

RATES, RULES AND REGULATIONS

EAST HANOVER TOWNSHIP MUNICIPAL AUTHORITY

The following rates, rules and regulations shall be and hereby are declared to be the rates, rules and regulations of the East Hanover Township Municipal Authority, effective September 8, 2015, by resolution duly adopted by the Board of Said Authority, to wit:

SECTION I - DEFINITIONS

Unless the context specifically and clearly indicates otherwise, the meaning of terms and phrases used in this ordinance containing the Rates, Rules and Regulations for the East Hanover Township Municipal Authority shall be as follows:

1.01 - **AUTHORITY** means the East Hanover Township Municipal Authority, which has been created by the Board of Supervisors of East Hanover Township.

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

1.03 - **BUILDING DRAIN** shall mean the lowest piping of a drainage system that receives the discharge from solid waste and other drainage pipes inside a building and that extends thirty inches (30") beyond the exterior walls of the building and conveys the drainage to the building sewer.

1.04 - **BUILDING SEWER** shall mean the part of the drainage system that extends from the end of the building drain and conveys the discharge to a public sewer, private sewer, individual sewage disposal system or other point of disposal.

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

1.06 - **OCCUPIED BUILDING** shall mean any structure erected and intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure Domestic Sewage and Industrial Wastes, or either thereof, shall be or may be discharged.

1.07 - **PERSON** shall mean any individual, firm, partnership, corporation, company, association, society or group.

1.08 - **SERVICE CONNECTION** shall mean the connection of the Sewer System to the property being provided sewer service between the Service Lateral and the Occupied Building. The service connection shall include all portions of the sewer piping between the Service Lateral and the Occupied Building and shall remain the property and responsibility of the Sewer Customer.

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

1.10 - SEWER SYSTEM shall mean the sewer mains, appurtenances and other facilities that are constructed by and/or under the control of the Authority.

1.11 - SERVICE LATERAL means that part of the sewer system from the main or manhole to the curb line or property line when there is no curb line. Where the main or public sewer is located outside of a public right-of-way, the term Sewer Lateral shall mean and refer to the "Y" connection of the main.

1.12 - SEWER CUSTOMER or CUSTOMER means the person, whether owner or tenant, contracting for service to a property as classified below. If a bill is sent to a tenant, it is for the convenience of the owner, who shall at all times remain primarily and ultimately liable for payment of the bill.

1.121 - A building under one roof and occupied by one family or commercial establishment.

1.122 - A combination of buildings in one common enclosure, occupied by one family or commercial establishment.

1.123 - One side of a double house occupied by one family or commercial establishment even if plumbing fixtures are used in common.

1.124 - Each apartment unit or dwelling unit in a building having more than one dwelling unit, including condominium unit.

1.125 - Each dwelling unit, apartment, office, commercial establishment in a building containing more than one such unit.

1.126 - Each mobile home or trailer occupied by one family or commercial establishment.

1.13 - COMMERCIAL ESTABLISHMENT means a structure or a portion thereof intended to be used wholly or in part for the purpose of carrying on a trade, industry, business or profession or for social amusement, religious, educational, charitable or public use.

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

1.15 - MANAGER means the person responsible for the management of the Sewer System appointed by the Authority or Township.

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

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

1.18 - TOWNSHIP means the Township of East Hanover, Dauphin County, Pennsylvania, or the duly constituted and elected authorities thereof.

1.19 - TAPPING FEE means the cost of building and/or purchasing capacity divided by the number of units of capacity that can be treated or conveyed for treatment. The Tapping Fee shall be based on Section 5607 of the Municipality Authorities Act (53 Pa.C.S. §5601, et. seq.), as amended, and other applicable statutes.

1.20 - EDU for residential and non-residential purposes shall be defined and calculated with reference to the Schedule of Equivalent Dwelling Units, incorporated herein by this reference, as may be amended from time to time.

SECTION II - BUILDING SEWERS AND CONNECTIONS

2.01 – Unauthorized Connections - No unauthorized person(s) shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof of the Authority without first obtaining a written permit from the Authority and paying the connection fee and tapping fee required at that time. Any permit so issued shall be null and void five (5) years from the date of issuance. If a permit has been issued before adoption of this Resolution, then the permit shall be good for five (5) years from its date of issuance. A new permit must be issued if the installation is not completed and inspected by Authority personnel within the five (5) year period. No building sewer can be installed as a dry sewer on any permits issued before the effective date of this Resolution. A building sewer cannot be installed unless construction has been commenced on a building.

2.02 – Connection Procedures & Fees - The owner(s) or his agent shall make application on a special form furnished by the Authority and shall pay a tapping fee before the permit is issued. The permit will be issued only if all required permits have also been issued by the Township. The tapping fee shall be set forth in the applicable Fee Resolution in effect at the time of connection for each residential unit or equivalent dwelling unit (EDU).

