

**WARWICK TOWNSHIP MUNICIPAL AUTHORITY**

**SANITARY SEWERAGE SYSTEM  
RATES, RULES, AND REGULATIONS**

**Dated: July 21, 2015**

**Revised: November 21, 2023**

**TABLE OF CONTENTS**

Introduction ..... 1

Section I Definitions..... 1

Section II Required Connections to Sewerage System ..... 6

Section III Building Sewer Connections..... 7

Section IV Access, Inspection and Surcharge ..... 10

Section V Failure to Make Required Connections ..... 10

Section VI Tapping, Connection, and Customer Facilities Fees  
for Sewer Service ..... 11

Section VII Connection Procedures ..... 16

Section VIII Discontinuance of Service ..... 16

Section IX Sewer Rentals and Charges..... 16

Section X Billing and Collection of Sewer Rentals and Other Charges..... 18

Section XI Liens for Connection Fees and Sewer Rentals, Including Filing and  
Collection of Liens ..... 19

Section XII Responsibility of Owners of Improved Properties ..... 19

Section XIII Inflow and Infiltration From Privately-Owned Sewer Lines ..... 20

Section XIV Inspection and Duplication of Public Records in Accordance with the  
Pennsylvania Right-To-Know Law..... 21

Section XV Additions to and Changes of Sewer Rentals and Charges, and Adoption  
of Additional Rules and Regulations..... 22

Section XVI Authority Not Liable For Damages..... 22

Section XVII Adoption by Reference Of Developers’ Manual..... 22

Section XVIII Measuring Volume ..... 23

Section XIX Prohibited Wastes, Discharges and Connections..... 24

Section XX	Regulations Governing Admission of Industrial Wastes into the Sewerage System, Including Rentals and Charges.....	32
Section XXI	Prohibition of Structures Within Easements and Paved/Concrete Surfaces .....	34
Section XXII	Grinder Pumps .....	34
Section XXIII	Grease Traps.....	35
Section XXIV	Appeals and Hearings .....	36
Section XXV	Remedies and Penalties.....	36
Section XXVI	Severability.....	37

Appendices

Appendix A	Sewer Fees
Appendix B	Public Records Inspection and Duplication Policy
Appendix C	Industrial/Commercial Wastewater Discharge Questionnaire

## **INTRODUCTION**

The following revisions to the Rates, Rules and Regulations of Warwick Township Municipal Authority for its Sewer System duly adopted July 21, 2015, as the same have previously been and may hereafter be amended or restated from time to time by this Authority, shall be and are hereby declared to be incorporated in and made part of the Rates, Rules and Regulations of the Authority for the Sewer System. The Rates, Rules and Regulations form a part of the contract with every Customer who utilizes the Sewerage System and every Customer, by utilizing the Sewerage 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 Sewerage System. Under the provisions of the Mandatory Connection Ordinance, every Improved Property Abutting the Sewerage System must be connected to the Sewerage System.

## **SECTION I - DEFINITIONS**

Unless the context specifies and clearly indicates otherwise, the meaning of items and phrases 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 Municipality Authorities Act, as amended and supplemented.

"Allowable Industrial Waste" means any solid, liquid or gaseous substance, waterborne waste or form of energy ejected or escaping from any industrial, manufacturing, trade, or business process or from the development, recovery, or processing of natural resources, as distinct from Sanitary Sewage, which complies with all provisions of these regulations and which is allowed to be discharged into the Sewerage System by the rules and regulations of the Authority.

"Building Sewer" or "Building Sewer Connection" or "Service Line" means the extension from the sewage drainage system of any structure to the Lateral of a Sewer.

"BOD" (Biochemical Oxygen Demand) means the quantity of oxygen, expressed in mg/l, utilized in the biochemical oxidation of organic matter under standard laboratory procedure for five days at twenty degrees centigrade. The standard laboratory procedure shall be that found in the latest edition of Standard Methods for the Examination of Water and Wastewater, as published jointly by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation.

"Commonwealth" means the Commonwealth of Pennsylvania.

"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.

"Connection Fee" means a fee based upon the actual cost of the connection of the Building Sewer of an Improved Property extending from the Authority's sewer to the property line or curb line of the Improved 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 a Sewer Consumer as defined herein.

"Customer" means a Sewer 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 Sewerage 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 Nondomestic Establishments such as institutional dormitories, hotels, motels and boarding houses, and other Commercial Establishments and Industrial Establishments.

"EDU" means an equivalent dwelling unit. The amount of sanitary sewerage discharged 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. Nondomestic Establishments shall be assigned a number of EDUs based upon the estimated or actual sanitary sewage discharged, with such discharge determined by the highest quarterly discharge. The Authority reserves the right to increase or decrease, by resolution or otherwise as provided by law, the EDU calculation.

"FWPC Act" means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. § 1251 et seq.

"Improved Property" means any property upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure Sanitary Sewage and/or Industrial Wastes shall be or may be discharged.

"Improved Property Abutting the Sewerage 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 Sewerage System is able to provide sewer service without installation of a grinder pump or other device.

1. The Improved Property abuts a street right-of-way within which a sewer main is located or abuts or is bisected by an easement outside of the right-of-way of a street in which a sewer main is located.
2. The dwelling or other principal structure on the Improved Property is or will be located within 150 feet or less from the existing sewer main of a sewer system or extension of the system.
3. The Sewerage System is able to provide sewer service without installation of a grinder pump or other device.
4. 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.

"Indirect Discharge" means the discharge or the introduction of non-domestic pollutants from any source regulated under Section 307(b), (c) or (d) of the FWPC Act into the Sewage System (including holding tank waste discharged into the system).

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

"Industrial User" means a source of Indirect Discharge. This shall include, but is not limited to, a non-governmental user, existing or future, of publicly owned treatment works identified in the most recent edition of the Standard Industrial Classification Manual, Office of Management and Budget, as amended and supplemented, under the following divisions: Agriculture; Forestry and Fishing; Mining; Manufacturing; Transportation, Communications; Electric, Gas and Sanitary Services; and Services. An Industrial User in the divisions listed may be excluded if it is determined that it will introduce primarily segregated domestic waste or wastes from sanitary conveniences.

"Industrial Wastes" means any solid, liquid or gaseous substance, waterborne water or form of energy discharged or escaping in the course of development, recovering or processing of natural resources, but not Sanitary Sewage.

“Infiltration” means groundwater or stormwater which enters the Authority’s Sewerage System or pipes located on a private property and connected to the Authority’s Sewerage System through joints, porous walls, cracks or breaks.

“Inflow” means groundwater or stormwater which enters the Authority’s Sewerage System or pipes located on private property and connected to the Authority’s Sewerage System through sources such as roof leaders, cellar drains, yard drains, area drains, foundation drains, sump pumps, and drains from spring and swampy areas.

"Lateral" means that part of the Sewerage System extending from a Sewer to the curb line, or if there shall be no curb line, to the property line, or if no such Lateral shall be provided, then Lateral shall mean that portion of or place in a Sewer which is provided for connection of any Building Sewer.

“Mandatory Connection Ordinance” means Township Ordinance No. 58 (Code of Ordinances of Warwick Township, Chapter 18, Part 1), as the same may be amended from time to time.

"mg/l" means milligrams per liter.

“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.

"Nondomestic Establishment" means any establishment or use connected, directly or indirectly, to the Sewerage System, which does not constitute a Domestic Establishment. Without limiting the foregoing, Nondomestic Establishments shall include Commercial Establishments, Industrial Establishments, Institutional dormitories, hotels, motels and boarding houses.

"Owner" means any Person vested with ownership, legal or equitable, sole or partial, of any Improved Property.

"Person" means any individual, partnership, corporation, association, estate, trust, society or other group or entity.

"pH" means the negative logarithm of the concentration of hydrogen ions, expressed in grams per liter of solution, indicating the degree of acidity or alkalinity of a substance.

“Prohibited Discharge Standards or Prohibited Discharges” means absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section XIX of these regulations.

"ppm" means parts per million by weight.

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

"Sanitary Sewage" means normal water-carried household and toilet wastes from any Improved Property.

"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 Sewerage System which are not needed throughout the Sewerage System, such as pumping station, to provide adequate service; or (2) is provided with service through an extension of the sewer 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 sewer service by an extension of the Sewerage System financed or paid for by the Authority and is connected to the Sewerage System by the Authority.

