

MYERSTOWN WATER AUTHORITY
AMENDED RULES AND REGULATIONS

Effective January 1, 2020

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In these Rules and Regulations, the singular shall include the plural and the masculine shall include the feminine and the neuter.

I. DEFINITIONS

Unless the context specifically and clearly indicates otherwise, the meaning of terms used in these Rules and Regulations is:

A. Authority: Myerstown Water Authority, Lebanon County, Pennsylvania or duly authorized agency appointed by the Authority.

B. Billing Unit shall be defined as follows:

1. A building under one roof, owned, leased or rented by one person, and occupied as one residence or **one** business.

2. One side of a double building or house, having a solid vertical or horizontal dividing wall or ceiling.

3. A combination of buildings, served by one service line, and occupied by one family or one business.

4. An apartment, townhouse, condominium, office space, or suite of offices in a building or house having several such apartments, condominiums, offices, or suites of offices and using in common one or more hallways, stairs, walkways, or one or more means of entrance or exit.

5. Any trailer or mobile home occupied by one family, household or business.

6. Any industrial establishment, whether occupying a space in common or separate from another industrial, commercial or residential space in the same or separate buildings in or on the same property.

7. Any retail, commercial or service establishment, whether occupying a space in common or separate from another commercial, industrial or residential space in the same or separate buildings in or on the same property.

C. Commercial: Structures solely or partly dedicated to commercial use.

D. Connection Fee: A fee which relates to the actual cost of work performed by the Authority in instituting water service for a new customer, including construction of the service line, tapping the main, supply of corporation stop and curb stop materials, and supply of the meter, as appropriate. PA Act 57, and subsequent amendments shall provide the basis for this Fee.

E. Corporation Stop: A valve that is inserted into the main for the connection of the water supply service line.

F. Curb Stop: A valve for insertion in the service pipes at or near the curb or property line of the customer.

G. Curb Stop Box: A box or metal housing which encloses, protects and provides access to the curb stop.

H. Customer: Any person, as hereinafter defined, owning any premises receiving water from the Authority.

I. DIP: Ductile Iron Pipe.

I. Industrial: Any customer that manufactures a product.

J. Premises: A property which cannot be completely divided in its present utilitarian condition through sale, that is:

1. A building under one roof, owned, leased or occupied by one party as one business or residence.

2. A combination of residential or commercial buildings leased or occupied by one party in one common enclosure.

3. The one side of a double house having a solid vertical partition wall.

4. A building owned by one party having more than one internal division, such as apartments, offices, stores, etc. and which have a common or separate entrance.

K. Person: Any individual, association, partnership, firm or corporation.

L. Public: All Borough facilities, schools, churches, library, post office, cemeteries, fire companies, ambulance services.

M. Residential: Structures totally dedicated to residences.

N. Service Connection: Water piping and fittings leading from the water main to the premises of a customer.

O. Stop and Waste Valve: A valve installed at the termination of the water supply service line and at the beginning of the customers' plumbing system.

P. Tapping Fee: A fee Imposed upon property owners, who desire or are required to connect to the water system. The Fee shall include a Capacity Part and a Distribution Part and a Special purpose Part, and Planned Facilities Part as describe in PA Act 57.

Q. Water Mains: The system of water piping valves, fittings and equipment used to distribute water throughout the area served by the Authority.

II. APPLICATION FOR SERVICE

A. Service connection will be made at the Applicant's expense, and water will be furnished, upon written application by the property owner, or developer on a blank form prepared by the Authority for this purpose, and after approval of such application by the Authority, or its agent. The application for service shall state clearly the class, scope, and type of use to be made of the service, as well as the purpose for which it will be used and the number of billing units.

B. The application and these Rules and Regulations constitute the contract between the property owner and the Authority; and each property owner, by the taking of water, agrees to be bound thereby.

C. The applicant shall provide sufficient information to the Authority to allow the Authority to determine the class of customer and number of billing units.

III. FEES FOR INSTALLATION OF SERVICE

A. The Authority shall assess and collect the Tapping Fee amount, then in effect, from all applicants. The schedule of tapping fees is contained in Appendix A of these Rules and Regulations. The Authority shall collect the Connection Fee amount, then in effect, as contained in Appendix A.

B. The applicant shall pay the Connection Fee cost as shown on the Schedule of Tapping Fees, and shall pay the actual costs of construction of the service line between the main and the curb stop or pit meter.

