

Chapter 26

Water

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Part 1**Mandatory Connection****A. Cambria Township Water Authority****§26-101. Connection Mandatory.**

Every owner of property in the Township of Cambria whose property abuts upon any portion of the public water supply and distribution system owned and operated by the Cambria Township Water Authority (herein called the "Authority") in the near future shall connect, at their own cost, the house, building, or other structures located on said property with the aforementioned public water system.

(*Ord. 52, 8/1/1979, §1*)

§26-102. Unlawful Connections.

It shall be unlawful for any owner, lessee, or occupier of any property in the Township of Cambria abutting upon said public water system to employ any means of obtaining water for purposes of human consumption other than from said public water system.

(*Ord. 52, 8/1/1979, §2*)

§26-103. Duties of Township Secretary.

It shall be the duty of the Township Secretary or the authorized representative of the Authority to notify the owner, lessee, or occupier of each structure covered hereunder in writing, either by personal service, certified mail, or registered mail, to connect the same to said public water system, as herein provided, within 90 days after receipt of such notice. Any owner, lessee, or occupier of a structure who cannot comply with the provisions of this Section as to connection within the 90-day period stipulated above due to causes beyond his control shall apply to the Township Secretary or the Authority's authorized representative within said 90-day period for a time extension of up to 6 months in duration. Said application shall be made on a form to be furnished by the Township Secretary or the Authority and shall contain a voluntary agreement on the part of the applicant under which the applicant shall agree to commence paying the regular monthly water bill immediately even though actual connection to the public water system will not be accomplished until some later date within the said 6 month extension period.

(*Ord. 52, 8/1/1979, §3*)

§26-104. Unlawful Connections by Others.

It shall be unlawful for any person, firm, or corporation connected to the public water system to connect to or permit the connection by any other person, firm, or corporation which is not a part interest holder in the property or to use any other source of water supply for human consumption other than the public water system herein mentioned.

(*Ord. 52, 8/1/1979, §4*)

§26-105. Duties of Property of Owners.

No person, firm, or corporation not presently connected to the public water system shall make or cause to be made, any connection with the public water system until he has fulfilled all of the following conditions:

A. He shall make application to the Township Secretary or the Authority as the Township's agent, upon a permanent form to be formulated and supplied by the Township Secretary or the Authority, for permission to connect to the aforementioned public water system. Among other things, the applicant must state the character and use of each structure located on his property.

B. He shall pay the required tap connection fee as provided under the rules and regulations of the Authority.

C. No work shall commence before the payment of the aforesaid tap connection fee and issuance of the aforementioned connection permit.

D. He shall give the designated inspector of the Township or the Authority at least 24 hours notice of the time when such connection shall be made, in order that said inspector can be present to inspect and approve the work of connection. The inspector shall signify his approval of the connection by endorsing his name and the date of approval on the aforementioned connection permit in the possession of the permittees.

E. At the time of inspection of the connection, the owner or owners of the property shall permit the inspector full and complete access to all water system facilities in each building and in and about all parts of the property. No water connection line shall be covered over, or in any way concealed, until after it has been inspected and approved by said inspector.

(Ord. 52, 8/1/1979, §5)

§26-106. Connection According to Regulations.

The construction of all connections between the building and the public water system shall be done in accordance with the specifications plans and procedures established by the Authority in its "Water System Rules and Regulations," as the same may be from time to time published and amended, copies of which will, upon adoption of the Authority, be maintained on file with the Township Secretary and/or Authority's Secretary, or other designated representative.

(Ord. 52, 8/1/1979, §6)

§26-107. Noncompliance to Connect.

If the owner or owners of any houses, buildings, or structures in the Township shall neglect or refuse to comply with the provision of this Part 1A or the written notice as prescribed in §26-103 hereof, the Township or the Authority may perform or cause to be performed such work and labor and furnish or cause to be furnished such material as may be necessary to comply with the provisions of this Part 1A at the cost and expense of such owner or owners, together with 10 percent additional thereof on all charges and expenses incidental thereto, which sum shall be collected from said owner or owners for the use of the Township or the Authority as debts are by law collectible, or the Township or the Authority may, by its proper officer, file a municipal claim or

lien therefor against said premises as provided by law.

(*Ord. 52, 8/1/1979, §7*)

§26-108. Fines and Penalties.

In addition to any penalty herein above prescribed, any person, firm, or corporation failing to make the proper connection within the time specified, after receipt of proper notice as provided in §26-103 hereof, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not less than \$5 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 52, 8/1/1979, §8; as amended by Ord. 199, 2/9/2009*)

B. Blacklick Valley Municipal Authority**§26-111. Definitions.**

Unless the context specifically and clearly indicates otherwise, the meaning of terms and phrases used in this Part 1B shall be as follows:

Authority - the Blacklick Valley Municipal Authority, a municipality authority of the Commonwealth.

Building main - the extension from the water system of any structure to the lateral or a main.

Commonwealth - the Commonwealth of Pennsylvania.

Improved property - any property within the Township upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals, except those industries and farms which have their own supply of water for uses other than human consumption.

Lateral - that part of the water system extending from a main 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 main which is provided for connection with any building main.

