

Ordinance No. 31.

Establishing a Water Department, Rules and Regulations therefor; providing for regulating the use, supply and cost of water in the Borough of Alburtis and its environs; regulating the use of pipes and fixtures in connection therewith; and prescribing penalties for the violation of this Ordinance.

Article I. Water Department.

Section 1. There is herewith created a Water Department which shall be charged with the management and administration of the Water System of the Borough of Alburtis. It shall be in the charge of a man of good character and experience, annually elected by the Town Council. He shall be known as the Superintendent of the Water Department of the Borough of Alburtis. The Water Department and its Superintendent shall be under the control and supervision of the Town Council.

Article II. The Superintendent.

Section 1. The Superintendent of the Water Department shall be chosen annually by Borough Council at its regular meeting for the term of one year, and shall receive a salary to be determined by the Council at the time of his election. He shall be in charge of the Water Department, including the Water Works, and shall be responsible for the operation and maintenance of the Water Works, and all that pertains to the System. He shall have charge of the records of the Department, handle all correspondence, collect the water rents, issue permits, and transact such other business of a clerical nature as may be necessary and from time to time prescribed by the Town Council. He shall be charged with the making of all current repairs to the Water System; have the custody of the machinery and tools in and about the Water Reservoir, and enforce all rules and regulations as shall be made and prescribed by the

Town Council from time to time. He shall from time to time cause chemical and bacteriological tests required by Council and State Departments to be made; shall keep proper books of account, a tabulation of receipts, expenditures, collections, rents paid and unpaid, and make monthly reports thereof to the Town Council. He shall inspect the laying of water mains, have charge of all maps and records of the Department, issue permits for connection of service pipes with mains, collect the fees for the issuance of same, and perform all the duties incident thereto.

### Article 3. Service Pipes.

Section 1. Service pipes connecting the street mains to the house, property or building, laid after the completion of the Water System now being constructed, shall be paid and maintained by the owner of such house, property or building, and the owner of such pipe or the property connecting therewith shall be responsible for any damage caused by leakage or otherwise, in such pipe or any fixture connected thereto. All connections or contacts with the water mains are to be made only by duly registered plumbers to whom a permit authorizing the connection must first be issued by the Superintendent. This provision is intended for the protection of the system and to prevent injury and damage resulting from unskilled and incompetent connections. The Superintendent may issue permits only upon payment of the following charges:

(a) The sum of Seven (\$7.00) Dollars for connection with service pipes installed by the Borough at the time of the construction of the water system. Said sum of seven (\$7.00) dollars may be paid in seven equal monthly installments; providing, however, that a penalty of ten per cent. shall be added to such sum if the installments are not paid within a period of seven months.

(b) The sum of three (\$3.00) dollars for connections with service pipes not installed by the Borough.

The above rates shall prevail for all consumers on the water system in or out of the Borough limits.

#### Article 4. Water Rents

Section 1. The annual rent or charge for use and consumption of water shall be fixed by council on the first Monday of April of each year.

Section 2. It shall be the duty of the Secretary of Town Council to cause the water rate duplicates and water bills to be made out before the first day of May in each year, and to deliver a bill showing the nature and rate of charge to each person charged for the use of water. Any consumer considering himself aggrieved by the charge made shall appeal to Town Council. Appeals from the charge of the Superintendent shall be heard by Town Council at a proper time, to be named and stated in the water bills for the hearing and adjustment of all complaints and errors in said bills.

Section 3. The water rents shall be payable to the Treasurer of the Town Council semi-annually i.e. on the first day of May and November of each successive year. On all rents remaining unpaid on the first day of the month following the date said rents are payable (i.e. May and November) a penalty of fifty (50% per cent. shall be added. In all cases of water rents remaining unpaid after the first day of the second month after the due date, the Superintendent shall upon direction of Town Council cut off the water from the premises in arrears, and turn it on only when all arrearages and costs have been paid.

Section 4. When any person or persons shall begin to use water after the annual assessments have been made, they shall be required to pay a pro rata rate from the time such use is begun until the next annual assessment is made; the pro rata rate to be the same in proportion to the time the water is used, as the annual rates fixed by Council. A bill for such water rates for a fractional part of a year shall be delivered as is provided for the annual water bills, such bill to contain a notice of a time of appeal for the correction of any errors therein. Consumers using water after annual assessments have been made shall be subject to the same penalties as prescribed in Section 3.

Article 5. Waste of Water.

Section 1. All waste or unnecessary use of water either within a building or enclosure or on the outside thereof, is prohibited, and 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.

Section 2. The Superintendent, 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 waster of water proceeds, into the cause of the same; and if the waste proceed 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 forth with, he shall shut off the water leading to such place, and no one shall turn on the water before the necessary repairs are made.

