

ORDINANCE NO. 16 12-9-1910

AN ORDINANCE FOR THE GOVERNMENT AND OPERATION OF
THE WATERWORKS OF THE BOROUGH OF INDIAN LAKE;
PRESCRIBING RULES AND REGULATIONS APPLICABLE TO
CERTAIN BOROUGH OFFICERS AND EMPLOYEES, TO CUSTOMERS
OF THE SAID WATERWORKS AND TO THE GENERAL PUBLIC;
AND PRESCRIBING PENALTIES FOR VIOLATION

The Borough of Indian Lake hereby ordains as follows:

SECTION 1. The following words and terms, as used in this Ordinance, shall have the meanings respectively ascribed to them by this section, unless the context clearly indicates a different meaning:

(a) The word "customer" shall mean any person, as herein-
after defined, owning any premises receiving water from the Indian Lake
waterworks.

(b) The word "person" shall mean any natural person, association,
partnership, firm or corporation.

(c) The term "service pipe" shall mean that pipe leading from
the curb to the premises of a customer.

(d) The word "street" shall mean any street, alley or lane.

(e) The word "superintendent" shall mean the superintendent
of the waterworks.

(f) The word "waterworks" shall mean and include the plant,
fixtures, mains, reservoirs, rights of way and all other properties and
facilities now or hereafter operated and maintained by the Borough of
Indian Lake in order to collect, treat and distribute water for municipal
purposes and for the use of the inhabitants thereof, and shall also
include those officers and employes of the Borough collectively engaged
in the management, operation and maintenance thereof.

In this Ordinance, the singular shall include the plural and the masculine shall include the feminine and the neuter.

SECTION 2. The waterworks of the Borough of Indian Lake, as it is now constituted or shall hereafter, as the Borough Council may from time to time direct, be extended through other portions of the Borough and/or outside the Borough limits, shall be operated and maintained under the provisions of this Ordinance, subject to the authority of the Borough at any time to amend, alter, change or repeal the same.

SECTION 3. The Borough Council shall have charge and management of the waterworks, subject to such delegation of authority to the Water Committee and the superintendent as is provided herein.

SECTION 4. The Water Committee shall supervise the work and activities of the superintendent and shall perform all duties and exercise all authority vested in it by this Ordinance. It shall report to the Council any mismanagement or lack of performance of duty on the part of any officer or employe of the waterworks as soon as the same shall have been made known to the said Committee. The said Committee shall issue written or printed orders, approved by the Council, for all supplies, tools and material that may be necessary for the maintenance and operation of the waterworks. All bills received by the waterworks shall be submitted to the Water Committee for approval prior to their presentation by such Committee to the Council for payment.

SECTION 5. The Borough Council shall, from time to time, appoint a person to serve as superintendent of the water works, such person to serve at the pleasure of the Council and to receive such compensation as shall be determined by the Council from time to time. Before taking office or performing any of the duties or exercising any of the authority of such office, the superintendent shall give to the Borough Council a bond payable to the

Borough, with corporate surety approved by the Council, in the sum of one thousand dollars (\$1,000.00), for the faithful discharge of his duties as herein prescribed. The premium on such bond shall be paid by the Borough.

SECTION 6. The powers and duties of the superintendent shall be as follows:

(a) The superintendent shall have charge of the waterworks, exercising general care and supervision thereof, and shall be responsible for the maintenance and operation thereof. He shall see that all the provisions of this Ordinance are at all times strictly enforced. As often as shall be required by the Council, the superintendent shall inspect the water lines, the reservoir and all sources of supply, and shall ascertain whether all the facilities of the waterworks are in good working order.

(b) Under the direction of the Water Committee, the superintendent shall employ such labor and assistance, at such rate of compensation as may be fixed or designated by the Water Committee and approved by the Council, as is deemed necessary for the satisfactory operation and maintenance of the waterworks. He shall keep complete records of employment in the waterworks and shall prepare the payrolls thereof.