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, municipality authority, or other group or entity.

Township - the Township of Cambria, Cambria County, Pennsylvania, a political subdivision of the Commonwealth, acting by and through its Board of Supervisors, or, in appropriate cases, acting by and through its authorized representatives.

Water system - all facilities, as of any particular time, for supply, transmission and distribution of water, owned and operated by the Blacklick Valley Municipal Authority.

(Ord. 166, 8/13/2001, §1.01)

§26-112. Use of Public Water System Required.

1. The owner of any improved property abutting upon any main constituting part of the water system, except those industries and farms which have their own supply of water (for use other than human consumption), shall connect such improved property with such main and shall use such water system, in such manner as the Authority may require, within 90 days after notice to such owner from this Township, or from the Authority on its behalf, to make such connection; subject, however, to such limitations and restrictions as shall be established herein or otherwise shall be established by the Blacklick Valley Municipal Authority, from time to time.

2. The notice by or on behalf of the Township to make a connection to a main, referred to in subsection .1, shall consist of a copy or summary of this Part 1B, including

any amendments and/or supplements at the time in effect, or a summary hereof and a written or printed document requiring the connection in accordance with the provisions of this Part 1B and specifying that such connection shall be made within 90 days after the date such notice is given or served. Such notice may be given or served at any time after the main that can deliver water to the particular improved property is in place. Such notice shall be given to or served upon the owner by personal service or by registered or certified mail to his/her last known address, or by such other means as shall be permitted by law.

(*Ord. 166, 8/13/2001, §§2.01 and 2.02*)

§26-113. Building Mains and Connections.

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

2. Application for a permit required under subsection .1 shall be made by the owner of the improved property served or to be served 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 with a main until such person shall have fulfilled each of the following conditions:

A. Such person shall have notified the Blacklick Valley Municipal Authority of the desire and intention to connect such improved property to a main.

B. Such person shall have applied for and shall have obtained a permit from the Blacklick Valley Municipal Authority as required in subsection .1.

C. Such person shall have given the appropriate representative of the Blacklick Valley Municipal Authority at least 48 hours notice of the time when such connection will be made so that the Authority may supervise and inspect or may cause to be supervised or inspected the work of connection and necessary testing.

D. If applicable, such person shall have furnished satisfactory evidence to the appropriate representative of the Blacklick Valley Municipal Authority that any applicable tapping, connection, and/or customer facility fee that may be charged and imposed against the owner of each improved property who connects such improved property to a main, have been paid.

4. Except as otherwise provided in this subsection, each improved property shall be connected separately and independently through a building main. Grouping of more than one improved property on one building main shall not be permitted, except under special circumstances and for good cause shown, but then only after special permission of the Blacklick Valley Municipal 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 main to a main shall be borne by the owner of the improved property to be connected; and such owner shall indemnify and shall save

harmless this 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 main to a main.

6. A building main shall be connected to a main or lateral at the place designated by the Authority. A smooth, neat, joint shall be made and the connection of a building main shall be made secure and watertight.

7. If the owner of any improved property located within the Township of Cambria and abutting upon any street in which there is a main constituting part of the water system, after 90 days notice from or on behalf of the Township, or from the Authority on its behalf, in accordance with §26-112.1, shall fail to connect such improved property, as required, this Township, or the Authority on its behalf, may enter upon such improved property and may construct such connection and may collect from such owner the costs and expenses thereof in the manner permitted by law.

(*Ord. 166, 8/13/2001, §§3.01–3.07*)

§26-114. Rules and 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 building main 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 building main of any improved property 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 a building main shall be restored, at the cost and expense of the owner of such improved property being connected, in a manner satisfactory to the Authority and this Township.

4. If any person shall fail or shall refuse, upon receipt of a notice of this Township or of the Authority, in writing, to remedy any unsatisfactory condition with respect to a building main within 60 days of receipt of such notice, the Authority may refuse to permit such person to be served by the water system until such unsatisfactory condition shall have been remedied to the satisfaction of the Township and the Authority.

5. The Blacklick Valley Municipal Authority shall have the right to adopt, from time to time, additional rules and regulations as it shall deem necessary and proper relating to connections with the water system.

(*Ord. 166, 8/13/2001, §§4.01–4.05*)

§26-115. Enforcement.

1. Any person who shall violate any provision of this Part 1B, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which

shall be found to have been violated shall constitute a separate offense.

2. This Part 1B may be enforced by the Township of Cambria and/or the Blacklick Valley Municipal Authority.

(*Ord. 166*, 8/13/2001, §§5.01–5.02; as amended by *Ord. 199*, 2/9/2009)

§26-116. Declaration of Purpose.

It is declared that enactment of this Part 1B is necessary for the protection, benefit, and preservation of the health, safety, and welfare of inhabitants of this Township.

(*Ord. 166*, 8/13/2001, §8.01)

C. Ebensburg Municipal Authority

§26-121. Definitions.

Unless the context specifically and clearly indicates otherwise, the meaning of terms and phrases used in this Part 1C shall be as follows:

Authority - the Ebensburg Municipal Authority, a municipality authority of the Commonwealth, its successors or assigns.

