

WARWICK TOWNSHIP MUNICIPAL AUTHORITY

WATER SYSTEM

RATES, RULES AND REGULATIONS

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INTRODUCTION

The following Rates, Rules and Regulations shall be and are hereby declared to be the Rates, Rules and Regulations of the Authority for the Water System, duly adopted December 15, 2009, as the same may be amended from time to time by the Authority. The Rates, Rules and Regulations form a part of the contract with every Customer who utilizes the Water System and every Customer, by utilizing the Water System, agrees to be bound thereby. No officer, agent or employee of the Authority or the Township may amend or otherwise vary these Rates, Rules and Regulations without formal action of the Authority. No officer, agent or employee of the Authority or the Township may bind the Authority by any agreement, representation or act except when authorized by the Authority acting through its Chairman or Vice-Chairman. The Authority reserves the right to adopt, from time to time, such additional Rates, Rules and Regulations as it shall deem necessary and proper in connection with the use and operation of the Water System. Under the provisions of the Mandatory Connection Ordinance, every Improved Property Abutting the Water System must be connected to the Water System.

SECTION I - DEFINITIONS

Unless the context specifically and clearly indicates otherwise, the meaning of terms used in these Rates, Rules & Regulations shall be as follows:

"Apartment Complex" means a tract of land upon which is located a building or buildings consisting of several one-family living units.

"Authority" means Warwick Township Municipal Authority, a Pennsylvania municipal authority.

"Authorities Act" means the Municipalities Authorities Act, as amended and supplemented.

"Building Water Connection" means the extension from the water system of any structure to the Service Connection of the water line.

"Commercial Establishment" means any structure or any portion thereof intended to be used wholly or in part for the purpose of carrying on a trade, business or profession or for social, amusement, religious, educational, charitable or public uses, and which contains plumbing for kitchen, toilet, water fountain or washing facilities.

"Commonwealth" means the Commonwealth of Pennsylvania.

"Connection Fee" means a fee based upon the actual cost of the connection of the property extending from the Authority's Water Line up to and including the curb stop of the property so connected, including reasonable costs for inspection and restoration. A Connection Fee shall be considered the fee referred to as a "connection fee" in the Authorities Act.

“Consumer” means “Water Consumer” as defined herein.

“Cross Connection” means an arrangement allowing either a direct or indirect connection through which backflow, including backsiphonage, can occur between the Water System and a system containing a source or potential source of contamination.

“Customer” means “Water Consumer” as defined herein.

"Domestic Establishment" means any room, group of rooms, apartment, house trailer, building or other enclosure connected, directly or indirectly, to the Water System and occupied or intended for occupancy as a Separate Living Unit by a family or any other group of Persons living together or by a Person or Persons living alone, excluding Non-domestic Establishments such as institutional dormitories, hotels, motels, boarding houses and other Commercial Establishments and Industrial Establishments.

"EDU" means an equivalent dwelling unit. The amount of water consumed by an average Domestic Establishment in a day shall be calculated and established by the Authority in accordance with Act 57 of 2003 and the Authorities Act. Non-domestic Establishments shall be assigned a number of EDUs based upon the estimated or actual water consumption, with such consumption determined by the highest quarterly consumption. The Authority reserves the right to increase or decrease, by resolution or otherwise as provided by law, the EDU calculation.

"Improved Property" shall mean any property upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and to which structure water shall be supplied.

“Improved Property Abutting the Water System” means any property located within the Township which meets the criteria set forth in Section 2603 of the Second Class Township Code, as the same may be amended from time to time, provided the Water System is able to provide water service at the minimum pressure established from time to time by the Pennsylvania Department of Environmental Protection at the point of connection of the service line to the Water System with out installation of a booster pump or other device.

A. The Improved Property abuts a street right-of-way within which a water main is located or abuts or is bisected by an easement outside of the right-of-way of a street in which a water main is located.

B. The dwelling or other principal structure is or will be located within one hundred fifty feet (150') of a water system or extension of the system.

C. The Water System is able to provide water service at the minimum pressure established from time to time by the Pennsylvania Department of Environmental Protection at the point of connection of the service line to the Water System without installation of a

booster pump or other device.

D. The cost to connect is reasonable, as determined by the Authority in its sole discretion, taking into account any physical conditions or governmental regulations which may make the cost excessive.

"Industrial Establishment" means any structure intended to be used wholly or in part for the manufacturing, fabricating, processing, cleaning, laundering or assembly of any product, commodity or article.

"Lititz Water System" means the water distribution system constructed and/or acquired by the Authority to serve areas of the Township where water is obtained from the Borough of Lititz.

"Mandatory Connection Ordinance" means Township Ordinance No. 58 (Code of Ordinances of Warwick Township, Chapter 26, Part 1 B), as the same may be amended from time to time.

"Mobile Home Court" means a tract or tracts of land used for the primary purpose of locating manufactured housing or travel trailers for permanent living purposes.

"Non-domestic Establishment" means any establishment or use connected, directly or indirectly, to the Water System, which does not constitute a Domestic Establishment. Without limiting the foregoing, Non-domestic Establishments shall include Commercial Establishments, Industrial Establishments, institutional dormitories, hotels, motels, boarding houses.

"Owner" shall mean any person vested with ownership, legal or equitable, sole or partial, of any Improved Property.

"Person" shall mean any individual, partnership, estate, trust, association, corporation, municipality, municipal authority or any other group or entity.

"Quarterly" shall mean a billing period containing approximately 91 days as established by the Authority.

"Rothsville Water System" means the Water System constructed and/or acquired by the Authority to provide service in and around the Village of Rothsville.

"Separate Living Unit" shall mean a single dwelling unit. Each individual apartment, mobile home, house trailer, row house, townhouse, semi-detached dwelling, single family dwelling, condominium unit, cooperative unit, or other dwelling unit shall be considered a Separate Living Unit. A structure which contains living facilities which are physically connected within the same structure, not divided by a fire wall or any other means of

separation, and in which all areas of the structure are freely accessible at all times by all occupants who function together as a single household shall be considered one single Separate Living Unit. It shall be presumed that each dwelling unit is a Separate Living Unit, and the burden to prove otherwise shall be upon the Customer.

"Service Area" means a designated geographic area of the Township, established by Resolution of the Board of the Authority, which (1) requires the addition of facilities to the Water System which are not needed throughout the Water System, such as booster pumps, to provide adequate service; or (2) is provided with service through an extension of the Water System made by a private person who has requested reimbursement from the Authority in accordance with applicable provisions of the Authorities Act; or (3) is provided with water service by an extension of the Water system financed or paid for by the Authority and is connected to the Water System by the Authority.

"Service Connection" means that part of the Water System extending from the Water Line to the curb stop, or if no such water connection shall be provided, then "Service Connection" shall mean that portion of, or place in, a Water Line which is provided for connection of any Building Water Connection.

"Tapping Fee" means a fee imposed under the authority of the Authorities Act to enable the recovery of the Authority's equity in the Water System which shall be composed of a capacity part and a distribution part and may, in the future, if warranted, include for some Customers a special purpose part and/or a reimbursement part. A Tapping Fee shall be considered the fee referred to as a "tapping fee" in the Authorities Act.

