

RULES AND REGULATIONS
FOR
WATER AND SEWER SERVICE
IN THE
TOWNSHIP OF EVESHAM
BURLINGTON COUNTY, NEW JERSEY

THE EVESHAM MUNICIPAL UTILITIES AUTHORITY

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RULES AND REGULATIONS

SECTION I

RULES APPLICABLE TO BOTH WATER AND SEWERAGE SERVICE

101. DEFINITIONS

Unless the context specifically indicates otherwise, the following terms and phrases, as used in these Rules and Regulations, shall have the following meanings:

A. **"Alternate Day Basis"**. The permitted use of water by those customers located North of Route 70 on the odd days of each month and by those customers South of Route 70 on the even days and by all customers on the 31st day of each month during months which water use restrictions remain in effect.

B. **"Applicant", "Customer", "Owner" or "User"**. Any person, corporation or organization applying or contracting for water or sewer connections or for the use, products, or services of the water or sewer systems, or who uses said services of the water or sewer systems, or who uses said services or who is the owner or occupant or both of any real property which directly or indirectly has been connected to the water or sewer system or to which directly or indirectly has been furnished or supplied the use, products or services of the water or sewer system or water or sewer services, facilities or products.

C. **"Authority"**. The Evesham Municipal Utilities Authority.

D. **"Daily Average"**. A flow proportioned average over a single day period of operation of a facility.

E. **"Discharge"**. The releasing, spilling, leaking, pumping, pouring, emitting, emptying, or dumping of a pollutant into the waters of the State or onto the land or into wells from which the pollutant might flow or drain into said waters, and shall include the releasing, spilling, leaking, pumping, pouring, emitting, emptying or dumping of any pollutant into the Authority's treatment works.

F. **"Domestic Wastewater"**. Wastewater discharge as defined in the Authority's Wastewater Discharge Regulations.

G. **"EDU"**. "Equivalent dwelling unit" and shall be equal to a dwelling unit using the average daily wastewater flow as calculated annually by the Authority.

H. **"Executive Director"**. The person appointed as the Executive Director of the Authority, including his or her designee, or in the absence of an Executive Director, such other person as may be designated by the Authority, or in the absence of such designation, the Authority itself.

I. **"Fire Marshal"**. The person appointed as the Fire Marshal by the Board of Fire Commissioners, including his or her designee, or in the absence of a Fire Marshal, such other person as may be designated by the Board of Fire Commissioners, or in the absence of such a designated person, the Board of Fire Commissioners itself.

- J. **"Garbage"**. Solid wastes from the domestic and commercial preparation, cooking, dispensing, handling, storage or sale of food.
- K. **"Industrial User"**. Any person who discharges nondomestic wastewater into the treatment works of the Authority.
- L. **"Main"**. The Authority-owned or leased piping and appurtenances, in or along public highways and streets, or along privately owned rights-of-way, used for the transmission or distribution of water to or for the collection of domestic sewage or industrial wastes from its customers.
- M. **"New service"**. Any water or sewer connection which had not previously been made or which requires a main extension permit from NJDEP.
- N. **"NJDEP"**. The New Jersey Department of Environmental Protection.
- O. **"Nondomestic Wastewater"**. Wastewater other than domestic wastewater, as defined in the Authority's Wastewater Discharge Regulations.
- P. **"Nonresidential Customer"**. Customer other than a residential customer.
- Q. **"Person"**. Any individual, firm, company, partnership, corporation, association, group or society, including the United States of America, the State of New Jersey, and agencies, districts, commissions and political subdivisions created by or pursuant to State law, and Federal agencies, departments or instrumentalities thereof.
- R. **"Pollutant"**. Any dredged spoil, solid waste, holding tank waste, incinerator residue, sewage, garbage, refuse, oil, grease, sewage sludge, septage, munitions, chemical wastes, biological materials, radioactive substance, thermal waste, wrecked or discarded equipment, reek, sand, cellar dirt, and industrial, municipal or agricultural waste or other residue directly or indirectly discharged into the waters of the State.
- S. **"Residential customer"**. A customer who is provided water or sewer service to a single-family detached dwelling, a single condominium, townhouse, mobile-home or apartment unit or a single residential unit designed to house one family unit.
- T. **"Rules and Regulations"**. These rules and regulations, along with the Wastewater Discharge Regulations of the Authority, which are incorporated herein.
- U. **"Sewage"**. The water-carried wastes created in and carried, or to be carried, away from, or to be processed by on-site wastewater systems, residences, hotels, apartments, schools, hospitals, industrial establishments, or any other public or private building, together with such surface or groundwater and industrial wastes and leachate as may be present.

V. **“Sewerage System”**. The plants, structures, on-site wastewater systems and other real and personal property acquired, constructed or operated or to be acquired, constructed, maintained or operated by the Authority or by any person to whom the Authority has extended credit for this purpose or for the purposes of the Authority, including sewers, conduits, pipelines, mains, pumping and ventilating stations, sewage treatments or disposal systems, plants and works, connections, outfalls, compensating reservoirs, and other plants, structures, boats, conveyances, and other real and personal property, and rights therein, and appurtenances necessary or useful and convenient for the collection, treatment, purification or disposal in a sanitary manner of any sewage, liquid or solid wastes, night soil or industrial wastes.