C. In existing structures a tapping fee shall be paid where uses(s) or units are created through remodeling, renovation, or additions that add a use(s) or unit. Each additional unit shall pay a tapping fee whether or not a new service line is installed. Connection fees shall also be paid where applicable for additional uses(s) or units.

D. No Tapping Fee shall be charged for a separate fire service connection through which no flow shall pass except at time of emergency or for testing purposes. A fee shall be paid for the fire meter or detector check meter.

E. An additional tapping fee shall be required to be paid where the existing use is significantly increased in water volume consumption, and/or where an alternate source is discontinued, or greatly reduced, causing an increase in consumption from the Authority system. The tapping fee will be calculated at the rate in effect at the time of increase in usage.

IV. SERVICE CONNECTION

A. The Authority or its agent will observe the construction of all connections to its mains and service line construction and will maintain all service lines from the main to and including the curb stop and box, which shall be placed immediately inside the portion of the customer's property which abuts the street or road, all of which service line shall be the property of the Authority and shall be accessible to and under its control.

B. All service lines from the curb stop to the meter shall be approved by the Authority as to size, kind of pipe and installation and shall be kept in good repair by the property owner at his expense. All such service lines shall be placed at least three and one-half feet (3-1/2') below the

surface of the ground. All service lines shall be of polyethylene, copper or DIP materials.. All polyethylene service lines shall be constructed with stainless steel inserts.

C. Where feasible, water service lines may be laid in the same trench as the sanitary sewer pipes, using the benching technique. Water main lines must be separated three (3) feet horizontally and 18 inches vertically in the bench method of construction. No service lines shall be laid in the same trench with a gas pipe, sewer pipe, or any other facility of a public service company except sanitary sewer may be by benching, except with written approval of the Authority. No line shall be laid within four feet (4') of any open excavation or vault, except with written approval of the Authority.

D. A Teflon coated ball valve, and a stop, easily accessible to the occupants shall be placed in the service line within the premises supplied with water. In addition, a backflow prevention device (AWWA approved) shall be provided in all new service lines installed after the adoption of this regulation revision. Such valves shall be located so that it will be possible to drain all pipes in the building to facilitate the isolation of the meter and inspection of the backflow prevention device. These appurtenances to the premise with the Authority's system will be properly maintained in an operable condition at all times at the expense of the property owner. The backflow prevention device may be ordered installed in existing services when necessary for public safety.

E. All leaks in service lines from the curb stop to the meter shall be repaired or replaced by the property owner within 72 hours of being notified by the Authority of the action required. Upon failure to complete such repairs or replacement, the Authority may terminate the water service, as provided in SECTION IX of these RULES AND REGULATIONS. If the leak is determined to be an emergency by the Authority, the service may be terminated immediately.

F. The Authority shall in no event be responsible for maintenance of, or for damage done by water escaping from the service line or any other pipe or fixture on the outlet side of the curb stop; and the property owner at all times shall comply with state and municipal regulations in reference thereto and shall make any changes thereon which may be required because of change of grade, relocation of mains or otherwise.

G. The use of water service by a property owner shall be in accordance with the class, scope and type of use, and for the purpose stated in his or her application and service contract. A property owner shall not use, or allow use of water service through his service facilities, for others or for purposes other than those covered by his application. To make service available for other purposes or character of use, a new application and contract is required.

H. All service connections shall be constructed in accordance with the Authority's adopted Specifications for Additions and Extension to the Water System.

V. REFUSAL TO INSTALL SERVICE

No service will be furnished by the Authority to any applicant until all arrears for water rents, repairs, or other charges owing by the property shall be paid, or satisfactory arrangements for payments have been made.

VI. METERS

A. All water service, including water for firefighting or fire suppression purposes, will be rendered only through meters. Fire services or similar connections shall be equipped with fire service meters. The meter vault shall be of sufficient size to accommodate both the detector check and a compound meter (fire service meter). No fire service shall be metered through a compound meter.

B. Each premise shall have a separate meter to register the amount of water consumed. The usage by each billing unit in a premises will be determined as the average of total consumption. The property owner may elect at his sole expense to have installed a meter for each and every billing unit in a premises. Such meters, in excess of one for each premises, shall be furnished by the Authority at a charge of meter cost, including the remote readout.

A combination of separate meters and single meter(s) serving multiple units at one property or structure may be permitted.

All meters shall be installed and maintained as provided herein.

C. All meters less than one (1) inch will be furnished by, and remain the property of, the Authority, the meter costs being paid by the property owner as described in B. above. Meters one (1) inch or greater shall be furnished by and remain the property of the property owner. The Authority shall establish the size of meter required by each service.