"Township" means the Township of Warwick, Lancaster County, Pennsylvania, a municipal subdivision (a Second Class Township) of the Commonwealth.

"Water Consumer" as used herein means an Owner of Improved Property who applies for service and enters into an agreement for water service with the Authority.

"Water Line" means any pipe or main constituting part of the Water System used or unused for water supply purposes.

"Water Rental" means that quarterly charge for direct or indirect connection with the use of the Water System of the Authority.

"Water System" shall mean all facilities, as of any particular time for pumping, transporting and/or treating water and owned by the Authority and shall include the Lititz Water System, the Rothsville Water System, and any other water system which may be owned by the Authority.

SECTION II - REQUIRED CONNECTIONS TO WATER SYSTEM

A. The Owner of any Improved Property Abutting the Water System shall connect such Improved Property in such manner as this Authority may require, within ninety (90) days after notice to such Owner from this Authority or the Township to make such connection, for the purpose of procuring such Owner's supply of water for such Improved Property, subject to such limitations and restrictions as shall be established herein or otherwise by this Authority, from time to time.

B. The notice by this Authority or the Township to make a connection to the Water System referred to in paragraph A of this section shall consist of a written or printed document requiring such connection in accordance with the provisions of these Rates, Rules and Regulations and specifying that such connection shall be made within ninety (90) days from the date such notice is given. Such notice may be given at any time after the Water System is in place which can supply water to the particular Improved Property. Such notice shall be served upon the Owner either by personal service or by certified mail or by such other method as at the time may be provided by law.

C. Any person seeking an exemption from the mandatory connection requirements of Township Ordinance No. 58 (the "Mandatory Connection Ordinance") must submit full and complete information and documentation to the Authority justifying the requested exemption and the Authority will maintain a property file with regard to such Improved Property. The Authority shall have the right to attach conditions to any exemption which it recommends or may recommend temporary exemptions which would expire upon the occurrence of certain events. The existence of a producing private well on an Improved Property shall not be considered a basis for an exemption from the Mandatory Connection Ordinance.

D. If the principal structure on an Improved Property is located more than 150 feet from the Authority's water line, the Owner of such Improved Property shall be required to install a meter pit and remote reader at a location acceptable to the Authority within 150 feet of the water line.

SECTION III - BUILDING WATER CONNECTIONS

A. No person shall uncover, connect with, make any opening into or use, alter or disturb, in any manner, the Water System without first making application for and securing a permit, in writing, from the Authority. Failure to obtain a permit shall subject such person to fines, penalties and costs as established by the Township, as more fully set forth in the Code of Ordinances of Warwick Township, Chapter 26, Part 1.

B. Application for a permit required under paragraph A of this section shall be made by the Owner of the Improved Property.

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

1. Such Person shall have notified the Authority of the desire and intention to connect such Improved Property to the Water System.
2. Such Person shall have applied for and obtained a permit from the Authority.
3. Such Person shall have given the Authority at least twenty-four hours' notice of the time when such connection will be made so that the Authority may inspect the work and materials related to the connection and perform and/or observe the necessary testing.
4. Such Person shall have paid to the Authority all fees charged and imposed by the Authority pursuant to these Rates, Rules and Regulations.

D. Each Improved Property shall be connected separately and independently with the Water System through the Building Water Connection. Grouping building water connections shall not be permitted, except under special circumstances and then only after special permission of this Authority, in writing, shall have been secured and subject to such rules, regulations and conditions as may be prescribed by this Authority.

E. All costs and expenses of construction, testing and inspection of a Building Water Connection and all costs and expenses of connection to the Service Connection shall be borne by the Owner of the Improved Property to be connected; and such Owner shall indemnify and save harmless this Authority and the Township from all loss or damage that may be occasioned, directly or indirectly, as a result of construction of and/or connection of a Building Water Connection.

F. A Building Water Connection shall be connected to the Service Connection at the place designated by this Authority or where the Service Connection has been provided.

G. No Building Water Connection shall be covered until it has been inspected and approved by the Authority and if any part thereof is covered before being so inspected and approved, it shall be uncovered for inspection at the cost and expense of the owner involved.

H. Every Building Water Connection of any Improved Property shall be maintained in a sanitary and safe operating condition by the Owner.

I. Every excavation for a Building Water Connection shall be guarded adequately with barricades and lights to protect all persons from injury and all property from

damage. Without limiting the foregoing, the Owner of the Improved Property, and the Owner's agents and contractors, shall comply with all applicable OSHA, PennDOT, Township and other regulations and laws with regard to the excavation for a Building Water Connection and shall be fully responsible for the protection of persons from damage and injury. Streets, sidewalks and other public property disturbed in the course of installation shall be restored, at the cost of the Owner of the Improved Property being connected, in a manner satisfactory to this Authority.

J. If any Person shall fail or refuse, upon receipt of a notice of this Authority, in writing, to remedy any unsatisfactory condition with respect to a Building Water Connection, within sixty days of receipt of such notice, this Authority may refuse to permit such Person to receive water from the Water System until such unsatisfactory condition shall have been remedied to the satisfaction of this Authority.

SECTION IV- ACCESS AND INSPECTION

The Authority shall have, to the extent permitted by applicable law, the right of access at reasonable times to any part of any Improved Property which is served by the Water System for the purpose of inspection, measurement, sampling, testing and other functions relating to service rendered by the Authority. Without limiting the foregoing, the Authority's duly authorized representatives, agents, contractors or employees bearing proper credentials and identification shall be permitted, at all reasonable times, to enter upon any premises connected or about to be connected or required to be connected to the Water System for the purpose of inspection, examination of connections to the Water System, observation, measurement, sampling and testing. If any person shall refuse to permit inspection, examination of connections to the Water System, observation, measurement, sampling and testing, it shall be presumed that a violation of the Rates, Rules, and Regulations exists and the Authority shall have the right to terminate service or take any other action permitted by law.

SECTION V - FAILURE TO MAKE REQUIRED CONNECTIONS

If the Owner of any Improved Property located in this Township fails to connect after ninety (90) days' notice from this Authority or the Township, in accordance with Section II, paragraph A, the Township or Authority may make such connection and may collect from such Owner the costs and expenses thereof. If the Authority makes the connection, the Authority shall, upon completion of the work, send an itemized bill of the cost of the construction of such connection to the Owner of the Improved Property to which connection has been made, which bill shall be payable within thirty (30) days of receipt. In case of neglect or refusal by the Owner of such Improved Property to pay said bill, this Authority shall file a municipal lien for said construction, the same to be subject in all respects to general law providing for the filing and recovery of municipal liens.

SECTION VI - TAPPING, CONNECTION AND CUSTOMER FACILITIES FEES FOR WATER SERVICE

No person shall connect any Improved Property with any part of the Water System without first making application for and securing a permit, in writing, from the Authority. The permit fee shall include the Authority's reasonable costs for administration and inspection to insure that the Service Connection of the Improved Property is connected to the Water System in accordance with the Rates, Rules and Regulations of the Authority. The cost of the permit shall be in accordance with Appendix A, Item 1.

