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**PART 1**

**RATES, RENTS AND CHARGES**

**§26-101. Definitions.**

**AUTHORITY** - Port Royal Municipal Authority, a Pennsylvania Municipality Authority.

**BOROUGH** - the Borough of Port Royal, Juniata County, Pennsylvania, a Pennsylvania municipality acting by and through its Council or, in appropriate cases, acting by and through its authorized representatives.

**CONSUMER** - a person who, prior to, upon or after the effective date hereof, has contracted or shall contract for water service for a consumer unit and/or a person who, upon or after the effective date hereof, is receiving or shall receive water service for a consumer unit, with respect to the water system.

**CONSUMER UNIT** - any room, group of rooms, house trailer, building or other enclosure occupied by one business or occupied or intended for occupancy as separate living quarters by one family or group of persons living together or by a person living alone.

**LEASE** - the agreement of lease, dated for convenience as of September 15, 1965, between the Authority and this Borough, with respect to the water system.

**PERSON** - an individual, partnership, an association, a corporation, a joint stock company, a trust, an unincorporated association, a governmental body, a political subdivision, a municipality, a municipality authority or other group or entity.

**TOWNSHIPS** - the Townships of Turbett and Milford, both situate in Juniata County, Pennsylvania, Pennsylvania municipalities.

**WATER SYSTEM** - the water works, water supply works and water distribution system facilities, together with all appurtenant facilities and properties, including all property, real, personal and mixed, owned by the Authority, together with all appurtenant facilities which the Authority shall acquire, including all property, real, personal and mixed, rights, powers, licenses, easements, rights-of-way, privileges, franchises and all other property or interests in property of any nature, for use in connection with constructing, operating and maintaining said water facilities and all additions, extensions and improvements which hereafter, from time to time, may be made thereto and which facilities shall be leased by the Authority to this Borough under and pursuant to the lease for operation and use, whether such facilities shall be located in this Borough or in the Townships.

(Ord. 89, 9//20/1965, §1)

## WATER

### §26-102. Water Rates, Rents and Charges.

1. **Effective Date.** Water rentals are imposed and shall be collected from the owner(s) of each improved property which shall be connected to the water system, for use of the water system, which such use shall be direct or indirect, which water rentals shall commence and shall be effective as hereinafter set forth in this Part, i.e., February, 2003, or as of the date of connection of each such improved property to the water system, whichever event last shall occur, and shall be payable as provided herein, in accordance with the following schedules of rates and classifications.
2. **Residential.** All owners of private dwelling units will be billed a flat rate monthly. Any increase in rates will be adopted by resolution. We will not bill tenants only owners, no exceptions will be made. Owners of property can hand bill to tenants or increase their rent to cover water and sewer charges.
3. **Nonresidential.** All owner(s) of nonresidential improved properties shall pay sewer rental charges monthly according to the number of Equivalent Dwelling Units they may have. See Sewer Billing Consumption Charges at Appendix "A."

(Ord. 89, 9/20/1965, §2; as amended by Ord. 2/6/1969, by Ord. 6/2/1978; by Ord. 8/2/1979, by Ord. 12/6/1979, by Ord. 12/2/1982, by Ord. 9/14/1993, by Ord. 1995-1, -/1995; by Ord. 1999-1, 3/3/1999; and by Ord. 2003-02, 12/3/2003, §1)

### §26-103. Special Classification.

1. **Fire Hydrants.** The water rate, rent and charge for each fire hydrant shall be \$9.50 per month, billed monthly and payable within 15 days to avoid penalty.
2. **Construction.** The water rate, rent and charges for each consumer for building purposes on a new building in which water is installed shall be handled in the same manner. Water meter installed and billed monthly.

(Ord. 89, 9/29/1965; as amended by Ord. 2/6/1969, by Ord. 6/2/1978; by Ord. 12/2/1982, by Ord. 1991-1, 8/16/1991; by Ord. 9/14/1993; and by Ord. 2003-02, 12/3/2003, §1)

### §26-104. Billing and Payment.

1. **Billing Dates.** All water and sewer is billed monthly and bills are sent the first week of the month. [Ord. 2003-02, 12/3/2003, §1]

2. **Late Payments.** All bills for consumer units for water service shall constitute the net bill and shall be due and payable of the date thereof. If any such net bill for water service shall not be paid within 15 calendar days after the same has become due and payable, such net bill shall be deemed delinquent and a penalty of 5% shall be added to such net bill, which net bill, plus such penalty, shall constitute the gross bill. Payment made or mailed and postmarked on or before the last day of such 15 day period, as above set forth, shall constitute payment within such period. If the end of such 15 day period shall fall on a legal holiday or a Sunday, payment made or mailed and postmarked on the next succeeding business day which is not a legal holiday shall constitute payment within such 15 day period.
3. **Discontinued Service.** If a bill for a consumer unit shall remain unpaid for a period of 60 days after the same shall have become due and payable, water service may be discontinued by this Borough upon 5 days written notice to the consumer whose bill is delinquent, in which case water service will not be restored until the gross bill, together with any turn-on charge in effect at the time, shall have been paid.
4. **Prorated Charges.** Whenever water service to any consumer unit shall begin after the first day or shall terminate before the last day of any month, the water rates, rents and charges for such period shall be prorated equitably for that portion of the quarter annum period during which service was provided. [*Ord. 2003-02, 12/3/2003, §1*]
5. **Correct Address.** Each bill for a consumer unit for water service shall be made out in the name of the consumer. Each consumer initially shall provide this Borough with, and thereafter shall keep this Borough advised of, his correct address. Failure to receive a bill for water service shall not be considered an excuse for nonpayment, nor shall such failure result in an extension of the period of time during which such bill shall be payable without penalty.
6. **Abatement of Water Bill.** A consumer desiring abatement of a water bill due to a vacancy shall give notice, in writing, to this Borough requesting water service to be shut off. All vacancies shall date from the day the required notice is received by this Borough or from the date specified in the notice requesting water service to be shut off, whichever is later. Allowance shall be made for the period of vacancy in computing the bill of the consumer. Provided, however, that no abatement shall be made for a period of less than 1 month.
7. **Fire Hydrants.** Bill for fire hydrant charges shall be rendered monthly. [*Ord. 2003-02, 12/3/2003, §1*]

(*Ord. 89, 9/20/1965; as amended by Ord. 2003-02, 12/3/2003, §1*)

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### **§26-105. Enforcement.**

Proper officers of this Borough are authorized and directed to do all things and to take all legal action necessary, including the filing of municipal claims in accordance with law, to enforce collection of water rates, rents and charges established and imposed hereby and otherwise to carry out provisions hereof.

*(Ord. 89, 9/20/1965)*

### **§26-106. Rules and Regulations.**

1. This Borough, from time to time, in accordance with law, by appropriate ordinance or resolution, may adopt such additional rules and regulations as, in the opinion of the Council of this Borough, may be desirable, beneficial or necessary for or in connection with use and operation of the water system and which shall govern and control the distribution and supply of water by this Borough to consumers in this Borough and in the Townships.
2. Any such rules and regulations shall be construed in conjunction with provisions hereof and shall become effective upon the date fixed by this Borough upon adoption thereof.

