

WATER

Chapter 133

WATER

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[HISTORY: Adopted by the Borough Council of the Borough of Alburdis: Part 1, 5-9-79 as Ord. No. 203, approved 5-9-79; Part 2, 10-21-68 as Ord. No. 135, approved 10-21-68. Sections 133-18 and 133-35 amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I. Other amendments noted where applicable.]

GENERAL REFERENCES

Water Authority — See Ch. 40.
Plumbing — See Ch. 92.
Sewer use and rents — See Ch. 102.
Tenant registration — See Ch. 121.

Part 1
Rules and Regulations
[Adopted 5-9-79 as Ord. No. 203, approved 5-9-79]

ARTICLE I
Water Department

§ 133-1. Department established; duties.

There is herewith created a Water Department, which shall be charged with the management and administration of the water system of the Borough of Alburdis. Borough Council shall appoint a Superintendent to manage the physical affairs of the Water Department.

ARTICLE II
Management and Administration

§ 133-2. Management of water system.

Day-to-day operation and maintenance of the Alburdis 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 Superintendent of the Water Department. The Superintendent 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 Superintendent 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 Superintendent may be assigned additional duties from time to time by Borough Council.

§ 133-3. Keeping of records; preparation of bills.

The Borough Secretary and Treasurer are charged with the responsibility for keeping of proper books and records. It shall be the duty of the Borough Secretary 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 shall appeal to Borough Council.

**ARTICLE III
Water Rents**

§ 133-4. Fixing of annual rents; meter charges; payments.

A. 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. Charges for the consumption of water by all metered users drawing from the water system of the Borough of Alburdis shall be as follows:

- (1) Meter charges. [Amended 3-12-81 by Ord. No. 212, approved 3-12-81] A minimum meter charge for the drawing of one (1) gallon to three thousand (3,000) gallons, quarterly, based upon meter size, shall be as follows:

Size of Meter (inches)	Minimum Charge per Quarter
5/8	\$ 6.25
3/4	6.25
1	18.75
1 1/4	25.00
1 1/2	37.50
2	62.50
3	100.00
4	162.50
6	325.00

- (2) Volume charge. [Amended 3-12-81 by Ord. No. 212, approved 3-12-81] A volume charge based upon total consumption during the quarterly period shall be as follows:

Water Usage (gallons)	Rate
1 - 3,000	\$6.25 per base 3M
3,001 - 8,000	+ .625 M
8,001 - 13,000	+ .6875 M
13,001 - 18,000	+ .75 M
18,001 - 1,000,000	+ .8125 M

- B. Payment. The water rents shall be payable to the Secretary of the Borough Council quarterly, i.e., on the first day of January, April, July and October of each successive year. On all rents remaining unpaid from the 31st to the 60th day, a penalty of ten percent (10%) shall be added; after the 60th day, the penalty shall be fifteen percent (15%).
- C. Discount. Discount for prompt payment and the imposition of additional penalties for delayed payment may be authorized by action of Borough Council, by resolution, from time to time.
- D. Delinquent rents. In the event that water rents remain unpaid after the first day of the second month after the due date, the Borough Secretary, upon the approval of the Borough Council, shall notify the Superintendent of the Water Department to shut off service to the premises of the delinquent owner. Such shutoff shall be made after due notice has been given by the Borough Secretary in accordance with the provisions of state statute and the Borough Code. Water service shall again be provided only after payment of arrearages and a service fee of fifteen dollars (\$15.).

ARTICLE IV
Permits

§ 133-5. Water service permit.

- A. All owners of improved property abutting the water system within the borough limits are required to connect such property to the water system and use borough water.
- B. Every person or persons who requires a supply of water or to make extensions or alterations in the use thereof, other than those already provided for in the permit, shall make application to the Borough Secretary. A water service permit shall be issued by the Borough Secretary, containing information as to the name and occupant of the premises, location of the premises and nature of the work to be done.
- C. Any permit issued authorizing the supply of water to any premises shall authorize supply only to such premises and to no other.

§ 133-6. 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, costs to be determined by Council by resolution.

§ 133-7. 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 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 dollar (\$1.) 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 V
Use of Water

§ 133-8. Supply from common pipe.

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.

§ 133-9. Responsibility for repairs.

- A. 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 waste of water proceeds, into the cause of the same; and 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 Superintendent shall shut off the water leading to such place and no one shall turn on the water before the necessary repairs are made.
- B. 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.

§ 133-10. Emergencies.¹

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. Such action shall be taken by a resolution, which shall be temporary and with a fixed termination date. The violation of such resolution under the terms of this Part 1 of this chapter shall subject the offending user to the penalty provisions of this Part 1 in a summary proceeding.

§ 133-11. 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 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 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 VI
Supply of Water****§ 133-12. Attachments and connections; fire hydrants.**

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

- A. Water mains: installation. Where street mains are required to be installed by property owners, such installation shall be in accordance with borough specifications and under the

¹ Editor's Note: See also § 133-33.

supervision of the Borough Engineer or the Superintendent of the Water Department, 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.

B. Service pipes.

- (1) **Connection.** Service pipes leading off from the main shall be installed by the property owner. Thereafter the property owner should 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.
- (2) **Location.** All service pipes conveying water shall be laid not less than three and one-half (3½) 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.

C. Corporation stop: connection. 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.

D. Curb stops.

- (1) **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.
- (2) **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.

- E. Fire hydrants: operation. No person shall be allowed to open a fireplug except such persons as have been granted a permit by the Superintendent. 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 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 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, upon conviction, be subject to the penalties hereinafter provided.

ARTICLE VII Water Service Installation

§ 133-13. Cost for service.

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.

§ 133-14. Meters required.

