

# Lilly Borough Water Authority Resolution

Resolution No.: 1-2011

*A Resolution of the Lilly Borough Water  
Authority Adopting the Current Rates and  
Rules for the Supply of Water.*

**WHEREAS**, the Lilly Borough Water Authority ("Authority") pursuant to Article I, Section 7I of the By-Laws may by Resolution adopt such rules and regulations as the Board may deem proper.

**WHEREAS**, the Authority intends to adopt the existing rules and regulations of Lilly Borough, subject to future review and amendment.

**NOW THEREFORE**, the Board of the Lilly Borough Water Authority does hereby Resolve as follows:

*The Authority does hereby and herein adopt the existing Lilly Borough Rates and Rules for the Supply of Water, which are attached hereto and incorporated herein. The Board's adoption of the existing rules and regulations is subject to future review and amendment by the current Board in conformance with the Authority's By-Laws.*

**RESOLVED**, this third day of January, 2011.

**LILLY BOROUGH WATER AUTHORITY:**

By: Paul Skodowski  
- Chairman

Attest: Claudia Talga (Seal)  
- Secretary

LILLY BOROUGH WATER COMPANY

Lilly, Pennsylvania

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RATES AND RULES

FOR THE SUPPLY OF WATER

IN THE

BOROUGH OF LILLY

and

TOWNSHIP OF WASHINGTON

PENNSYLVANIA

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Lilly Borough Water Company

SCHEDULE OF RATES

|                    |                                                                 |                         |
|--------------------|-----------------------------------------------------------------|-------------------------|
| MINIMUM CHARGE     | First 2,000 gallons or less<br>per month                        | \$5.00                  |
| CONSUMPTION CHARGE | for all use in excess of that<br>included in the minimum charge | 0.05<br>per 100 gallons |

## RULES AND REGULATIONS

1. "Customer" shall be the party contracting for a supply of water for one of the following purposes, and service shall be considered for filling purposes, as service to a separate customer:
  - (1) the supply of water, for normal household purposes, to a building, under one roof, occupied by one family for residential purposes only or to a mobile home occupied by one family for residential purposes only; or
  - (2) the supply of water, for normal household purposes, to one part of a double house or one part of a row house, which has a vertical partition wall without openings, occupied by one family for residential purposes only; or
  - (3) the supply of water for use in a single business enterprise, eleemosynary organization or governmental activity, irrespective of whether the single business enterprise, eleemosynary organization or governmental activity shall be conducted in a part of the building in an entire building or in a combination of buildings situated on one tract of land; or
  - (4) the supply of water for use in motels, hotels, or trailer courts or mobile home compounds; or
  - (5) the supply of water, for normal household purposes, to that part of a building or to a building, owned or operated by the party contracting for such supply of water, which contains residential dwelling units where at least one of such residential dwelling units is leased to a tenant or available for lease to a tenant for residential purposes only; or

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6. the supply of water, for sanitary and drinking purposes only, to that part of a building or to a building, owned or operated by the party contracting for such supply of water, which contains an office or offices which are leased for use by others and/or which contains warehouse space leased for use by others.

2. APPLICATION FOR SERVICE CONNECTION

Upon written application by the owner of his properly authorized agent on forms furnished by the water company, for the immediate and continuous supply of water to premises abutting a public highway which a main pipe of the distribution system of the water company is located, the water company will install, own and maintain the service connection to such premises from said main pipe to the curb line of said public highway adjoining said premises.

Service connection is hereby understood to include the corporation cock, the pipe from the corporation cock to the curb stop cock, the curb stop cock and curb box.

3. APPLICATION FOR WATER SERVICE

No water supply will be furnished except upon written application by the property owner or the customer on blank forms supplied by the water company and accepted by it or its duly authorized employee.

Application for water service shall be made at the office of the water company and any change in the identity of the contracting customer at a property, or in the service as described in an application, will require a new application. A duplicate of the application must be filed with the Secretary of the Lilly Borough Council.

4. CUSTOMER TO GIVE NOTICE FOR DISCONTINUANCE OF SERVICE

Any customer may terminate his service contract with the water company and have his water service discontinued, upon giving written notice thereof to the water company and upon the lapse of a reasonable time thereafter for the water company to attend to other details in connection with such discontinuance of service. The customer shall remain liab

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for water or water service furnished to the premises described in his application until the water company has received written notice from him and the termination of service has taken effect as above stated.

On any change in the ownership or occupancy of property having service connection with the distribution mains of the water company, a new application for water service must be made to the water company by the new owner or occupant.

