

WYSOX TOWNSHIP MUNICIPAL AUTHORITY
WYSOX, BRADFORD COUNTY, PENNSYLVANIA

RESOLUTION NO. 01 -2018

**RESOLUTION FOR USER CHARGE SYSTEM AND
RULES AND REGULATIONS FOR SEWER USE**

A RESOLUTION OF THE WYSOX TOWNSHIP MUNICIPAL AUTHORITY, WYSOX, BRADFORD COUNTY, PENNSYLVANIA, IMPOSING CHARGES, SURCHARGES, FEES AND ASSESSMENTS FOR USE AND BENEFITS DERIVED FROM THE SEWER SYSTEM OWNED AND OPERATED BY WYSOX TOWNSHIP MUNICIPAL AUTHORITY AND FOR TREATMENT OF WASTES DISCHARGED THERETO, UPON OWNERS OF PROPERTY BENEFITED, IMPROVED OR ACCOMMODATED BY SUCH SEWER SYSTEM; PROVIDING FOR SPECIAL AGREEMENTS, COLLECTIONS AND FOR FILING OF LIENS; REGULATING THE DISCHARGE OF SANITARY SEWAGE AND INDUSTRIAL WASTES INTO SUCH SEWER SYSTEM; ; REGULATING THE DISCHARGE OF SANITARY SEWAGE AND INDUSTRIAL WASTES INTO SUCH SEWER SYSTEM; PROVIDING FOR REVIEW OF OPERATION AND MAINTENANCE CHARGES; PROVIDING FOR ACCESS TO THE SEWER SYSTEM; ADOPTING CERTAIN RULES AND REGULATIONS AND PROVIDING FOR ADOPTION OF ADDITIONAL RULES AND REGULATIONS.

WHEREAS, this Authority will be constructing and operating a Sewer System consisting of facilities for the collection and conveyance of sanitary sewage and other wastewater within Wysox Township, located in Bradford County, Pennsylvania; and

WHEREAS, this Authority, in accordance with power vested in it by law, desires to establish a User Charge System fixing charges, surcharges, fees and assessments for use of its Sewer System and for services rendered by this Authority in connection therewith; and

WHEREAS, this Authority desires to establish Rules and Regulations for the connection to the Sewer System.

NOW THEREFORE, the hereinbefore stated Authority intending to be legally bound hereby states as follows:

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ARTICLE 1

DEFINITIONS

Unless the context specifically and clearly indicates otherwise, the meaning of terms and phrases used in this Resolution shall be as follows:

- A. "Ammonia Nitrogen as N" shall mean ammonia nitrogen as determined pursuant to the procedure set forth in the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by American Public Health Associates, Inc.
- B. "Authority" shall mean Wysox Township Municipal Authority, a municipal Authority of the Commonwealth.
- C. "Billing Unit" shall mean and shall include, as applicable, a Commercial Establishment, a Dwelling Unit, an Industrial Establishment or an institutional establishment.
- D. "B.O.D." (Biochemical Oxygen Demand) shall mean the quantity of oxygen, expressed in ppm, utilized in the biochemical oxidation of organic matter under standard laboratory procedure for five (5) days at twenty (20°) degrees Centigrade. The standard laboratory procedure shall be that found in the latest edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association, Inc.
- E. "Building Sewer" shall mean the sewer extension from the sewage drainage systems of any structure to the Lateral curb box, clean out or some other point of connection as determined exclusively by the Authority. Said Building Sewer shall include all piping and appurtenances, including but not limited to fittings, grinder pump(s) and basin(s), electrical panel(s), controls, wiring, check valve(s), grease trap(s), and any other appurtenances as required by the Authority.
- F. "Commercial Establishment" shall mean any room, group of rooms, building or enclosure connected, directly or indirectly, to the Sewer System and used or intended for use in the operation of a business enterprises for the sale and distribution of any product, commodity, article or service.
- G. "Commonwealth" shall mean the Commonwealth of Pennsylvania.

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- H. "Dwelling Unit" shall mean any room, group of rooms, house trailer, building or other enclosure connected, directly or indirectly, to the Sewer System and occupied or intended for occupancy as living quarters by an individual, family or any other group of persons, excluding institutional dormitories.
- I. "Educational Establishment" shall mean each room, group of rooms, building, house trailer, mobile home, connected directly or indirectly, to the Sewer System and used or intended for use, in whole or in part, for educational purposes, including both public and private schools.
- J. "Improved Property" shall mean any property upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure Sanitary Sewage and/or Industrial Waters shall be or may be discharged.
- K. "Industrial Establishment" shall mean any Improved Property used or intended for use, wholly or in part, for the manufacturing, processing, cleaning, laundering or assembling of any product, commodity or article, or any other Improved Property from which wastes, in addition to or other than Sanitary Sewage, shall or may be discharged.
- L. "Industrial Waste" shall mean any and all wastes discharged from an industrial establishment, other than sanitary sewage.
- M. "Institutional Establishment" shall mean any room, group of rooms, building or other enclosure connected, directly or indirectly, to the Sewer System, including institutional dormitories and educational establishments, which do not constitute a commercial establishment, a dwelling unit or an industrial establishment.
- N. "Lateral" shall mean that part of the Sewer System extending from a sewer main normally located in the street right-of-way to the curb box or clean out or some other point of connection as determined exclusively by the Authority serving an Improved Property. If there shall be no improvement on the property, then "Lateral" shall mean that part of the Sewer System, 1) extending from said sewer to the curb box providing for future extension to a grinder pump, or 2) extending from said sewer to a point of future connection as determined by the Authority to the Building Sewer, if and when said property is improved.
- O. "Multiple Use Improved Property" shall mean any Improved Property in which shall be located more than one billing unit.
- P. "Owner" shall mean any Person vested with Ownership, legal or equitable, sole or partial, of any Improved Property.