The property owner will provide and install the necessary mounting devices. All meters will be installed by the Authority.

D. For all new services, the Authority will furnish a remote reading device or a radio reading device to permit meter reading from a location on an outside wall of a residence or other building. The Authority will install and shall maintain ownership of the remote reading (or radio reading) device.

E. Meters and remote reading devices will be maintained by the Authority as far as ordinary wear and tear is concerned. The customer, in the case of an inside meter installation or an outside meter installation, if the Authority has agreed upon the site and installation of a meter vault or meter box, shall be responsible to the Authority for any injury to, or loss of, any meter arising out of or caused by, the property owner's negligence or carelessness (including any loss or damage caused by freezing) or that of his servants, employees, members of his household, or any person upon his premises under or by his consent or sufferance. The property owner shall be financially responsible for water meters damaged by freezing or other acts. The charge for replacement of meters in these instances shall be the actual costs of the meter and readout plus twenty percent (20%) of the actual cost to the Authority. The customer shall not permit anyone, who is not an agent of the Authority or otherwise lawfully authorized so to do, to remove, inspect or tamper with the Authority's meter, remote reading device, or other property of the

Authority on his premises. If a meter vault or meter box becomes unsuitable and the Authority so notifies the property owner, the property owner shall remedy this condition promptly at his expense.

F. The property owner shall notify the Authority of any injury to, or of any cessation in registration of, the meter or remote reading device as soon as it comes to his/her knowledge.

G. All meters and remote reading devices shall be set at convenient locations, accessible to the Authority and subject to its control. When possible the meter shall be installed within the premises supplied, at a point approved by the Authority, in order to control the entire supply. A proper place for the meter and protection shall be provided by the property owner. The property owner shall be responsible to remove and keep clear of vegetation the remote reading device as may be attached to the structures being metered.

H. Where it is not convenient or if both the customer and the Authority agree not to place the meter within the building, as provided in Section VI-G, the meter will be placed outside the building in a suitable vault of concrete, or a meter pit or meter box in accordance with the Authority's specifications. The meter vault, or meter pit, or meter box shall be provided with a suitable cover and locking device, and shall be installed at the sole expense of the property owner. The meter vault, pit or box shall be installed plumb.

I. The cover and locking device for each outside meter vault or meter box shall conform to a proper uniform standard established by the Authority. The covers and locking device shall be of uniform design for convenience and efficiency in the Authority's operation. An outside meter vault or meter box shall be located, at the option of the property owner, either inside the property line or near the curb stop and shall be built at the expense of the property owner. The site shall be a suitable and safe place for the installation of a meter, and must be acceptable to the Authority.

J. Where the distance from the curb stop to the building penetration to be served is over one hundred (100) feet, the meter must be placed in a meter box or vault as described above, at the sole expense of the property owner.

K. The Authority may consider requests for bulk sales of water to other municipalities or municipal authorities. All bulk sales, if approved, shall be metered and shall be equipped with backflow prevention devices. The capital costs and operating costs for metering and any required pumping to boost flow and/or pressure shall be the responsibility of the bulk sale customer.

The costs of tapping the Authority's line to connect a bulk sale water main shall be paid by the bulk sale customer.

The Authority shall approve the proposed point of connection to its system for bulk sales purposes, after receipt of detailed engineering documents which describe the proposed bulk sale metering and pumping, if required.

The Authority shall have the right to limit the volume and rate being purchased and to control the consumption.

L. Tampering with or interfering with a meter so that it registers an incorrect measurement of water usage is a criminal offense; the Authority shall prosecute all such incidents of meter tampering.

VII. METER TESTING

A. The quantity of water recorded by the meter, and not the remote reading device, shall be conclusive for both the customer and the Authority, except when the meter has been found to be registering inaccurately or has ceased to register. In either of such cases, the meter will be promptly repaired or replaced by the Authority and the quantity of water consumed shall be estimated by the average registration of the meter in previous corresponding periods.

B. In case of a disputed bill involving the accuracy of a meter, such meter shall be tested, upon the request of the customer. If the meter so tested is found to have an error in registration of four percent (4%) or more, the bills will be increased or decreased accordingly.

C. Each request for the test of a meter for accuracy shall be accompanied by a deposit, the amount of which shall be determined by the size of the meter.

If the meter so tested shall be found to have an error in registration of less than four percent (4%), the deposit shall be retained by the Authority as compensation for such test; if the error in registration is found to be four percent (4%) or more, than the cost of the test shall be borne by the Authority and the amount of the deposit shall be returned to the customer.