*(Ord. 89, 9/20/1965)*

### **§26-107. Effective Date and Applicability.**

This Part shall become effective upon the date when this Borough shall enter into possession and operation of the water system under and pursuant to the lease and shall be applicable to all consumers then connected with or thereafter to be connected with and served by the water system.

*(Ord. 89, 9/20/1965)*

### **§26-108. Declaration of Purpose.**

It is declared that enactment of this Part is necessary for the protection, benefit and preservation of the health, safety and welfare of inhabitants of this Borough.

*(Ord. 89, 9/20/1965)*

**PORT ROYAL MUNICIPAL AUTHORITY**

**WATER & SEWER BILLING**

**WATER METERED CONSUMPTION CHARGES:**

To customers of the Port Royal Municipal Water & Sewer Authority:

Up to 2000 gal. per month	\$9.50 per month
2001 to 7000 gal. per month	\$2.50 per 1,000 gal.
7001 gal. and up per month	\$2.00 per 1,000 gal.

**SEWER BILLING CONSUMPTION CHARGES:**

This will be billed monthly along with the water billing

1 Sewer Unit	\$28.33
1 1/2 Sewer Unit	\$42.50
2 Sewer Units	\$56.66
2 1/2 Sewer Units	\$70.83
3 Sewer Units	\$84.99
4 Sewer Units	\$113.32

For higher # of units call Borough Office for pricing.

Bills are considered past due & subject to penalty after the due date listed on the postcard.

**TURN-ON AND TURN-OFF FEES:  
COST IS \$30.00 FOR EACH**

These charges shall be assessed when an owner requests that service be turned off for a period in excess of 14 days or when service is terminated or shut off because of the owners failure to pay any water service charges. Water service will be restored only after payment to the Borough for the costs of discontinuance and restoration of service and all other arrangements.

**PORT ROYAL MUNICIPAL AUTHORITY**



**PART 2**

**OPERATION AND MAINTENANCE OF WATER AND SEWER LINE;  
CHARGES**

**§26-201. Introductory Matters.**

1. **Authority for Part.** This Part is adopted in conformance with and pursuant to authority granted by §§1202(2), 2401 and 2461 of the Borough Code (53 P.S. §§46202(2), 47401 and 47461), as amended.
2. **Title of Part.** This Part shall be known and may be cited as the "Port Royal Borough Water and Sewer System Ordinance."
3. **Purpose.**
  - A. From and after the passage of this Part, the Borough of Port Royal will supply water and sewer service to the public under the provisions of this Part. All consumers taking water or receiving sewer service from the Borough shall be bound by the provisions of this Part and all regulations made by the Borough Council in pursuance of the same.
  - B. This Part is necessary for the protection and preservation of the health, safety and welfare of the inhabitants of the Borough.
4. **Definitions.**

**BOROUGH** - Port Royal Borough, Juniata County, Pennsylvania, or the Borough acting through its Council or through its authorized representatives.

**BUILDING CONSTRUCTION** - the private water line or sewer line from a curb stop or property line to a dwelling or other building of an improved property with any related fittings and valves.

**COUNCIL** - the Borough Council of the Borough.

**CUSTOMER** - any individual, owner of improved property or other legal entity who receives water or sewer service from the Borough.

**IMPROVED PROPERTY** - a lot of land within the Borough of which is served by Borough water and/or sewer service possessed for continuous or periodic occupancy or use by a human being requiring water and sewer service for such occupancy or use.

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**OWNER** - a person vested with ownership, legal or equitable, sole or partial, of a property.

**PERSON** - a natural individual, firm, partnership, association, corporation or other group or entity which is the subject of legal rights and duties. Whenever used in any clause prescribing or imposing a penalty, person, when applied to a firm, partnership or association, shall mean the partners or members thereof and when applied to a corporation, the officers thereof.

**SERVICE CONNECTION** - the Borough waster and/or sewer line from the water main or sewer main to a curb stop or property line with any related fittings, valves and curb stops.

**SEWER MAIN** - a pipe or main of the sewer system used to collect, transport, dispose or treat sewage generated by a customer.

**SEWER SYSTEM** - the integrated facilities of the Borough for collecting, treating, storing and disposing of sewage generated by customers of the system.

**WATER MAIN** - a pipe or main of the water system used to distribute water.

**WATER SYSTEM** - the integrated facilities of the Borough for obtaining, treating, storing and distributing water.

(Ord. 2000-2, 7/5/2000, §1)

### **§26-202. Required Connection to and Use of Water System and Sewer System.**

- 1. Connection to Water System and Sewer System.** Every owner of an improved property abutting either a property subject to utility easement owned by the Borough, a public street, an alley, a road or other public highway in which there is a water line and/or sewer line or which has an improved structure situated within 150 feet of a water line and/or sewer line, shall connect the improved property to the water system and sewer system in the manner required by the Borough within 45 days after notice from the Borough.
- 2. Use of Water System and Sewer System.** After its connection to the water system and sewer system, all water used on the improved property shall be from the water system and all sewage generated on the property shall be disposed of by the sewer system operated by the Borough, subject to the limitations, restrictions and exceptions as are established by this Part or by resolution of the Borough, from time to time, enacted.

3. **Connection Notice.** The notice of required connection shall be in writing, shall specify the 45 days for connection and shall be accompanied by a copy of this Part and any effective amendments, a copy of any rules and regulations and a copy of the schedule of fees and rates. The notice may be given at any time the water system and/or sewer system can supply water and sewer service to the improved property. The notice shall be served on the owner by personal service, certified mail or any other method provided by law.
4. **Failure to Make Required Connection.** If the owner of an improved property fails to connect it to the water system and/or sewer system in accordance with this Part after 45 days notice from the Borough, the Borough may make the connection and charge the costs and expenses of connection to the owner. In such case, the Borough shall, upon completion of the connection, send an itemized bill of costs and expenses to the owner of the improved property, which bill shall be due and payable immediately.

(Ord. 2000-2, 7/5/2000, §2)

**§26-203. Water Meters and Connecting to the Water System, Obtaining Water Service and Connecting to the Sewer System.**

1. **Application for Service.** All applications for the introduction of water into any premises or for the extension of or addition to an pipes therein or for connection to the Borough sewer system shall be made, in writing, by the owner or authorized agent on forms furnished by the Borough and must set forth fully and truly all purposes for which such service is requested and required. A connection fee will be assessed for all properties so connected to the Borough system.
2. **Independent Connection.** Each improved property shall be connected with the water system and sewer system through a separate and independent building connection pursuant to the rules, regulations and conditions established by the Borough, except when, under special circumstances, for good cause shown, special permission, in writing, has been given by the Borough waiving this requirement.
3. **Meter.** Every building connection shall have a meter installed b one of the trained and certified plumbers. The meter shall be sized and installed so as to record with reasonable accuracy all water supplied to the improved property from the water system. The meter shall be maintained by the Borough for ordinary wear and tear, but maintenance or replacement incurred because of the negligence of the owner of the improved property shall be paid for by the owner.
  - A. **Date of Installation of Meters.** All meters shall be installed on existing improved lots within the Borough on or before June 30, 2000.

