

**RESOLUTION**

**RULES AND REGULATIONS**

*of the*

**MIDDLEBURG MUNICIPAL AUTHORITY**  
**SANITARY SEWER AND WATER SYSTEMS**

ADOPTED MARCH 13, 2012

REVISED AND ADOPTED DECEMBER 9, 2014

**Middleburg Municipal Authority  
Sanitary Sewer and Water System  
Rules and Regulations**

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## Middleburg

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**From:** Dave Walters <ddw@larsondesigngroup.com>  
**Sent:** Friday, January 28, 2011 8:42 AM  
**To:** Middleburg  
**Subject:** RE: Connection Fee

Ginny

I believe your interpretation is correct. It is the property owners responsibility for the cost of the line from the main, including connection to the main if that does not exist to the right of way. It is also the responsibility of the property owner for the cost of installing the building sewer from the right of way to the building but this cost is outside of the connection fee cost. The property owner has the option of having the borough doing this work and paying the borough or having his own contractor complete the work. The Borough has the option of doing the work themselves or hiring a contractor. With staffing the way it is with the Borough crew I don't know why they would want to undertake this work but that is not my decision.

In the case of the Borough doing the work they should estimate the cost to provide to the property owner then the PO is required to put money in an escrow in the amount of 100% of the cost. If the PO hires their own contractor they are required to escrow 10% of the cost. I don't understand why there is an escrow if they hire their own contractor as there would not be any cost incurred by the Borough other than the inspection which is a separate fee. I don't think this is a big deal and probably does not need to be amended I just question how this ever got established.

**David D. Walters, PE**  
Director - Water/Wastewater Engineering

TEL (570) 323-6603 ext. 283  
DIRECT (570) 651-1546  
MOBILE (570) 337-3815  
EMAIL [ddw@larsondesigngroup.com](mailto:ddw@larsondesigngroup.com)

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1000 Commerce Park Drive, Suite 201  
Williamsport, PA 17701

of Water and Wastewater, as published by the American Public Health Association.

BOROUGH means the Borough of Middleburg, Snyder County, Pennsylvania, or duly constituted and elected authorities thereof.

BUILDING SEWER shall mean the extension from the building to the public sewer.

CATEGORICAL STANDARDS means the National categorical pretreatment standards or pretreatment standard.

COMMERCIAL ESTABLISHMENT means a separate building, group of buildings or room or group of rooms on a parcel of land held in separate ownership wherein business activity, trade or commercial enterprise is carried on by any person. It shall include an office, room or suite of rooms in a building accommodating a number of separate offices. Should such offices be set apart from each other and provided with separate toilet facilities for employees, then each office shall constitute a separate establishment. The determination of the Authority as to what constitutes a "separate commercial establishment" shall be final.

CONNECTION FEE is charged to reimburse the system Manager for actual costs incurred to install a line from the main to the right-of-way including connection to the main. When approved by the Authority, the owner may install the connection in lieu of the Manager, however the Manager will charge for inspection. The Manager will estimate the cost of installation and require an escrow deposit by the applicant for the total amount to cover costs of installation by the Manager, or cost of construction if construction is by contractor engaged by Authority or Manager or ten percent (10 %) of estimated construction costs if constructed by applicant's contractor or own forces subject to approval by the Authority or Manager. The applicant will be refunded any unexpended monies after acceptance of connection or, the applicant will be required to pay additional escrow deposit to cover any actual costs incurred over and above initial deposit

CONTROL AUTHORITY means the approval authority, defined hereinabove.

COOLING WATER means the water discharges from any use, such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.

CUSTOMER FACILITIES FEE the applicant is required to install and incur the costs of lateral line or water service line from the right-of-way to the building. Only persons firms or corporations who have demonstrated by past performance to the satisfaction of the Authority that they are

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Adopted March 13, 2012  
Revised and Adopted December 9, 2014

**SECTION 1 - GENERAL PROVISIONS**

**1.1 Purpose and Policy**

- (a) These Rules and Regulations set forth the terms and conditions of service in the Middleburg Sewer (Sewer System) and Water system (Water System) owned, operated and maintained by the Middleburg Municipal Authority (the "Authority"). Sewer and water connection charges and sewer and water rentals or charges for sewage and water services will be adopted and revised, as necessary, and published as a separate schedule of rates. These Rules and Regulations may be amended from time to time at the discretion of the Authority.
- (b) The purpose of these Rules and Regulations are:
  - (i) To establish the terms and conditions for the use of the Sewer System and Water System, to provide for the enforcement of these Rules and Regulations, and to provide for the adoption of sewer and water connection charges and charges for the use of the Sewer and Water Systems;
  - (ii) To enable the Authority to comply with all applicable state and federal regulations required by the Federal water Pollution Control Act of 1972 as amended by the Clean Water Act of 1977 and the General Pretreatment Regulations (40 CFR Part 403) or any subsequent amendments or revisions thereto;
  - (iii) To protect the Sewer System from the production of wastes and pollutants which would damage or interfere with the operation of the works, including the collection system, conveyance system, and treatment works, or which would contaminate sludges resulting from the wastewater treatment processes in such a way as to impair the disposal, recycling or reuse of such sludges, or which would cause wastewater to be inadequately treated and subsequently discharged to Middle Creek or its tributaries, or which would in any other way be incompatible with the works; and
  - (iv) To provide for the regulation of all direct and indirect users of the Sewer System through the issuance of permits to certain Non-domestic Users and through enforcement of general requirements for other Users, to authorize monitoring and enforcement activities and to require user reporting.

**1.2 Definitions**

Unless the context specifically and clearly indicates otherwise, the meaning of terms and phrases used in this resolution containing the, Rules and Regulations for the Middleburg Municipal Authority shall be as follows:

ACT OR THE ACT means the Federal Water Pollution Control Act, also known as the "Clean Water Act," as amended, 33 U.S.C. 1251, et seq. or any subsequent amendments or revisions.

ACT 203 FEE means the fee assessed by the Authority in conformity with Pennsylvania Act 203, or revisions thereto, which includes a "Customer Facilities Fee", "Connection Fee" and "Tapping Fee" component.

**APPROVAL AUTHORITY** means the Director in an NPDES state with an approved state pretreatment program, and the Administrator of the EPA in a non-NPDES state or NPDES state without an approved state pretreatment program.

**AUTHORITY** means the Middleburg Municipal Authority which has been created by the Borough Council of Middleburg, Snyder County, Pennsylvania.

**AUTHORIZED REPRESENTATIVE OF INDUSTRIAL USER** means a principal executive officer of at least the level of vice president if the industrial user is a corporation; or a general partner or proprietor if the industrial user is a partnership or proprietorship, respectively; or a duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the industrial discharge originates.

**APPLICANT** shall mean the owner of the property to be connected to the sewer or water system or his duly authorized representative.

**BOARD** means the elected and appointed members of the Board of the Middleburg Municipal Authority, as now or hereafter constituted, and duly authorized agents or representatives.

**BOD** (denotes "biochemical oxygen demand") and means the quantity of oxygen, expressed in ppm, utilized in the biochemical oxidation of organic matter under the standard laboratory procedure for five (5) days at twenty degrees Centigrade. The standard laboratory procedure shall be that found in the latest edition of Standard Methods for the Examination of Water and Wastewater, as published by the American Public Health Association.

**BOROUGH** means the Borough of Middleburg, Snyder County, Pennsylvania, or duly constituted and elected authorities thereof.

**BUILDING SEWER** shall mean the extension from the building to the public sewer.

**CATEGORICAL STANDARDS** means the National categorical pretreatment standards or pretreatment standard.

**COMMERCIAL ESTABLISHMENT** means a separate building, group of buildings or room or group of rooms on a parcel of land held in separate ownership wherein business activity, trade or commercial enterprise is carried on by any person. It shall include an office, room or suite of rooms in a building accommodating a number of separate offices. Should such offices be set apart from each other and provided with separate toilet facilities for employees, then each office shall constitute a separate establishment. The determination of the Authority as to what constitutes a "separate commercial establishment" shall be final.

**CONNECTION FEE** is charged to reimburse the system Manager for actual costs incurred to install a line from the main to the right-of-way including connection to the main. When approved by the Authority, the owner may install the connection in lieu of the Manager, however the Manager will charge for inspection. The Manager will estimate the cost of installation and require an escrow deposit by the applicant for the total amount to cover costs of installation by the Manager, or cost of construction if construction is by contractor engaged by Authority or Manager or ten percent (10 %) of estimated construction costs if constructed by applicant's contractor or own forces subject to approval by the Authority or Manager. The applicant will be refunded any unexpended monies after acceptance of connection or, the applicant will be required to pay additional escrow deposit to cover any actual costs incurred over and above initial deposit.

**CONTROL AUTHORITY** means the approval authority, defined hereinabove.

**COOLING WATER** means the water discharges from any use, such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.

**CUSTOMER FACILITIES FEE** the applicant is required to install and incur the costs of lateral line or water service line from the right-of-way to the building. Only persons firms or corporations who have demonstrated by past performance to the satisfaction of the Authority that they are qualified and capable of performing plumbing work in accordance with good plumbing practice may install building sewers or water service lines which connect to the sewer or water mains. All such persons must register with the Authority giving name; key personnel, address and phone number, and a list of approved firms shall be maintained by the Authority. The Manager will only install such line in cases where the owner refuses to do so after being notified.

**DEVELOPER** means any landowner, agent of such landowner or tenant with permission of such landowner, who makes or causes to be made a subdivision of land or a land development.

**DIRECT DISCHARGE** means the discharge of treated or untreated wastewater directly to the waters of the state of Pennsylvania.

**EASEMENT** shall mean an acquired legal right for the specific use of land owned by others.

**ENVIRONMENTAL PROTECTION AGENCY** or EPA means the United States Environmental Protection Agency, or, where appropriate, the term may also be used as a designation for the Administrator or other duly authorized official of said agency.

**EQUIVALENT DWELLING UNIT (EDU)** shall mean a single family dwelling containing plumbing for kitchen or for toilet facilities, whether a house, condominium, apartment unit, or mobile home, or 215 gallons per day of sewage or 155 gallons per day of water use.

**ENGINEER** means the individual or engineering firm duly appointed by the Authority.

**GARBAGE** shall mean solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

gpd is an abbreviation for gallons per day.

**GRAB SAMPLE** means a sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.

**HOLDING TANK WASTE** means any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks and vacuum-pump tank trucks.

**IMPROVED PROPERTY** shall mean any property upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure sanitary sewage and/or industrial waste or other waters shall be, or may be discharged.