The property owner requesting a meter test shall deposit a fee with the Authority as established in Appendix B, Item E., Schedule of Rates for Meter Testing.

VIII. BILLS

Each Billing Unit in a Premises shall be considered as a separate account in applying the Schedule of Rates, whether by direct meter readings for each Billing Unit or averaging total consumption. The calculation of bills will be based on actual water used. Each Billing Unit will, however, be subject to the minimum charge.

A. Bills for water services will be rendered as set forth in the Schedule of Rates and are due and payable upon presentation. In the event of non-payment of bills for water service, the Authority may discontinue service to the customer. Such discontinuance in all cases other than those involving rental dwelling units, the following procedure shall be used.

Fifty (50) days from billing, send notice of proposed discontinuance.

Sixty-Five (65) days from billing, post property as delinquent.

Seventy-Five (75) days from billing, discontinuance of service.

In cases involving rental dwelling units, the procedures to be followed to effect discontinuance shall be as set forth in the Pennsylvania Utilities Service Tenants Rights Acts, Act No. 299 of 1978, as amended.

After service has been discontinued, it will not be resumed until payment of all charges, including turn off fee, and turn on fee together with interest and penalties. A fee shall be paid for having the service restored to any property or premises after discontinuance for non-payment of charges. The following additional fees shall be paid to the Authority to cover administrative costs involved.

Notice to landlord ratepayer as contained in the list of fees per notice required, and per notice to the tenants, notice to Department of Health as contained in the list of fees.

If a customer's check is returned for any reason and the date of turn off has passed, the Authority shall turn off the customer's service for non-payment.

B. Bills for water service will be sent only to the property owner. No bills for water service will be sent to tenants, property management services or other third parties. It is the property owner's responsibility to see that the proper person or entity timely pays for the bills for water service on a timely basis.

C. There is a charge to be paid by the customer for presentation of a check for which there are insufficient funds to cause the Authority to be paid (i.e. a bad check), the fee being that amount contained in the list of fees.

D. All delinquent bills for charges shall be entered as a lien against the premises served and such lien shall be filed and collected in the manner provided by law for the filing and collection of municipal claims.

E. The presentation or non-presentation of a bill shall not be held to be a waiver of any of the Rules and Regulations.

F. Water rates shall be payable quarterly on a cycle basis with invoices for each cycle being rendered quarterly as its cycle is due.

G. The Authority will read all meters on a regular schedule. In the event that scheduled reading of meters cannot be obtained because of the inability to gain access to the meter location, the Authority reserves the right to estimate the consumption for billing purposes. Bills so determined shall have the same force and effect as if the meters had been read.

H. Where a property is being billed more than one billing unit per service and, where the owner wants to terminate a billing unit from that service, he shall be permitted to do so in the following manner;

1. Owner shall disconnect the billing unit in question and notify the Myerstown Water Authority who shall inspect said termination and, upon satisfactory proof, shall remove the billing unit from the owner's water invoice and, further, the building owner shall sign an affidavit supplied by the Myerstown Water Authority that the billing unit purpose has been terminated and/or eliminated.

2. Owner is hereby notified that if the terminated and/or eliminated billing unit is put back in use, the Myerstown Water Authority shall be notified immediately and an additional billing unit will be invoiced. In the event said usage changes whereby another billing unit is invoiced, no tapping fee shall be paid so long as the service was not disconnected at the street.

I. Any customer disputing a water invoice shall notify the Authority of the issue. If possible, the Authority shall remedy the dispute. If the dispute cannot be remedied, the customer shall complete a form to be placed on the agenda, submitting same along with a letter explaining the dispute.. All requests and required documentation must be submitted at the business office at least seven (7) days prior to the regularly scheduled meeting. The customer must follow these provisions to be considered for refund or credit.

The Authority will respond within fifteen (15) days of the attended meeting. The Authority will render a final decision at or after the second regularly scheduled meeting, not to exceed 75 calendar days.

IX. DISCONTINUANCE OF SERVICE

A. Whenever the property owner desires to have his service terminated or his water service discontinued, he shall notify the Authority to that effect in writing. The property owner will be responsible for the payment of all service rendered by the Authority prior to receipt of such written notice and during a reasonable time thereafter to enable the Authority to make the final reading of the meter or meters, or to discontinue water service. The property owner shall remove the service line to the corporation stop. In the case of rental units, the procedure set forth in the Utility Service Tenants Rights Act shall be followed. There shall be a charge for water turnoff of fees as outlined in this situation, as contained in the list of fees.