(c) The superintendent shall assist the Secretary of the Borough in collecting all water rates and all charges and fees prescribed by this Ordinance and shall turn over to the Borough Secretary all monies collected or received by him under the provisions of this Ordinance for deposit to the credit of the water fund of the Borough.

(d) The superintendent shall receive and file with the Secretary of the Borough all applications for customers and prospective customers.

(e) The superintendent shall keep accurate accounts as to all

expenses incurred during each month in connection with the waterworks, and he shall make a monthly report to Borough Council relative to such expenses for the preceding calendar month. In no case shall the superintendent pay any bills. All bills received by him shall be turned over to the Water Committee prior to each regular meeting of the Council, for approval by such Committee.

(f) At any time, on request of the Borough Council or the Water Committee, the superintendent shall make any special report, on any aspect of the waterworks or its operation.

(g) The superintendent shall perform such other duties as the Council and/or the Water Committee shall direct.

SECTION 7. For the protection of the waterworks, the following regulations shall be in force.

(a) No person shall damage, injure, molest, disturb or interfere with any pipe, hydrant, stop cock, reservoir, machinery, tool, or any other property belonging to or appertaining to the waterworks.

(b) No person shall, except with the authority from the superintendent or any person subordinate to him in the waterworks, open, close, interfere with or attach to or connect with any fire hydrant, stop valve or stop cock belonging to the Borough. PROVIDED, HOWEVER, in case of fire the opening and use of the fire hydrants needed in the fighting thereof shall be under the direction of the Fire Chief of the Fire Company.

SECTION 8. Whenever any excavation in any of the public streets in the Borough shall be necessary in connection with the extension, tapping, maintenance or repair of any water main or other facility of the waterworks, the superintendent shall make arrangements to restore the street to its previous condition as soon as the work upon the water line shall have been

completed.

SECTION 9. All pipe laid in any street shall be at a depth of five (5) feet below the established grade thereof.

SECTION 10. Extension of distributing pipe shall be made only after petition of the owners of real estate, or their authorized agents, along the proposed line, and upon their entering into an agreement which shall be satisfactory to Borough Council; PROVIDED, HOWEVER, in any instance the Borough Council may, in its discretion, extend any distributing main without petition or refuse any petition.

*amended
see
Ord. #31* SECTION 11. Except in case of emergency, every main or distributing pipe, before acceptance by the Borough, shall be subject to a hammer test under a hydrostatic pressure of three hundred (300) pounds to the square inch.

SECTION 12. Introduction of Borough water shall not be made into any premises until application shall have been made to the Borough by the owner of such premises or by his authorized agent. Such application shall be made upon a form to be prescribed by the Borough, and upon such application the applicant shall state fully all purposes for which he shall desire such water, and shall answer fairly and without concealment all necessary questions relating to number of rooms, cisterns, accessibility of neighbors and all possibilities for illegal use of water.

SECTION 13. No person except an authorized employe of the water-works shall tap any main or distributing pipe. Service connections shall be installed by the Borough from the street main to the curb on line of the same, including stop cock and box, and shall be charged to the owner of the property with which the connection is made at the following rates:

3/4 inch opening in main, 3/4 inch pipe, 3/4 inch stop cock
and box \$45.00

1 inch opening in main, 1 inch pipe, 1 inch stop cock and box \$50.00.

SECTION 14. Every street connection, at the time of making thereof, shall be provided with a separate stop cock and box, at the curb of the sidewalk when practicable, for each property to be supplied. The stop and box at the curb shall be the property of the Borough, placed there for its sole use. Over every such stop cock there shall be left an opening at least four (4) inches square, which shall be securely filled with iron or stone, covered in such manner as that the location of the said stop cock may be readily distinguished, and the covering of which shall be even with the surface of the surrounding ground or sidewalk.

SECTION 15. Every service pipe shall have a stop and waste inside the premises of the customer, so placed and kept as always to be ready for use. Such stop and waste shall control the entire supply of water for the premises and shall drain all the pipes and fixture thereon. It shall be secure from frost and shall be provided with a key approved by the superintendent. Such key shall be kept in a convenient place ready for immediate use.