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- Q. “Person” shall mean any individual, partnership, company, association, society, trust, corporation or other group or entity.
- R. “pH” shall mean the logarithm of the reciprocal of the concentration of hydrogen ions, expressed in grams per liter of solution, indicating the degree of acidity or alkalinity of a substance.
- S. “ppm” shall mean parts per million parts water, by weight.
- T. “Sanitary Sewage” shall mean normal water-carried household and toilet wastes from any Improved Property.
- U. “Sewer” shall mean any pipe or conduit constituting a part of the Sewer System used or usable for sewage collection purposes.
- V. Sewer “EDU” or Sewer Equivalent Dwelling Unit shall mean the estimated average of daily flow of sewage/wastewater from the average single family residence within the Wysox Township Sewage System on any preceding fiscal year.
- W. “Sewer System” shall mean all facilities at any particular time, for collecting, grinding, pumping, transporting, treating, and disposing of sanitary sewage and/or industrial wastes, acquired, constructed, operated and/or owned by the Authority.
- X. “Street” shall mean and shall include any street, road, lane, court, cul-de-sac, alley, public way or public square, including such streets as are dedicated to public use, and such streets as are owned by private property Owners in association for their mutual and common benefit.
- Y. “Suspended Solids” shall mean suspended solids as determined pursuant to the procedure set forth in the latest edition of “Standard Methods for the Examination of Water and Wastewater,” published by the American Public Health Associations, Inc.
- Z. “Total Phosphorus as P” shall mean total phosphorus as determined pursuant to the procedure set forth in the latest edition of “Standard Methods for the Examination of Water and Wastewater,” published by the American Public Health Association, Inc.
- AA. “Township” shall mean Wysox Township, Bradford County, Pennsylvania, a municipal corporation of the Commonwealth, acting by and through its Board of Supervisors or, in appropriate cases, acting by and through its authorized representative.

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ARTICLE 2

CHARGES, SURCHARGES AND FEES

SECTION 2.01 General:

Charges, surcharges and fees as provided for herein shall be imposed upon and collected from the Owner of each Improved Property benefited, improved or accommodated by the Sewer System. Payment shall be made in accordance with the provisions of Article 4 herein.

SECTION 2.02 Permit Application Fees:

In accordance with the requirements of Article 7, an application fee as determined by the Authority shall be imposed upon any Person seeking a permit to use, uncover, connect with, make any opening into, alter, or disturb in any manner, any part of the Sewer System.

SECTION 2.03 Connection Fees and Tapping Fee:

A Connection Fee and Tapping Fee shall be imposed upon the Owner of each Improved Property prior to the connection of said property to the Sewer System, except as otherwise provided by special agreement under Article 5 herein;

SECTION 2.03A Tapping Fee:

The Owner of each Improved Property shall be required to pay a Tapping Fee per EDU (Equivalent Dwelling Unit) on said property, prior to the connection of said property to the Sewer System, except as otherwise provided by special agreement under Article 5 herein. The calculation of the amount of said Tapping Fee shall be determined by the Authority and as further set forth in the Authority's Rate Resolution.

SECTION 2.03B Connection Fee:

The Owner of each Improved Property shall be required to pay a Connection Fee prior to the connection of said property to the Sewer System, except as otherwise provided by special agreement under Article 5 herein. Said Connection Fee shall be based upon the actual cost of the construction of each Authority Lateral as previously defined in Article 1. The Authority may also base such fee upon an average cost for previously installed connections of similar type and size.

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SECTION 2.04 Ready to Serve Charges;

A Ready to Serve Charge shall be imposed upon all improved properties that are required to connect to the Sewer System but have failed to do so within ninety (90) days after notification in accordance with the respective Township Ordinance. The Ready to Serve Charge shall be an amount equal to the then current user charge applicable to the dwelling or establishment involved, as provided for in Section 2.05 herein, and shall be billed and collected at the same time and in the same manner as those charges imposed upon connected users of the Sewer System. The amounts of any Ready to Serve Charge shall be set by the Authority pursuant to its Rate Resolution.

SECTION 2.05 User Charges:

A user charge shall be imposed upon and collected from the Owner of each Improved Property connected to the Sewer System, effective as of the date of connection or as otherwise provided for in Section 2.04.

The user charge amount shall be applicable to the type of establishment involved on either a flat rate, metered rate or estimated rate basis. The Authority reserves the right to select which user charge rate basis described below shall be applicable to each property served by the Sewer System and to revise the same, from time to time, as necessary.

SECTION 2.05A. Flat Rate Basis for Dwelling Units, Commercial Establishments, Industrial Establishments and Institutional Establishments:

User charges for any Improved Property and constituting a Dwelling Unit, a Commercial Establishment, an Industrial Establishment, or an Institutional Establishment may be on a flat rate basis for the following user classifications at the rate per EDU as established by the Authority's Rate Resolution.

