

BOROUGH OF BUENA
MUNICIPAL UTILITIES AUTHORITY

RESOLUTION ESTABLISHING RATES, RULES AND REGULATIONS FOR THE
WATER SERVICE OF THE BOROUGH OF BUENA MUNICIPAL UTILITIES AUTHORITY

R-16-85

WHEREAS, the Borough of Buena Municipal Utilities Authority shall make water service available to the Borough of Buena residents within the district to be served by said Authority, and

WHEREAS, it becomes necessary that the Authority prescribe a schedule of its water service charges to provide for revenues for the Borough of Buena Municipal Utilities Authority adequate to pay the expenses of operation and maintenance of the water utility system, including reserves, insurance, extensions and replacements, and to pay the principal and interest on outstanding Bonds and to maintain such reserves or sinking funds therefor as are required by the terms of a contract of the Utilities Authority as may be deemed necessary and desirable;

NOW, THEREFORE, BE IT RESOLVED that the following rates, rules and regulations for the water service of the Borough of Buena Municipal Utilities Authority be adopted.

WATER SERVICE APPLICATION

1. The following rates, rules and regulations shall form part of the contract with all users of water services of the Borough of Buena Municipal Utilities Authority within its jurisdiction and shall be subscribed to by all persons applying for water service from the Authority.

2. The owner or owners of property, or person or persons acting as their agent must sign all applications for water service or the extension of the distribution system, or such application will not be valid.

3. All applications shall be made to the Borough of Buena Municipal Utilities Authority and if granted, the applicant or his duly authorized agent will sign a contract including his assent to these rules, rates and regulations, and at the same time said applicant shall pay all charges of the Authority up to the commencement of the succeeding terms, including all of the charges of the Authority incidental to the introduction and extension of the service applied for, as may be required by the Authority. The Contract shall state the date, name of the party, kind and extent of the service applied for, description and location of the property to be supplied, and the rates and terms of payment. All water service taps are to be made by the Authority or its authorized agent in every case, with charges as per schedule, it being expressly understood that curb stops, valves, curb boxes or roadway boxes as may be installed are to be owned by the Authority.

4. Applications for the extension of the water distributions system shall be made only where sufficient demand for service warrants. The Authority shall determine the terms and conditions upon which such applications will be granted. Extension of new mains will in general be made as local improvements with benefits from same assessable to owners of abutting property in accordance with statutes made and provided.

5. All applications for water service shall continue in force from year to year.

6. Subsequent to the initial installation by the Utilities Authority, the Authority will not tap its water main and run service to curb lines until application is properly executed and a tapping fee as per schedule is paid in advance. There shall be no tapping fee for initial installation of the water system.

7. All water taps and services installed shall be metered.

8. Each consumer must have installed at his own expense a full flow valve on the service pipe inside the building, said valve to be installed within one foot of where the service pipe enters said building, said valve so located and arranged that the water supply may be shut off without difficulty.

9. Before any change is made in the plumbing affecting the meter installation or the main valve of any premises supplied with water by the Authority, a written application for such change in plumbing must be made to the Authority.

10. Only one property may be supplied by a single water service. Where a building, originally built as a single building or premises and fitted with one service pipe but capable of being divided by sale or otherwise, has been or may hereafter be sub-divided, the separate divisions so made must be connected with the mains by separate service pipes and individually metered.

DISCONTINUANCE OF SUPPLY

11. In case of the temporary vacancy by the owner or occupant of any premises, the water will be turned off upon written request of the owner or his authorized agent with a \$10.00 charge. In addition there will

also be a \$10.00 charge made by the Authority when requested to turn water on again. Said requests or orders must be in writing, but the shutting off of the water upon the request of the owner shall not in any way impair the contract then existing between the Authority and the owner.

12. Where water has been turned off for any cause, except where unit is available for occupancy, it is recorded on the books of the Authority, and the charge ceases from that date; but where water recorded as turned off is at any time found on, it is expressly agreed by the consumer that the Authority may charge for the use of water from the time it is recorded as being turned off, in addition to any arrears chargeable against the premises.

INSPECTION OF FIXTURES AND METERS

13. Any authorized employee of the Authority, or any person or persons delegated by the Authority for that purpose, may at all reasonable hours enter the premises of any water consumer and examine the pipes, fixtures and meter, read the meter and make tests, repairs, remove or replace the meter when deemed necessary by the Authority. Leakage and waste of water discovered by such inspection must be immediately remedied. No consumer shall supply water to a premises other than his own.

14. Under no circumstances shall curb stops be opened or closed by any person not an authorized employee of the Authority. Any unauthorized person who shall turn on water at the curb, for building or any other purpose, will be dealt with according to law.