A. Connection Fee

The Authority shall charge a Connection Fee against the Owner of an Improved Property who or which shall physically connect such Improved Property to the Water System, for the costs of making such connection to the Water System, such charge being authorized under the Authorities Act.

The amount of the Connection Fee for each individual connection to the Water System shall be the actual cost incurred by the Authority, including the cost of inspection and restoration of the property and any permit, inspection, Pennsylvania Department of Transportation, legal or engineering fees incurred by the Authority. The Owner of the Improved Property shall deposit with the Authority the sum in accordance with Appendix A, Item 2, to be placed in escrow in order to insure reimbursement the Authority's actual costs in connecting Owner's Improved Property to the Water System. In the event the actual expenses incurred by the Authority in connecting the Owner's Improved Property to the Water System exceed the escrow amount, the Owner shall pay such excess amount within thirty (30) days of receipt of the Authority's invoice for such expenses. In the event that the actual expense incurred by the Authority in connecting the Owner's Improved Property to the Water System is less than the escrow amount, the Authority shall refund such excess amount, without interest, to the Owner.

The Authority may, by Resolution, establish separate Service Areas and impose a Connection Fee for each individual connection within such Service Area. The Service Areas shall be set forth in Appendix A. Connection Fees for each separate Service Area shall be set forth in column form within Appendix A. All areas of the Township not located within designated Service Areas shall pay the system wide Connection Fee set forth first in Appendix A, Item 2.

All Connection Fees shall be payable to the Authority. Payment of Connection Fees charged by this Authority shall be enforced by this Authority in any manner appropriate under the laws at the time in effect.

In lieu of payment of a Connection Fee, the Owner of an Improved Property may, at such Owner's sole cost and expense, physically connect the Improved Property to the

Water System in accordance with these Rates, Rules and Regulations.

B. Tapping Fee

A Tapping Fee as set forth in this Subsection is imposed upon and shall be collected by the Authority from the Owner of each Improved Property who or which shall use the Water System, whether such use shall be direct or indirect, such charge being authorized under the Authorities Act. Such Tapping Fee is charged for each Domestic Establishment and each Non-domestic Establishment as set forth herein.

1. The Tapping Fee for use of the Water System shall be calculated as follows:

(a) Capacity Part. The fee for capacity-related facilities which provide service to Domestic Establishments and Non-domestic Establishments shall be as follows:

Tapping Fee - Capacity Part Domestic Establishment	Appendix A, Item 3(a)
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Tapping Fee - Capacity Part Non-domestic Establishment (for each EDU)	Appendix A, Item 4(a)
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The Authority reserves the right to establish, by Resolution, separate Service Areas which may have a special purpose part and/or reimbursement part of the Tapping Fee in addition to the capacity part imposed throughout the Water System. Any Service Areas which have been established are set forth in Appendix A. The capacity part of the Tapping Fee for Domestic Establishments and Nondomestic Establishments is set forth in column form within Appendix A, Items 3(a) and 4(a), respectively. All areas of the Township shall pay the system wide capacity part of the Tapping Fee set forth first in Appendix A, Items 3(a) and 4(a), respectively.

(b) Distribution Part. A fee shall be imposed to recover the cost of distribution facilities required to provide service to Domestic Establishments and Non-domestic Establishments as follows:

Tapping Fee - Distribution Part Domestic Establishment	Appendix A, Item 3(b)
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Tapping Fee - Distribution Part Non-domestic Establishment (for each EDU)	Appendix A, Item 4(b)
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The Authority reserves the right to establish, by Resolution, separate Service Areas which may have a special purpose part and/or reimbursement part of the Tapping Fee in addition to the distribution part imposed throughout the Water System. Any Service Areas which have been established are set forth in Appendix A. The distribution part of the Tapping Fee for Domestic Establishments and Nondomestic Establishments is set forth in column form within Appendix A, Items 3(b) and 4(b) respectively. All areas of the Township shall pay the system wide distribution part of the Tapping Fee set forth first in Appendix A, Items 3(b) and 4(b), respectively.

2. The Authority reserves the right to establish, by Resolution, Service Areas within the Township. Such Service Areas may require special purpose facilities applicable only to Water Customers within that Service Area. Each Service Area so established shall be identified in Appendix A. The special purpose part of the Tapping Fee for each Service Area shall be identified in Appendix A, Item 5.

3. The Authority reserves the right to establish, by Resolution, Service Areas within the Township. Where an extension of the Water System has been made at the expense of a private person, the Authority reserves the right to require payment of a reimbursement part of the Tapping Fee. Each Service Area so established shall be identified in Appendix A. Reimbursement parts of Tapping Fees which have been established are listed by Service Area in Appendix A, Item 6.

4. In case of a combination of one or more Domestic Establishments and each thereof having use of the Water System through one water connection, then each such Domestic Establishment shall be charged the Tapping Fee herein provided as though each Domestic Establishment has a direct and separate connection to the Water System. Each Domestic Establishment in a double house, row or connecting house, and in a Mobile Home Court shall be considered as a separate entity for the purpose of calculating the Tapping Fee. In the case of Apartment Complexes, each apartment unit shall be considered a Domestic Establishment, and one Tapping Fee shall be paid for each Domestic Establishment within the Apartment Complex.

5. The amount of the Tapping Fee for connection of each Non-domestic Establishment to the Water System shall be based upon each EDU of water estimated to be consumed daily. If necessary, the consumption shall be estimated by the Authority or the Authority's consulting engineer using standard engineering data and procedures. In the case of a Nondomestic Establishment providing water service to multiple Commercial Establishments and/or Industrial Establishments through one connection, the entire building or structure to be served by the Water System shall be considered one Non-domestic Establishment and the usage of all Commercial and Industrial Establishments within the building shall be combined for the purpose of

calculating Tapping Fees. One year following full occupancy or full operation, the Authority shall make an analysis of actual consumption, and the Authority shall thereafter adjust the Tapping Fee previously collected, either upward or downward, based on the actual consumption. The Owner of the Improved Property shall provide to the Authority any and all information required by the Authority to make such analysis. Consumption shall be determined by using the highest quarterly consumption. In no event shall the Tapping Fee for a Non-domestic Establishment be less than the Tapping Fee for one EDU. In the event the Authority is required to refund a Tapping Fee for Non-domestic Establishments, here shall be no interest due or owing with regard to the refund.

6. Should any Owner of any Improved Property heretofore connected to the Water System or hereinafter connected to the Water System expand the use of said Improved Property, a Tapping Fee, calculated in the manner set forth herein, is hereby imposed upon the expanded portion of such Improved Property. An expansion of the use of an Improved Property shall include, but not be limited to: (i) the installation of an additional dwelling unit or units in an existing dwelling; and/or (ii) a change in a commercial or industrial process by a Non-domestic Establishment which causes an increase in water usage.

7. All Tapping Fees shall be payable to the Authority.

8. Payment of Tapping Fees charged by this Authority shall be enforced by this Authority in any manner appropriate under the laws at the time in effect.

