

AN ORDINANCE FOR THE GOVERNMENT AND OPERATION OF THE WATERWORKS OF THE BOROUGH OF LILLY; PRESCRIBING RULES AND REGULATIONS APPLICABLE TO CERTAIN BOROUGH OFFICERS AND EMPLOYEES, TO PLUMBERS DOING WORK WITHIN THE BOROUGH, TO CUSTOMERS OF THE SAID WATERWORKS AND TO THE GENERAL PUBLIC: AND PRESCRIBING PENALTIES FOR VIOLATION.

The Borough of Lilly hereby ordains as follows:

SECTION 1. This Ordinance shall regulate conduct of water service within and without the Borough.

SECTION 2. The Borough Council shall have the basic responsibility for the operation of the waterworks but can delegate authority to water committee or a superintendent.

SECTION 3. Separate water accounts will be kept but said fund shall be considered to be part of the general fund.

SECTION 4. The Borough Council can appoint a superintendent of water service and have such a employee as shall be required to provide water to inhabitants of the Borough and surrounding areas or it shall be designated on a contract basis.

SECTION 5. The duties of the superintendent are as follows:

- a. Inspections of lines and reservoirs.
- b. Make bimonthly reports to the Borough Council on service, equipment and/or condition or at such other times of Council would require.
- c. Employ labor with consent of Council.
- d. Receive applications for water service.
- e. Certify quarterly list of customers to tax collector for billing purposes.

SECTION 6. No person shall damage, injure, molest, disturb or interfere with any pipe hydrant, stop cock, reservoir, machinery, tool, etc. used in operation of water system.

SECTION 7. No person, except with authority of Council or superintendent, shall open, close, interfere with or attach to or connect with any fire hydrant, stop valve or stop cock belonging to the Borough and used in the fighting thereof which shall be under the direction of the Fire Company officers.

SECTION 8. All excavation of streets shall be performed by Borough employees under the supervision of the superintendent.

SECTION 9. The laying of additional water mains shall be authorized by Council only and when installed shall not be at a depth of less than five (5) feet.

SECTION 10. No water service will be provided beyond the Borough limits except where it can be done without sacrificing the quality and quantity of service to Borough residents and then only on the condition that non-residents shall install all lines and maintain them at their own expense.

SECTION 11. No service shall be introduced or expanded on any premises except upon written application for service and upon payment of a tap fee to the superintendent in the amount of \$100.00. All lines beyond the tap shall be installed at the expense of the owner of the premises under the supervision of the superintendent.

SECTION 12. No person except authorized employees of the Borough shall tap any main or distributing pipe. All stop cocks, boxes or pipes between mains and the curb shall be the property of the Borough, the tap fee being considered a service fee.

SECTION 13. Every street connection shall be provided with a separate stop cock and box at the curb whenever practicable for each property to be supplied. When service is authorized by taping service lines on private property for special conditions, this shall be done only on application to the Borough Council and only with the expressed condition that the stop cock and box shall be installed and this shall be the property of the Borough. The Council may refuse future service to any building or dwelling not having a separate stop cock and box until the same is installed at the expense of the property owner.

SECTION 14. No plumbing shall be installed or replaced inside the premises of the property owner or customer unless a stop and waste is installed in such a manner and location that it will be free from frost and drain all the pipes and fixtures on the premises with a key kept at a convenient place for immediate use. A building containing more than one apartment or customer shall provide a stop and waste for each so that each service system may be drained without interference with the supply of water to other customers.

SECTION 15. Service pipes shall be the property of the owner of the premises and all repairs between the tap and the premises shall be made at the expense of the property owner, who shall keep his pipes and fixtures in good repair and in such condition as to avoid unnecessary waste and protected against frost at his own expense. The property owner shall be responsible for any waste or damage that may result from any defective service pipe or fixture on the premises of the owner.

SECTION 16. All service pipes shall be at least five (5) feet below the service of the ground.

SECTION 17. Failure to correct or replace damaged pipes or fixtures upon written notice to do so, shall justify immediate termination of service.

SECTION 18. The superintendent may inquire into and investigate into the cause of any unusual flow or apparently unnecessary waste of water upon any premises all without subpoena.

SECTION 19. No customer shall intentionally waste water by permitting faucets to remain open during periods of non-use or in any other manner. Those found to be doing so shall desist upon notice to do so, otherwise service may be terminated.

SECTION 20. Water will be provided to each customer at the following rates in advance of service:

Rates may be changed from time to time upon resolution of the Council and a thirty (30) day public notice to the public.

SECTION 21. Bills for water service will be sent out quarterly to the occupants of the premises, but the owner of said premises shall be responsible for payment and such responsibility shall continue until the superintendent is notified of a change of ownership. If the premises being furnished is a leased premise the landlord shall be responsible for the failure of any tenant to pay water rates. Otherwise, the property will be subject to the fine of a municipal lien.

SECTION 22. Payment of water bills shall be within thirty (30) days of mailing. A delinquent charge of Two Dollars (\$2.00) per week shall be added for nonpayment until the amount due is fully paid.

SECTION 23. If an account for unpaid water service remains unpaid for sixty (60) days the superintendent shall give a written notice by mail or in person of termination of service within five (5) days. If not paid, water service shall be terminated unless an extension is granted for good cause by the Borough Council.

SECTION 24. If service is terminated for any reason, it shall not be restored until the reason is eliminated and a service restoration fee of Five Dollars (\$5.00) is paid to the superintendent.

SECTION 25. There shall be no abatement of charges except for vacancy of the premises and upon proper notice of said vacancy. Vacancy shall be considered non-occupancy of the premises continuously for a full quarter. A shut off charge of Two Dollars (\$2.00) shall be paid for vacancy. There shall be no abatement of charges for any periods when the supply has been shut off for reasons of repair or emergency.

SECTION 26. Any person who shall violate any of the provisions of this Ordinance shall be guilty of a summary offense and upon conviction shall be sentenced to pay a fine not to exceed One Hundred Dollars (\$100.00) and costs of prosecution for each violation and in default of payment of said fine and costs, imprisonment for not more than thirty (30) days.

Enacted this _____ day of _____, A.D., 1977.

LAW OFFICES
ROBERT J. CASSIDY
EBENSBURG, PA.
PATTON, PA.

LILLY BOROUGH COUNCIL

By Clair A. McLaughlin
President of Council

ATTEST:

Michael D. Kumenaker
Secretary