**INDIRECT DISCHARGE** means the discharge or the introduction of non-domestic pollutants from any source regulated under Section 307(b) or (c) of the Act (33 U.S.C. 1317) into the POTW, including holding tank waste discharged into the system.

**INDUSTRIAL ESTABLISHMENT** means a separate building, group of buildings or room or group of rooms on a parcel of land held in separate ownership, wherein manufacturing or industrial activity is carried on by any person. The determination of the Authority as to what constitutes a "separate industrial establishment" shall be final.

**INDUSTRIAL USER** means a source of indirect discharge which does not constitute a discharge of pollutants under regulations issued pursuant to Section 402 of the Act. (33 U.S.C. 1342).

**INDUSTRIAL WASTES** shall mean any solid, liquid or gaseous substance or form of energy rejected or escaping in the course of any industrial, manufacturing, trade or business process or in the course of the development, recovery or processing of natural resources, as distinct from sanitary sewage.

**INTERFERENCE** means the inhibition or disruption of the POTW treatment processes or operations which contributes to a violation of any requirement of the Authority' NPDES permit. The term includes prevention of sewage sludge use or disposal by the POTW in accordance with Section 405 of the Act (33 U.S.C. 1245) or any criteria, guidelines or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Water Act, the Toxic Substances Control Act or more stringent state criteria (including those contained in any state sludge management plan prepared pursuant to Title IV of SWDA) applicable to the method of disposal or use employed by the POTW.

**MANAGER** means the person/agency responsible for the management of the Sewer and/or Water system appointed by the Authority.

**MULTIPLE UNIT** means a building used for and containing separate dwelling units, specifically including apartment houses, and/or for commercial or industrial establishments.

**NATIONAL CATEGORICAL PRETREATMENT STANDARD or PRETREATMENT STANDARD** means any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act (33 U.S.C. 1347) which applies to a specific category of industrial users.

**NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM or NPDES PERMIT** means a permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342).

**NATIONAL PROHIBITIVE DISCHARGE STANDARD or PROHIBITIVE DISCHARGE STANDARD** means any regulation developed under the authority of Section 307(b) if the Act 40 CFR 403.5.

**NEW SOURCE** means any source, the construction of which is commenced after the publication of proposed regulations prescribing a Section 307(c) (33 U.S.C. 1317) categorical pretreatment standard which will be applicable to such source, if such standard is thereafter promulgated within one hundred twenty (120) days of proposal in the Federal Register. Where the standard is promulgated later than one hundred twenty (120) days after proposal, a "new source" means any source, the construction of which is commenced after the date of promulgation of the standard.

**OWNER** means any person vested with ownership, legal or equitable, sold or partial of any improved property.

**PERSON** means any individual, firm, corporation, company, association, society, group or other legal entity.

**pH** means the logarithm of the reciprocal of the concentration of hydrogen ions, indicating the degree of acidity or alkalinity of a substance.

**POLLUTANT** means any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharged into water.

**POLLUTION** means the man-made or man-induced alteration of the chemical, physical, biological and radiological integrity of water.

**PPM** means parts per million, by weight.

**PREMISES ACCESSIBLE TO PUBLIC SANITARY SEWAGE SYSTEM** means any property whose principal building is within one hundred fifty (150) feet of any sanitary sewer constituting part of the sewer system.



PRETREATMENT or TREATMENT means the reduction of the amount of pollutants, the elimination of pollutants or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to , or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes or process changes by other means, except as prohibited by 40 CFR 403.6(d).

PRETREATMENT REQUIREMENTS means any substantive or procedural requirement related to pretreatment, other than a national pretreatment standard imposed on an industrial user.

PROPERLY SHRED GARBAGE means the waste from preparation, cooking and dispensing of food and from the handling, storage and sale of produce that have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than on-half (1/2) inch in any dimension.

PUBLIC SEWER shall mean a common sewer controlled by the Authority.

PUBLICLY OWNED TREATMENT WORKS (POTW) means a treatment works as defined by Section 212 of the Act (33 U.S.C. 1292), which is owned in this instance by the Authority. This definition includes any sewers that convey wastewater to the POTW treatment plant, but does not include pipes, sewers or other conveyances not connected to a facility providing treatment. For the purposes of this Part 4, "POTW" shall also include any sewers that convey wastewaters to the POTW from persons outside the Borough or Township who are, by contract or agreement with the Authority, users of the Authority's POTW.

PUBLIC WATER SYSTEM means all facilities, as of any particular time, for storing, pumping, distribution and/or treatment of potable water situate in the Borough or Township, to be constructed, acquired, owned, maintained and operated by the Authority for rendering water service in the Borough or Township, and any additions, extensions or improvements thereto.

RESIDENTIAL DWELLING UNIT means a separate dwelling, apartment, room or group of rooms used for separate dwelling purposes and equipped for the preparation of food. In all cases, the determination of the Authority as to what constitutes a "separate dwelling unit" shall be final.

SANITARY SEWAGE means normal water-carried household and toilet wastes from any improved property.

SEWAGE means a combination of water-carried wastes from residences, business buildings, institutions and industrial and commercial establishments, together with such ground, surface or storm water as may be present.

SEWER means any pipe or conduit constituting a part of the sewer system used or usable for sewage collection purposes.

SEWER RENTAL means that quarterly charge for direct or indirect use of the sewer system of the Authority.

SEWER SYSTEM means all facilities, as of any particular time, for collecting, pumping, treating and/or disposing of sanitary sewage and/or industrial wastes, situate in the Borough or Township, to be constructed, acquired, owned, maintained and operated by the Authority for rendering sewerage service in the Borough or Township, and any additions, extensions or improvements thereto. It shall also include sewers within the Authority's jurisdiction which serve one (1) or more persons and discharge into the "sewer system" even though those sewers may not have been constructed by the Authority and are not owned and maintained by the Authority.

SERVICE LATERAL means that part of the sewer system from the main, or manhole to the curb line or property line when there is no curb line.

SEWER CUSTOMERS as used hereinafter, means the person, whether the owner or tenant, contracting for service to a property hereinafter classified. (Note: If a bill is sent to a tenant, it is for the convenience of the owner who shall remain primarily responsible for the bill).

1. A building under one roof and occupied by one family or commercial establishment.
2. A combination of buildings in one common enclosure, occupied by one family or commercial establishment.
3. One side of a double house occupied by one family or commercial establishment even though plumbing fixtures is used in common.
4. Each apartment unit or dwelling unit in a building having more than one dwelling unit, including condominium unit.
5. Each dwelling unit, apartment, office, commercial establishment in a building containing more than one such units.
6. Each mobile home or trailer occupied by one family or commercial establishment.

SHALL is mandatory; MAY is permissive.

SIGNIFICANT INDUSTRIAL USER means any industrial user of the Authority's wastewater disposal system who has a discharge flow of twenty-five thousand (25,000) gallons or more per average workday, or has a flow greater than five percent (5%) of the flow in the Authority's wastewater treatment system, or has in his wastes toxic pollutants as defined pursuant to Section 307 of the Act or state statutes and rules, or is found by the Authority, state control agency or the United States Environmental Protection Agency (EPA) to have significant impact, either singly or in combination with other contributing industries, on the wastewater treatment system, the quality of sludge, the system's effluent quality or air emissions generated by the system.

STANDARD INDUSTRIAL CLASSIFICATION (SIC) means a classification pursuant to the Standard Industrial Classification manual issued by the Executive Office of the President, Office of Management and Budget, 1972.

STATE means the State of Pennsylvania.

STORM SEWER means a sewer which is intended to carry stormwater runoff, surface waters, groundwater drainage, etc. but which is not intended to carry any sanitary sewage or polluted industrial waste.

STORMWATER means any flow occurring during or following any form of natural precipitation and resulting there from.

STORM WATER RUNOFF means that portion of the rainfall which reaches a channel, trench, sewer or sink.

SUSPENDED SOLIDS means suspended solids, as determined by the procedure set forth in the latest edition of Standard Methods for the Examination of Water and Wastewater, as published by the American Public Health Association.

TAPPING FEE is charged since existing customers cannot (according to Law) pay for new oncoming customers to use the sewerage or water system. The per-unit equity in the existing system is what it cost to provide service to new customers. Tapping fee computations are shown in Appendix.

- (a) Existing Facilities
- (b) Planned Facilities
- (c) Facilities needed to provide service to property owners
- (d) Reimbursements to others who have previously constructed facilities

TOWNSHIP means the Township of Franklin, Snyder County, Pennsylvania, or the duly constituted and elected authorities thereof.

**TOXIC POLLUTANT** means any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under the provisions of CWA 307(a) or other Acts.

**USER** means any person, as defined above, owning, occupying or using any property served with water from the water system of the Authority or connected to the Authority sewer system.

**WASTEWATER** means the liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities and institutions, together with any groundwater, surface water and stormwater that may be present, whether treated or untreated, which are contributed into or permitted to enter the POTW.

**WASTEWATER CONTRIBUTION PERMIT** means a permit issued by the Authority to all significant industrial users who are connected, or propose to connect to the POTW.

**WATER SERVICE** shall mean the extension from the building to the curb cock or shutoff valve.

**WATER COMPANY** means the municipal or private water company supplying water service to the sewer customer.

**WATER CUSTOMERS** as used hereinafter, means the person, whether the owner or tenant, contracting for service to a property hereinafter classified. (Note: If a bill is sent to a tenant, it is for the convenience of the owner who shall remain primarily responsible for the bill).

1. A building under one roof and occupied by one family or commercial establishment.
2. A combination of buildings in one common enclosure, occupied by one family or commercial establishment.
3. One side of a double house occupied by one family or commercial establishment even though plumbing fixtures is used in common.
4. Each apartment unit or dwelling unit in a building having more than one dwelling unit, including condominium unit.
5. Each dwelling unit, apartment, office, commercial establishment in a building containing more than one such units.
6. Each mobile home or trailer occupied by one family or commercial establishment.

**WATER RENTAL** means that quarterly charge for direct or indirect use of the water system of the Authority.

**WATERS OF THE STATE** means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through or border upon the state or any portion thereof.

