last day of the quarter in which the meter fails to register or is otherwise out of working order. (For example, if



the meter is out of working order when attempting to measure water usage for the calendar quarter ending December 31, 2003, the "Last Correct Determination Date" is June 30, 2003.) If readings are not available for the entire one year period, or use of that period is otherwise inequitable, the Borough Manager may make any other reasonable estimate. No deduction shall be allowed from any billing by reason of leakage, but shall be permissible if due to inaccurate and excessive measurement of water consumption by a faulty meter in accordance with the provisions of § 64-510.

### § 64-510 Testing of Meters at Customer Request.

(a) **Request for Test.** If any customer shall doubt the correctness of his meter reading, he may, upon application to the Maintenance Department and upon making a deposit as set forth in subsection (b), have such meter tested. Should such test show such meter to be correct within four per centum (4%), the customer shall forfeit the deposit made. Should such test show the meter to be registering in excess of four per centum (4%) of the accurate amount of flow, such deposit shall be refunded to the customer and the entire cost of such test and replacement of meter shall be borne by the Borough.

(b) **Deposit.** The deposit required for any test under subsection (a) shall be determined as follows:

<u>Size of Meter (inches)</u>	<u>Amount of Deposit</u>
5/8 - 1	\$ 5.00
1 1/2 - 2	10.00
3	15.00
4	20.00
6	25.00
8 or larger	35.00

### § 64-511 Separate Meters for Each Establishment.

In all cases where the service connection serves two (2) or more establishments, firms, or families, a separate meter shall be installed for each if at all possible without the necessity of major plumbing change. Final determination shall be made in each instance by the Maintenance Department.

## **Article VI — Rentals, Charges & Fees**

### **§ 64-601 Volume Charge.**

The quarterly rent or charge for use and consumption of water by all metered users drawing from the water system of the Borough of Alburdis shall be \$27.09 plus \$0.0045 per gallon for each gallon of water withdrawn from the system in the quarter in excess of 3,000 gallons.

### **§ 64-602 Multiple Residential Units.**

If any one meter shall record the water usage from more than one residential dwelling unit, the quarterly water rent or charge for such water usage under § 64-601 shall be determined as follows:

- (a) The total volume of water used shall be divided by the number of residential dwelling units;
- (b) The charge under § 64-601 for the resulting volume of water shall be determined; and
- (c) That charge shall be multiplied by the number of residential dwelling units.

### **§ 64-603 Sprinkler System Charge.**

In addition to the usage charge under § 64-601, a sprinkler charge of Forty-three Dollars and ninety-five cents (\$43.95) per quarter shall be paid by all resident users of water service maintaining a fire line independently of or in connection with the installation of an automatic sprinkler device system.

### **§ 64-604 Absence or Removal of Consumer From Premises.**

No abatement of charges shall be allowed for absence or removal of a consumer from the premises wherein he had been supplied with service during the billing period unless he shall have made written request for discontinuance of service and made payment of the final bill for service. No request for discontinuance of service shall be deemed approved and effective until actual physical cutoff shall have been accomplished, except where change of ownership of premises is accompanied by immediate transfer of possession to a new consumer.

**§ 64-605 Use of Water for Fire Protection.**

Whenever a meter reading shall reflect use of water for fire protection or fire fighting during conflagration, no charge shall be made for the water so used. In such case, the billing shall be made on the basis of an estimate corresponding with average volume consumption during preceding billing periods.

**§ 64-606 Tapping Fee.**

The fee for a permit to tap into a water main shall be Three Hundred Dollars (\$300.00), to be collected at the time of the issuance of the water service permit.

**§ 64-607 New Unit/Future Facilities Charge.**

Every consumer of water served by the Alburdis water system hereafter obtaining a permit for the installation of a water meter or the conversion of service from a single-unit to multiple-unit service shall be subject to a surcharge of Three Hundred Seventy-eight Dollars and twenty-five cents (\$378.25) per unit of service. Such surcharge shall be due and payable at the time of installation of a water meter or unit conversion. The proceeds of this surcharge are to be separately maintained in a fund to be used for future water service facilities improvements.