Article 6. Receipts and Deposits of Water Rents.

Section 1. The Borough Treasurer shall deposit all monies received from the Water Superintendent in a special account entitled "Water Department of the Borough of Alburdis Account". Triple receipts

shall be issued by the Treasurer for each rent paid; one receipt shall be delivered to the payer, another to the Water Superintendent, to enable him to keep accurate accounts, and the third shall remain with the Borough Treasurer.

Article 8. Supply of water; Permits; Water Mains and Pipes; Corporation and Stop Cocks.

Section 1. Every person or persons who may desire a supply of water, or to make additional extensions for the use thereof other than those already provided for in their permit, shall make application to the Water Department, setting forth the location of the house or premises applied for and describing the different purposes for which the water is to be used, so as to enable the Department to fix the price for the quantity of water so required in accordance with the list of prices fixed by Council; whereupon the applicant shall, upon payment of the permit charge, be furnished with a permit by the Superintendent for the introduction and use of the water, which permit, to be valid, the Superintendent shall enter into a book to be kept by him for that purpose. The permit shall contain the name of the applicant, the location of the premises, the amount paid by him for the permit, and the water to which the applicant is entitled. The Superintendent shall report to the Town Council at the end of each month the amount of money received and delivered to the Borough Treasurer, and the permits issued. Every person or persons having attachments of any kind made without first complying with the requirements of this section shall upon conviction, be subject, for each offense, to the penalties hereinafter provided.

Section 2. Any permit issued by the Superintendent authorizing the supplying of water to any premises shall only apply to such premises, and shall not authorize the supplying of water to any other building with its appurtenances or premises, by means of the same attachment or ferrule.

Section 3. 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 ferrule and supply pipe; but each separate premises shall have a separate attachment.

Section 4. Any plumber or other person, excepting those chosen for that purpose, who shall introduce a ferrule into any public or private pipe, or form any connection or communication whatever with such pipes, or break ground for that or any other similar purposes in the public streets or alleys of the Borough, or introduce or use a ferrule of a larger diameter than is specified in his or their permits, shall, upon conviction, be subject for each offence, to the penalties hereinafter provided.

Section 5. Unless otherwise provided by Council, no water mains shall be laid except under the supervision of the Superintendent at the cost of the property owner or owners benefited, and shall be of such character as the Town Council may authorize.

Section 6. All the connecting or conducting pipes from mains to stop-cocks shall be of copper, the corporation attaching into the main shall be of brass and the curb stop shall be of brass also.

Such pipes shall have a curb stop affixed thereto, which shall be a heavy brass stop round to be furnished and approved by the Superintendent, within the limits of the sidewalk or pavement, at a distance of twelve (12) inches from the curb. All persons who may be supplied with water from a branch connecting with a private pipe, shall have a stop-cock affixed to the branch as near as conveniently may be to the private pipe aforesaid, so as to stop the supply of water through the branch whenever requisite, without interrupting the supply of other persons connecte

therewith. All persons who may be supplied with water from a pipe, or having a branch or branches connected therewith, as aforesaid, shall each, in like manner, have stop cocks affixed for the purpose aforesaid; and in case of neglect or refusal to comply with each or any of the aforesaid requirements, shall, upon conviction, be subject to the penalties hereinafter provided.

Section 7. To every stop-cock placed in the manner directed and specified in the sixth (6th) section of this Article, 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 cock-box, and securely covered with an iron top in such a manner that the situation of the stop-cock may be readily distinguished; which covering, wherever placed, shall be even with the surrounding pavement, or level with the surface. Over every curb stop placed in the manner directed in Section 6, there shall be placed a cast iron curb box, even with the pavement, to be approved and supplied by the Superintendent. The curb box shall have an extension stem inside from the curb stop to within six inches of top of curb box for the purpose of regulating the supply of water. This extension shall also be supplied and approved by the Superintendent. Each corporation attaching to the main shall be placed at an angle of forty-five (45) degrees. If any owner or occupier of any building, lot or premises into which water may have been introduced, shall neglect to comply with this provision, or shall suffer such opening, if in any street or alley, to remain uncovered, he, she or they so offending, shall, upon conviction, be subject to the penalties hereinafter provided.

Section 8. The Superintendent shall charge for furnishing and installing corporation cocks and curb stops a rate to be hereafter determined by Town Council.

Section 9. All persons who shall have taken out a permit for the use of water, intending to discontinue the use thereof by removal from the premises or sale of their property, shall give notice of their intention in writing to the Superintendent, 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 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.