### **1.3 Abbreviations**

The following abbreviations shall have the following designated meanings:

BOD = Biochemical Oxygen Demand  
CFR = Code of Federal Regulations  
COD = Chemical Oxygen Demand  
EPA = Environmental Protection Agency  
l = Liter  
mg = Milligrams  
mg/l = Milligrams per liter  
NPDES = National pollutant discharge elimination system  
POTW = Publicly owned treatment works  
SIC = Standard industrial classification  
SWDA = Solid Waste Disposal Act, 42 U.S.C. 6901 et seq.  
U.S.C. = United States Code  
TSS = Total suspended solids

### **1.4 Application Process**

All structures within the Borough requiring sewage and/or water service shall be required to connect to the public sewer and/or public water system, unless a variance is granted by the Authority.

All structures within the Township requiring sewage disposal within 150 feet of a public sewer shall be required to connect to the public sewer unless a variance is granted by the Township and approved by the Authority.

### **1.5 Application Process for Water Service Connection and Sewer Service**

- 1.5.1 The Authority shall only recognize requests for sewer or water service or connection to the Sewer or Water System from the Owner or authorized representative of the Owner of the property to be served. The owner(s) or his agent shall make application on a special form furnished by the Authority. Applications will be granted for service by the Authority only after the Authority determines that all Authority Regulations have been met.
- 1.5.2 In accordance with the Municipality Authorities Act 203, as amended, the Authority shall require payment by the Owner for a tapping fee in accordance with the current schedule of rates contained in the Appendix. Tapping fees shall be paid at the time of application for connection. Owner shall pay actual cost of connection to Authority or owners contractor, as case may be and shall pay Authority's inspection fee.
- 1.5.3 For other than a residential unit, an EDU shall be based on design criteria of 215 gallons per day of sewage and 155 gallons per day of water usage. Any nonresidential use shall have an engineer's certification as to estimate flow on which to base the tapping fee. The Authority shall have the power to bill the owner or sewer/water customer for an additional tapping fee based on flow for the first year of operation if the certification of estimated flow is lower than actual flow.

- 1.5.4 The application shall be made at least one month before service is required for domestic service, or any non-domestic services not having a potential non-domestic process discharge subject to the provisions of Section 4 or requiring fire protection service. If the Authority determines that the applicant's discharge is subject to the provisions of Section 4, the applicant must then file a Non-domestic Waste Discharge Questionnaire and an application for Non-domestic Waste Discharge Permit as provided in Section 4. The Authority shall require an application for such Non-domestic Waste Discharge Permit or fire protection service to submit the application up to 60 days prior to the requested date of connection to the water/sewer system. Each application for non-domestic water discharge permit must afford evidence as to the source of water supply. The application for water service, where fire protection service is required, must provide the required fire flow in gpm and minimum residual pressure in psig. The application must be signed by the Owner of the property serviced and shall together with the Regulations of the Authority, regulate and control the sewer and/or water service to the property. The Owner shall be responsible for the payment of all bills for sewer and/or water service rendered by the Authority.
- 1.5.5 Upon the Authority's receipt of payment for the tapping fee and satisfactory completion of all applications and/or questionnaires by the Owner, the Authority will authorize connection to the Sewer or Water System. Upon receipt of authorization to connect from the Authority, the Owner is required to make the connection within 90 days unless approved in writing from the Authority.
- 1.5.6 The Owner shall, at his own expense, install sanitary and water facilities (i.e., Building Sewer and/or Water Services) from any improved structure or existing on-lot sewage disposal system to the point of connection provided by the Authority. Refer to Sections 2 and 3 for details regarding Building Sewers or Water Services lines.
- 1.5.7 In the event that the tapping fee is not paid but connection is made to the sewer or water system without Authority approval, the Owner will be notified in writing that payment is due within 30 days of the date of the notice. The associated tapping fees for this situation are presented in the Appendix 4.
- 1.5.8 All connections to the sewer and water system and the installation of all sewer and/or water services from the main to the point of connection with plumbing or other facilities shall conform with Section 2 and Section 3 of these Rules and Regulations. All such work shall be inspected by a representative of the Authority prior to backfilling operations, and should work be found to be deficient in any respect, it shall be removed and replaced in a proper manner. No storm water drains, sump pumps, residential floor drains, downspouts, or any other source of clean water not containing domestic wastewater or any prohibited wastewater constituents or any discharge of wastewater not defined in the application for service shall be permitted to be connected to the building sewer or in any other manner allowed to be discharged to the sewer system. It shall be unlawful for any property owner who is required to connect to the sewer system to construct or maintain any privy, privy vault, cesspool or septic tank intended or used for the disposal of sewage within the System service area.
- 1.5.9 No Owner or User of any property serviced by the sewer system shall extend the Building Sewer or in any way permit or cause additional properties, dwelling units, processes, wastewater sources or storm or non-wastewater discharge sources to be connected to the sewer system except as represented on the application for sewer service described in this Section 1.4.

- 1.5.10 Failure to Connect if, after the expiration of ninety (90) days from the date of such written notice to connect, any owner of improved property abutting on or adjoining any street, alley, lane or other public highway in which there is a sewer or water line shall have failed to connect therewith as required, the Authority may give such owner forty-five (45) day written notice of this Article, either by personal service or by registered United States Mail, sent to the last known address of such owner, and upon failure of such owner to make the required connection within the said forty-five (45) day period, the Authority may make such connection and collect the cost thereof from such owner by a municipal lien or an action in assumpsit.

## **1.6 Vacating the Premises and Change of Ownership**

- 1.6.1 A new application for sewer and/or water service must be made upon any change in ownership of a property. The Authority shall be at liberty to discontinue the sewer and/or water service until a new application has been made and approved. If the new owner fails to file an application and there are outstanding charges, the new owner will be held liable for those charges.
- 1.6.2 Where the Authority is billing sewer and/or water service charges predicated solely on the consumption of water, the Owner must give notice at the office of the Authority when vacating the premises. The sewer and/or water service charge will continue in effect until such notice has been given to the Authority and water service terminated. Where the Owner is billed for sewer service on the basis of actual water discharged to the sewer system, the sewer service charge will continue in effect until notice of vacating the property has been given to the Authority and the Authority has verified the cessation of discharge.
- 1.6.3 Multiple unit properties containing only one meter shall be billed on the basis that all units are continuously occupied. Multiple unit properties containing separate meters and having the ability to shut water off to individual units may request service shut off and turn on capability following the same procedure as other separately metered dwellings.

Customers connected to the Authority's sewage system only, whether metered or not, will be billed continuously every quarter due to the inability to be physically shut off from the system.

## **1.7 Extensions by Developer**

- 1.7.1 In cases where an extension of the sewer and/or water system is required to serve one or more dwelling units or other building(s) to be constructed by an individual or developer, application for such extension must be made on a special form provided by the Authority.
- 1.7.2 The completed application, together with plot plan showing proposed construction and appropriate filing fee made payable to the authority, must then be submitted to the Authority.
- 1.7.3 The Authority's Representative shall meet with the developer at the site to discuss Authority requirements and suggested layout of proposed facilities.
- 1.7.4 Upon approval by the Authority, the developer must enter into an extension agreement with the Authority providing for:
- A. Review of plans and specifications by Authority Representatives.
  - B. Approval by State and local agencies.
  - C. Installation in compliance with Authority's specifications and inspection during construction by Authority.

- D. Escrow deposit by developer to cover costs of (A), (B) and (C) above, plus legal fees and cost of construction if construction is by contractor engaged by Authority or, ten percent (10 %) of estimated construction costs if constructed by developer's contractor or own forces subject to approval by the Authority.
- E. Refund to developer of any unexpended monies after acceptance of extensions or, additional escrow deposit to cover any actual costs incurred over and above initial deposit.
- F. Transfer of title of public sewer and/or water line extensions to Authority for operation and maintenance.
- G. Other provisions as may be appropriate to protect the Authority's interest.

## **1.8 Water and Sewer Service Lines**

- 1.8.1 The Authority shall be responsible for all maintenance and repairs of the Authority's sewer and water main to the property line or edge of the Authority's right-of-way. The Owner is responsible for operation and maintenance of the building sewer and water service line from the property line, or edge of the Authority right of way to the structure.
- 1.8.2 The Authority will not approve Building sewers or water services which pass over or through premises which may be the property of persons other than the Owner of the premises to be serviced, unless the Owner of the premises serviced assumes all liability and a permanent easement is forwarded to the Authority which shall allow for construction, maintenance, repair, and access to the sewer and water lines.
- 1.8.3 Each Owner shall give the Authority at least 24 hours notice of the time when such connection will be made, so that the Authority may supervise and inspect the installation of the building sewers and water services and associated appurtenances, the connection, and any required testing.
- 1.8.4 Testing requirements and specifications for water services and/or building sewers are provided in these Rules and Regulations.

## **1.9 Interceptors, Screens and Equalization Tanks**

- 1.9.1 Interceptors for greases, oils, and sediments shall be provided on all services draining from restaurants, hotels, public eating places, service stations, automobile repair shops, and auto service centers. Additionally, interceptors, screens, and/or equalization tanks may be required on any Building Drain and/or Service Lateral where so determined by the Authority for the proper handling of liquid wastes containing greases in excessive amounts or any flammable wastes, sediments, viscous substances or other harmful ingredients. It is the Owner's responsibility, not the Authority's, for the design, selection, procurement, installation and/or testing of all interceptors, screens and equalization tanks.
- 1.9.2 All interceptors shall be of a type and capacity approved by the Authority and shall be located under cover and so as to be readily and easily accessible for cleaning and inspection. Interceptors shall not be located so as to receive rainwater or runoff.
- 1.9.3 Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily removable covers which, when bolted in place, shall be gastight and watertight.
- 1.9.4 Where installed, all grease, oil and sand interceptors shall be maintained by the Owner, at his expense, in continuously efficient operation at all times.

- 1.9.5 Failure by the Owner to properly clean and maintain these units shall be considered sufficient cause for termination of sewer service as provided for in these Regulations.

#### **1.10 General Discharge Prohibitions**

- 1.10.1 The Authority reserves the right to refuse connection to its sewer system as well as the right to compel the discontinuance of the use of such system, or to require the pretreatment of Non-domestic Waste by any User of any wastewater containing pollutants, substances or wastewater prohibited or limited by Section 5 of these Regulations.

#### **1.11 Falsifying Information**

- (a) No person shall knowingly make any false statement, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to these Regulations, or Non-Domestic Waste Discharge Permit, or falsify, tamper with, or knowingly render inaccurate any monitoring device or method required under these Regulations.