**§ 64-608 Miscellaneous Fees.**

(a) **Connection Fee.** The owner(s) of any improved property who desires to connect the property to the Borough's water system shall pay a fee to the Borough of Fifteen Dollars (\$15.00) for turning water service on at the curb.

(b) **Disconnection Fee.** The owner(s) of any improved property voluntarily or involuntarily disconnected from the Borough's water system shall pay a fee to the Borough of Fifteen Dollars (\$15.00) for turning water service off at the curb.

(c) **Settlement Meter Readings.** The fee for an additional reading of the water meter at a time other than those regularly performed by the Borough (*e.g.*, for purposes of settlement on the sale of a property) shall be Ten Dollars (\$10.00).

(d) **Water Meter Unit.** The fee for a water meter unit in new construction where no water meter for the water system was previously in operation is Eighty-two Dollars (\$82.00).

(e) **Water Meter Connectors.** The fee for water meter connectors is Ten Dollars (\$10.00).

**§ 64-609 Billing and Collection of Quarterly Charges; Penalties.**

(a) **Rendering of Bills.** All bills for the water rentals, charges, and surcharges imposed under § 64-601, § 64-602, and/or § 64-603 with respect to any given property shall be rendered

at least twenty-five (25) calendar days before the due date, and are payable to the Borough at the Borough Hall. Bills shall be mailed to the address appearing on the tax records of the Borough or to the property itself, unless the owner of the property designates a different address from time to time. Each owner shall provide the Borough with, and thereafter keep the Borough advised of, the owner's current and correct address. The failure of any person to receive a bill shall not be considered an excuse for nonpayment, nor shall such failure result in an extension of the period of time during which the net bill shall be payable.

**(b) Liability for Payment.** All bills for metered water service shall be the responsibility of the owner and consumer to whom water service has been furnished. The owner shall in all cases be primarily responsible for payment. As a convenience to the owner whose property holdings in the Borough consist of two (2) or more separate establishments, firms, or family units, separate billings shall be prepared which may designate or identify "consumer" solely by means of meter number or mailing address, or both.

**(c) Due Date.** Bills shall be due each January 31, April 30, July 31, and October 31 for services rendered during the most recently ended calendar quarter, and shall also include the outstanding balance of unpaid amounts from previous bills and unpaid late payment penalties. Payments are credited on the date they are received at the Borough Hall.

**(d) Late Payment Penalties.** A late payment penalty shall be imposed if there remains an outstanding balance on any bill rendered under subsection (a) as of 12:00 noon on the sixth (6<sup>th</sup>) calendar day after the due date of that bill. The amount of the late payment penalty is fifteen percent (15%) of the outstanding balance on the bill (including amounts originally billed for previous quarters that remain unpaid, and unpaid late payment penalties) as of the time the penalty is imposed.

**(e) Collection and Lien.** If there is an unpaid balance on any bill sixty (60) days after the due date of the bill, the Borough Manager may file a civil action before the local District Justice to collect the unpaid balance, or may refer the account to the Borough Solicitor to proceed with a civil action or utilize the procedures for the perfection of a municipal lien and collection of a municipal claim. The Borough Manager may also utilize the procedures set forth in Article VII to terminate water service to a property with overdue water rentals or charges.

## **Article VII — Termination of Service**

### **§ 64-701 Involuntary Termination—In General.**

**(a) Delinquent Water or Sewer Charges.** In the event that water and/or sanitary sewer service rentals or charges due under the ordinances of the Borough of Albury for any improved property remain unpaid after the first day of the second month after they become due, the Borough Manager shall commence the procedures set forth in this Article to terminate water service to the improved property unless all rentals and charges properly due are paid in full.

**(b) No Access to Water Meters.** In the event that employees of the Borough cannot access the water meter for any improved property served by the Borough's public water system, the Borough Manager shall commence the procedures set forth in the following sections of this Article to terminate water service to the improved property unless appropriate access is provided.

**(c) Failure to Make Repairs.** In the event that the owner of an improved property shall neglect or refuse to make repairs to pipes or other fixtures causing unnecessary waste of water, the Borough Manager shall commence the procedures set forth in the following sections of this Article to terminate water service to the improved property unless appropriate repairs are made.