"Sewer" means any pipe or conduit constituting a part of the Sewerage System used or usable for sewage collection purposes.

"Sewer Consumer" means an Owner of an Improved Property who applies for sewer service and enters into an agreement for sewer service with the Authority.

"Sewer Rental" means that quarterly charge for direct or indirect connection to the Sewerage System.

"Sewage System" or "Sewerage System" means all facilities as of any particular time, for collecting, pumping, transporting, treating, or disposing of Sanitary Sewage and Industrial Wastes, owned or to be owned by the Authority and the Treatment Plant. For the purposes of these regulations, "Sewage System and Sewerage System" shall also include any sewers that convey wastewaters to the Sewerage System from persons who are, by contract or agreement with the Authority, users of the Authority's Sewerage System.

"Significant Industrial User" means any Industrial User that contributes over 25,000 gallons per day and either: (1) contributes over 5% of the daily load for BOD, total suspended solids, ammonia, or total phosphorus, or (2) whose discharge composition is such that the Authority or other authorities having jurisdiction determines it poses risk of upset, by-pass, or interference to the Sewerage System or the Treatment Plant.



"Slug" means any discharge to the Sewerage System of a non-routine, episodic nature, including but not limited to an accidental spill or non-customary batch discharge, or which could cause a violation of the prohibited discharge standards of these Rates, Rules and Regulations. Without limiting the foregoing, a discharge of more than four times the normal flow or strength shall constitute a Slug.

"Suspended Solids" means total suspended solids, as determined pursuant to the procedure set forth in the latest edition of Standard Method for the Examination of Water and Wastewater, published jointly by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation.

"Tapping Fee" means a fee imposed under the authority of the Authorities Act to enable the recovery of the Authority's equity in the Sewerage System which shall be composed of a capacity part and a collection 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.

"Treatment Plant" means the sewage treatment plant and related facilities, including sewage transportation facilities owned by Lititz Sewer Authority and operated by the Borough of Lititz, and to which Sanitary Sewage and/or Industrial Wastes are discharged from the Sewerage System for ultimate treatment and disposal.

"User" means any person who contributes, causes or permits the contribution of wastewater into the Authority's Sewerage System.

## **SECTION II - REQUIRED CONNECTIONS TO THE SEWERAGE SYSTEM**

A. The Owner of any Improved Property Abutting the Sewerage 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 providing sanitary sewerage service 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 Sewerage 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 Sewerage System is in place which can provide sanitary sewerage service 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 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 an on-lot sewerage system on an Improved Property shall not be considered a basis for an exemption from the Mandatory Connection Ordinance.

**SECTION III - BUILDING SEWER CONNECTIONS**

A. No Person shall uncover, connect with, make any opening into or use, alter or disturb, in any manner, any Sewer or the Sewerage System without first making application for and securing a permit, in writing, from this 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 18, Part 1.

B. Application for a permit shall be made by the Owner of the Improved Property to be served or his duly authorized agent.

C. No Person shall make or cause to be made a connection of any Improved Property with a Sewer 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 Sewerage System.
2. Such Person shall have made application 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 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 a Sewer through a Building Sewer. Grouping of more than one Improved Property on one Building Sewer shall not be permitted, except under special circumstances and for good cause shown, 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 Sewer and all costs and expenses of connection of a Building Sewer to a Sewer shall be borne by the Owner of the Improved Property to be connected and such Owner shall indemnify and save harmless the Authority and the Township, from all loss or damage that may be occasioned, directly, or indirectly, as a result of construction of a Building Sewer or of connection of a Building Sewer to a Sewer.

F. A Building Sewer shall be connected to a Sewer at the place designated by this Authority and where the Lateral is provided. The invert of a Building Sewer at the point of a gravity connection shall be at the invert elevation plus one-half ( $\frac{1}{2}$ ) the diameter of the Sewer. Subject to the provisions of Section XXI herein, where any building drainage system is too low to permit gravity flow to the Lateral, the sewage flow from such building drainage system shall be lifted by an approved means and discharged through the Building Sewer.

G. Every Building Sewer of any Improved Property shall be maintained in a sanitary and safe operating condition by the Owner of such Improved Property.

H. 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 Sewer within the time frame set forth in such notice, this Authority may refuse to permit such Person to discharge Sanitary Sewage and Industrial Wastes into the Sewerage System until such unsatisfactory condition shall have been remedied to the satisfaction of the Authority.

I. Where an Improved Property, at the time connection to a Sewer is required, shall be served by its own sewage disposal system or device, the existing sewer line shall be broken on the structure side of such sewage disposal system or device and attachment shall be made, with proper fittings, to continue such sewer line as a Building Sewer, provided such Building Sewer complies with all requirements of the Authority. The Owner of the Improved Property shall have the burden to establish that the Building Sewer complies with all requirements of the Authority.

J. No Building Sewer shall be covered until it has been inspected and approved by this Authority. If any part of a Building Sewer is covered before so being inspected and approved, it shall be uncovered for inspection and testing at the cost and expense of the Owner of the Improved Property to be connected to a Sewer.

K. Building Sewers or Service Lines shall be subject at all times to the inspection and approval of the Authority or its duly authorized representative.

L. Service Lines shall in no case be less than four inches in diameter. Where double or multiple houses are permitted to be served by a common line under a special connection permit issued by the Authority, the double and multiple houses will be served with a six-inch line, unless a larger line for the multiple house is required by the Authority. An adapter approved by the Authority connecting the Service Line to the Lateral Sewer must be used.

M. All Service Lines shall be air tested in accordance with specifications available from the Authority.

N. Service Lines must be as direct as possible. Changes in direction must be made with wyes, combination wyes and eighth-bends or half wyes, or one-eighth bends. Any ninety-degree change in direction shall include a cleanout. Changes in size where the Lateral Sewer is connected to the Service Line shall be made only with fittings.

O. Ditches shall be promptly backfilled after inspection and approval by the Authority. Care shall be taken to prevent damage to the pipe in backfilling and to secure a well-compacted and firm trench.

P. Every excavation for a Building Sewer 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 Sewer Connection and shall be fully responsible for the protection of persons and property 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.

Q. On existing Improved Properties as distinguished from future properties to be improved, the Service Line shall be vented, trapped and a cleanout placed on the line beyond the building.

1. Vents: A vent shall be placed along the Service Line at a location acceptable to the Authority. Vent risers shall extend a minimum of six (6) inches and a maximum of twelve (12) inches above the ground surface and shall be capped with a mushroom vent or PVC vented cap. Vents shall be at least four inches in diameter.

2. Trap: A standard building trap shall be provided immediately after the vent. The trap size shall be the full size of the Service Line.

3. Cleanouts: A cleanout shall be placed immediately following the building trap. The cleanout shall consist of a line size wye branch with a riser of not less than six (6) inches extending to the surface where it is to be provided with a ferrule and plug for cleaning purposes. Cleanout shall be provided at least every seventy-five feet (75') and at each change in direction on the Building Sewer.

R. Upon completion of each service installation, the Authority is to be notified and an appointment made for inspection and testing. All pipes and pipe joints must be visible and accessible to the Authority. If the work is satisfactory, the permit, which must be on hand at the time of the inspection and testing, will be endorsed and returned to the Owner.

#### **SECTION IV - ACCESS, INSPECTION AND SURCHARGE**

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 Sewerage 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 Sewerage System for the purpose of inspection, examination of connections to the Sewerage System, observation, measurement, sampling and testing in accordance the Authority's Rates, Rules, and Regulations and to determine whether any prohibited wastes, discharges or connections exist. If any person shall refuse to permit inspection of connections, wastes or discharges to the Sewerage System, it shall be presumed that a connection, waste or discharge in violation of the Rates, Rules, and Regulations exists, and such Person shall be charged the penalty rate for an improper connection or discharge as set forth herein. Upon notice to an Owner that an improper connection, waste or discharge exists or is presumed to exist, a quarterly surcharge of thirty percent (30%) of the prevailing flat rate per quarter or other quarterly sewer bill is hereby imposed upon and added to every sewer billing for such property until the improper connection, waste, discharge or refusal to inspect is corrected. The Authority may in its sole discretion grant waivers from the surcharges where strict enforcement may cause undue hardship unique to the property or where the Owner was scheduled for disconnection of the improper connection but cannot do so due to circumstances beyond the Owner's control, such as unavailability of a plumber or inclement weather. The Authority also reserves 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 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 SEWER SERVICE**

No Person shall connect any Improved Property with any part of the Sewerage System without first making application for and securing a permit, in writing, from the Authority. Such application shall be made on a form to be provided by the Authority. The permit fee shall include the Authority's reasonable costs for administration and inspection to ensure that the Building Sewer of the Improved Property is connected to the Sewerage 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**

A Connection Fee as set forth herein is imposed upon and shall be collected by the Authority from the Owner of each Improved Property who or which shall physically connect such Improved Property to the Sewerage System for the costs of making such connection to the Sewerage System, such charge being authorized under the Authorities Act.