### **SECTION 2 - BUILDING SEWER AND CONNECTIONS**

- 2.1 No unauthorized person(s) shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof of the Middleburg Municipal Authority without first obtaining a written permit from the Authority and paying the connection fee and tapping fee required at the time. Any permit shall be null and void five years from the date of issuance. If a permit has been issued before adoption of this Resolution, then the permit shall be null and void for five years from the issuance of the permit or adoption of this Resolution.
- 2.2 Building sewer for new construction cannot be installed unless construction has commenced on the building. Building sewer for existing buildings with an existing on-lot sewage disposal system will require disconnection of the on-lot system upon connection to the public sewer. Additionally, the septic tank will be required to be made inoperable by either: removal of the tank or filling the tank with inert material (i.e. sand, dirt, etc.). Inspection shall be completed by the Authority.
- 2.3 A separate and independent building sewer shall be provided for every building whether constructed as a detached unit or as one or a pair or row, but a single building sewer will be permitted to serve a school, factory, an apartment house or other permanent multiple unit structure whose individual units may not be subject to separate ownership or will be subject to separate ownership as a condominium unit.
- 2.4 Only persons, firms or corporations who have demonstrated by past performance to the satisfaction of the Authority that they are qualified and capable of performing plumbing work in accordance with good plumbing practice may install building sewers. All such persons must register with the Authority giving name; key personnel, address and phone number, and a list of approved firms shall be maintained by the Authority.
- 2.5 The size, slope, alignment, materials of construction and the methods to be used in excavating, placing the pipe, jointing and backfilling the trench shall all conform to the requirements of Section 4 of these Rules and Regulations.
- 2.6 Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
- 2.7 All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Borough/Township.



- 2.8 The applicant for the building sewer or water service permit shall notify the Authority when the work is ready for inspection and prior to backfill. If any portion of the work is to be backfilled before completion for the convenience of the applicant and more than one inspection is required. The Authority or its agent making the inspections may collect from the applicant reasonable additional inspection charges. The applicant or plumber must be present for all inspections and shall have their copy of the permit available at that time.
- 2.9 Employees and agents of the Authority, bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection observation measurement sampling and testing pertinent to connection to the public system in accordance with the provisions of these Rules and Regulations.
- 2.10 Persons, firms or corporations intending to excavate for construction, repair or reconstruction of building sewers must comply with all requirements of Pennsylvania Act 172 of 1986 - Pennsylvania One Call Utility Line Protection Law. The Act requires notification at least 72 hours (*3 days*) in advance of digging. Telephone 1-800-242-1776.

### **SECTION 3 - WATER SERVICE AND CONNECTIONS**

- 3.1 The Authority reserves the right to restrict the supply of water in case of scarcity or whenever public welfare may require it.
- 3.2 The authorized agents of the Authority shall have the right of access, at all reasonable hours, to the premises supplied with water for the purpose of reading meters, examining pipes and fixtures, observing the manner of using pipes and fixtures, observing the manner of using water and for any other purpose which is proper and necessary in the conduct of the water business, and will carry with them proper credentials denoting their employment by the Authority or Borough.
- 3.3 The Authority will not be liable for any claim or damage arising from a shortage of water, the breaking of machinery or other facilities or any other cause beyond its control.
- 3.4 No agent or employee of the Authority or Borough 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.
- 3.5 The word "customer," as used herein, shall mean the party contracting for a supply of water to a property as hereinafter classified, i.e.:
- 1) A building under one (1) roof and occupied as one (1) residence or business;
  - 2) A combination of buildings in one (1) enclosure and occupied by one (1) family or business;
  - 3) One (1) side of a double house having a solid vertical partition wall;
  - 4) One (1) side or part of a house occupied by more than one (1) family or business, even though the water closet and other fixtures are used in common; or,
  - 5) Each apartment, office or suite of offices located in a building having several such apartments, offices or suites of offices and using in common one (1) hall and one (1) or more means of entrance.
- 3.6 Each customer will be supplied through a separate service line and, if on a metered basis, through a separate meter, except in the cases defined in Subsection 3.5 above, in which cases each family, office, suite of offices or business shall be considered a separate customer even though supplied through a common service line or meter.
- 3.7 All persons are forbidden to open any fire hydrant or to use any water therefrom for sprinkling streets, for building or any purpose without permission in writing from the Authority, under penalty prescribed by law, except in the case of fire and by fire companies to test the hydrants.

- 3.8 All excavations for water service installations shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Borough/Township.
- 3.9 Persons, firms or corporations intending to excavate for construction, repair or reconstruction of water services must comply with all requirements of Pennsylvania Act 172 of 1986 - Pennsylvania One Call Utility Line Protection Law. The Act requires notification at least 72 hours (*3 days*) in advance of digging. Telephone 1-800-242-1776.
- 3.10 The Authority reserves the right to alter or amend these rules and regulations in the manner provided by law.

## **SECTION 4 - MATERIALS AND METHODS OF INSTALLATION**

### **4.1 Building Sewers**

- 4.1.1 Building sewer pipe and fittings may be any of the following materials, not less than four inches (4") in internal diameter:
- A. Ductile iron soil pipe and fittings, medium weight or heavier.
  - B. Polyvinyl Chloride (PVC) ASTM D3034-SDR 35.
- 4.1.2 Jointing materials for the various types of pipe shall be as follows:
- A. Ductile iron - Rubber gaskets or lead and jute properly caulked.
  - B. Polyvinyl Chloride - Gasket
- 4.1.3 The pipe shall be installed at a minimum grade of one percent (1.0 %) with straight alignment and utilizing proper fittings for required bends. The pipe shall be bedded with minimum of six inches (6") of crushed stone. Backfilling to a height of one (1) foot above the top of the pipe must be with crushed stone.

Lines shall be properly backfilled with a minimum of three feet (3') of cover. Surface cleanouts shall be installed as necessary to limit the distance from sewer main to cleanout or cleanout to cleanout, to not more than seventy feet (70'). Cleanouts shall be constructed by using a "Tee/wye" fitting in the run of pipe with a riser pipe to the ground surface. The riser pipe must be provided with a standard screw type cleanout plug. The riser and plug must be the same pipe size as the lateral. Cleanouts placed in all traffic areas must be protected by curb boxes. Where connection is made directly to a manhole, the building sewer must enter the manhole on top of the pad and a suitable non-shrink grout channel must be provided to direct the flow to the manhole channel. The opening for the lateral must be core bored into the manhole and the connection to the manhole must be made with an approved type adapter.

### **4.2 Water Services**

- 4.2.1 Water service pipe and fittings may be any of the following materials, not less than 3/4 inches in internal diameter:
- A. Type K copper line.
  - B. CE Blue 200 p.s.i. – CTS SDR-9 Polyethylene tubing.
  - C. Install 12 gauge solid copper tracer wire with polyethylene tubing. Attach tracer wire to curb box.

4.2.2 Jointing materials for the various types of pipe shall be as follows:

A. Ford Pack Joint couplings or equal.

Use stainless steel insert stiffeners with polyethylene pipe.

#### **4.3 General Requirements**

4.3.1 Street, curb, sidewalk and driveway surfaces must be protected from damage by excavating equipment at all times by the use of rubber pads or wood planks. Any damage to the street or curbing will be the applicant's responsibility to repair.

4.3.2 If any voids are created under the street paving, the excavation shall be extended to the surface to permit proper backfilling and tamping. The base course and surfacing must be replaced within 24 hours and it shall be the applicant's responsibility to fill and repave any subsequent settling of the street surface.

4.3.3 All excess materials on the streets and sidewalks must be removed promptly from the site and the area broomed clean.

4.3.4 Wherever, in the opinion of a representative of the Authority, the trenching conditions require either a specific type of pipe, jointing material, or encasement in concrete, such materials as he may direct shall be installed to protect the property owner, Authority, Borough, and/or Township.

4.3.5 The construction of building sewer laterals and water services shall, at all times, be subject to inspection by the Authority, or its representatives. Any defects must be corrected before backfilling may proceed.

4.3.6 Connections to mains where no branch fitting has been previously provided shall be made with an approved saddle type fitting designed for the size and material of the sewer main. The sewer main and the bell of the saddle must be supported with, concrete.

4.3.7 The Authority will provide a Single Residence service (3/4 inch) meter at no cost to the property Owner provided said property is served from a water main owned and operated by the Authority. Should the meter malfunction due to negligence or misuse by the customer then the Owner will be responsible for the cost of meter repair and/or replacement. Determination of negligence or misuse will be by the Borough Foreman and will be final.

#### **SECTION 5 - USE OF THE PUBLIC SEWERS**

5.1 No person shall contribute or cause to be contributed, directly or indirectly, any pollutant, substance or wastewater which will interfere with the operation or performance of the sewer system; be harmful to the system; adversely affect the wastewater treatment processes; or the disposal, reuse or recycling of the sludges resulting from such treatment processes; or which will pass through the sewer system, inadequately treated, to the receiving stream.

5.2 No person(s) shall discharge or cause to be discharged any unpolluted waters such as storm water, groundwater, roof runoff or subsurface drainage into the public sewers of the Authority.

5.3 These general prohibitions apply to all Users of the System whether or not the User is subject to the National Categorical Pretreatment Standards or any other federal, state, or local pretreatment standards or requirements. A User may not contribute to the sewer system, either directly or indirectly, any of the following substances:

- 5.3.1 Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient, either alone or by interaction with other substances, to cause fire or explosion or be injurious to persons or in any other way harmful to the sewer system. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system), be more than five percent (5%), nor any single reading over ten percent (10%) of the Lower Explosion Limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, motor oil, fuel oil, kerosene, naphtha, benzene, toluene, zylene, ethers, alcohols, ketone, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides or any other substance which the Authority, the State or EPA has notified the User is a fire hazard or a hazard to the system.
- 5.3.2 Any waters containing toxic or poisonous solids, liquids or gases in sufficient quantity either singly or by interaction with other wastes, to injure or interfere with any waste treatment process, constitute a hazard to humans or animals create a public nuisance. or create a hazard in the receiving waters of wastewater treatment plants.
- 5.3.3 Having a pH lower than 6.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment or personnel of the wastewater treatment plants.
- 5.3.4 Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the wastewater facilities such as but not limited to. Ashes, bones, cinders, sand, mud, straw, shavings, metals, glass, rags, feathers, tar, plastics, wood, un-ground garbage, whole blood, manure, hair and fleshing, entrails, paper cups and dishes, milk containers, etc. , either whole or ground by garbage grinders.
- 5.3.5 Having a temperature higher than 150 degrees Fahrenheit.
- 5.3.6 Containing iron, chromium, copper, zinc, cyanide or similar objectionable or toxic substances.
- 5.3.7 Wastewater containing more than 25 milligrams per liter of petroleum oil, biodegradable cutting oils, or product of mineral oil origin.
- 5.3.8 Wastewater from industrial plants containing floatable oils, fat or grease.
- 5.3.9 Quantities of flow that exceed for any period of duration longer than fifteen minutes more than five times the average 24-hour concentration, or flows that would adversely affect the sewer system and/or performance of the wastewater treatment facility.
- 5.3.10 Any flow which shall constitute an industrial waste, hazardous waste or toxic waste discharge as defined by EPA or DEP.
- 5.3.11 Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Authority in compliance with applicable State or Federal regulations.
- 5.3.12 Any wastes containing soluble substances in such concentrations as to cause the specific gravity of the waste to be greater than 1.1.
- 5.3.13 Any wastes containing any substance which would cause the wastewater treatment plant to be in noncompliance with sludge use, re-cycle, or disposal criteria pursuant to guidelines or regulations developed under Section 405 of The Clean Water Act of 1977, 33 U.S.C. § 11, The Clean Air Act, or regulations or criteria for sludge management and disposal as required by the Pa DEP.

