



The
Authority

NORTHAMPTON, BUCKS COUNTY, MUNICIPAL AUTHORITY



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**NORTHAMPTON, BUCKS COUNTY,
MUNICIPAL AUTHORITY**

RATES, RULES & REGULATIONS

EFFECTIVE DATE: OCTOBER 27, 1992

Last Revised February 5, 2020 - Resolution No. 2020-1223 - Beauty Shop EDU

TABLE OF CONTENTS

ARTICLE I - GENERAL..... 2

(AUTHORITY PRACTICE & PROCEDURES) 3

Section 1 - Definitions 3

Section 2 - General Billing 4

 Water Service charges..... 5

 Sewer Service rental charges 5

 Fire Protection 5

Section 3 - Late Charges/Delinquencies..... 5

Section 3A - Adjustment of Claims..... 8

Section 4 - Liens..... 9

Section 5 - Hardship 10

Section 6 - Deposits..... 10

Section 7 - Address of Record..... 12

Section 8 - Responsibility for Payment..... 12

Section 9 - Non-Limitation 12

Section 10 - Changes or Additions 12

Section 11 - Right of Access 12

Section 12 - Authorization to Carry Out Duties..... 12

Section 13 - Non-Liability of Authority..... 13

Section 14 - Water Restrictions 13

Section 15 - Ratification of Agreements..... 14

Section 16 - Complaints 14

Section 17 - Engineering Design Guidelines 14

Section 18 - Guidelines for Developers 14

Section 19 - Requirements for Dedication 15

Section 20 - Sewer Specifications 15

Section 21 - Water Specifications 15

ARTICLE II - WATER SERVICE..... 16

(RATES, FEES, AND OTHER CHARGES) 17

Section 1 - Schedule of Rates 17

Section 2 - Fire Service..... 17

Section 3 - Unauthorized Use of a Fire Hydrant..... 18

Section 4 - Water for Builders' Purpose..... 18

Section 5 - Other Fees and Charges..... 18

 Tapping Fees..... 18

 Connection Fees..... 19

 Water Meter Fees..... 19

 Meter Testing Deposits 19

 Flow Tests..... 19

 Turning Off Water 19

 Turning On Water 19

 Posting Fee..... 19

 Meter Resealing Fee 19

 Special Meter Reading..... 19

 Damage To Meters..... 20

 Service Call Policy..... 20

 Letter of Certification 20

 Highway Occupancy Permit (Road Opening)..... 20

 Returned Checks or Payments 21

 Water System Specifications 21

 Copies of Authority Documents..... 21

 Water System Plans 20

Section 6 - Agreements 21

Improvement Agreement	21
Internal Design Contracts	22
Changes to Agreements	22
Extension/Supplemental/Assignment Agreements	22
Administration of Agreements and Escrows.....	22
Section 7 - Expenses of Authority Personnel.....	23
Section 8 - Engineering, Legal and/or Consulting Expenses.....	23
Section 9 - Feasibility Study Fees.....	23
Section 10 - Design Review Fees.....	23
ARTICLE III - WATER SERVICE	25
(RULES AND REGULATIONS).....	26
<i>Section 1 - Supplying Water Service</i>	<i>26</i>
<i>Section 2 - Application for Water Service</i>	<i>26</i>
<i>Section 3 - Regulations for Connections.....</i>	<i>26</i>
<i>Section 4 - Service Lines.....</i>	<i>26</i>
<i>Section 5 - Water Meters.....</i>	<i>27</i>
<i>Section 6 - Installation of Meters</i>	<i>27</i>
<i>Section 7 - Operation of Meters.....</i>	<i>28</i>
<i>Section 8 - Size of Meters.....</i>	<i>30</i>
<i>Section 9 - Protection of Meters</i>	<i>31</i>
<i>Section 10 - Repairs</i>	<i>31</i>
<i>Section 11 - Turning Off Water Service.....</i>	<i>31</i>
<i>Section 12 - Turning On Water Service</i>	<i>32</i>
<i>Section 13 - Multiple Buildings or Occupancies.....</i>	<i>33</i>
<i>Section 14 - Vacant Premises and Change in Occupancy.....</i>	<i>33</i>
<i>Section 15 - Fire Service.....</i>	<i>34</i>
<i>Section 16 - Water for Builders' Purpose.....</i>	<i>34</i>
<i>Section 17 - Miscellaneous</i>	<i>35</i>
<i>Section 18 - Permits From Governmental Entities</i>	<i>36</i>
<i>Section 19 - Meter Pits.....</i>	<i>36</i>
ARTICLE IV - SEWER SERVICE	37
(RATES, FEES, AND OTHER CHARGES).....	38
<i>Section 1 - Imposition of Sewer Rentals or Charges</i>	<i>38</i>
<i>Section 2 - Imposition of Tapping Charges</i>	<i>38</i>
<i>Section 3 - Imposition of Connection Fees</i>	<i>38</i>
<i>Section 4 - Imposition of Tap and Saddle Fees.....</i>	<i>39</i>
<i>Section 5 - Tapping Fees Where Water Usage Metered - Non-Residential</i>	<i>40</i>
<i>Section 6 - Other Fees and Charges.....</i>	<i>40</i>
Turning Off Water	40
Turning On Water.....	40
Posting Fee.....	40
Service Call Policy.....	40
Letter of Certification	40
Highway Occupancy Permit (Road Opening).....	41
Returned Checks or Payments	41
Sewer System Specifications	41
Copies of Authority Documents.....	42
Sewer System Plans	42
Sampling Fees.....	42

Section 7 - Agreements	42
Improvement Agreements.....	42
Internal Design Contracts	42
Changes to Agreements	43
Extension, Supplemental and Assignment Agreements	43
Administration of Agreements and Escrow Accounts	43
Section 8 - Expenses of Authority Personnel.....	43
Section 9 - Engineering, Legal and/or Consulting Expenses.....	43
Section 10 - Feasibility Study Fees.....	44
Section 11 - Design Review Fees.....	44
Section 12 - Television Inspection and Flushing Fees	44
ARTICLE V - SEWER SERVICE.....	46
(RULES AND REGULATIONS).....	47
Section 1 - Sewer Districts	47
Section 2 - Dwelling Unit.....	47
Section 3 - Equivalent Dwelling Unit.....	47
Section 4 - Residential and Non-residential Combination Usage	50
Section 5 - Estimation of Sewer Rental.....	50
Section 6 - Sewer Service For Less Than One Quarter.....	50
Section 7 - Unusual Circumstances	51
Section 8 - Schools.....	51
Section 9 - Regulations for Connections.....	53
Section 9A - Grinder Pumps.....	56
Section 10 - Regulations Governing Admission of Wastes Into The Sewer System	56
Section 11 - Prohibited Wastes	57
Section 12 - Permits from Governmental and Other Agencies.....	57
ARTICLE VI - INDUSTRIAL, HARMFUL, AND PROHIBITED WASTES	58
(RULES AND REGULATIONS).....	59
Section 1 - Definitions	59
Section 2 - Industrial Waste Discharges	63
Section 3 - Limitations on Discharge	63
Section 4 - Grease and Sand Interceptors.....	68
Section 5 - Industrial Waste Permits.....	68
Section 6 - Preliminary Treatment And Handling of Industrial Wastes.....	72
Section 7 - Reporting Criteria for Industrial Users	73
Section 8 - Surcharges	75
Section 9 - Enforcement	76
Section 10 - Wastewater Control Regulations.....	76
ARTICLE VII - DEVELOPER RECAPTURE/REIMBURSEMENT/BCWSA TAPPING FEES.....	77
(REGULATIONS, FEES, AND OTHER CHARGES).....	78
Section 1 - General.....	78
Section 2 -BCWSA Wholesale Sewer and Water Customer Tapping Fees	78
ARTICLE VIII - SMALL DEVELOPER	78
(SPECIFICATIONS AND GUIDELINES).....	80
Section 1 - Application as Small Developer	80
Section 2 - Municipal Lien Procedure	80
Section 3 - Release and Satisfaction of Municipal Lien.....	81

NOTE: ALL EXHIBITS ATTACHED HERETO ARE INCORPORATED HEREIN AND MADE PART OF THESE RATES, RULES, AND REGULATIONS.

Exhibit "A"	Fee Schedule
Exhibit "B"	Engineering Design Guidelines
Exhibit "C"	Guidelines for Developers
Exhibit "D"	Requirements for Dedication
Exhibit "E"	Sewer Specifications
Exhibit "F"	Water Specifications
Exhibit "G"	City of Philadelphia's Wastewater Control Regulations
Exhibit "G-1"	Warminster Municipal Authority's Wastewater Control Code
Exhibit "H"	Grinder Pump Management Plan
Exhibit "I"	Map showing Sewer District No. 3 (Western End) prepared by Pennoni Associates, Inc. marked as Revision No. 2, and dated November 1, 2010
Exhibit "J"	Drought Emergency Plan

NORTHAMPTON, BUCKS COUNTY, MUNICIPAL AUTHORITY

RATES, RULES, AND REGULATIONS

ARTICLE I - GENERAL

(AUTHORITY PRACTICES & PROCEDURES)

Section 1	Definitions
Section 2	General Billing
Section 3	Late Charges/Delinquencies
Section 3A	Adjustment of Claims
Section 4	Liens
Section 5	Hardship
Section 6	Deposits
Section 7	Address of Record
Section 8	Responsibility for Payment
Section 9	Non-Limitation
Section 10	Changes or Additions
Section 11	Right of Access
Section 12	Authorization to Carry Out Duties
Section 13	Non-Liability of Authority
Section 14	Water Restrictions
Section 15	Ratification of Agreements
Section 16	Complaints
Section 17	Engineering Design Guidelines
Section 18	Guidelines for Developers
Section 19	Requirements for Dedication
Section 20	Sewer Specifications
Section 21	Water Specifications

ARTICLE I - GENERAL
(AUTHORITY PRACTICES & PROCEDURES)

Section 1 - Definitions

A. "Authority" shall mean "Northampton, Bucks County, Municipal Authority."

B. "Building" is each separately owned, leased, or occupied part of a Structure whether standing alone or physically connected by a party wall either vertically or horizontal and having its own means of egress, whether residential, commercial or industrial including but not limited to single-family residences, apartments, row houses or townhouses, duplex or twin houses, condominiums, offices, stores, warehouses and manufacturing facilities or any combinations thereof. Authority reserves the right to determine for itself the classification and use of any structure as a building.

C. "Consumer" is one who utilizes the services of Authority's Water System and/or Sewer System or an Owner who is legally obligated to connect to Authority's Water System and/or Sewer System and is obligated to pay to Authority for such services whether or not any agreement has been signed with Authority. Any Customer of any of Authority's services shall be bound to comply with all the provisions of Authority's Rates, Rules, and Regulations, as set forth herein or as may be duly changed or modified by Resolution of Authority adopted at a Public Meeting (being known as "Rules").

D. "Customer", "User" and "Permittee" may be used interchangeably with Consumer throughout these Rules.

E. "Floor Area" is the sum of the area(s) of a floor or several floors of the building or structure designated for occupancy or use, including mezzanines, basements, and finished usable attic areas, as measured from the exterior faces of the walls.

F. "Owner" is one who owns, in fee, any Property that is connected or proposed to be connected to Authority's Water System and/or Sewer System, or one who owns, in fee, Property through which a sewer or water line has been or will be constructed.

G. "Party Wall" is a wall or floor used to divide or separate two or more buildings or businesses and/or portions thereof.

H. "Person" is any individual, group, sole proprietor, partnership, association, corporation or any other entity or group of entities.

I. "Property" includes both land and buildings.

J. "School" is a public or private institution part of the system of public education or approved by the Pennsylvania Department of Education but also including college(s), vocational or trade institutions where education is provided.

K. "Small Developer" is any Person who intends to construct a development of two (2) to nineteen (19) single-family residential units, including row houses, townhouses, duplex or twin houses and residential condominiums, intended to be sold in fee upon completion. It is the intention herein that a "development" shall include all sections, phases, or other components which the Person herein shall directly or indirectly construct, as the Authority shall determine in its sole discretion.

L. "Sewer Service" is the connection directly or indirectly of any Property by pipe, hose, conduit, or otherwise to any sewer main, interceptor, manhole, or facility through which sewage flows into Authority's sewer system whether or not such sewer mains, interceptors, manholes, or facilities are owned by Authority (being known as the "Sewer System").

M. "Structure" is anything built, constructed, or erected with a fixed location on land, or attached to something having a fixed location on the land.

N. "Township" is Northampton Township, Bucks County, Pennsylvania.

O. "Unmanned Building" is a structure not intended to be occupied or used by people.

P. "Water Service" is the connection directly or indirectly of any Property by pipe, hose, conduit, or otherwise to any water main, pipe, meter, or facility through which water of Authority passes, whether or not such main, pipe, meter, or facility is owned by Authority (being known as the "Water System").

Section 2 - General Billing

A. All charges are payable at such offices as Authority may, from time to time, designate.

B. Checks must be made payable to Northampton, Bucks County, Municipal Authority, or NBCMA.

C. Where assigned, the Customer's account number shall be shown on the face of checks or money orders.

D. Water Service charges are payable quarterly. Where Water Services have been rendered for less than three (3) months, the minimum charges, [the gallonage,] and any excess usage shall be prorated.

E. Sewer Service rental charges are payable quarterly. Where Sewer Services have been rendered for less than three (3) months, the minimum charges shall be prorated.

F. Fire Protection charges are payable annually, in advance, on or before November 1st of each year, for the next calendar year.

G. All fees for other services of Authority, as set forth hereinafter, are payable in advance before any work or requested action shall be performed.

H. All escrow fees shall be payable in advance in accordance with the various contracts and agreements requiring such escrow fees.

I. Failure of any Consumer to receive a bill for services stated hereinabove shall not be considered an excuse for non-payment, nor shall such failure result in an extension of the period of time during which the net charge is payable. Presentation of a bill to the Consumer is only a matter of courtesy and not a waiver of this Rule by Authority.

Section 3 - Late Charges/Delinquencies

Water and/or Sewer Billings

A. If a bill is not paid in full on or before the last day of the billing month on which said bill is sent to the Customer, a ten (10%) percent late charge shall be levied on the unpaid balance and a "Delinquent Status Bill/Notice" shall be sent to the Consumer by regular mail. The above notwithstanding, in the event that the last day of the month is a Sunday or legal holiday on which regular mail service does not occur, the first business day thereafter shall be considered herein as the last day of such month.

B. In the event of non-payment by the 60th day following the billing date, a five (5%) percent late charge shall be levied on the unpaid balance and a notice shall be sent to the last known address of the Customer outlining the posting procedure and costs involved to the Consumer if the Property is connected to the Authority's Water System or Sewer System; advising that additional late charges of five (5%) percent each shall be added at 90 days and 120 days delinquency, or until a total of twenty-five (25%) percent late charges have been imposed; and, notification that the Authority intends to impose or assess attorney fees in the event that payment in full hereunder is not paid to the Authority within thirty (30) days. At least ten

(10) days prior to assessing or imposing attorney fees, the Authority shall, by United States first class mail, mail to the Customer the letter-notice as set forth herein.