5. ALLOWANCE FOR VACANCY

No allowance for vacancy or for non-usage will be made unless the water has been shut off from the premises in compliance with a written request of the customer by a representative of the water company by a stop cock located at the curb.

6. USE OF WATER IN ACCORDANCE WITH APPLICATION

No person or persons, corporation or partnership receiving a supply of water will be permitted to use water for any other purpose than that for which they have contracted to pay as shown by their application and the supply shall not be used except for the premises specified in the application.

7. DISCONTINUANCE OF SERVICE FOR VIOLATION OF RULES

(a) Service rendered under any application, contract or agreement may be discontinued by the water company after ten (10) days' notice for any of the following reasons:

1. for willful or indifferent waste of water due to any cause, including but not limited to violation of Rule No. 6 regarding the use of water for unauthorized purposes or premises. This also includes but is not limited to waste of water by water leaking through fixtures.
2. for failure to protect from injury or damage the connections, or for failure to protect and properly maintain the service pipe or fixtures on the property of the customer.

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3. for molesting or tampering by the customer or others with the knowledge of the customer, with any connections, service pipe, curb cock, seal or any other appliance of the water company controlling or regulating the customer's water supply.
  4. for failure to provide the water company's employees free and reasonable access to the premises supplied or for obstructing the way of ingress to the appliances controlling or regulating the customer's water supply.
  5. for non-payment of any account or any fee or charge accruing under the application.
  6. for violation of any rule of the water system
  7. if a bill is not paid on or before said due date, service will be discontinued after ten (10) days' written notice to the customer. Except that notwithstanding any other rule of this tariff, service shall not be discontinued for any reason except under the regulations of the Pennsylvania Public Utility Commission applicable thereto and in effect at the time of such contemplated discontinuance.
- (b) The water service will be discontinued to any premises on account of temporary vacancy upon written request of the customer, without in any way affecting the existing application.

8. SEPARATE INDEPENDENT SERVICES MAY BE REQUIRED

Where two or more premises are supplied through a single service, any violation of the rules of the water company with references to either or any of the said premises or for the supply of water thereto, shall be deemed a violation as to all, and the water company may enforce compliance with these rules by shutting off the entire service; except that such action shall not be taken until the innocent customer who is not in violation of the water company's rules has been given a reasonable notice and opportunity to attach his pipes to a separately controlled curb stop cock, to be provided by and at the expense of the water company.

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9. TURN-ON CHARGE

A turn-on charge of \$25.00 shall be paid in advance where water has been turned off for any violation of the terms of the application or rules of the water company or for any other reason stated in Rule No. 7 and in such cases the water will not be turned on until all water bills and other accounts due the water company shall have been paid.

When water service to any premises has been terminated for any reason other than temporary vacancy, it will be renewed only after the acceptance of a new application and when the conditions, circumstances or practices which caused the water service to be discontinued are corrected to the satisfaction of the customer.

When the water service to a premises has been terminated by reason of temporary vacancy, a turn-on charge of \$10.00 shall be paid in advance and water shall not be turned on until such payment has been made in full.

10. WATER COMPANY CONTROLS CURB STOP COCK

The water company reserves the sole right to turn on or off the curb stop cock, except in case of repairs to service lines, pipes or fixtures on the premises; in such cases, the customer or the plumber may close the curb stop cock and the customer must at once notify the water company of such action.

11. INSPECTION OF PREMISES

All service lines and fixtures, including any and all fixtures within the premises receiving the supply of water, shall at all reasonable hours, be subject to inspection by any duly authorized employee of the water company.

12. SERVICE CONNECTION

One service connection only will be permitted to a single premises.

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13. SINGLE PREMISES

A single premises is herein construed to cover a structure used by one family or occupant or where used by more than one family or occupant, not adaptable to subdivision.

14. MULTIPLE PREMISES

Where a premises is adaptable to subdivision and is used by more than one family or occupant, it shall then be construed to be a double premises, triple premises, etc., depending upon the number of families, occupants or subdivisions.

15. MAINTENANCE OF PIPING, ETC., ON PREMISES

Upon receipt of proper application, the water company will install a street service connection and will maintain the same at its expense.

The water company shall in no event be responsible for maintenance of, or damage done by water escaping from the service pipe or any other pipe or fixture on the outlet side of the curb stop cock, and the customer shall at all times comply with state and municipal regulations in reference thereto, and shall make any changes therein required on account of change of grade, relocation of mains or otherwise.