W. **“State”**. The State of New Jersey.

X. **“Statute”**. The New Jersey Municipal and County Utilities Authority Law, N.J.S.A. 40:14B-1, et seq.

Y. **“Treatment Works”**. Any device or system, whether public or private, used in the storage, treatment, recycling, or reclamation of municipal or industrial waste of a liquid nature, including intercepting sewers, outfall sewers, sewage collection systems, cooling towers and ponds, pumping, power and other equipment and their appurtenances; extensions, improvements, remodeling, additions, and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; any other works including sites for the treatment process or for ultimate disposal of residues resulting from such treatment. Additionally, "treatment works" means any other method or system for preventing, abating, reducing, storing, treating, separating, or disposing of pollutants, including storm water runoff, or industrial waste in combined or separate storm water and sanitary sewer systems.

Z. **“Wastewater”**. Sewage, whether treated or untreated, which is discharged into or permitted to enter the Authority’s treatment works.

AA. **“Wastewater Discharge Regulations”**. The Wastewater Discharge Regulations adopted by the Authority and which provide uniform requirements, limitations and prohibitions for all discharges into the wastewater collection and treatment system of the Authority, authorize monitoring and enforcement activities, require industrial user reporting and provide for a permit system for industrial users.

BB. **“Water System”**. The plants, structures and other real and personal property acquired, constructed or operated or to be acquired, constructed or operated by the Authority or by any person to whom the Authority has extended credit for this purpose or for the purposes of the Authority, including reservoirs, basins, dams, canals, aqueducts, standpipes, conduits, pipelines, mains, pumping stations, water distribution systems, compensating reservoirs, waterworks or sources of water supply, wells, purification or filtration plants or other plants and works, connections, rights of flowage or division, and other plants, structures, boats, conveyances, and other real and personal property, and

rights therein, and appurtenances necessary or useful and convenient for the accumulation, supply or distribution of water.

102. RESPONSIBILITY FOR SERVICE

A. It is a condition of providing service that the Authority does not assume any liability as insurer of person, property or economic loss, and that the Authority does not guarantee any service, pressure, capacity, treatment or facility to any customer. It is a condition of providing service that the Authority shall be free and exempt from any and all claims for injury to any persons, or property, or for economic loss, by reasons of fire, water damage, or the failure to supply water pressure or capacity or wastewater treatment services or capacity.

B. Any customer that may require, as part of its operations, guaranteed water service, pressure, capacity or wastewater treatment service shall be responsible for making alternative arrangements for service or for constructing any special appurtenances that may be necessary to guarantee service in the event that the Authority cannot provide its ordinary and customary services.

103. APPLICATIONS FOR WATER AND SEWER SERVICE

A. Applications for Service in General

1. No application for service shall be approved by the Authority until the applicant has paid all fees and charges which were due by the applicant for any prior services.

2. The approved application shall constitute a contract between the Authority and the applicant, obligating the applicant to pay to the Authority its rates as established from time to time and to abide by and comply with its rules and regulations.

3. Prior to the submission of an application for service, it is the responsibility of the customer to inspect and examine all laterals, pipes and fixtures on the customer's property to determine whether they are in good condition. An application for service shall constitute a representation by the customer that the inspection has been made and that the appurtenances have been found to be in good condition. The Authority shall not be liable for any accident, breaks, leakage or damage arising in any way from the supplying or failing to supply water, or from freezing of water pipes or fixtures of the customer, nor for any damage to the property which may result from water supplied to the premises.

4. All nonresidential users that apply for service shall provide the following information to the Authority, in addition to other information required by the various applications:

- a. Detailed description of the type and size of buildings.
- b. The nature of the business to be conducted in each structure.
- c. The number and type of fixtures to be served.
- d. The type, volume, and chemical characteristics of the wastewater to be discharged.
- e. Six (6) copies of plans showing:
 - i. The boundaries of the property.
 - ii. The location within the property of the structures to be served.
 - iii. The location and profile, with respect to finished grade, of the services.
 - iv. Details of the proposed connections to the water and sewerage systems, and arrangements and details of meter installation.
- f. Other such information as may be required by the Authority's Wastewater Discharge Regulations.

5. All completed applications for water and sewer permits shall be approved on a first-come, first-served basis. The obligation of the Authority to approve completed applications for water and sewer permits is contingent upon the availability of capacity both at the plants and in the mains.

6. The Authority shall not approve W-4 water or S-4 sewer permit applications until such time as the Authority is in receipt of all necessary approvals from NJDEP or any other municipal, State or Federal agency which may be required (except for a municipal building permit).

B. Applications for New Service

1. All applicants for new service must submit a complete application for service to the Authority. As used in these rules and regulations, "a complete application" for construction of or connection to the sanitary sewer or water system facilities shall include and be defined as the following:

- a. S-1/W-1 Application. Preliminary planning board approval shall be required prior to submission of the S-1/W-1 application to the Authority. The fully completed S-1 - "Application for Sewerage Service" and W-1 - "Application for Water Service" (S-1/W-1) shall be submitted in triplicate, and which shall have attached six