2.03 – Incidental Costs - All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner(s), who shall be solely responsible for installation and connection. If the owner(s) shall refuse to install and connect the building sewer, the Authority shall have the right, *inter alia*, to install and connect the building sewer and to impose a customer facilities fee for the cost of such installation against the owner(s). The owner(s) shall indemnify the Authority from any loss that may directly or indirectly be occasioned by the installation of the building sewer. All building sewers and service connections shall be maintained by and at the sole expense of the property owner(s).

2.04 – Building Sewer Configuration - A separate and independent building sewer shall be provided for every building, whether constructed as a detached unit or as one of a pair or row, but a single building sewer will be permitted to serve a school, factory, an apartment, house or other permanent multiple unit structure whose individual units may not be subject to separate ownership or will be subject to separate ownership as a condominium unit.

2.05 – Plumbing Contractor Qualifications - Only persons, firms or corporations who have demonstrated by past performance compliance and are currently compliant with The Pennsylvania Home Improvement Consumer Protection Act 132, 73 P.S. § 517.1 et. seq., and to the satisfaction of the Authority that they are qualified and capable of performing plumbing work in accordance with good plumbing practice may install building sewers which connect to the sewer mains. In order to be eligible to install connections to the Authority's public sewer, plumbing contractors must register with the Authority giving name, key personnel, address and phone number. A list of approved contractors shall be maintained by the Authority,

2.06 – Trenching & Backfilling - The size, slope, alignment, materials of construction and the methods to be used in excavating, placing the pipe, jointing and backfilling the trench shall all conform to the requirements of Section III of these Rates, Rules and Regulations.

2.07 – Elevation of Building Sewer - Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by a method approved by the Authority and discharged to the building sewer. Fixtures that have flood level rims located below the elevation of the next upstream manhole cover of the sanitary sewer serving such fixtures shall be protected from backflow of sewerage by installing a backwater valve approved by the Authority. Backwater valves shall be provided with access.

2.08 - No Surface/Groundwater Connections - No person(s) shall make connections of roof downspouts, foundation drains, areaway drains, sump pumps, and/or other sources of surface runoff, stormwater, or groundwater to a building sewer or building drain which, in turn, is connected directly or indirectly to a public sanitary sewer. Any person, partnership or corporation who shall allow such connections to be made shall be responsible for damages and the cost of repairs, including but not limited to attorney's fees.

2.09 – Protection of Excavation Sites - All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored to their pre-construction condition, in a manner satisfactory to the Township. The cost for all excavations for building sewer installation shall be the responsibility of the individual property owner and the Authority shall have no liability with respect thereto.

2.10 – Construction Inspections - The Applicant for the building sewer permit shall notify the Authority when the building sewer is ready for inspection, which notification must occur prior to backfill. If a portion of the building sewer is to be backfilled before completion for the convenience of the Applicant and more than one inspection is required, the Authority or its agent making the inspections may collect from the Applicant reasonable additional inspection charges, which shall be paid to the Authority

at the time of inspection. The Authority shall establish a Schedule of Professional fees, as adopted by resolution from time to time. The Applicant and/or approved plumber must be present for all inspections and shall have their copy of the permit available at that time.

2.11 – Inspection Access - Employees and agents of the Authority, bearing proper credentials and identification, shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling and testing pertinent to discharge to the public system in accordance with the provisions of these Rates, Rules and Regulations.

2.12 – PA One Call - Persons, firms or corporations intending to excavate for construction, repair or reconstruction of building sewers must comply with all requirements of Pennsylvania Act 172 of 1986 - Pennsylvania Underground Utility Line Protection Law, 73 P.S. § 176 et. seq., as amended. This Act requires notification at least 72 hours (3 business days) in advance of digging. The toll free telephone number for the Pennsylvania One-Call Center is 1-800-242-1776.

2.13 – Limited Capacity Availability - The Authority has determined that it has limited available capacity in its wastewater treatment plant, and expects demand for sewer connection permits that potentially will be in excess of its available treatment capacity. The Authority has further determined that allocation and reservation of sanitary sewer system capacity for future use creates an unreasonable and inequitable economic burden upon the Authority and the existing users connected to the sanitary sewer system for the following reasons:

- a. Until such time as a developer or landowner who has been granted capacity in the Authority's sanitary sewer system chooses to make use of such capacity, the Authority and the existing users of the sewer system are required to amortize the costs of the reserved facilities; and
- b. Such reserved capacity remains unavailable to other persons who may have an immediate need for capacity.

2.14 – Purpose of Capacity Reservation Rules - It is in the best interest of the Authority, the existing users of the sanitary sewer system, and potential users without reserve capacity, that developers and landowners desiring or required to reserve sanitary sewer system capacity pay a charge designed and calculated to amortize the cost of the current debt service and fixed operating costs in proportion to the amount of sewer system capacity that is reserved. The purpose of this rule is to establish procedures for the imposition and collection of such charges, which shall be known as Sewer Reservation Fees, pursuant to Pennsylvania law.

