

CHAPTER 26

WATER

Part 1

Connection to Public Water System

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Part 1

Connection to Public Water System

§101. Definitions. As used in this Part, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

AUTHORITY -the North Lebanon Township Municipal Authority.

IMPROVED PROPERTY - any property within the Township of North Lebanon upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings, or for industrial use or for commercial use.

INDUSTRIAL ESTABLISHMENT - any improved property located within the Township of North Lebanon and used or intended for use, wholly or in part, for the manufacturing, processing, cleaning, laundering or assembling of any product, commodity or article.

LATERAL -

(1) Part of the water system extending from a main to the curb line or, if there shall be no curb line, extending to the property line or;

(2) If no such lateral shall be provided, lateral shall mean that portion of, or place in, a main which is provided for connection of any building.

MAIN - any pipe or conduit constituting a part of the water system used or usable for water distribution purposes.

OWNER - any person vested with ownership, legal or equitable, sole or partial, of any improved property.

PERSON - any individual, partnership, company, association, society, trust, corporation, municipality, municipal authority or other group or entity.

SERVICE AREA - the water service area shall be the area as shown on Exhibit "A" as may be amended by resolution of the North Lebanon Township Municipal Authority from time to time.

TOWNSHIP - the Township of North Lebanon.

WATER SYSTEM - all facilities, as of any particular time, for production, transmission, storage and distribution of water in the Township of North Lebanon owned by the North Lebanon Township Municipal Authority or the City of Lebanon Water Authority for maintenance, operation and use.

(Ord. 6-2002, 12/16/2002, §1)

§102. Use of Public Water System Required.

1. The owner of any improved property abutting upon the water system within the service area shall connect such improved property with and shall use such water system in such manner as the Authority may require within ninety (90) days after notice to such owner from the Township of North Lebanon to make such connection; subject to such limitations and restrictions as shall be established herein or otherwise shall be established by resolutions of the Township and the Authority. No owner shall be required to connect to the water system if the structure is located more than two hundred (200) feet from the service lateral.

2. The notice by the Township of North Lebanon to make connection to a main referred to in subsection (1) of this Section shall consist of a copy of this Part, including any amendments and/or supplements at the time in effect, or a summary of each section thereof, and a written or printed document requiring the connection in accordance with the provisions of this Part and specifying that such connection shall be made within ninety (90) days after the date such notice is given or served. Such notice shall be given or served upon the owner by regular and certified mail.

(Ord. 6-2002, 12/16/2002, §2)

§103. Building Mains and Connections.

1. No person shall uncover, connect with, make any opening into, use, alter or disturb, in any manner, any main or any part of the water system without first obtaining a permit in writing from the Authority.

2. Application for a permit required under subsection (1) of this Section shall be made by the owner of the improved property served or to be served with notice as provided in §102(1), or by the duly authorized agent of such owner.

3. No person shall make or shall cause to be made a connection of any improved property to a main until such person fulfills each of the following conditions:

A. Notify the Authority of the desire and intention to connect such improved property to a main;

B. Apply for and obtain a permit as required by subsection (1) of this Section and there shall be no charge for the permit;

C. Give the Authority at least forty-eight (48) hours notice before such connection will be made in order that the Authority may supervise and inspect or may cause to be supervised and inspected the work of connection and necessary testing; and,

D. Furnish satisfactory evidence to the Authority that any tapping (or connection) fee which may be charged and imposed by the Authority against the owner of each improved property who connects such improved property to a main has been paid or furnish satisfactory evidence that

the owner has entered into an agreement with the Authority to pay the applicable tapping fee.

4. Except as otherwise provided in this subsection (4), each improved property shall be connected separately and independently with a main through a building main. Grouping of more than one (1) improved property on one (1) building main shall not be permitted, except under special circumstances and for good cause shown, but then only after special permission of the Authority, in writing, shall have been secured and only subject to such rules, regulations and conditions as may be prescribed by the Authority.

5. All costs and expenses of construction of a building main and all costs and expenses of connection of a building to a main or a lateral shall be borne by the owner of the improved property to be connected; and such owner shall indemnify and shall save harmless the Township and the Authority from all loss or damage that may be occasioned directly or indirectly, as a result of construction of a building main or of connection of a building to a main or a lateral.

6. A building shall be connected to a main or a lateral at the place designated by the Authority and where, if applicable, the lateral is provided. A smooth, neat joint shall be made and the connection of a building main to the lateral shall be made secure and watertight. All connections to the main or lateral shall be subject to such regulations as are adopted by resolution of the Authority, and this shall include regulations relating to the continued use of a well on the subject premises.

7. If the owner of any improved property located within the Township of North Lebanon and abutting upon the water system, subject to the exception provided for in §102(1), after ninety (90) days notice from the Authority, in accordance with §102(1), shall fail to connect such improved property, the Authority may construct such connection and collect from such owner the costs and expenses thereof in any manner permitted by law, or the Authority and/or the Township may enforce the requirements to connect by a suit in equity, with all legal fees and costs of the Township and/or Authority to be paid by the owner.

8. Any owner, who fails to connect to the water line after ninety (90) days notice from the Authority, as provided herein, shall pay to the Authority the amount that the Authority has established by resolution for debt service and operation and maintenance of the system on the billing basis as set forth in the Authority resolution.

(Ord. 6-2002, 12/16/2002, §3)

§104. Regulations Governing Building Mains and Connections to Mains.

1. No building main shall be covered until it has been inspected and approved by the Authority. If any part of a water connection is covered before so being inspected and approved, it shall be uncovered for inspection, at the cost and expense of the owner of the improved property to be connected to a main.

2. Every connection from the building to the main shall be maintained in a sanitary and safe operating condition by the owner of such improved property.

3. Every excavation for a building main shall be guarded adequately with barricades and lights to protect all persons from damage and injury. Any street, sidewalk or other public property disturbed in the course of installation of the connection shall be restored, at the cost and expense of the owner of the improved property being connected. in a manner satisfactory to the Authority and the Township.

4. If any owner shall fail or shall refuse, upon receipt of a notice in writing of the Authority to remedy any unsatisfactory condition with respect to the connection within sixty (60) days of receipt of such notice, the Authority may require such remedy by a suit in equity against the person, with all legal fees and costs that are incurred by the Authority being paid by the owner.

5. The Township of North Lebanon and the Authority reserve the right to adopt, from time to time, additional rules and regulations that it shall deem necessary and proper relating to connections with the building, the main and with the water system, which additional rules and regulations, to the extent appropriate, shall be and shall be construed as part of this Part.

(Ord. 6-2002, 12/16/2002, §4)

§105. Appeals; Hardship. In the event any person shall deem the requirements to connect as provided in this Part a hardship, such person may appeal to the Authority for relief from such connection requirement, which appeal shall be heard in accordance with provisions of the Pennsylvania Local Agency Law. (Ord. 6-2002, 12/16/2002, §5)

§106. Penalties. Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction, thereof, be subject to pay a fine of not less than fifty dollars (\$50.00) and not more than six hundred dollars (\$600.00), and in default of payment, to imprisonment for a term not to exceed thirty (30) days. Each day that a violation of this Part continues shall constitute a separate offense. (Ord. 6-2002, 12/16/2002, §6)