(6) copies of all conceptual engineering plans and reports and shall be accompanied by an application fee and a conceptual review fee in the amounts stated in the Rate Schedule for each equivalent dwelling unit receiving sewer or water service. The conceptual engineering plans and reports which are required to be submitted with the S-1/W-1 applications shall be in accordance with, and must comply in every respect to, the rules, regulations and specifications of any State or Federal agency asserting jurisdiction over sewerage and water services and shall be in a minimum scale of one inch (1") equals 200 feet. The S-1/W-1 applications must be approved by the consulting engineer to the Authority and by the Authority itself as a condition precedent to the submission of an S-2/W-2 "Service Agreement" to the Authority.

b. S-2/W-2 Agreement. The fully completed and executed S-2/W-2 "Service Agreement" shall be submitted in triplicate. Compliance with each and every term, condition and stipulation contained within the executed S-2/W-2 Service Agreement including, but not limited to, compliance with Authority rules, regulations and specifications, and payment of all fees shall be conditions precedent to the submission or approval of an S-3/W-3 "Application for Approval of Sewer/Water Construction Plans".

c. S-3/W-3 Application. Final Planning Board approval shall be required prior to submission of an S-3/W-3 application to the Authority. The application for connection to or construction of facilities for the collection, treatment or disposal of sewage shall be submitted on an S-3 "Application for Approval of Sewer Construction Plans". An application for construction of a water treatment facility or a water distribution system shall be submitted on a W-3 "Application for Approval of Water Construction Plans". The combined applications shall be referred to as an S-3/W-3 application. The engineering plans which are required to be submitted with the S-3/W-3 application shall be in accordance with, and must comply in every respect to, the rules, regulations and specifications of any State or Federal agency asserting jurisdiction over sanitary sewer services or water services. All submitted plans shall be in a minimum scale of one inch (1") equals fifty feet (50') and profiles in a minimum scale of five feet (5') vertical to fifty feet (50') horizontal. The S-3/W-3 application shall have accompanying it sufficient additional escrow fees, as well as six (6) copies of the sewer and water construction plans and profiles, prior to being determined complete. The plans and profiles shall also include all other underground utilities and appurtenances such as water and sewer mains, storm sewers, gas and electric as may be applicable. Additional escrow fees shall be posted according to the Rate Schedule.

2. Upon submission to the Authority of a completed S-3/W-3 application, the Authority shall approve or disapprove the application within 90 days of the date that the application is certified as completed. No application, except as otherwise provided below, shall be considered complete until all applicable fees are paid and escrow deposits made.

- a. For commercial, retail, industrial, or other non-residential users, where the estimated connection fees exceed \$100,000.00, the EMUA does hereby authorize the execution of an Agreement establishing a payment schedule, thereby allowing the applicant to move forward with improvements and construction. Said payments shall be made as follows:
 - (1) 50% of the full amount of the connection fee due shall be paid at the time of the application and before same can be deemed complete;
 - (2) the balance shall be paid prior to the issuance of a temporary certificate of occupancy, a certificate of occupancy, and/or the commencement of any business operations at the site, but in no event later than fifteen (15) months from the date the application is deemed conditionally complete, whichever first occurs.
 - b. The Agreement shall contain a requirement that in the event the connection fees increase between the time of the execution of said Agreement, and the time that the business begins operation, the applicant shall be required to pay the enhanced fees in effect at the time of operation. The Agreement shall also provide that, in the event the EMUA is required to seek legal remedies to enforce its rights under the Agreement, that the applicant shall be responsible for all costs and fees incurred by the EMUA in protecting its rights and in enforcing its rights in protecting its interests.
 - c. The foregoing shall apply only to connection fees, Escrow deposits shall be required to be paid in full, and performance bonds acceptable to the EMUA Administrator shall be posted before an application can be deemed complete.3. The Authority reserves the right to extend the time for the aforesaid approval or disapproval for a period not to exceed thirty (30) days by adoption of an appropriate resolution.
3. The Authority reserves the right to extend the time for the aforesaid approval or disapproval for a period not to exceed thirty (30) days by adoption of an appropriate resolution.
4. Failure of the Authority to approve or disapprove the application for construction within such time shall constitute approval of the application and consent of the Authority to the construction of the treatment works. In the event that the Authority fails to approve or disapprove the application within time, the application shall be marked "Approved Because of Failure to Act Within the Time Limitations Imposed by Law". Such approval shall not be binding upon any State or Federal agencies which may assert jurisdiction over the review and approval of plans. In the event that the application for construction is rejected by any State or Federal agency asserting jurisdiction, the application is returned as disapproved, the applicant shall submit an amended application to the Authority for review and approval containing the changes, modifications or corrections requested by the Federal or State agency. In such case, the time limitations for

approval by the Authority of the amended application shall begin again, once the application is certified as complete by the Authority, pursuant to the provisions contained herein.

5. No application for construction of any water or sewer facilities shall be sent to NJDEP for approval until such time as said application has first been approved by the Authority.

6. The applicant must obtain all W-1, W-2, W-3 and S-1, S-2 and S-3 approvals, all treatment works approvals from NJDEP, and all other necessary approvals from NJDEP or any other municipal, State or Federal agency which may be required (except for a municipal building permit) before the applicant can submit an application for W-4 and S-4 connection permits to the Authority.

7. Notwithstanding anything contained in this rule, in the event that an application for new service is made for water for property which abuts existing water mains, or for sewer service for property which abuts existing sewer mains, and no treatment works approvals or main extension permits are necessary, the Authority reserves the right to waive the requirements of the W-1, W-2, W-3 or S-1, S-2 or S-3 procedures including payments of the fees associated with those procedures. In such case, the applicant may proceed with the submission of W-4 and S-4 applications for permits with payment of appropriate fees.