B. Bills will be prepared between normal meter reading/billing periods for property transfers or changes upon request. The fees for this service shall be based upon the list of fees, including the service charge and administrative fee. The Authority will read the meter and calculate the charges due since the last billing to facilitate settlement. The regular quarterly bill for total usage since the previous regular billing will be rendered to the owner of record on the regular billing date. In addition, there is an administrative charge required to be paid.

C. When premises will be unoccupied temporarily, the property owner may notify the Authority in writing, requesting the water to be turned off, and all charges will cease from the date when water service is turned off. When the property is again occupied, the property owner shall notify the Authority in writing, and the water will be turned on. No refund or allowance will be made for unoccupied property when written notice has not been given. No refund will be allowed for property unoccupied for a period less than thirty (30) days. There shall be a charge for water turn off and a charge for turn on as outlined in this situation. The fees shall be those set forth in the list of fees.

D. When a property is unoccupied, the property owner must notify the Authority in writing of such vacancy, and upon his failure to do so, the property owner will be responsible for any damage to the property of the Authority, arising from freezing, water damage, injury to meter, or any other failure.

E. Service to any property may be discontinued for violation of any of these Rules and Regulations; before service may be discontinued for any violation, the Authority shall give written notice to the property owner, stating the rule violated, the manner of violation and a reasonable date after which service will be discontinued if the violation continues. After service is thus discontinued for violation of these Rules and Regulations, service will not be resumed until reasonable assurance is given that the customer will comply with the Rules and

Regulations, and until a resumption of service charge has been paid to the Authority following the list of fees.

F. When more than one property owner, prior to the adoption of these Rules and Regulations, is supplied through one service connection under control of one curb box, any violation of these Rules and Regulations by any customer shall be deemed a violation as to all and the Authority may take such action as could be taken against a single customer, except that such action shall not be taken until the property owner who is not in violation of these Rules and Regulations has been given a reasonable opportunity to make application for and have installed a separate connection to the water system.

G. Procedure required for Discontinuance of Service pursuant to request by landlord ratepayer for voluntary relinquishment of service.

1. Landlord shall provide affidavit that all dwelling units in premises are unoccupied or that tenants to be affected by proposed discontinuance have consented in writing to said proposed discontinuance. This affidavit form shall contain a notice conspicuously setting forth that false statements are punishable criminally.

2. All tenants affected by the proposed discontinuance shall inform the Water Authority orally or in writing of their consent to the proposed discontinuance, or

3. The landlord ratepayer shall provide the Water Authority with the names and addresses of all affected tenants within seven (7) days, and the Water Authority shall notify the Pennsylvania Department of Health Office in Lebanon, as well as each such tenant, the said notice to the said tenants to contain the information required by the form for Notice to Tenants.

H. In all cases of voluntary discontinuance of water service involving dwelling rental units, the foregoing procedures apply only insofar as they do not conflict with the provisions of Pennsylvania Utilities Service Tenants Rights Acts, Act No. 299 of 1978, as amended. Otherwise, the procedures set forth in said Act shall be followed. Penalties and fees in addition to those hereinbefore set forth in the case of discontinuance, shall include a fee for each notice required to be filed, mailed or posted, as set forth in the list of fees.

I. Customers who provide payment via check that cannot be paid by the customer's financial institution, e.g. insufficient funds, account closed, etc., shall have their service turned off after ten (10) days written notice from the Authority. Service shall not be resumed until all fees as set forth in the list of fees have been paid.

X. MISCELLANEOUS

A. Water shall not be turned-on into any property owner's premises by any person who is not an employee or agent of the Authority, except temporarily by a plumber, with Authority approval, to enable him to test his work, provided it shall be turned off immediately after the test is made.

B. The employees or 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 water, and for any other purpose

which is proper and necessary in the conduct of the Authority's business. Such employees or agents shall carry proper credentials evidencing their employment by the Authority.

C. 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 for any other cause,

D. As necessity may arise in case of a break, an emergency or other unavoidable cause, the Authority shall have the right temporarily to cut off the water supply in order to make necessary repairs, connections, etc. The Authority shall use all reasonable and practicable measures to notify the customer, in advance, of such discontinuance of service. The Authority shall not be liable for any damage or inconvenience suffered by the customer, or for any claim for interruption in service, lessening of supply, inadequate pressure, poor quality of water, or any other cause. The Authority may restrict or regulate the quantity of water used by customers in case of scarcity, drought emergency or other emergency condition, or whenever the public welfare may require it.