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- B. **Failure to Install Water Metering Device.** In addition to the penalties imposed by §26-207 of this Part, failure of any owner of an improved lot to install a water meter as required by the Borough shall constitute a violation of this Part for which water service to that improved lot shall be terminated within 15 days notice of such termination.
- C. **Damage to Meters.** Meters will be maintained by the Borough, so far as ordinary wear and tear is concerned, but damage due to freezing, hot water or external causes shall be paid for by the owner. The owner shall notify the Borough of any injury to or the nonworking of the meter, as soon as it comes to his knowledge.
- D. **Accuracy of Meters.**
- (1) The quantity recorded by the meter shall be conclusive on both the owner and the Borough, except when the meter has been found conclusively to be registering inaccurately or has ceased to register completely. In the case of inaccurate or nonfunctioning meters, the quantity shall be determined by the average registration over the preceding 12 month period when the meter was in proper order.
  - (2) In case of a disputed account involving the inaccuracy of a meter, such meter shall be tested on the request of the owner, in conformity with the provisions of the rules and regulations pertaining to water service utilities of the Public Utility Commission of the Commonwealth of Pennsylvania. In the event that the meter so tested is found to have an error in registration of 4% or more, the bills will be increased or decreased accordingly, as provided by the aforesaid rules. In the event that testing determines that a meter is 4% or more inaccurate, the cost of testing shall be borne by the Borough, otherwise the cost shall be paid by the owner.
- E. **Outside Meter Vaults.** Outside meter vaults may be installed at the request of the property owner. Such installation shall be pre-approved by the Borough. Costs for outside meter vault installation are to be paid for by the customer requesting such installation. The Borough of Port Royal will be the only party authorized to have access to such outside meter vault.
4. **Meters Property of Borough; Location, Maintenance and Testing of Meters.** All meters shall be furnished by the Borough, shall remain the property of the Borough and be accessible to and subject to its control. They shall be conveniently located at a point approved by the Borough so as to control the entire supply and a proper place and protection for the meter shall be provided by the consumer. The meter setting shall include the following and the installation of which shall be the responsibility of the property owner, stop cock on both side of meter and a dual check valve.

- A. Meters will be maintained by the Borough as far as ordinary wear and tear is concerned, but damage due to freezing, hot water or external causes shall be paid for by the owner. Where meters are located outside of the building, the owner shall be responsible for damage due to freezing. The owner shall notify the office of the Borough of any injury to or nonworking of the meter as soon as it comes to his knowledge.
- B. An owner may request a test of a meter for accuracy. The Borough may require a deposit to be made for such test. If the meter so tested shall be found to have an error in registration of less than 4%, the deposit required shall be retained by the Borough as compensation for such test, if the error in registration is found to be 4% or more, then the cost of the test shall be borne by the Borough and the amount of the deposit returned to the owner.
5. **Disconnection of Other Water Supply.** Upon connection of an improved property to the water system, use of every other water supply to the improved property must be discontinued and such water supply must be disconnected at the cost and expense of the owner from all facilities on the improved property served by the water system.
6. **Cross Connection Prohibited.** No direct or indirect cross connection is permitted between the water system and any other water supply.
7. **Water Turnoff or Removal of Meter.** No plumber, owner or other unauthorized person shall turn the water on or off at any corporation cock or curb stop or disconnect or remove the meter without the consent of the Borough.
8. **Failure to Remedy Unsatisfactory Condition.** If any person shall fail or refuse to remedy any unsatisfactory condition of a building connection within 45 days after written notice from the Borough, the Borough may refuse to permit the person to receive water from the water system until the unsatisfactory condition has been remedied to the satisfaction of the Borough.
9. **Inspection.** The Borough shall have the right to inspect an improved property to determine compliance with this Part and the rules and regulations governing service from the water system and sewer system.
10. **Fire Hydrants.** All fire hydrants shall be furnished, installed and maintained by the Borough. [Ord. 2003-02, 12/3/2003, §1]
11. **Connections.** Connections shall be made pursuant to rules and regulations adopted by Council. The Borough will make all connections to its mains, furnish, install and maintain all service lines from the main to the curb, alley line or property line when lines are installed on rights-of-way, including corporation cock, curb box and service pipe which shall be the property of the Borough and shall be always accessible to and under the control of the Borough Council or its authorized representative.

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- A. Each single building or property shall be supplied through the service pipe from a separate curb cock and box and no building shall be supplied by more than one service line, unless specifically approved or ordered by the Borough. When two or more buildings are supplied through a single service line as above, "approved or ordered by the Borough," any violation of the regulations of the Borough with reference to either or any of said buildings shall be deemed a violation as to all and the Borough may take such action as to all, as may be taken to a single building; provided, reasonable notice shall have been given to each consumer concerned.
- B. All connections, service lines and fixtures which are furnished or installed by the property owner shall be maintained by him in good order. All leaks in the service pipe on the outlet side of the curb cock or upon the premises supplied must be immediately repaired by the owner of the premises. The Borough, by its authorized agents, may enter the premises of any water consumer or sewer system customer at reasonable hours to examine pipes and fixtures and the quantity of water used and the sewer system components of said property.
- C. The Borough shall in no event be responsible for maintenance or for damage done by water escaping from the service pipe or fixture on the outlet side of the curb cock and the owner shall at all times comply with the governmental regulations with reference thereto and make changes thereon required to account of change of grade, relocation of mains or otherwise.
- D. The Borough may prescribe the minimum size and weight per foot of pipe and the kind and quality of all materials which shall be laid between the curb cock and the premises to be supplied or to the meter.
- E. In removing pavements or digging a trench, the material must be deposited in such manner as to guard against inconvenience to the public by obstructing streets, alleys or sidewalks.
- F. The replacement of earth, brick, stone or other material so disturbed shall be done in a workmanlike manner and the street, lane, alley or public ground be left in as good and solid construction as it was before being disturbed.
- G. No trench or hole in any street, alley or sidewalk shall be left open during the night unless properly guarded and lighted with signal lights.