**(d) Violation of Backflow-Prevention or Cross-Connection Requirements.** In the event that the owner of an improved property shall—

(1) neglect or refuse to install, test, and/or maintain any backflow-prevention device required by Article IV in a manner acceptable to the Maintenance Supervisor;

(2) have caused or permitted the removal or bypass of any backflow-prevention device required by Article IV;

(3) have an unprotected cross-connection on the premises; or

(4) neglect or refuse to install or maintain in working order a low-pressure cutoff device required by Article IV,

then the Borough Manager shall commence the procedures set forth in the following sections of this Article to terminate water service to the improved property unless the violation/deficiency is corrected.

**(e) Disconnect/Reconnect Fees.** The owner(s) of any improved property disconnected from the Borough's water system shall pay a disconnection fee to the Borough as set forth in § 64-608(b). The owner(s) of any improved property disconnected from the Borough's water system who desires to reconnect the property to the Borough's water system shall pay a reconnection fee to the Borough as set forth in § 64-608(a).

## § 64-702 Notifications.

**(a) Thirty-seven Day Notice to Owner.** At least thirty-seven (37) calendar days before terminating water service to an improved property connected to the Borough's water system, the Borough Manager shall send a written notice to the owner(s) of record of the improved property at the last known address(es) of the owner(s) on the records of the Borough, by first class U.S. mail and also by U.S. certified mail (return receipt requested) or by personal service. The notice shall include a statement that the Borough intends to terminate water service to the improved property, the date on or after which service will be terminated, the reasons for the termination, the actions which must be taken prior to termination in order to avoid termination of service, the hearing rights afforded under § 64-703, the medical deferral provided under § 64-704, and, where applicable, the option for an acceptable payment plan under § 64-705. If a payment plan was granted with respect to an improved property under § 64-705 and payments are not completed strictly in accordance with the terms of the plan, the Borough Manager shall send another notice under this subsection (a) at least thirty-seven (37) calendar days before

terminating water service to the property. The notice provided under this subsection (a) may be combined with any notice required to be made to the owner(s) under subsection (b).

**(b) Notices under the Utility Service Tenants Rights Act.** Prior to terminating water service to an improved property connected to the Borough's water system where the owner(s) of the property is a "landlord ratepayer" within the meaning of the Utility Service Tenants Rights Act, 68 PA. STAT. ANN. § 399.1 *et seq.*, the Borough Manager shall provide all of the notices to landlord ratepayers, tenants, and the state or county Department of Health, and comply with all of the other procedures required under that Act.

**(c) Final Two-day Notice.** At least two (2) business days before terminating water service to an improved property connected to the Borough's water system, a Borough employee or agent shall post a termination notice at a conspicuous place on the improved property. The notice shall include a statement that the Borough intends to terminate water service to the improved property, the date on or after which service will be terminated, the reasons for the termination, the actions which must be taken prior to termination in order to avoid termination of service, and the medical deferral provided under § 64-704.

**(d) Notice to Human Service Agencies.** At least two (2) business days before terminating water service to an improved property connected to the Borough's water system, the Borough Manager shall notify the Lehigh County Department of Human Services, and, if in existence, Health Department, of the impending termination of water service, so that such Departments and their programs, such as the Office of Children and Youth Services, Office of Mental Health/Mental Retardation, and/or the Office of Aging and Adult Services, may provide assistance. In addition, within two (2) business days after the termination of water service to an improved property, if such property has not been reconnected to the Borough's water system, the Borough Manager shall notify the Lehigh County Department of Human Services, and, if in existence, Health Department, of the termination of water service to the property. All notices under this subsection (d) shall be made both by telephone and by fax or e-mail.

**(e) Codes Enforcement.** Within two (2) business days after the termination of water service to an improved property, if such property has not been reconnected to the Borough's water system, the Borough Manager shall notify the Borough Zoning Officer and codes enforcement official that the property is no longer being served by public water. The Borough Zoning Officer and codes enforcement official shall then determine whether the property may be occupied lawfully under the circumstances, and shall take all appropriate enforcement actions.