C. If bills are not paid in full by the 63rd day following the billing date, the Property shall be posted.

D. If bills are not paid by the 73rd day following the billing date, Water Service shall be terminated.

E. The Customer shall continue to receive notices of the delinquent status of their account at 90, 120, and 170 days delinquency. If the bill is still not paid by the 180th day following the billing date, the Authority's Solicitor shall take the necessary steps to file a lien in the Court of Common Pleas

F. In the case of Water Service being turned off, it shall not be turned on again except upon:

1. Payment of all arrearages by cash, certified check, cashier's check, or money order; and

2. Payment of a service charge per the Fee Schedule attached hereto as Exhibit "A" for dispatching Authority personnel or contractors to turn off the Water Service and a service charge for dispatching Authority personnel or contractors to turn on the Water Service; and

3. Payment of a service charge per Fee Schedule attached hereto for posting; and

4. Making a deposit by the Customer in an amount to be determined by Authority.

5. All charges referred to in this Section are in accordance with the Fee Schedule attached hereto as Exhibit "A" as presently indicated and as may hereinafter be lawfully modified (hereinafter referred to as "Fee Schedule").

G. In the case of a lien being filed, it shall not be released except upon:

1. Payment of all arrearages, plus six (6%) percent per annum interest charges commencing the date of filing; and

2. Making a deposit in an amount to be determined by Authority; and

3. Payment of any and all costs incurred by Authority.

H. In the event that the Property is not connected to the Authority's Water System and the bill for Sewer Service rental is not paid in full on or before the last day of the billing month pursuant to the terms

of Paragraph A hereinabove, the Authority may block the sewage flow into the Authority's lines and/or a lien may be filed against the Property concerned in the manner provided by law.

I. The Board of Directors shall permit the waiver of late charges once in a year (12 consecutive months) beginning with the implementation of monthly billing. The forgiveness of late charges shall be for "just cause." It shall be the responsibility of the Executive Director to determine "just cause."

Invoicing

A. If an invoice is not paid in full on or before the due date thereon indicated, a ten (10%) percent late charge shall be levied on the amount due of the invoice and a letter shall be sent by mail to the debtor and financial institution, in the case of a developer who has previously entered into a Sanitary Sewer and Public Water Improvement Agreement. In the event that the due date is a Sunday or legal holiday on which regular mail does not occur, the first business day thereafter shall be considered herein as the due date.

B. In the event any amount remains due for a term of 60 days pursuant to the invoice, a five (5%) percent additional late charge shall be levied on the amount due of the invoice and a second letter shall be sent to the debtor and financial institution outlining that if payment in full is not paid within ten (10) days from the date of said letter, including all late charges added thereon to the date of the ten (10) days from the date of said letter, the matter shall be referred to the Authority's Solicitor who will file a Complaint in Court. And, further, all costs incurred for the collection of the invoice amount including late charges will be charged to the debtor.

C. Additional late charges of five (5%) percent shall be added at 90 days and 120 days delinquency.

Section 3A – Adjustment of Claims

A. Except as provided in this Section 3A to the contrary, any charges by the Authority for Water Service charges or Sewer Service rental charges, where calculated based upon water volume, must be sent by the Authority to the Customer on or before the last day of the third calendar year after the date on which the subject water and/or sewer services, if applicable, were provided. Such charges shall be limited to Water Service charges and Sewer Service rental charges, where applicable, which have been determined by the water meter acquired, installed and maintained by the Customer at the Property in compliance with the

Rules of the Authority then in effect, being those rates which were then in effect at the time or times that such services were provided by the Authority.

B. In the event that the amount of the aforementioned Water Service charges and Sewer Service rental charges cannot be precisely calculated, the Executive Director of the Authority, applying all records and information available related to the water and sewer usage of the Customer shall reasonably determine the amount of the total charges; which determination shall be binding upon the Authority and Customer, unless thereafter modified by the Authority Board.

C. The payment of the aforementioned charges must be paid in full in not more than sixty (60) equal monthly payments or in a number of months covered by the charges for Water Service charges and Sewer Service rental charges; however, no monthly payment shall be less than the sum of Twenty Five Dollars (\$25.00), with the first payment payable within thirty (30) days from the date of the aforementioned notice to the Customer pursuant to Subparagraph A. hereof and on the same day of the month for each subsequent monthly payment required hereunder.

D. In the event that any of the following events shall occur, the then remaining balance of the Water Service charges and Sewer Service rental charges payable herein by the Customer shall immediately become due and owing with the provisions of this Article I related to collection processes, rights to lien, termination of service, late charges and legal fees being fully applicable to the same extent as any non-payment hereunder which is at least sixty (60) days delinquent so as to cause Subparagraph B. of Section 3 of this Article I to become then immediately applicable in addition to all other rights and remedies available to the Authority regarding the non-payment of any required payment which is greater than sixty (60) days delinquent:

1. Failure of the Customer to pay any monthly payment hereunder, in full, within ten (10) days of the due date;

2. Failure of the Customer to pay when due any current obligations related to Water Service charges and Sewer Service rental charges provided by the Authority during the term of the aforementioned monthly payment arrangement; or

3. Failure of the Customer to adhere to all Rules of the Authority within ten (10) days after notice by the Authority indicating that such failure during the term of the monthly payment arrangement herein.

Section 4 - Liens

A. All fees, rents, and charges imposed by these Rules may be filed as a lien on the Property connected to the Water System and/or the Sewer System, including those Properties to which a lateral has been installed, if they become delinquent. All liens shall be filed in the Office of the Prothonotary of Bucks County, Pennsylvania, and shall be collected in the manner provided by law for collecting municipal claims.

B. When a lien has been filed, it shall not be released until payment of all arrearage, fees, costs, and late charges plus six percent (6%) per annum interest charges, and such payments shall be in cash, money order, certified check, or cashier's check and the Consumer making the deposit, as hereinafter provided.

C. A lien shall be filed on the property owned by a customer in the following instances:

1. Subsequent to the termination of water service caused by nonpayment of an obligation owed to the Authority.

2. Nonpayment of an obligation owed to the Authority which is either in excess of the sum of \$200.00 or has remained unpaid in full for a term of in excess of six (6) months.

3. Upon the written direction of the Executive Director indicating the basis for the need to file, other than as provided above.

Section 5 - Hardship

A. The Authority may determine, in its sole discretion, that a Consumer of a residential property is financially incapable of payment when due of any bill or invoice for services pursuant to Section 3, Paragraph A hereof.

B. Upon determination that a financial hardship exists as to a Consumer of a residential property, the Authority may extend payments and/or suspend imposition of late charges or processes of collection in a manner as the Authority shall from time to time deem appropriate.

C. In no event shall such financial hardship relieve the Consumer from payment of all services. Furthermore, financial hardships shall be limited to a residential property consisting of not more than two (2) residential units.

Section 6 - Deposits

A. Authority reserves the right to require from any Consumer, whose credit has not been established to the satisfaction of Authority in the sole discretion of the Authority, a deposit equal to the estimated total bill for any single billing period, plus fifty percent (50%) thereof.

B. No interest will be paid by Authority upon such deposits.

C. Where there has been no previous experience upon which to base an estimate of water consumption, Authority's charge for the first quarter of use shall be set at three (3) times the applicable minimum quarterly charge.

D. Consumers whose credit has not been established shall include, but shall not be limited to:

1. Any Consumer who does not own in fee the Property to which the Water Service or Sewer Service is supplied; or
2. Any Consumer whose credit standing has been impaired by reason of previous non-payment of charges; or
3. Such other classes of Consumers as Authority may, from time to time, determine.

E. Any deposit made as aforesaid shall be refunded only:

1. Upon notice to Authority to discontinue service and the discontinuance thereof and after payment in full for all services rendered and for any repairs or other payments due Authority hereunder; or
2. When the Consumer shall have paid all charges for service for eight (8) consecutive billing quarters without delinquency and has no other outstanding charges then due Authority.

F. Furnishing adequate assurance of payment by the posting of a security deposit in post-bankruptcy proceedings as follows:

1. In the event that any Customer has filed for bankruptcy relief and has failed to provide adequate assurance for payment for water service and sewer service provided after the issuance of initial order for relief by the bankruptcy court, the Authority may alter, refuse or discontinue such water service or

sewer service after the Authority has provided written notice to the Customer for the furnishing of adequate assurance of payment. The adequate assurance of payment shall be a security deposit equal to two times the average quarter annual bill for water service and sewer service rendered to the Customer during the preceding calendar year.

2. The written notice request of the Authority for providing adequate assurance of payment by the Customer or the bankruptcy trustee shall indicate the amount of the requested payment and shall require payment to be received by the Authority within thirty (30) days of the date of the Authority's notice date. In no event shall such written notice request be sent less than twenty (20) days after the bankruptcy court has issued its initial order for relief by the Customer.

Section 7 - Address of Record

A. Every Owner of Property or any Consumer who has a connection to the Water Service and/or Sewer Service, or who has a lateral installed to their Property, shall provide Authority initially, and thereafter keep Authority advised, as to their correct mailing address.

B. The Owner and Customer shall be liable for all charges levied prior to a new application for service being made, and approved, and all charges to date being paid.

Section 8 - Responsibility for Payment

A. The Owner and Consumer shall at all times be jointly and severally responsible for payment of all charges for Authority's services.

Section 9 - Non-Limitation

A. Nothing herein set forth shall be construed as a limitation on the right of Authority to shut off water or block sewer laterals for non-payment of charges.

Section 10 - Changes or Additions

A. Authority reserves the right to adopt, revise, change, amend, and re-adopt, or add to, from time to time, these Rules and the Owner and Consumer, by accepting Authority's services, agrees to be bound by any such changes whether or not expressly notified thereof.

Section 11 - Right of Access

A. Authority shall have a right of access at reasonable times to any part of any Property connected to the Water System or Sewer System for purpose of inspection, measurement, sampling, or testing, or for the performance of other functions relating to services rendered by Authority, including termination of service wherever applicable under these Rules.

Section 12 - Authorization to Carry Out Duties

A. The proper officers and employees of Authority are authorized and directed to do, or cause to be done, all things and to take all action necessary for the proper operation of Authority, including, but not limited to, all legal action necessary to enforce collection of the fees, rates, rents, and charges established and imposed hereby (hereinafter sometimes collectively or individually referred to as "Charges").

Section 13 - Non-Liability of Authority

A. In applying for and making use of Water Service, each Consumer expressly stipulates and agrees that, in consideration of Authority's furnishing such service Authority shall be released from any claim of any kind made by customer against the Authority, including but not limited to:

1. Damage caused by bursting or breaking of any main, pipe, valve, service connection, meter, or any attachment to Authority's Water System; and/or
2. Deficiencies or failure in the supply or pressure of water supplied; and/or
3. Temporary restrictions in the use of water during droughts or other water emergency periods; and/or
4. Failure of the Water System or water pressure from any cause whatsoever.

B. In applying for and making use of Sewer Services, each Consumer expressly stipulates and agrees that, in consideration of Authority's furnishing such service Authority shall be released from any claim of any kind made by the Customer against the Authority, including but not limited to:

1. Termination of service or damages from any broken, clogged, or stopped main of Authority or any pipe or attachment to Authority's facilities; and/or
2. Any deficiency or failure in supplying Sewer Service occasioned by cessation of service to make repairs; and/or

3. Any temporary restrictions in the use of Sewer Service during emergency periods;
and/or
4. Any restrictions or orders imposed by any Government or Governmental agency;
and/or
5. Failure of Sewer Service from any other cause whatsoever.

Section 14 - Water Restrictions

A. Authority shall have the right to restrict the supply of water in case of scarcity and whenever required for the public welfare, as determined by the Authority in its sole discretion.

B. If restrictions are imposed, they may be for the entire Water System, a portion of the Water System, or to individual Consumers, as may be determined by Authority in its sole discretion.

Section 15 - Ratification of Agreements

A. No officer, employee or Member of the Board of Authority is permitted to vary from these Rules or to bind Authority by any agreement or representation, except when authorized to do so by a duly adopted Resolution of Authority at a Public Meeting and consistent with these Rules.

Section 16 - Complaints

A. Complaints with regard to the service furnished, or the reading of meters, or any bills rendered by Authority, shall be made in writing to the office of Authority.

Section 17 - Engineering Design Guidelines

A. Attached hereto as Exhibit "B" and incorporated herein are the Authority's "Engineering Design Guidelines" which are created to provide the minimum requirements to Engineers, developers, or any other Person, for the design of water lines and sanitary sewers for Authority. These Guidelines are to be used in conjunction with other Authority Guidelines, contracts, agreements, and these Rules.

B. Circumstances may require special design features which shall be determined at the time of design review. Authority reserves the right to require additional features other than those listed in the aforementioned "Engineering Design Guidelines", or to delete or modify any of the requirements therein.

C. Final approval of all designs shall be made by Authority.

Section 18 - Guidelines for Developers

A. Attached hereto as Exhibit "C" and incorporated herein are the Authority's "Guidelines for Developers" which are created to assist developers, or any Owners, submitting plans for subdivision with the procedures and requirements to obtain plan approval for the installation and connection of public water lines and sanitary sewers to the Authority's Water System and Sewer System.

Section 19 - Requirements for Dedication

A. Attached hereto as Exhibit "D" and incorporated herein are the Authority's "Requirements for Dedication" which are created to assist developers with the procedures and requirements of Authority for the acceptance of dedication of public water and sanitary sewers lines installed for a development to the Authority's Systems.

Section 20 - Sewer Specifications

A. Attached hereto as Exhibit "E" and incorporated herein are the Authority's "Sewer Specifications" which are created to provide specific requirements to developers and contractors with the installation and construction of sanitary sewer facilities.

Section 21 - Water Specifications

A. Attached hereto as Exhibit "F" and incorporated herein are the Authority's "Water Specifications" which are created to provide specific requirements to developers and contractors with the installation and construction of public water facilities.

ARTICLE II - WATER SERVICE
(RATES, FEES, AND OTHER CHARGES)

Section 1	Schedule of Rates
Section 2	Fire Service
Section 3	Unauthorized Use of a Fire Hydrant
Section 4	Water for Builders' Purposes
Section 5	Other Fees and Charges
Section 6	Agreements
Section 7	Expenses of Authority Personnel
Section 8	Engineering, Legal and/or Consulting Expenses
Section 9	Feasibility Study Fees
Section 10	Design Review Fees

ARTICLE II - WATER SERVICE
(RATES, FEES, AND OTHER CHARGES)

Section 1 - Schedule of Rates

A. There is hereby imposed upon the Consumer connecting to any part of the Water System of Authority certain Charges as further defined in this Article and in accordance with various purposes and usages intended, as applicable.

B. The minimum Charges for water shall be charged according to the Fee Schedule.

C. Water consumed in any quarter in excess of the water usage allowance for the installed meter set forth above shall be charged according to the Fee Schedule.