Schedule of Equivalent Dwelling Units

Classification	Number of EDUs:
Residential Dwelling Units:	
Single-family home	1 per unit
Apartment	1 per unit
Duplex and half double	1 per unit
Mobile home	1 per unit
Townhouse	1 per unit

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Classification
Residential Dwelling Units:

Number of EDUs:

Other dwelling units:

Boarding house	1/4 per room
Hotel	1/4 per room
Motel	1/4 per room
Nursing home	1/2 per room
Rooming house	1/4 per room

Office, Retail, Industrial or
General Commercial Establishment

EDU shall be established by a certification from an engineer as to the estimated average of daily flow of sewage and as agreed upon by the Authority.

The right is reserved for the Authority, from time to time, to establish additional flat rate classifications and to establish quarter-annum rates therefor; and further, from time to time, to alter, modify, revise and/or amend flat rate classifications and the quarter-annum rates applicable thereto.

SECTION 2.05B. Metered Rate Basis for Commercial, Industrial, or Institutional Establishments and Meter Rental Rates:

User charges for any Improved Property constituting a Commercial Establishment, an Industrial Establishment or Institutional Establishment not enumerated in Section 2.05A, may be based at the Authority's discretion upon:

- A. Metered volume of potable water usage, adjusted, if appropriate, by the Authority, or
- B. Actual metered volume of wastewater discharge to the Sewer System.

All new Commercial, Industrial, or Institutional Establishments shall be based on a metered rate. The appropriate type of metered basis will be determined by the Authority based upon the Authority's discretion as to which type of metered basis is appropriate for measuring the sewer use.

In either of the foregoing cases (A or B), such user charges shall be computed in accordance with the following metered rate per quarter annum:

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METER RENTAL RATES

<u>Rate Description</u>	<u>Inc</u>	<u>Min</u>	<u>Step Size</u>	<u>Rate</u>	<u>Step Size</u>	<u>Rate</u>
MI- Wysox Meter Rental – 5/8”	2	Y	0	\$13.07	+	0
M2 -Wysox Meter Rental – 1”	2	Y	0	\$25.08	+	0
M3 – Wysox Meter Rental – 2”	2	Y	0	\$68.20	+	0

Wastewater Meter

* If the Authority deems it necessary to measure usage with a wastewater meter then the Authority shall collect the costs of said meter from the property Owner at rental rates to be set forth and established by the Authority based on the costs of said meter.

SECTION 2.05C Estimated Rate Basis for Certain Commercial, Institutional and Industrial Establishments:

When the volume of potable water usage or wastewater discharge is not metered and flat rate charges are deemed inappropriate, user charges for sanitary sewage and/or industrial wastes discharged to the Sewer System from any Improved Property constituting a Commercial, Institutional or Industrial Establishment, may be based upon the Authority’s estimate of potable water consumption of said Improved Property and billed in accordance with the Authority’s Rate and Fees Schedule.

SECTION 2.05D Metered Volume of Wasterwater Discharge:

In the sole discretion of the Authority, when the Authority deems it necessary to measure any Improved Property by the actual metered volume of wastewater discharged to the Sewer System, the property Owner shall be responsible for the costs of the meter used by the Authority to measure the wastewater discharge plus said property Owner shall be billed for usage based upon the established meter rate schedule.

SECTION 2.05E User Charges for Property Owner Served with Public Water:

Any Improved Property that is being or can be served by public water shall be responsible for the costs of the wastewater pursuant to the measured usage of water as set forth by the meters regarding public water. The rates and costs shall be pursuant to the Authority's Rate Resolution. As set forth by said Rate Resolution, there shall be a minimum rate charged to every Improved Property based on a usage from zero to 1,000 gallons per month.

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SECTION 2.06. Multiple Use Improved Properties:

A Multiple Use Improved Property exists where two or more billing units, i.e., dwelling units or Commercial, Institutional or Industrial Establishments, or combinations thereof, share a common connection to the Sewer System or a common structure. In such cases, each such billing unit shall pay a separate user charge, as though it was housed in a separate structure and had a direct and separate connection to the Sewer System, computed in accordance with the appropriate section of Article 2, Section 2.05A of this Resolution.

However, when a Multiple Use Property, that has two or more billing units that share a common connection to the Sewer System and share a common structure, chooses to have its user charges based on a meter as computed in Section 2.05B of this resolution then said Multiple Use Property may be permitted by the installation of an approved meter as follows:

In said case the Property Owner of the Multiple Use Property shall apply to the Wysox Township Municipal Authority who will provide the property Owner with an appropriate meter as determined by the Authority. Said meter shall be installed by the Authority and the location of said meter installation shall be as determined by the Authority. The property Owner will be responsible for the total cost of the installation and inspection of the meter. Once said meter has been installed and the Authority has provided its approval of said installation then the Multiple Use Property shall be billed for its user charge and meter rental rate as set forth on the appropriate portion of Section 2.05B of this Resolution.

SECTION 2.07. Volume and Composition Surcharges:

The Owner of any Improved Property which shall discharge Sanitary Sewage and/or Industrial Wastes into the Sewer Systems or a volume greater than any established or limited gallonage per day (gpd) shall pay a volume surcharge as established by the Authority.

The Owner of any Improved Property which shall discharge sanitary sewage and/or industrial waste to the Sewer System having a B.O.D. greater than 220 ppm and suspended solids content greater than 220 ppm, a total phosphorus as P content greater than 10 ppm and an ammonia nitrogen as N content greater than 25 ppm, shall pay a strength of waste surcharge, in addition to applicable volume charges, in accordance with the joint requirements of the Towanda Municipal Authority and the Wysox Township Municipal Authority in effect at the time of violation. Surcharges shall be paid in addition to all user charges computed in accordance with provisions of this Article 2. The strength of sanitary sewage and/or industrial wastes to be used for

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establishing the amount of surcharge shall be determined periodically at the discretion of the Authority either: (1) by suitable sampling and analysis of such wastes for a consecutive three-day period during a time of normal plant operation; or (2) from estimates made by the Authority; or (3) from known relationships of products produced to strengths of such wastes for those industries where such factors have been established. In establishing such waste strengths for surcharge purposes by analysis, analyses shall be made in accordance with procedures outlined in the latest edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association, Inc.