(*Ord. 2000-2, 7/5/2000, §3; as amended by Ord. 2003-02, 12/3/2003, §1*)

**§26-204. Fees, Rates and Charges.**

1. **Connection Fee Required.** Before connection to the water system and/or sewer system, the owner of the improved property shall pay the Borough a connection fee, which fee shall be established, from time to time, by resolution of the Borough Council. The initial fee for this service provided for in this Part shall be as follows:
  - A. New construction, \$366 connection fee, plus the actual cost of the meter.
  - B. All other properties served by the Borough water and sewer system shall be charged \$366, plus the actual cost of the meter as a connection fee.
  - C. New construction, \$2,243 connection sewer tapping fee.
2. **Consumer Facilities Fee Required.** Before connection to the water system and/or sewer system, the owner of the improved property shall pay the Borough a customer facilities fee, which fee shall not exceed the actual cost of the building connection and the meter supplied and installed by the Borough. The Borough shall not charge a customer facilities fee for any facilities the owner of the improved property supplies and installs.
3. **Rates and Charges.** Every owner of an improved property connected to the water system and/or sewer system shall pay charges for water service and sewer service at reasonable rates as established by resolution of the Borough Council, for periods not longer than monthly. Each charge shall be due and payable not more than 30 days after billed and shall be increased by a penalty of 5% if not paid when due.
4. **Turn-Off and Turn-On Fees.**
  - A. The Borough shall have the right to discontinue water service and/or sewer service to an improved property for which fees or charges are delinquent, after the customer's failure to pay within a period of 30 days from the date of notice.
  - B. Whenever the Borough exercises such right, it shall charge and collect a turn-off fee and a turn-on fee, in addition to the delinquent fees and charges due, before restoring water service and sewer service to the improved property.
5. **Schedule of Fees and Rates.** From time to time, by resolution adopted at a public meeting, the Borough shall set the fees and rates imposed under this Part and shall adopt and keep available to the public a schedule of fees and rates.
6. **Billing and Collection Procedures.** From time to time, by resolution adopted at a public meeting, the Borough shall establish billing and collection procedures for fees and charges imposed pursuant to the Part.

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- A. All meters shall be read monthly and billed before the fifteenth day of the following month.
  - B. All bills for water service and/or sewer service shall be sent to the address given on the application for service or to the owner of the property which is being serviced. Failure of the occupant of the property to make proper payment shall result in a lien upon the real estate served by this water service and/or sewer service. Failure to receive bills so addressed shall not excuse nonpayment nor permit any extension of the period during which the bill is payable at a net or discounted amount.
  - C. All payments must be received at the bank or the Borough office on or before 11 a.m. on date due for proper credit.
7. **Liens for Fees and Charges.** Fees and charges imposed under this Part with respect to an improved property shall be liens on the property until paid. Such liens shall be promptly perfected by appropriate filings in the Office of the Prothonotary of Juniata County, Pennsylvania, and shall be enforced in the manner provided by law for collection of municipal claims.
8. **Civil Actions.** The Borough may collect delinquent water charges and sewer charges by civil action.

*(Ord. 2000-2, 7/5/2000, §4)*

### **§26-205. Rules and Regulations.**

#### **1. General Rules and Regulations.**

- A. All applications for the introduction of water service and/or sewer service into any premises or for the extension of or addition to any pipes therein shall be made, in writing, by the owner or authorized agent and must set forth fully and truly all purposes for which such service is requested and required. A connection fee pursuant to regulations established by the Borough Council will be assessed for all properties served by the Borough water and sewer system.
  - B. If a property is located partially within the Borough and partially with the Township and if both municipalities have water and sewer service available to that lot, then the municipality wherein the improved structure of that parcel lies shall provide the water and sewer service.
2. **Discontinuance of Service.** Service may be discontinued for any of the following reasons:

- A. For misrepresentation, in application as to property or fixtures to be supplied or the use to be made of the water supply and/or sewer service.
  - B. For the use of water and/or sewer service for any purpose other than that described in the application.
  - C. For alterations to property or fixtures covered by the application or changes in the use to be made of the water supply and/or sewer service, without notice to and the consent of the Borough.
  - D. For willful waste of water or generation of excess sewage or wasteful disposal thereof through improper or imperfect pipes, fixtures, meters or otherwise.
  - E. For use of any siphon pump.
  - F. For failure to protect the meter connections, service line or keep fixtures in good order.
  - G. For neglecting to make advance payment or for nonpayment of any account for water supplied, sewer service provided or water service or for meter or service maintenance or any fee or charge pertaining to the water utility and sewer service within 30 days after notice.
  - H. For molesting any service pipe, meter, curb, stop cock, seal or any other appliances of the Borough controlling or regulating the water supply.
  - I. In case of vacancy of premises.
  - J. For failure to install and connect water meter.
3. **For Violation of Any Regulation of the Borough.**
- A. Water will be turned off and sewer service will be discontinued on any premises which is vacant upon the written order of the owner, without in any way affecting the existing application. Consumers wishing to discontinue the use of water and/or sewer service must give notice, in writing, at the office of the Borough Secretary and must pay for all water used and sewer service up to the time such notice is given.
  - B. As necessity may arise, in case of breakdown, emergency or other unavoidable case, the Borough shall have the right to temporarily cut off the water supply and/or sewer service to make necessary repairs, connects, etc., but the Borough shall not be liable for any damage or inconvenience resulting to the owner by reason of such discontinuance. The Borough will use all reasonable measures to notify consumers in advance of interruptions to the supply of water or sewer service.

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- C. No water fixtures or appliance in connection therewith will be considered shut off until it is removed or disconnected in manner satisfactory to the Borough, so that it cannot be used again directly or indirectly.

### 4. **Renewal of Service.**

- A. A charge for reinstallation of meters, when removed for repairs because damaged in any way through no fault of the Borough, shall be as directed by the Borough by resolution, which charges include the cost of repairs and replacements, including test.
- B. When meters are removed at the request of the owner for testing, the following rules of the Public Utility Commission shall apply:
  - (1) "If a meter so tested shall be found to be accurate, within the limits therein specified, a fee indicated by Borough rate resolution shall be paid to the utility by the consumer requiring such test, if not so found, then the cost thereof shall be borne by the utility furnishing the service."
- C. When sewer service has been disconnected through nonpayment or at the request of the customer, the Borough shall by resolution establish a fee to be charged for reinstatement of said service upon payment of outstanding bills owed by the customer or at the request of the customer.

### 5. **Rights of the Borough.** The Borough shall have the following rights and immunities:

- A. The right to discontinue water service and sewer service, without notice and without liability for harm or inconvenience to any person or property owner, in case of breakdown or other emergency or to make necessary repairs, connections or extensions.
- B. The right to restrict the quantity of water service or the uses for which water will be served in case of scarcity or whenever, in the opinion of the Borough, the public welfare requires such restriction.
- C. The right of access at all reasonable hours of the day to all parts of any property connected to the water system and sewer system to make reasonable inspection or to shut off water.
- D. Immunity from liability for any harm resulting to any person or property on an improved property from leaks, broken pipes or lines or any other cause occurring or existing on the improved property.

- E. Immunity from liability for any damage to any connected property resulting from the bursting or breaking of any main or service pipe or any appliance or attachment to the water system and sewer system.
  - F. Immunity from liability for any harm or inconvenience from interruption of water service, lessening of the water supply, inadequate pressure, poor quality of water or any cause beyond the Borough's control.
  - G. The right to refuse to connect or provide service to any property and the right to discontinue service to any property in order to enforce the Borough's rules and regulations or to collect its charges.
  - H. No person shall use or authorize the use of any pipe, pipe fitting, solder or flux that is not lead-free in the construction, modification or repair of any plumbing system of the Borough. A person requesting or applying for connection to the water system or sewer system shall certify to the Borough that the materials used in the construction of the plumbing system to be connected are lead free. The terms "plumbing system" and "lead free" shall have the meanings given in the Plumbing System Lead Ban and Notification Act (35 P.S. §723.1 *et seq.*). All plumbing fixtures used in new construction repairs or renovations shall be of such design as to promote water conservation.
6. **Additional Rules and Regulations.** From time to time, by resolution adopted at a public meeting, the Borough may promulgate additional rules and regulations, as it deems necessary and proper, which additional rules and regulations, to the extent appropriate, shall be construed as a part of this Part.