2.15 - Reservation of Sewer Capacity - Upon the Pennsylvania Department of Environmental Protection's ("DEP") approval of its Planning Module or the submission of a planning waiver, a developer or landowner shall be entitled to reservation of a specific amount of capacity in the sanitary sewer collection system and treatment facilities (hereinafter called Allocated Capacity). If a land development plan is required

to be completed for the proposed project, Allocated Capacity shall be reserved only after the developer or landowner also submits the land development plan to the Authority for review. For purposes of billing and administration, the Allocated Capacity is converted to Equivalent Dwelling Units (EDUs).

2.16 - Sewer Reservation Fee - Upon reservation of Allocated Capacity, the developer or landowner shall be assessed a quarterly Sewer Reservation Fee. This fee shall be payable to the Authority and shall begin on the date the developer or landowner receives DEP approval of its Planning Module. The initial quarterly Sewer Reservation Fee shall be prorated based on the days remaining in the quarter during which DEP approval occurs. The Sewer Reservation Fee shall be applied to all non-connected EDUs in accordance with the "Municipal Authorities Act, as amended.

The Sewer Reservation Fee shall be applicable and shall continue in effect until the first of the following events occurs:

- a. The total Allocated Capacity has been utilized by the developer or landowner, or its successors in title; or
- b. Any unused Allocated Capacity has been cancelled by the developer or landowner, or by the Township as hereinafter provided.

2.17 - Calculation of Sewer Reservation Fee - The Sewer Reservation Fee is comprised of those debt services and fixed operating costs associated with the sewer collection and treatment capacity reserved for each developer or landowner. These costs will not exceed sixty percent (60%) of the average quarterly standard sewer customer bill. The Authority will provide a list of summary of the items included in and/or a breakdown of the amount of the Sewer Reservation Fee to the developer or landowner, upon request, prior to its execution of the Allocated Capacity Agreement.

2.18 - Property Subject to Allocated Capacity; Additional Connections - The developer or landowner's Allocated Capacity shall be reserved for and used only in connection with the property identified in the Allocated Capacity Agreement or DEP Planning Module, as the Authority shall elect. Allocated Capacity is not transferable to other properties, even if such other properties are owned, in whole or in part, by the same developer or landowner.

2.19 - Allocation Procedures - The reservation of Allocated Capacity for one or more connections within a planned subdivision or land development area does not entitle the developer or landowner to connections for the entire project. Allocated Capacity shall be reserved only for individual eligible connections, and the Authority expressly disclaims any obligation to provide sanitary sewer capacity or connections for an entire project upon the reservation of Allocated Capacity for a part of a project proposed by a developer or landowner.

2.20 - Tapping Fee - At such time as the developer or landowner applies for a Township Building Permit, a "Tapping Fee" shall be payable to the Authority, which Tapping Fee

shall include all applicable fees and charges defined and permitted under Pennsylvania law.

2.21 - Issuance of Permits - The Authority shall not issue a Sewer Connection Permit to any developer or landowner until full payment is made of all applicable fees, as they may be set from time to time by the Authority in accordance with applicable law.

2.22 - Connection to Sanitary Sewer System; Conversion to Customer Bill - Once the developer or landowner connects a lot for which Allocated Capacity has been reserved to the Authority's sanitary sewer system, and a Sewer Connection or Occupancy Permit has been issued, the Sewer Reservation Fee for that lot will automatically convert to a standard sewer customer bill. Such bill shall be subject to the Authority rate for sewage service in effect at the time of connection; as such rate may be amended from time to time.

2.23 - Adjustment of Sewer Reservation Fee - The developer or landowner may apply to the Authority to have the Sewer Reservation Fee adjusted to reflect the Allocated Capacity the developer or landowner has connected to the Authority's sanitary sewer system during the preceding quarter. Such adjustment shall be made by removing from the calculation of the Sewer Reservation Fee all lots that have been connected to the sewer system following all applicable Authority procedures, rules and regulations.

2.24 - Adjustment of Allocated Capacity - In the event the Authority, in its sole discretion, shall determine that the Allocated Capacity reserved for a developer or landowner is insufficient, the developer or landowner shall request (or shall be deemed to have requested) additional Allocated Capacity. In such event, the Authority may adjust the developer or landowner's Allocated Capacity and Sewer Reservation Fee. The developer or landowner shall begin to pay the adjusted Sewer Reservation Fee commencing with the next calendar quarter after such adjustment is made.

2.25 - Cancellation of Allocated Capacity; No Refund - If DEP notifies the developer or landowner that its Planning Module has been denied or canceled, the developer or landowner shall provide written notice to the Authority of such denial or cancellation within twenty (20) days of DEP's notification, and the Allocated Capacity assigned to the developer or landowner that remains at the time of such notice shall be canceled. Such cancellation shall be effective as of the start of the next quarter, provided that notice of denial or cancellation of the DEP Planning Module shall have been given to the Authority at least fifteen (15) days prior thereto.