All customers supplied with water service by the borough, now and hereafter, shall install a water meter in accordance with the provisions of Ordinance 135.²

² Editor's Note: See Part 2 of this chapter.

ARTICLE VIII
Plumbers

§ 133-15. License required.

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 having secured a plumber's license from the borough. The license shall set forth such rules and regulations as the borough may deem expedient for the maintenance of high plumbing standards.³

§ 133-16. Reports to borough.

All plumbers licensed as heretofore provided shall report to the Borough Secretary 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 report, he or they shall, upon conviction, be subject to the penalties hereinafter provided.

§ 133-17. Prohibited work.

Any plumber or other person, excepting those chosen for that purpose, who shall introduce a corporation stop 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 corporation stop of a larger diameter than is specified in his or their permits, shall, upon conviction, be subject, for each offense, to the penalties hereinafter provided.

ARTICLE IX
Penalties

§ 133-18. Violations and penalties.⁴

Any person who violates any provision of this Part 1 of this chapter shall, upon conviction thereof, be punishable by a fine of

³ Editor's Note: See Ch. 92, Plumbing, § 92-21.

⁴ Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

not more than three hundred dollars (\$300.) and costs of prosecution or, upon default in payment of the fine and costs, by imprisonment in the county jail for a period not to exceed thirty (30) days.

Part 2

Water Meters

[Adopted 10-21-68 as Ord. No. 135, approved 10-21-68]

ARTICLE X

Meter Installation

§ 133-19. 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, it is hereby ordained by the Council for said borough that all customers supplied with water service by the borough, now and hereafter, shall install a water meter in accordance with the provisions of this Part 2 of this chapter.

§ 133-20. Supervision of installation; regulations.

It shall be the duty of the Water Department to supervise the installation of water meters. The Water Department is hereby authorized to promulgate such rules and regulations as may be required, in addition to the provisions of this Part 2 of this chapter, to facilitate the installation and maintenance of water meters in the following priority with respect to present customers:

- A. All commercial establishments and nonresident users of the borough water service.
- B. All residential and other users of the borough water service.

§ 133-21. 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.

§ 133-22. Furnishing of meters; size.

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 Water Department, a meter one (1) size smaller than the service pipe may be allowed for sufficient reason.

§ 133-23. Notice to install meter.

Present users of water are under no immediate obligation to install a water meter unless and until notified, in writing, by the Water Department to do so. As water meters become available, the Water Department shall notify the owners of premises to secure an identified meter and have the same installed within a period of time by a reputable plumber. Meter shall be turned over to owner of premises or a plumber on his behalf only upon payment to the borough of cost price of meter.

§ 133-24. Installation by Water Department; cost.

If a property owner fails or neglects to secure and install a water meter after notification by the Water Department, said Department is hereby authorized and directed to make such installation at the expense of the owner. Such expense shall include, in addition to the cost of meter, a service charge of twenty dollars (\$20.) or cost of installation, if greater.

§ 133-25. Ownership of meters.

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

§ 133-26. 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 special borough permission is had to eliminate said remote reader upon good and sufficient cause shown.

§ 133-27. Installation and inspection personnel.

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

§ 133-28. 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 billing and shall be includable upon such billing.

§ 133-29. Defective meters; billing adjustments.

If a meter fails to register or is otherwise out of working order, such meter shall be replaced or repaired by the Water Department. In such event the current billing shall be estimated and determined by the average amount of water used the previous billing period. No deduction shall be allowed from any billing for reason of leakage, but shall be permissible if due to inaccurate measurement of water consumption by a faulty meter. Such billing adjustment shall be given the customer only if brought to attention of borough in accordance with the provisions of § 133-30.

§ 133-30. Testing of meters; deposits.

If any customer shall doubt the correctness of his meter reading, he may, upon application to the Water Department and upon making a deposit as set forth in the schedule following, 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. The deposit to be required shall be:

Size of Meter (inches)	Amount of Deposit
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

§ 133-31. Separate meter for each establishment; exception.

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 Water Department.

§ 133-32. Billing procedures.

Billing practice for metered water service accounts shall be in accordance with the following standards:

- A. All bills for metered water service shall be rendered to 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. [Amended 3-1-71 by Ord. No. 148, approved 3-1-71]

- B. When a building containing more than one (1) establishment, firm or family unit has water service measured by a single meter, owner and consumer on each such billing shall be chargeable with minimum base rate to which shall be added billing for volume, pro rata, using the formula of total metered volume divided by number of consuming units in existence in said building during the billing period. [Amended 3-1-71 by Ord. No. 148, approved 3-1-71]
- C. 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 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.)
- D. Whenever meter reading shall reflect use of water for fire protection or fire fighting during conflagration, no charge shall be made for water so used. In such case billing shall be made on the basis of estimate corresponding with average volume consumption during preceding billing periods.
- E. Whenever water service shall have been discontinued at the request of an owner or consumer, the renewal of service to the same owner or consumer shall be subject to a flat fee of five dollars (\$5.), to be paid in advance prior to resumption of water service.

§ 133-33. Emergencies.³

The Water Department is authorized to limit or discontinue the supply of water in cases of emergency, for the purpose of repair or extension of water mains and in the case of repeated or persistent nonpayment of water service charges upon notice of intention to discontinue to serve such delinquent consumer until payment shall have been forthcoming.

§ 133-34. Right of entry.

Authorized employees of the Water 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 Part 2 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 hereunder.

§ 133-35. Violations and penalties.⁴

Any person who violates any provision of this Part 2 of this chapter shall, upon conviction thereof, be punishable by a fine of not more than three hundred dollars (\$300.) and costs of prosecution or, upon default in payment of the fine and costs, by imprisonment in the county jail for a period not to exceed thirty (30) days.

³ Editor's Note: See also § 133-10.

⁴ Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.