16. CUSTOMER'S SERVICE PIPE, PIPING, ETC. ON PREMISES

- (a) all service lines from the curb to the premises shall be of pipe approved by the water company and kept in good repair by and at the expense of the customer
- (b) no service pipe shall be installed in the same trench with gas pipe, sewer pipe or any other facility of a public service company, nor within ten (10) feet of any open excavation, vault, gas pipe, sewer pipe or any other facility of a public service company
- (c) there shall be installed, by and at the expense of the customer, in the service pipe within the wall of the building supplied and so located as to drain all of the pipes in the building, a stop and waste cock of suitable type, easily accessible to the occupants, for

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their protection enabling them to turn off the water in case of leaks and to drain the pipes to prevent freezing.

- (d) the water company may refuse to connect with any piping system or furnish water through one already connected if such system is not properly installed and maintained or if the piping system on the customer's premises is not at a sufficient depth to prevent freezing.
- (e) the customer shall install a stop and waste cock on the service pipe immediately inside of the foundation wall of the building supplied and such cock should be so located as to be easily accessible to the occupants and to provide proper drainage for the pipes in the building.
- (f) no fixture shall be attached to or any branch made in the service pipe between the inside of the foundation wall and the curb cock.
- (g) each customer shall be supplied through an independent service pipe from a separate curb cock and box, and apartment houses, office buildings or business blocks shall have a separate control valve for each tenant unless the owner is to be solely responsible for all water used on and in said buildings or premises or unless the service is to be rendered under the provisions of Paragraph (h) following.
- (h) when more than one customer is supplied through a single service pipe, any violation of the Rules of the water company with reference to either or any of the said customers shall be deemed a violation as to all and the water company may take such action as can be taken for a single customer.

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17. WATER USE RESTRICTED DURING FIRES

During the time water is being used for the extinguishment of fire, the use of hose, automatic law sprinklers or sprays is prohibited.

18. BILLS RENDERED AND PAYABLE

- (a) all bills shall be rendered monthly or quarterly at the option of the water company and due and payable on or before the date specified thereon and such due date not to be less than thirty (30) days from the date rendered; and if not paid at the office of the water company or its designated agent in the Borough of Lilly, on or before the 30th day of the month following the month for which the bill is rendered; and if not paid on or before the 30th day of the month following the month for which the bill is rendered the bill shall be considered delinquent.
- (b) the Commonwealth of Pennsylvania and any agency thereof is entitled to a thirty (30) day period from the due date of any bill within which it may pay for water service.
- (c) payments mailed, as evidenced by the United States Post Office mark, will be deemed to be a payment within such period.
- (d) if a bill is not paid within thirty (30) days after the presentation of same, service will be discontinued after ten (10) days' notice to the customer.
- (e) the use of water by the same customer in different premises or localities will not be combined and each installation shall stand by itself.
- (f) payments in advance of furnishing service may be required for:
  - 1. seasonal service when elected to be so taken by the customer
  - 2. construction of facilities and furnishing special equipment
  - 3. restoration or reconnection of service where service has been actually discontinued for customer's failure to comply with tariff provisions.

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- (g) no abatement shall be made for leaks or for water wasted by improper or damaged service pipes or fixtures belonging to the customer.

19. BOILER AND ENGINE WATER SUPPLY

The water company does not guarantee a sufficient or uniform pressure or an uninterrupted supply of water and customers are cautioned to provide sufficient storage of water where an absolutely uninterrupted supply must be assured, such as for steam boilers, domestic hot water systems, gas engines, etc.

20. USE OF FIRE HYDRANTS

No fireman or other person, except for the legitimate purpose of extinguishing fires, shall open any fire hydrant without the consent of the superintendent of the water company and no fire hydrant or other connection to the mains of the water system shall be opened in order to obtain water for street sprinkling purposes or for other uses not contracted for by the customer, except upon a special arrangement made with the water company for the particular time and occasion.

All public fire hydrants shall be furnished, installed, inspected and maintained by the water company.

Whenever a change in location of a fire hydrant is ordered by the municipality, such change will be made at the expense of the municipality.

21. BILLS SENT TO CUSTOMERS ADDRESS

Bills and notices relating to the water company or its business will be mailed or delivered to the property's owner or customer's last address as shown by the books of the water company and the water company shall not be otherwise responsible for delivery. The water company will

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send all such notices and bills to the address given on the application for water supply until a notice of change in writing has been filed with the water company by the applicant.

### 22. INTERRUPTIONS IN WATER SUPPLY AND DISCONTINUANCE OF SERVICE ON ACCOUNT OF REPAIR TO MAINS, ETC.

The water company may at any time shut off the water in its distributing mains in case of accident, or for the purpose of making connections, extensions, alterations, repairs, changes, or for any other purpose, when necessary, and may restrict the use of the water to reserve a sufficient supply for public fire service or other emergencies whenever the public welfare may require it. The water company will, insofar as circumstances permit it, notify customers affected by any interruptions in the water service.