**(f) Other Notices.** In addition to the notices set forth in this Section, the Borough Manager shall provide any and all other notices which may be required at the time by federal or state law or regulation prior to the termination of public water service.

### § 64-703 Hearings.

If a property owner(s) believes that any unpaid charges imposed on a water or sewer bill are incorrect or otherwise wishes to challenge the type or amount of such charges, or if the property owner(s) wishes to challenge any determination by a Borough employee that the property's water meter cannot be accessed by Borough employees, the pipes or other fixtures at the property are causing unnecessary waste of water, or there is a violation of Article IV (relating

to backflow and cross-connection control), the property owner may request a hearing on the matter before Borough Council. Council will conduct the hearing in accordance with the provisions of the Local Agency Law, 2 PA. CONS. STAT. ch. 1, 5(B), 7(B), and appeals from the decision of Council may be taken to court in accordance with that Law. The property owner(s) must request a hearing by no later than four o'clock PM on the date three (3) business days before the first regular meeting of Borough Council which is least seventeen (17) calendar days after the date the notice under § 64-702(a) was sent to the owner(s). A request for a hearing is considered to be made when communicated orally in person or by telephone to a Borough employee in the Office of the Borough Manager, or received in writing at the Office of the Borough Manager. If a hearing is requested, water service shall not be terminated until at least fourteen (14) calendar days after the date of mailing of the Council's written decision.

### **§ 64-704 Medical Deferral.**

If any person residing at an improved property is seriously ill, aged, or a young child, that person's health, safety, or welfare would be jeopardized by the termination of water service to the property, that person is unable physically to relocate to a different dwelling or shelter by the date after which water service may be terminated (as set forth in a notice under § 64-702), and the Borough Manager is provided with a written physician's certification of these facts, then water service to the property shall not be terminated until an additional thirty (30) calendar days after the date water service could otherwise have been terminated under this Article. Only one (1) thirty (30) day deferral shall be granted under this section with respect to any given termination proceeding.

### **§ 64-705 Payment Plan.**

**(a) Eligibility.** If the total amount of any unpaid water and sewer rentals/charges for any improved property exceeds Five Hundred Dollars (\$500.00), the owner(s) of the improved property has not been subject to a payment plan under this section at any time during the two-year period ending on the date of a request for a payment plan under this Section, and the owner(s) of the improved property have not defaulted under any payment plan under this Section at any time during the five-year period ending on the date of a request for a payment plan under this Section, the owner(s) of the improved property may request Council to grant a payment plan for payment of the unpaid rentals/charges. The request must be made by no later than the last regular meeting of Council before the termination of water service.

**(b) Minimum Payments.** A payment plan under this Section shall provide that the owner(s) must make monthly payments on or before the first day of each calendar month in a minimum amount equal to the greater of One Hundred Dollars (\$100.00) or one-sixth (1/6) of the unpaid balance at the time the payment plan begins. In addition, the owner(s) must pay all new bills on or before the date they are due.

**(c) Presentation to Council.** Council shall not grant a payment plan unless the owner(s) provide evidence acceptable to Council of an ability to make monthly payments in accordance with the requirements of subsection (b) and unless the owner(s) acknowledge the amount due and owing.

**(d) Continuation of Service.** If Council grants a payment plan under this Section to a property owner(s) with regard to a particular improved property, the Borough shall not terminate water service to that property so long as the owner(s) remains current with respect to all payments under the payment plan and all new bills due after the date of the payment plan. If the owner(s) fails to make any payment under the payment plan in full when due or any payment of a new bill due after the date of the payment plan in full when due, the payment plan shall automatically terminate.

**(e) Interest and Penalties.** Interest and penalties on due and unpaid amounts subject to a payment plan under this Section shall continue to accrue until the arrearages are paid.

### **§ 64-706 Involuntary Termination of Service.**

**(a) In General.** If the situation warranting termination of water service under § 64-701(a), (b), (c), or (d) with respect to a given improved property has not been corrected during the time provided under this Article, and all procedural requirements of this Article have been satisfied for termination of service, then the Borough Manager shall direct the Maintenance Department to disconnect the property from the Borough water system and terminate water service to the property. The term “disconnect” includes the action of closing a valve to prevent the flow of water.