Section 10. If any person other than those who may be actual occupiers of a building, lot of ground or premises into or for the particular accommodation of which, according to the permit issued, water may have been introduced, shall resort to any hydrant or pump, and use the water therefrom, without a regular permit from the Water Department, such persons so offending, shall upon conviction, be subject to the penalties hereinafter provided, and the occupier of any hydrant shall, for every time he or she permits the use of his or her hydrant to any person disconnected from their families who holds no permit, upon conviction, likewise be subject to such penalties.

Section 11. All service pipes conveying water shall be laid not less than three and one-half ( $3\frac{1}{2}$ ) 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.

Section 12. Whenever it may be deemed necessary the Superintendent to inspect or cause to be inspected the water service pipes or fixtures in any building, lot of ground or premises into or through which pipes



for conducting a supply of water may be laid, it shall and may be lawful for the Superintendent to enter at all reasonable times into such building, or premises, for the purpose of examining the pipes of conduit, and ascertaining whether the same, or the cocks or fixtures thereof, are in proper order and repair, or for cutting off the pipes of communication when delinquencies occur in payment of the rent. Any person who shall obstruct or oppose either of the officers aforesaid in making such examination or in detaching the pipes, shall, upon conviction, be subject to the penalties hereinafter provided.

Section 13. 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 obtained a permit for such purpose from the Superintendent. The Superintendent shall assess the fee or charge for the use of the water in accordance with the price list, furnished him by Council. Any person or persons who shall use water without having first obtained such permit, shall, upon conviction, be subject to the penalties hereinafter provided.

Section 14. Any person or persons who may be permitted by the Superintendent to use water from the public pipe for sprinkling the streets in the Borough shall be required, before using such water, to enter into a bond for the sum of two hundred (\$200.00) Dollars, with security approved by Council, for the weekly or monthly payment of all moneys for water used for such purposes, and for any and all damages that may result by such person or persons injuring fire plugs or other apparatus or fixtures belonging to the water works. Such persons shall stop using the water whenever requested by the Superintendent, and shall, upon conviction, be subject, for refusal to do so, to the penalties hereinafter provided.

Section 15. It shall be unlawful for any plumber or other person to shut off the water in any of the mains without having first obtained

a permit for that purpose from the Superintendent; which permit shall set forth that the applicant has permission to stop off the water at a certain stop-cock (naming the location), for the space of (naming the time). Any plumber or other person violating this provision shall be subject to the penalties hereinafter provided, 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 (\$1.00) dollar for every ten (10) minutes exceeding the time specified in the permit.

Section 16. All plumbers or other persons authorized by 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 8. Plumbers.

Section 1. It shall be unlawful for any person to carry on the plumbing business, or to make any connections or repairs to any of the water pipes, either public or private, without first receiving a license from the Health Department. The license shall set forth such rules and regulations as the department may deem expedient for the good government thereof. Any person or persons violating any of the provisions of this section, or the rules and regulations set forth in the license, shall, upon conviction, be subject to the penalties hereinafter provided.

Section 2. All plumbers licensed as heretofore provided shall report monthly to the Superintendent all improvements and additions made in the water arrangements of any premises in the Borough, and if any plumber as aforesaid shall neglect or refuse to make such monthly report, he or they, shall, upon conviction, be subject to the penalties hereinafter provided.

Article 9. Fire Plugs.

Section 1. No person shall be allowed to open a fire plug, except such persons as have been granted a permit by the Superintendent. If any person entrusted with the spanners of the fire-plugs, or others, shall open a fire plug upon any occasion, except at the request or permission of one of the employees of the Water Department or the Superintendent thereof, 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 wilfully, negligently or carelessly injure the pipes of conduct, the hydrants or fire plugs, or any other device connected with the pipes in the street, he, she, or they so offending shall, upon conviction, be subject to the penalties hereinafter provided.

Article 10. Penalties.

Section 1. Any person or persons, firm, partnership or corporation violating any of the sections or provisions of this Ordinance, shall, unless otherwise provided, upon conviction thereof before any Alderman of the Borough of Alburtis, or elsewhere, be liable to pay a fine or penalty of not less than five (\$5.00) dollars nor more than one hundred (\$100.00) dollars for each offense, and in default of payment such person or persons so offending may be committed to the Lehigh County jail for a period not exceeding thirty (30) days.

Article 11. Urgency.

Section 1. This Ordinance is hereby declared to be urgent, and shall take effect immediately upon the passage thereof.

Enacted and ordained this second day of December,

A. D. 1935.

Wm. H. Hunsberger  
President of Council

Attest: Charles J. Schrader,  
Secretary of Borough Council

Approved this second day of December 1935. Raymond E. Keiser, Burgess