### 23. RESERVATION OF WATER SUPPLY

The water company reserves the right to reserve a sufficient supply of water at all times in its reservoirs to provide for fire and other emergencies, and in the event of any accident or damage to any part of its works or equipment or breakdown of machinery or bursting of any main or any other occurrence whatsoever affecting its plant or equipment or the operation thereof, the water company shall not be liable to any customer of water for failure of the water supply.

### 24. GENERAL PROVISIONS

No person shall turn the water on or off at any street valve, corporation cock, curb cock or other street connection without the consent of the water company except for the purpose of making repairs to the customer's service pipes.

Employees or agents of the water company are expressly forbidden to demand or accept any compensation for any service rendered to its customers except as covered in these Rates, Rules and Regulations.

No employee or agent of the water company shall have the right or authority to bind it by any promise, agreement or representation contrary to the letter or intent of these Rules and Regulations.

## **Please review these changes and be prepared to formally adopt them at the next meeting.**

**Once these changes have been adopted a letter will be sent to all customers to inform them of the change. Please review the attached letter that will be sent. Make any suggestions that you feel may be necessary.**

### **Proposed Changes to Water Dept. Rules**

- 1. The Borough accounts that are inactive will be charged a debit service charge of twenty dollars (\$20.00). This charge also includes any rental apartment/s that are not occupied. This fee will still be charged if the individual requests for the water service to be shut off. The shut off fee will remain \$50.00 and to turn the service back on will also remain \$50.00.**
- 2. All rental account bills, which are the responsibility of the landlord, will now be mailed to the landlord for payment not to the tenants.**

## **NOTICE!**

To All Lilly Borough Water Customers:

Lilly Borough Council has adopted the following Water Department rule:

- 1. The Borough accounts that are inactive will be charged a debit service charge of twenty dollars (\$20.00). This charge also includes any rental apartment/s that are not occupied. This fee will still be charged if the individual requests for the water service to be shut off. The shut off fee will remain \$50.00 and to turn the service back on will also remain \$50.00.**
- 2. All rental account bills, which are the responsibility of the landlord, will now be mailed to the landlord for payment not to the tenants.**

To help you understand why the change for the debit service charge is necessary let us use the following example of loss in revenue:

The two buildings on the corner of Main Street and Cleveland Street – the former newsstand and Ben Franklin had a total of 9 accounts.

$9 \times \text{a normal monthly water bill of } \$30.00 = 270.00 \text{ per month}$

$\$270.00 \text{ per month} \times 12 \text{ months} = \$3,240.00$  which would equal  
8 months of electric bills for one of the wells or 2/3 of a months  
payment on the PENNVEST loan.

Borough Council hopes you understand the necessity of these changes. However, for the Borough to continue to provide you quality water service this debit service charge is necessary..

602 Evergreen Street  
Lilly, PA 15938

# Lilly Borough Water Department

(814) 886-7227  
FAX: (814) 886-3918

## NOTICE

Lilly Borough Council at it's July 7, 1998 regular monthly meeting has passed the following new policy regarding monthly water bill payments:

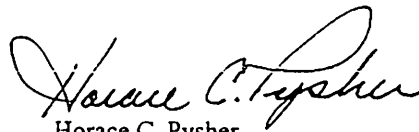
**Water service will be terminated for any bill that is 2 months past due. The water bill must be paid in full at the close of business on the due date of that months billing. The entire bill and a \$50.00 turn on fee must be paid in full before service will be restored.**

The bill can be paid at the 1<sup>st</sup> National Bank of Lilly or mailed to the Borough office located at 602 Evergreen Street. However, those bills mailed to the office must arrive at the office by the due date. The envelope must be posted marked with the due date for service not to be terminated. Council wishes to remind landlords that it has been in the past and continues to be the policy that the landlord is responsible for any water bill for that property.

Lilly Borough Council regrets that it has been forced to take this action. However, with the continued increase in operational cost, to include repayment of the PENNVEST loan, there was no other choice. Council, with the assistance of the Secretary/Treasurer, has tried to work with people on this issue but those individuals have repeatedly failed to make payments as agreed. Therefore, in the best interest of all customers this new policy has been initiated.

**Please be advised that if any current bill is already or will become 2 months past due by July 31, 1998 service will be terminated if not paid in full. Service will be terminated any day following the due date.**

Please direct further questions or concerns to this office at 886-7227. Thank you for your cooperation in this matter.

  
Horace C. Pysher  
Secretary/Treasurer