Section 2 - Fire Service

A. The fees for fire service are in accordance with the Fee Schedule and shall be paid in advance by the Consumer.

B. For each private fire hydrant constructed on the Property, there shall be an annual assessment in accordance with the Fee Schedule, payable in advance.

C. Fees shall be paid annually, in advance, for each sprinkler system installed in accordance with the Fee Schedule.

D. For each sprinkler head, there shall be an annual assessment in accordance with the Fee Schedule, payable in advance. The Charge for sprinkler heads shall be in addition to the sprinkler fee and the metered water Charge.

E. For each fire hose connection of 2 1/2" diameter or less located on any Property, there shall be an annual assessment in accordance with the Fee Schedule, payable in advance.

F. Failure to pay fire service fees, within thirty (30) days of billing date, shall subject Consumer to penalties as herein provided for, and all other provisions of these Rules.

Section 3 - Unauthorized Use of a Fire Hydrant

A. For each unauthorized use of a fire hydrant, there shall be a minimum Charge in accordance with the Fee Schedule. This is based on a flow of 750 gallons per minute for one hour. If actual unauthorized use is more than one (1) hour, the time as determined by Authority at the above flow and rate shall be used to calculate the Charge. The usage Charge shall be in addition to any fines or penalties imposed by reason of conviction for unauthorized use of a hydrant, or theft of services.

Section 4 - Water for Builders' Purpose

A. Water for builders' purposes shall be charged for on a one time basis in accordance with the Fee Schedule attached hereto as Exhibit "A", payable at time of signing Improvement Agreements with the Authority. Water for builders' purposes shall be charged for each lot or each building structure, or for each equivalent dwelling unit for stores, or offices, or other commercial structures.

B. Builders' water does not include water for landscaping, driveway or road cleaning, testing or flushing of mains, or plumbing, or washing of vehicles.

C. Developers desiring water for other uses other than builders' water as defined hereinabove shall apply for metered service as defined in these Rates, Rules, and Regulations and shall pay all fees and charges as applicable.

D. Builders' water shall be drawn from only those locations within the development as agreed to in writing by Authority and type of outlet or fitting shall be acceptable to Authority.

Section 5 - Other Fees and Charges

A. Tapping Fees

Tapping fees as determined by Act 57 of 2003 shall be in accordance with the Fee Schedule and paid by a Customer in advance when a connection is made to a water main.

The Authority reserves the right to designate meter size pursuant to these Rules or any applicable Statute, Ordinance or resolution.

B. Connection Fees

Connection fees shall be in accordance with the Fee Schedule and paid by Customer in advance when a tap is made into a water main.

C. Water Meter Fees

Water meter fees shall be in accordance with the Fee Schedule and paid by Customer in advance for the furnishing and installation of water meters.

D. Meter Testing Deposits

A Consumer requesting a meter be tested shall deposit a sum in accordance with the Fee Schedule. The deposit may be refunded in accordance with Article III, Section 6 hereof.

E. Flow Tests

There shall be a Charge for flow testing of fire hydrants in accordance with the Fee Schedule.

F. Turning Off Water

When water is turned off as requested by Consumer or when ordered by Authority for non-payment of bills, neglect, leaks in Consumer's Water Service, or refusal to comply with these Rules a fee shall be charged in accordance with the Fee Schedule payable before Water Service is restored.

G. Turning On Water

The fee to turn on Water Service is in accordance with the Fee Schedule payable before Water Service is provided.

H. Posting Fee

When a Consumer's building is posted for non-payment of account, there shall be a posting fee in accordance with the Fee Schedule.

I. Meter Resealing Fee

If a meter seal is broken, there shall be a resealing fee in accordance with the Fee Schedule.

J. Special Meter Reading

If a Consumer requests a special meter reading, the fee shall be in accordance with the Fee Schedule, payable in advance.

K. Damage To Meters

If a meter is damaged, the Consumer shall pay the actual costs of repair, plus a fee in accordance with the Fee Schedule for removal and replacement.

L. Service Call Policy

When Authority personnel are requested to make a service call to a Property and it is found that the problem does not involve the Authority's property, equipment, Water Service, or Sewer Service, then the Authority shall charge the Person who requested the service call. The Charge for a service call shall be in accordance with the Fee Schedule.

M. Letter of Certification

1. There shall be a fee to prepare a Letter of Certification for Water Service in accordance with the Fee Schedule.
2. Each Letter of Certification shall state whether the property is in compliance with Northampton Township Ordinance No. 492. The Authority shall request access to the property in order to make such determination of compliance.
3. There shall be a fee to prepare a Letter of Certification for combined Water Service and Sewer Service in accordance with the Fee Schedule

N. Highway Occupancy Permit (Road Opening)

1. For each application to Authority to secure a State Highway Occupancy Permit to install a single Water Service line, there shall be a fee in accordance with the Fee Schedule, payable to Authority in addition to any other fee that may be required by these Rules.

2. Whenever the road surface of a State Highway is to be disturbed, an additional fee in accordance with the Fee Schedule for each road opening for the perpetual maintenance of the road opening. For the purposes of this paragraph, a road surface shall include any disturbance of the surface within the right-of-way of the road as well as the road itself.

3. Road Opening fees shall be in addition to any other Charges, escrows, or maintenance bonds required by contracts or agreements with Authority.

4. Road Opening fees shall not be refunded for any reason.

5. For each application to secure a PennDOT Highway Occupancy Permit in the name of Authority, a bonding fee shall be required in accordance with the Fee Schedule.

O. Returned Checks or Payments

In case a check or any other type instrument received by Authority in payment of any of Authority's Charges is returned due to insufficient funds, or for any other reason, the Consumer shall pay a fee in accordance with the Fee Schedule in addition to any other Charges then due and payable. The return of any item to Authority due to insufficient funds, or for any other reason, shall be sufficient grounds for Authority to require **payment be made in cash, certified check, or money order; or** a deposit, as provided for in the Fee Schedule.

P. Water System Specifications

Authority, upon payment of Charges in accordance with the Fee Schedule will furnish construction specifications and material requirements for extension to, or connection to, Authority's Water System.

Q. Copies of Authority Documents

1. Fees shall be charged in accordance with the Fee Schedule for any copy or copies of Authority documents listed below:

- (a) Resolution(s);
- (b) Minutes;
- (c) Rules;
- (d) Any page of any other Authority document.

R. Water System Plans

For any plan of the Water System, there shall be a Charge in accordance with the Fee Schedule.

Section 6 - Agreements

A. Improvement Agreement

For the preparation by Authority of its standard Improvement Agreement with developer for Water Service for a development, or a section of a development, Authority shall charge developer a fee in accordance with the Fee Schedule. If special conditions necessitate changes, special work, amendments and/or supplements to the standard agreements, an additional Charge shall be made to developer for the cost of making any changes in accordance with the Fee Schedule. Special Charges shall be determined prior to preparing the amendments and/or supplements.

B. Internal Design Contracts

For the preparation by Authority of an Internal Design Contract with a developer for the design of water facilities within a development, or any section of a development, Authority shall charge the developer a fee in accordance with the Fee Schedule.

C. Changes to Agreements

Standard agreements for Water Service are subject to change and can be changed by negotiation with Authority, when special circumstances so dictate, as the Authority may so determine. If changed, additional Charges therefore shall be made. Such additional Charges shall be determined at the time changes are requested in accordance with the Fee Schedule.

D. Extension/Supplemental/Assignment Agreements

Extension Agreements for an extension of time under the Improvement Agreement, or Supplemental Agreements relative to State road openings, or an Assignment Agreement for assigning an Improvement Agreement to another developer and/or Escrow Agent, or an Internal Design Contract, shall be prepared by Authority for a fee in accordance with the Fee Schedule.

All extension and supplemental agreements are subject to change and can be changed by negotiation with Authority, when special circumstances dictate. If changed, additional Charges therefore shall be made at the time changes are requested, in accordance with the Fee Schedule.

E. Administration of Agreements and Escrows

Authority shall charge developer an administrative fee in accordance with the Fee Schedule in addition to all other sums charged by Authority for the administration by Authority of its standard Improvement Agreement with developer for Water Service.

Section 7 - Expenses of Authority Personnel

A. When Authority is requested, or required, to have any of its personnel perform any engineering, inspection, administration, testing, review, or other work, or perform any services for any system or facility, for either a Consumer, a developer, or any other Person, Authority shall charge such Consumer, developer, or other Person in accordance with the Fee Schedule.

Section 8 - Engineering, Legal and/or Consulting Expenses

A. When Authority is requested, or deems it necessary, to have any work or services performed by its Consulting Engineer, Solicitor, or any other outside consultant for a Consumer, developer, or any other Person, Authority shall charge such Consumer, developer, or other Person in accordance with the Fee Schedule.

B. When Authority is requested, or deems it necessary, to have its Solicitor or Authority's personnel to perform any legal services, prepare or review any documents or do any research for either a Consumer, developer, or any other Person, Authority shall charge such Consumer, developer, or other Person in accordance with the Fee Schedule.

Section 9 - Feasibility Study Fees

A. For each development, or part thereof, submitted for the purpose of determining the feasibility of connecting to Authority's Water System a fee for such review shall be in accordance with the Fee Schedule.

B. In addition, any Person requesting a Feasibility Study shall pay such additional costs as may be required because of the complexities of the studies where the time involved or additional work involved is beyond the amount of the basic fee as determined by the Authority. Such additional costs shall be computed in accordance with the Fee Schedule.

Section 10 - Design Review Fees

A. For review of engineering designs for proposed water facilities within a development, or section thereof, for any Person requesting a Design Review shall pay such fees in accordance with the Fee Schedule for the initial Design Review. Additional costs may be required due to the complexities of the studies where the time or additional work required by Authority's staff, Consultants, or Solicitor is beyond the amount of the basic fee. Additional costs shall be as determined by the Authority and shall be computed in accordance with Sections 7 and 8 of this Article and with the Fee Schedule and paid by the Person requesting such Design Review.

B. Hydraulic computer model runs of the water system shall be required for all developments, or parts thereof, and may be required at Authority's discretion for Minor Subdivisions. The costs for a hydraulic computer model run shall be paid by Developer and charged in accordance with the Fee Schedule.

ARTICLE III - WATER SERVICE
(RULES AND REGULATIONS)

Section 1	Supplying Water Service
Section 2	Application for Water Service
Section 3	Regulations for Connections
Section 4	Service Lines
Section 5	Water Meters
Section 6	Installation of Meters
Section 7	Operation of Meters
Section 8	Size of Meters
Section 10	Repairs
Section 11	Turning Off Water Service
Section 12	Turning On Water Service
Section 13	Multiple Buildings or Occupancies
Section 14	Vacant Premises and Change in Occupancy
Section 15	Fire Service
Section 16	Water for Builders' Purpose
Section 17	Miscellaneous
Section 18	Permits from Governmental and Other Agencies
Section 19	Meter Pits

ARTICLE III - WATER SERVICE
(RULES AND REGULATIONS)

Section 1 - Supplying Water Service

A. No Person shall supply water to any Consumer or Owner other than to Authority, except as expressly authorized by Authority in writing.

Section 2 - Application for Water Service

A. Any Consumer or Owner desiring the installation of a service line or lines from a main to their Property must make written application to Authority on a form furnished by Authority.

B. Each application shall be accompanied by a plan of the proposed Water Service and payment of the total fees due in accordance with the Fee Schedule. No work shall commence or water be turned on until a completed application has been received and approved by Authority and all fees have been paid.

C. Any Consumer or Owner who desires Water Service, after the service line has been installed, must request Authority, in writing, to read the meter, start the billing period, and turn on the water. Applicant must sign the form provided by Authority for that purpose.

Section 3 - Regulations for Connections

A. No Person shall uncover, connect with, tap into, or use, alter or disturb, in any manner, any water main or any part of the Water System without first obtaining a permit, in writing, from Authority and from the Code Enforcement Office of the Township, or such other appropriate Township's official.

B. Application for a permit required under Subsection A above, shall be made by Owner, or his duly authorized agent who shall give satisfactory proof of his authority to do so.

C. No Person shall make, or cause to be made, any connection of any Property to the Water System until such Person shall have fulfilled each of the following conditions:

1. Satisfied all Township requirements with respect to such connection; and
2. Applied for, and obtained, permits as required in Subsection A above; and
3. Given Authority and Township at least ninety-six (96) hours notice of the time when

such connection will be made so that Authority and Township may supervise and inspect the work of connection and conduct the necessary testing; and

4. Furnished satisfactory evidence to Authority that all connection fees, tapping fees, tap and saddle fees, meter fees and all other Charges imposed by Authority have been paid.

D. If a service connection, including a curb stop and curb box, does not exist from the water main to the curb line or street right-of-way line, Owner shall pay for installation of such service connection, including the cost of connecting to the main.

E. All work shall be done in accordance with Authority specifications and shall be inspected by Authority. Work shall be performed by a Township approved registered plumber.

F. All water main taps from 3/4" to 2" sizes shall be made by Authority personnel or Authority agents. Authority shall supply the tap, corporation stop, curb stop, and curb box. Authority shall make the tap and install the meter but Owner shall pay all other costs of installing the Water Service.

G. Other size taps shall be made by Owner in accordance with Authority specifications and shall be inspected by Authority. Owner shall pay Authority for inspection at Authority's established rates.

H. The minimum size tap shall be 3/4".

I. Every excavation for connection to Authority's Water System shall be guarded adequately with sufficient barricades and lights to adequately protect all Persons from damage or injury. Authority is empowered to determine the sufficiency and adequacy of all such protection. Streets, sidewalks, and other property disturbed in the course of connecting the Water System shall be restored at the cost and expense of Owner in a manner satisfactory to Authority and all other governmental entities having jurisdiction.

Section 4 - Service Lines

A. The service line between the curb stop and meter shall be installed by Owner at the expense of the Owner, in accordance with applicable Township Codes and Regulations. Inspection by the Township Code Enforcement Office or other Township officials may be required.

B. Only Type "K" copper service lines with mechanical joints shall be permitted between the water main and the curb stop. Service line pipe or any portion thereof extending less than 100 linear feet shall be continuous, without joints between the curb stop and the structure to be served.

Section 5 - Water Meters

A. Every Property which has Water Service, or for which Water Service is requested, shall be metered.

B. Owner shall obtain a water meter and setter (when required by Authority) from Authority and shall pay the applicable fees. The meter shall, at all times, remain the property of Authority. Authority will not be responsible for workmanship of Person installing setter and any defects in such installation shall be the Owner's responsibility.

C. If, at any time, an Owner should increase the size of the meter, all applicable fees, including a connection fee for the new meter shall be paid for prior to the new meter being installed. Credit shall be given for fees already paid. The appropriate size setter shall be supplied by Authority and shall be installed by a plumber registered to conduct business within the Township, and such setter and work shall be paid for by Owner.

D. If, at any time, an Owner should desire to decrease the size of the meter, Owner must request approval from Authority. If Authority approves such decrease, no prior fees shall be refunded nor shall there be a Charge for changing the meter. The appropriate size setter shall be supplied by Authority and shall be installed by a plumber registered to conduct business within the Township, and such setter and work shall be paid for by Owner.