C. Customer Facilities Fee

All Owners of Improved Properties shall pay to the Authority a Customer Facilities Fee. The Customer Facilities Fee shall reimburse the Authority for its costs relating to the provision of a water meter, meter yoke, remote reader, and other necessary metering facilities. The Customer Facilities Fee shall be an amount which represents the cost of the water meter, yoke and associated facilities paid by the Authority, plus necessary installation costs and inspections.

The Authority reserves the right to establish, by Resolution, separate Service Areas. Any service Area so established shall be set forth in Appendix A. Any Customer Facilities Fee applicable to a Service Area shall be set forth in the Resolution which establishes the Service Area and shall be listed in Appendix A.

D. Effect of Receipt of Grants

If an extension to the Water System is financed in whole or in part by one or more grants awarded to the Authority by any department or agency of the United States, the

Commonwealth of Pennsylvania or the County of Lancaster, and if the terms of such grant or grants require that the Authority not impose tapping, connection or other fees for connection to the Water System upon low or moderate income (as such terms are defined in the applicable federal or state regulations) Owners of Improved Properties, the Authority may waive tapping, connection or other fees which would be imposed upon Owners of Improved Properties under the Rates, Rules and Regulations. Such a waiver of fees shall be granted to the extent required by the terms of the grant or grants, and Owners of Improved Properties shall present all necessary documentation to the Authority to prove eligibility under the applicable regulations for the waiver of such fees.

E. Agreements with Developers Who Extend the Water System

The Authorities Act permits the Authority to enter into agreements with developers concerning the extension of the Water System. The Authority may, from time to time, enter into agreements with developers concerning the extension of the Water System which will relate to the sharing of costs of improvements to the Water System, the reimbursement to the developer of the distribution portion of the tapping fee paid by Owners of Improved Properties who connect to an extension financed by the developer, or other matters as authorized by the Authorities Act. The Authority shall have the right to waive or modify the terms of this Section in any such agreement which may be entered into with a developer.

F. Fees In Addition To Other Charges

The Connection Fees, Tapping Fees and Customer Facilities Fees imposed hereunder shall be in addition to any rates, fees or charges fixed or imposed by the Authority by reason of the reservation of capacity in the Water System or the use, or availability for use, of the Water System. Such fees or charges may include, but are not limited to, postage charges, photocopy charges and reasonable charges for searching Authority records.

SECTION VII - CONNECTION PROCEDURES

A. After connection of any Improved Property to the Water System, all existing private water systems must be severed from the Authority's Water System, and a right of inspection by the Authority of said Improved Property at the discretion of the Authority is hereby granted.

B. No connections or disconnections shall be made except with the approval of the Authority's authorized representative.

C. No Cross Connections shall be made to the Water System.

D. All 3/4 inch domestic connections to the Water System shall be through 5/8 inch meters. The water meter and yoke shall be accessible to and subject to the Authority's control and inspection.

E. All 3/4 inch and larger connections of a Non-domestic Establishment to the Water System shall be metered. All meters and yokes which are desired by either the Customer or the Authority shall be approved by the Authority and shall be paid in full by the Customer before installation. These meters and yokes will be subject to all other conditions set forth in these Rates, Rules and Regulations.

F. The meter and yoke will be maintained by the Authority so far as ordinary wear and tear are concerned, but damage due to freezing or external causes due to the negligence of the Customer shall be paid by the Customer. No other inside plumbing work will be performed by Authority personnel.

G. A Customer contract shall be entered into upon connection of an Improved Property with the Water System. Upon change of ownership of any Improved Property, a Customer contract for service between the new Owner and the Authority shall be filed. The Authority may discontinue service until such new contract has been made and approved by the Authority within five (5) days after notification is made that such new contract is required. If service is disconnected, a reconnection fee in accordance with Appendix A, Item 7, shall be assessed.

H. Commencing on January 1, 2011, all new connections to the Water System shall be by way of a minimum one (1) inch Water Line connection through a minimum one (1) inch meter.

SECTION VIII - DISCONTINUANCE OF SERVICE

The Authority may discontinue service to any Customer for reasons deemed to be in the Authority's best interest. The reasons for discontinuance of service shall include, but are not limited to, the following:

- A. The use of water for any other property than that described in the contract.
- B. Willful waste of water through improper pipes, fixtures or otherwise.
- C. Willful waste of water through improper usage.
- D. Damaging, either intentional or otherwise, any service pipe, meter curb stop or seal, or any other system appurtenance of Authority.
- E. Making or refusing to sever any Cross Connection between a pipe or fixture carrying water from any other source and a pipe fixture carrying water furnished by the Authority.
- F. Non-payment of Water Rentals and charges.

SECTION IX - WATER RENTALS AND CHARGES

Water Rentals and charges are imposed upon and shall be collected from the Owners of Improved Properties which shall be connected to the Water System, whether such use or benefit resulting therefrom or such connection shall be direct or indirect, in accordance with the following:

A. Meter service for quarterly charges per 1,000 gallons:

First 6,000 gallons per quarter	Appendix A, Item 8
Each additional 1,000 gallons per quarter	Appendix A, Item 9

In case of a combination of Domestic Establishments other than Mobile Home Courts and Apartment Complexes and each having the use of the Water System through one or more Service Connections, then each such Domestic Establishment shall be charged the rates herein provided as though each unit were in a separate structure and as though each unit had a direct and separate connection to the Water System.

In case of a combination of one or more Domestic Establishments and one or more Non-domestic Establishments and each having the use of the Water System through one water connection, then each such Domestic Establishment and each such Nondomestic Establishment shall be charged the rates herein provided as though each unit were in a separate structure and as though each unit had a direct and separate connection to the Water System.

The quantities of quarterly water consumption allowable to a combination of Domestic Establishments or a combination of one or more Domestic Establishments and one or more Non-domestic Establishments and each having the use of the Water System through one water connection before excess usage charges shall be placed in effect shall be determined by multiplying the total number of Domestic Establishments and Non-domestic Establishments by 6,000 gallons.

B. Each Non-domestic Establishment shall be charged minimum Water Rentals for each EDU purchased with regard to the Improved Property in accordance with Appendix A, Item 8. In addition to the aforesaid minimum Water Rentals for each EDU purchased, each Non-domestic Establishment shall be charged Water Rentals computed in accordance with the following water meter rate schedule:

For each additional 1,000 gallons above 6,000 gallons per quarter of water consumption per EDU purchased, a charge is instituted in accordance with Appendix A, Item 9, per 1,000 gallons of water consumption. By way of illustration, if the Owner of an Improved Property purchases 10 EDUs, then for every 1,000 gallons of water consumed in a particular quarter in excess of 60,000 gallons, the Owner shall pay the additional Water Rentals set forth in Appendix A, Item 9.

C. With regard to Mobile Home Courts and Apartment Complexes, the Owner of each Improved Property may make one connection to the Authority's Water System and use one meter to furnish water to the Improved Property for which he will be subject to the minimum charge per quarter for each mobile home pad located in the Mobile Home Court or for each apartment unit located in the Apartment Complex. Water consumed in excess of the total minimum gallons allowed for such minimum charges paid shall be billed to the Owner in accordance with the schedule provided in this section.