C. Applications for Additional Capacity

1. An application for additional capacity must be made by an existing nonresidential customer whenever there is any physical or operational change, associated with an increase in estimated, projected flow of either water to, or sewer from, any building, facility or structure for which a building, permit, site plan, subdivision or other municipal approval is required.

2. If an application for additional capacity does not require that a treatment works approval or main extension permit be issued by NJDEP, then the Authority may, in its discretion, waive the W-1 and W-2 and S-1 and S-2 procedures and allow the applicant to submit W-3 or S-3 applications with engineering plans, reports and required fees as a condition precedent to submission of W-4 and S-4 applications.

3. An additional connection fee shall be charged to the applicant based upon the increase in estimated flow associated with the physical or operational change.

D. Application for Service Based Upon Change in Ownership.

1. An application for service which is based solely upon a change in ownership shall be made by the new owner upon forms prescribed by the Authority and may be made by mail.

E. Applications for Reinstatement of Service

1. An application for reinstatement of service shall be made whenever a customer is renewing a previous service that had been abandoned or terminated or when replacing a structure which has been demolished or substantially totally destroyed.

2. In the event that water or sewer service was terminated by the Authority because of improper construction, maintenance or use of any connections the water or sewer system of the Authority, the correction of any deficiency shall be a condition precedent to the application for reinstatement of service.

3. In the event that an application is made to reinstate a service for a non-residential structure that was previously terminated, or abandoned when the prior structure was demolished or substantially totally destroyed, no additional connection fee shall be due, provided that: 1) the application for service is made within two (2) years of the date of the prior termination of service, 2) the applicant has continued to pay water and sewer service charges for the property, and 3) there is no change in the estimated water or sewer usage of the building. In the event that conditions 1) and 2) herein have been satisfied, but there will be an increase in the estimated water or sewer usage of the building, then the application will also be considered as an application for additional capacity and additional connection fees shall be due only on the amount of the increase in the estimated water usage.

4. In the event that an application is made to reinstate a service for a residential structure that was previously terminated, or abandoned when the prior structure was demolished or substantially totally destroyed, no additional connection fee shall be due provided that the application for service is made within seven (7) years of the date of the prior termination of service.

F. Water and Sewer Connection Permits

1. An application for a W-4 water connection permit or an S-4 sewer connection permit shall be made whenever there is an application for a new service or for additional capacity.

2. A W-4 water permit or an S-4 sewer permit which is issued for any residential unit shall be valid for a period of fifteen (15) months from the date of issue, and a W-4 water permit or an S-4 sewer permit which is issued for any industrial or commercial unit shall be valid for a period of fifteen (15) months from the date of issue, unless physical connection is made within the appropriate period. Physical connection is defined to be made when the water and sewer facilities within the building for which service is requested are capable of being used and a water meter has been installed.

3. In the event that physical connection is not made within the appropriate period, the permit shall automatically expire and shall be void and of no force and effect. The Authority shall retain twenty percent (20%) of the connection fee paid for each expired permit as a charge for administrative expenses and loss of service revenue. It is agreed that this charge is reasonable in amount and is to be considered as liquidated damages, and not as a penalty. Actual damages would be difficult to calculate and this amount is considered reasonable as liquidated damages. The balance of the connection fee paid for the expired permit shall be returned to the applicant by the Authority. In the event, however, that the applicant submits a written request for withdrawal of the water or sewer connection within sixty (60) days after the water or sewer permit is issued, the full amount of the connection fee paid for the water or sewer permit shall be refunded, less a \$100.00 administrative reimbursement for each permit withdrawn.

4. Upon the date of physical connection, the Authority shall charge, and the applicant shall pay, sewer and water service charges for the unit connected.

104. SUPPORTING DOCUMENTATION FOR APPLICATIONS

A. W-1/S-1 APPLICATION

1. A W-1/S-1 application for conceptual approval of proposed water and sewer facilities shall be submitted to the Authority for a review of the outlined system, route of construction, estimated volumes of flow and whether an individual or comprehensive study of the water or sewerage system is required to be submitted by the applicant. No application will be considered unless a professional engineer registered in the State of New Jersey is in charge of the planning and design of the proposed sewerage and water facilities and has affixed his seal and signature thereto.

B. W-3/S-3 APPLICATION

1. Engineer's Report: A complete engineer's report, setting forth the basis of design, shall be submitted to the Authority by the applicant for each project. It shall contain the following minimum data:

a. For Sewer Systems

- i. Description of geographic area to be served.
- ii. Existing and predicted population of the areas to be served.
- iii. Terrain data in sufficient detail to establish general topographic features of the area to be served.
- iv. Proposed minimum and maximum grades.
- v. Required pumping stations.
- vi. Intended use of the proposed realty improvements and the characteristics of sewage expected from such use.
- vii. Effect of the proposed sewerage facilities on existing or proposed sewerage systems.
- viii. Amount of infiltration expected and its effect on design flow.
- ix. Estimated daily flow and descriptive formula utilized in calculating such estimates.
- x. Description of materials to be used in the construction of sewer mains, service laterals and other sewer appurtenances.
- xi. Preliminary cost estimates of the water and sewer facilities to be constructed.
- xii. Other factors which would affect design and use of the sewerage system, including a downstream capacity study of the existing collection system.
- xiii. Any other information which may be required by NJDEP.
- xiv. Any other information which may be required by the Authority's Wastewater Discharge Regulations.
- xv. The basis of design, stating that all sanitary sewers have been designed:

(a) to carry four (4) times the average flow estimated for twenty-five (25) years in advance. In lieu of other values determined by the Authority, average flow may be assumed to be one hundred (100) gallons per person, per day, and three (3) persons may be assumed per equivalent dwelling unit, including infiltration;

(b) on a "separate system" basis in which all water from roofs, basements, streets and any other areas must not be conducted to the sanitary sewer system. No bypasses or overflows, which allow raw sewage to be discharged from sewers, shall be installed; and

(c) to flow with a minimum velocity of not less than two feet (2') per second and force mains at not less than three feet (3') per second based on Manning's formula for full pipe flow using an "n" factor of 0.013 for ductile iron pipe and 0.010 for polyvinyl chloride pipe. Inverted siphons shall not be permitted.

b. For Pumping Stations

i. Operational characteristics of the station at minimum, maximum and average flows (both present and future).

ii. Provisions for emergency standby power and handling of sewage in the event of complete failure of the station.

iii. Provisions for permanent safety equipment, noise control equipment and odor control equipment as consistent with the rules, regulations and specifications of the Authority.

iv. Preliminary cost estimates for construction and annual operating costs.

v. Other relevant factors which would effect design and use of the sewerage system.

vi. Any other information which may be required by NJDEP.

c. For Water Distribution Systems

i. Description of the geographic area to be served.

ii. Existing and predicted population of the areas to be served.

iii. Terrain data in sufficient detail to establish general topographic features of the area to be served.

iv. Minimum pressure at peak day demand plus fire flow. (All pressure tests are to be performed by the applicant and witnessed by the Authority. Results are to be submitted with the application.)

v. Intended use of the proposed realty improvements and the characteristics of use of any nonresidential improvements.

vi. Effect of the proposed water distribution facilities on existing or proposed water distribution facilities.

vii. Estimated water usage flow.

viii. Description of materials to be used in the construction of water mains, service laterals and other water appurtenances.

ix. A preliminary cost estimate.

x. Other relevant factors which would affect design and use of the water distribution system.

xi. Any other information which may be required by NJDEP.

d. For Water Supply, Storage Facilities and Treatment Facilities

All data as required by the rules and regulations of NJDEP.

2. General Map or Conceptual Plan of the Entire Project. A general map of the entire project shall be furnished, showing existing and proposed sewers and pumping stations for the whole area and showing existing and proposed water mains, valves, hydrants and blowoffs.

3. Construction Plans, Profiles and Specifications of all Proposed Sewer and Water Mains. Plans shall be of uniform size, 24" x 36", with a 1/2" border on top, bottom and right side, and a two inch (2") border on the left side, the last one for binding. Six (6) sets of plans shall be submitted. The plans shall show the following:

a. Details: The plans shall show existing and proposed sewers, appurtenances, contours, and all existing and proposed streets, and surface elevations at all breaks in grade and street intersections, tributary area with population per acre, the true or magnetic meridian, boundary line, title, data and scale. Any area from which sewage is to be pumped shall be clearly indicated. Profiles will generally not be required for water distribution systems provided sufficient data is available to determine the high and low points of the system. All sheets shall be numbered.

b. Symbols: Proposed sewers and water mains and other appurtenances to be constructed shall be shown by solid lines. Existing sanitary sewer and water mains shall be shown by dashed lines and labeled accordingly. All topographical symbols and conventions shall be those used by the United States Geological Survey.

c. Elevations: All elevations shall be related to NGVD 1929 Datum. All bench marks shall be shown. Elevations of street surfaces shall be noted. The elevations of sewer inverts at ends of lines and at changes of grades, shall be written parallel with the sewer lines and between the street lines. The elevations of street surfaces shall be shown to the nearest 0.1 foot, the sewer inverts to the nearest 0.01 foot. Sufficient bench marks shall be permanently established for the area.

d. Distances, Grades and Sizes: Distances between manholes, pipe gradients, sewer main and lateral sizes and pipe material shall be shown on the plans. Arrows shall show the direction of the flow. For water mains, the distances, diameter, location of 11.25° or greater bends, and material of construction shall be shown on the plans.

e. General Site Plan: All plans for treatment works shall include a general site plan showing property boundaries, contours, proposed improvements with capacities, underground piping, underground wires, and shall include the items referred to in the Engineer's Report that are related to the design drawing.

105. ESCROW FEES AND ESCROW ACCOUNTS

A. Escrow fees shall be posted by the applicant in the amount specified in these rules and regulations and Rate Schedule. The funds so posted shall be held by the Authority in an escrow account. The Authority shall, from time to time, withdraw funds from this escrow account to reimburse itself for costs incurred by the Authority for inspection, engineering review, legal review or for other services provided to or on behalf of the applicant by the Authority. In the event that the escrow fund is depleted or in deficit, the applicant shall post additional escrow funds with the Authority in an amount to be set by the Authority. Any funds held in the escrow account shall not bear interest for the applicant, unless otherwise provided by the Statute.

B. The amounts paid pursuant to the W-1/S-1 applications are non-refundable and constitute the minimum amount that the Authority is entitled to retain for the aforesaid services.