E. Individual water meters shall be installed for each structure.

Section 6 - Installation of Meters

A. All water meters shall be installed so as to be easily accessible to Authority personnel, as the Authority may determine.

B. No water meter shall be installed closer to the floor than three (3) feet.

C. No water meter shall be installed closer to the ceiling than four (4) feet.

D. No water meter shall be installed within a one and one-half (1-1/2) foot radius to any appliance.

E. No permanent or movable fixture shall be installed between the water meter and the access opening to the water meter that will prevent direct and free passage or access to the meter. This shall include the location of such items as laundry tubs, water heaters, furnaces, and other fixtures that might later limit access to the meter.

F. No water meter or Water Service pipe to the water meter shall be installed in an unheated area with the exception of such pit or curb meters as are approved by Authority.

G. In every case where steam or hot water under pressure is used within a Building, a swing check valve shall be placed by Owner after the meter and before any outlets are taken to any fixtures.

H. Meters shall be located at such a point as determined by Authority so that the cable to the remote reading head is as short as possible. Owner shall be responsible for the protection of the meter, cable, and remote reading head. Any damage to any of the above items must be reported to Authority immediately and Owner shall bear the cost of replacing or repairing same.

I. It shall be the responsibility of the Owner to insure that there is free and clear access to the outside meter reading device at all times.

Section 7 - Operation of Meters

A. In the event that a meter is found to have malfunctioned, water usage Charges shall be estimated by Authority on the basis of the amount charged in prior corresponding periods, pending repair or replacement of the meter.

B. Should any Consumer question the accuracy of the meter upon their Property, Consumer may request Authority to test the meter. Consumer shall pay the deposit in accordance with the Fee Schedule at time of application for meter testing.

C. For 5/8", 3/4", and 1" meters, should the test show that the meter in question is correct within four (4%) percent, the deposit shall be forfeited. Should the test, however, show the meter to be registering incorrectly beyond four (4%) percent accuracy, the deposit shall be refunded and the account adjusted upwards or downwards as appropriate to the date of the last previous reading and the cost for the test shall be borne by Authority.

D. For meters larger than 1" that are found accurate within four (4%) percent, the deposit shall be forfeited and customer shall be charged any costs in excess of the deposit. Such excess costs shall be in accordance with the Fee Schedule when work is performed by other than Authority personnel. Should the test show the meter to be registering incorrectly beyond four (4%) percent, the deposit shall be refunded and the account adjusted as in Paragraph C above.

Section 8 - Size of Meters

A. Authority, at its sole discretion, shall determine the size and type of any water meter required for any Property. Meter sizes shall be based on maximum instantaneous peak flow of all possible water usage, including sprinklers, air conditioners, appliances, and all other water using devices.

B. The smallest size meter to be installed on any service line shall be 5/8" (nominal).

C. Maximum meter capacities shall be as follows:

<u>Meter Size</u>	<u>Maximum Capacity</u>
5/8" (nominal)	20 gallons per minute
3/4"	30 gallons per minute
1"	50 gallons per minute
1-1/2"	100 gallons per minute
2"	160 gallons per minute
3" (compound)	320 gallons per minute
4"	500 gallons per minute
6"	1,000 gallons per minute

D. Maximum meter capacities may vary from the above when approved, in writing, by Authority.

Fees for such meters shall be in accordance with Article II, Section 4, Paragraph A.

Section 9 - Protection of Meters

A. Owner shall, at all times, properly protect the meter from damage by frost, freezing, hot water, or any other cause. Owner shall be held responsible for any and all damages to meter.

B. In no case and under no circumstance shall any Consumer, Owner or other Person, open, adjust, or interfere with the meter or dials thereof.

C. In no case and under no circumstance shall any Consumer, Owner or other Person break, remove, deface, or tamper with Authority's seal placed on the meter and/or the remote reading head.

Section 10 - Repairs

A. The Owner is at all times responsible for the Water Service line between the curb stop and the meter.

B. All leaks between the curb stop and meter shall be promptly repaired by Owner.

C. If Owner fails to make repairs promptly, after notice from Authority, Authority reserves the right to turn off Water Service and not turn on water until all repairs have been made and all Charges for turning off and on Water Service have been paid to Authority.

Section 11 - Turning Off Water Service

A. Authority reserves the right, at all times, after ten (10) days notice by posting, to turn off Water Service for non-payment of Authority's Charges for Water Service or Sewer Service.

B. Authority reserves the right, at all times, after ten (10) days written notice served personally or by regular mail, to turn off Water Service for Consumer's or Owner's failure to comply with these Rules and Authority shall charge Owner for turning off Water Service at the rate then in effect.

C. Water Service may be turned off for any of the following reasons:

1. Misrepresentation in application;
2. Use of water for any Property or for any purpose other than that stated in application;
3. Waste of water through improper or defective pipes, appliances, neglect, or otherwise;
4. Failure or neglect to maintain in good order the connection or service lines on the

Owner's Property from the curb stop to the Building;

5. Any damage done to any service pipe, meter, setter, curb stop, remote reading device, or meter seal of Authority;

6. Permitting the Building to remain vacant for more than three (3) consecutive months;
7. Violation of any of these Rules or of any duly authorized resolution of Authority, or any contract with Authority;
8. Failure to make payments of any Authority Charges for Water Service and/or Sewer Service; or
9. Refusal to permit access to the Property for the purpose of inspecting, reading the meter, maintaining or removing meter, or ancillary meter equipment.

D. Authority shall have the right to turn off Water Service without notice in case of breakdowns or any emergency, or for the purpose of making repairs, connections, or extensions to the Water System. Reasonable notice will be given, whenever possible but it cannot be guaranteed. In no case shall Authority be liable for any damage or inconvenience claimed, or alleged, whether as the result of negligence or otherwise.

E. Only Authority personnel or their duly authorized representative shall be permitted to turn off water at the main or the curb stop.

Section 12 - Turning On Water Service

A. When Consumer's Water Service has been turned off for any reason, it shall not be turned on again until all such Charges have been paid in full, as specified in Article I, Section 3, Paragraph F.

B. Water Service to new Customers shall not commence until conditions of these Rules have been followed.

C. Only Authority personnel or their duly authorized representative shall be permitted to turn on Water Service at the main or the curb stop.

Section 13 - Multiple Buildings or Occupancies

A. In the case of two (2) or more Buildings being supplied with Water Service from the same service line, a distinct and separate curb stop and meter shall be provided for each Building at Owner's expense.

B. In the case of a Building with multiple occupants who are supplied with water from the same service line, a distinct and separate curb stop and meter shall be provided for each occupancy at Owner's expense.

C. In the case of multiple Buildings or occupancies on the same service line, Owner shall pay all applicable fees for each individual service as well as the individual connection and tapping fees for the service line.

Section 14 - Vacant Premises and Change in Occupancy

A. Authority, at its own discretion, may turn off Water Service when a Building is vacant for more than three (3) consecutive months.

B. Owner shall insure that there is sufficient heat in a vacant Building to prevent water lines from freezing.

C. Minimum and all excess usage Charges shall continue in vacant Buildings until Authority is given written notice to turn off Water Service. Owner of record shall be liable for these Charges.

D. No credit, refund, or allowance shall be given by Authority for non-use of service prior to Authority receiving written notice to turn off service.

E. Upon receiving written notice of a change in ownership of Property, Authority shall have the right to turn off Water Service thereto until a new application for Water Service has been made, approved, and all Charges due have been paid.

F. In all above cases where Water Service is turned off, applicable fee for turning off Water Service shall be charged.

Section 15 - Fire Service

A. All fire service Charges are payable annually, in advance, on or before November 1st of the preceding year.

B. An approved detector check valve with by-pass meter shall be installed in each sprinkler service connection by the Owner and at the cost of the Owner. Such detector check valve shall be placed in an approved type pit and shall be located within the right-of-way but not on the roadway surface.

C. Where meter pits are required, the detector check valve shall be installed in the meter pit downstream from the meter.

D. Water from fire hydrants and sprinkler connections shall be used exclusively for fire protection or Authority's own use. Unauthorized use of fire service connections shall be prosecuted by the Authority under applicable Acts of State and Township laws. Tampering with hydrants or removal of hydrant caps is strictly forbidden and violators shall be prosecuted.

Section 16 - Water for Builders' Purpose

A. Builders' water is defined to mean only that water which is absolutely necessary for construction of Buildings.

B. Builders' water does not include water for landscaping, driveway and road cleaning, testing or flushing of mains, pipes or plumbing, or washing of vehicles.

C. Builders' water shall be charged for and shall be due by the developer and payable at the time of signing Improvement Agreements with the Authority and shall be at the rate in accordance with the Fee Schedule. Builders' water shall be for each lot, dwelling, or in the case of commercial developments, equivalent dwelling unit. This shall be a one time Charge. The Authority reserves the right to review any unusual type Buildings and make a separate Charge for extra estimated water.

D. Developers desiring Water Service for any use other than builders' water, as defined above, shall apply for metered service, as defined in these Rules and shall pay all Charges as applicable.

E. Builders' water shall be drawn from only those locations within the subject development, as agreed to in writing, with the type of outlet or fitting as shall be acceptable to Authority.

F. At no time shall use of fire hydrants for any purposes be permitted. Fire hydrants may be used only by a fire company and Authority. Any other use shall be deemed illegal and such Users shall be subject to full prosecution under the law.

Section 17 - Miscellaneous

A. No pumps other than those required by the fire service shall be connected to any water main or pipe so as to draw water from the main or pipe.

B. No device or use of Authority's Water System shall be permitted which may cause water hammer in the mains.

C. Authority reserves the right to require a non-residential Consumer to install a holding tank of adequate size to meet that Consumer's unusual or peak water demands.

D. No Water Service shall be furnished to any Property where the possibility exists for the mingling of water furnished by Authority with water from any other source.

E. All Owners having boilers upon their Property that depend upon pressure of the Water Service in Authority's pipes must protect the boilers against backflow and the possible occurrence of a vacuum in the Water System. Owner shall be required to guard against the danger of collapse and/or any possible damage.

F. All Owners having in ground sprinkler systems on their Property shall provide a backflow prevention device at the point the sprinkler feed line takes off from the internal piping system.

G. Water System pressure may vary in different sections of Authority's Water System. Owner shall install a pressure regulator ahead of the meter to control pressure. Authority cannot and does not guarantee that Water System pressure will not change from time to time, regardless of fault or conduct of Authority.

H. When the service line from the curb stop to the face of the Building where the service line enters the Building exceeds one hundred (100') feet, Owner shall, at Owner's own expense, install a meter pit at the right-of-way line for the installation of the meter. Said meter pit shall be approved by Authority, prior to installation.

Section 18 - Permits From Governmental Entities

A. In addition to any Authority permits and Charges, Owner shall obtain and pay for all other permits required by any governmental entity (Federal, State, or local).

B. Owner shall comply with all requirements of such governmental entities, including methods of construction, types of material, methods of backfill, methods of repaving, methods of protection and warning, and all other applicable specifications imposed by such entity.

C. Developers shall obtain all permits required by any governmental entities (Federal, State, or local).

D. Applications for permits shall be based upon designs and plans that have been reviewed by Authority's Engineer, and such plans shall incorporate all changes, corrections, and modifications requested at that time by Authority's Engineer.

E. No work shall be commenced until all required permits have been received and all required agreements have been executed.

F. All PennDOT and DEP permits shall be in the name of Northampton, Bucks County, Municipal Authority.

Section 19 - Meter Pits

A. A meter pit shall be required when the distance from the curb stop to the proposed location of the meter inside the building is more than one hundred feet (100').

B. Meter pits for meters one inch (1") or smaller shall be purchased from the Authority. Fees for these pits are listed in the Fee Schedule (Exhibit "A").

C. For meters larger than one inch (1"), a concrete pit shall be installed in accordance with Authority specifications. Typical drawings are available from the Authority. Cost of meter pits shall be the responsibility of the Property Owner.

D. Maintenance of the meter pit is the responsibility of the Property Owner. The meter itself is the property of the Authority and shall be maintained by the Authority.

ARTICLE IV - SEWER SERVICE
(RATES, FEES, AND OTHER CHARGES)

Section 1	Imposition of Sewer Rentals or Charges
Section 2	Imposition of Tapping Charges
Section 3	Imposition of Connection Fees
Section 4	Imposition of Tap and Saddle Fees
Section 5	Tapping Fees where Water Usage Metered - Non-Residential
Section 6	Other Fees and Charges
Section 7	Agreements
Section 8	Expenses and Authority Personnel
Section 9	Engineering, Legal and/or Consulting Expenses
Section 10	Feasibility Study Fees
Section 11	Design Review Fees
Section 12	Television Inspection and Flushing Fees

ARTICLE IV - SEWER SERVICE
(RATES, FEES, AND OTHER CHARGES)

Section 1 - Imposition of Sewer Rentals or Charges

A. There is imposed upon Property served by the Sewer System or required to be connected into the Sewer System, an annual sewer rental or Charge, payable quarterly in advance as hereinafter provided for the use, whether direct or indirect, of the Sewer System, based upon the schedules of classifications and Charges as set forth in the Fee Schedule.

B. The annual Charges for each Dwelling Unit (sometimes called "D.U.") of each Property used exclusively as a private residence shall be payable quarterly in accordance with the Fee Schedule.

C. The annual Charges for each Equivalent Dwelling Unit (sometimes called "EDU") of any Property not used exclusively for residential purposes shall be payable quarterly in accordance with the Fee Schedule.

D. "Sewer Only" customers have the option electing to have their sanitary sewer bill based upon water consumption from their private well in lieu of a flat rate fee. In order to select the metered option, the Sewer Only customer must pay applicable fees to the Authority and satisfy all Northampton Township permit requirements. The Sewer Only customer is responsible for the payment of fees to the Authority for the meter setter, water meter, and service call for the meter installation at the prevailing rates at the time of application to the Authority. The usage fees for sanitary sewer service shall be the same rate as those in effect for metered water and/or sewer customers.

Section 2 - Imposition of Tapping Charges

A. There is hereby imposed upon the Owner of any Property connecting to any part of the Sewer System, a tapping fee as specified by Act 57 of 2003 and in accordance with the Fee Schedule, for each Dwelling Unit or Equivalent Dwelling Unit, as applicable.

B. The tapping fee shall be due and payable at the time application is made to Authority to make any tap or upon the date such Owner shall have failed to make such tap as required by the ordinances of the Township.

C. An installment Payment Agreement for an Owner of Property in Sewer District No. 3 is offered by the Authority payable in sixty (60) equal monthly installments of the total sum of tapping fees required to be paid upon any Property together with per annum interest thereon of 3.8% including fees charged by the Authority associated with preparation, recordation, and administration of the installment payments as shall be set forth in the Fee Schedule. Should the Owner of the Property enter into the Installment Payment Agreement with the Authority, such Agreement must be executed by the Owner of Property and presented to the Authority on or before February 1, 2011.