(Ord. 2000-2, 7/5/2000, §5)

**§26-206. Payment.**

1. **Terms of Payment.**

- A. All service charges for the use of water and sewer service are due and payable monthly. A penalty fee of 5% will be added to bills unpaid after 15 days from the date of the bill.
- B. All bills for water and sewer service shall be rendered and payable monthly. Any bill not paid after 15 days from the date of the bill shall be subject to a 5% penalty fee.
- C. All bills will be mailed to the address designated on the application for service or to the owner of the property and failure to receive bills, when so mailed, will not be considered an excuse for nonpayment nor permit an extension of the period during which bills are paid at face. All changes of address shall be promptly reported to the Borough, in writing.

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- D. The owner of the property serviced shall be responsible to the Borough of Port Royal for payment for all water furnished and sewer service provided to the property, irrespective of any agreement between the property owner and a third party. The bill shall, in all cases, be rendered to the owner of the property.

(Ord. 2000-2, 7/5/2000, §6)

### §26-207. Violations.

1. **Separate Offenses.** Each violation of a separate provision of this Part and each day of violation shall be a separate offense.
2. **Penalties for Violation.** Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not less than \$100 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Such fine or imprisonment shall be in addition to any other penalty imposed by any other Section of this Part. [Ord. 2003-02, 12/3/2003, §1]

(Ord. 2000-2, 7/5/2000, §7; as amended by Ord. 2003-02, 12/3/2003, §1)

### §26-208. General.

1. The Borough shall not be liable for a claim made against it for any interruption in service, lessening of supply, inadequate pressure or inferior quality due to causes beyond its control.
2. No plumber, owner or other unauthorized person shall turn the water off or disconnect the sewer service at any Borough cock or curb stop or disconnect or remove the meter or other equipment owned by the Borough without the consent of the Borough.
3. The Borough may, at any time, restrict or regulate the quantity of water used or the sewer service provided to all customers in case of scarcity or whenever the public exigencies may require it.
4. The water must not be kept running at any time longer than its legitimate use requires.

5. No officer or employee of the Borough can vary these rules without action of the Borough Council and no agent or employee of the Borough can bind it by an agreement or representation, except when authorized, in writing, so to do by the Borough Council.

(Ord. 2000-2, 7/5/2000, §8)

**§26-209. Miscellaneous Provisions.**

1. **Geothermal Heat Systems.** Private wells shall be permitted within the Borough solely for the purpose of supplying underground water to a closed loop geothermal heat system servicing that particular structure and for providing solely nonpotable water for non-household consumption.
  - A. Before activating such system, inspection and approval of the system must be obtained from the Borough.
  - B. In the event this type of heat system is installed in any structure within the Borough, it is then required that a meter be installed for the purpose of measuring the amount of public water utilized by the structure for domestic water use. Further, no water from the geothermal well shall be used for domestic water consumption.
2. **Right of Borough to Alter and Amend Rules and Regulations.** The Borough reserves the right to alter and amend any rules and regulations pertaining to this Part.
3. **Gender.** The use of the singular in this Part shall include the plural and the use of the masculine shall include the feminine and neuter.
4. **Swimming Pools.** Water for the filling of residential swimming pools may be obtained from the customer's metered facility or may be obtained as follows:
  - A. Authorization to obtain water from a hydrant for this purpose must be obtained from the Borough in advance.
  - B. The use of hydrant water will result in a \$9.50 charge for meter and valve rental plus \$2 per 1,000 gallons of water consumed. [Ord. 2003-02, 12/3/2003, §1]
5. The Borough Fire Company shall forward a monthly report of gallons pumped for both metered hydrant usage and estimated fire usage.

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6. All consumers and owners shall be responsible for keeping bushes and shrubs trimmed away from the outside portions of the meter so that it can be easily accessible and ready by representatives of the Borough.
  - A. In the event of a large snow fall the Borough requests a path be shoveled to the owners meter pit or touch pad, whichever the case may be.

(*Ord. 2000-2, 7/5/2000, §9; as amended by Ord. 2003-02, 12/3/2003, §1*)

**PART 3**

**WATER SHORTAGE**

**A. Water Shortage Response.**

**§26-301. Water Shortage Response Plan.**

The "Water Shortage Response Plan of Port Royal Borough" hereby adopted and attached hereto. This plan may be modified and updated by Council resolution.

*(Ord. 1988-3, 10/6/1988, §1)*

**§26-302. Nonessential Uses of Water.**

Those uses of water not essential to the protection of public health and safety are deemed nonessential. Nonessential uses of water may be restricted by both voluntary and mandatory measures as prescribed and outlined within the water shortage response plan. A list of nonessential water uses is included in the plan.

*(Ord. 1988-3, 10/6/1988, §2)*

**§26-303. Mandatory Water Use Restrictions.**

If, during a water shortage period, a voluntary ban on nonessential uses of water has not sufficiently reduced the rate of depletion of water supply sources and those sources have reached a level at which the response plan prescribes more severe demand reduction measures, a mandatory restriction of nonessential water uses shall be imposed. Those water service customers found not cooperating with action shall face a surcharge of \$25 for each day of noncompliance or the curtailment of water service, whichever is deemed most appropriate.

*(Ord. 1988-3, 10/6/1988, §3)*

**§26-304. Water Rationing.**

If a water shortage emergency is declared by the Governor of the Commonwealth of Pennsylvania, within an area which includes the service area of the Port Royal Water and Sewer Authority and both voluntary and mandatory restrictions of nonessential water uses

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have failed to sufficiently reduce the rate of depletion of all available water supply sources and if the Port Royal Borough Council plans for water rationing have been reviewed and approved by the Pennsylvania Emergency Management Council, water rationing may be implemented. The Port Royal Borough Water Rationing Plan is included in the water shortage response plan.

*(Ord. 1988-3, 10/6/1988, §4)*

### **§26-305. Exemption.**

Any water service customer(s) may apply to the Port Royal Borough Council for an exemption to the terms of this Part which may be granted by the Council upon adequate evidence of inequitable hardship imposed through adherence to the provisions of the plan.

*(Ord. 1988-3, 10/6/1988, §5)*

### **§26-306. Penalty.**

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

*(Ord. 1988-3, 10/6/1988; as added by Ord. 2003-02, 12/3/2003, §1)*

**LOCAL WATER RATIONING PLAN**  
**for the Service Area of**  
**PORT ROYAL MUNICIPAL AUTHORITY**

**Authority**

The Pennsylvania Emergency Management Council is authorized to promulgate, adopt and enforce a water rationing plan by virtue of Emergency Management Services Code 35 Pa. C.S. §7101 *et seq.* as implemented by the Drought Emergency Proclamation dated \_\_\_\_\_.