SECTION 16. Premises intended to be occupied by more than one establishment, firm or family shall be provided with an independent stop and waste conveniently located, for each separate establishment or apartment into which water is to be introduced, so that any portion of such premises which may be separately occupied can be drained without interfering with the supply of water for the other occupants.

SECTION 17. The service pipe shall be the property of the owner of the premises to which it is connected, and all repairs to the same shall be made at the expense of such property owner, who shall keep his pipes and fixtures in good repair, in such condition as to avoid unnecessary waste, and protected

against frost, at his own expense. The property owner shall be held responsible for any waste or damage that may result from any defective service pipe, or other pipe located within the premises, or any fixture.

SECTION 18. The Borough shall furnish no material or labor for use upon private premises.

SECTION 19. All service pipe shall be laid at least five (5) feet below the surface of the ground.

SECTION 20. No person shall extend or cause to be extended any service pipe from one property to another, without special permission having been granted therefor by the Water Committee, and without a stop being placed in such a position that the supply of water for either property can be shut off without closing of the supply of water for the other property.

SECTION 21. Whenever Borough water is introduced into any premises, or changes made in any water pipes or fixtures that might affect the supply, the rates or the security against frost, the plumber doing such work shall notify the superintendent of the location and nature of such work, and the superintendent shall thereupon cause such work to be promptly and carefully inspected. No water shall be turned on permanently in any location until the superintendent shall be satisfied that every applicable provision of this Ordinance has been complied with. Prior to such approval of the superintendent, water shall be turned on by the plumber only as may be necessary in order to test his work.

SECTION 22. All pipes shall be free from jogs and snags that might obstruct the drainage, shall be securely fastened to their places, and shall be so pitched that when the stop is turned off, all water shall flow toward the waste.

SECTION 23. All pipes and fixtures shall be placed in such a manner as will secure them against frost. Whenever it may become necessary to carry

any pipe along any outer wall, beneath any floor, through any open space or through any place where such pipe might be affected by drafts of air, such pipe shall be thoroughly boxed and packed, or otherwise protected against cold.

SECTION 24. In extending pipe from existing installations, the same rules shall apply as are applicable, under this Ordinance, to new installations.

SECTION 25. The following regulations shall apply to the installation and testing of pipes for fire protection purposes:

(a) Pipes for fire protection purposes shall be fitted with only such fixtures as are needed for fire protection, and such fixtures shall be sealed by the superintendent.

(b) Whenever practicable, the hose shall be kept attached to the fixtures, suspended conveniently for use in case of fire. No person shall use any fire protection fixture for other than fire protection purposes.

(c) Any person having connections used for fire protection may test such apparatus at any time under the following conditions: (1) Written notice shall be given to the superintendent that such test is desired, and the superintendent shall then assign to the applicant a day and hour when such test can begin. (2) All tests shall be in the presence of the superintendent or an employe of the waterworks assigned by the superintendent for that purpose, and the sole duty of the superintendent or such employe shall be to remove and replace the seal of the superintendent used on such fire protection apparatus and to note the time required for his presence. The person at whose request such test is made shall pay to the Borough, for such test, the applicable fee, as follows: thirty (30) minutes or less, ten dollars (\$10.00); more than thirty minutes, but no

more than one (1) hour, fifteen dollars (\$15.00).

(d) No seal shall be removed from any fire protection apparatus except in case of fire, and in such case the owner or occupant of the premises where such apparatus is located shall make a written report of that fact within twenty-four (24) hours of its occurrence.

SECTION 26. No plumber shall do any work within the Borough that would result in a violation of any of the provisions of this Ordinance.

SECTION 27. The following regulations shall be in effect in order to prevent waste or excessive use of water or irregularity of pressure:

(a) The superintendent may inquire into and investigate into the cause of any unusual flow or apparently unnecessary waste of water upon any premises in the Borough. If the said flow or waste results from want of repair of any pipe or other fixture, he shall require the owner of such premises to make such necessary repairs within ten (10) days, and upon failure of such owner to make such repairs within the time limit, he shall have authority to shut off the supply of water leading to such premises. Such water shall not again be turned on until the customer shall have made the required repairs and paid the fee of three dollars (\$3.00) which is hereby established for such service.