Section 3 - Imposition of Connection Fees

A. There is hereby imposed upon the Owner of each Property in Sewer District No. 1 and Sewer District No. 2 connecting to any part of the Sewer System a connection fee in accordance with the Fee Schedule, for each Dwelling Unit or Equivalent Dwelling Unit, as applicable.

B. The connection fee shall be due and payable at the time application is made to Authority to make a connection to the Sewer System, or upon the date such Owner shall have failed to make such connection as required by the ordinances of the Township.

Section 4 - Imposition of Tap and Saddle Fees

A. When it is required that a connection be made into an existing portion of the Sewer System where there is no existing lateral fitting, there is hereby imposed upon the Owner of each Property in all sewer districts connecting to any part of the Sewer System, a tap and saddle Fee in accordance with the Fee Schedule, for each such connection to be made.

B. The tap, saddle and manhole sampling chamber fee as required under Article VI, Section 7(D) hereof shall be due and payable at the time application is made to Authority to make a connection to the Sewer System, or upon the date such Owner shall have failed to make such connection as required by the ordinances of the Township.

Section 5 - Tapping Fees Where Water Usage Metered - Non-Residential

A. For any Building used or intended to be used in whole or in part for non-residential purposes which is connected to the metered Water System if after one (1) full year of metered water usage, the metered water usage determines a higher number of EDU's than previously estimated, Authority shall

charge an additional tapping fee in accordance with the Fee Schedule per EDU for each additional EDU over the original number estimated.

B. Should metered water usage indicate after one (1) full year a lower number of EDU's than previously estimated, Authority shall not make any refund of tapping fees or Charges.

Section 6 - Other Fees and Charges

A. Turning Off Water

When water is turned off for non-payment of sewer bills or failure to comply with these Rules, a fee shall be charged in accordance with the Fee Schedule.

B. Turning On Water

The fee to turn on Water Service shall be in accordance with the Fee Schedule.

C. Posting Fee

When a Building is posted for non-payment of account, there shall be a posting fee charged in accordance with the Fee Schedule.

D. Service Call Policy

When Authority personnel is requested to make a service call to a Property and it is found that the problem does not involve the Authority's property, equipment, Water Service, or Sewer Service, then Authority shall charge the Owner of the Property and the Customer. The Charges for a service call shall be in accordance with the Fee Schedule.

E. Letter of Certification

1. There shall be a fee in accordance with the Fee Schedule to prepare a Letter of Certification for Sewer Service.

2. There shall be a fee in accordance with the Fee Schedule to prepare a Letter of Certification for combined Water Service and Sewer Service whether or not a water meter reading is required.

F. Highway Occupancy Permit (Road Opening)

1. For each application to Authority to secure a State Highway Occupancy Permit to install a single sewer lateral, there shall be a fee in accordance with the Fee Schedule payable to Authority in addition to any other fees that may be required by these Rules.

2. Whenever the road surface of a State highway is to be disturbed, an additional fee in accordance with the Fee Schedule for each road opening shall be charged for the perpetual maintenance of the road opening. For the purposes of this Subparagraph, a road opening shall be defined as any disturbance of the surface within the right-of-way of the road.

3. Road Opening fees shall be in addition to any Charges, escrow funds or maintenance bonds required by agreements with Authority.

4. Road Opening fees shall not be refunded for any reason whatsoever.

5. For each application to secure a PennDOT Highway Occupancy Permit in the name of Authority, a bonding fee shall be charged in accordance with the Fee Schedule.

G. Returned Checks or Payments

If a check or any other type instrument received by Authority in payment of any Authority's Charges is returned due to insufficient funds, or for any other reason, the Consumer shall pay a fee in accordance with the Fee Schedule to Authority, in addition to any other Charges then due and payable. The return of any item to Authority due to insufficient funds, or for any other reason, shall be sufficient grounds for Authority to require a deposit, as provided for in Article I, Section 5, hereof.

H. Sewer System Specifications

Authority, upon payment of a fee in accordance with the Fee Schedule, shall furnish construction specifications and material requirements for extension to, or connection to, the Sewer System.

I. Copies of Authority Documents

Fees shall be charged in accordance with the Fee Schedule for any copy or copies of Authority documents listed below:

1. Resolution(s);
2. Minutes;
3. Rules;
4. Any page of any other Authority document.

J. Sewer System Plans

For any plan of the Sewer System, there shall be a Charge in accordance with the Fee Schedule.

K. Sampling Fees

For obtaining a sample, transporting the sample to a qualified laboratory, and cost of having laboratory analyze the sample to determine biochemical oxygen demand (BOD) and concentration of suspended solids (SS), or any other test required or deemed necessary by Authority, (whether or not requested by the Consumer), there shall be a Charge in accordance with the Fee Schedule.

Section 7 - Agreements

A. Improvement Agreements

For the preparation by Authority of its standard Improvement Agreement with developer for Sewer Service for a development, or a section of a development, Authority shall charge developer a fee in accordance with the Fee Schedule. If special conditions necessitate changes, special work, amendments or supplements to the Improvement agreement, an additional Charge shall be made to the developer for the cost of making any changes in accordance with the Fee Schedule.

B. Internal Design Contracts

For the preparation by Authority of an Internal Design Contract with a developer for the design of sewer facilities within a development, or any section of a development, Authority shall charge developer a fee in accordance with the Fee Schedule.

C. Changes to Agreements

Standard agreements for Sewer Service are subject to change and can be changed by negotiation with Authority, when special circumstances so dictate, as Authority shall determine. If changed, additional Charges therefore shall be made. Such additional Charges shall be determined in accordance with the Fee Schedule.

D. Extension, Supplemental and Assignment Agreements

Extension agreements for an extension of time under the Improvement Agreement, or Supplemental Agreements relative to State road openings, or an Assignment Agreement for assigning an Improvement Agreement to another developer and/or Escrow Agent, or Internal Design Contracts, shall be prepared by Authority for a fee in accordance with the Fee Schedule.

All supplemental agreements are subject to change and can be changed by negotiation with Authority, when special circumstances dictate, as Authority shall determine. If changed, additional Charges therefore shall be made in accordance with the Fee Schedule.

E. Administration of Agreements and Escrow Accounts

Authority shall charge developer an administrative fee in accordance with the Fee Schedule in addition to other sums charged by Authority for the administration by Authority of its standard Improvement Agreement with developer.

Section 8 - Expenses of Authority Personnel

A. When Authority is requested, or required, to have any of its personnel perform any engineering, inspection, administration, testing, review, or other work, or perform any services for any system or facility, for either a Consumer, a developer, Owner or other Person, Authority shall charge such party in accordance with the Fee Schedule.

Section 9 - Engineering, Legal and/or Consulting Expenses

A. When Authority is requested, or required, as Authority shall determine, to have any work or services performed by its Consulting Engineer, Solicitor, or any other outside consultant for a Consumer, developer, Owner or any Person, Authority shall charge such party in accordance with the Fee Schedule.

B. When Authority is requested, or required, to have its Solicitor, Consulting Engineer or Authority's personnel to perform any legal services, prepare or review any documents or do any research for either a Consumer, developer, Owner or any Person, Authority shall charge such party in accordance with the Fee Schedule.

Section 10 - Feasibility Study Fees

A. For each development, or part thereof, submitted for the purpose of determining the feasibility of connecting to Sewer System, a fee for such review shall be charged in accordance with the Fee Schedule.

B. Any Person requesting a Feasibility Study shall pay such costs as may be required because of the nature of the studies where the time involved or additional work involved is beyond the amount of the basic fee as Authority shall determine. Such costs herein shall be computed in accordance with the Fee Schedule.

C. If Authority is required, or requested, to complete a Sewage Facilities Planning Module, a fee shall be charged in accordance with the Fee Schedule.

Section 11 - Design Review Fees

A. For review of engineering designs for proposed sewer facilities within a development, or section thereof, for any Person requesting a Design Review shall pay such fees in accordance with the Fee Schedule for the initial Design Review. Additional costs may be required due to the complexities of the studies where the time or additional work required is beyond the amount of the basic fee. Additional costs shall be determined by the Authority and shall be computed in accordance with Sections 8 and 9 of this Article and with the Fee Schedule and paid by the Person requesting such Design Review.

Section 12 - Television Inspection and Flushing Fees

A. When Authority is requested to flush sewer lines, or is required to, as Authority shall determine, as part of the inspection of developer's work, Authority shall charge for such flushing in accordance with the Fee Schedule.

B. When Authority is requested to conduct televised inspection of sewer lines, or is required to, as Authority shall determine, as part of the inspections of a developer's work, Authority shall charge for such televising in accordance with the Fee Schedule. Television inspection requires flushing and cost of flushing is included in the television inspection fee.

ARTICLE V - SEWER SERVICE
(RULES AND REGULATIONS)

Section 1	Sewer Districts
Section 2	Dwelling Unit
Section 3	Equivalent Dwelling Unit
Section 4	Residential and Non-Residential Usage
Section 5	Estimation of Sewer Rental
Section 6	Sewer Service for Less than One Quarter
Section 7	Unusual Circumstances
Section 8	Schools
Section 9	Regulations for Connections
Section 10	Regulations Governing Admission of Wastes into the Sewer System
Section 11	Prohibited Wastes
Section 12	Permits from Governmental and Other

ARTICLE V - SEWER SERVICE

(RULES AND REGULATIONS)

Section 1 - Sewer Districts

A. There are hereby created pursuant to Act 57 of 2003 the following Sewer Districts:

1. Sewer District No. 1 shall consist of public sewer areas within the Township, not included in Sewer District No. 2 or Sewer District No. 3 set forth herein.

2. Sewer District No. 2 shall consist of those 54 single-family dwellings in a development known as "Poet's Walk" located at the Northwest corner of Bristol and Jacksonville Roads, pursuant to Resolution No. 05-868.

3. Sewer District No. 3 shall consist of the residential properties in a development known as "Harvest Acres" located in the Northeast corner of Hatboro and Barley Roads, and residential properties known as Traymore Manor and Grenoble Manor and certain parcels along Jacksonville and Almshouse Roads, one (1) institution property and various non-residential properties all as shown on a plan of Pennoni Associates, Inc., dated June 2, 2010, last revised August 26, 2010, and indicated in Exhibit "I."

Section 2 - Dwelling Unit

A. "Dwelling Unit" herein shall mean any single-family house, apartment, condominium unit, mobile home, or other enclosure occupied or intended for occupancy unit as having separate living quarters by an individual, a family or group of persons living together as a family unit or by persons living alone.

B. Each separate Dwelling Unit in a connecting house, mobile home or apartment shall be defined as a separate Dwelling Unit.

Section 3 - Equivalent Dwelling Unit

A. Flow per EDU shall mean 271 gallons per day.

B. "Equivalent Dwelling Unit" (sometimes called "EDU") shall be the measure of non-residential sewer usage and shall be based upon water usage during the highest three (3) month quarter during the last two (2) years divided by ninety (90) days and divided by 271 gallons per day. If available, metered water consumption from the subject facilities will be used to calculate the number of EDU's for a property. The EDU calculation will be based upon the maximum quarterly usage during the immediately prior eight (8) calendar quarters. If it is determined by the Authority, that the water meter data contains an unusually high

quarter, the maximum quarterly value shall be compared to the second highest quarterly usage. If the maximum quarterly usage exceeds a factor of 1.25 times the second highest quarterly usage, the maximum usage will be discarded and the next highest quarterly usage shall be used.

C. A Dwelling Unit shall be charged for at the same rates as an Equivalent Dwelling Unit, and such rates shall include tapping fees, connection fees, tap and saddle fees, and sewer rentals.

D. Equivalent Dwelling Units shall be computed to the next higher whole number. Fractions or decimal parts of EDU's shall not be used.

E. In the event that water meter records are not available, the Authority shall have sole discretion to establish Equivalent Dwelling Units for any Building used, or intended to be used, in whole or in part for non-residential purposes.

F. Sewer rates, as contrasted to tapping fees (regulated by Pennsylvania Act 57 of 2003), shall be calculated on actual sewer usage as calculated by metered public water usage for all customers connected to a public water system.

G. When water meter records are not applicable pursuant to paragraph B above, the following schedule shall be used to determine estimated water usage for the purpose of computing EDU's:

1.

<u>Type of Non-Residential Use</u>	<u>Estimated Water Use</u>
Auto Repair Shop	2.2 gals. per day per 100 sq. ft. of floor area
Barber Shop	100 gals. per day per chair
Beauty Shop	25 gals. per day per chair
Computer Room	1.5 gals. per day per 100 sq. ft. of floor area
Daycare Center/Nursery School	11 gals. per day per student & personnel
Dentist Office with Vacuum Evacuator not water powered	250 gals. per day per chair
with Water Powered Vacuum Evacuator	500 gals. per day per chair
with Flowing Water Cuspidor	750 gals. per day per chair
Drug Store	500 gals. per day

Grocery Store	5 gals. per day per 100 sq. ft. of floor area
Hospital	400 gals per day per bed
Laboratory	2.2 gals. per day per 100 sq. ft. of floor area (Exclusive of process water discharge)
Laundromat	1,000 gals. per day per washing machine
Manufacturing	2.2 gals. per day per 100 sq.ft. of floor area (Exclusive of process water discharge)
Motel or Hotel	125 gals. per day per room
Nursing Home	150 gals. per day per bed
Office Building	12 gals. per day per 100 sq. ft. of floor area (not otherwise specified herein)
Physician's Office	200 gals. per day per examining room
Restaurant	25 gals. per day per seat
Service Station	1,000 gals. per day without wash racks
Showroom	1.5 gals. per day per 100 sq.ft. of floor area
Warehouse	1.5 gals per day per 100 sq.ft. of floor area

2. Other uses not classified herein shall be determined by Authority in its sole discretion. Additional classifications or modifications of the above schedule may be established by Authority, from time to time, as it deems necessary.

3. In case of a combination of uses in any Building each use shall be rated according to the foregoing schedule and Authority determination and the EDU'S for each use shall be totaled.

4. Each church, chapel, synagogue, or firehouse shall constitute one (1) Equivalent Dwelling Unit.

Section 4 - Residential and Non-residential Combination Usage

A. Each secondary, accessory, or combination use of any Building that is used for a combination of residential and non-residential purposes may use its water meter to determine water usage to determine the amount of sewage discharged into the Sewer System. Where the Property is served by a private well, the Owner, with approval of Authority, at such Owner's sole cost and expense, for sewer rentals only, may install a meter on the Owner's well of the type approved by Authority, and sealed by Authority to determine water usage.

B. Authority may, but shall not be required to, re-determine the number of Equivalent Dwelling Units for which each use in a Building will be rated in the future for sewer rental purposes based upon the readings from the water meter for a period of twelve (12) full consecutive months.

C. No refunds shall be made by Authority, if the information filed reveals a lower indicated sewer rental or Charge than that estimated by Authority.

D. No building either residential or non-residential shall be rated at less than one (1) Equivalent Dwelling Unit for any purpose.