E. No customer shall open or close any of the Authority's curb stops, corporation stops or valves in any public or private line. Unauthorized reinstatement of water service constitutes a violation of these Rules and Regulations and shall constitute a theft of services. The Authority shall prosecute all such theft of services.

F. No agent or employee of the Authority 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.

G. Lawn, greenhouse, and garden sprinkling will be permitted through flexible hoses if equipped with hand or automatic nozzles, except during drought emergency or other water restriction conditions.

H. Underground lawn sprinklers and irrigation systems may be installed only under special approval by the Authority. The property owner must furnish schematic drawing of the proposed pipe layout, together with valves, sprinkler heads, and appurtenances, including sizes and specifications. All underground lawn sprinklers and irrigation systems shall have operational backflow prevention devices installed.

I. No interconnection or cross-connection shall be made or permitted between the water system being operated by the Authority and any other water supply unless the proposed connection has been approved by the State Department of Health or Department of Environmental Protection and the Authority.

J. The Authority reserves the right to alter or amend these Rules and Regulations in the manner provided by law.

K. The Authority may, by special action of the Board, grant an exception or exceptions to any Rule or Regulation or charge. The granting of a particular application or an exception to these Rules and Regulations shall not be construed as a precedent in any other case.

L. Each new water service constructed shall be equipped with a backflow prevention device to prevent backflow of water supply due to induced differential in pressure or siphoning action. Backflow prevention devices shall be in accord with the Department of Environmental

Protection Rules and Regulations, Title 25, Chapter 109, Part VII. Each water service equipped with a backflow preventer shall also be equipped with a thermal expansion relief tank located along the pipe between the backflow preventer and the hot water heater.

M. An escrow deposit shall be required from any property owner, equitable owner, customer or any other person or entity which shall become involved in a proceeding which requires time and materials expenditure by the Authority staff and/or its consulting engineers or legal counsel. The initial escrow deposit payable to the Authority shall be determined by the Authority's engineer based on a comprehensive review by the engineer of such proposal. This escrow fund shall be supplemented as necessary during the course of the proceeding so that sufficient funds are continuously on hand to cover all Authority costs prior to incurring the cost(s). The Authority shall not be responsible or otherwise liable to pay interest on any funds deposited into the developer's Escrow Account.

N. Change of property ownership shall require an ownership change notice to be filed with the Authority. The new owner, or purchaser, shall be responsible for filing the notice for change in ownership. The seller shall be responsible for any unpaid charges due the water Authority on the property (account).

O. Pool Fill Meter - A property owner who wishes to save sewer charges for the amount of water needed to fill a swimming pool, may rent a meter from the Authority for that purpose and that purpose only. A charge for meter use shall apply for filling of swimming pools.

The property owner shall sign a form at the Authority's office when picking up the meter. A charge will be added to the next invoice, per the charge resolution in effect at the time the form is signed. The property owner must return the meter within seven (7) business days or another charge will be added for each additional seven (7) business days or part thereof that the meter remains unreturned. This meter may only be used for pool fillings.

P. Time Payments: If a customer receives an invoice and is unable to pay the entire amount due to an unusual circumstance, the customer may request, in writing, to make time payments. All payment plans must be approved by the Board of the Authority at its regular monthly meeting. The request must be made while the invoice is considered current (prior to due date). If approved by the Board, the property owner will be issued (3) three equal invoices; for any amount between \$1.00 and \$1,000 each dated the 30th of the payment due months. If all three (3) invoices are paid by the due dates, no penalties will be charged. If approved by the Board, the property owner will be issued (6) equal invoices; for any payment amount between \$1,001 and \$2,000 each dated the 30th of the payment months. If all (6) invoices are paid by the due dates, no penalties will be charged. If approved by the Board, the property owner will be issued (12) equal invoices; for any amount over \$2,000 each dated the 30th of the payment months. If all (12) invoices are paid by the due date, no penalties will be charged. For all payment plans over (3) months, all future invoices must be kept current. To protect the Authority's interests, both mailed and posted notices will take place as normal. If the property owner does not pay both of the first two (2) time payments in any case by the turn-off date, water services will be turned off or Utility Services Tenant's Rights Act procedures will begin. A normal usage invoice with no unusual circumstances will not be considered for time payments.

Q. The Reduced Pressure Principle Backflow Preventer (RPZ) Double Check Valve Assembly on any fire service or dumpster service to a structure should be maintained by a qualified service

technician or company qualified to perform such service on an annual basis. The cost for such maintenance service is the responsibility of the property owner. The property owner shall annually provide documentation to the Myerstown Water Authority confirming such maintenance.