SECTION 2.08. Owner Supplied Information:

The Owner of any Improved Property discharging sanitary sewer and/or industrial wastes to the Sewer System shall furnish to the Authority, upon written request, all information deemed essential by the Authority for the determination of applicable fees, charges and surcharges. The costs of obtaining such information shall be borne by such Owner of such Improved Property. All such data shall be kept confidential.

Upon failure of the Owner to provide adequate information, the Authority may estimate applicable fees, charges and surcharges based upon available information, or until such time as actual information is received. There shall be no rebate of past Owner payments if actual information reveals that such payments were overestimated.

ARTICLE 3

SEWER SYSTEM EXTENSIONS AND ASSESSMENTS

The Authority may cause an extension of the Sewer System for reasons of health, safety and welfare of citizens, or for economic reasons, or for purposes of orderly community development, or because of mandates by State or Federal regulating agencies, or for other reasonable cause. Costs of said extension shall be assessed, on a front foot basis, against property benefited in accordance with the appropriate Township Code.

SECTION 3.01. Front Foot Assessments:

The Authority, as stated in Article 3 may assess the costs of extension to the Sewer System against the properties benefited in accordance with the appropriate Township Code.

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SECTION 3.02. Benefit Assessments:

In lieu of a front foot assessment, a benefit assessment may be imposed by the Authority upon the Owners of irregular shaped properties with sewer frontage when it is determined that a front foot assessment would result in a payment inequitable to the benefit derived from the Sewer System.

Whenever application is received by the Authority for sewer service requiring an extension of or improvement of the Sewer System to provide such service, the Authority and/or its Engineer shall first determine the feasibility of said extension in terms of Sewer System Capacity and other related consideration.

Where the Sewer System of the Authority is to be extended at the expense of the Owner or Owners of properties, the property Owner or Owners shall have the right to construct the extension himself or themselves or through a subcontractor approved by the Authority, which approval shall not be unreasonably withheld; provided that the Authority shall have the right, at its option, to perform the construction itself only if the Authority provides the extension at a lower cost and within the same timetable specified or proposed by the property Owner or Owners or his or their approved subcontractors. Construction by the property Owner or Owners shall be in accordance with an agreement for the extension of the Authority's system and plans and specifications approved by the Authority and shall be undertaken only pursuant to the existing regulations, requirements, rules and standards of the Authority applicable to such construction and shall further be subject to inspection by an inspector authorized to approve such construction and employed by the Authority during construction. When a main is to be extended at the expense of the Owner or Owners of properties, the property Owner or Owners may be required to deposit with the Authority, in advance of construction, the Authority's estimate of reasonable and necessary costs of reviewing plans, construction, inspections, administrative, legal and engineering services. The Authority may require that construction shall not commence until the property Owner has posted appropriate financial security. The Authority may prescribe that the property Owner or Owners shall reimburse the Authority for reasonable and necessary expenses incurred as a result of the extension. If an independent firm is employed for engineering review of the plans and the inspection of improvements, reimbursements for such services shall be reasonable and in accordance with the ordinary and customary fees charged by the independent firm for work performed for similar services in the community, but in no event shall fees exceed the rate or cost charged by the independent firm to the Authority when fees are not reimbursed or otherwise imposed on applicants. Upon completion of construction, the property Owner or Owners shall dedicate, and the Authority shall accept, the extension of the Authority's system, provided dedication of facilities and the installation complies with the plans, specifications, regulations of the Authority and the agreement.

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Where a property Owner constructs or causes to be constructed at his expense any extension or improvement of the Sewer System of the Authority, the Authority shall provide for the reimbursement to the property Owner when the Owner of another property not in the development for which the extension was constructed, connects a service line directly to the extension within ten years of the date of the dedication of such extension to the Authority in accordance with the following provisions;

- A. Such reimbursement shall be equal to the distribution or collection part of each Tapping Fee collected as a result of subsequent connections. The Authority shall be entitled to deduct from each reimbursement payment an amount equal to five per centum which shall be deemed to represent the appropriate charge for administrative expenses and services rendered in calculating, collecting, monitoring and disbursing the reimbursement payment to the property Owner entitled thereof.
- B. Reimbursement shall be limited to those lines which have not previously been paid for by the Authority.
- C. The Authority shall, in the preparation of the necessary reimbursement agreement with the property Owner or Owners for whose benefit reimbursement will be provided, attach as an exhibit an itemized listing of all sewer facilities for which reimbursement shall be provided.
- D. The total reimbursement to which a property Owner or Owners shall be entitled shall not exceed the costs of all labor and material, engineering design charges, the costs of performance and maintenance bonds, Authority review and inspection charges, as well as flushing and television charges and any and all charges involved in the acceptance and dedication of such facilities by the Authority, less amount which would be chargeable to such property Owner based upon the Authority's collection and distribution Tapping Fees which would be applicable to all lands of the property Owner served directly or indirectly through such extensions if the property Owner did not fund the extension.
- E. The Authority shall be required to notify by certified mail, to their last known address, the property Owner or Owners for whose benefit such reimbursement shall apply within thirty days of the Authority's receipt of any such reimbursement payment. In the event that the property Owner or Owners have not claimed a reimbursement payment within one hundred twenty days of the mailing of the notice, the payment shall revert to and become the sole property of the Authority with no further obligation on the part of the Authority to refund the payment to the property Owner or Owners.