The amount of the Connection Fee for each individual connection to the Sewerage System shall be the actual cost incurred by the Authority, including the cost of inspection and restoration of the property. 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 of the Authority's actual costs in connecting Owner's Improved Property to the Sewerage System. In the event the actual expenses incurred by the Authority in connecting the Owner's Improved Property to the Sewerage 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 Sewerage 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 Sewerage 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 Sewerage 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 Nondomestic Establishment as set forth herein.

1. A Tapping Fee for use of the Sewerage System shall be calculated as follows:

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

Tapping Fee - Capacity Part  
Domestic Establishment                      Appendix A, Item 3(a)

Tapping Fee - Capacity Part  
Nondomestic Establishment  
(for each EDU)                                      Appendix A, Item 4(a)

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 Sewerage 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) Collection Part. A fee shall be imposed to recover the cost of collection facilities required to provide service to Domestic Establishments and Nondomestic Establishments as follows:

Tapping Fee - Collection Part  
Domestic Establishments                      Appendix A, Item 3(b)

Tapping Fee - Collection Part  
Nondomestic Establishment  
(for each EDU)                                      Appendix A, Item 4(b)

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 collection part imposed throughout the Sewerage System. Any Service Areas which have been established are set forth in Appendix A. The collection 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 collection 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 Sewer 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 to the Sewerage 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 each thereof having use of the Sewerage System through one sewer connection, then each such Domestic Establishment shall be charged the fee herein provided as though each Domestic Establishment had a direct and separate connection to the Sewerage 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 Nondomestic Establishment to the Sewerage System shall be based upon each EDU of sewage estimated to be discharged daily. If necessary, the discharge 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 sewer service to multiple Commercial Establishments and/or Industrial Establishments through one connection, the entire building or structure to be served by the Sewerage System shall be considered one Nondomestic 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 discharge, and the Authority shall thereafter adjust the Tapping Fee previously collected, either upward or downward, based on the actual discharge. The Owner of the Improved Property shall provide to the Authority any and all information required by the Authority to make such analysis. Discharge shall be determined by using the highest quarterly discharge. In the event the Authority is required to refund a Tapping Fee for Nondomestic Establishments, the refund, to the extent permitted by law, shall be reduced by reservation of capacity fees previously paid to the Authority. In no event shall the Tapping Fee for a Nondomestic Establishment be less than the Tapping Fee for one EDU. In the event the Authority is required to refund a Tapping Fee for Nondomestic Establishments there shall be no interest due or owing with regard to the refund.

6. Should any Owner of any Improved Property heretofore connected to the Sewerage System or hereinafter connected to the Sewerage 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 Nondomestic Establishment which causes an increase in sewer 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

When applicable, 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 and, if not installed by the Owner, the installation of a flowmeter and/or other monitoring facilities, if necessary, to monitor wastewater in accordance with any applicable rules and regulations of the Authority or of federal or state agencies.

1. If the Owner installs the flowmeter and/or other monitoring facilities, such installation shall be installed in accordance with generally accepted engineering practices and shall be reviewed and approved by the Authority. The Customer Facilities Fee in such instance shall be the actual cost of the flowmeter or monitoring device paid by the Authority.

2. If the Authority installs the flowmeter and/or other monitoring device, the Customer Facilities Fee in such instance shall be the actual cost of the flowmeter or monitoring device paid by the Authority, plus the actual cost to the Authority for the installation. The Owner of the Improved Property shall deposit with the Authority the sum in accordance with Appendix A, Item 10, to be placed in escrow in order to insure reimbursement of the Authority's actual costs in installing the

flowmeter or monitoring device. In the event the actual expenses incurred by the Authority in installing the flowmeter and associated facilities 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 is less than the escrow amount, the Authority shall refund such excess amount, without interest, to the Owner.

3. 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 Sewerage 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 Fees, Connection Fees or other fees for connection to the Sewerage 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 Sewerage System**

The Authorities Act permits the Authority to enter into agreements with developers concerning the extension of the Sewerage System. The Authority may, from time to time, enter into agreements with developers concerning the extension of the Sewerage System which will relate to the sharing of costs of improvements to the Sewerage System, the reimbursement to the developer of the collection 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 to 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 Sewerage System or the use, or availability for use, of the Sewerage 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. No connections or disconnections shall be made except with the approval of the Authority's authorized representative.
  
- B. A Customer contract shall be entered into upon connection of an Improved Property with the Sewerage System. Upon change of ownership of any Improved Property, a Customer contract for service between the new Owner and the Authority shall be filed.

**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 sewer service for any other property than that described in the contract.
  
- B. Damaging, either intentional or otherwise, any pipe or any other system appurtenance of Authority.
  
- C. Discharging prohibited wastes into the Sewerage System.

**SECTION IX - SEWER RENTALS AND CHARGES**

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

- A. For Domestic Establishments, Sewer Rentals and charges shall be imposed for each Domestic Establishment in accordance with Appendix A. Sewer Fees, Page A-1 - Item # Description 8 and Item # Description 9:

Sewer Fees Page A-1 - Item # Description 8 and Item # Description 9

- 1. In case of a combination of Domestic Establishments other than Mobile Home Courts and Apartment Complexes and each having the use of the Sewerage System through one or more sewer 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 Sewerage System.
  
- 2. With regard to Mobile Home Courts and Apartment Complexes, the Owner of each Improved Property may make one or more connections to the Authority's Sewerage System for which he will be subject to the minimum charge in

accordance with Appendix A, Item 8, per quarter for each mobile home pad located in the Mobile Home Court or each apartment located in the Apartment Complex.

B. For Nondomestic Establishments:

1. In the case of an Improved Property which does not have a water meter, each Nondomestic Establishment shall be charged minimum Sewer Rentals for each EDU purchased with regard to the Improved Property in accordance with Appendix A, Item 8. In the case of a combination of more than one Nondomestic Establishment and each having the use of the Sewerage System through one sewer connection, then 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 Sewerage System.

2. In the case of an Improved Property which does have a water meter, each Nondomestic Establishment shall be charged minimum Sewer Rentals for each EDU purchased with regard to the Improved Property in accordance with Appendix A, Item 8. In addition to the aforesaid minimum Sewer Rentals for each EDU purchased, each Nondomestic Establishment shall be charged Sewer Rentals computed in accordance with the following water meter rate schedule:

For each additional 1,000 gallons above 12,000 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 120,000 gallons, the Owner shall pay the additional Sewer Rentals set forth in Appendix A, Item 9.

C. Other than Owners of non-metered Improved Properties who were Customers prior to 1992, the Owner of the Improved Property must have a water meter installed, whether the Improved Property is served by a public water supplier or an on-lot source. The Authority reserves the right to require a particular type of water meter and the Authority reserves the right to inspect the water meter at all times.

D. In case of a combination of one or more Domestic Establishments and one or more Nondomestic Establishments and each having the use of the Sewerage System through one sewer 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 Sewerage System.

E. For service less than a full quarterly period, the listed rates will be prorated for the period of usage.

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

G. In the event that the Customer (or a representative of the Customer) requests that the Authority inspect, locate or provide materials needed to repair sewer 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 11. With regard to labor performed outside of normal Authority business hours (normal business hours for maintenance personnel being Monday through Friday, 7:00 a.m. until 3:00 p.m.), there shall be a minimum labor charge of two (2) hours.

**SECTION X - BILLING AND COLLECTION OF SEWER  
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 Sewerage System shall provide the Authority with such Owner's correct address. Failure of any person to receive bills for Sewer 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 sewer 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 sewer 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, and 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 29
April 1	April 29
July 1	July 29
October 1	October 29

If the end of such twenty-nine-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 sewer 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%). This 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 29	February 28
April 1	April 29	May 29
July 1	July 29	August 29
October 1	October 29	November 29

E. Sewer 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 sewer 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, sewer 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 Sewerage System.