XI. Fire Protection

A. Water from fire hydrants or other firefighting facilities shall be used only for firefighting purposes.

B. The Authority shall have no greater duty, with regard to fire hydrant service or to private firefighting service, than to supply only such volumes of water at such pressures as may be available in the normal-operation of the water works facilities, at the time of the emergency.

C. Where metered service is provided to any property owner, the Authority shall not be responsible for the quantities of water or pressure which may be available for any firefighting facilities or purposes where the customer installs such facilities or makes connections to his water system for such purposes, on the discharge side of the meter in his service line, and shall not be held liable for any claim based upon loss due to fire or firefighting.

D. Fire hydrants for public fire protection service will be installed and maintained by the Authority, except where water mains are extended as part of land subdivision or land development, in which case the developer shall install the hydrants at no cost to the Authority.

E. The Authority requires each fire service to be equipped with a fire service meter. Such meter will be supplied by the Authority and installed by the property owner or his/her contractor. The cost of the meter, together with any other Authority costs related to consideration of the fire service meter installation, shall be borne by the customer.

F. Any new fire hydrants requested to be installed on existing water mains shall be paid by the requesting agency or person.

G. Hydrant flow tests for sizing of fire service facilities to serve structures shall follow the procedure set forth in the National Fire Protection Association Standard of practice Number 291, Recommended Practice for Fire Flow Testing and Marking of Hydrants, most recent edition. The test shall be conducted by a qualified fire protection engineering firm at a time scheduled in advance with the Authority's personnel. The fire protection engineering firm employed by the developer or property owner shall conduct the test. The Authority's representatives, agents, or employees shall observe the test, but will not certify or expend confirmation documents. The sole responsibility for test results and subsequent design of fire protection systems or facilities shall rest with the property owner and its fire protection engineers. All costs of fire flow testing shall be paid by the developer or property owner requesting the test.

XII. EXTENSION OF MAINS

A. The Authority may make extensions of distribution mains after petition of the owners of real estate or their authorized agents, along the proposed line, and upon their payment of the entire

estimated cost of installing the necessary pipe lines and appurtenances other than service connections, including, but not limited to engineering and legal fees as determined by the Authority. If the actual cost of main extension is greater than the estimated cost, this difference shall be paid by the applicant before service is rendered. Should the estimated cost be greater than the actual cost, this difference shall be returned to the applicant.

B. The Authority may, at its own discretion, extend any distribution main without petition or refuse any petition.

C. If a prospective customer wishes to extend any water mains using a contractor of his choice, the customer shall retain an engineer, acceptable to the Authority, to design, prepare plans and specifications and supervise construction of the water main extension. The customer shall bear all costs for the extension, including, but not limited to construction, engineering and legal expenses and inspection and testing by the Authority. The customer, or developer, making an extension to the Authority's water distribution system shall provide the Authority with an accurate as-built plan prepared by the customer's or developer's engineer, and which accurately displays the location of all pipes, valves and appurtenances. The as-built plan shall be submitted in duplicate hard copy along with an AutoCAD disk to the Authority. Release of any copyright shall be included to allow use of the AutoCAD data.

D. Main extensions on newly-developed land will only be approved where there has been a dedication of streets and ways and where all plot plans have been approved by the local planning commission and such other planning commissions as shall be in existence at the time of application.

E. Main extensions on private property will only be approved after right-of-way has been granted to the Authority.

F. All main extensions shall become the property of and be maintained by the Authority.

G. The Authority shall determine the size and type of the pipe to be installed for transmission and distribution Mains. The minimum size for any new water distribution system main shall be eight (8) inches diameter. The Authority may require installation of larger diameter mains.

H. The terminal point of all main extensions shall be at the farthest extremity of the most distant premises to be served.

I. Any land subdivision or land development project, or other proposed extension to the Authority's water distribution system shall require the filing of an escrow deposit to cover the Authority's legal, engineering and administrative costs associated with plan review, preparation of legal agreements and other Authority tasks related to the project. The developer shall tender to the Authority an initial deposit, the amount to be determined by the Authority's engineer, to cover any and all expenses of the Authority associated with the engineering, legal and administrative review of the subdivision or development plan. This deposit shall be in addition to and separate from any deposits which may be required by any other agency with jurisdiction. In the event this initial deposit is deemed by the Authority to be insufficient to meet its expenditures, the developer will be so notified and shall within ten (10) days make further deposits as required into the Escrow Account. Funds in this Escrow Account will be used to satisfy all expenditures incurred by the Authority for plan review. The Authority shall not be

responsible or otherwise liable to pay interest on any funds deposited into the Developer's Escrow Account.