Section 5 - Estimation of Sewer Rental

A. If the Owner of any non-residential or combination of residential and non-residential Property (including any school) fails to provide Authority with complete information required to compute the Charge, Authority may estimate a reasonable applicable Charge for any such Property and such estimated Charge shall be the actual Charge payable until the required information is filed.

B. No refunds shall be made by Authority, if the information filed reveals a lower indicated Charge than that estimated by Authority.

Section 6 - Sewer Service For Less Than One Quarter

A. For service periods of less than one (1) quarter of a calendar year, the Charge and the computation of the volume of water consumed or the volume of discharge to the Sewer System, whichever is applicable, may be proportionately adjusted.

B. No credit, refund, or allowance shall be made for non-use of the Sewer Service once a lateral has been installed to the Property on which a Building is located.

Section 7 - Unusual Circumstances

A. Nothing herein contained shall be deemed to prohibit Authority from entering into separate agreements with any Owner with respect to Charge to be imposed in those cases when due to seasonal fluctuations or other unusual circumstances, the Charges herein shall be deemed by Authority to be unfair or inequitable.

Section 8 - Schools

A. For the first year connection to public sewer system, Authority may estimate the number of EDU's to be assigned to the School for connection fees and tapping fees as determined by the Authority's consulting engineer based upon the number of persons, including students, teachers, and other administration and maintenance staff, building dimensions, the existence of gyms, pools, and cafeterias, the number of shower heads and other such factors at the discretion of the Authority's consulting engineer.

B. Regardless of connection to Authority's Water System, at the time of sewer system connection or subsequent expansion of facilities, the initial billing shall be based on the number of EDU's calculated in Paragraph A above. The first billing period after one full calendar year from sewer system connection, EDUs shall be calculated upon the water consumption of the School pursuant to the Municipal Authorities Act as calculated by the Authority's consulting engineer.

C. A meter and other such necessary equipment, which shall be acquired from the Authority, and further, as shall be determined at the discretion of the Authority's consulting engineer, shall be installed to determine water usage so as to calculate the amount of sewage discharged into the public sewer system by the School in accordance with the Municipality Authorities Act. After installation of such meter and equipment, the Authority may, shall not be required to, following any period of twelve full consecutive months, re-rate the EDU calculation consistent with this Section 8.

D. The Chief School Administrator shall supply to Authority, prior to connection, complete pupil information to enable Authority to determine the number of EDU's to be assigned to the school. If the Chief School Administrator should fail to provide this information to Authority, prior to the date on which sewer connection is made, Authority may estimate the number of EDU's to be assigned to the school for connection fees, tapping fees, tap and saddle fees, and for the first year Charge.

E. If the school is not connected to Authority's Water System, then for Charge purposes only, on or before October 1st of each year, after connection of the school to Sewer System, the Chief School

Administrator of each school shall file a sworn statement with Authority setting forth the pupil information for the complete previous school term or semester to enable Authority to compute the Charge for the school for the forthcoming fiscal year of Authority.

F. If a school is connected to the Water System, at the time of the sewer connection, the initial quarter billing shall be based on the number of EDU's calculated in Paragraph D above. After one (1) full calendar quarter of water usage by the school, subsequent quarterly Charge shall be calculated upon the water consumption of the school with each 24,390 gallons per quarter of water consumed per calendar quarter being the equivalent of one (1) EDU for Charge.

G. If a school is not connected to the Water System, the school or School District (in the case of public schools), for the purpose of Charge only, may install a meter of the type approved by Authority and sealed by Authority. Such meter shall be used to determine water usage so as to calculate the amount of sewage discharged into Sewer System by the school. Each 24,390 gallons per quarter of water usage, per calendar quarter, shown by such meter shall constitute an Equivalent Dwelling Unit.

H. After such meter has been installed and read by Authority for a period of at least twelve (12) full consecutive months, Authority may, but shall not be required to, re-determine the number of Equivalent Dwelling Units for which the school shall be rated in the future for Charge purposes only. This rating may be recalculated annually based on the previous twelve (12) months water usage and meter reading, but Authority shall not be required to re-rate annually.

Section 9 - Regulations for Connections

A. No Person shall uncover, connect with, make any opening into or use, alter or disturb, in any manner any sewer or any part of the Sewer System without first obtaining a permit, in writing, from Authority and from the Code Enforcement Office of the Township, or other Township officials.

B. Application for a permit required under Subsection A above, shall be made by the Owner of the Property served or to be served or his duly authorized agent who shall give satisfactory proof of this authority.

C. No Person shall make, or cause to be made, any connection of any Property to the Sewer System until such Person shall have fulfilled each of the following conditions:

1. Notified the appropriate Township officials of the desire and intention to connect to the Sewer System, and shall have satisfied all Township requirements with respect to such connection;
2. Applied for, and obtained, permits, as required in Subsection A above; and
3. Given Authority and Township at least ninety-six (96) hours notice of the time when such connection will be made so that Authority and Township may supervise and inspect the work of connection and conduct necessary testing; and
4. Furnished satisfactory evidence to Authority that all connection fees, tapping fees, tap and saddle fees, and meter fees and all other Charges imposed by Authority have been paid.

D. Each Property shall be connected separately and independently with the Sewer System. Grouping of more than one Building on a single builder sewer line shall not be permitted, except as approved by Authority, in its sole discretion, under special circumstances and for good sanitary reasons but then only after special permission of Authority, in writing, shall have been secured. Such exception shall be subject to such rules, regulations and conditions as may be prescribed by Authority. Cost or expense to Owner shall not be considered good reason for grouping.

Vertical condominiums shall be permitted to use a single sewer lateral but shall pay all fees and Charges imposed on each as a separate Dwelling Unit. Location of connection to the sewer lateral shall be subject to approval by Authority.

E. All costs and expenses of connecting any Building to the Sewer System shall be borne by the Owner and such Owner shall indemnify and save harmless Authority from any and all loss or damage that may be occasioned, directly or indirectly, by Authority as a result of, or caused by the connection with Sewer System, whether said loss or damage is due to, or caused by, or alleged to be caused by, the negligence of Owner or Authority or the agents, servants, workmen, or contractors of any of them.

F. All Buildings shall be connected to the Sewer System at the place designated by Authority. The invert of a sewer service line at the point of connection shall be at a higher elevation than the invert of the lateral to which the connection is to be made. A proper joint, as Authority shall determine, shall be made and the connection of a sewer service line to the lateral shall be made secure and watertight, as

provided by the Township Code Enforcement Office. Connection of sewer service line to sewer lateral shall be inspected by Township.

G. Where a Property is served by its own sewage disposal system or device, at the time of connection to the Sewer System, the then existing sewer service line on the Property shall be broken on the Building side of such sewage disposal system or device and an attachment shall be made with proper fittings to continue such sewer service line from the Building to the lateral.

H. No connection to Sewer System shall be covered until it has been inspected and approved by the Township Code Enforcement Office or other appropriate Township official. If any part of such connection is covered before being so inspected and approved, it shall be uncovered for inspection at the cost and expense of the Owner.

I. Every sewer service line of any Property shall be maintained at all times in a sanitary and safe operating condition by the Owner.

J. Every excavation for connection to Sewer System shall be guarded adequately with sufficient barricades and lights to adequately protect all Persons from damage or injury. Authority is empowered to determine sufficiency and adequacy of such protection. Streets, sidewalks, and other Property disturbed in the course of connecting the Sewer System shall be restored at the cost and expense of Owner in a manner satisfactory to Authority and all other governmental entities having jurisdiction.

K. All Owners who desire to connect a Building to Sewer System where no lateral has been installed to the Land on which such Building is located shall be required, at Owner's sole cost and expense, and at no cost and expense to Authority, to install a lateral from the Land to be served by Authority's mains. The installation of said lateral shall be made in accordance with Authority's current specifications for the installation of sewer laterals and the installation shall be subject to inspection by Authority's personnel prior to the time the trench is backfilled. If the lateral trench is backfilled prior to inspection by Authority's personnel, Owner shall be required to excavate the trench to expose the lateral for Authority's inspection. If any portion of the lateral trench is in a public right-of-way of Township, the trench shall additionally be subject to inspection by Township Code Enforcement Office or other appropriate Township official prior to being backfilled.

L. Connection of individual house laterals into the Authority's sanitary sewer interceptors shall not be allowed without written approval by Authority. Any Owner desiring to connect to an interceptor shall make such a request in writing to Authority and shall submit detailed plans of the proposed connection. Authority shall not be required to permit such connection if it is not in the best interest of Authority, as determined by Authority.

1. The connection of a lateral into Authority's interceptor when permitted by Authority, shall be into Authority's manhole and shall be done in a manner and form approved in advance by Authority, and such connections shall comply with Section 9, Subsection L, Paragraphs 1 and 2 hereof; and

2. Before any connection into Authority's interceptor is made the Owner who desires to connect into such sanitary sewer interceptor must agree, in writing, to protect, defend, indemnify, and forever hold harmless from any liability, or claim of liability, on account of any personal injury or property damage, resulting from, or alleged to result from, the connection of the Property into Sewer System, regardless of whether the liability, claims of liability, personal injury, property damage, or claim of personal injury or property damage, results from, or is alleged to result from, any carelessness, recklessness, or negligence on the part of Authority, its officers, agents, workmen, or employees.

Section 9A – Grinder Pumps

A. “Grinder Pump” herein shall mean each low-pressure sanitary sewer facility including pipes, appurtenances and controls affixed connected into the public sanitary sewer system of the Authority.

B. The Authority hereby establishes a Grinder Pump Management Plan attached as Exhibit “H” to the Rates, Rules, and Regulations, which shall be provided to any Owner permitted to install such Grinder Pump.

C. Any Property that meets the presence and significance of certain factors of limited alternatives to the standard, conventional gravity system as outlined in the Grinder Pump Management Plan, shall be permitted to install a Grinder Pump and shall comply in all respects with the Grinder Pump Management Plan.

Section 10 - Regulations Governing Admission of Wastes into the Sewer System

A. No Person shall discharge, or cause to be discharged, into the Sewer System any sanitary sewage or industrial sewage except in conformity with Article VI of these Rules.

B. Authority reserves the right to refuse permission to connect to the Sewer System and to compel discontinuance of use of the Sewer System, or to compel pretreatment of wastes by an establishment, in order to prevent discharge deemed harmful or which might have a deleterious effect upon the Sewer System or any part thereof or to comply with provisions of any agreement for sewage transportation and treatment between Authority and any other municipality or any other governmental entity.

Section 11 - Prohibited Wastes

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

Section 12 - Permits from Governmental and Other Agencies

A. In addition to any Authority permits and Charges, Consumer shall obtain and pay for all other permits required by any governmental entity (Federal, State, or local).

B. Consumer shall comply with all requirements of such entities, including methods of construction, types of material, methods of backfill, methods of repaving, methods of protection and warning, and all other applicable specifications imposed by such entity.

C. Developers shall obtain all permits required by any governmental entities (Federal, State, or local) or required by any other entities having a legal requirement for permits prior to executing any agreements for developments with Authority.

D. Applications for permits shall be based upon designs and plans that have been reviewed by Authority's engineer, and such plans shall incorporate all changes, corrections, and modifications requested at that time by Authority's engineer.

E. No work shall be commenced until all required permits have been received and all required agreements have been executed.

F. All PennDOT and DEP permits shall be in the name of Northampton, Bucks County, Municipal Authority.

ARTICLE VI - INDUSTRIAL, HARMFUL, AND PROHIBITED WASTES

(RULES AND REGULATIONS)

Section 1	Definitions
Section 2	Industrial Waste Discharges
Section 3	Limitations on Discharges
Section 4	Grease and Sand Interceptors
Section 5	Industrial Waste Permits
Section 6	Preliminary Treatment and Handling of Industrial Waste
Section 7	Reporting Criteria
Section 8	Surcharges
Section 9	Enforcement
Section 10	City of Philadelphia's Wastewater Control Regulations

ARTICLE VI - INDUSTRIAL, HARMFUL, AND PROHIBITED WASTES
(RULES AND REGULATIONS)

Section 1 - Definitions

A. "Abnormal Strength Waste" shall mean any waste having a BOD, suspended solids, dissolved solids, nitrogen, or phosphorus concentration in excess of that found in normal domestic sewage, but which is otherwise acceptable into a public sewer under the terms of these Rules.

B. "Act" shall mean the Federal Water Pollution Control Act Amendments of 1972, as amended, Public Law 92-500, as amended, 33 U.S.C. Section 1251, et seq. (Supp. IV, 1974).

C. "Administrator" shall mean the Regional Administrator of Region Three of the U.S. Environmental Protection Agency.

D. "BOD" (Biochemical Oxygen Demand) shall mean the quantity of oxygen, expressed in mg/l, 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 Sewage" published by the American Public Health Association.

E. "Chlorine Demand" shall mean the quantity of chlorine absorbed in water, sewage or other liquids, allowing a residual of 0.1 ppm, after fifteen (15) minutes of contact.

F. "Color" of an industrial waste shall mean the color of the light transmitted by the waste solution after removing the suspended material, including the pseudocolloidal particles.

G. "Cooling Water" shall mean the water discharged from any system of condensation such as air-conditioning, cooling, or refrigeration.

H. "Dissolved Solids" shall mean that concentration of matter in the sewage consisting of colloidal particulate matter one (1) micron in diameter or less, and both organic and inorganic molecules and ions present in solution.

I. "Fecal Coliform" shall mean any number of organisms common to the intestinal tract of man and animals whose presence in sanitary sewage is an indicator of pollution.

J. "Floatable Oil" shall mean oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in a pretreatment facility approved by Authority.

K. "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the commercial handling, storage and sale of produce.

L. "Ground Garbage" shall mean garbage that has been shredded to such a degree that all its particles will be carried freely under normal sewer flow conditions, with no particle greater than one-half (1/2) inch in any dimension.

M. "Ground Water" shall mean water which is standing in or passing through the ground.

N. "Industrial User" shall mean any improved property user, in whole or in part, for manufacturing, processing, preparation, cleaning, laundering, or assembling any product, foods, commodity or article; or from which any process waste, as distinct from domestic waste, shall be discharged.

O. "Industrial Waste" shall mean any liquid or gaseous substance, whether or not solids are contained therein, discharged from any industrial establishment as distinct from sanitary sewage.

P. "Industrial Waste Permit" shall mean a permit issued by the Authority to deposit or discharge liquid industrial wastes into any sanitary sewer owned by Authority.

Q. "Infiltration" shall mean the water unintentionally entering the Sewer System from the ground through such means as, but not limited to, defective pipes, pipe joints, connections or manhole walls. Infiltration does not include, and is distinguished from, inflow.

R. "Infiltration/Inflow" shall mean the total quantity of water from both infiltration and inflow without distinguishing the source.

S. "Inflow" shall mean the water discharge into the Sewer System, including building drains and sewers, from such sources as, but not limited to: roof leaders, cellar, yard and area drains; foundation drains; unpolluted cooling water discharges; drains from springs and swampy areas; manhole covers; cross-connections from storm sewer and/or combined sewers; catch basins; storm waters; surface runoff; street wash waters; or drainage. Inflow does not include, and is distinguishable from, infiltration.