**SECTION XI - LIENS FOR CONNECTION FEES  
AND SEWER 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 public water service.

**SECTION XII - RESPONSIBILITY OF OWNERS  
OF IMPROVED PROPERTIES**

A. The Owner of any Improved Property connected to the Sewerage 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 service lines and appurtenances furnished by Owner shall be maintained by him in good order. All leaks in the service line 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 Sewer owned by Customer or for damage done by sewage 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. Customer shall not tamper or permit tampering with or in any other way cause or permit injury to any property of the Authority.

**SECTION XIII - INFLOW AND INFILTRATION FROM PRIVATELY OWNED SEWER LINES**

A. The Authorities Act grants the Authority the right and power to do all acts and things necessary or convenient for the promotion of its business and the general welfare of the Authority to carry out the powers granted to it by the Authorities Act, including, but not limited to, the adoption of reasonable rules and regulations that apply to sewer lines located on a property owned or leased by a customer.

B. Inflow and Infiltration reduce the ability of the Sewerage System and Treatment Plant to transport and treat domestic sanitary sewerage and Industrial Wastes. Moreover, Inflow and Infiltration use up capacity in the Sewerage System.

C. Inflow and Infiltration entering the Sewerage System may cause sewer surcharging, sewage backups into homes and businesses, overflows of untreated sewage and inadequate treatment at the Treatment Plant, all of which increase the cost of operating the Sewerage System and Treatment Plant and adversely impact public health, welfare and the environment.

D. Every Person using the Sewerage System shall maintain in good condition and replace, if necessary, such Person's sewer service lines connected to the Sewerage System and/or such Person's privately-owned sewer collection system which is connected to the Sewerage System so that the sewer service lines and/or privately-owned sewer collection system will not permit Infiltration in excess of one hundred (100) gallons per day per inch diameter per mile of pipe for any section. By way of example, for a line ten (10) inches in diameter for the distance of two thousand (2,000) feet, the permissible Infiltration shall be three hundred seventy-eight (378) gallons per day. Any Infiltration in excess of three hundred seventy-eight (378) gallons per day shall be a violation of these Rates, Rules and Regulations.

E. No Person using the Sewerage System shall discharge, cause to be discharged or enable the discharge of any Inflow.

F. 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 serviced by the Sewerage System for the purpose of inspection, measurement, sampling, testing and other functions relating to Infiltration and Inflow. If any Person shall refuse to permit such inspection, measurement, sampling, testing and other functions relating to Infiltration and

Inflow, it shall be presumed that a violation of the Rates, Rules and Regulations exists, and such Person shall be charged the surcharges rate set forth herein. The Authority also reserves the right to maintain a civil action to abate and temporarily or permanently enjoin such Infiltration or Inflow, to terminate water service or to take any other action permitted by law.

G. All Persons identified by the Authority as contributors to Inflow and Infiltration in excess of the guidelines set forth herein shall be advised of such Inflow and Infiltration and such Person shall repair or replace the service line and/or privately-owned sewer collection system within sixty (60) days from the date of notification or within such other time schedule as may be prescribed by the Authority. If such Person shall fail to complete repairs or replacement to the satisfaction of the Authority within sixty (60) days from the date of notification or within such other time schedule as may be prescribed by the Authority, then in such instance:

1. a quarterly surcharge of thirty percent (30%) of the prevailing flat rate per quarter or other quarterly sewer bill is hereby imposed upon and added to every sewer billing for such property until the Inflow and/or Infiltration are corrected, provided, however, that if the Inflow and/or Infiltration are not corrected within one (1) year from the date of notification or within such other time schedule may be prescribed by the Authority, then the quarterly surcharge shall be increased to one hundred percent (100%) of the prevailing flat rate per quarter or other quarterly sewer bill until the Inflow and/or Infiltration are corrected;
2. the Authority may maintain a civil action to abate and temporarily or permanently enjoin such Infiltration and/or Inflow;
3. the Authority may seek a mandatory injunction requiring such Person to repair or replace the service line and/or privately-owned sewer collection system;
4. the Authority may terminate water service to the premises; and
5. the Authority may take any other action permitted by law.

**SECTION XIV - 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 XV - ADDITIONS TO AND CHANGES OF SEWER RENTALS AND 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 Sewer Rentals or charges therefor, or modifications of the schedule of Sewer Rentals or charges as set forth in these Rates, Rules and Regulations, which additional classifications and Sewer 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 Sewerage System, which rules and regulations shall be, shall become and shall be construed as part of the Rates, Rules and Regulations.

**SECTION XVI - AUTHORITY NOT LIABLE FOR DAMAGES**

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 sewer service temporarily in order to make necessary repairs, connections or modifications. In all events, the 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 or for any causes beyond its control.

**SECTION XVII - 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 December 15, 2009, as part of the Authority's Rates, Rules and Regulations.

## SECTION XVIII - MEASURING VOLUME

### A. Methods of Measuring Volume:

1. Whenever a Person purchasing all water used from the water supplier discharges Sanitary Sewage and/or Industrial Waste into the Sewerage System, the volume of water used as determined from meter readings made by or made available to the Authority shall be used in computing the Sewer Rentals.

2. In cases where Persons have sources of water supply in addition to, or other than from the Authority and discharge Sanitary Sewage and/or Industrial Waste into the Sewerage System, those Persons shall provide a meter on such additional or other sources of supply. The total amount of water used as shown by these meter readings will be used in computing the Sewer Rentals. If no such meter is installed, the Authority shall estimate the total amount of water used for the purpose of determining the Sewer Rentals.

3. In cases where Persons use water from the Authority and/or from any other source such that all or any part of the water so used is not discharged into the Sewerage System, the quantity of water used to determine the Sewer Rentals shall be computed by one of the following methods:

Method 1: By placing a meter or measuring device on the sewer connection. The readings from this meter or measuring device shall be used in computing the Sewer Rental.

Method 2: By placing a meter or measuring device on the effluent not discharging into the Sewerage System. The reading from this meter or measuring device will then be deducted from the total water meter readings and the remainder will be used in computing the Sewer Rentals.

Method 3: When in the opinion of the Authority it is not desirable or not practical to install devices to continuously determine the quantity of water not discharged to the Sewerage System, the Authority will determine, in such manner and by such method as it may prescribe, the percentage of metered water discharged into the Sewerage System and the quantity of water used to compute the Sewer Rentals shall be the percentage so determined of the quantity measured by the water meter or meters. Any dispute as to the estimated amount shall be submitted to the Authority for determination and its decision shall be final for the current calendar year.

B. Measuring Devices:

All meters or measuring devices shall be furnished and installed by the Property Owner at the expense of the Property Owner and shall be owned by, and under the control of, the Property Owner and may be tested or inspected by Authority employees whenever deemed necessary. The Authority may require quarterly calibration and certification of all meters or measuring devices. The Owner of the property upon which such measuring device is installed shall be responsible for its maintenance and safekeeping and all repairs thereto shall be made by the Authority at the property Owner's expense, whether such repairs are made necessary by ordinary wear and tear or other causes. Bills for such installation and repairs shall be due and payable at the same time and collected in the same manner as are the bills for sewer service; such bills from and after their due date shall constitute a lien upon the property upon which such measuring device is installed.

C. Meter Readings:

Authority shall be responsible for the reading of all meters or measuring devices, unless such readings are otherwise made available to the Authority by the water supplier, and they shall be made available to Authority employees for meter readings at any reasonable time.

**SECTION XIX - PROHIBITED WASTES, DISCHARGES AND CONNECTIONS**

A. All sewage and Allowable Industrial Waste may be discharged to the Sewerage System except those which the Authority deems harmful to the system or which are specifically prohibited by this Section. The Authority may from time to time amend these rules and regulations to specifically prohibit certain discharges, and these rules and regulations shall not be deemed to create any vested rights to any particular discharge.

B. No User shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which causes interference or pass-through. These general prohibitions apply to all such Users of the Sewerage System whether or not the user is subject to National Categorical Pretreatment Standards or any other national, state, or local pretreatment standards or pretreatment requirements.