5.3.14 Any wastes containing color which cannot be removed in the Treatment Plant's treatment processes.

5.4 If any waters or wastes are discharged or proposed to be discharged to the public sewers, which waters contain the substance or possess the characteristics enumerated above and which in the opinion of the Authority-Representative, may have a deleterious effect upon the sewers or wastewater treatment facilities or receiving waters or which otherwise create a hazard to life or constitute a public nuisance, or constitute an industrial waste, hazardous waste or toxic waste discharge as defined by EPA or DEP, the Authority may:

5.4.1 Reject the wastes:

5.4.2 Require pretreatment to an acceptable condition:

5.4.3 Require payment to cover added cost of handling and treating the wastes not covered by existing sewer charges.

If the Authority permits the pretreatment or equalization of waste flow alternatives, the design of the facilities shall be subject to the review and approval of the Authority Staff and/or Engineer.

5.5 The Authority may require a user of sewer service to provide information needed to determine compliance with these Rules, and Regulations including, but not limited to wastewater rates of flow, chemical analyses, raw material processes and products affecting wastewater and quantities and disposition of specific liquids and materials important to sewer use control.

## **SECTION 6 - VIOLATIONS OF USE (REQUIREMENTS)**

6.1 No person(s) shall maliciously, willfully or negligently break damage, destroy, uncover, deface or tamper with any pipeline, structure, appurtenance or equipment of the Authority. Any person(s) violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

6.2 The Authority shall have the right to close up or disconnect from the sewer system any building sewer used for carrying rain water surface water groundwater or objectionable matter or whenever any violations of these Rates, Rules and Regulations are committed.

6.3 The Authority reserves the right to restrict the use of sewer service whenever the public welfare may require it.

## **SECTION 7 - RATES AND CHARGES**

7.1 Standard Rates and Charges. Any Owner of a property now or hereafter connected to the sewer system or otherwise discharging Sewage, Non-domestic waste, water or other liquids directly or indirectly into the sewer system shall pay a user charge as provided in these Regulations based on the equivalent number of dwelling units or the measured quantity of water discharged to the sewer system, as evidenced by registration of a water meter, or by any other mechanism developed by the Authority to address "non-typical" owners on a case-by-case basis.

7.2 Surcharge for High Strength Wastes. Any person discharging into the sewer system Non-domestic wastes containing more than 250 mg/l of suspended solids, 250 mg/l of biochemical oxygen demand, 25 mg/l of ammonia, 25 mg/l of chlorine demand (otherwise prohibited by subsection 2.4), any excess of Pollutant limitations indicated hereinbefore and as approved by the Authority and any Pollutant not included hereinbefore and deemed by the Authority to require special attention and surcharge, shall be charged for such service, in addition to the sanitary sewage quantity charges set forth in the current Schedule of Rates, an additional charge based on the weight of the excess concentrations in accordance with the current Schedule of Rates, or such other additional charge which is reasonably calculated to compensate the authority for the additional expense incurred by the Authority for treatment.

- 7.3 Determination of surcharge quantities for High Strength Waste Discharges shall be made based on sampling and analysis methods as specified by the Authority.
- 7.4 Sewer and water rentals and charges shall be assessed in accordance with the rate schedule contained in Appendix 2 and 3. Said rate schedules may be amended from time to time by formal action of the Authority.
- 7.5 If use or classification of any property should change with any quarter, the difference in sewer rental, prorated on a daily basis to the nearest calendar day, will be charged or credited as the case may be, in the bill for the succeeding quarter.
- 7.6 A sewer and/or water tapping fee, as established from time to time by the Authority, payable at the time of application for permission to connect with the sanitary sewage and/or water system. This tapping fee is the same fee referred to in Section 1.4 of these Rules.
- 7.7 Bills for the sewer and water rentals shall be mailed by the MIDDLEBURG MUNICIPAL AUTHORITY or their Manager to the property owners at least thirty (30) days before the beginning of the penalty period. No bills for rentals shall be sent to anyone other than a property owner. Said rentals are payable at par, and are subject to a twenty percent (20 %) penalty if not paid within thirty (30) days. If not paid within sixty (60) days after due date the net bill plus penalty shall bear interest at the rate of ten percent (10 %) per annum or fraction of a month until paid in full. The rentals herein provided shall be collected and enforced in a manner provided by law for the assessment and collection of charges and the enforcement of municipal liens under the laws of the Commonwealth of Pennsylvania in such cases made and provided.
- 7.8 Such municipal claim shall include all charges, expenses and fees incurred in the collection of any delinquent accounts, including reasonable attorney fees as hereinafter set forth.
- 7.9 Attorney fees incurred in the collection of any delinquent accounts shall be in an amount sufficient to, compensate the Solicitor in undertaking collection and representation in any action involving claims arising under this act according to the schedule of attorney fees is contained in Appendix 5.
- 7.9.1 At least thirty (30) days prior to assessing or imposing attorney fees in connection with the collection of a delinquent account, notice to the owner shall be mailed by United States certified mail, return receipt requested, postage prepaid.
- 7.9.2 If within thirty (30) days of mailing the notice the certified mail is refused or unclaimed or the return receipt is not received, then at least ten (10) days prior to assessing or imposing attorney fees in connection with the collection of a delinquent account, the Authority shall, by United States first class mail, mail to the owner the notice required by this subsection.
- 7.9.3 The notice required by this subsection shall be mailed to the owner's last known post office address by virtue of the knowledge and information possessed by the Authority and by the County office responsible for assessments and revisions of taxes. It shall be the duty of the Authority to determine the owner's last post office address known to said collector and county assessment office.
- 7.9.4 The notice to the owner shall include the following:
- 1) A statement of the Authority's intent to impose or assess attorney fees within thirty (30) days of mailing the notice pursuant to clause (A) or within ten (10) days of the mailing of the notice pursuant to paragraph 7.9.2.
  - 2) The manner in which the imposition or assessment of attorney fees may be avoided by payment of the delinquent account.

7.10 Collection of the past due portion of a sewer billing will be handled in the following manner:

- 7.10.1 The customer will be notified by mail that the account is past due and subject to penalties if the total balance is not paid by a certain date. This past due condition is identified by the term "late notice" on the notification.
- 7.10.2 The customer does not pay by the 70<sup>th</sup> day after the date prescribed on the "late notice" the matter is to be referred to the Solicitor for legal action. The Solicitor will begin legal action to file a lien(s) on the property in the amount of the past due balance plus additional charges such as legal fees, late charges, etc. Further legal action will continue by the Authority Solicitor, no "payment plan" may interfere with the legal action necessary to protect the financial interest of the Authority.
- 7.10.3 The manager has the authority to enter into a "payment plan" with a customer that is less than 70 days past due without the notification of Borough Council or Authority. If that customer account subsequently exceeds 70 days past due (if a payment plan is in effect) it is the responsibility of the Borough Administrator to inform the Authority and Borough. This notification will occur at the next Authority and Borough meeting following the 70<sup>th</sup> day of the past due condition.
- 7.10.4 Under no circumstances will an agreed to payment plan preclude the taking or filing of legal action by the Authority Solicitor.
- 7.10.5 A payment plan may preclude the scheduling of a Sheriffs sale on the property, provided all of the terms and conditions of the payment plan are upheld by the customer. More than 3 days late on any given payment of the payment plan under this section is considered a default. The Solicitor will then be instructed to schedule a Sheriff's sale on the property. There are no provisions in this policy to postpone or discontinue a Sheriff's sale on a past due customer property once a sale has been scheduled. Full payment of the past due balance, plus late charges, plus interest, plus legal fees must be made or the sheriff sale will continue as posted. It is the responsibility of the Borough Administrator to ensure that proper notification is made to the Authority Solicitor.
- 7.10.6 Whenever the manager conducts a discussion of a payment plan with the customer, it is the responsibility of the manager to make the customer aware that the Authority will not waive lien rights or legal position. It is further required that if a payment plan is enacted, the notification is to waive lien rights or legal position. This notification must be made in writing to the customer whenever a payment plan is enacted. In order to have a valid payment plan, the customer must sign an original copy of the agreed to payment plan and that signed copy must be on file at the Borough office.

#### 7.11 PAYMENT PLAN GUIDELINES:

- 7.11.1 It is recognized by the Authority and Manager that a payment plan of past due water and/or sewer bills is acceptable.
- 7.11.2 Terms of repayment of past due accounts should include a minimum bi-weekly payment of \$50 or \$100 monthly until the past due balance is paid in full.
- 7.11.3 The first payment of the payment plan must be made within 14 days of the mutually agreed plan.
- 7.11.4 All owners of the property must sign a letter acknowledging the past due balance, the obligation to pay, the payment plan terms, and the intent of the Authority to proceed with legal action.
- 7.11.5 Any customer who is on a "payment plan" must keep new billings current and not allow the current billing to go into a past due condition. A past due condition of the new billings nullifies the payment plan.

7.11.6 A payment plan may be enacted provided there has not been an arranged payment plan within the past five (5) years with the same customer where the customer did not make payments as agreed.

## 7.12 Authority's Right to Shut Off Water

7.12.1 The Authority reserves the right at all times, after due notice, to shut off the water for nonpayment of water, or sewer bills, or for neglect or refusal to comply with the rules and regulations of the Authority and to charge a separate service discontinuance and service reconnection fee in accordance with the current fee schedule:

- (1) For misrepresentation in application as to property or fixtures to be supplied or the use to be made of the water supply.
- (2) For the use of water for any other property or purpose than described in the application.
- (3) For the waste through improper or imperfect pipes, fixtures or otherwise.
- (4) In case of vacancy of premises.
- (5) For violation of any rules of the Authority.