Any fund insufficiencies shall be satisfied prior to approval of plans.

Prior to any water main construction, the developer or other party undertaking the construction shall fully fund the construction phase escrow account with sufficient monies to pay the Authority's costs for engineering, construction observation, and administrative costs incurred during the construction phase of the project.

A thirty (30) day review period shall be provided for each plan submitted to the Authority for review. The review period shall begin after the Authority has received the appropriate escrow funds and these funds are cleared by the bank.

A separate escrow account will be maintained for each project.

RULES AND REGULATIONS FOR RIGHT TO KNOW LAW

SECTION XIII: PUBLIC RECORDS AND RIGHT-TO-KNOW POLICY

1. PURPOSE AND SCOPE

The **Myerstown Water Authority** (the "Authority") recognizes the right of the public to inspect and copy public records in accordance with applicable state open record laws. This section outlines the procedures, constraints, and standard fee schedules governing all such requests.

2. OPEN RECORDS OFFICER

The Authority shall annually designate an **Open Records Office** (also referred to as the Agency Open Records Officer or AORO).

- All right-to-know (RTK) or open records requests must be directed to the Open Records Officer.
- **Contact Information:** Requesters may contact the Office at the Authority's main office:
 - **Attn:** Open Records Officer, Myerstown Water Authority
 - **Address:** 601 Stracks Dam Road, Myerstown, PA 17067
 - **Email:** shickernell@mtownwa.com
 - **Phone:** 717-866-9301 / Fax: 717-866-5499

3. PROCEDURE FOR REQUESTING RECORDS

- 1 **Written Requirement:** To pursue official remedies or appeals, all requests for public records must be submitted in writing. The Authority will not accept verbal, anonymous, or unsigned requests.
2. **Submission Methods:** Written requests may be submitted in person, by mail, by facsimile, or via email. Requesters are encouraged to use the standard Office of Open Records Uniform Request Form or the Authority's proprietary form.

3. **Specify:** The request must identify the records sought with **sufficient specificity** to enable the Authority to ascertain which records are being requested.
4. **Timeline:** The Myerstown Water Authority will issue a response within five (5) business days from the date the request was received.
 - **Types of Response:** The response will either grant access, deny access (with written legal justification), or issue a 30-day interim extension notice due to complex factors (e.g., need for legal review or extensive redaction).
 - **Deemed Denial:** if the Authority fails to respond within five (5) business days, the request is legally deemed denied.

4. FEES AND COPYING COSTS

The Authority establishes the following fee schedule for duplication, shipping, and certification of public records.

Fee Category	Description / Rate
Black & White Copies	\$0.25 per page / single side (standard 8.5" x 11" or legal size)
Color Copies	\$0.50 per page / single side
Certified Copies	\$5.00 per record / document (plus applicable per-page copy fees)
Specialized Formats	Actual cost of production (e.g., blue prints, engineering maps, GIS photos)
Electronic / Flash Drive	Actual cost of the physical media (if files cannot be mailed)
Postage & Delivery	Actual cost of the U.S. Mail or carrier shipping

- **Prepayment Threshold:** if the estimated total fees to fulfill a specific request exceed \$100.00, the Authority will require full prepayment of the estimated fees before processing or duplicating the records.
- **No Charge for Inspection:** There is no fee for inspecting records in person at the Authority's main office during regular business hours.

- **Exclusion of Employee Time:** The Authority will not charge fees for labor, staff time spent searching for records, or legal review/redaction of records.

5. LIMITATIONS AND COPYRIGHT CONSTRAINTS

- **Exempt Documents:** Certain infrastructure records, vulnerability assessments, customer account propriety information, and trade secrets are strictly exempted from public access to ensure the physical and cybersecurity of the water system.
- **Copyright Restrictions:** In compliance with the Federal Copyright Act, the Authority cannot make physical photocopies or digital distributions of copyrighted material, including sealed architectural or engineered site plans. Such plans may only be inspected in person at the Authority office.

6. APPEALS PROCESS

If a request is denied or deemed denied, the requester may file an appeal within **15 business days** of the mailing date of the Authority's notice of denial. Appeals must be submitted in writing to the state open records governing body.

Resolution 2026-02 Change to Ite, P. in Section I -Definitions – Tapping Fee	06-11-2026
Resolution 2026-03 Section XIII Right to Know Policy, RTK Officer	10-08-2026