The Authority may cancel all or any portion of the Allocated Capacity assigned to a developer or landowner if DEP shall cancel, revoke or stay the effectiveness of any permit issued to the Authority, the developer and/or the landowner for any reason, or if DEP shall impose a ban on connections to or extensions of the Authority's sanitary sewer system, or if the Authority is unable to allow the developer or landowner to connect to the Authority's sanitary sewer system for any reason whatsoever.

The developer or landowner may, at any time and for any reason, voluntarily cancel and relinquish all rights to any unused portion of its Allocated Capacity by

providing written notice of such cancellation to the Authority. Simultaneously with such notice, written notice shall be provided to DEP by the developer or landowner of its intent to cancel any unused portion of sewer capacity allocation identified in its DEP Planning Module, with a copy of such notice provided to the Authority. For purposes of the Authority's records, cancellation of the developer or landowner's Allocated Capacity shall be effective upon the Authority's receipt of the written notice described above.

Cancellation of all or any portion of the assigned Allocated Capacity, for any reason, shall not entitle the developer or landowner to any refund of fees paid to the Authority.

2.26 - Applicability of Other Fees - The Sewer Reservation Fee is not a substitute for, and specifically does not eliminate or modify in any way, the developer or landowner's obligation to pay any and all other fees imposed by the Authority and/or Pennsylvania law in connection with the Authority's provision of sanitary sewage collection and treatment services; including, but not limited to, a Building Permit Fee, Sewer Connection Permit Fee, Customer Facilities Fee, or Tapping Fee, as such fees may be defined in other Township ordinances, or in the Municipality Authorities Act, 53 Pa.C.S. § 5601 et seq., as amended.

SECTION III - MATERIALS AND METHODS OF INSTALLATION

3.01 – Acceptable Pipe Materials - Pipes and fittings for building sewers may be made of any of the following materials not less than 4 inches in internal diameter:

- a. Ductile iron soil pipe and fittings, medium weight or heavier.
- b. Polyvinyl Chloride (PVC) Type PSP sewer pipe and fittings or Type PSM or Type 1 Schedule 40.

3.02 – Acceptable Jointing Materials - Jointing materials for the various types of pipe shall be as follows:

- a. Ductile Iron - Rubber gaskets or lead and jute properly caulked.
- b. Polyvinyl Chloride - Solvent or Gasket.

3.03 – Pipe Installation Requirements - The pipe shall be installed at a minimum grade of 2.0% with straight alignment and utilizing proper fittings for required bends. The pipe shall be bedded with minimum of six inches (6") of 1B stone. Pipes shall be backfilled to a height of one foot (1') above the top of the pipe must be with 1B stone. Lines shall be properly backfilled with a minimum of three feet (3') of cover, inclusive of the 1B stone backfill. Surface cleanouts shall be installed as necessary to limit the distance from sewer main to cleanout or cleanout to cleanout, to not more than seventy feet (70'). Cleanouts shall be constructed by using a "Y" fitting in the run of pipe with a 45 degree bend and riser to the ground surface. The riser pipe must be provided with a standard screw type cleanout plug. The riser and plug must be the same pipe size as the lateral. Cleanouts placed in all traffic areas must be protected by curb boxes. Where connection is made directly to a manhole, the building sewer must enter the manhole on top of the pad and a suitable nonshrink grout channel must be provided to direct the flow to the

manhole channel. The opening for the lateral must be core bored into the manhole and the connection to the manhole must be made with an approved type adapter.

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

3.05 – Repair of Voids & Settling - If any voids are created under the street paving, the excavation shall be extended to the surface to permit proper backfilling and tamping. The base course and surfacing must be replaced within twenty-four (24) hours and it shall be the applicant's responsibility to fill and repave any subsequent settling of the street surface.

3.06 – Removal of Excess Materials - All excess materials on the streets and sidewalks must be removed promptly from the site and the area broomed clean.

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

3.08 – Inspection of Construction - The construction of building sewers and laterals shall, at all times, be subject to inspection by the Authority, its representatives or assigns. Any defects must be corrected and approved by the Authority before backfilling may proceed.

3.09 – Reserved.

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

3.11 – Construction Materials - Construction and materials shall be in accordance with Authority specifications.

3.12 – Insurance Requirements - For all construction projects, the customer and its contractors shall maintain workers' compensation insurance and a minimum of \$1,000,000 comprehensive general liability insurance, with both the Authority and the Township listed as additional insured, and shall furnish a copy of proof of said coverage to the Authority prior to the commencement of any work. In the event the work presents a risk of environmental pollution or requires diverting, rerouting or blocking of the sewer flows for any time period, however brief, the customer and its contractor shall also secure pollution liability insurance in the amount of \$1,000,000, with both the Authority and the Township listed as additional insured and shall furnish a copy of proof of said coverage to the Authority prior to commencement of the work.