C. Except as otherwise provided in this Section, no User shall discharge or cause to be discharged to the Sewerage System any sewage, Industrial Waste, pollutant or other matter or substance:

1. Having a temperature which will inhibit biological activity in the Treatment Plant resulting in interference and/or cause the temperature at the Treatment Plant to exceed 40°C. Additionally, no discharge shall exceed 60° C at the point of public connection.

2. Containing any liquids, solids, or gases which by reason of their nature or quantity, are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the Sewerage System or to the operation of the Treatment Plant, including, but not limited to, waste streams with a closed-cup flash point of less than 140° F. or 60° C. using the test methods specified in 40 CFR 261.21. At no time shall two successive readings on any explosion hazard meter, at the point of discharge into the system (or at any point in the Sewerage System), be more than 5% nor any single reading over 10% of the lower explosive limit (LEL) of the meter.
3. Containing unground garbage with particles greater than 1/2 inch in any dimension.
4. Containing solid or viscous substances which may cause obstruction to the flow in a Sewer or other interference with the operation of the Treatment Plant such as, but not limited to, ashes, cinders, spent lime, stone dust, sand, mud, straw, shavings, metals, glass, rags, grass clippings, feathers, tar, plastics, wood, whole blood, paunch manure, bentonite, lye, building materials, rubber, asphalt residues, hair, bones, leather, porcelain, china, ceramic wastes, polishing wastes, glass grinding or other solid or viscous substances capable of causing obstruction or other interference with the operation of the Sewerage System.
5. Having a pH less than 6.0 or more than 9.0 standard units or having any corrosive property capable of causing damage or hazard to or interference with structures, equipment, bacterial action or personnel of the Sewerage System.
6. Containing toxic or poisonous pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the Treatment Plant, or to exceed the limitation set forth in a categorical pretreatment standard. A toxic pollutant shall include, but not be limited to, any pollutant identified pursuant to Section 307(a) of the FWPC Act.
7. Containing BOD or total suspended solids concentration of such character and quantity that unusual attention or expense is required to handle such materials in the Treatment Plant.
8. Containing any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair.
9. Containing dye from any source that will not have an effluent the equivalent of that produced by alum coagulation and chlorination to remove suspended or colloidal matter and bleach the dissolved dyes.

10. Containing radioactive substances and/or isotopes of such half-life or concentration as may exceed limits in compliance with applicable state or federal regulations.
11. Having a chlorine demand of such quantity that unusual attention or expense is required to handle such materials at the Treatment Plant.
12. Prohibited by any permit issued by the Commonwealth of Pennsylvania or the United States Environmental Protection Agency or by any ordinance enacted by the Borough of Lititz.
13. Containing any substance which will cause the Treatment Plant to violate its NPDES permit and/or state permit or the receiving water quality standards.
14. Containing any substance which may cause the Treatment Plant's effluent or any other product of the Treatment Plant, such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the Sewerage System cause the Treatment Plant to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the FWPC Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act (42 U.S. Code, Chapter 82 – Solid Waste Disposal, 42 U.S.C. Section 6901 et seq.), or state criteria applicable to the sludge management method being used.
15. Containing wastes which are not amenable to biological treatment or reduction in existing treatment facilities, specifically non-biodegradable complex carbon compounds.
16. Causing a hazard to human life or public nuisance.
17. Containing total solids of such character and quantity that unusual attention or expense is required to handle such materials at the Treatment Plant.
18. Containing pollutants, including oxygen demanding pollutants (BOD, etc.) released at a flow rate and/or pollutant concentration which will cause interference to the Treatment Plant.
19. Containing fats, tars, greases, vegetable oil, petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass-through.
20. Containing pollutants which result in the presence of toxic gases, vapors or fumes within the Sewerage System in a quantity that may cause acute worker health and safety problems.

21. Containing any trucked or hauled pollutants, except at discharge points designated by the Authority.
22. Containing detergents, surface-active agents, or other substances which may cause excessive foaming in the Sewerage System or may cause interference or pass through the Treatment Plant.
23. Prohibited by federal or Pennsylvania law or regulations including the General Pretreatment Standards (40 CFR, Part 403) and Categorical Pretreatment Standards.
24. Containing any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair.
25. Containing concentrations of anions, cations, and other various objectionable substances in excess of the following local limits, measured in representative sample collected at the point of discharge to the Sewerage System:

<b>Parameter</b>	<b>Sample Type</b>	<b>Daily Maximum Allowable Concentration (local Limit) (mg/L)</b>
Ammonia	Composite	20.0 <sup>1</sup>
Arsenic	Composite	0.030
Biochemical oxygen demand (BOD-5)	Composite	250
Cadmium	Composite	0.020
Chromium, total	Composite	1.0
Chromium, Hexavalent	Composite	0.10
Copper	Composite	0.050
Cyanide	Grab	0.20
Dissolved Solids, total (TDS)	Composite	2,000

Parameter	Sample Type	Daily Maximum Allowable Concentration (local Limit) (mg/L)
Fluorides	Composite	1.50
Iron	Composite	5.00
Lead	Composite	0.075
Manganese	Composite	0.50
Mercury	Composite	0.01
Molybdenum	Composite	0.11
Nickel	Composite	0.25
Nitrogen, total	Composite	35.0 <sup>1</sup>
Oil and grease (O&G)	Grab	100
pH	Grab	6.0 to 9.0 s.u.
Phosphorus, total	Composite	6.0 <sup>1</sup>
Selenium	Composite	0.050
Silver	Composite	0.50
Suspended solids, total (TSS)	Composite	210
Temperature	Grab	40° C (At Headworks) 60° C (At Connection)
Zinc	Composite	0.10

<sup>1</sup> Monitor and report. Parameter subject to surcharge fees.

Provided, however, that deviations from the above schedule may be authorized by the Authority at its sole discretion, and with the consent of the Borough of Lititz, if applicable, upon an affirmative showing, by the Person requesting the same that such deviation will not be harmful to the Sewerage System or the Treatment Plant or cause the Treatment Plant effluent to violate its current NPDES discharge limitations. For the purpose of this Section, an allowable deviation may be granted by the Authority, provided that the corresponding total loading allocated for each objectionable substance does not exceed the maximum allowable industrial loading limit. Deviations granted by the Authority shall be incorporated in the Industrial User's discharge permit. In no event shall a deviation allow a discharge to occur that is below the federal pH standard of 5.0 S.U.

D. If any waters or wastes are discharged, or proposed to be discharged to the Sewerage System, which waters or wastes contain the substances or possess the characteristics enumerated and prohibited in this Section or which in the judgment of the Authority may have a deleterious effect upon the Sewerage System or receiving waters, the Authority may, upon giving official notice to the discharger:

1. Reject the waste.
2. Require pretreatment to reduce characteristics to daily maximum allowable concentrations permitted by this Section or any other applicable rules, law, or ordinance.
3. Require control over the quantities and rates of discharge.
4. Require immediate discontinuance of the waste discharge until such time as it meets the requirements of this Section.
5. The use of mechanical garbage grinders producing a finely divided mass, properly divided mass, properly flushed with an ample amount of water, shall be permitted upon the condition that no such mechanical garbage grinder to serve premises used for commercial purposes shall be installed until permission for such installation shall have been obtained from the Authority.
6. Where pretreatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the Owner at the Owner's expense and shall be accessible to the Authority for inspection and testing.
7. Upon the promulgation of the categorical pretreatment standards for a particular industrial subcategory, the general standard, if more stringent than limitations imposed under this Section for sources in that subcategory, shall immediately supersede the limitations imposed under this Section.



8. Modification of federal categorical pretreatment standards. Where the Treatment Plant achieves consistent removal of pollutants limited by federal categorical standards, the Treatment Plant may apply to the regulatory authority for modification of specific limits in the federal categorical standards.

9. State and Borough of Lititz requirements and limitations on discharge shall apply in any case where they are more stringent than federal requirements and limitations or those in this Section.

10. The Authority reserves the right to establish more stringent limitations or requirements on discharges to the Sewerage System if deemed necessary to comply with the objectives presented in this Section. Nothing in these rules and regulations shall be deemed to create any vested right in any User to a particular level, amount, concentration, characteristic or type of discharge.

11. No User shall ever increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the federal categorical pretreatment standards, or in any other pollutant-specific limitation developed by the Authority the Commonwealth of Pennsylvania, or the Borough of Lititz.