T. "MG/L" shall mean milligrams per liter and is equivalent to parts per million by weight.

U. "National Pollutant Discharge Elimination System Permit" shall mean a permit issued under the National Pollutant Discharge Elimination System (NPDES) for discharge of wastewaters to the navigable waters of the United States pursuant to Section 402 of Public Law 92-500, as amended.

V. "Nitrogen, Total Kjeldahl (TKN)" is the sum of the organic nitrogen and ammonia nitrogen, expressed in milligrams per liter.

W. "Normal Domestic Strength Sewage", as defined for the purposes of this Article, shall mean wastewater or sewage having an average daily suspended solids (SS) concentration of not more than two hundred fifty (250) milligrams per liter and an average daily BOD of not more than two hundred fifty (250) milligrams per liter.

X. "Objectionable Waste" shall mean any wastes that can, in Authority's judgment, harm either the sewers or sewage treatment process or equipment; have an adverse effect upon the receiving stream; otherwise endanger life, health or property; or which constitutes a public nuisance.

Y. "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution, indicating the degree of acidity or alkalinity of a substance. A "stabilized pH" will be considered as a "pH" which does not change beyond the specific limits when the waste is subject to aeration. It shall be determined by one of the accepted methods described in the latest edition of "Standard Methods for Examination of Water and Wastewater" published by the American Public Health Association.

Z. "Phosphorous (P)" is the sum of the orthophosphate, polyphosphate, and organic phosphate form of phosphorous expressed in milligrams per liter.

AA. "Pretreatment" shall mean the treatment of industrial sewage from privately owned industrial sources by the generator of that source prior to introduction of the waste effluent into the Sewer System.

BB. "Sewage" shall mean the combination of the liquid and water-carried wastes from residence, commercial buildings, industrial plants and institutions, including polluted cooling water and unintentionally admitted infiltration/inflow.

1. "Sanitary Sewage" shall mean the combination of liquid and water-carried wastes discharged from toilet and other sanitary plumbing facilities.

2. "Industrial Sewage" shall mean a combination of liquid and water-carried wastes discharged from any industrial establishment and shall include the wastes from pretreatment facilities and polluted cooling water.

3. "Combined Sewage" shall mean wastes, including sanitary sewage, industrial sewage, storm water, infiltration and inflow carried to the wastewater treatment facilities by a combined sewer.

CC. "Significant Industry" or "Significant Industrial User" shall mean any industry, or User, that will contribute greater than five (5%) percent of the design flow, as measured at the point the Sewer System discharges into another Authority's collection system or interceptor.

DD. "Slug" shall mean any discharge of water or wastewater in concentration of any given constituent or in any quantity of flow which exceeds more than five (5) times the allowable concentration or flows during a normal working day (i.e., 1, 2, or 3 shift operation) for any period of duration longer than fifteen (15) minutes and shall adversely affect the collection system and/or performance of the wastewater treatment works.

EE. "Standard Methods" shall mean the laboratory procedures set forth in the following sources: "Standard Methods for the Examination of Water and Wastewater", latest edition, as amended, prepared and published jointly by the American Public Health Association, American Water Works Association, and Water Pollution Control Federation; "Methods for Chemical Analysis for Water and Wastes", prepared and published by the Analytical Quality Control Laboratory, U.S. Environmental Protection Agency; "Guidelines Establishing Test Procedures for the Analysis of Pollutants," enumerated in 40 CFR Section 436.1, et seq. (1975), as amended; and/or any other procedures recognized by the U.S. Environmental Protection Agency and the Commonwealth of Pennsylvania.

FF. "Suspended Solids (SS) or Total Suspended Solids (TSS)" shall mean total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids and is removable by laboratory filtration as prescribed in the "Standard Methods" enumerated in this Article.

GG. "Total Solids" shall mean the sum of suspended and dissolved solids.

Section 2 - Industrial Waste Discharges

A. Only authorized industrial wastes may be discharged into the Sewer System. Those which are deemed by Authority to be harmful, or are specifically prohibited by this Article, or are otherwise

prohibited under the laws of the Commonwealth of Pennsylvania, or of the United States are prohibited from discharging into the Sewer System.

B. No Person shall directly or indirectly deposit or discharge, or cause to be deposited or discharged, to any portion of Authority's Sewer System, any solid, liquid, or gaseous waste unless through a connection approved by Authority.

C. No Person shall directly or indirectly deposit or discharge, or cause to be deposited or discharged, to any portion of Authority's Sewer System, any industrial waste without prior approval of Authority.

Section 3 - Limitations on Discharge

A. No Person shall directly or indirectly discharge, or cause to be discharged, any storm water, surface water, ground water, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial process waters to any sewer connected to Authority's Sewer System. (All connections which would result in the discharge of infiltration or inflow are hereby specifically prohibited.)

B. Except as otherwise provided, discharge of wastewaters into the Sewer System containing the following constituents is hereby prohibited:

1. Containing more than 25 mg/l of petroleum oil, non-biodegradable cutting oils, or other products of mineral oil origin.

2. Discharges from Industrial Users that contain floatable oils, fats, or grease.

3. Discharges from any User, excluding Industrial Users, containing more than 100 mg/l of fats, oils, or grease.

C. Except as otherwise provided, no Person shall discharge, or cause to be discharged, into the Sewer System any domestic waste, industrial waste, or other matter or substance:

1. Having a temperature higher than 140 degrees Fahrenheit or less than 32 degrees Fahrenheit, or containing heat in amounts which will inhibit biological activity in the treatment plant resulting in interference;

2. Containing any liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the treatment plant or to the operation of the treatment plant. At no time shall

two (2) successive readings on an explosion hazard meter, at the point of discharge into the System (or at any single point) read over ten (10%) percent of the Lower Explosive Limit (LEL) as read by the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides or any other substances with Authority, the Commonwealth of Pennsylvania, or EPA has notified the User is a fire hazard or a hazard to the System;

3. Containing any noxious or malodorous gas or substance, which either singly or by interaction with other wastes, is capable of creating a public nuisance or hazard to life or preventing entry into sewers for their maintenance and repair;

4. Containing garbage that has not been ground to such a degree that all particles will be carried freely in suspension under flow conditions normally prevailing in the public sewer, with no particles under any circumstance, greater than one-half (1/2) inch in any dimension;

5. Containing any solid or viscous substances in quantities or of size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of wastewater facilities. Such substances include, but are not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, bones, rags, feathers, tar, plastic, wood, paunch manure, butchers offal, whole blood, bentonite, lye, building materials, rubber, hair, leather, porcelain, china, ceramic wastes, asphalt, paint, and waxes;

6. Having a pH, stabilized, lower than 6.0 or higher than 9.0 or having any corrosive or scale forming property capable of causing damage or hazards to structures, equipment, bacterial action, or personnel of the Sewer System or the sewage treatment plant;

7. Containing a toxic or poisonous substance in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any sewage treatment process, to constitute a hazard to humans or animals or to create any hazard in the receiving stream of the sewage treatment plant; or to exceed the limitation set forth in a Categorical Pretreatment Standard. The above described substances are limited to concentrations which it is felt will not harm either the sewers or the treatment plant, will not have an adverse effect on the receiving stream or will not otherwise endanger lives, limb, or public property or constitute a nuisance. Authority may set lower or higher limitations in specific cases if, in the opinion of Authority, said actions will be consistent with the above stated objectives. In the setting

of such lower or higher limitations, Authority will give consideration to such factors as the quantity of wastewater flow in relation to flows and velocities in the sewers, degree of treatability of the waste, and other pertinent factors:

8. Containing any substance which may cause the treatment plant effluent or any other product of the treatment plant such as residues, sludge, or scum, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall the substance discharged to the treatment plant cause the treatment plant to be in non-compliance with any criteria, guidelines, or regulations affecting the sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or Commonwealth of Pennsylvania criteria applicable to the sludge management method being used;

9. Containing total solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant, except as may be approved by Authority, or as may be otherwise provided herein;

10. Containing any radioactive isotopes;

11. Containing color from any source that when diluted with distilled water 1:10 will have a luminescence of ten (10%) percent or better and a purity of ninety (90%) percent or less, as its dominant wave length of the tristimulus method;

12. Having a chlorine demand in excess of 12 mg/l;

13. Prohibited by any permit issued by the Commonwealth of Pennsylvania, or by the U.S. Environmental Protection Agency, or any other Federal agency or the City of Philadelphia, Bucks County Water and Sewer Authority, Northampton, Bucks County, Municipal Authority, or Northampton Township;

14. Containing wastes which are not amenable to biological treatment or reduction in existing treatment facilities, specifically bacteriostat, bactericides, or non-biodegradable complex carbon compounds;

15. Having quantities of flow or concentrations, or both, which constitute a "slug", as defined in this Article;

16. Having any waters which are used for the purpose of diluting wastes which would otherwise exceed applicable maximum concentration limitations;

17. Having ammonia nitrogen in such an amount that would cause Authority to be in non-compliance with regulations of the Commonwealth of Pennsylvania.

D. No provision in this Section shall be construed to provide lesser discharge standards than are presently or may hereafter be imposed and required by the U.S. Environmental Protection Agency or the Commonwealth of Pennsylvania.

E. Nothing in this Section shall be construed as preventing any special agreement or arrangement between Authority and any User of the Sewer System whereby wastewater of unusual character is accepted for treatment should such wastewater be deemed by Authority to be acceptable for treatment without harm to the treatment works or people operating it and should such wastewater be in compliance with Federal Categorical Pretreatment Standards and all other appropriate local, state and federal regulations.

F. Upon the promulgation of the Federal Categorical Pretreatment Standards for a particular industrial subcategory, the Federal Standard, if more stringent than limitations imposed under this Article for sources in that subcategory, shall immediately supersede the limitations imposed under this Article. Authority shall notify all affected Users of the applicable reporting requirements under 40 CFR, Section 403.12. Where a User subject to a National Categorical Pretreatment Standard has not previously submitted an application for a permit, the User shall apply for such a permit within 180 days.

G. Unless special permission is granted by Authority, no User shall increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the Federal Categorical Pretreatment Standards, or in any other Authority pollutant specific limitation developed by Authority, or the Commonwealth of Pennsylvania.

H. All Users shall provide protection from accidental discharge of prohibited materials or other substances regulated by this Article. If required by Authority, Users shall provide and maintain, at their own expense, facilities adequate, in the judgment of Authority, to prevent accidental discharge of prohibited and/or regulated substances. No Industrial User that commences discharge to the treatment plant after the effective date of this Article shall be permitted to introduce pollutants into the Sewer System until Authority has reviewed and approved that User's accidental discharge prevention procedures.

I. In the case of an accidental discharge to the treatment plant of any prohibited or regulated substance, the Owner shall immediately telephone and notify Authority of the incident. The notification shall include information regarding the location of the discharge, the type of pollutants involved, the concentration and volume of the discharge and corrective actions taken and/or contemplated.

J. Within five (5) days following an accidental discharge, the User shall submit to Authority a detailed written report describing the cause of the discharge and the measures to be taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability which may be incurred as a result of damage to the Sewer System, treatment plant, fish kills, or any other damage to Person or Property; nor shall such notification relieve the User of any fines, civil penalties, or other liability which may be imposed by this Article or other applicable law.

K. A notice shall be permanently posted on the User's bulletin board or other prominent place advising employees whom to call in the event of a dangerous discharge. Employers shall insure that all employees who may cause or suffer such an accidental discharge to occur are advised of the emergency notification procedure.

Section 4 - Grease and Sand Interceptors

A. Grease, oil, and sand interceptors or retainers shall be installed by the User at his own expense when, in the opinion of Authority, such are necessary for the proper handling of liquid wastes containing grease, oil, or sand in excessive amounts, of any inflammable wastes, and of such other harmful ingredients. Such interceptors shall be of a type and capacity approved by Authority and shall be located as to be readily and easily accessible for cleaning by the User and for inspection by Authority.

B. Where installed, all grease, oil and sand interceptors shall be maintained by the User, at his own expense, and shall be kept in continuous and efficient operation at all times.

Section 5 - Industrial Waste Permits

A. Any User who discharges into the Sewer System any industrial wastes having any one or more of the following characteristics shall be required to obtain an Industrial Waste Permit:

1. A 5-day BOD greater than 250 mg/l; or
2. A suspended solids content greater than 250 mg/l; or
3. A dissolved solids content greater than 300 mg/l; or
4. A C.O.D. content greater than 600 mg/l; or
5. A chlorine demand greater than 12 mg/l; or
6. An average daily flow greater than 5% of the average daily flows measured at the point the Sewer System discharges into another Authority's collection system or interceptor; or
7. Any quantity of substances possessing characteristics which would be in violation of the Waste Water Control Regulations of the City of Philadelphia or the Rates, Rules and Regulations of the Bucks County Water and Sewer Authority.

B. Prior to discharging such waste to the Sewer System, or prior to continuing the discharge of such waste of the Sewer System after the effective date of this Article, the Owner of the Property from

which such discharge is proposed to be made shall apply to Authority, in writing, for a permit to make such a discharge.

C. The application for a discharge permit shall be made on a form provided for that purpose by Authority, and shall be fully completed under oath by the Property Owner, User, or a duly authorized and knowledgeable officer, agent, or representative thereof, and acknowledged. If requested, the Person making application shall also submit such scientific or testing data, or other information, as may be required by Authority. Authority shall also have, at its discretion the right to inspect the premises, equipment and material, and laboratory testing facilities of the applicant.

D. No discharge permit shall be issued by Authority to any Person whose discharge of material to sewers, whether shown upon the application or determined after inspection and testing conducted by Authority, is not in conformance with Federal, Commonwealth of Pennsylvania, or Authority statutes, ordinances, or rules and regulations. Authority shall state, in writing, the reason or reasons for denial, and said written communication shall be mailed or personally delivered to the applicant within fifteen (15) days after denial.

E. If the application for a permit is denied by Authority, or if the discharge indicated from the permit application or inspection is not in accordance with the requirements of this Article, the User may have Authority review the denial, provided the User shall give written notice of his request within thirty (30) days after receiving the denial. Authority shall review the permit application, the written denial, and such other evidence and matters as the applicant shall present at a public hearing following receipt of request for its review, and the decision of Authority rendered publicly shall be final.

F. In the event that any discharge of material to a sewer shall materially and substantially differ in type and volume from that shown in the application and permit, the Person and User shall immediately, upon order of Authority, cease and desist from such discharge.

G. As EPA adds or amends specific pretreatment and effluent guidelines, or as Authority deems necessary, the restrictions or conditions on a permit may require amendment. Authority reserves the right to make such amendments as necessary in the judgment of Authority. Within nine (9) months of the promulgation of a National Categorical Pretreatment Standard, the Industrial Waste Permit of Industrial Users subject to such standards shall be revised to require compliance with such standard.