3.13 – Substantial Completion - Substantial completion of all downstream facilities must be achieved prior to use of the collection system.

3.14 – Authority Repair of Customer Facilities - The Authority may repairs a sewer customer's sewer connection at the request of the sewer customer or upon determination by the Authority that such repairs are necessary and the sewer customer fails to have the repairs completed by an approved plumbing contractor. Additionally, the Authority shall have the power to enter the customer's property to repair the sewer connections under emergency or exigent circumstances. The sewer customer shall be responsible for payment to the Authority of all reasonable material and labor charges, and the cost of all necessary permits associated with the Authority's repair of the customer's sewer connection. An estimate of all fees and costs will be provided to the sewer customer, to the extent possible, prior to the commencement of repairs.

3.15 – Right-of-Way Obstructions - The construction, installation or placement of any buildings, structures, plantings or other obstructions of any kind in a right-of-way that in any way impede or interfere with the Authority's ability to access, repair, maintain or operate the sewer system is prohibited.

3.16 – Surface Grading - Changes in the surface grading of land in a right-of-way within which any mains, lines or other sewer system facilities are located or installed is prohibited.

3.17 – Disconnection from System - Prior to the disconnection from the sewer system of any building, the sewer customer must notify the Authority of the intended disconnection at least five (5) business days prior to the desired disconnect date and must comply with the Authority's disconnection procedures, as follows:

- a. The sanitary sewer lateral must be disconnected and plugged before a structure is demolished.
- b. Expose the sanitary sewer lateral beyond the area that is to be disturbed.
- c. Cut a 12 inch section out of the lateral.
- d. Cap or install a mechanical plug in the end of the lateral making it watertight.
- e. The cap/plug installation must be concrete encased.
- f. The cap/plug installation must be inspected by an Authority representative prior to demolition. To schedule an inspection, please call the UCC inspector provided for by East Hanover Township.
- g. Mark the location of the lateral with a treated lumber 2x4 extending from the end of the lateral to at least one foot above grade.

3.18 – Customer-Owned Facilities - The Customer and/or owner is the owner of the building sewer and sewer connection, and is responsible for the repair and maintenance of these facilities. The Customer and/or owner shall keep these facilities in good condition and any break and/or malfunction of these facilities may result in discontinuance of service as set forth herein. The Authority is the owner of the service lateral and the Authority is responsible for the repair and maintenance of the service lateral and main unless the customer directly and/or indirectly damages the service lateral and/or main. The Customer and/or owner shall indemnify the Authority from any loss or damage occasioned by the installation of the sewer connection and/or any acts related to the Customer and/or owner resulting in any and all damage to any part of the Sewer System.

SECTION IV - USE OF THE PUBLIC SEWERS

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

4.02 – Hazardous/prohibited Materials - No person(s) shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

- a. Any gasoline, benzine, naptha, fuel oil, or other flammable or explosive liquid, solid, or gas.
- b. Any waters containing toxic or poisonous solids, liquids or gasses in sufficient quantity either singly or by interaction with other wastes, to injure or interfere with any waste treatment process, constitute a hazard to humans or animals, create a public nuisance, or create a hazard in the receiving waters of wastewater treatment plants.
- c. Having a pH lower than 6.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment or personnel of the wastewater treatment plants.
- d. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the wastewater facilities such as but not limited to, ashes, bones, cinders, sand, mud, straw, shavings, metals, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, paper cups and dishes, milk containers, etc., either whole or ground by garbage grinders.
- e. Having a temperature higher than 150 degrees Fahrenheit.
- f. Containing concentrates of iron, chromium, copper, zinc, cyanide or similar objectionable or toxic substances.

- g. Wastewater containing more than 25 milligrams per liter of petroleum oil, non-biodegradable cutting oils, or product of mineral oil origin.
- h. Wastewater from industrial plants containing floatable oils, fat or grease.
- i. Quantities of flow that exceed for any period of duration longer than fifteen minutes more than five times the average 24-hour concentration, or flows that would adversely affect the sewer system and/or performance of the wastewater treatment facilities.
- j. Any flow which shall constitute an industrial waste, hazardous waste, or toxic waste discharge as defined by United States Environmental Protection Agency or the Pennsylvania Department of Environmental Protection.

4.03 – Authority Control Over Prohibited Materials - If any waters or wastes are discharged or proposed to be discharged to the public sewers, which waters contain any of the substances or possess any of the characteristics enumerated in Paragraph 4.02, or which, in the opinion of the Authority Representative, may have a deleterious effect upon the sewers or wastewater treatment facilities or receiving waters or which otherwise create a hazard to life or constitute a public nuisance, or constitute an industrial waste, hazardous waste, or toxic waste discharge as defined by EPA or DEP, the Authority may:

- a. Reject the wastes;
- b. Require pretreatment to an acceptable condition;
- c. Require control over quantities and rates of discharge; and/or,
- d. Require payment to cover any added costs of handling and treating the wastes not covered by existing sewer charges.
- e. Require metering or periodic sampling, laboratory analysis and/or reporting of discharge conditions.