**(b) Emergencies.** Notwithstanding anything to the contrary contained in this Article, the Borough may summarily terminate water service to any improved property when required to prevent or alleviate an emergency or in the case of danger to life, health, safety, or property.

### **§ 64-707 Voluntary Discontinuance of Service.**

All persons intending to discontinue the use of water service by removal from the premises or sale of their property shall give notice of their intention in writing to the Borough Manager at least one (1) month before the expiration of the time for which they have contracted for a supply of water and insert in such notice the name or names of the holder or occupier of the same premises after them. Upon failure to give such notice, the person or persons in whose name the contract for water rent was made or the owner of the property shall be deemed and taken to be parties to the contract and chargeable with rents due and to become due for the same and liable to be sued therefor.



## Article VIII — Authorization of Agreements, Etc.

### § 64-801 2007 Interconnection Agreement with Lehigh County Authority.

The Borough of Alburty shall enter into an Interconnection Agreement with Lehigh County Authority and the Alburty Borough Authority in the form attached to Ordinance 461 as **Exhibit 1**, which is incorporated into this Article by reference, *provided that* the governing bodies of the other parties shall also approve the execution of the Agreement. The President (or Vice President) of Borough Council and the Executive Secretary are hereby authorized and directed to execute and attest the Agreement on behalf on the Borough upon the approval of the Agreement by all of the parties.

## Appendix

### ¶ 64-A Disposition of Ordinance 31.

<u>Ordinance 31</u>	<u>Ordinance 203</u>	<u>See ¶ 64-D for later disposition.</u>
Art. 1, § 1	Art. I, § 1	
Art. 2, § 1	Art. II, § 1	
Art. 3, § 1	Art. VI, § 1(b) (1 <sup>st</sup> paragraph)	
Art. 4, § 1	Art. III, § 1 (intro)	
Art. 4, § 2	Art. II, § 2 (2 <sup>nd</sup> paragraph)	
Art. 4, § 3	Art. III, § 1(c), (e)	
Art. 4, § 4	Not included.	
Art. 5, § 1	Art. V, § 1	
Art. 5, § 2	Art. V, § 2	
Art. 6, § 1	Not included.	
Art. 7: erroneously labeled “8” in the ordinance:		
Art. 7, § 1 (except last sentence)	Art. IV, § 1 (2 <sup>nd</sup> paragraph)	
Art. 7, § 1 (last sentence)	Art. VI, § 1 (intro)	
Art. 7, § 2	Art. IV, § 1 (3 <sup>rd</sup> paragraph)	
Art. 7, § 3	Art. VI, § 1(c)	
Art. 7, § 4	Art. VII, § 3	
Art. 7, § 5	Art. VI, § 1(a)	
Art. 7, § 6	Art. VI, § 1(d)	
Art. 7, § 7	Art. VI, § 1(c)	
Art. 7, § 8	Art. VII, § 1	
Art. 7, § 9	Art. V, § 4	
Art. 7, § 10	Not included.	
Art. 7, § 11	Art. VI, § 1(b) (2 <sup>nd</sup> paragraph)	
Art. 7, § 12	Not included.	

Ordinance 31

Art. 7, § 13  
 Art. 7, § 14  
 Art. 7, § 15  
 Art. 7, § 16  
 Art. 8, § 1  
 Art. 8, § 2  
 Art. 9, § 1  
 Art. 10, § 1  
 Art. 11, § 1 (effective date)

Ordinance 203

Art. IV, § 2  
 Not included.  
 Art. IV, § 3  
 Art. IV, § 3 (last sentence)  
 Art. VII, § 1  
 Art. VII, § 2  
 Art. VI, § 1(e)  
 Art. IX, § 1

See ¶ 64-D for later disposition.