H. Authority may suspend a permit when such suspension is necessary, in the judgment of Authority, in order to stop a discharge which presents a hazard to the public health, safety, or welfare to the environment at the treatment works or upon a finding that the discharger has violated any provision of this Article. Any discharger notified of such a suspension shall immediately stop the discharge of all wastewaters into the system. Authority shall reinstate the permit upon proof of satisfactory compliance with all discharge requirements of this Article.

I. Permits shall be issued for a specific time period not to exceed five (5) years. If the permittee is not notified by Authority ninety (90) days prior to the expiration date of the permit, the permit shall automatically be extended for one (1) year.

J. A permit may be revoked by Authority for any of the following causes:

1. Failure of a permittee to accurately report wastewater characteristics;
2. Failure of a permittee to report significant changes in operations which affect wastewater characteristics;
3. Refusal of access to the permittee's premises for the purpose of inspection or monitoring; or
4. Violations of the conditions of the permit or of these Rules.

K. Industrial Waste Permits shall remain in effect only so long as the type of waste remains unchanged. Any Person discharging wastes covered by an Industrial Waste Permit who contemplates a change in the method of operation or other factor that will alter the type or quantity of waste then being discharged into the Sewer System shall apply for a new Industrial Waste Permit at least thirty (30) days prior to such a change.

L. All applicants for Industrial Waste Permits shall pay Authority an application fee. The amount of the fee shall be set by Authority and modified from time to time by Authority, as deemed appropriate by Authority. In addition to the fee, applicants shall pay all legal, engineering and laboratory costs incurred by Authority in evaluating the Industrial Waste Permit application. Such legal, engineering and laboratory costs shall be charged in accordance with Article IV, Section 6(K) and Section 9.

M. If additional pretreatment and/or operation and maintenance procedures are required for a permittee to meet all applicable regulations contained herein, the shortest schedule by which the permittee

can provide such additional pretreatment and/or operation and maintenance procedures shall be submitted to Authority. The completion date for this schedule shall not be later than the compliance date established for applicable Pretreatment Standards. The following conditions shall apply to this schedule:

1. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the permittee to meet the applicable Pretreatment Standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.);

2. No increment shall exceed nine (9) months;

3. No later than fourteen (14) days following each date in the schedule and the final date for compliance, the permittee shall submit a progress report to Authority including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the permittee to return the construction to the schedule established. In no event shall more than nine (9) months elapse between such progress reports to Authority.

N. The permittee shall maintain and retain records relating to wastewater discharged and shall afford Authority access thereto at all reasonable times.

Section 6 - Preliminary Treatment and Handling of Industrial Wastes

A. Authority may require the Owner of an improved Property to construct and maintain, at his expense, a preliminary treatment facility when, in the opinion of Authority such facility is necessary to reduce quantities and/or concentrations of contaminants to:

1. Come within maximum limits specified in this Article, or within the limits specified by the Waste Water Control Regulations of the City of Philadelphia, or the Rates, Rules, and Regulations of the Bucks County Water and Sewer Authority; and

2. Prevent excessive quantities of flow or concentrations of pollutants from disrupting operation of the waste treatment system.

B. No preliminary treatment plant and facility shall be constructed or operated unless all plans, specifications, technical operating data, and other information pertinent to its proposed operation and

maintenance shall be reviewed by Authority and shall be found by Authority to conform to Authority regulations; and unless written approval of the plans, specifications, technical operating data and sludge disposal method has been obtained from U. S. Environmental Protection Agency, Commonwealth of Pennsylvania, and any other Local, State, or Federal agency having regulatory authority with respect thereto. Such approvals shall not relieve the discharger from meeting any of the provisions of this Article.

C. All such preliminary treatment facilities, as required by this Article, shall be maintained continuously in satisfactory and effective operating condition by the User or Person operating and maintaining the facility served thereby, and at the User's expense. Authority shall have access to such facilities at all reasonable times for purposes of inspection and testing.

D. No provision contained in this Article shall be construed to prevent or prohibit a separate or special contract or agreement between Authority and any Industrial User whereby industrial waste and material of unusual strength, character, or composition may be accepted by Authority, subject to additional payment therefore by the Industrial User; provided, however, that such contract or agreement shall have the prior approval of Authority and provided that such industrial waste is in compliance with Federal Categorical Pretreatment Standards and all other appropriate Local, State, and Federal regulations.

E. Authority reserves the right to reject admission to the System of any waste harmful to the treatment or collection facilities or to the receiving stream, to compel discontinuance of use of the treatment works or to compel pretreatment of industrial wastes in order to prevent discharges deemed harmful to or having a deleterious effect upon any portion of the Sewer System, treatment works, or receiving stream.

F. Users shall provide necessary wastewater treatment as required to comply with this Article and shall achieve compliance with all Federal Categorical Pretreatment Standards within the time limitations as specified by the Federal Pretreatment Regulations. Any facilities required to pretreat wastewater to a level acceptable to Authority shall be provided, operated, and maintained at the User's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to Authority for review and shall be acceptable to Authority before construction of the facility. The review of such plans and operating procedures will in no way relieve the User from the responsibility of modifying the facility as necessary to produce an effluent acceptable to Authority under the provisions of this Article. Any subsequent changes

in the pretreatment facilities or method of operation shall be reported to and be acceptable to Authority prior to the User's initiation of the changes.

G. Authority shall annually publish in a local newspaper a list of the Users which were not in compliance with any Pretreatment Requirement or Standards at least once during the twelve (12) previous months. The notification shall also summarize any enforcement actions taken against the User(s) during the same twelve (12) months.

H. All records relating to compliance with Pretreatment Standards shall be made available to officials of the EPA and Authority upon request.

Section 7 - Reporting Criteria for Industrial Users

A. Authority reserves the right to require any non-residential User to submit periodically to Authority on forms provided by Authority a certified statement of the characteristics of its industrial wastes discharged into the Sewer System of Authority or into any sewers connected to its treatment works. This statement shall be filed with Authority no later than the tenth (10th) day after laboratory analysis of the wastewater has been completed.

B. The waste characteristics to be measured and certified by the User shall be:

1. BOD in milligrams per liter;
2. Suspended Solids in milligrams per liter;
3. Such other constituents of wastewater as directed by Authority.

C. Should there be a difference in understanding between Authority and User, Authority reserves the right to use Authority results from analyses for purpose of billing. Should the User's submission not be made by the ten (10) days after the laboratory analyses are completed, Authority shall use its results from analyses for purposes of billing.

D. Whenever required by Authority, the Owner of any Property served by a building sewer carrying non-residential wastewater and material shall install a large manhole or sampling chamber in the building sewer in accordance with plans and specifications approved by Authority and install and maintain it all times at the User's expense. There shall be ample room in each sampling chamber to accurately sample and take composite samples for analysis. The chamber shall be safely, easily, and independently (of other premises and building of User) accessible to authorized representatives of Authority at all times.

Where construction of a sampling chamber is not economically or otherwise feasible, in the opinion of Authority, alternative arrangements for sampling may be arranged at the discretion of Authority.

E. Each sampling chamber shall contain a Parshall flume, weir, or similar device with a recording and totalizing register for measuring liquid quantity; or the metered water supply to the industrial plant may be used as a measure of liquid quantity where it is substantiated by Authority that the metered water supply and waste quantities are approximately the same or where a measurable adjustment agreed to by Authority is made in the metered water supply to determine the liquid waste quantity.

F. Samples shall be taken at prescribed intervals, as determined by Authority, and properly refrigerated and composited in proportion to the flow for a representative twenty-four (24) hour sample. Such sampling shall be done as prescribed by Authority to insure representative quantities for the entire reporting period.

G. The sampling frequency, sampling chamber, metering device, sampling methods, and analyses of samples shall be subject, at any time, to inspection and verification by Authority.

H. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this Section shall be determined in accordance with the Standard Methods specified by this Article or with any other method approved by Authority.

I. Authority shall consider all information regarding an Industrial User's effluent characteristics as being non-confidential and shall make all such information available to the public without restriction, unless the User specifically requests and is able to demonstrate to the satisfaction of Authority that the release of such information would divulge processes or methods of production entitled to protection as trade secrets of the User.

J. In the event that Authority deems it necessary to conduct its own test of wastewaters discharged by any User, Authority can make or have made, any such tests and the User shall reimburse Authority in accordance with Article IV, Section 6(K).

Section 8 - Surcharges

A. Authority shall impose a Surcharge on any wastes discharged into the Sewer System when such wastes have concentrations of BOD and/or Suspended Solids in excess of the average concentration of

these pollutants in normal domestic waste. Normal domestic waste shall be considered as having the following concentrations:

1. Suspended solids - 250 mg/l;
2. BOD - 250 mg/l.

B. The Surcharge shall be calculated as follows:

$$\text{SURCHARGE} = R \left(\frac{\text{SS Meas.} - \text{SS Allow.}}{\text{SS Allow.}} + \frac{\text{BOD Meas.} - \text{BOD Allow.}}{\text{BOD Allow.}} \right)$$

where:

R = Regular Sewer Rental

SS meas. = Suspended Solids, in mg/l, measured in the sewage.

SS allow. = Suspended Solids, in mg/l, maximum allowed by Authority.

BOD meas. = Biochemical Oxygen Demand, in mg/l, measured in the discharger's sewage

BOD Allow. = Biochemical Oxygen Demand, in mg/l, maximum allowed by Authority.

Section 9 - Enforcement

A. Any duly authorized employee or agent of Authority shall be permitted to enter upon all properties operating under an Industrial Waste Permit issued by Authority for the purpose of inspecting, observing, measuring, sampling, and testing as may be required to insure compliance with these Rules.

B. Authority reserves the right to seek injunctive relief from discharge to the sewer system of substances which Authority deems to be harmful, deleterious, hazardous, or not in compliance with the Regulations.

Section 10 - Wastewater Control Regulations

A. All sanitary sewer wastewater flows transmitted by the Authority facilities into the facilities of the City of Philadelphia and treated at a treatment plant operated by the City of Philadelphia shall be governed by the City of Philadelphia's Wastewater Control Regulations which are attached hereto and marked as Exhibit "G."

B. All sanitary sewer wastewater flows transmitted by the Authority facilities into the facilities of the Warminster Township Municipal Authority and treated at a treatment plant operated by the Warminster

Township Municipal Authority shall be governed the Warminster Township Wastewater Control Ordinance which is attached hereto and marked as Exhibit "G-1."

ARTICLE VII - DEVELOPER RECAPTURE/REIMBURSEMENT
(REGULATIONS, FEES, AND OTHER CHARGES)

Section 1

General

Section 2

BCWSA Reimbursement

ARTICLE VII - DEVELOPER RECAPTURE AND CUSTOMER REIMBURSEMENT
(REGULATIONS, FEES, AND OTHER CHARGES)

Section 1 - General

A. The Authority shall provide recapture/reimbursement for developers who sign Improvement Agreements with Authority after the implementation date of Act 57 of 2003 unless such Improvement Agreements provide for lawful and enforceable alternatives to such recapture/reimbursement. All such recapture/reimbursements, or waivers of same, shall be in accordance with the provisions of this Act.

Act 57 is hereby incorporated as part of these Rules.

Section 2 – Bucks County Water and Sewer Authority Wholesale Sewer and Water Customer

Reimbursements

A. In addition to tapping fees imposed by the Authority as indicated in the Fee Schedule attached as Exhibit “A” to the Rates, Rules, and Regulations a customer shall reimburse to the Authority for tapping fees based upon tapping fees imposed by the Bucks County Water and Sewer Authority (“County Authority”) as follows:

1. A County Authority water tapping fee of Seven Hundred Fifty Dollars (\$750.00) is imposed on each EDU for capacity into Bucks County Water and Sewer Authority’s Water System.
2. A County Authority sewer tapping fee of Two Thousand Three Hundred Dollars (\$2,300.00) is imposed on each EDU for capacity into Bucks County Water and Sewer Authority’s Sewer System.

ARTICLE VIII - SMALL DEVELOPER
(SPECIFICATIONS AND GUIDELINES)

Section 1	Application as Small Developer
Section 2	Municipal Lien Procedure
Section 3	Release and Satisfaction of Municipal Lien

ARTICLE VIII - SMALL DEVELOPER
(SPECIFICATIONS AND GUIDELINES)

Section 1 - Application as Small Developer

A. Prior to a Small Developer entering into any agreement under these Rules, including those required pursuant to Article II, Section 6 and Article IV, Section 7, a Small Developer must present a written request to the Executive Director of the Authority, to be covered by the terms of this Article VIII.

B. In the event that no written request is received by the Executive Director pursuant to the provisions of the above Paragraph A, the Small Developer shall be bound by all agreements entered into with the Authority without the ability to thereafter qualify to be covered by this Article VIII unless the Authority, in its sole discretion, deems that sufficient cause exists to permit the Small Developer to so qualify.

Section 2 - Municipal Lien Procedure

A. Contemporaneous with the execution of the standard water and sewer Improvement Agreements by the Small Developer, a municipal lien, in recordable form as prepared by the Solicitor of the Authority, shall be executed by the Small Developer and presented to the Authority together with the sum of One Hundred Fifty (\$150.00) Dollars representing the cost of preparation and recordation of the municipal lien.

B. The municipal lien referenced in the above Paragraph A shall be prepared in form adequate to encumber the entire development intended to be constructed by the Small Developer and shall be in the total sum of the following fees:

1. All water and sewer tapping fees, connection fees, meter fees and Customer Facilities Fees for the subject development;
2. All recording fees related to the filing of the various releases and satisfaction of municipal lien anticipated by the Authority as provided in Article VII; and
3. Legal fees in the sum of Seventy-Five (\$75.00) Dollars per recording anticipated in this Paragraph 2B.

C. The water and sewer Improvement Agreement shall reflect the various fees covered in Subparagraph 2B(i) by eliminating the requirement of prepayment of such various fees conditioned upon payment in full by the Small Developer of such various fees prior to the expiration of the water and sewer Improvement Agreement or any extension thereof. At such expiration, all such various fees shall become due and owing to the Authority together with interest thereon at the rate of ten (10%) percent per annum commencing on the date of execution of the water and sewer Improvement Agreement.

D. Upon the approval of the water and sewer Improvement Agreement of the Small Developer, the Authority shall cause the municipal lien to be recorded in the Office of the Prothonotary of Bucks County.

Section 3 - Release and Satisfaction of Municipal Lien

A. Upon or prior to each residential unit within the subject development of the Small Developer connecting into the facilities of the Authority, the Small Developer shall pay to the Authority a sum equal to the initial number of such residential units divided into the initial full amount indicated in the municipal lien recorded hereunder.

B. Subject to compliance by the Small Developer of all terms in this Article VIII and the subject water and sewer Improvement Agreement, the Authority shall present to the Small Developer or its written designee, a release of municipal lien in recordable and standard form, of the residential unit to be sold as discussed in the above Paragraph A.

C. Upon the release of municipal lien of the then last remaining residential unit within the subject development, the Authority shall present to the Small Developer or its written designee a satisfaction of municipal lien, in recordable and standard form, of the entire development encumbered hereunder by the Authority.