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ARTICLE 4

TIME AND METHOD OF PAYMENT

SECTION 4.01

User charges, ready to serve charges and surcharges, as applicable, shall be rendered on a monthly basis, and shall cover the monthly billing period consisting of the immediately preceding calendar month. The Owner of any Improved Property which shall be connected to the Sewer System for only a part of a monthly bill period shall pay such charges on a pro-rata basis for the portion of the monthly billing period which such connection was in effect.

Permit application fees, Connection Fees and assessments shall be billed on a one-time payment basis unless arrangements for installment payments are specifically approved by the Authority.

SECTION 4.02

Billings for user charges, ready to serve charges, surcharges, permit application fees, Connection Fees and/or assessments shall be due and payable upon the applicable billing date, at the office of the Authority, and the appropriate amount, computed in accordance with this Resolution, shall constitute the net bill. If such billings are not paid within thirty (30) calendar days after each billing date, an additional sum of one and one-half percent (1 ½ %) shall be added to such net bill, which net bill, plus such additional sum, shall constitute the gross bill. The 1.5% shall be compounded on any amounts and interest due. Payment made or mailed and postmarked on or before the last day of such thirty (30) calendar day period shall constitute payment within such period. If the end of such thirty (30) calendar day period shall fall on a legal holiday or on a Sunday, then payment made on or mailed and postmarked on the next succeeding regular day shall constitute payment within such period.

SECTION 4.03.

The Owner of an Improved Property, prior to connection to the Sewer System, shall provide the Authority with and thereafter shall keep the Authority advised of the correct address of such Owner. Failure of any Person to receive bills shall not be considered as excuse for nonpayment, nor shall such failure result in an extension of the period of time during which the net bill shall be payable.

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SECTION 4.04

Those fees, charges, surcharges and assessments herein specified and other requirements herein imposed on Owners of Property improved, benefited or accommodated by the Sewer System are part of a contract and every such Owner shall be bound by provisions of this Resolution.

SECTION 4.05

No officer or employee of the Township or Authority is authorized to vary fees, charges, surcharges or assessments imposed herein or other provisions of this Resolution without action by the Authority.

ARTICLE 5

SPECIAL AGREEMENTS

Notwithstanding any provision in this Resolution to the contrary, the Authority shall have the right to enter into special agreements which the Owner of any Improved Property with respect to terms and conditions upon which sanitary sewage and/or industrial wastes may be discharged to the Sewer System and with respect to payments to be made to the Authority in connection therewith. In such event, such service and payments shall be governed by terms and conditions of such special agreements.

ARTICLE 6

ENFORCEMENT

SECTION 6.01 Filing and Collections of Liens:

Billings for user charges, ready to serve charges, surcharges, Connection Fees and/or assessments imposed by this Resolution shall be a lien upon the Improved Property connected to and served by the Sewer System and any such billings which are not paid within thirty (30) days after each monthly billing date, at the discretion of the Authority, shall be filed as a lien against the Improved Property so connected to and served by the Sewer System, which lien shall be filed in the appropriate office of the County of Bradford, Pennsylvania, as provided by law, and shall be collected in the manner provided by law for the filing and collecting of municipal claims.

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SECTION 6.02 Discontinuance of Services:

Notwithstanding any other enforcement provisions, the Authority shall at their option have the right to discontinue services as set forth under the Rules and Regulations for Water Use when an Improved Property Owner fails to pay the sewer charges and rates or if the Improved Property Owner violates any of the terms of these Rules and Regulations for sewer use.

ARTICLE 7

BUILDING SEWERS AND CONNECTIONS

SECTION 7.01

No Owner shall uncover, connect with, make any opening into or use, alter or disturb, in any manner, any part of the Sewer System without first applying for and obtaining a permit, in writing, from the Authority.

SECTION 7.02

Application for a permit required under Section 7.01 shall be made by the Owner of the property served or to be served or by the duly authorized agent of such Owner. Authority shall require the payment of a permit fee in such amount as shall be designated by the Authority's resolution from time to time.

SECTION 7.03

No Owner shall make or shall cause to be made a connection of any Improved Property to the Sewer System until such Owner has fulfilled each of the following conditions:

- A. Such Owner shall have notified the Authority of the desire and intention to connect such Improved Property to the Sewer System.
- B. Such Owner shall have applied for and shall have obtained a permit in writing as required by Section 7.01;
- C. Such Owner shall have given the Authority at least twenty-four (24) hours notice of the time when such connection will be made so that the Authority may supervise and inspect or may cause to be supervised and inspected the work of connection and necessary testing; and

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- D. As applicable, such Owner shall have furnished satisfactory evidence to the Authority that any and all appropriate charges, surcharges, fees and assessments imposed by the Authority against the Owner of each Improved Property have been paid prior to the connection.
- E. Such Owner shall construct their Building Sewer according to the terms and specifications as set exclusively by the Authority.
- F. There shall be no connections to the Sewer System without having first obtained the exclusive prior written approval of the Authority.