D. The quantities of quarterly water consumption allowable to each Mobile Home Court or Apartment Complex before excess usage charges shall be placed in effect will be determined by multiplying the total number of mobile home pads or apartment units times 6,000 gallons.

E. For service less than a full monthly or quarterly period, the listed rates will be prorated for the period of usage or prorated on the usage, whichever is greater.

F. In addition to any water usage at the same premises, every public or private automatic sprinkler system connected to the Water System shall pay a quarterly charge in accordance with Appendix A, Item 10.

G. In addition to any water usage at the same premises, every public or private fire hydrant connected to the public Water System shall pay an annual charge in accordance with Appendix A, Item 11.

H. The Owner of any Improved Property who or which is required to connect to the Water System shall pay the applicable quarterly minimum charge for each Non-domestic Establishment or for each Domestic Establishment which constitutes a Separate Living Unit in the event such Owner elects not to use the Water System. Charges shall accrue from the date the Owner of the Improved Property shall have been required by Township Ordinance to connect to the Water System.

I. In the event that the Customer (or a representative of the Customer) requests the Authority to inspect, locate or provide materials necessary to repair water facilities owned or under the control of Customer, then in such event the Customer shall be billed and agrees to pay the Authority on a time and materials basis. Labor shall be charged to the Customer on an hourly basis in accordance with Appendix A, Item 12. With regard to labor performed outside of normal Authority business hours (normal business hours being Monday through Friday, 7:00 a.m. until 3:00 p.m.), there shall be a minimum labor charge of two (2) hours.

J. Whenever the use of unmetered water is required for the testing, flushing, chlorinating or other use of water or sewer lines, the Owner must apply for and obtain prior written approval from the Authority or the Authority's Engineer. The Authority's Engineer will furnish the Owner with an estimate of all unmetered water used in accordance with Appendix "A" and such usage shall be paid for by Owner from an escrow fund established

with the Authority by the Owner.

SECTION X - BILLING AND COLLECTION OF WATER RENTALS AND OTHER CHARGES

A. Bills shall be rendered in calendar quarters on or about the first days of January, April, July and October, respectively, or on such other dates as the Authority shall specify.

B. Every Owner of an Improved Property which is connected to the Water System shall provide the Authority with such Owner's correct address. Failure of any Person to receive bills for Water Rentals or charges shall not be considered an excuse for nonpayment nor shall such failure result in an extension of the period of time during which the net bill shall be payable.

C. All bills for water service shall constitute the net bill and shall be due and payable as of the date thereof. If payment for any such net bill for water service shall not be received by the Authority on or before the twenty-eighth day of the month in accordance with the following schedule, such net bill shall be deemed delinquent. A penalty of ten percent (10%) shall be added to such net bill, which net bill plus such penalty plus any certified and other mailing costs and returned check charges incurred by the Authority shall constitute the gross bill:

<u>Date of Bill</u>	<u>Penalty Added</u>
January 1	January 28
April 1	April 28
July 1	July 28
October 1	October 28

If the end of such twenty-eight day period shall fall on a legal holiday or on a weekend, payment received by the Authority on the next succeeding business day which is not a legal holiday shall constitute payment within such twenty-eight day period.

D. The gross bill for water charges (which shall include the aforesaid ten percent (10%) penalty and certified and other mailing costs and returned check charges) shall bear interest at the rate of one and one-half percent (1 ½%) per month or fraction thereof beginning one month after the gross bill becomes due and payable until paid. This is an annual percentage rate of eighteen percent (18%). The following schedule demonstrates when penalties and interest become payable:

<u>Date of Bill</u>	<u>Penalty Added</u>	<u>Interest Begins to Accrue</u>
January 1	January 28	February 28
April 1	April 28	May 28
July 1	July 28	August 28
October 1	October 28	November 28

E. Water rates and charges shall be due and payable upon mailing or delivery by or on behalf of this Authority to the person responsible for payment thereof. In all instances, the record owner of the Improved Property shall be deemed the Customer of the Authority and shall be the person responsible for timely payment.

F. In the event that the Authority institutes a civil action to collect delinquent water rates and charges, the Customer shall be responsible for all costs arising out of the civil action, including the costs of service of process (whether by certified mail or other means.)

G. Whenever service to any Improved Property shall begin after the first day or shall terminate before the last day of any quarterly billing period, water rates and charges for such period shall be prorated equitably, if appropriate, for that portion of the quarterly billing period during which such Improved Property was served by the Water System.

SECTION XI - LIENS FOR WATER RENTALS, INCLUDING FILING AND COLLECTION OF LIENS

The Authority, in its discretion, may take any such action authorized by law to collect unpaid bills. Such action may include the institution of a civil action against the Owner of the Improved Property, the institution of a civil action against the Occupier of the Improved Property, the filing of a municipal claim and/or the termination of water service.

SECTION XII - RESPONSIBILITY OF OWNERS OF IMPROVED PROPERTIES

A. The Owner of any Improved Property connected to the Water System shall be responsible for all acts of tenants or other occupants of such Improved Property insofar as such acts shall be governed by provisions of these Rates, Rules and Regulations.

B. All connections, service lines and fixtures furnished by Owner shall be maintained by him in good order, and all valves, meters and appliances, furnished by Authority and on the property of Customer shall be protected property and cared for by said Customer. All leaks in the service or any other pipe or fixture in or on the premises supplied must be repaired immediately by Customer.

C. The Authority shall in no event be responsible for maintaining any portion of the Building Water Connection owned by Customer or for damage done by water escaping therefrom or from lines or fixtures on Customer's property; and Customer shall at all times comply with all ordinances and regulations with reference thereto and make changes therein required on account of change or grade location of mains or otherwise.

D. Water Customer shall not turn the water on or off at any corporation stop, curb stop or disconnect, or remove the meter or yoke or permit their disconnection or removal without the prior, written consent of the Authority.

E. Water Customers shall not tamper or permit tampering with or in any other way cause or permit injury to any meter or any other property of the Authority.

**SECTION XIII - INSPECTION AND DUPLICATION OF PUBLIC RECORDS
IN ACCORDANCE WITH THE PENNSYLVANIA RIGHT TO KNOW LAW**

The Authority has adopted the policy for requests for inspection and duplication of public records attached hereto as Appendix "B". The Authority has established the following fees in connection with requests for inspection and duplication of public records:

Photocopying Per Page	\$ 0.25
Formatted Computer Disks	\$ 5.00
Certification of any document as a true and correct copy of an Authority record	\$10.00
Certification that the Authority has examined its records and an identified record does not exist	\$ 5.00
Postage or express mail charges to respond to request for public record by forwarding records to requester	Actual cost incurred by Authority
Reproduction of record by third party when Authority does not have necessary equipment	Actual cost incurred by Authority

SECTION XIV - ADDITIONS TO AND CHANGES OF WATER RENTALS OR CHARGES, AND ADOPTION OF ADDITIONAL RULES AND REGULATIONS

A. This Authority reserves the right to adopt and promulgate, from time to time, additional classifications and Water Rentals or charges therefor, or modifications of the schedule of Water Rentals or charges as set forth in these Rates, Rules and Regulations, which additional classifications and Water Rentals or charges, or modifications, as the case may be, shall be construed as a part of these Rates, Rules and Regulations.