15. No person or person except a duly authorized employee of the Authority, shall open or close any valve in the water mains of the Authority.

16. No person other than an employee or agent of the Authority shall remove, replace or in any manner interfere with a meter attached to a water pipe, used or intended to be used to supply water to any premises. This applies whether the meter is set within or without a building, or whether or not owned by the Authority.

17. No person shall be entitled to damages or the rebate of any portion of payments due, for any stoppage or supply occasioned by accident, addition or repair to any portion of the water system.

18. All consumers having boilers upon their premises, depending upon the pressure in the water mains and pipes of the Authority to keep them supplied, are hereby cautioned against danger of collapse, and all such damage must be borne exclusively by the consumer. Under no circumstances will the Authority be responsible for any accidents to pipes, fixtures, or property caused by turning on or off water for any cause whatsoever. To provide against accident to hot water boilers or heaters, a safety valve should be installed to relieve excessive steam pressure, or a tank should be provided, so arranged as to keep the supply of water in such boiler or heater when water supply is discontinued from the main.

METERS

19. The applicant for water service must provide a suitable place on the premises for locating the meter close to the full flow valve where the service enters the building. Under certain conditions, the Authority may, at its option, arrange for installation at the expense of the applicant or property owner the meter in a meter box or vault located outside of the building and as close as possible to the curb stop.

Where the Authority provides the outdoor meter box or vault, the charge for installation of the box or vault for a meter of 3/4 inch to 2 inches in size shall be in accordance with the established schedule of fees. The charge for the installation of a meter box or vault for the meter of larger than 2 inches in size shall be at cost. Fees for installation of meter boxes or vaults shall be payable in advance.

Where the applicant or property owner provides the outdoor meter box or vault, the installation must be made complete with approved fittings and lid in accordance with specifications of the Authority.

20. Only one dwelling, commercial property or other premises shall be attached to or supplied by one service pipe or meter.

21. All meters used on any Authority meter services measuring the quantity of water consumer, shall be furnished by the Authority; provided, however, that if a meter larger than 3/4 inch in size is required the applicant or consumer shall, at the option of the Authority, pay for all or part of the costs of the meter which shall be the property of the Authority.

22. The owner of any premises where a meter is installed shall be held responsible for its care and protection from freezing or hot water, and from other injury thereto. The owner or consumer shall notify the Authority of any injury to or of the non-working of the meter, as soon as the same comes to his knowledge. No by-pass around the meter will be permitted.

23. Repairs to water meters will be made by the Authority at its expense; provided, however, that if proper protection has not been provided a meter, all expenses incurred by the Authority for repairing or replacing

of said meter shall be charged to the owner or consumer of the premises where such meter is located. It is understood that such repairs shall be charged only when evidence is obtained that such repairs are due to gross neglect on the part of the consumer.

24. The quantity of water recorded by meter measurement shall be conclusive on both the applicant and the Authority, except when the meter has been found to be registering incorrectly, or has ceased to register. In such a case or cases the quantity may be determined by the average registration of the same meter for a period of 30 days after it has been repaired and tested; or the quantity used during a previous corresponding period may be used as a basis for settlement of charges.

25. The Authority will, at the request of any consumer, test the meter in the presence of the consumer or his agent or representative. If the meter is found to be recording water in excess of that delivered, bills rendered will be adjusted, with the understanding that when the test was made that meter or meters will record within 2% of absolute correctness, upon ordinary size flows or openings. There shall be a charge to the owner or consumer for testing the meter if it is found to be within 2% of absolute correctness.

26. Meters will be read quarterly for water services rendered and bills shall be due quarterly at the end of each quarterly period; to wit, on the first business day of the month following said quarterly period. Should the water rent or any bill for meter repairs, or for water shop material furnished or work done remain unpaid for 30 days from the date of the bill, the Authority reserves the right to shut off the water upon

giving 10 days' notice, but no such cutting off shall deprive the Authority of the right before the water is again turned on to demand and require payment of all water rents or other charges accrued.

DELAYED PAYMENT CHARGE

26a. The net payments as specified in the rate schedule of the Authority are contingent upon payment within a 30 day period. The final date for payment of the amount which will be shown on each bill, will not fall on a Sunday or a Holiday. A delayed payment charge of 12% of amount of the current bill will be added to bills not paid within the time period specified for payment of the amount. The gross rate, which is the rate plus the additional delayed payment charge, will apply on bills when at the time of payment the account is in arrears for previous billings.

PROTESTED CHECKS

26b. A charge of \$10.00 will be made when a customer's check is returned by the customer's bank as uncollectible.