**§1. Definitions.**

**AUTHORITY** - the Port Royal Municipal Authority.

**EMERGENCY SERVICE AREA** - the service area of the Port Royal Municipal Authority.

**EXCESS USE** - the usage of water by a water customer in excess of the water allotment provided under the local water rationing plan for that customer, over any applicable period.

**NONRESIDENTIAL CUSTOMER** - commercial, industrial, institutional, public and all other users with the exception of hospitals and health care facilities.

**RESIDENTIAL CUSTOMER** - any customer who receives water services for a single or multifamily dwelling unit. The term residential customer does not include educational or other institutions, hotels, motels or similar commercial establishments.

**SERVICE AREA** - the territory and the customers serviced by the Port Royal Municipal Authority.

**SERVICE INTERRUPTION** - the temporary suspension of water supply or reduction of pressures below that required for adequate supply to any customer, portion of a water supply system or an entire system.

**SPECIAL EMERGENCY AREA** - the area or areas within which the Governor has declared a state of drought and water shortage emergency.

**WATER ALLOTMENT** - the maximum quantity of water allowed for each customer over any applicable period as established pursuant to §§7-9 of this plan.

**WATER CUSTOMER** - any person who is connected to and receives water service from the Port Royal Municipal Authority.

# WATER

## **§2. Purpose.**

This local water rationing plan is intended to establish measures for essential conservation of water resources and to provide for equitable distribution of limited water supplies in order to balance demand and limited available supplies and to assure that sufficient water is available to preserve public health and safety within the service area of the Port Royal Municipal Authority.

## **§3. Scope.**

This local water rationing plan shall apply to all water uses within the service area of the Port Royal Municipal Authority encompassing all or part of the Borough of Port Royal.

## **§4. Objective of the Plan.**

- A. It is imperative that water customers within the emergency service area achieve an immediate and further reduction in the water use in order to extend existing water supplies and, at the same time, assure that sufficient water is available to preserve the public health and sanitation and provide fire protection service.
- B. The objective of this local water rationing plan is to effect an immediate 25% reduction in water usage.
- C. The immediate 25% reduction in water usage is another step along a continuum of responses to the present water supply crisis. Should drought conditions continue, further reductions in usage may be required. It must be emphasized that the 25% usage reduction in the emergency area is a valid and attainable figure reflective of the conditions which currently exist.
- D. The plan provides for equitable reductions in water usage and for equal sacrifice on the part of each water customer. The success of this plan depends on the cooperation of all water customers in the emergency service area.

## **§5. Prohibited Nonessential Water Uses.**

The following water uses are declared nonessential and are prohibited within the emergency service area:

- A. The watering of lawns.
- B. The watering of outdoor gardens, landscaped areas, trees, shrubs and other outdoor plants, except between the hours of 5 p.m. and 9 a.m. by means of a bucket or pail at the minimum rate necessary.
- C. The washing of automobiles and trucks except when required for safety and operational purposes.

- D. The washing of streets, driveway and sidewalks.
- E. The serving of water in restaurants, clubs or eating places unless specifically requested by the individual.
- F. Ornamental water use including, but not limited to, fountains, artificial waterfalls and reflecting pools.
- G. The use of water for flushing sewers or hydrants by municipalities or any public or private individual or entity except as deemed necessary and approved in the interest of public health or safety by the Borough health officials.
- H. The use of fire hydrants by fire companies for testing fire apparatus and for fire department drills, except as deemed necessary in the interest of public safety and specifically approved by the Port Royal Municipal Authority.
- I. The use of fire hydrants by municipal road departments, contractors and all others, except as necessary for firefighting or protection services.

**§6. General Requirement for Water Use Reductions.**

Each and every water customer, regardless of whether residential, commercial, industrial, municipal, institutional or other type of user, shall achieve the water use reductions set forth in this local water rationing plan. In order to achieve the overall objectives of the plan, the water use restrictions and limitations set forth in §§7-9 shall apply.

**§7. Water Use Restrictions for Residential Users.**

- A. In order to effectively implement and monitor the residential water conservation effort, a water allotment shall be established for the entire water system based on 40 gallons per day per capita served or 75% of the water used by the entire system during the same quarter of the preceding year, whichever is greater.
- B. The Authority will establish a communication system with customers through public media to inform customers of the requirements of the Governor's proclamation and this local water rationing plan, possible conservation measures that customers may employ, the system allotment and a daily report of whether the usage was within the allotment.
- C. **Exemptions and Variances.**

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- (1) Where the residential water allotment provided under this Section would create extraordinary hardship, as in the case of special health related requirements, the water customer may apply to the Authority for an exemption or variance from these requirements. If the Authority finds that the allotment provided in this Section would impose extraordinary hardship, the Authority may establish a revised allotment for the particular customer.
- (2) Any person aggrieved by a decision relating to such an exemption or variance rendered by the Authority may file an appeal with the Juniata County Court of Common Pleas in accordance with the provisions and procedures of the Local Agency Law, 2 Pa.C.S. §§551-555, 751-754.

D. **Suggested Conservation Measures.** The Authority will provide residential water customers with suggested means for reducing water consumption in order to achieve the established allotment. These suggestions may include:

- (1) Locate and repair all leaks in faucets, toilets and water using appliances.
- (2) Adjust all water using appliances to use the minimum amount of water in order to achieve the appliance's purpose.
- (3) Use automatic washing machines and dishwashers only with full loads. Preferably, wash dishes by hand.
- (4) Take shorter showers and shallower baths.
- (5) Turn off shower while soaping, turn off faucet while brushing teeth, etc.
- (6) Install flow restrictors in showerheads and faucets.
- (7) Reduce the number of toilet flushes per day. Each flush uses about 5 gallons. Reduce water used per flush by installing toilet tank displacement inserts.
- (8) Use sink and tub stoppers to avoid wasting water.
- (9) Keep bottle of chilled drinking water in refrigerator.

### §8. **Water Use Restrictions for Nonresidential Water Customers.**

- A. Nonresidential customers include commercial, industrial, institutional, public and all other users, with the exception of hospitals and health care facilities.
- B. Nonresidential water customers shall reduce their water usage by a minimum of 25% of use levels for the same quarter of the preceding year.