(b) No person shall use the Borough water or permit it to be used for any purpose other than that for which the customer pays water rates.

(c) No person shall allow water fixtures to run when not in use for the purpose for which intended.

(d) No person shall allow water to flow continuously in order to guard against freezing or for any other purpose, except by special

permission from the superintendent. PROVIDED, the superintendent may at any time rescind such special permission when he shall deem its continuance to be detrimental to the operation of the waterworks and the service available to other customers.

(e) Except in case of fire, no large current of water shall be permitted to flow at intervals, causing irregularity of pressure. The use of fixtures that may create water hammers is prohibited.

SECTION 28. It shall be the duty of every customer receiving water from the Borough waterworks to purchase and install at customer's expense an approved meter for the measuring of water being consumed on customer's premises. All such customers now receiving water from the Borough waterworks shall have meters installed and approved by the Borough not later than June 30, 1971. Every building hereafter constructed and every building hereafter, for the first time, furnished with water from the waterworks, shall be metered by an approved meter before any water shall be furnished to such building. All water meters shall have a remote reader approved by the Borough. The Borough shall have approved meters available for purchase and installation by customers. The superintendent shall inspect all meters after installation and approve such installation. No person other than an authorized officer or employe of the waterworks shall change, alter or interfere with any meter or any of the dials thereof. The size of the meter shall be approved by the superintendent prior to installation. The customer shall, at all times, properly protect said meter from injury, by frost or other cause, and shall be responsible for the cost of all repairs to any such meter or for the costs of any new meter which must be installed as a replacement thereof.

SECTION 29. If a meter fails to register or otherwise becomes out of order, such meter shall be replaced or repaired by customer as aforesaid,

and the current bill shall be estimated and determined by the average amount of water used in a previous corresponding period. No deduction from any water bill shall be allowed on account of leakage.

SECTION 30. If any customer shall doubt the correctness of the meter measuring the water delivered to his premises, he may, upon application to the superintendent, and upon making a deposit of ten dollars (\$10.00) to defray the cost thereof, have such meter tested, by the superintendent or any person designated by him to do so. Should such test show such meter to be correct within four percentum (4%), the customer shall forfeit the deposit made. Should such test show the meter to be registering incorrectly beyond four percentum (4%) of the accurate amount, such deposit shall be refunded to the customer, and his account shall be adjusted accordingly and the entire cost of such test shall be borne by the waterworks.

SECTION 31. In all cases where the service connection serves a building occupied by two or more establishments, firms or families, the owner of the building shall furnish and install separate meters at his own expense for each portion of such building separately occupied, and the owner shall be responsible for all expenses incurred in the maintenance, repair and replacement of such meters, and separate bills shall be furnished to the owner of such property for each separately metered portion of such building.

SECTION 32. No customer served with metered water shall take or receive, or permit to be taken or received, any water from the waterworks into a building for which a meter is installed, except that such water shall have passed through and been registered by such meter.

SECTION 33. The owner of a metered property shall notify the superintendent immediately of any change of ownership of such property, so that the superintendent may cause the meter to be read so that the final

consumption shall be billed to the seller and all future billings shall be made to the buyer.

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SECTION 34. The rates for water furnished to customers by the waterworks shall be as follows: The rate for water shall be one dollar (\$1.00) per one thousand (1,000) gallons of water per month, with a minimum monthly charge of one dollar (\$1.00) per month. The minimum monthly rate shall be paid where the water meter is not presently installed, PROVIDED, HOWEVER, that all premises receiving water from the waterworks must have approved meters installed not later than June 30, 1971.

SECTION 35. All bills for water rates shall be rendered to the owner of the premises to which water is furnished by the waterworks, and such owner shall in all cases be liable for payment of such bills.

SECTION 36. All water rates shall be payable at the office of the Borough and shall be payable quarterly, being due and payable on the first days of January, April, July and October of each year. Water rates for water used for building and for occasional use shall be payable upon demand.