B. This Authority reserves the right to adopt, from time to time, such additional rules and regulations as it shall deem necessary and proper in connection with use and operation of the Water System, which rules and regulations shall be, shall become and shall be construed as part of the Rates, Rules and Regulations.

SECTION XV - AUTHORITY NOT LIABLE FOR DAMAGES

A. The Authority shall endeavor to use all reasonable and practical measures to notify Customers of such discontinuance of service as necessity may arise in case of

breakdown, emergency or for any other unavoidable cause. The Authority shall have the right to cut off the water supply temporarily in order to make necessary repairs, connections or modifications. In all events, Authority shall not be liable for any damage or inconvenience suffered by a Customer or anyone claiming under a Customer agreement or for any claim against it at any time for interruption of service, lessening of the supply, inadequate pressure, poor quality of water or for any causes beyond its control.

B. The Authority shall have the right to reserve a sufficient supply of water at all times in its tanks to provide for fire and other emergencies or may restrict or regulate the quantity of water used by a Customer in case of scarcity or whenever the public welfare may so require. In all events, however, Authority shall not be liable for any damage or injury suffered by a Customer or anyone claiming under a Customer agreement or for any claim against it at any time for insufficient water supply or inadequate water pressure with regard to hydrants, sprinklers or other fire suppression facilities.

SECTION XVI - ADOPTION BY REFERENCE OF DEVELOPERS' MANUAL

This Authority hereby adopts by reference and incorporates herein the document entitled Warwick Township Municipal Authority Developers' Manual, dated October 19, 2004, as part of the Authority's Rates, Rules and Regulations.

SECTION XVII - PROHIBITION OF STRUCTURES WITHIN EASEMENTS AND PAVED/CONCRETE SURFACES

A. If an Improved Property is subject to an easement or right of way in favor of the Authority for the purpose of providing water service, neither the Owner of such Improved Property nor any other Person shall erect or maintain any building, swimming pool or other structure within the boundary lines of such easement or right of way. The Authority shall have no responsibility or liability or obligation to reimburse for damage to plants, trees, shrubs, brush, other undergrowth, subsurface dog fences or irrigation systems within the easement or right of way whether caused by the Authority or otherwise. The Authority has the right to cut down, trim, remove and to keep cut down by mechanical means or otherwise any and all plants, trees, shrubs, brush or other undergrowth within the easement or right of way or adjoining the easement or right of way which in the judgment of the Authority may at any time interfere with the construction, reconstruction, maintenance or operation of its facilities, including the right to remove the root systems of plants, trees, shrubs, brush or other undergrowth, and to spray said plants, shrubs, brush or other undergrowth with chemicals for their removal and control. The Authority has the right to remove subsurface dog fences within the easement or right of way which in the judgment of the Authority may at any time interfere with the construction, reconstruction, maintenance or operation of its facilities. In exercising its rights under the easement or right of way, the Authority will reseed disturbed lawn areas. However, the Owner of the Improved Property shall be responsible for watering the reseeded lawn areas to ensure proper germination.

B. No surface accessories or appurtenances, including, but not limited to, curb boxes, may be located within a paved or concrete surface.

SECTION XVIII - ACCESS TO FIRE HYDRANTS

Owner shall at all times maintain access to any fire hydrant located upon Owner's Improved Property, including, but not limited to, removal of snow. Owner shall not install any landscaping or other obstacles within four (4) feet of such fire hydrant and Owner shall not in any manner impede access to the fire hydrant from any public right of way.

SECTION XIX - USE OF PRIVATE FIRE PROTECTION FACILITIES DOMESTIC ESTABLISHMENTS

Owners who choose to install a residential sprinkler or fire suppression system must adhere to the following policy established by the Authority regarding residential sprinkler systems (a Residential Fire Suppression System or Systems").

Owners shall:

A. Enter into an Agreement with the Authority regarding the Residential Fire Suppression System.

B. Insure that Residential Fire Suppression System design meets the requirements of the International Building Code.

C. Contact the Authority prior to design of the Residential Fire Suppression System to determine water pressure available at the time.

D. Submit the design to the Authority to insure that the materials to be used comply with the technical specifications set forth in the Authority's Developer's Manual.

E. Have the ongoing duty of maintenance and replacement, if necessary, of the Residential Fire Suppression System servicing the Improved Property.

The Authority in no way guarantees an adequate supply, volume or pressure of water to the Residential Fire Suppression Systems, and the supply of water may not reach a Residential Fire Suppression System due to line flushing, line break, air-lock, drought, pumping system failure, contamination or termination of service by the Authority due to non-payment of water bills by Owner. The Authority will have no liability whatsoever as a result of providing or failing to provide water to a Residential Fire Suppression System.

All water supplied to a Residential Fire Suppression System will flow through the domestic meter serving the Improved Property. An additional back flow prevented will

be required to prevent contamination of the Authority's Water System.

NON-DOMESTIC ESTABLISHMENTS

Every Owner of an Improved Property which utilizes private fire protection facilities such as sprinkler systems and other like facilities shall pay a quarterly charge as determined by the Authority for standby fire protection service. The maximum size of the connection shall be six (6) 6 inches. The quarterly charge shall be in accordance with Appendix A. Owner understands that fire protection charges are mainly a compensation for "Standing Ready to Serve", and that for said charge the use of water is not contemplated, except for actual extinguishing of fires, or for testing of fire systems. When used for extinguishing fires or testing, a consumption charge, in accordance with the Authority's published rates, shall be imposed upon the Owner. The Owner shall maintain the meter pit associated with the private fire protection facilities and shall test the meter at least annually. The Owner shall provide copies of the test results to the Authority.

SECTION XX - CONSERVATION CHARGES AND GUIDELINES

The Authority finds and determines that its limited water resources should be utilized as efficiently as possible. The waste or unreasonable use of water must be prevented, and the conservation of water must be encouraged. The Authority's objective is to obtain the maximum reasonable and beneficial use of its water resources to best serve its Customers and ensure public health, safety and welfare.

A. [RESERVED FOR FUTURE USE]

B. The following voluntary water conservation guidelines are hereby established to reduce overall water consumption. The Authority encourages all Customers to incorporate water conservation practices into their daily lifestyle for the benefit of enhancing water resources.

1. OUTDOORS

Watering

- Don't over water your landscape. It can cause poor plant health. Give plants only the amount of water that they need.
- Use low-angle sprinklers that produce droplets of water. Sprinklers that spray the water high into the air or produce a mist or fine spray lose much of the water through evaporation.
- Don't water on windy days.
- Utilize an alternate source of water, such as a well, cistern or condensation from HVAC equipment.