12. Each User shall provide protection from accidental discharge of prohibited materials or other substances regulated by this Authority, and from Slugs. Facilities to prevent Slugs or accidental discharge of prohibited materials shall be provided and maintained at the Owner's or User's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Authority for review and shall be approved by the Authority before construction of the facility. No User who commences contribution to the Sewerage System after the effective date of this Section shall be permitted to introduce pollutants into the Sewerage System until Slug and accidental discharge procedures have been approved by the Authority. Review and approval of such plans and operating procedures shall not relieve the User from the responsibility to modify the User's facility as necessary to meet the requirements of this Section. In the case of an accidental discharge or Slug discharge, it is the responsibility of the User to immediately telephone and notify the Authority of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions.

13. Any User required to develop and implement an accidental spill prevention and/or Slug control plan shall submit a plan which addresses, at a minimum, the following:

- (a) Description of discharge practices, including non-routine batch discharges;
- (b) Description of stored chemicals;

(c) Procedures for immediately notifying the Authority of any accidental or Slug discharges, including any discharge that would violate a prohibition under this Section, with procedures for follow-up written notification within five days;

(d) If required by the Authority procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic chemicals (including solvents), and/or measures and equipment for emergency response.

14. Within five days following an accidental or Slug discharge, the User shall submit to the Authority a detailed written report describing the cause of the accidental or Slug discharge and the measures to be taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability which may be incurred as a result of damage to the Sewerage System, including the Treatment Plant, fish kills, or any other damage to person or property; nor shall such notification relieve the User of any fines, civil penalties, or other liability which may be imposed by this Section or other applicable law.

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

16. Regarding the drainage of swimming pools, filter backwash lines shall be discharged to the Sewerage System as follows:

(a) Sand filter backwash may be discharged to the Sewerage System.

(b) Diatomaceous earth filter backwash shall be connected to the Sewerage System through settling tanks with three months' storage capacity of spent diatomaceous earth, which tanks shall be readily accessible for removing solid waste for disposal.

17. The removal, transportation and disposal of sewage and industrial waste into the Authority's system is expressly forbidden without written authorization. The Industrial Wastes discharged by tank trucks into the Sewerage System shall not contain industrial waste, chemicals, or other matter, with or without pretreatment that does not conform to the requirements of this Section.

18. Users shall design, construct, operate and maintain wastewater pretreatment facilities whenever necessary to reduce or modify the User's wastewater to achieve compliance with this Section, national pretreatment standards, pretreatment requirements, and conditions or limitations contained in the User's industrial waste discharge permit, or any sludge limitation imposed by federal, state or local authorities. The review or approval of pretreatment facility plans, specifications and operating procedures by the Authority or its consulting engineer shall not excuse or mitigate any violations by the User of this Section or any federal, state or local requirements, including ordinances enacted by the Borough of Lititz.

**SECTION XX - REGULATIONS GOVERNING ADMISSION  
OF INDUSTRIAL WASTES INTO THE SEWERAGE SYSTEM,  
INCLUDING RENTALS AND CHARGES**

A. Any Person desiring to make or to use a connection to the Sewerage System through which Industrial Wastes shall be discharged into the Sewerage System shall file with this Authority an application for a permit, including an Industrial/Commercial Wastewater Discharge Questionnaire, attached hereto as Appendix C, which shall supply to this Authority pertinent data, including estimated quantities of flow, characteristics and constituents, with respect to Industrial Wastes proposed to be discharged into the Sewerage System and shall obtain written permits from this Authority to do so before making or using such connection. The collection and analysis of samples of Industrial Wastes shall be made by or under the supervision of a professional engineer and/or a laboratory certified by the Pennsylvania Department of Environmental Protection. The cost of obtaining all such data shall be borne by the Person desiring to make or to use such a connection to the Sewerage System.

B. A significant industrial user ("SIU") may be required by the Authority to enter into a user agreement. Such user agreements will establish additional restrictions, surcharges, fees and pretreatment requirements as deemed necessary by the Authority for the protection of the Sewerage System and to provide for equitable cost sharing between users of the Sewerage System. The user agreement may establish specific sampling and monitoring requirements for the SIU. A SIU with a user agreement is subject to pay reasonable administrative, sampling and reporting fees incurred by the Authority in administering the user agreement. The Authority shall submit invoices and receipts to the SIU for reimbursement of such costs by the SIU.

C. Any Person who shall discharge Industrial Wastes into the Sewerage System, when required by this Authority, shall construct, at the expense of such Person, and thereafter shall properly maintain at the expense of such Person, a suitable control manhole and other devices as shall be approved by this Authority of Industrial Wastes discharged to the Sewerage System. Any such control manhole, when required by this Authority, shall be constructed at an accessible, safe, suitable and satisfactory location, in accordance with plans to be approved by this Authority prior to commencement of construction.

D. Industrial Users shall install fine screens to remove husks, hull, vegetable skins, peelings, threads, lint, grease and other such non settleable and floating solids, or other organic or inorganic substances, determined by this Authority to overload, impair the efficiency of or cause difficulties in operation of the Sewerage System.

E. Any Industrial User who is discharging or permitting to be discharged Industrial Wastes into the Sewerage System and who contemplates a change in the method of operation which will alter the composition of Industrial Wastes at the time being discharged into the Sewerage System shall notify this Authority, in writing, at least sixty (60) days prior to consummation of such change. No such change shall be consummated unless and until the Authority approves such change in writing.

F. Each Owner of an Improved Property granted permission to discharge Industrial Wastes into the Sewerage System shall provide all facilities, including, but not limited to sampling manhole and meter or meters as required by this Authority.

G. This Authority reserves the right to require the Owner of an Improved Property having large variations in rates of flow discharged to install suitable regulating devices for equalizing flows to the Sewerage System.

H. This Authority specifically reserves the right, from time to time, to establish and impose surcharges for Industrial Wastes discharged into the Sewerage System.

I. In the event Sanitary Sewage is combined with Industrial Wastes passing through the meter or meters provided for measuring the volume of Industrial Wastes, an estimate of the volume of Sanitary Sewage shall be granted as an allowance against the total volume measured in applying appropriate surcharge rates and charges for Industrial Wastes.

J. Any Person who makes a discharge whether directly or indirectly into the Sewerage System, including the Treatment Plant, in violation of the standards for Industrial Wastes adopted by the Authority or enacted by the Borough of Lititz (the "Errant Discharge") and the Owner of any Improved Property from which an Errant Discharge is made shall be jointly and severally liable for the payment of any surcharges for treating all wastes of greater strength or costing more to treat than normal domestic sewage and for the cost of any physical damage to the Sewerage System, including the Treatment Plant. The Person making the Errant Discharge and the Owner of the Improved Property from which the Errant Discharge is made shall also be jointly and severally responsible to pay and shall hold the Authority harmless from the payment of any surcharge imposed by the Borough of Lititz on the Authority.

**SECTION XXI - 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 sanitary sewer 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, vents or cleanouts, may be located within a paved or concrete surface.

**SECTION XXII - GRINDER PUMPS**

A. Use of grinder pump units will be approved on a case-by-case basis. The Authority reserves the right to require gravity installations wherever possible, including installation of special facilities by the Owner to facilitate gravity service.

B. In order to provide uniformity throughout the Sewerage System, all grinder pump systems must be of the size and type specified by the Authority.

C. Simplex (single) grinder pump units shall be used at Domestic Establishments, while either simplex or duplex (double) grinder pump units shall be utilized at Nondomestic Establishments.