- C. It is the primary responsibility of each nonresidential water customer to meet its mandated water use reduction goal in whatever manner possible.
- D. The Authority will establish a water allotment for each nonresidential water customer, based upon a required 25% reduction of water usage from the rate of water used by the customer in the same quarter of the preceding year or the last recorded use level if no meter readings record the rate of the customer's use in the same quarter of the preceding year.
- E. Each nonresidential water user shall provide access to the Authority personnel for purposes of monitoring of compliance with this plan. The Authority shall make all reasonable efforts to contact customers to arrange for access.
- F. If the mandated 25% reduction in water usage cannot be obtained without imposing extraordinary hardship threatening health and safety, the nonresidential customer may apply to the Port Royal Municipal Authority for a variance. For these purposes, "extraordinary hardship" means a permanent damage to property or economic loss which is substantially more severe than the sacrifices borne by other water uses subject to this water rationing plan. If the Authority finds that the 25% reduction would cause extraordinary hardship or threaten health or safety, the Authority may grant a variance and establish a revised water use reduction requirement for the particular customer.
- G. Any person aggrieved by a decision relating to such a variance rendered by the Authority may appeal the decision to the Commonwealth Drought Coordinator who shall render a final decision.
- H. The Port Royal Municipal Authority will supply each nonresidential customer with suggested means to reduce usage levels. These suggestions may include:
  - (1) Identify and repair all leaky fixtures and water using equipment. Special attention is to be given to equipment connected directly to the water line, such as processing machines, steam using machines, washing machines, water cooled air conditioners and furnaces.
  - (2) Assure that the valves and solenoids, which control water flows, are shut off completely when the water using cycle is not engaged.
  - (3) Adjust water using equipment to use the minimum amount of water required to achieve its stated purpose.
  - (4) Shorten rinse cycles for laundry machines as much as possible, lower water levels should be implemented wherever possible.
  - (5) Temperature setting of hot water for showers should be set down at least 10° to discourage lengthy shower taking.

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- (6) Where plumbing fixtures can accommodate them, flow restricting or other water saving devices should be installed.
- (7) Review usage patterns to see where other savings can be made.
- (8) For processing and cooling and other uses where possible, either reuse water or use from sources that would not adversely affect public water supplies.
- (9) Advise employees, students, patients, customers and other users not to flush toilets after every use. Install toilet tank displacement inserts, place flow restrictors in showerheads and faucets, close down automatic flushes overnight.
- (10) Adjust flushometers and automatic flushing valves to use as little water as possible or to cycle at greater intervals.
- (11) Encourage water consciousness by placing water saving posters and literature where employees, students, patients and customers, etc., will have access to them.

### **§9. Water Use Restriction for Hospitals and Health Care Facilities.**

- A. Hospitals and health care facilities shall comply with all restrictions imposed on residential and nonresidential water customers as may be applicable to each individual institution, to the extent compliance will not endanger the health of the patients or residents of the institution.
- B. Each hospital and health care facility shall survey its water usage patterns and requirements and implement such additional conservation measures as may be possible without endangering the health of patients or residents to achieve a 25% reduction in the institution's water usage.
- C. The Authority will provide each hospital and health care facility with suggested means to reduce usage levels. These suggestions may include:
  - (1) Reduce laundry usage or services by changing bed linen, etc., only where necessary to preserve the health of patients or residents.
  - (2) Use disposable food service items.
  - (3) Eliminate, postpone or reduce, as may be appropriate, elective surgical procedures during the period of the emergency.

**§10. Enforcement of Water Rationing Plan.**

- A. The Port Royal Municipal Water Authority will have lead responsibility for monitoring of compliance with this water rationing plan.
- B. The following provisions shall govern the implementation of temporary service interruptions:
  - (1) In order to effectuate compliance with this plan, the Port Royal Municipal Water Authority is hereby authorized and required to plan and implement temporary service interruptions to all or part of its water supply system, as the Authority may deem appropriate, when and/or all of the following conditions are determined by the Authority to exist, as to its water supply system:
    - (a) A 25% reduction in system wide water usage has not been achieved.
    - (b) The 25% reduction in system wide water usage has been achieved, but has failed to have a significant impact in extending limited water supplies.
    - (c) Temporary service interruptions are necessary in order to further extend limited and/or dwindling water supplies.
  - (2) In the event that the Authority determines that temporary service interruptions are necessary, the Authority shall notify its customers through the public media (newspapers, radio, telephone and television) at least 1 day prior to the temporary service interruptions that a planned, temporary service interruption is to be imposed. In addition, the Authority shall notify the Commonwealth Drought Coordinator, the local coordinator of emergency management, local public health authorities, the Pennsylvania Emergency Management Agency and the regional office of the Department of Environmental Protection. Such notice shall:
    - (a) State the day or days when the planned, temporary service interruptions will occur.
    - (b) State the time(s) when such planned, temporary service interruptions will commence and the time(s) such interruptions will cease.

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- (c) State whether the planned, temporary service interruptions are to be imposed on the entire system, or a part thereof, and, if only part(s) of the system will experience planned, temporary service interruptions, identify the geographical boundaries within which the planned, temporary service interruptions will occur.
  - (d) Advise all customers within the areas affected by planned, temporary service interruptions how to treat any water received from the system, for human consumption, during the period(s) of planned, temporary service interruptions and for such additional time as may be necessary until full pressure is restored to the system.
- (3) If the Authority imposes planned, temporary service interruptions as authorized and required by this plan, it must provide for the continued delivery of water to health care facilities within the area(s) affected by such interruptions, by means of an adequate alternative delivery measures that may be necessary.
- (4) If the Authority implements planned, temporary service interruptions, it must make provision, by any means possible, for the continued delivery of such water, as may be necessary, for the proper operation of sewage collection, treatment and disposal systems and facilities.
- C. Any residential or nonresidential water customer who exceeds the allotments established pursuant to this water rationing plan will be subject to the following excess use charge:
- (1) The Port Royal Municipal Authority is directed to collect an "excess use charge" based on the amount by which a customer's use exceeds the water allotments established pursuant to the local water rationing plan, computed in accordance with the following schedule:

<b>Excess Usage Per Month</b>	<b>Charge for Excess</b>
First 2,000 gallons or portion thereof	\$7 per 1,000 gallons or portion thereof
Each 1,000 gallons or portion thereof thereafter	\$15 per 1,000 gallons or portion thereof

- (2) Any monies collected by the Authority through excess use charges shall not be accounted for as income to the Authority but shall be placed by the Authority in a reserve account. Funds collected shall be disposed of in accordance with the directions of the Commonwealth Drought Coordinator.

- D. In addition to the excess use charge, noncompliance with the water rationing plan will result in the following:
- (1) For the first excess use, a warning of possible discontinuation shall be issued to the customer by the Authority.
  - (2) For the second or subsequent excess use, the Authority may interrupt or shut off service to the customer for a period not to exceed 48 hours or, if the customer provides access, the Authority may install a flow restrictor in the customer's service line for the duration of the emergency. The cost incurred by the Authority to interrupt or shut off and reinstate service or to install and remove a flow restrictor shall be assessed to the water customer by the Authority.
- E. The Port Royal Municipal Authority is authorized to alter meter reading schedules to assure adequate monitoring of compliance with this plan.
- F. Any customer or other person aggrieved by the final decision or action of the Authority may file an appeal with the Juniata County Court of Common Pleas in accordance with the provisions and procedures of the Local Agency Law, 2 Pa.C.S. §§551-555, 751-754.