SECTION 7.04

Except as otherwise provided in this Section 7.04, each Improved Property shall be connected separately and independently with a sewer through a Building Sewer. Grouping of more than one Improved Property and/or multiple use improved properties on one Building Sewer shall not be permitted, except under special circumstances and for good sanitary reasons or other good cause shown, but then only after special permission of the Authority, in writing, having been secured and only subject to such rules, regulations and conditions as prescribed by the Authority.

SECTION 7.05

All costs and expenses, including electrical, construction, operation, maintenance, repair, and connection of a Building Sewer, including all associated appurtenances, to the Sewer System shall be borne by the Owner of the Improved Property to be connected; and such Owner shall indemnify and shall save harmless this Township and the Authority from all loss or damage that may be occasioned, directly or indirectly, as a result of construction, operation, maintenance, repair and connection of said Building Sewer to the Sewer System.

SECTION 7.06

A Building Sewer shall be connected to the Sewer System at the place designated by the Authority and where, if applicable, the Lateral is provided.

SECTION 7.07

No privy, vault, cesspool, sinkhole, septic tank or similar receptacle shall be used or shall be maintained at any time upon any Improved Property which has been connected to the Sewer System or which shall be required under Section 2.01 to be connected to a sewer.

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Every such privy, vault, cesspool, sinkhole, septic tank or similar receptacle in existence shall be abandoned and shall be filled at the expense of the Owner of such property; and any such privy vault, cesspool, sinkhole, septic tank or similar receptacle not so abandoned and not filled shall constitute a nuisance, and such nuisance may be abated, as provided by law, at the expense of the Owner.

SECTION 7.08

No privy vault, cesspool, sinkhole, septic tank or similar receptacle at any time shall be connected with to the Sewer System.

ARTICLE 8

PROHIBITED WASTES

SECTION 8.01

No person shall discharge or shall cause to be discharged any storm water, surface water, spring water, ground water, roof runoff, subsurface drainage, building foundation drainage, cellar drainage or drainage from roof leader connections into the Sewer System.

SECTION 8.02

The Authority reserves the right to refuse permission to connect to the Sewer System, Sewer System to compel discontinuance of use of the Sewer System or to compel pretreatment of industrial wastes by any industrial establishment, in order to prevent discharges deemed to be harmful or to have a deleterious effect upon any part of the Sewer System. The Authority also reserves the right to take steps to measure any infiltration problems as set forth in Section 8.01 and to collect from the property Owner the costs for any excess usage or discharge to the Sewer System, based upon the rate schedule in Section 2.05 plus the Authority can collect from the property Owner the costs of said meter used in measuring said infiltration. Further the Authority can collect from the property Owner any costs incurred by the Authority in taking steps to remedy the problems.

SECTION 8.03

The Authority reserves the right to set concentration or mass discharge limits to any Person discharging to the Sewer System. In general, and except as otherwise provided, no Person shall discharge or cause to be discharged to the Sewer System any matter or substance:

- A. Having a temperature higher than 120 degrees F. or less than 32 degrees F.;

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- B. Containing more than 80 mg/l of fat, oil or grease;
- C. Containing any gasoline, benzene, naphtha, fuel, oil, paint products, acid or other flammable or explosive liquids, solids or gases;
- D. Containing any solid wastes resulting from preparation, cooking and dispensing of food and from handling, storage and sale or produce, which wastes commonly are known as garbage, which have not been ground by household type garbage disposal units or other suitable garbage grinders:
- E. Containing any ashes, cinders, sand, mud, straw, string, shavings, metal, glass, rags, feathers, tar, cotton, dental floss, wool or other fibers, plastics, wood, paunch manure or any other solid or viscous substances capable of causing obstructions or other interference with proper operation of the Sewer System:
- F. Having a pH lower than 6.0 or higher than 9.0, or having any other corrosive property capable of causing damage or hazards to structures or equipment of the Sewer System or any sewer or to any Person engaged in operation and maintenance of the Sewer System.
- G. Containing toxic or poisonous substances in sufficient quantity to injure or to interfere with any sewage treatment process, to constitute hazards to humans or animal or to create any hazards in waters which shall receive treated effluent from the Sewer System;
- H. Containing dye from any source that will result in a treatment plan effluent exceeding limits in compliance with applicable State or Federal regulations;
- I. Containing radio-active substances and/or isotopes of such half-life or concentration that will result in a treatment plan effluent exceeding limits in compliance with applicable State or Federal regulations;
- J. Having a chlorine demand in excess of 15 mg/l at a detention time of 20 minutes;
- K. Prohibited by any permit issued by the Commonwealth of Pennsylvania or the U.S. Environmental Protection Agency:
- L. Containing wastes which are not amenable to biological treatment or reduction in existing treatment facilities, specifically non-biodegradable complex carbon compounds;

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- M. Having a B.O.D. content greater than two hundred twenty (220 ppm);
- N. Having a suspended solids content greater than two hundred twenty (220 ppm);
- O. Having a Total Phosphorous as P content greater than 10 ppm;
- P. Having an Ammonia Nitrogen as N content greater than 25 ppm;
- Q. Having an instantaneous slug flow greater than five percent (5%) of the average daily sewage flow at the Sewer System treatment plant;
- R. Having any waste containing toxic or poisonous substances in excess of the following limits, measured at the point of discharge to the sewer system;

<u>SUBSTANCE</u>	<u>MAXIMUM CONCENTRATION-mg/l</u>
Arsenic	0.01
Cadmiun (as Cd)	0.05
Chromium (asCr)	4.00
Copper (as Cu)	0.2
Cyanides	0.1
Lead	0.05
Mercury	0.00075
Molybdenum (as Mo)	0.05
Nickel (as Ni)	0.5
Phenol	0.005
Silver	0.05
Zinc (as Zn)	1.00

Provided, however, that deviations from the above schedule may be authorized by the Authority in its sole discretion, upon an affirmative showing by the Owner requesting the same that such deviation will not be harmful to the Sewer System and upon approval by the Authority's Consulting Engineers.