Building main - the extension from the water system of any structure to the lateral or a main.

Commonwealth - the Commonwealth of Pennsylvania.

Improved property - any property within the Cambria Township upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use requiring water by human beings or animals, except farm buildings which have their own supply of water for uses other than human consumption.

Lateral - that part of the water system extending from a main 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 main which is provided for connection with any building main.

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, municipality authority, or other group or entity.

Township - the Township of Cambria, Cambria County, Pennsylvania, a political subdivision of the Commonwealth, acting by and through its Supervisors, or, in appropriate cases, acting by and through its authorized representatives.

Water system - all facilities, as of any particular time, for supply, transmission and distribution of water, owned and/or operated by the Ebensburg Municipal Authority.

(Ord. 190, 8/28/2006, §1.01)

§26-122. Use of Public Water System Required.

1. The owner of any improved property abutting upon any main constituting part of the water system except those industries and farms which have their own supply of water for use other than human consumption, shall connect such improved property with such main and shall use such water system, in such manner as the Authority may require, within 90 days after notice to such owner for this Township, or from the Authority on its behalf, to make such connection; subject, however, to such limitations and restrictions as shall be established herein or otherwise shall be established, from time to time, by Ebensburg Municipal Authority.

2. The notice by or on behalf of the Township to make a connection to a main, referred to in subsection .1, shall consist of a copy or summary of this Part 1C, including

any amendments and/or supplements at the time in effect, or a summary hereof and a written or printed document requiring the connection in accordance with the provisions of this Part 1C and specifying that such connection shall be made within 90 days after the date such notice is given or served. Such notice may be given or served at any time after the main that can deliver water to the particular improved property is in place. Such notice shall be given to or served upon the owner by personal service or by registered or certified mail to his/her last known address, or by such other means as shall be permitted by law.

(*Ord. 190, 8/28/2006, §§2.01 and 2.02*)

§26-123. Building Mains and Connections.

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

2. Application for a permit required under subsection .1 shall be made by the owner of the improved property served or to be served or by the duly authorized agent if such owner.

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

A. Such person shall have notified the Ebensburg Municipal Authority of the desire and intention to connect such improved property to a main.

B. Such person shall have applied for and shall have obtained a permit from the Ebensburg Municipal Authority, as required in subsection .1.

C. Such person shall have given the appropriate representative of the Ebensburg Municipal Authority, at least 48 hours notice of the time when such connection will be made so that the Authority may supervise and inspect or may cause to be supervised or inspected the work of connection and necessary testing.

D. If applicable, such person shall have furnished satisfactory evidence to the appropriate representative of the Ebensburg Municipal Authority, that any applicable tapping, connection and/or customer facility fee that may be charged and imposed against the owner of each improved property who connects such improved property to main, have been paid.

4. Except as otherwise provided in this subsection, each improved property shall be connected separately and independently through a building main. Grouping of more than one improved property on one building main shall not be permitted, except under special circumstances and for good cause shown, but then only after special permission of the Ebensburg Municipal 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 main to a main shall be borne by the owner of the improved property to be connected; and such owner shall identify and shall save harmless this Township and 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 main to a main.

6. A building main shall be connected to a main or lateral at the place designated by the Authority. A smooth, neat, joint shall be made and the connection of a building main shall be secure and watertight.

7. If the owner of any improved property located within the Township of Cambria and abutting upon any street in which there is a main constituting part of the water system, after 90 days notice from or on behalf of the Township, or from the Authority on its behalf, this Township, or the Authority on its behalf, in accordance with §26-122.1, shall fail to connect such improved property, as required, this Township, or the Authority on its behalf, may enter upon such improved property and may construct such connection and may collect from such owner the costs and expenses thereof in the manner permitted by law.

(*Ord. 190, 8/28/2006, §§3.01–3.07*)

§26-124. Rules and 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 building main 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 building main of any improved property 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 a building main shall be restored, at the cost and expense of the owner of such improved property being connected, in a manner satisfactory to the Authority and this Township.

4. If any person shall fail or shall refuse, upon receipt of a notice of this Township or of the Authority, in writing, to remedy any unsatisfactory condition with respect to a building main within 60 days of receipt of such notice, the Authority may refuse it permit such person to be served by the water system until such unsatisfactory condition shall have been remedied to the satisfaction of the Township and the Authority.

5. The Ebensburg Municipal Authority shall have the right to adopt, from time to time, additional rules and regulations as it shall deem necessary and proper relating to connections with the water system.

(*Ord. 190, 8/28/2006, §§4.01–4.05*)

§26-125. Enforcement.

1. Any person who shall violate this Part 1C, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense. [*Ord. 199*]

2. This Part 1C may be enforced by the Township of Cambria and/or the Ebensburg Municipal Authority.

(*Ord. 190, 8/28/2006, §§5.01–5.02; as amended by Ord. 199, 2/9/2009*)

§26-126. Declaration of Purpose.

It is declared that enactment of this Part 1C is necessary for the protection, benefit, and preservation of the health, safety, and welfare of inhabitants of this Township.

(*Ord. 190, 8/28/2006, §8.01*)