D. The Owner of the Improved Property served by a grinder pump shall have the responsibility for installing, maintaining, operating, repairing, and replacing grinder pumps. Basic maintenance should include yearly inspection of the system and cleaning of any grease buildup which will inhibit the level controls on the pump operation. As the grinder pump system ages, maintenance should include inspection for: (i) excessive cutter wear; and (ii) seal and meter integrity. The controls for the system should be inspected annually for proper capacitor valves and integrity of the contactors, relay,

overloads and breakers. Items which may need to be replaced over the life of the system include pump cutters, seals and bearings, as well as control floats, capacitors, relays, contactors, overload and breakers. The required frequency of preventative maintenance will vary based on individual usage. To further the life of the grinder pump system, it is strongly suggested that you not utilize a garbage disposal system. If using a garbage disposal system, the Owner should inspect the pump semi-annually. An Owner should not dispose of oil and grease in the Sewerage System. For the Owner's protection, the Authority suggests that the Owner have an audio alarm system installed. In this way, the Owner may be alerted to a problem before any damage is done to the Owner's home. The Owner should also be aware that locating sewer lines in basements which are below the sewer main will expose the Owner to the possibility of damage resulting from sewage backup should the grinder pump system fail. **Failure of the grinder pump system is not the responsibility of the Authority.**

E. In order to be able to provide emergency assistance to Customers, the Authority has specified the Hydromatic Pump. This pump was chosen because most grinder pumps being utilized within the Township are of this make. Specifying the pump as part of its regulations provides uniformity and assures you that a pump will be readily available should you need it. If an Owner's grinder pump should fail, the Authority will provide to the Owner's plumber, at no cost and on a loan basis, a pump to operate the Owner's system. The loaner pump will be provided to Owner during the time Owner's pump is being repaired or replaced. The Owner's plumber shall execute a Grinder Pump Check-Out Form and Agreement, and the Owner shall execute a Grinder Pump Loan Agreement prior to installation of the spare grinder pump. Once the Owner's system has been put back into operation, the loaner pump must be serviced, at Owner's expense, prior to its return to the Authority. In an emergency situation, please contact the Authority office at 627-2379. The office is open from 8:00 A.M. to 4:30 P.M. Monday through Friday. An answering service will forward after-hours emergency calls to on-call personnel.

F. An Owner of an Improved Property served by a grinder pump shall put prospective purchasers of such Improved Property on notice of the grinder pump no later than the execution of the sales agreement, which sales agreement shall advise the prospective purchaser of his or her obligations pertaining to the grinder pump and which sales agreement shall also refer to and incorporate by reference a copy of the Authority's specifications and resolutions regarding grinder pumps.

G. The Authority shall have no responsibility for the purchase, operation, repair or replacement of grinder pumps.

### **SECTION XXIII - GREASE TRAPS**

A. All Nondomestic Establishments handling, processing or preparing food shall install a grease trap. Such grease trap shall meet the requirements of the Authority in terms of construction and access and be of sufficient volume, based upon flows, to provide separation of the grease contained in the flows of the Improved Property; however, in no event shall the volume be less than 500 gallons.

- B. The Owner of the Improved Property shall be responsible for maintenance of the grease trap.
- C. The Owner of the Improved Property shall submit certifications to the Authority on a quarterly basis (or more frequently, if required by the Authority). The certification shall indicate that the grease trap has been properly inspected and cleaned and shall be from a firm satisfactory to the Authority.
- D. Grease traps shall not be located within any structure and shall be easily accessible to the Authority for inspection.

**SECTION XXIV - APPEALS AND HEARINGS**

Any party aggrieved by an “adjudication” as that term is defined in the Local Agency Law, 2 Pa.C.S. § 101 et seq., may request a hearing before the Board of the Authority if no other specific hearing procedure exists. The request shall be in writing, shall reasonably describe the decision, determination, ruling, notice or other adjudication in question and the basis for disagreement with it, shall be signed by the person or persons aggrieved and contain the addresses and telephone numbers of the persons claiming to be aggrieved, and shall be filed with the Authority Administrator. The request shall be filed within 30 days of the date the party knew or reasonably should have first known himself or herself to be aggrieved. The Board of the Authority shall schedule a hearing and give reasonable notice thereof to all persons who have requested a hearing. The procedure shall thereafter be in accordance with the Local Agency Law.

**SECTION XXV - REMEDIES AND PENALTIES**

In addition to any other rights, remedies, and penalties set forth in these Rates, Rules and Regulations, the Authority may:

- A. Enter upon the property and correct the defect or make the necessary connection and charge the cost thereof against the owner or owners of the property and collect the same by lien or suit;
- B. Take legal action to compel the owner or owners or occupier or occupiers to correct the defect or make any required connection;
- C. Enter upon the property and shut off sewer service and restore the same only upon payment of the cost of shutting off and restoring service and of any work done by the Authority;
- D. Commence legal action to prohibit any discharge in violation of any applicable pretreatment, standards or requirements or which endangers the health or safety of the inhabitants of the service area;

- E. Petition the Court of Common Pleas of Lancaster County for the issuance of a temporary or permanent injunction, as appropriate, which restrains violations or compels the specific performance of the requirements imposed by these Rates, Rules and Regulations;
- F. Suspend a user's discharge whenever such suspension is necessary to stop an actual or threatened discharge which reasonably appears to present or cause an imminent or substantial endangerment to the health and welfare of persons;
- G. Reject the waters or wastes being discharged to the Sewage System;
- H. Require pretreatment to an acceptable condition for discharge to the Sewerage System;
- I. Require control over the quantities and rates of discharge;
- J. Require payment to cover added cost of handling and treating the wastes, including Industrial Wastes, not covered by existing sewer rates or charges;
- K. File municipal liens for amounts owing to the Authority;
- L. Request the Township to enforce ordinances applicable to the Sewerage System; or
- M. Pursue any or all of its remedies cumulatively.

Any Person who violates any provision of these Rates, Rules and Regulations shall be liable to the Authority for any expense, loss, damage, fine or penalty occasioned because of such violation.

#### **SECTION XXVI - SEVERABILITY**

If any section, paragraph, provision, word or appendix of or to these Rates, Rules and Regulations is invalidated by any court of competent jurisdiction, the remaining sections, paragraphs, provisions, words and appendices shall not be affected and shall continue in full force and effect.



APPENDIX A – SEWER FEES

<u>Item #</u>	<u>Description</u>	<u>System Wide</u>
1.	Cost of Permit	\$50.00
2.	Connection Fee (Escrow Deposit)	\$1,500.00
3.	Domestic Establishment Tapping Fee	
	(a) Capacity Part	\$5,413.63
	(b) Collection Part	<u>\$1,603.46</u>
	Total	\$7,017.09
4.	Nondomestic Establishment Tapping Fee	
	(a) Capacity Part	\$23.21 per gallon per day
	(b) Collection Part	<u>\$ 6.91 per gallon per day</u>
	Total	\$30.22 Total per gallon per day
5.	Special Purpose Fee	0
6.	Reimbursement Part	per individual Developer Extension Agreement
7.	Reconnection Fee	\$50.00
8.	Quarterly Charge Minimum Per EDU	\$83.45
9.	Each Additional 1,000 gallons over 12,000 gallon minimum	\$4.66
10.	Flow Meter	\$2,500.00
11.	Service Call Fee	\$75.00/hour
12.	Collection Agency Fee	Based on cost

**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.

a. **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@warwicktowship.org](mailto:wtma@warwicktowship.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:

1. Type of record, e.g. resolution, meeting minute, permit, contract, etc.
2. 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.
3. If applicable, subject matter of record, e.g. Sewage System resolution, contract, permit for specific property, etc.
4. 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.

5. 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.**

b. **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:

1. 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.
2. The request requires retrieval of records stored outside of the Authority offices.
3. 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.
4. 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.

5. The requester has not complied with Authority policies concerning access to public records.
6. The requester has refused to pay any applicable fee.
7. The extent or nature of the request precludes a response within the required time period.

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.

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

**c. 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.

**d. 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.

e. **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](mailto: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.



**APPENDIX C – SEWER**

**INDUSTRIAL/COMMERCIAL WASTEWATER DISCHARGE QUESTIONNAIRE**

WARWICK TOWNSHIP MUNICIPAL AUTHORITY  
INDUSTRIAL/COMMERCIAL WASTEWATER  
DISCHARGE QUESTIONNAIRE

SECTION A – GENERAL INFORMATION

A.1 Company name, mailing address, and telephone number:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Zip Code \_\_\_\_\_ Telephone No. (\_\_\_\_) \_\_\_\_\_

Fax No. (\_\_\_\_) \_\_\_\_\_

e-mail address \_\_\_\_\_

A.2 Address of production or manufacturing facility. (If same as above, check [ ].)