- S. Containing any substances not mentioned in the foregoing list that will pass through the treatment works and exceed the maximum permitted levels for such substance under the requirements of the State or other governmental agencies.
- T. Containing noxioux or malodorous gases that create a public nuisance or hazard to life.

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SECTION 8.04

In no circumstances shall a Person discharge or cause to be discharged into the Sewer System any of the substances listed in Section 8.03 above, without first securing a written permit to do so from the Authority.

SECTION 8.05

Whenever a Person is authorized by the Authority and the appropriate governmental agencies to discharge any sanitary sewage or industrial waste containing any of the substances or possessing any of the characteristics referred to in Section 8.03 of this Ordinance, such discharge shall be subject to the continuing approval, inspection and review of the Authority’s Consulting Engineer. If, in the opinion of the Authority’s Consulting Engineer, such discharges are causing or will cause damage to the Sewer System, the Authority shall order the person causing such discharge to cease doing so forthwith, or to take appropriate action, as may be required by the Authority, to eliminate the harmful discharge.

SECTION 8.06

Nothing contained in this Article shall be construed as prohibiting any special agreement or arrangement between the Authority and the Owner of an Improved Property from which industrial wastes of unusual strength or character may be admitted into the Sewer System.

Section 8.07

Where necessary, in the opinion of the Authority, the Owner of an Improved Property shall provide, at the expense o the Owner, suitable pretreatment facilities in order to comply with Section 8.03 of this Article.

Plans, specifications and any other pertinent information relating to proposed facilities for preliminary treatment and handling of industrial waste shall be submitted for approval of the Authority. No construction of any such facility shall commence until approval has been obtained, in writing, from the Authority, and until approval has been obtained from any regulatory body having jurisdiction.

Whenever facilities for preliminary treatment and handling of industrial wastes are provided, such facilities shall be continuously maintained, at the expense of the Owner, in satisfactory operating condition. The Authority shall have access to such facilities at reasonable times for purposes of inspection and sampling.

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ARTICLE 9
ADMISSION OF
INDUSTRIAL WASTES INTO THE SEWER SYSTEM

SECTION 9.01.

No person shall discharge or cause to be discharged into the Sewer System any industrial wastes without prior application for and receipt of a written permit from the Authority.

SECTION 9.02 Required Survey Data

Any person desiring to make or use a connection through which industrial wastes shall be discharged into the Sewer System shall file with the Authority a completed "Industrial Wastes Questionnaire", furnished by the Authority, which shall supply pertinent data, including estimated quantity of flow, characteristics and constituents of the proposed discharge. The costs of obtaining all such data shall be borne by the Person desiring to make or use the connection to the Sewer System. All such data shall be kept confidential.

SECTION 9.03 Industrial Waste Contribution Reports

- A. Ten (10) days prior to the first day of March, June, September, and December of each year, each major contributor of industrial waste shall file with the Authority a report on the quality and quantity of their discharge. The report forms shall be supplied by the Authority and shall be similar to EPA 7550-22, page IV-I.
- B. Major contributors shall consist of those whose total discharge exceeds 10,000 gallons per day, has in its waste a toxic pollutant or, in the judgment of the Authority, would have a significant impact on the Authority's treatment plant or the quality of its effluent.

SECTION 9.04. Sampling, Flow, Measurements, Testing and Inspection.

- A. When required by the Authority, the Owner of any Improved Property serviced by a Building Sewer carrying industrial waste shall install at his expense, a suitable control manhole, together with such necessary meters and other appurtenances in the Building Sewer, to facilitate observations, sampling and measurement of the waste.

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- B. All measurements, tests and analysis of the characteristics of waters and wastes to which reference is made herein shall be determined in accordance with the latest edition of "Standard Methods for Examination of Water and Wastewater", published by the American Public Health Association and shall be determined by or under the direct supervision of a "qualified analyst" at the control manhole provided, or upon suitable samples taken at such control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the Building Sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the Sewer System and to determine the existence of hazards of life, limb, and property. (The particular analyses involved will determine whether a twenty-four (24) house composite of all outfalls of a premises is appropriate or whether a grab sample or samples be taken.)

SECTION 9.05. Changes in Type of Wastes

Any industrial establishment discharging sanitary sewage and/or industrial wastes into the Sewer System and contemplating a change in the method of operation which will alter the characteristics and/or volume of wastes being discharged shall notify the Authority, in writing, at least ten (10) days prior to consummation of such change.

SECTION 9.06 Interceptors

Grease, oil and sand interceptors shall be provided by the Owner of any industrial, commercial or institutional establishment, when required by the Authority, for the proper handling of liquid wastes containing excessive grease, flammable wastes, sand or other harmful substances. All interceptors shall be of a type and capacity approved by the Authority and constructed or installed at a satisfactory location in accordance with plans approved by the Authority prior to installation or commencement of construction.

SECTION 9.07

The use of mechanical garbage grinders in industrial or commercial establishments shall not be permitted without prior approval from the Authority

SECTION 9.08

The Authority has the right to require industrial establishments having large variations in rates of waste discharge to install suitable regulating devices for equalizing waste flows to the Sewer System.