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

4.04 - Interceptors - Grease, oil and sand interceptors shall be provided when, in the opinion of the Authority, they are necessary except that such interceptors shall not be required for private living quarters. All interceptors shall be of a type and capacity (minimum 1,500 gallons) approved by the Authority. The owner(s) shall be responsible for the maintenance of these interceptors and the proper removal and disposal of captured material and shall maintain records of the dates, and means of disposal which are subject to review by the Authority.

4.05 – Proof of Compliance - The Authority may require a user of sewer service to provide information needed to determine compliance with these Rates, Rules, and

Regulations including, but not limited to, wastewater rates of flow, chemical analyses, raw materials processes and products affecting wastewater and quantities and disposition of specific liquids and materials important to sewer use control.

4.06 – Notification of Release to Authority - In the event of a release into the system of any substances enumerated in Paragraph 4.02, the person or entity with information about said release shall notify the Authority as soon as possible and in any event no more than two hours after said release.

SECTION V - EXTENSIONS BY DEVELOPER

5.01 – Extension Application - In cases where an extension of the sewer system is required to serve one or more dwelling units or other building(s) to be constructed by an individual or developer, application for such extension must be made on a special form provided by the Authority.

5.02 – Submission to Authority Manager - The completed application, together with a plot plan showing the proposed construction and the appropriate filing fee made payable to the Authority, must then be submitted to the Authority Manager.

5.03 – Feasibility Study/Cost Estimate - The Authority's Representative will prepare a feasibility sewer layout and cost estimate, review these with the developer and submit them to the Authority for approval in concept. Where hydraulic modeling and feasibility studies require the use of the Authority's resources, a written agreement and payment by developer is required.

5.04 – Extension Agreement - Upon approval by the Authority, the developer must enter into an extension agreement with the Authority providing for:

- a. Review of plans and specifications by Authority Representatives.
- b. Approval by State and local agencies.
- c. Installation in compliance with Authority's specifications and inspection during construction by Authority.
- d. Escrow deposit by developer to cover costs of (a), (b) and (c) above, plus legal fees and cost of construction if construction is by contractor engaged by Authority; or ten percent (10%) of estimated construction costs if constructed by developer's contractor or own forces subject to approval by the Authority.
- e. Provision of a certificate of insurance consistent with Section 3.12 of these rules.
- f. Refund to developer of any unexpended monies after acceptance of extensions or, additional escrow deposit to cover any actual costs incurred over and above initial deposit.
- g. Transfer of title of public sewer extensions to Authority for operation and maintenance.

- h. Other provisions as may be appropriate to protect the Authority's interests.

5.05 – Dedication/Acceptance of Facilities - Whenever a person constructs and connects an extension of sewer facilities to the Authority's sewer system, excluding facilities that are owned by the sewer customer, such as the building sewer and service connection, such facilities shall, upon inspection and approval by the Authority or its authorized representative, be dedicated by the developer or person to the Authority in accordance with the Pennsylvania Municipality Authorities Act, 53 Pa. C.S. § 5601 et. seq. The person constructing such facilities and the Authority shall execute a Sewer Facility Dedication and Acceptance Agreement in a form acceptable to the Authority at such time as the facilities to be dedicated are approved by the Authority.

5.06 - Release of Escrow Funds – As the work of installing extension facilities proceeds, the developer or party posting financial security may request the Authority to release, from time to time, such portions of the financial security necessary for payment of contractors performing the work. Any such requests shall be in writing addressed to the Authority. The Authority shall have 45 days from receipt of the request within which to allow its engineer to inspect and certify, in writing, to the Authority that such portion of the work has been satisfactorily completed in accordance with the approved plans and specifications. Upon such certification, the Authority shall authorize release of security in an amount estimated by the Authority's engineer as fairly representing the value of the work completed. The Authority may, prior to release of funds, require retention of 10% of the estimated cost of the work completed. In the event of a dispute between the Authority and developer or party posting financial security of the extension related to the release of escrow money, the dispute resolution procedures set forth in Article V of the Pennsylvania Municipalities Planning Code shall be observed and shall control.

SECTION VI - VIOLATIONS OF USE (REQUIREMENTS)

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

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

6.03 - The Authority, in its sole discretion, reserves the right to restrict the use of sewer service whenever the public welfare may require it.

SECTION VII - RATES AND CHARGES

7.01 – Sewer Rentals – Sewer rentals and charges are hereby imposed as set forth in the Authority's most recent Rate Resolution.