C. The applicant may request the return of any unused portion of the escrowed funds at the completion or termination of construction or after the Authority has accepted all improvements, or after final release of all maintenance guarantees, whichever is later.

D. The Authority may, in its discretion, refuse to process any application or issue any permit if there is a deficit in the escrow amount of any applicant.

106. TREATMENT WORKS APPROVAL AND MAIN EXTENSION APPLICATIONS

A. All applications for treatment works approval or main extension permits shall be prepared by the applicant at its sole expense and shall be subject to review and approval by the Authority and its consulting engineer and shall be submitted to NJDEP in the name of the Authority as the applicant. All rights or entitlement contained in a treatment works approval or main extension permit issued by NJDEP shall belong to the Authority and not to the applicant. The Authority shall have the right to withhold the submission of a treatment works approval or main extension permit to NJDEP for good cause. The Authority shall have the right to surrender any treatment works approval or main extension permit to NJDEP on a section-by-section basis, if substantial construction has not yet begun on that section to which the permit refers.

B. Treatment works approval or main extension permits shall be secured for each section of a development or for each project or facility, whenever necessary, before the applicant can apply for S-4 sewer or W-4 water connection permits from the Authority.

C. FINAL PLANNING BOARD APPROVAL SHALL BE A CONDITION PRECEDENT TO THE SUBMISSION OF A TREATMENT WORKS APPROVAL OR MAIN EXTENSION APPLICATION TO THE AUTHORITY FOR APPROVAL.

D. Treatment works approval or main extension applications shall only be sent to NJDEP after approval by the Authority of the W-3 or S-3 application.

107. PERFORMANCE AND MAINTENANCE GUARANTEES

A. "Performance guarantee" and "maintenance guarantee" shall mean either cash, third party surety bonds from a reputable insurance company or third party letters of credit from a financial institution having assets of One Billion Dollars or more, in a form that is acceptable to the Authority.

B. Prior to the commencement of any construction of facilities that either will be dedicated to the Authority or will remain as private property, the applicant shall post with the Authority a performance guarantee covering the improvements. The amount to be posted under the performance guarantee shall be 120% of the estimated cost of the improvements to be constructed. The estimated cost shall be prepared by the Authority upon the advice of its Consulting Engineer. The Authority's Solicitor shall approve the form of the performance guarantee before it shall be accepted. The performance guarantee shall be posted by sections.

C. The applicant may request a reduction in the performance guarantee posted if at least fifty percent (50%) of the improvements to be constructed within a section under the performance guarantee are satisfactorily completed and tested in accordance with the

Authority rules, regulations and specifications and if the improvements, in the opinion of the Authority, are adequately protected from future damage due to continuing construction. The Authority may allow up to a maximum of a seventy-five percent (75%) reduction of the dollar value of the improvements that are satisfactorily completed, tested and protected.

D. Maintenance guarantees for facilities to be dedicated or maintained by the Authority shall be posted upon final acceptance of all sanitary sewer or water system improvements, for a two (2) year period in an amount of ten percent (10%) of the original performance guarantee for the improvements constructed. Final acceptance of the improvements constructed in the section shall not occur until the date that the maintenance guarantee, in a form satisfactory to the Authority's Solicitor, shall be received by the Authority.

108. "BUY AMERICAN" PROVISION

All items or materials used in the construction of water or sewer plants, mains or appurtenances, or other projects, which are constructed by a private contractor for a customer but which are to be deeded or dedicated to the Authority and accepted by the Authority for ownership and maintenance, shall be manufactured products of the United States, wherever possible.

109. CONSTRUCTION OF FACILITIES

The applicant shall construct and install, at no cost to the Authority, all off-site and all on-site water systems and facilities and all off-site and all on-site sewerage systems and facilities, including mains, force mains, pumping stations and any and all related appurtenances which are necessary to extend service from the existing water system and facilities and sewerage system and facilities of the Authority to the units for which application for service has been made. All construction shall be in accordance with the rules, regulations and specifications of the Authority and the engineering plan submitted by the applicant and approved by the Authority.

110. INSPECTION OF CONSTRUCTION

The Authority or its consulting engineers shall inspect the construction of all water systems and facilities and sewer systems and facilities to determine whether the systems and facilities are being properly constructed. The Authority shall inform the applicant of any improper construction or any deviation from the approved plans of the Authority or from its rules, regulations or specifications. The applicant shall thereafter correct any defects or deficiencies. The Authority reserves the right to issue a stop-work order to the applicant in the event of improper construction. The Authority shall be under no obligation to provide water or sewer service to an applicant if the water and sewerage systems and facilities are not built in accordance with the approved construction plans and the Authority's rules, regulations and specifications. The cost of inspection shall be borne by the applicant.

111. ACCEPTANCE OR APPROVAL OF COMPLETED CONSTRUCTION

A. After construction has been completed, the applicant shall request in writing that the Authority accept or approve the systems and facilities.