ESTIMATED BILLS

26c. In the event that a meter reading is not obtained by the Authority, an estimated bill will be rendered based on previous metered usage. If the estimate is less than the minimum for that meter size, the Authority will charge the minimum for said size.

27. It is to be understood that when a water meter is once installed that same cannot be taken out of service without permission from the Authority. It is also to be understood that at the expiration of the life of any meter or meters owned by the Authority, that a new meter shall be installed by the Authority.

28. Water shall be supplied only on a metered basis except for temporary service for building construction and other purposes.

FIRE HYDRANT AND SPRINKLER SERVICE

29. Charges for such nonmetered service shall be in accordance with the schedule established herein for such service, or, where such schedule of charges does not apply, the charge for the service shall be on any other basis agreed upon between the Authority and the applicant or consumer based upon estimated consumption of water, said charge to be not less than one and one-half times the minimum charge for applicable metered service. Bills for such special service and for fire hydrant and sprinkler service shall be rendered semi-annually and sprinkler service shall be rendered first of each half yearly period; to wit, on the first business day of January and July. Should the water rent or any bill for water shop material furnished or work done remain unpaid 30 days from the date of bill the Authority reserves the right to shut off the water without further notice, but no such cutting off shall deprive the Authority of the right before the water is again turned on to demand and require payment of all water rents or other charges accrued.

30. Where the water is furnished for special services on an unmetered basis, the Authority shall have the right to install, maintain and inspect a meter to detect waste, and the owner shall provide a suitable location therefor. The Authority also reserves the right to install a meter at its expense and furnish water only by meter measurement.

31. When water is furnished for temporary or other purposes or for special services on an unmetered basis, the charge for such service as

provided hereinbefore shall be continued so long as the consumer's premises remain connected with the service pipe. Owners or consumers desiring to discontinue the use of any hydrant, sprinkler service, or other special service, must have the same physically disconnected, with written notice of such disconnection given promptly to the Authority's office. The charge for such service will then cease but in no case will an abatement of an advance billed flat rate charge be taken into consideration for a shorter period of time than one month, nor for part of a month.

MISCELLANEOUS

32. No agent or employee of the Authority shall have the authority to bind it by any promises, agreement or representation not provided in these rules, unless such authority is in writing signed by the proper person designated by the Authority.

MISCELLANEOUS REPAIRS TO PROPERTY OF THE AUTHORITY

32a. The Authority will charge on a time and material basis for work which is rendered due to customer neglect; damaging of Authority property; or failure to comply with the Authority's regulations or agreements, either written or verbal.

33. No plumber or owner shall turn on water to any premises, whether an old or new supply in cases where the water has been turned off for non-payment of water rent, or for any other causes. The Authority reserves the right not to turn on the water until all water rents or other charges have been paid.

34. No person or persons except the duly authorized person or persons designated by the Authority shall take water from any public fire

hydrant, except for fire purposes or for the use of the Fire Department in case of fire, nor shall anyone in any way use or take water for private use, unless such person shall first pay for the privilege and receive a special permit from the Authority.

Use of any fire hydrant for irrigation purposes shall not be permitted.

35. The Authority shall have the right to reserve a sufficient supply of water at all times in its reservoirs to provide for fire and other emergencies.

36. The Authority will look to the property supplied in whosoever the ownership may be for all delinquent accounts for water supplied.

DELINQUENT RECONNECTION CHARGE

37. Where the Authority has disconnected service for non-payment of bills, an additional charge for reconnection shall be made. The charge for such disconnection and reconnection shall be Twenty-Five (\$25.00) Dollars.

38. It is expressly understood that service from the Authority main to curb line is owned by the property owner, except curb stops or valves or curb boxes or roadway boxes, which are to be used by the Authority for turning on and shutting off the water supply, so that at the end of the service life of such service it will be necessary for the property owner to make application for a new tap and be charged as per schedule for the tapping of the Authority mains.

39. Excessive or unnecessary use or waste of water, whether caused by carelessness or by defective or leaky plumbing or fixtures is

strictly prohibited. Water must not be kept running for sprinkling purposes longer than the time specified in any seasonal or restrictive regulations which may be in force. For willful or indifferent waste of water, special unmetered charges may be increased as the case may be required, or the supply cut off by the Authority and not turned on until all charges are paid and satisfactory assurance obtained that such waste may not occur again.

RIGHTS RESERVED

40. The Authority may at any time restrict or regulate the quantity of water used by the consumers in case of scarcity, or if, in the judgment of the Authority, such restriction or regulation may be necessary for the safety of the community, in case of fire, and in case of necessity, the Authority may be at liberty to shut off the water supply in order to make repairs and the Authority shall not be liable under any circumstances for the deficiency or failure in the supply of water, whether occasioned by shutting off of water or any other cause whatsoever, nor shall the Authority be held liable for any damage caused by increased pressure being put on the mains during the time of fires, drills by the companies, or any other time; and all contracts shall be held and construed to be made subject to the provisions of this section.