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SECTION 9.09 Pre-Treatment Facilities

- A. Whenever a Person requests permission to discharge sanitary sewage or industrial waste containing any substance prohibited in Article 8 of this Resolution, the Authority may require said Person provide, at his own expense, pre-treatment of such wastes to reduce or eliminate objectionable flows, substances or characteristics prior to discharge into the Sewer System.

- B. Whenever a Person is required by the Authority to provide pre-treatment facilities, such person shall develop and submit to the Authority suitable compliance schedules. No construction of such facilities shall commence until:
 - 1. Construction drawing, specifications and other pertinent information relating to the proposed facilities are submitted by said person to the Authority's consulting Engineer, and
 - 2. The Authority's Consulting Engineer gives written approval of the compliance schedule and design of the proposed facilities.

- C. Whenever approved pre-treatment facilities are placed in operation, said facilities shall be continuously and satisfactorily maintained by the Person who installed them or by the Owner thereof, at their expense. The Authority, or its designated agent, shall have the right to inspect said facilities at any reasonable time to insure they are being properly maintained and operated in accordance with the then current Rules and Regulations of the Authority.

ARTICLE 10

BIENNIAL REVIEW OF USER CHARGE SYSTEM

The Authority shall review not less often than every two (2) years the waste contribution of each user or user class, the total costs of operation and maintenance of the treatment works and the Authority user charge system. The Authority shall maintain such records as are necessary to document compliance with regulations of the Commonwealth and the United States Environmental Protection agency. The Authority shall revise the charges, surcharges and fees for users or user classes as necessary to accomplish the following:

- A. Maintain the proportionate distribution of operation and maintenance costs among users and user classes as required by regulations of the United States Environmental Protection Agency.

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- B. Generate sufficient revenue to pay the total operation and maintenance costs necessary for the proper operation and maintenance (including equipment replacement) of the various portions of the Sewer System, as well as the required debt service and reserve.
- C. Generate sufficient revenue to finance, in whole or in part, expansion of the Sewer System for present and/or future users and user classes.
- D. Apply excess revenues collected from a class of users to the costs of operation and maintenance attributable to that class for the next year and adjust the rate accordingly.
- E. Distribute the costs of operation and maintenance of all flow not directly attributable to users (i.e., infiltration/inflow) among all users of the Authority's Sewer System in the same manner that the costs of operation and maintenance are distributed amount users, or user class for their actual use.

All fees, penalties and charges collected shall be used for the purpose of operating, maintaining and replacement of the Sewer System or retirement of the debt incurred for same.

ARTICLE 11

ACCESS

The Authority and/or Township shall have the right to access, at all reasonable times to any part of any Improved Property served by the Sewer System as necessary for purposes of inspection, observation, measurement, sampling and testing and for performance of other functions relating to service rendered by the Authority through the Sewer System.

ARTICLE 12

OWNER-TENANT LIABILITY

The Owner of any Improved Property connected to the Sewer System shall be held liable for all acts of tenants or other occupants of such Improved Property insofar as such acts shall be governed by provisions of this Resolution.

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ARTICLE 13

TOWNSHIP-AUTHORITY LIABILITY

The Township and/or Authority shall not be liable for a deficiency or failure of service when occasioned by an emergency or required repairs, or failure from a cause beyond its control; the Township and/or Authority reserves the right to restrict the use of the Sewer System whenever public welfare may require it; and the Township and/or Authority shall not be responsible for any damage or expense to any person or to an Improved Property or any billing unit resulting from any leak, stoppage or defect in the Sewer System.

ARTICLE 14

ADOPTION OF ADDITIONAL RULES AND REGULATIONS

The Authority reserves the right to adopt, from time to time, such additional rules and regulations as it shall deem necessary and proper in connection with use and operation of the Sewer System, which rules and regulations shall be, shall become and shall be construed as part of this Resolution. In accordance with applicable laws, public notice shall be given prior to the adoption of any amendments to this Resolution.

ARTICLE 15

SEVERABILITY

In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Resolution, it being the intent of this Township that such remainder shall be and shall remain in full force and effect.

ARTICLE 16

REPEALER

All Ordinances or parts of ordinances or resolution or parts of resolutions which are inconsistent herewith expressly shall be and are repealed.

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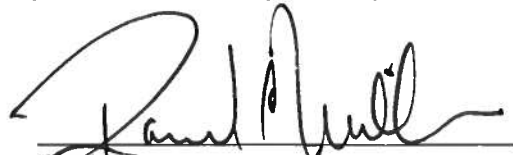
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ARTICLE 17

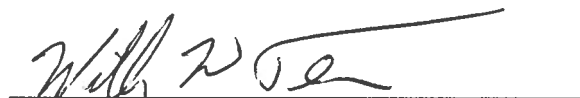
EFFECTIVE DATE

This Resolution shall become effective on the date of its adoption by the Authority.

DULY RESOLVED AND ADOPTED this 19th day of October, 2018 by the Wysox Township Municipal Authority, Bradford County, Pennsylvania, in lawful session duly assembled.


Chairman

Attest:


Secretary

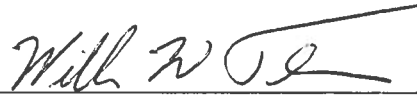
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CERTIFICATION OF ADOPTION

I hereby certify that the foregoing is a true and correct copy of a Resolution adopted at a meeting of the Wysox Township Municipal Authority held on the 19th day of October, 2018.


Secretary

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