**§11. Penalties.**

Any person who violates the provisions of this plan, who fails to carry out duties and responsibilities imposed by this plan or who impedes or interferes with any action undertaken or ordered pursuant to this plan shall be subject to the penalties provided by law under 35 Pa.C.S. §7707.

**§12. Savings Clause.**

Nothing in this local water rationing plan shall in any way limit or affect the power or authority of any political subdivision to adopt and enforce ordinances, rules, restrictions and orders for water conservation and protection of essential water supplies; provided, that such ordinances, rules and restrictions are not inconsistent with the requirements of this plan.

**§13. Amendment of the Plan.**

The Port Royal Municipal Authority may, at any time, submit to the Pennsylvania Emergency Management Agency proposed additions to or amendments of this plan. Such amendments shall be expeditiously considered by the Emergency Management Council and shall take effect upon adoption by the Council.

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**§14. Effective Period.**

This plan shall remain in effect until terminated by action of the Governor or by order of the Pennsylvania Emergency Management Council.

**§15. Effective Date.**

This plan shall take effect immediately upon adoption by the Pennsylvania Emergency Management Council.

**PORT ROYAL MUNICIPAL AUTHORITY  
DROUGHT CONTINGENCY PLAN OUTLINE**

Trigger Point	Demand Measures	Supply Measures
<b>Stage I</b>	<b>Stage I</b>	<b>Stage I</b>
Flows into upper reservoir: _____ GPD	Voluntary restriction on nonessential water use (see attachment)	System wide leakage and loss reduction survey
<b>Stage II</b>	<b>Stage II</b>	<b>Stage II</b>
Groundwater pumping levels Well No. 6 Well No. 7	Mandatory restrictions on nonessential water use (see attachment)	Utilize reserve source Body: Stream: Well(s) No.s 6 and 7 Interconnection(s)
<b>Stage III</b>	<b>Stage III</b>	<b>Stage III</b>
Groundwater pumping levels Well No. 6 Well No. 7	Submit water rationing plan to Pennsylvania Emergency Management Agency (see attached local water rationing plan and cover letter)	Utilize emergency sources and equipment (List emergency sources and equipment necessary to utilize each source)



### NONESSENTIAL USE BAN

Prohibited	Exceptions
Lawn Watering	<p>Sewage or stormwater treatment systems utilizing spray irrigation.</p> <p>Grass tennis courts as minimally necessary.</p> <p>Newly seeded and sodded grass areas between the hours of 5 p.m and 9 a.m. by means of a hand held hose, nozzle, bucket or pail.</p> <p>Newly seeded or sodded nonresidential grass areas exceeding 10,000 square feet may be watered conservatively between the hours of 5 p.m. and 9 a.m.</p>
Irrigation of gardens, landscaped areas, trees and shrubs, except between the hours of 5 p.m. and 9 a.m., at the minimum rate necessary by means of a bucket, pail or hand held hose equipped with an automatic shut off device	<p>Agricultural irrigation</p> <p>Commercial nurseries</p> <p>Maintenance of newly planted gardens, trees, shrubs or other outdoor plants, hand held equipment only</p> <p>Arboretums and public gardens of National, State or regional significance.</p>
Watering golf courses	Tees and greens may be watered between the hours of 5 p.m. and 9 a.m.
Washing paved surfaces such as streets, roads, sidewalks, driveways, garages, parking areas, tennis courts and patios	<p>Water may be used for prewashing in preparation of asphalt street or driveway recoating and sealing</p> <p>Clay tennis courts as minimally necessary by hand held hose</p>
Operation of water fountains, artificial waterfalls and reflecting pools	None
Washing vehicles	<p>Commercial car washed equipped with recycling</p> <p>Cleaning of commercial or public vehicles to allow for safe operation</p>
Serving water in eating places unless specifically requested by the individual	None

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Prohibited	Exceptions
Filling and topping off swimming pools	<ol style="list-style-type: none"><li data-bbox="789 306 1385 380">1. Public/residential swimming pools with filtration/recycling serving 25/more dwelling units.</li><li data-bbox="789 401 1385 432">2. Health care facilities for patient care/rehabilitation</li><li data-bbox="789 464 1385 558">3. Other pools if:<ol style="list-style-type: none"><li data-bbox="870 495 1385 527">a. Water supplier approved</li><li data-bbox="870 527 1385 558">b. Able to filter/recycle water</li></ol></li></ol>

**B. Declaration of Water Shortage.**

**§26-311. Declaration of Water Shortage.**

Upon the recommendation of qualified Borough employee(s), agent(s) or other governmental agencies, the Council may declare a water shortage within the Borough limits by passing and advertising a resolution declaring said water shortage to exist and prohibiting the nonessential use of water during said period of time. When a water shortage ceases to exist, the Council shall, by resolution, declare said water shortage period terminated.

(Ord. 1994-1, 11/1/1994, §1)

**§26-312. Nonessential Uses of Water.**

During a properly declared water shortage the Council, to protect public health and safety, can ban the nonessential use of water, which are:

<b>Prohibited</b>	<b>Exceptions</b>
Lawn watering	Newly seeded and sodded grass areas between the areas of 5 p.m. and 9 p.m. by means of a hand held hose, nozzle or bucket.
Irrigation of gardens, landscaped areas	Greenhouses. If applied by a hand held container or hose with automatic shut off between 5 p.m. and 9 a.m. Maintenance of newly planted gardens, trees, shrubs or other plants, hand held equipment only.
Washing paved surfaces such as streets, roads, sidewalks, driveways, garages, parking areas and patios	Water may be used for prewashing in preparation of asphalt street or driveway recoating and sealing. Sanitation of eating/drinking premises.
Washing vehicles	Car washing may be done from a bucket or using commercial car washes. Cleaning of commercial or emergency vehicles to allow safe operation
Filling and topping off swimming pools.	Health care facilities for patient care. Other pools if Council approved.

(Ord. 1994-1, 11/1/1994, §2)

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### **§26-313. Declaration and Advertisement.**

The Council shall during a water shortage period, first declare and advertise voluntary ban on the nonessential uses of water but, if said voluntary ban does not sufficiently reduce the rate of depletion of the Borough's water resources, the Council shall declare and advertise a mandatory ban on the nonessential uses of water.

*(Ord. 1994-1, 11/1/1994, §3)*

### **§263414. Exemption.**

Any Borough water service customer(s) may apply to the Council by written petition for an exemption from the terms of this Part. Council shall act on said written exemption petition; provided, it has been submitted to the Borough Secretary 5 business days prior to its next duly advertised regular/special meeting date.

*(Ord. 1994-1, 11/1/1994, §4)*

### **§26-315. Penalty.**

Those water service customers found not cooperating with a properly imposed mandatory ban on the nonessential uses of water shall be subject, if found guilty before a district justice, after hearing on a criminal complaint filed by a designated Borough employee, agent, Council members, to a fine of \$25 for the first day of noncompliance with the terms of this Part and a fine of \$50 for each and every day of further noncompliance with the provisions of this Part and/or the curtailment of water service, whichever is deemed most appropriate.

*(Ord. 1994-1, 11/1/1994, §5)*