41. The Authority shall have the right to install meters at its own expense, in all properties to be served on a non-metered basis, all bills thereafter to be rendered at metered rates. All future services installed shall be metered except for the supply of water for temporary building, construction, fire hydrant and sprinkler services or for other special services.

42. The Authority shall have the right to modify, rescind, amend or alter any of the terms herein, or make such additional regulations and restrictions as shall be found advisable for the protection of the water system and plant.

43. The Authority reserves the right to turn off water:

a. For non-payment of rent therefor or any charges that may stand against any premises supplied.

b. For fraudulent representation on the part of the consumer.

c. For use of water for other purposes than those stated in the application or permit.

d. For hampering or in any way interfering with the mechanism of any meter or parts of meter installed on any premises.

e. For persistent violation of the rules and regulations of the Authority.

44. The Authority shall endeavor at all times to furnish an abundant supply of pure, wholesome, potable water at sufficient pressure for general usage and special pressure in case of fire, and to insure an efficient and successful management of the Authority's water distribution system. The foregoing rules and regulations will be strictly enforced.

SCHEDULE OF WATER RATES PER ANNUM -
FLAT RATES

For the use of hydrants for fire purposes only on
public highways by the municipality. \$50.00/annum
per hydrant

AUTOMATIC FIRE SPRINKLER SERVICE

For service connection to automatic sprinkler systems
used for fire purposes only. \$100.00/annum

BUILDING AND CONSTRUCTION PURPOSES

Where possible water supplied for building and construction
operations shall be metered and charged at regular rates.

The Authority, however, shall have the option of making
charge for this service to any applicant, but in no case where
meter is not installed shall the charge be less than the following:

Residential Building	\$25.00/month
Non-Residential Building	\$75.00/month

METERED SERVICE RATES

The following shall be the rates at which the water will be furnished, and shall be a minimum charge for each consumer unit of \$254.00 per annum, as follows:

\$63.50 per quarter for the first 15,000 gallons or less.

For each 1,000 gallons or less over the 15,000 gallon minimum there shall be a charge of \$1.50.

For purposes of determining the minimum charge, a consumer unit is defined as a single family dwelling, an apartment, a single condominium, half of a duplex home. Each motel room and/or rented room with bathroom facility attached thereto shall be considered a half consumer unit. For purposes of billing, a commercial enterprise shall be considered as one unit.

The aforesaid metered charge shall include maintenance of meters and any repair or maintenance charges on meters, except for repairs made necessary by gross neglect of the consumer as hereinbefore mentioned.

All water services to a residential dwelling shall be 1 inch and the meter shall be a 3/4 inch meter. The cost of the installation from the curb line to the home with the exception of the meter shall be borne by the consumer.

TAPPING FEES

The following tapping fees shall be charged only after the initial installation of the water supply system, there being no tapping fees which will be charged for the initial users tying into the water system:

1 Inch Tap	\$ 600.00
1 1/4 Inch Tap	\$ 700.00
1 1/2 Inch Tap	\$ 800.00
2 Inch Tap	\$1000.00

Taps larger than 1 inch in size are to be made only on special arrangement with the Authority. Applicant in any case, however, to pay the full and actual cost of the installation. All charges incident to tap applications shall be due and payable in advance.

STREET OPENING FEES

A street opening fee in such amount as may be determined by the Borough of Buena shall be a charge in addition to the above tap charges, said charges with respect to street opening fees, however, not to take effect until after the initial construction fees of the water distribution system.

There shall be no charge to consumers tying into the initial phase of construction of the water supply distribution system.

METER BOX OR VAULT FEES

3/4 Inch Meter	\$400.00
1 Inch Meter	\$450.00
1 1/2 Inch Meter	\$500.00
2 Inch Meter	\$550.00

Meter boxes and vaults for meters larger than 3/4 inch in size will be installed only on special arrangement with the Authority, applicant to pay the full and actual cost of the installation. All charges incident to the installation of the meter boxes and vaults shall be due and payable in advance.

Attest:

Gary Labo
Gary Labo, Secretary

BOROUGH OF BUENA MUNICIPAL
UTILITIES AUTHORITY

BY: Joseph Bassetti
Joseph Bassetti, Chairman

I, GARY LABO, Secretary of the Borough of Buena Municipal Utilities Authority, do hereby certify that the foregoing Resolution was adopted at a meeting of the Borough of Buena Municipal Utilities Authority held on the 3 day of July, 1985.

Gary Labo
Gary Labo, Secretary