### ¶ 64-B Disposition of Ordinances 36 & 39.

Ordinances 36 and 39 established annual water rents. Although they covered the same material as found in Ordinance 31, Art. I, § 3, they did not formally repeal or amend Ordinance 31. Both Ordinances 36 and 39 were repealed by Ordinance 57. The subject matter of these Ordinances is now found in § 64-601 of the 2003 Codified Ordinances.

### ¶ 64-C Disposition of Ordinance 135.

Ordinance 1351981 Code2003 Codified Ordinances

§ I	§ 133-19	§ 64-501
§ II	§ 133-20	§ 64-502
§ III	§ 133-21	§ 64-503
§ IV	§ 133-22	§ 64-504
§ V	§ 133-23	Obsolete; <i>see</i> history § 64-503
§ VI	§ 133-24	Obsolete; <i>see</i> history § 64-503
§ VII	§ 133-25	§ 64-505
§ VIII	§ 133-26	§ 64-506
§ IX	§ 133-27	§ 64-507
§ X	§ 133-28	§ 64-508
§ XI	§ 133-29	§ 64-509
§ XII	§ 133-30	§ 64-510
§ XIII	§ 133-31	§ 64-511
§ XIV(a)	§ 133-32(A)	§ 64-609(b)
§ XIV(b)	§ 133-32(B)	§ 64-602
§ XIV(c)	§ 133-32(C)	§ 64-604
§ XIV(d)	§ 133-32(D)	§ 64-605
§ XIV(e)	§ 133-32(E)	superseded by § 64-608(a), (b)
§ XV	Superseded by Ord. 203.	<i>Cf.</i> § 64-601
§ XVI	§ 133-33	§ 64-107
§ XVII	§ 133-34	§ 64-108
§ XVIII	§ 133-35	§ 64-110

## ¶ 64-D Disposition of Ordinance 203.

<u>Ordinance 203</u>	<u>1981 Code</u>	<u>2003 Codified Ordinances</u>
Art. I, § 1	§ 133-1	Deleted; <i>see</i> § 64-101
Art. II, § 1	§ 133-2	§ 64-102
Art. II, § 2	§ 133-3	§ 64-103
Art. III, § 1 (intro)	§ 133-4(A) (intro) prior to Ord. 337.	§ 64-601
Art. III, § 1(a)	§ 133-4(A)(1)	§ 64-601
Art. III, § 1(b)	§ 133-4(A)(2)	§ 64-602
Art. III, § 1(c)	§ 133-4(B)	§ 64-609(a)
Art. III, § 1(d)	§ 133-4(C)	§ 64-609(c)
Art. III, § 1(e)	§ 133-4(D)	§ 64-609(d)
Art. IV, § 1 (1 <sup>st</sup> paragraph)	§ 133-5(A)	§ 64-104
Art. IV, § 1 (2 <sup>nd</sup> paragraph)	§ 133-5(B)	§ 64-201(a), (b)
Art. IV, § 1 (3 <sup>rd</sup> paragraph)	§ 133-5(C)	§ 64-201(c)
Art. IV, § 2	§ 133-6	§ 64-202
Art. IV, § 3	§ 133-7	§ 64-203
Art. V, § 1	§ 133-8	§ 64-105(a), (b)
Art. V, § 2 (1 <sup>st</sup> paragraph)	§ 133-9(A)	§§ 64-105(c), 64-701(c)
Art. V, § 2 (2 <sup>nd</sup> paragraph)	§ 133-9(B)	§ 64-105(d)
Art. V, § 3	§ 133-10	§ 64-106
Art. V, § 4	§ 133-11	§ 64-107
Art. VI, § 1 (intro)	§ 133-12 (intro)	§ 64-302
Art. VI, § 1(a)	§ 133-12(A)	§ 64-303
Art. VI, § 1(b)	§ 133-12(B)	§ 64-304
Art. VI, § 1(c)	§ 133-12(C)	§ 64-305
Art. VI, § 1(d)	§ 133-12(D)	§ 64-306
Art. VI, § 1(e)	§ 133-12(E)	§ 64-109
Art. VII, § 1	§ 133-13	§ 64-301
Art. VII, § 2	§ 133-14	§ 64-501
Art. VIII, § 1	§ 133-15	<i>See</i> ch. 24.
Art. VIII, § 2	§ 133-16	<i>See</i> ch. 24.
Art. VIII, § 3	§ 133-17	<i>See</i> ch. 24.
Art. IX, § 1	§ 133-18	§ 64-110
Art. X (repealer)		