7.02 – Quarterly Invoices – Bills for the sewer rentals shall be mailed by the Authority to the property owner at least thirty (30) days before the beginning of the penalty period. Said sewer rentals are payable at par, each April 1, July 1, October 1, and January 1 of each year and are subject to a 10% penalty if not paid on or before April 30, July 30, October 30 and January 30. These rates are for three months, the payment due April 1 being for the three months ending March 31, the payment due July 1 being for the three months ending June 30, the payment due October 1 being for the three months ending September 30, and the payment due January 1 being for the three months ending December 31. If not paid by the 15th of the last month of each quarter (billing cycle), a new penalty of an additional 5% of the entire unpaid balance shall be added to the next quarterly billings until the account is paid in full. The sewer rentals herein provided shall be collected and enforced in a manner provided by law for the assessment and collection of charges and the enforcement of municipal liens under the laws of the Commonwealth of Pennsylvania in such cases made and provided.

7.03 – Delinquencies - In the event of delinquency, the Authority may pursue collection procedures including legal action through the local district magistrate's court, filing a municipal lien against the property, referring delinquent accounts to a collection agency, causing the potable water service to be turned off, and in some cases, filing a writ of execution against the real estate through the Sheriff's Office of Dauphin County. The institution of any of the above procedures will result in the imposition of attorney fees, collection fees and court costs in addition to the delinquency charge.

7.04 – Unauthorized Connections – If any person, partnership or corporation shall connect a drain or pipe with any Authority sewer without having first received a permit and paid the connection, tapping and inspection fees, if any, or if any owner or occupier of premises who has obtained a permit and made connection with the Authority sewer shall permit any person, partnership or corporation to make an attachment to or connect with his, her or its drain or sewer leading into the Authority sewer so as to drain any property other than for which a permit was granted; such person, partnership or corporation shall pay the amount of the sewer rental due from the date the said public sewer became available for connection at the rate set forth in 7.01 and shall be liable to pay in addition thereto the tapping fee as set forth in 2.02 and a penalty charge of \$1,000 for failure to abide by these Rates, Rules and Regulations.

7.05 – Disputing Invoices – If a Sewer Customer believes an invoice to be in error and wishes to dispute the invoice, the Sewer Customer shall present the claim in writing by mail or in person at the East Hanover Township office located at 8848 Jonestown Road, Grantville, Pennsylvania 17028, within ten (10) business days of the issuance of the invoice. The Authority, in its sole discretion, shall render a decision as to whether the invoice is correct or whether an adjustment is necessary.

The Authority will only consider requests for adjustments to the invoice for water leaks which resulted from a situation which was beyond the control of the responsible Customer. The Authority shall make a final determination as to what constitutes a situation which was beyond the control of a responsible Customer. A situation beyond the control of the Customer does not include situations where the Customer fails to shut off running water, resulting in the use of excess water and/or situations where the

Customer knew or should have known of a defect in the Service Connection or plumbing which resulted in the use of excess water. The Authority shall make a final determination as to whether the Customer knew or should have known of a defect in the Service Connection or plumbing which resulted in the use of excess water.

Only one leak adjustment will be granted per Customer per twenty (20) billing cycles. No invoice will be adjusted unless the cause of the leak has been determined, repaired and consumption has returned to normal.

This provision in no way obligates the Authority to grant any adjustment to any invoice. Any adjustment that is granted is purely discretionary and in no way creates a precedent for future adjustments for any Customer.

SECTION VIII - CHANGING OR VARYING RULES

8.01 – Amendment of Rules - The Authority reserves the right to change or amend, from time to time, these Rates, Rules and Regulations in accordance with laws of the Commonwealth of Pennsylvania.

8.02 – Approval of Amendments - No officer or employee of the Township or the Authority can vary these rules without action of the Authority and no agent or employee of the Authority can bind it by any agreement or representations except when authorized in writing to do so by an executive officer of the Authority.

SECTION IX – MANDATORY CONNECTION

9.01 – Mandatory Connection – Consistent with existing law and East Hanover Township Ordinances, all buildings located within one hundred fifty (150) feet of a sewer main are required to connect to the sewer system in accordance with the provisions of these Rules and Regulations.

SECTION X – ACCESS

10.01 - The authorized agents of the Authority shall have the right of access, at all reasonable hours, to any residential unit or EDU served by the Sewer System as shall be required for the purposes of reading meters, inspection, measurement, sampling and testing and for performance of any other functions relating to Sanitary Sewer Service rendered by the Authority. Authorized agents of the Authority shall carry with them proper credentials denoting employment or authorization by the Authority or the Township. Failure of the Customer to provide reasonable access may result in the termination of service to the Customer.

SECTION XI – RESPONSIBILITY OF OWNERS OF IMPROVED PROPERTY

11.01 - The Owner of each residential unit or EDU connected to the Sewer System shall be responsible for all acts of Tenants or other occupants of such Improved Property in so far as such acts shall be governed by the provisions of these Rules and Regulations.