Such discontinuance of water service shall not abate the Owners responsibility to pay bills rendered for service.

7.12.2 The Authority shall have the right to cut off the water without notice in case of breakdowns or for other unavoidable causes beyond the control of the Authority.

7.12.3 As necessity may arise in case of break, emergency or other unavoidable cause, the Authority shall have the right to temporarily cut off water supply in order to make necessary repairs, connections, etc.; but the Authority will use all reasonable and practicable measure to notify the customer, in advance of such discontinuance of service. In such case, the Authority shall not be liable for any damage or inconvenience suffered by the consumer nor in any case for any claim against it at any time for interruption of service, lessening of supply, inadequate pressure, poor quality water or any cause beyond it's control. The Authority shall have the right to reserve a sufficient supply of water at all times in its reservoir to provide for fire or any other emergencies and may restrict or regulate the quantity of water used by consumers in case of scarcity, or whenever the public welfare may require it.

7.13 Filing and Collection of Liens, Water and Sewer rentals and charges imposed by these Rules and Regulations shall be a lien on the improved property connected to and served by the water and/or sewer system, and any such rentals and charges which are delinquent shall be filed as a lien against the improved property so connected to and served by the water and/or sewer system, which lien shall be filed in the office of the Prothonotary of Snyder County, Pennsylvania and shall be collected in the manner provided by law for the filing and collecting of municipal claims.

## 7.14 Quarterly rendition of bills; prorated payments.

7.14.1 All bills for sewer and water service shall be rendered in calendar quarters on the first days of January, April, July and October, respectively, in each year or on such other dates as the Authority, by resolution shall specify, and shall cover a quarter annum billing period consisting of the immediately preceding three (3) complete calendar months.



- 7.14.2 Each owner of an improved, commercial or industrial property which shall be connected to, or disconnected from the water and/or sewer system during any calendar quarter shall pay prorated sewer and/or water rentals or charges for service for the balance of the calendar quarter and shall be billed in conjunction with the next regular quarter annum billing or by a special billing, as the Authority may determine.

Where the property is being sold a final meter reading will be completed by an employee of the Borough and a final bill will be issued to the Seller or their designated agent.

- 7.14.3 Discontinuation of metered water/sewer service shall be properly accomplished by completing the Shut Off Form provided by the Municipal Authority/Borough Office, paying the Shut Off Fee and having the meter read by an employee of the Borough. The Shut Off Form will be kept on file at the Borough Office.

- 7.14.4 To reinstate metered sewer/water service property owners, or others having legal authority to do so shall complete the Turn On Form provided by the Municipal Authority/Borough office, payment of the Turn On fee and reading of the meter by an employee of the Borough. Any water usage that has occurred during the time of shut off will be the responsibility of the property owner.

- 7.14.5 Physical separation of the water service or building sewer is required to stop payment for sewer and/or water service. Separation is at the Owners expense, must be completed outside of the building foundation and must be inspected by an employee of the Borough. Turn on and Shut off fees must be paid by the Owner at the time of disconnection or reinstatement of service.

## **SECTION 8 - CHANGING OR VARYING RULES**

- 8.1 The Authority reserves the right to change or amend, from time to time, these Rules and Regulations in accordance with the law.
- 8.2 No officer or employee of the Authority, Borough or the Township can vary these rules without action of the Authority and no agent or employee of the Authority can bind it by any agreement or representations except when authorized in writing to do so by an executive officer of the Authority.
- 8.3 Severability If any sentence, clause, section or part of this Resolution is for any reason found to be unconstitutional, illegal or invalid such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Resolution. It is hereby declared as the intent of the Middleburg Municipal Authority that this Resolution would have been adopted had such unconstitutional illegal or invalid sentence clause section or part thereof not been included herein.
- 8.4 Repealer. All resolutions or parts of resolutions inconsistent with this resolution are hereby repealed.
- 8.5 This Resolution shall take effect immediately upon its adoption.



**SEWER AND WATER  
INDUSTRIAL SEWER CONNECTION APPLICATION**

*To the Middleburg Municipal Authority:*

The undersigned being the \_\_\_\_\_ of the property located at \_\_\_\_\_  
does hereby request a permit to \_\_\_\_\_  
and industrial sewer connection serving \_\_\_\_\_  
which company is engaged in \_\_\_\_\_  
at said location.

1. A plan to the property showing accurately all sewers and drains now existing is attached hereunto as Exhibit A.
2. Plans and specifications covering any work proposed to be performed under this permit are attached hereunto as Exhibit B.
3. A complete schedule of all process waters and industrial wastes produced or expected to be produced at said property, including a description of the character of each waste, the daily volume and maximum rates of discharge, representative analysis and compliance with any applicable pretreatment standard or requirements, is attached hereunto as Exhibit C.
4. The name and address of the person or firm who will perform the work covered by this permits is \_\_\_\_\_.

In consideration of the granting of this permit, the undersigned agrees:

1. To furnish any additional information relating to the installation or use of the industrial sewer for which this permit is sought as may be requested by the borough.
2. To accept and abide by all provisions of Rules and Regulations of the Middleburg Municipal Authority and of all other pertinent regulations that may be adopted in the future.
3. To operate and maintain any waste pretreatment facilities as may be required as a condition of the acceptance into the wastewater treatment system of the industrial wastes involved in an efficient manner at all times and at no expense to the authority.
4. To cooperate at all times with the Authority and its representatives in their inspection, sampling and study of the industrial wastes and any facilities provided for pretreatment.



## Appendix 2

### SEWER RATES AND FEES - Effective Date 4<sup>th</sup> Quarter Billing 2010

1. Sewer rentals and charges are hereby imposed as follows:
  - A. Residential Dwelling Unit - Being the same as an EDU containing plumbing for kitchen or for toilet facilities, whether a house, condominium, apartment unit, or mobile home. Metered EDU's will be charged a minimum quarterly bill of \$94.00 for up to a maximum 4,000 gallons and \$4.15 per 1,000 gallons over the maximum 4,000 gallons. Non-metered EDU's will be charged a flat fee of \$129.00 per quarter. Non-metered EDU's may install a water or sewer meter at the owner's expense and shall be inspected by the Borough Foreman that includes a \$25.00 inspection fee.
  - B. Public or Private Schools - A quarterly sewer rental of \$4.60 per each pupil, teacher and employee will be charged.
  - C. Commercial, Industrial, or Other Uses - Metered facilities will be charged a minimum quarterly bill of \$94.00 for up to a maximum 4,000 gallons and \$4.15 per 1,000 gallons over the maximum 4,000 gallons. Non-metered facilities shall have a quarterly sewer rental of \$129.00 computed on the basis of 215 gallons per day per EDU, with a minimum billing for this category of user of 1 EDU. Number of EDU's is determined in accordance with the Middleburg Municipal Authority Equivalent Dwelling Unit (EDU) Schedule.
  - D. Whenever a commercial establishment is conducted within a dwelling unit and utilizing common plumbing facilities; the sewer rental will be computed as set forth under paragraph C of this subsection. Where a commercial establishment or home occupation utilizes separate plumbing facilities from the residential unit, both a commercial billing under paragraph C of the subsection and a residential billing under paragraph A of this subparagraph will be imposed.
  - E. Where multiple unit users, residential, commercial or industrial, occupy premises having only one (1) meter, the minimum multiple unit rental fee of \$94.00 shall be charged for each separate residential dwelling unit, each separate commercial dwelling unit, or each separate industrial establishment plus \$4.15 per 1,000 gallons over the maximum 4,000 gallons per EDU in any quarter.
2. Schedule of Attorney Fees
  - A. Legal work undertaking collection and representation in actions involving municipal claims will be billed at \$120.00 per hour with a minimum fee of \$150.00 for each municipal lien filed.
  - B. Court attendance on actions involving municipal claims will be billed at \$120.00 per hour.
3. Inspection Fees
  - A. A fee of \$25.00 per EDU, or a portion of an EDU, is collected after inspection is completed by the Borough Foreman. The inspection fee is due within 30 days of the date of inspection.



### **Appendix 3**

#### **Increase effective for the 4<sup>th</sup> Quarter billing of 2016**

Motion adopted at the Authority's July 12 and September 13, 2016 regular meetings.

#### **WATER RENTS AND FEES**

##### **A. Single Unit Users:**

1. Where meter sizes are one (1) inch and smaller, the residential dwelling unit rental shall be a minimum of Fifty One Dollars and Zero Cents (\$51.00), plus Six Dollars and Forty Five Cents (\$6.45) for each one thousand (1,000) gallons of water over four thousand (4,000) gallons of usage in any quarter.
2. Where meter sizes are one (1) inch and smaller, the commercial establishment rental shall be a minimum of Fifty Six Dollars and Nineteen Cents (\$56.19), plus Six Dollars and Forty Five Cents (\$6.45) for each one thousand (1,000) gallons of water over four thousand (4,000) gallons of usage in any quarter.
3. Where meter sizes are greater than one (1) inch, up to and including two (2) inches, the minimum commercial establishment rental shall be Two Hundred Thirty Eight Dollars and Twenty Two Cents. (\$238.22), plus Six Dollars and Forty Five Cents (\$6.45) for each one thousand (1,000) gallons of water over four thousand (4,000) gallons of usage in any quarter.
4. Where meter sizes are greater than two (2) inches, up to and including four (4) inches, the minimum commercial establishment rental shall be Seven Hundred Eighty Five Dollars and Thirteen Cents (\$785.13), plus Six Dollars and Forty Five Cents (\$6.45) for each one thousand (1,000) gallons of water over four thousand (4,000) gallons of usage in any quarter.
5. Where meter sizes are greater than four (4) inches, the minimum commercial establishment rental shall be One Thousand Five Hundred Eighteen Dollars and Ninety One Cents (\$1,518.91), plus Six Dollars and Forty Five Cents (\$6.45) for each one thousand (1,000) gallons of water over four thousand (4,000) gallons of usage in any quarter.
6. Where meter sizes are one (1) inch and smaller, the minimum industrial establishment rental shall be Sixty Six Dollars and Fifty Four Cents (\$66.54), plus Six Dollars and Forty Five Cents (\$6.45) for each one thousand (1,000) gallons of water over four thousand (4,000) gallons of usage in any quarter.
7. Where meter sizes are greater than one (1) inch, up to and including two (2) inches, the minimum industrial establishment rental shall be Two Hundred Seventy Six Dollars and Fifty Six Cents (\$276.56), plus Six Dollars and Forty Five Cents (\$6.45) for each one thousand (1,000) gallons of water over four thousand (4,000) gallons of usage in any quarter.