SECTION 37. In case any water rate shall not be paid within sixty *see sec 37 in water books* (60) days from the date when such rate first became due and payable, it shall be the duty of the superintendent to give to the customer who shall have been billed for such water rate five (5) days' notice in writing of the fact that such water rate has become delinquent and that at the end of such period of five (5) days, all water service to the premises upon which such rate is delinquent shall be discontinued and shall not be resumed until said account shall have been paid in full, together with a service charge of five dollars ^{\$} 5.00 *see water regulations* (\$5.00) for restoring service. At the end of such period of five (5) days, it shall be the duty of the superintendent to shut off the water service to such premises, such service not to be resumed until such delinquent account

shall have been paid in full and the service charge of five dollars (\$5.00) ^{\$2500}
paid.

SECTION 38. ^{charged} The following regulations shall govern abatement of charges for water:

(a) No abatement of charges shall be allowed for vacancy of premises.

(b) Whenever water shall be used on any premises for fire protection or fire fighting, in an actual case of fire or conflagration, no charge shall be made for the water so used, and the amount of water so used shall be ascertained by comparison with the average use of water during a corresponding billing period, as shown by the meter.

SECTION 39. The superintendent is hereby authorized to limit or discontinue the supply of water, in cases of emergency, and to shut off the supply of water for repairs or extensions, he being the judge of the time and necessity.

SECTION 40. The superintendent, any employe of the waterworks and any member of the Water Committee shall have the right at any and all hours to enter upon or into any premises to which water is supplied by the waterworks, for the purpose of inspecting any pipe or fixture, setting, reading or repairing any meter, turning water off or on and enforcing the provisions of this Ordinance generally. No person shall deny entrance to any such premises to any officer or employe hereby granted such right of entry.

SECTION 41. Any person who shall violate any of the provisions of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than one hundred dollars (\$100.00) and costs of prosecution for each and every violation, and, in default of payment of such fine and costs, to

imprisonment for not more than thirty (30) days.

SECTION 42. Nothing in this Ordinance, nor any contract, nor representation, verbal or written, of the Borough or any of its employes, shall be taken or construed in any manner to be or constitute a guarantee to furnish a proper quantity of water through any service connections, whether for domestic, commercial, industrial, manufacturing or other general uses, or for public or private fire protection purposes, or for any special purposes, but the Borough will, at all times, endeavor to maintain the efficiency of its service.

SECTION 43. The Borough reserves the right to restrict the supply of water in case of scarcity or whenever the public welfare may require it, and to reserve a sufficient supply of water at all times to provide for fire and other emergencies.

SECTION 44. All customers are forbidden to attach any groundwire or wires to any plumbing which is or may be connected to a service connection or main belonging to the Borough, and the Borough will hold the customer liable for any damage to its property occasioned by such groundwire attachments.

SECTION 45. There shall be no obligation on the part of the Borough to provide water service to the customer from its water main at any minimal and/or maximum pressure. The Borough further reserves the exclusive right to increase or decrease the water pressure at any time and to any part of its water distribution system when it deems the same to be necessary, notification of said increase or decrease to be given to those customers who shall be affected thereby in such manner as the Borough shall deem feasible.

SECTION 46. Each section of this Ordinance shall be considered separable from the others, and if any one of them shall be found by the courts to be unconstitutional, it shall not affect the others.

SECTION 47. Any ordinance or part of an ordinance conflicting with the provisions of this Ordinance shall be and the same are hereby repealed.

ADOPTED this 7th day of December, 1970.

ATTEST:

BOROUGH OF INDIAN LAKE

/s/ Lucille P. Garman
Secretary

BY /s/ Edward A. Specht
President of Council

(SEAL)

APPROVED this 7th day of December, 1970.

BOROUGH OF INDIAN LAKE

/s/ Theron H. Wider
Mayor

I hereby certify that the foregoing Ordinance is Ordinance No. 16 approved December 7, 1970, duly advertised and transcribed.

Lucille P. Garman
Secretary
Borough of Indian Lake