- Water only between dusk and 7:00 a.m.
- Set sprinklers to water the lawn, not sidewalks and driveways.
- Use drip irrigation for shrub beds, gardens and trees. Drip irrigation systems apply water directly to the root, where it does the most good, and reduces water loss from evaporation.
- Adjust your watering habits or irrigation system according to the weather and season.
- Check your sprinkler or irrigation systems regularly for any leaks and fix them.
- Be sure your hose has an automatic shutoff nozzle to ensure water is not wasted when the hose is left unattended.

Mowing

- Don't cut the grass too short. Longer blades of grass will reduce evaporation and root stress because shaded soil does not dry out as quickly.
- Mow regularly with a sharp blade so that only ½ to ¾ of an inch is cut off each time. This practice will prevent the grass from turning yellow.
- Leave grass clippings on the lawn. Grass clippings contain valuable nutrients for the soil and plants. If left on the lawn, the clippings will reduce the need for additional, expensive fertilizers.

Planting

- Use mulches in flower and shrub beds. Mulches cover and shade soil, minimize evaporation, reduce weed growth, and slow erosion. Mulches also add a decorative appearance to the landscape.
- Add two to four inches of organic material, such as peat or compost, to the soil. Greater soil depth will increase the ability of the soil to retain moisture.
- Use water-wise plants. Native and adaptive plants will use less water and be resistant to local plant diseases and pests.
- Recognize that different plants require different amounts of water. Place your plants according to their water needs. Place plants that need occasional watering in one zone and those that only need natural rainfall in another zone. This way, you will not waste water on plants that don't need it.

2. INDOORS

Bathroom

- Check regularly for any leaks and fix them. Most common bathroom leaks are found in toilets, faucets and water hose bibs.
- Replace older, larger-use toilets with the newer ultra-low flush models. Standard toilets manufactured prior to the 1980's usually require five to seven gallons per flush. Toilets sold during the 1980's and early 1990's use 3.5 gallons per flush. Since 1992, new toilets must use 1.6 gallons or less per flush.
- Install a displacement device, such as a plastic bottle or toilet tank bag or "bank," inside the toilet tank. These devices can save up to 20 percent of the water your toilet uses. (Note: Do NOT use a brick — it can crumble and damage the fixture.)
- Do NOT use the toilet to dispose of paper, facial tissues, or cigarettes.
- Take a five-minute shower, rather than a bath.
- Install a low-flow showerhead. It can save about half the amount of water you typically use in the shower, while still providing a refreshing, cleansing shower.
- Turn the tap water off while brushing your teeth or shaving.

Kitchen

- Install a low-flow faucet aerator, which can cut water use in half.
- Soak pots and pans before washing.
- Fill the basin or a pan with water to wash fruits and vegetables.
- Instead of letting hot water run over frozen foods, let them thaw in the refrigerator, or thaw them in a small amount of boiling water or in the microwave.
- Keep a pitcher of water in the refrigerator rather than running tap water until it is cool enough to drink.
- Avoid using the garbage disposal. Instead, compost your food wastes. You can use the compost in your garden to improve your soil, as well as reduce your water use and the need for expensive fertilizers.
- When buying a new dishwasher, consider purchasing a water-saving model. Newer models can cut water use by 25 percent and are no more expensive than non-conserving models.
- Wash only full loads in the dishwasher.

Around the house

- When buying a new clothes washer, consider purchasing a water-saving model. New horizontal axis models can save up to 40 percent of the water used by a conventional model.
- Wash only full loads in the clothes washer.
- Insulate hot water pipes where possible to avoid long delays (and wasted water) while waiting for the water to "run hot."
- Be sure the water heater thermostat is not set too high. Very hot settings (higher than 125 degrees F) waste energy since the water has to be mixed with cold water before use.

3. COMMERCIAL/INDUSTRIAL

- Recycle water (for example, carwash/truck wash centers should recycle ___% of their total water usage)

APPENDIX A - WATER

Item #	Description	System Wide
1.	Cost of Permit	\$50.00
2.	Connection Fee (Escrow Deposit)	\$1,500.00
3.	Domestic Establishment Tapping Fee (a) Capacity Part (b) Distribution Total	\$1,450.69 <u>\$949.31</u> \$2,400.00
4.	Non- domestic Establishment Tapping fee (a) Capacity Part (b) Distribution Part Total	per gallon per day \$8.65 <u>\$5.66</u> \$14.31
5.	Special Purpose Fee	-0-
6.	Reimbursement Part	per individual Developer Extension Agreement
7.	Re-connection Fee	\$50.00
8.	Quarterly Charges Minimum (usage up to 6,000 gallons)	\$32.00
9.	Each Additional 1,000 gallons	\$3.28
10.	Private Fire Protection Facilities Fee	\$32.00
11.	Hydrant Tax	\$50.00
12.	Service Call Fee	\$75.00/hour
13.	Collection Fee	Based on Cost
14.	Use of Unmetered Water	Based upon cost as estimated by Authority's Engineer/Authority Staff using then current rate

APPENDIX B

WARWICK TOWNSHIP MUNICIPAL AUTHORITY PUBLIC RECORDS INSPECTION AND DUPLICATION POLICY

In accordance with the Pennsylvania Right-to-Know Law, Act of February 14, 2008 P. L., No. 3, hereinafter referred to as the "Law" the following is the policy for requests for inspection and duplication of public records of the Warwick Township Municipal Authority.

1. SUBMISSION OF REQUEST

All requests to inspect or duplicate public records of the Authority shall be presented to:

Open Records Officer
Warwick Township Municipal Authority
315 Clay Road
P. O. Box 336
Lititz, PA 17543-0336

Requests may be made in person at the Authority office at 315 Clay Road, Lititz, Pennsylvania, during normal business hours (Mondays through Fridays from 8:00 a.m. until 4:30 p.m.); by mail to 315 Clay Road, P. O. Box 336, Lititz, PA 17543-0336; or by fax to (717) 627-7997; or by e-mail to wtma@warwicktownship.org. Requests may be made in writing. The Authority has prepared a form to assist in processing requests.

All requests for inspection and/or duplication of public records must provide sufficient and specific information to allow the Authority staff to identify the requested records. The following information is the minimum necessary to enable the Authority staff to identify the public records sought:

- a. Type of record, e.g. resolution, meeting minute, permit, contract, etc.
- b. Approximate date of record, e.g. minutes of the Board meeting of January, 2001. The approximate date of the record must be within three to six months of the actual date of the record. The Authority cannot respond to requests which state that the record was created within a multi-year period.
- c. If applicable, subject matter of record, e.g. sewage system resolution, contract, permit for specific property, etc.
- d. If the requestor desires a written response or mailing of information,

name and address to which the Authority should address a response to the request.

e. Whether the requester desires to inspect or whether the requestor desires a copy of the document. If the requester desires a copy of the document, specify the preferred media or format.

The Authority is not required to and will not compile lists, prepare summaries, or create documents that do not exist. The Authority will provide access to and duplication of existing Authority records which are public records under the Right-to-Know Law.

The Authority recognizes its obligation to make public records available to any legal resident of the United States. The Authority acknowledges that it may not deny a request for access to a public record on the basis of the intended use of the public record, and the Authority will not require any person to disclose his or her purpose or motive in requesting access to a public record.