## ¶ 64-E Disposition of 1981 Code, Chapter 133.

<u>1981 Code</u>	<u>2003 Codified Ordinances</u>
§ 133-1	Deleted; <i>see</i> § 64-101
§ 133-2	§ 64-102
§ 133-3	§ 64-103
§ 133-4(A)(1)	§ 64-601
§ 133-4(A)(2)	§ 64-602
§ 133-4(A)(3)	§ 64-603
§ 133-4(A)(4)	§ 64-607
§ 133-4(B)	§ 64-609(a)

<u>1981 Code</u>	<u>2003 Codified Ordinances</u>
§ 133-4(C)	§ 64-609(c)
§ 133-4(D)	§ 64-609(d)
§ 133-4(E)	§ 64-609(e)
§ 133-5(A)	§ 64-104
§ 133-5(B)	§ 64-201(a), (b)
§ 133-5(C)	§ 64-201(c)
§ 133-5(D)	§ 64-606
§ 133-6	§ 64-202
§ 133-7	§ 64-203
§ 133-8	§ 64-105(a), (b)
§ 133-9(A)	§§ 64-105(c), 64-701(c)
§ 133-9(B)	§ 64-105(d)
§ 133-10	§ 64-106
§ 133-11	§ 64-107
§ 133-12 (intro)	§ 64-302
§ 133-12(A)	§ 64-303
§ 133-12(B)	§ 64-304
§ 133-12(C)	§ 64-305
§ 133-12(D)	§ 64-306
§ 133-12(E)	§ 64-109
§ 133-12(F)(1)(a)	§ 64-401
§ 133-12(F)(1)(b)	§ 64-402
§ 133-12(F)(1)(c)	§ 64-403
§ 133-12(F)(2)	§ 64-404
§ 133-12(F)(3)	§ 64-405
§ 133-12(F)(4)	§ 64-406
§ 133-12(F)(5)	§ 64-407
§ 133-12(F)(6)	§ 64-408
§ 133-12(F)(7)	§ 64-409
§ 133-12(F)(8)	§ 64-410
§ 133-12(F)(9)	§ 64-411
§ 133-12(F)(10)	§ 64-412
§ 133-12(F)(11)	§§ 64-413, 64-701(d)
§ 133-13	§ 64-301
§ 133-14	§ 64-501
§ 133-15	<i>See ch. 24.</i>
§ 133-16	<i>See ch. 24.</i>
§ 133-17	<i>See ch. 24.</i>
§ 133-18	§ 64-110
§ 133-18A(A)	§ 64-701(a)
§ 133-18A(B)	§ 64-701(b)
§ 133-18A(C)	§§ 64-701(e), 64-608(a), (b)
§ 133-18B	§ 64-702
§ 133-18C	§ 64-703
§ 133-18D	§ 64-704
§ 133-18E	§ 64-705
§ 133-18F	§ 64-706
§ 133-19	§ 64-501

<u>1981 Code</u>	<u>2003 Codified Ordinances</u>
§ 133-20	§ 64-502
§ 133-21	§ 64-503
§ 133-22	§ 64-504
§ 133-23 (notice to install meters to users already connected in 1968)	Obsolete; <i>see</i> history § 64-503
§ 133-24 (installation by Borough if 1968 users do not install a water meter)	Obsolete; <i>see</i> history § 64-503
§ 133-25	§ 64-505
§ 133-26	§ 64-506
§ 133-27	§ 64-507
§ 133-28	§ 64-508
§ 133-29	§ 64-509
§ 133-30	§ 64-510
§ 133-31	§ 64-511
§ 133-32(A)	§ 64-609(b)
§ 133-32(B)	§ 64-602
§ 133-32(C)	§ 64-604
§ 133-32(D)	§ 64-605
§ 133-32(E)	superseded by § 64-608(a), (b)
§ 133-33	§ 64-107
§ 133-34	§ 64-108
§ 133-35	§ 64-110