\_\_\_\_\_

\_\_\_\_\_

Zip Code \_\_\_\_\_ Telephone No. (\_\_\_\_) \_\_\_\_\_

Fax No. (\_\_\_\_) \_\_\_\_\_

e-mail address \_\_\_\_\_

A.3 Name, title, and telephone number of person authorized to represent this firm in official dealings with WTMA:

Name \_\_\_\_\_ Telephone No. (\_\_\_\_) \_\_\_\_\_

Title \_\_\_\_\_ Fax No. (\_\_\_\_) \_\_\_\_\_

e-mail address \_\_\_\_\_

A.4 Alternate person to contact concerning information provided herein:

Name \_\_\_\_\_ Telephone No. (\_\_\_\_) \_\_\_\_\_

Title \_\_\_\_\_ Fax No. (\_\_\_\_) \_\_\_\_\_

e-mail address \_\_\_\_\_

Note to Signing Official: In accordance with Title 40 of the Code of Federal Regulations Part 403 Section 403.14, information and data provided in this questionnaire which identifies the nature and frequency of discharge shall be available to the public without restriction. Requests for confidential treatment of other information shall be governed by procedures specified in 40 CFR Part 2 and the Pennsylvania Right-to-Know Law. Should a discharge permit be required for your facility, the information in this questionnaire will be used to issue the permit.

This is to be signed by an authorized official of your firm after adequate completion of this form and review of the information by the signing official.

I have personally examined and am familiar with the information submitted in this document and attachments. Based upon my inquiry of those individuals immediately responsible for obtaining the information reported herein, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and/or imprisonment.

\_\_\_\_\_ Date \_\_\_\_\_ Signature of Official  
(Seal if applicable)

A.5 Provide a brief narrative description of the manufacturing, production, or service activities your firm conducts. (Include flow sheets of the manufacturing processes).

---



---



---

A.6 Standard Industrial Classification Number(s) (SIC Code) for your facilities, if applicable:

---

A.7 This facility generates the following types of wastes (check all that apply):

		Average gallons per day		
		_____		
1.	<input type="checkbox"/> Domestic wastes (restrooms, Employee showers, etc.)	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
2.	<input type="checkbox"/> Cooling water, non-contact	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
3.	<input type="checkbox"/> Boiler/Tower blow downs	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
4.	<input type="checkbox"/> Cooling water, contact	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
5.	<input type="checkbox"/> Process	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
6.	<input type="checkbox"/> Equipment/Facility Wash down	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
7.	<input type="checkbox"/> Air Pollution Control Unit	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
8.	<input type="checkbox"/> Storm water runoff to sewer	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
9.	<input type="checkbox"/> Other (describe)	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured

Total A.8.1 – A.8.9      \_\_\_\_\_

A.8 Wastes are discharged to (check all that apply):

		Average gallons per day		
		_____		
<input type="checkbox"/>	Sanitary sewer	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/>	Storm water	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/>	Surface water	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/>	Ground water	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/>	Waste haulers	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/>	Evaporation	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/>	Other (describe)	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured

Provide name and address of waste hauler(s), if used.

---



---

A.9 Is a Spill Prevention Control and Countermeasure Plan prepared for the facility?  
 Yes     No    If Yes, a copy of the plan should be provided to WTMA.

A.10 Is a Slug Discharge Control Plan prepared for the facility?  
 Yes     No    If Yes, a copy of the plan should be provided to WTMA.

SECTION B – FACILITY OPERATION CHARACTERISTICS

B.1 Number of employee shifts worked per 24-hour day is \_\_\_\_\_.  
Average number of employees per shift is \_\_\_\_\_.

B.2 Starting times of each shift: 1<sup>st</sup> \_\_\_\_\_ am 2<sup>nd</sup> \_\_\_\_\_ am 3<sup>rd</sup> \_\_\_\_\_ am  
  pm                                      pm                                      pm

*Note: The following information in this section must be completed for each product line.*

B.3 Principal product produced: \_\_\_\_\_

B.4 Any raw materials and process additives used: (NOTE: a separate listing is required in addition to the material safety data sheets).

\_\_\_\_\_  
\_\_\_\_\_

B.5 Production process is:

Batch       Continuous       Both \_\_\_\_\_% batch \_\_\_\_\_% continuous

Average number of batches per 24-hour day \_\_\_\_\_

B.6 Hours of operation: \_\_\_\_\_ a.m. to \_\_\_\_\_ p.m.     continuous

B.7 Is production subject to seasonal variation?     Yes       No  
If yes, briefly describe seasonal production cycle.

\_\_\_\_\_  
\_\_\_\_\_

B.8 Are any process changes or expansions planned during the next three years?

Yes                             No

If yes, attach a separate sheet to this form describing the nature of planned changes or expansions.

SECTION C – WASTEWATER INFORMATION

C.1 If your facility employs processes in any of the 35 industrial categories or business activities listed below and any of these processes generate wastewater or waste sludge, place a check beside the category or business activity (check all that apply).

A. 35 Industrial Categories

- 1.  Adhesives
- 2.  Aluminum Forming
- 3.  Auto and Other Laundries
- 4.  Battery Manufacturing
- 5.  Coal Mining
- 6.  Coil Coating
- 7.  Copper Forming
- 8.  Electric and Electronic Components
- 9.  Electroplating
- 10.  Explosives Manufacturing
- 11.  Foundries
- 12.  Gum and Wood Chemicals
- 13.  Inorganic Chemicals
- 14.  Iron and Steel
- 15.  Leather Tanning and Finishing
- 16.  Mechanical Products
- 17.  Metal Moldings and Castings
- 18.  Nonferrous Metals
- 19.  Ore Mining
- 20.  Organic Chemicals
- 21.  Paint and Ink
- 22.  Pesticides
- 23.  Petroleum Refining
- 24.  Pharmaceuticals
- 25.  Photographic Supplies
- 26.  Plastic and Synthetic Materials
- 27.  Plastics Processing
- 28.  Porcelain Enamel
- 29.  Printing and Publishing
- 30.  Pulp and Paper
- 31.  Rubber
- 32.  Soaps and Detergents
- 33.  Steam Electric
- 34.  Textile Mills
- 35.  Timber

B. Other Business Activity

- Dairy Products
- Slaughter/Meat Packing/Rendering
- Food/Edible Products Processor
- Beverage Bottler
- Other (describe) \_\_\_\_\_

C.2 Pretreatment devices or processes used for treating wastewater or sludge (check as many as appropriate)

- Air flotation
- Centrifuge
- Chemical precipitation
- Chlorination
- Cyclone
- Filtration
- Flow equalization
- Grease or oil separation, type \_\_\_\_\_
- Grease trap
- Grit removal
- Ion exchange
- Neutralization, pH correction
- Ozonation
- Reverse osmosis
- Screen
- Sedimentation
- Septic tank
- Solvent separation
- Spill protection
- Sump
- Biological treatment, type \_\_\_\_\_
- Rainwater diversion or storage \_\_\_\_\_
- Other chemical treatment, type \_\_\_\_\_
- Other physical treatment, type \_\_\_\_\_
- Other, type \_\_\_\_\_
- No pretreatment provided

C.3 If any wastewater analyses have been performed on the wastewater discharge(s) from your facilities, attach a copy of the four (4) most recent laboratory results to this questionnaire. Be sure to include the date of the analysis, name of the laboratory performing the analysis, and location(s) from which sample(s) were taken (attach sketches, plans, etc., as necessary).

C.4 Provide a schematic flow drawing of all process wastewater, sanitary piping and stormwater piping from the facility. Note estimated quantities of flow from each process. If a site drawing is available, it should also be included with this application.

SECTION D – OTHER WASTES

D.1 Are any liquid wastes or sludges from this firm disposed of by means other than discharge to the sewer system?

Yes  No

If 'no', skip remainder of Section D.  
If 'yes', complete items 2 and 3.

D.2 These wastes may best be described as:

- Acids and Alkalies \_\_\_\_\_
- Heavy Metal Sludges \_\_\_\_\_
- Inks/Dyes \_\_\_\_\_
- Oil and/or Grease \_\_\_\_\_
- Organic Compounds \_\_\_\_\_
- Paints \_\_\_\_\_
- Pesticides \_\_\_\_\_
- Plating Wastes \_\_\_\_\_
- Pretreatment Sludges \_\_\_\_\_
- Solvents/Thinners \_\_\_\_\_
- Other Hazardous Wastes (specify) \_\_\_\_\_

D.3 For the above checked wastes, does your company practice:

- On-site storage
- Off-site storage
- On-site disposal
- Off-site disposal

Briefly describe the method(s) of storage or disposal checked above.