11.02 – The Owner of each Occupied Building shall be solely responsible for all plumbing, pipes, fixtures, etc. within each residential unit or EDU. In no case shall the Authority or Township personnel inspect, alter, or make any recommendations in reference to the condition of the plumbing, pipes, fixtures, etc. within an Occupied Building, except in instances where the Authority has reason to believe that said plumbing may be the cause of any violation of these Rates, Rules and Regulations; however, the Authority shall not warrant or assume any liability for any recommendations made by the Authority or by Township Personnel.

SECTION XII – PENALTIES

12.01 – Any Person who shall violate any provision of these Rates, Rules and Regulations shall, upon conviction thereof, be sentenced to pay a fine of not more than Five Hundred Dollars (\$500.00) and/or imprisonment for a term not to exceed thirty (30) days. Every day that a violation of these Rates, Rules and Regulations continue shall constitute a separate offense. The fine amount imposed is in addition to any penalty imposed elsewhere in the Rates, Rules and Regulations.

SECTION XIII – CONSTRUCTION AND SEVERABILITY

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

These Rates, Rules and Regulations are hereby adopted by resolution by the Board of EAST HANOVER TOWNSHIP MUNICIPAL AUTHORITY at a Meeting of said Board duly and legally held on September 8, 2015.

ATTEST:

**EAST HANOVER TOWNSHIP
MUNICIPAL AUTHORITY**


Secretary


(Vice) Chairman

SCHEDULE OF EQUIVALENT DWELLING UNITS

<u>CATEGORY</u>	<u>EQUIVALENT DWELLING UNITS</u>
1. Each Residential Dwelling Unit	1
2. Each retail store, office, business or industry	
A. Ten (10) or less employees	1
B. Each additional five (5) employees or fraction thereof	1/2
3. Each business or industry providing showers for employees	
A. Eight (8) or less employees	1
B. Each additional four (4) employees or fraction thereof	1/2
4. Funeral Home	2
5. Each school, public or private:	
A. Toilet facilities only, per 40 pupils and staff or fraction thereof	1
B. Toilet facilities and kitchen, per 30 pupils and staff or fraction thereof	1
C. Toilet facilities and gymnasium, per 25 pupils and staff or fraction thereof	1
D. Toilet facilities, kitchen, and gymnasium, per 20 pupils and staff or fraction thereof	1
6. Each hotel, or motel per four (4) rental rooms or fraction thereof	1
7. Boarding house/Bed and Breakfast per four (4) rental rooms or fraction thereof	1, min 2
8. Each restaurant, club or tavern per 20 seats or fraction thereof and each 50 banquet seats or fraction thereof	1
9. Churches	
A. Each church	1
B. With Kitchen facilities, 50 seats or fraction thereof	1
10. Firehouses	
A. Each firehouse or hall	1
B. With Kitchen facilities, 50 seats or fraction thereof	1
11. Each service station or automobile repair garage	
A. Two (2) bays or less	2
B. Each additional bay over two (2)	1/2
C. Each automatic car wash, per day	1
12. Each barber shop or beauty shop attached to or part of owner's residence	
A. Two (2) chairs or less	1/2
B. Each additional two chairs, or less	1/2
13. Each barber shop or beauty shop not attached to or part of owner's residence	
A. Two (2) chairs or less	1
B. Each additional two chairs, or less	1/2
14. Each laundromat, per five (5) washers or fraction thereof	2
15. Each convalescent home, per two (2) beds	1

16. Each convenience store	
A. Grocery only	1
B. Gasoline service and grocery	2
C. Gasoline service, grocery, and food service	3
D. With public restrooms (add to above selection), per restroom	2
17. Each municipal building	
A. With social hall	1 1/2
B. Without social hall	1
18. Recreational Campground	
A. w/ water and sewer hookups, per site	1/2
B. w/o sewer hookups, communal bathrooms, per site	1/3

For purposes of flat rate billing in accordance with the foregoing classifications, the Authority shall bill each fraction of a unit as a whole unit, regardless of whether the fractional part is a more or less than half of a unit.

Where a new user does not meet a specific category in the above schedule, the Authority shall determine the number of appropriate equivalent dwelling units on the basis of information provided by the applicant.

Each dwelling unit in a double house, in a row of connecting houses, in an apartment building or in any other multiple dwelling shall be billed as a separate entity. If two (2) or more families use separate cooking and/or toilet facilities in an improved property, the sewer rental and charge payable hereunder shall be computed as though each such family was a separate user with a separate connection to the sewer.

If two (2) or more private dwelling units, stores, offices, industrial units, etc. are connected to the main system through a single lateral, or if two (2) or more types of use are made of the same improved property, the sewer rentals and charges payable hereunder shall be computed as though each such dwelling unit, store, office, industrial unit, etc. and each such type of use were a separate improved property or user with a separate connection to the sewer.

EAST HANOVER TOWNSHIP MUNICIPAL AUTHORITY

8848 Jonestown Road
Grantville, PA 17028

PHONE: (717) 469-9322

OPERATIONS, MAINTENANCE AND EMERGENCY SERVICE

PHONE: (717) 943-6964