B. The applicant shall, at the time of a request to accept facilities, submit to the Authority any and all completed documents which are necessary to:

1. Dedicate all water and sewer systems and facilities including mains, force mains, pumping station and any and all related appurtenances, except laterals, to the Authority, which are located in the public right-of-way or in easemented areas approved by the Authority;

2. Deed (with warranties) at no cost to the Authority, all necessary titles or easements to lands necessary for the maintenance or operation of the water and sewer systems and facilities, including easements for extension of mains to adjacent properties;

3. Post a two (2) year maintenance bond in the amount of ten percent (10%) of the original performance guarantee to cover cost of repairs for any latent defects discovered during the two (2) year period; and

4. Furnish to the Authority "as-built" drawings of the water and sewer system and facilities, certified by the engineer for the applicant.

Upon the completion of all of the requirements herein, the Authority shall determine whether the systems are constructed in accordance with the approved plans and rules, regulations and specifications and shall determine whether all supporting documents are in order. If all construction and submissions are approved, the Authority shall proceed to accept the systems and facilities so constructed and shall accept and have recorded, wherever necessary, the dedications, deeds, easements, bonds and as-built drawings. All costs for recording of documents shall be paid by applicant. The responsibility for all construction, maintenance and cost of operations prior to acceptance by the Authority shall be borne by the applicant.

C. The Authority shall not accept any water or sewer facilities which are not located in the public right-of-way or in easemented areas approved by the Authority, even if the facilities were bonded improvements. In this event, the Authority shall approve final construction, but shall not accept the facilities, and the facilities shall remain the private property of, and shall be maintained by, the owner.

112. BILLS AND PAYMENTS

A. Place of Payment: Bills are payable at the office of the Authority, either in person or by mail.

B. Bills Rendered and Due: Meter readings will be made on a regular basis and bills for service will be rendered as soon as practicable after the reading of the respective meters. All bills are due and payable upon presentation.

C. Delinquent Bills:

1. If a bill remains unpaid for a period of thirty (30) days after presentation, it shall be classified as delinquent. **Payments made by mail will be credited on the date received at the Authority office.**

2. If a bill remains unpaid for fourteen (14) days after being classified as delinquent, a notice of discontinuance of service shall be sent to the customer indicating that service shall be discontinued not less than seven (7) days from the date that the notice is sent. If service is thus discontinued, it shall not be restored until all unpaid bills and charges, including the turn-on charge are paid or satisfactory arrangements are made for payment.

3. **In the event that a service charge of the Authority shall not be paid as and when due, interest shall accrue and be due to the Authority on the unpaid balance at the maximum rate as allowed by the Statute until such service charge, and the interest thereon shall be fully paid to the Authority.**

4. Any unpaid balance of any service charge plus interest thereon shall be a lien of the parcel of real property with respect to which service was rendered pursuant to the procedures specified under the Statute. Notice of delinquent charges shall be given on a regular basis by the Authority to the municipal tax collector.

D. Responsibility for Payment of Service Charges in Landlord – Tenant Situations:

1. Service charges are the responsibility of the owner of any property which directly or indirectly is or has been connected with the water or sewer system. The owner of any such property is ultimately responsible for the payment of any service charges that are not paid by a tenant, regardless of any lease agreement to the contrary. The Authority will not get involved in landlord/tenant disputes. The Authority reserves the right to discontinue charges for any delinquent bills in accordance with the procedures outlined in Section 112, Part C (Delinquent Bills).

2. The Authority may mail bills to the tenant at the service address with a copy to the owner of record provided that the owner has registered said service address with the Township of Evesham Clerk as a rental property and submits a written request for duplicate billing on an authorized Authority Tenant form.

113. DISPUTED BILLS

A. Any customer that disputes a bill rendered by the Authority for water or sewer service shall bring the disputed bill to the attention of the Authority **within thirty (30) days of**

the issuance of the bill. The dispute shall be presented to the Authority in writing, stating the exact portion of the bill that is in dispute and the reasons why the bill is in dispute.

B. Upon receipt of a disputed bill claim by a customer, the Authority shall present a temporary estimated bill to the customer which shall be computed on the basis of the average usage during the preceding twelve (12) month period or the usage during the same period of time in the preceding year, whichever, in the estimation of the Authority, presents a more accurate estimate. The customer shall pay the amount of the temporary estimated bill within the same time limits for payment of the original bill.

C. The Authority shall investigate the bill dispute presented by the customer and shall receive whatever supporting evidence the customer may wish to present and shall determine whether the disputed bill is valid or is invalid in whole or in part. In the event that the Authority determines that any or all of the disputed bill is due, and that amount exceeds the amount paid by the customer under the temporary estimated bill, the difference shall be paid by the customer within fourteen (14) days after notification is sent by the Authority. After said fourteen (14) day period, the bill shall be classified and processed as a delinquent bill.

D. Claims for refunds or reductions related to any billing dispute based on an inaccurate water meter reading shall be limited to the most recent billing period only. Claims for refunds related to any billing dispute based on a prior removal of a garbage disposal unit shall be limited to a period of three years, or the period beginning on the date that such removal has confirmed by credible documentary evidence, whichever period is shorter.

E. A meter reading shall be deemed conclusive unless the meter is tested and is found to be inaccurate. No reduction shall be made for any water bill unless the water meter has been found to be inaccurate through proper testing. A water meter will be tested upon request of a customer. If the error in registration is less than 2%, no adjustment shall be made. If the error in registration is 2% or more, the bill shall be increased or decreased correspondingly.

114. DEPOSITS

A. The Authority may, at its discretion, require deposits from customers requesting service for a period of less than ninety (90) days in an amount equal to one and one-half (1½) times the estimated bill for the service requested, plus the cost of making and discontinuing said service.