### ¶ 64-F Disposition of Ordinance 342, §§ 3 and 11.

<u>Ordinance 342</u>	<u>1981 Code</u>	<u>2003 Codified Ordinances</u>
§ 3(a)	never codified to 1981 Code	§ 64-608(a), (b)
§ 3(b)	“	§ 64-608(c)
§ 3(c)	cross-reference to § 133-4(A)	§§ 64-601, 64-602, 64-603, 64-607
§ 3(d)	never codified to 1981 Code	§ 64-606
§ 3(e)	“	§ 64-608(d)
§ 3(f)	“	§ 64-608(e)
§ 11	“	Superseded by Ord. 413; <i>see</i> § 64-609(d)

### ¶ 64-G Disposition of Annual Ordinance Confirming Water Rentals.

<u>Ordinance</u>	<u>1981 Code</u>	<u>2003 Codified Ordinances</u>
278, § 7	§ 133-4(A)	§§ 64-601, 64-602, 64-603, 64-607
284, § 7	“	“
288, § 7	“	“
296, § 7	“	“

<u>Ordinance</u>	<u>1981 Code</u>	<u>2003 Codified Ordinances</u>
305, § 7	“	“
314, § 7	“	“
323, § 7	“	“
345, § 7	“	“
355, § 7	“	“
362, § 7	“	“
378, § 7	“	“
384, § 7	“	“
393, § 7	“	“
402, § 7	“	“

### ¶ 64-H Source Ordinances.

Ordinance 31	12-02-1935
Ordinance 35	12-06-1937
Ordinance 36	04-20-1938
Ordinance 39	04-17-1940
Ordinance 57	04-02-1951
Ordinance 82	04-09-1959
Ordinance 123	09-06-1966
Ordinance 135	10-21-1968
Ordinance 148	03-01-1971
Ordinance 203	05-09-1979
Ordinance 212	03-12-1981
Ordinance 215	11-11-1981
Ordinance 219	12-23-1981
Ordinance 221	11-10-1982
Ordinance 248	11-12-1986
Ordinance 261	12-14-1988
Ordinance 265	12-14-1988
Ordinance 278	12-27-1989
Ordinance 284	12-26-1990

Ordinance 288	12-30-1991
Ordinance 296	12-30-1992
Ordinance 305	12-29-1993
Ordinance 314	12-28-1994
Ordinance 323	12-27-1995
Ordinance 337	06-26-1996
Ordinance 342	12-30-1996
Ordinance 345	12-30-1996
Ordinance 355	12-29-1997
Ordinance 362	12-30-1998
Ordinance 378	12-29-1999
Ordinance 384	12-27-2000
Ordinance 393	12-26-2001
Ordinance 402	12-23-2002
Ordinance 411	09-10-2003
Ordinance 413	10-29-2003
Ordinance 415	10-29-2003
Ordinance 418*	12-29-2003
Ordinance 431	12-29-2004
Ordinance 436	08-31-2005
Ordinance 443	01-03-2006
Ordinance 452*	12-27-2006
Ordinance 461	07-25-2007
Ordinance 468	12-26-2007
Ordinance 475*	12-29-2008
Ordinance 486*	12-30-2009
Ordinance 492*	12-29-2010
Ordinance 500*	12-28-2011
Ordinance 508*	12-26-2012

Ordinance 514*	12-23-2013
Ordinance 518	03-12-2014
Ordinance 523*	12-29-2014
Ordinance 526	01-28-2015
Ordinance 532*	12-30-2015
Ordinance 535*	12-28-2016
Ordinance 542*	12-27-2017
Ordinance 552*	12-26-2018
Ordinance 559*	12-23-2019
Ordinance 564*	12-30-2020
Ordinance 569*	12-29-2021

\* ordinance merely confirms fees under Article VI for the following year without change.

#### **¶ 64-I      Prior Ordinances Concerning Related Subject Matter.**

Ordinance 79	01-05-1959
Ordinance 115	09-14-1965
Ordinance 117	10-04-1965
Ordinance 122	08-01-1966