### **Appendix 3**

#### **Increase effective for the 4<sup>th</sup> Quarter billing of 2016**

**Motion adopted at the Authority's July 12 and September 13, 2016 regular meetings.**

8. Where meter sizes are greater than two (2) inches, up to and including four (4) inches, the minimum industrial establishment rental shall be Nine Hundred Seven Dollars and Fifty Nine Cents (\$907.59), plus Six Dollars and Forty Five Cents (\$6.45) for each one thousand (1,000) gallons of water over four thousand (4,000) gallons of usage in any quarter.
  9. Where meter sizes are greater than four (4) inches, the minimum industrial establishment rental shall be One Thousand Seven Hundred Fifty Four Dollars (\$1,754.27), plus Six Dollars and Forty Five Cents (\$6.45) for each one thousand (1,000) gallons of water over four thousand (4,000) gallons of usage in any quarter.
  10. Fire hydrant rates shall be Thirty Five Dollars and Eighty-Eight Cents (\$35.88) per hydrant per quarter.
  11. Sprinkling system rates shall be Eighty Dollars and Ninety Nine Cents (\$80.99) per unit per quarter.
- B. Multiple unit users:**
1. Where more than one (1) multiple unit user occupies premises having only one (1) meter, the minimum multiple unit rental shall be Fifty One Dollars and Zero Cents (\$51.00) for each separate residential dwelling unit, Fifty Six Dollars and Nineteen Cents (\$56.19) for each separate commercial establishment, and Sixty Six Dollars and Fifty Four Cents (\$66.54) for each separate industrial establishment, plus Six Dollars and Forty Five Cents (\$6.45) for each one thousand (1,000) gallons of water over four thousand (4,000) gallons of usage in any quarter.
- C. Schedule of Attorney Fees**
1. Legal work undertaking collection and representation in actions involving municipal claims \$120.00 an hour with a minimum of \$150.00 for each municipal lien filed.
  2. Court attendance on actions involving municipal claims \$120.00 an hour.
- D. Inspection Fee**
1. This fee of \$25.00 per EDU, or a portion of an EDU, is collected after inspection is completed. The inspection fee is due within 30 days of the date of inspection.
- E. Disconnect/Reconnection Charges**
1. When service is discontinued for a failure to pay any bill when due, for any violation of the Rules and Regulations of this Authority or at the request of the property owner there shall be assessed a service discontinuance fee of Fifty Dollars (\$50.00) and a service reinstatement fee of Fifty Dollars (\$50.00).





## Appendix 4

**MIDDLEBURG TAPPING FEE WATER****1 Capacity Part**

## Tapping Fee Computation

Original Plant Construction 1989

Capacity Part

WTP Project Cost	985286	
Grant Funding	110000	
Amount subject to tap fee	875286	ENR Index 1989
ENR Index 1989	4615	
ENR Index 2005	7415	
Ratio	1.606717226	
Escalated Cost	1409210.46	
Less existing debt	168161	(PennVest Balance)
WTP Adjusted Cost	1241049.46	
Capacity 175 gpm or	252000	GPD
Tapping fee based on capacity cost $\frac{\$1,241,049}{252,000} = 4.92$ /gal		

**Plant Expansion**

Construction and Soft costs	\$526,896	
Section 313 grant	<u>\$526,896</u>	
Amount available for tap fee	\$0	
Tap fee for capacity part		\$4.92 /gal

**2 Distribution Part****Distribution Replacement Cost**

0	
0	
\$4,767,139	Note 1

**Route 522 replacement project**

total project cost	\$386,375
USCOE 313 grant	<u>\$386,375</u>
Amount available for tap fee	\$0

Total Distribution cost	\$4,767,139	
Existing debt	<u>\$121,985</u>	GMAC loan balance
Distribution Adjusted cost	\$4,645,154	

Capacity	344,000	GPD *permitted yield all sources
	226	

**Tapping Fee based on**

distribution capacity	$\frac{\$4,645,154}{344,000} = 13.50$ /gal
-----------------------	--

**3 Special Purpose Part**

not applicable

#### 4 Reimbursement Part

$$226 \times \$2.95/\text{gal} = \$666.70/\text{edu}$$

#### Tapping Fee Calculations

From 2000 Census Data

Middleburg Borough	2.26
Franklin Township	2.51
Average	2.39

Use 65 gpcd/person per act

$$2.39 \times 65 = 1.55 \text{ gpd/edu}$$

#### Tapping Fee

Capacity Pert	\$4.92	/gal	x	155	=	\$762.60
Collection Pert	\$13.50	/gal	x	155	=	\$2,092.50
Special Purpose	\$0.00	/gal				
Reimbursible Pert	\$0.00	/gal				
	<u>\$18.42</u>	/gal				

$$\text{Maximum Tapping Fee} = 155 \times 18.42/\text{gal} = 2855.10/\text{EDU}$$

**The Water Tapping Fee was set at \$1,500.00/EDU by the Middleburg Municipal Authority**

**Note 1** Replacement cost plus 20% for project soft cost

## MIDDLEBURG SEWER TAPPING FEE COMPUTATION

### 1 Capacity Part Tapping Fee Computation

#### Treatment Plant

STP project cost 1999	\$2,224,592	Note 1	
ENR Index 1999	6,059		
ENR Index May 2005	7,415		
Ratio	1.22		
Adjusted STP cost	\$2,714,002		
Less existing debt	\$1,864,072	Note 2	
STP adjusted cost	\$849,930		
STP capacity	450,000	gpd	
Tapping fee based on STP capacity	$\frac{\$849,930}{450,000}$	= 1.89 gpd	/gal

### 2 Collection Part

#### Original collection system based on Engineer's opinion of replacement cost.

48,440 LF - 8" O pipe @ \$85/LF	\$4,117,400
project soft costs @ 20%	\$823,480
Total project cost	\$4,940,880

#### Paxtonville Road, East Middleburg, and West Middleburg extension.

Construction cost 1999	\$1,838,378	
project soft costs @ 20%	\$345,581	
Total project cost	\$2,183,959	GPD
Deduct grant	\$230,218	
	\$1,953,741	
ENR Index 1999	6,059	
ENR index June 2005	7,415	
Ratio	1.22	
Adjusted sewer cost	\$2,383,564	
Less outstanding debt	\$1,830,085	
Adj sewer cost less out. Debt	\$553,479	

#### Furnace Road and interceptor project

Construction cost 2002	\$358,021	
project soft costs @ 20%	\$37,500	
Total project cost	\$395,521	
Deduct grant	\$339,673	Note 3
Local share	55,848	
ENR Index 1999	6,538	
ENR index June 2005	7,415	
Ratio	1.13	
Adjusted sewer cost	\$63,108	

### **Total Adjusted Sewer Cost**

Main collection system	\$4,940,880
Paxtonville / East Middleburg / West Middleburg	\$553,479
Furnace Road	\$63,108
<b>TOTAL</b>	<b>\$5,557,467</b>

Collection system capacity 1,152,000 *Note 4*

Tapping fee for collection pert  $\frac{\$5,557,467}{1,152,000} = 4.82$  /gal  
gpd

### **3 Special Purpose Part** not applicable

### **4 Reimbursement Part** not applicable

### **Tapping Fee Calculations**

From 2000 Census Data	
Middleburg Borough	2.26 people / home
Franklin Township	2.51 people / home
Average	2.39

Use 90/gpd/person/act

GPD/EDU=2.39 x 90 \$215 gpd/edu

### **Tapping Fee**

Capacity Pert	\$1.89 /gal	215x1.89= \$406.35
Collection Pert	\$4.82 /gal	215x4.82= \$1,036.30
Special Purpose	\$0.00 /gal	
Reimbursable Pert	\$0.00 /gal	
	<b>\$6.71 /gal</b>	

Maximum Tapping Fee= 215 x  
\$6.71/gal = \$1,442.65/EDU

**The Middleburg System Tapping Fee was set at \$1,400.00/EDU by the Middleburg Municipal Authority**

#### ***Note 1:***

STP cost based on records obtained from RUS and Authority files. Construction Cost \$1,872,592.80; soft cost \$697,580 x .5046.

#### ***Note 2:***

Balance of existing RUS construction \$3,694,157 x 0.5046

#### ***Note 3:***

Grant contribution determined based on % of project funded by grant dollars 85.88% (\$1.5/million grant prorated between Furnace Road, Kissimmee and Paxtonville Road pump stations).

#### ***Note 4:***

Collection system capacity based on STP influent pump station capacity 800 GPM x 1440 = 1,152,000 gpd.

**RESOLUTION NO. 2016 - \_\_\_\_\_**

**A RESOLUTION OF THE MIDDLEBURG MUNICIPAL AUTHORITY,  
SNYDER COUNTY SETTING KISSIMMEE SYSTEM TAPPING FEE**

It is hereby resolved, pursuant to Section 4 of the Pennsylvania Municipal Authorities Act as follows:

1. The tapping fee for a new service connection, or up-grade service (increased expected flows) to an existing connection, to the Kissimmee sewer system shall be \$1,500.00 per EDU (based upon 250 GPD).
2. This amendment shall become effective immediately.

ADOPTED this 16th day of August, 2016.

**MIDDLEBURG MUNICIPAL AUTHORITY**

**ATTEST:**

Beverly D. Black  
Secretary

By: Charles W. Zechman  
Charles W. Zechman, Chairman

(Authority Seal)

**RESOLUTION NO. 2016 - \_\_\_\_\_**

**A RESOLUTION OF THE MIDDLEBURG MUNICIPAL AUTHORITY,  
SNYDER COUNTY SETTING KISSIMMEE SYSTEM TAPPING FEE**

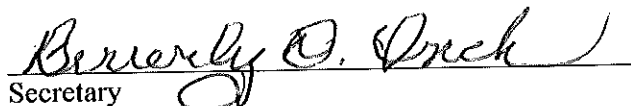
It is hereby resolved, pursuant to Section 4 of the Pennsylvania Municipal Authorities Act as follows:

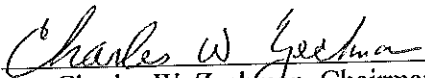
1. The tapping fee for a new service connection, or up-grade service (increased expected flows) to an existing connection, to the Kissimmee sewer system shall be \$1,500.00 per EDU (based upon 250 GPD).
2. This amendment shall become effective immediately.