2. CONSIDERATION OF REQUEST FOR INSPECTION OF PUBLIC RECORDS

The Authority shall make a good faith effort to respond to any request for inspection and/or duplication of public records as promptly as possible. Unless circumstances prevent, the Authority will respond to a written request for a public record within five (5) business days from the date it is received. Any request for a public record submitted within one hour of the close of business shall be considered received on the following business day.

If the requester has provided his/her name and address, the Authority shall send written notice to the requester within five (5) business days from the receipt of the request if the Authority determines that any of the following are applicable to the request:

- a. The request requires a redaction of the record. Records will be redacted if they contain information which is not subject to public access as well as information which constitutes a public record.
- b. The request requires retrieval of records stored outside of the Authority offices.
- c. The Authority cannot respond due to a specific staffing issue. For example, the Authority staff is limited, and if the Authority Secretary is on vacation it may not be possible to respond within five (5) business days.
- d. The authority believes that it is necessary to consult with the

Authority Solicitor to determine whether the requested record is a public record under the Right to Know Law.

e. The requester has not complied with Authority policies concerning access to public records.

f. The requester has refused to pay any applicable fee.

g. The extent or nature of the request precludes a response within the required time period.

h. If the Authority cannot respond to a request within five (5) business days, the Authority will provide the reason why response is delayed, an estimated date by which it anticipates it may make its response and an estimate of any fee.

i. If the requester desires to remain anonymous, the Authority shall provide such information when the requester returns to the Authority office.

3. FEES

Any person who requests the duplication of public records shall pay for the duplication in accordance with the Authority's adopted fee schedule or with the fees established by the Office of Open Records. If the Authority estimates that the cost to fulfill the request will exceed \$100.00, the Authority will require prepayment of the fee prior to granting a request for access.

4. RESPONSE TO REQUEST FOR A PUBLIC RECORD

The Right-to-Know Law does not require the Authority to compile lists, prepare summaries, or create documents that do not exist. The Authority will provide access to and duplication of only existing Authority records which are public records under the Right to Know Law.

If the Authority determines that the record requested is a public record, the Authority will allow its inspection or will notify the requester that the record is available electronically through publicly accessible means, providing the internet address at which such record is available, or will provide a copy of the record in the format requested if the Authority has the capability to produce such a format. If the Authority does not have the capability to duplicate the public record in the format requested, the Authority will provide a paper copy of the record. If the requester is unwilling or unable to access the record electronically, the requester may, within 30 days, submit a written request for a paper copy of such record.

If the Authority informs the requester that copies of the requested records are available at the Authority office and the requester fails to retrieve the records within sixty (60) days of the Authority's response, the Authority may dispose of the copies and retain all fees.

If the Authority denies a written request to inspect and/or duplicate records in whole or in part, the Authority shall provide a written denial. This written denial will identify the record and the specific reason for the denial of the request, including a citation to supporting authority. The written response shall also include the name, title, business address, business telephone number and signature of the Open-Records Officer who has denied the request, the date of the denial, and the procedure to appeal the denial.

5. APPEAL FROM DENIAL OF REQUEST FOR INSPECTION OR COPYING OF RECORDS

The Law provides that a requester who disagrees with a denial of his or her written request for inspection and/or duplication of records may file an appeal to:

Commonwealth of Pennsylvania
Office of Open Records
Commonwealth Keystone Building
400 North Street, Plaza Level
Harrisburg, PA 17120-0225

Pursuant to Section 1101 (a) of the Law, the appeal must be in writing, must be filed within fifteen (15) business days of the date of the Authority's response or date of a deemed denial; must state the grounds on which the requester asserts that the record is a public record; and must address any grounds stated by the Authority in denying the request.

Warwick Township Municipal Authority
315 Clay Road, P. O. Box 336
Lititz, PA 17543-0336
(717) 627-2379

REQUEST FOR INSPECTION AND/OR DUPLICATION OF PUBLIC RECORDS

Requests for inspection and/or duplication of public records shall be made to the Open- Records Officer. Requests may be made in person at the Authority office at 315 Clay Road, Lititz, Pennsylvania, during normal business hours (Mondays through Fridays from 8:00 a.m. until 4:30 p.m.); by mail to 315 Clay Road, P. O. Box 336, Lititz, PA 17543-0336; or by fax to (717) 627-7997; or by e-mail to wtma@warwicktownship.org.

The Authority is not required to and will not compile lists, prepare summaries, or create documents that do not exist. The Authority will provide access to and duplication of existing Authority records which are public records under the Right-to-Know Law.

Name (Optional): _____
Address (Optional): _____
City/State(Required): _____
Daytime Telephone Number (Optional): _____
Fax Number (Optional): _____

I am submitting this request by (circle applicable): Mail Fax In Person E-mail

It is the intent of the Authority to comply in all respects with the Pennsylvania Right-To Know Law. In order to process a request for inspection and/or duplication of a public record, the Authority requires sufficient and specific information to identify the record. The Authority may deny a request if there is inadequate information for the Authority to identify the specific record requested. Please provide as much of the following requested information as possible:

Type of document (e.g. contract, resolution, meeting minutes, etc.): _____

Subject of document (e.g. sewer system fees, permit for a specifically identified property, decision, etc.): _____

Approximate date or dates of documents (should be within a three (3) month time frame);

Please state any other information which you believe would assist the Authority in identifying the public record which you seek _____

I wish to examine this public record at the Authority office: Yes No

I wish to obtain a copy of this public record: Yes No

Unless otherwise requested, the Authority will provide (1) a reference to the web site address when the requested record is available on a web site or, (2) if not available on the Internet, paper photocopies of public records. The Authority does not

guarantee a requested record is available or can be made available in any other format.

I wish a copy of the public record in the following format or media if possible:

I wish the Authority to mail a copy of this public record to me: Yes No

I wish the public record to be mailed to the following address: _____

The name and contact information for the Warwick Township Municipal Authority Open Records Officer is as follows:

Warwick Township Municipal Authority
315 Clay Road, P. O. Box 336
Lititz, PA 17543-0336
(717) 627-2379

The hours of the Open-Records Officer are Mondays through Fridays from 8:00 a.m. until 4:30 p.m.

I acknowledge that the Authority may impose fees pursuant to Section 1307 of the Right-To-Know Law to fulfill this request. I acknowledge that the Authority does not have to provide me with the copies (if any) I have requested until I pay the fees in full. If the fees required to fulfill the request are expected to exceed \$100.00, I acknowledge that the Authority may require that I prepay an estimate of the fees prior to granting my request for access in accordance with the Right-to-Know Law.

Date: _____

Signature (Optional if requesting to examine documents or pick up documents; Mandatory if requesting documents to be mailed.)

For Authority Use Only

Date of Receipt:

Computation of Expiration of five-day period to respond:

A copy of this request shall, pursuant to Section 502 (b) (2) (iii) of the Law, be maintained until the request has been fulfilled. If the request is denied, a copy shall be maintained for thirty (30) days or, if an appeal is filed, until a final determination is issued under Section 1101 (b) of the Right-to-Know Law or the appeal is denied.