ADOPTED this 16th day of August, 2016.

**MIDDLEBURG MUNICIPAL AUTHORITY**

**ATTEST:**

  
Secretary

By:   
Charles W. Zechman, Chairman

(Authority Seal)





**APPLICATION FOR WATER SERVICE  
TO THE  
MIDDLEBURG MUNICIPAL AUTHORITY  
AND THE  
BOROUGH OF MIDDLEBURG**

The undersigned hereby requests to be supplied with public water from the Middleburg Municipal Authority and the Borough of Middleburg for the purpose shown hereon, and none other. The applicant agrees to pay in accordance with the most current schedule of rates and to comply with the rules and regulations of the Municipal Authority.

Applicant agrees to claim no damages on account of the stoppage of the flow of water if caused by accident, act of God or other natural causes, or if necessary to make other alterations, repairs or improvements, and agrees to keep all plumbing and fixtures on the premises in repair and to promptly stop leaks.

Applicant further agrees to pay the water rent for the premises subscribed for at the office of the Middleburg Borough when due, or until property owner orders the water service cut off, or gives notice to the Borough of transfer of said premises.

For failure to comply with this agreement, or any part thereof, the Borough may cut off the water service from the premisses without notice.

The Tapping Fee for a new service is \$1,500.00 per equivalent dwelling unit (EDU/250 gpd) as adopted by the Middleburg Municipal Authority on June 14, 2005, which has been established in compliance with Act 57 of 2003.

SIGNATURE OF APPLICANT \_\_\_\_\_ DATE \_\_\_\_\_

LOCATION OF NEW SERVICE \_\_\_\_\_

CHECK TYPE OF SERVICE: RESIDENTIAL \_\_\_\_\_ COMMERCIAL \_\_\_\_\_ INDUSTRIAL \_\_\_\_\_

NUMBER OF EQUIVALENT DWELLING UNITS (EDU'S): \_\_\_\_\_

TAPPING FEE: \$1,500.00 PER EDU (BASED ON 250 GPD)

PAID \_\_\_\_\_ RECEIVED BY \_\_\_\_\_  
AMOUNT/CHECK # DATE

CONNECTION APPROVED BY MIDDLEBURG MUNICIPAL AUTHORITY DURING THEIR MEETING:

DATED \_\_\_\_\_ SIGNATURE \_\_\_\_\_  
Authority Chairman

INSPECTED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

**APPLICATION FOR SEWER SERVICE TO THE MIDDLEBURG FACILITY  
OWNED BY THE MIDDLEBURG MUNICIPAL AUTHORITY**

The undersigned, \_\_\_\_\_, hereby requests the dwelling/business, located at \_\_\_\_\_ be connected to the sanitary sewer main on the premises immediately adjacent to or abutting within 150 feet of the sanitary sewer main to discharge sewage therefrom into the sanitary sewer in accordance with the current Rules and Regulations of the Middleburg Municipal Authority, included with this application. The applicant will be subject to all rates, fees and charges in effect at the time of such connection or any thereafter imposed by the Middleburg Municipal Authority.

I hereby agree to claim no damages from the Middleburg Municipal Authority for the stoppage of sewer service if caused by accident, by act of God, or other natural cause, or if such stoppage of service is necessary to make alterations, repairs or improvements.

I further agree to pay the sewer rent for the premises subscribed for by me at the office of the Middleburg Borough when due or until such time that sewer service is no longer needed, or I no longer own the property.

*I, the owner, understand that if I refuse to install and connect the building sewer within sixty (60) days, the Authority shall have the right, inter alia, to install and connect the building sewer and to impose a tapping fee and a connection fee for the cost of such installation against me. I shall indemnify the Authority from any loss that may directly or indirectly be occasioned by the installation of the building sewer. All building sewers and service laterals shall be maintained by and at the sole expense of the property owner.*

*I understand that upon approval of this Application for Sewer Service, the One Thousand Four Hundred Forty Dollars (\$1,440) Tapping Fee, per each Equivalent Dwelling Unit (EDU), shall immediately be paid and will be non-refundable and shall be forfeited in the event that the sewer connection is not made by the applicant. This Tapping Fee has been updated and is in compliance with Act 57 of 2003 and was adopted by the Municipal Authority Board on June 14, 2005.*

APPLICANT'S/OWNER'S SIGNATURE: \_\_\_\_\_  
Signature \_\_\_\_\_ Print Name \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

NATURE OF SERVICE : \_\_\_\_\_ NUMBER OF EDU's: \_\_\_\_\_

TAPPING FEE : \$1,440 (One Thousand Four Hundred Forty Dollars) per EDU

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_ BY \_\_\_\_\_  
Authority Chairman

INSPECTED BY \_\_\_\_\_ DATE: \_\_\_\_\_

**APPLICATION FOR SEWER SERVICE TO THE KISSIMMEE FACILITY  
OWNED BY THE MIDDLEBURG MUNICIPAL AUTHORITY**

The undersigned, \_\_\_\_\_, hereby requests the dwelling/business, located at \_\_\_\_\_ be connected to the sanitary sewer main on the premises immediately adjacent to or abutting within 150 feet of the sanitary sewer main to discharge sewage therefrom into the sanitary sewer in accordance with the current Rules and Regulations of the Middleburg Municipal Authority, included with this application. The applicant will be subject to all rates, fees and charges in effect at the time of such connection or any thereafter imposed by the Middleburg Municipal Authority.

I hereby agree to claim no damages from the Middleburg Municipal Authority for the stoppage of sewer service if caused by accident, by act of God, or other natural cause, or if such stoppage of service is necessary to make alterations, repairs or improvements.

I further agree to pay the sewer rent for the premises subscribed for by me at the office of the Middleburg Borough when due or until such time that sewer service is no longer needed, or I no longer own the property.

*I, the owner, understand that if I refuse to install and connect the building sewer within sixty (60) days, the Authority shall have the right, inter alia, to install and connect the building sewer and to impose a tapping fee and a connection fee for the cost of such installation against me. I shall indemnify the Authority from any loss that may directly or indirectly be occasioned by the installation of the building sewer. All building sewers and service laterals shall be maintained by and at the sole expense of the property owner.*

*I understand that upon approval of this Application for Sewer Service, the One Thousand Five Hundred Dollars (\$1,500) Tap Fee per Equivalent Dwelling Unit (EDU) shall immediately be paid and will be non-refundable and shall be forfeited in the event that the sewer connection is not made by the applicant. This Tap Fee has been updated and is in compliance with Act 57 of 2003 and was adopted by the Municipal Authority Board on August 16, 2016.*

APPLICANT'S/OWNER'S SIGNATURE: \_\_\_\_\_  
Signature \_\_\_\_\_ Print Name \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

NATURE OF SERVICE : \_\_\_\_\_ NUMBER OF EDU's: \_\_\_\_\_

TAPPING FEE : \$1,500.00 (One Thousand Five Hundred Dollars) per EDU

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_ BY \_\_\_\_\_  
Authority Chairman

INSPECTED BY \_\_\_\_\_ DATE: \_\_\_\_\_

BREAKDOWN  
FOR  
RESTAURANTS,  
CHURCHS, ETC  
FOR BILLING PURPOSES

**Middleburg Municipal Authority**  
**Equivalent Dwelling Unit (EDU) Schedule**  
**Effective Date: January 1, 2009**  
*(Nov. 10, 2009)*

1. Each improved property shall be charged a tap-on fee as a specific amount per Equivalent Dwelling Unit (EDU) applicable to such improved property, as determined by the Authority, from time to time. The number of EDUs applicable to each improved property shall be determined as follows:

Description of Improved Property	Number of EDUs
Single Family Dwelling – full or part time	1.0
Multiple Family Dwelling – per family	1.0
Trailer/Mobile Home	1.0
Apartment House – per unit	1.0
Hotel or Motel – per two units or fraction thereof:	1.0
Restaurant, Club or Tavern – per 20 seats or fraction	1.0
Church per 150 seats in the sanctuary or fraction thereof:	1.0
Community Hall	1.0
Commercial Mechanical Service Station	1.0
Car Washes – every 3 bays	1.0
Beauty/Barber Shop, attached or unattached to dwelling – per chair	1.0
each additional chair	0.5
Laundromat – per every two washers	1.0
Commercial/Industrial Establishment – no process wastewater and no employee showers	
10 Employees or less located on site	1.0
Each 5 additional employees	0.5
Commercial/Industrial Establishment – no process wastewater with employee showers	
8 Employees or less located on site	1.0
Each 4 additional employees	0.5
Funeral Homes	2.0
Doctor's office – per three examination rooms	1.0
Nursing Home – per two beds	1.0

A new user that does not meet a specified category in the above schedule shall have the Authority determine the number of EDU's after reviewing pertinent wastewater flow information. A wastewater flow of 215 gallons per day per EDU will be used to compute the number of EDU's assigned.

Additional tapping fees may be assessed if the use of the facility changes from the initial application and the number of EDU's increases from that determined in the original application.

# FIRE HYDRANT INFORMATION

**MIDDLEBURG MUNICIPAL AUTHORITY**  
**13 N. Main Street**  
**Middleburg PA 17842**  
**570-837-2533**

**HYDRANT TAP AGREEMENT**

Requestor: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone Number: \_\_\_\_\_ (day)  
\_\_\_\_\_ (evening)

Name of Person Submitting Request: \_\_\_\_\_  
(If different than Requestor)

The Requestor agrees to the following:

1. To be responsible for, save and hold the Municipal authority harmless from any and all liability with respect to drawing water form an Authority hydrant.
2. To draw water only from the hydrant(s) so designated by the Authority.
3. To draw water at the maximum rate of \_\_\_\_\_ GPM.
4. To draw water only through a meter provided by the Authority.
5. To pay for all water drawn according the Authority's regular water rental rate, within \_\_\_\_\_ days of billing.
6. To pay for all Authority operator time in accordance the Authority's established rate.
7. To cease drawing water immediately upon notification by the Authority.
8. Water connection and disconnection shall be made by Authority personnel only.
9. To reimburse the Authority for any and all damage to the hydrant(s) and/or meter(s) immediately upon billing.

By signing this request form, I hereby state that I am authorized by the Requestor to enter into this agreement and legally bind the Requestor to the terms hereof.

\_\_\_\_\_  
Signature of Requester

\_\_\_\_\_  
Date