B. The Authority may require a deposit for the payment of water and sewer service charges for an advance period of one (1) year from any customer who has received three or more shut-off notices in any consecutive 36 month period.

3. No interest shall be paid on deposits.

115 . DISCONTINUATION OF SERVICE

A. By Customers:

1. Water Service: Water service shall continue in force, unless the customer requests a discontinuation of service. **The discontinuation of water service to any premises does not discontinue sewer service.** The customer shall be responsible for the payment of the water service charge during the period of discontinuation. In the event that the owner of any premises which is leased to tenants requests that the water service to the premises be discontinued, and **the existence of the tenants is known to the Authority**, the Authority may discontinue water service only after thirty (30) days' written notice to both the owner and the tenant, unless both the owner and tenant consent in writing to the discontinuation of the service at an earlier date.

2. Sewer Service: Sewer service will not be considered a service subject to discontinuation. **The customer will be responsible for the payment of sewer service charge at the basic charge as established by the Authority during the time the property or structure is vacant.**

3. Waiver of Water and Sewer Charges: The Authority shall waive water and sewer service charges only in cases of demolition, fire, flooding, or by order of the Board of Health which renders the building uninhabitable.

B. By Authority: Service may be discontinued by the authority for any of the following reasons:

1. Misrepresentation in an application for service.

2. Willful or continued waste of water through improper or defective pipes or fixtures, or through violation of the Authority's regulations concerning Restriction on Water Usage.

3. Use of water for any other property or purpose than that described in the application.

4. Tampering with any service pipe, meter, curb stopcock or seals, or any other appurtenance.

5. **Vacancy in excess of thirty (30) days.**

6. Nonpayment of any charge accruing under the application, or of any service charge (including interest) rendered by the Authority.

7. Refusal of reasonable access to the property for any purpose permitted by the Statute or by the Wastewater Discharge Regulations or for inspecting, reading, repairing, removing or replacing the water meter or telephone connection.

8. Making or refusing to sever, any cross connection between a pipe or fixtures carrying water furnished by the Authority, and a pipe or fixture carrying water from any other source.

9. Misuse of the water or sewer system.

10. Violation of any of the Rules and Regulations of the Authority.

11. Violation of the Authority's Wastewater Discharge Regulations.

C. Notice. The Authority shall give seven (7) days' written notice of the discontinuance of service for the above reasons, unless the health, safety or welfare of the community is involved, in which case the Authority may take immediate steps to discontinue service, or unless there is a violation of the Authority's Wastewater Discharge Regulations, in which case notice shall be given as provided therein. The customer will be responsible for the payment of water and sewer service charges in the event of a discontinuation of service by the Authority.

D. Unauthorized Termination or Reinstatement of Service

1. Neither the customer nor any other person shall turn the water on or off at any corporation stop, curb stop, or meter valve; or disconnect or remove the meter, or permit its disconnection or removal, without the written consent of the Authority.

2. In the event that water service shall be turned on at any corporation stop, curb stop or meter valve after water service has been turned off by the Authority, or before service has been authorized by the Authority, the customer shall be charged for all expenses incurred by the Authority in re-terminating the water service, including wages, overhead, supplies and expenses, and further, the Authority may require that the customer pay in advance an estimated water and sewer bill for the ensuing twelve (12) month period for all properties which the customer has connected to any system of this Authority.

E. Due to Emergency: In the event of breakdown, emergency, or for any other unavoidable cause, the Authority shall have the right to discontinue the water supply temporarily in order to make necessary repairs or connections. In such case, the Authority shall not be liable for any damage or inconvenience experienced by the customer, or for any claim against it for interruption in service, lessening of the supply, inadequate pressure, poor quality of water, or for any other reasons. When the supply of water is to be temporarily interrupted, notice will be given, when practicable, to all customers affected by the temporary interruption of service, stating the probable duration of the interruption, and also the purpose of the interruption.

116. RESTRICTION OF WATER USAGE:

A. The Authority shall have the right to reserve a sufficient supply of water at all times in storage, or to provide for fire and other emergencies, and may restrict or regulate the quantity of water used by a customer in case of scarcity or emergency or whenever the public welfare or order of any local, county, State or Federal agency may so require.

B. In the event of a declaration by the Authority of an emergency situation with respect to the availability of potable water, the Authority shall have the right to require any customer to cease and desist using water. In the event that any customer violates the provisions of this rule, the water service to that customer may be discontinued by the Authority for the duration of the emergency.

C. Between May 1 and September 30 of each year, the following water use restrictions shall apply:

1. Prohibited at any time:
 - a. the use of water to wash walkways, patios or driveways;
2. Permitted, but only on an alternate day basis and only from midnight to 8:00 a.m. and from 6:00 p.m. to midnight:
 - a. filling or topping off swimming pools;
 - b. the use of automatic or manual sprinklers or any type of sprinkler not actually hand-held, for the purpose of watering lawns, shrubs, trees, flowers or gardens;
 - c. the outdoor use of water for washing, rinsing or cleaning (other than for those uses which are prohibited at any time or permitted at any time).
3. Permitted at any time:
 - a. the use of a hand-held hose with an automatic shut-off nozzle for the purpose of watering lawns, shrubs, trees, flowers or gardens;
 - b. the use of a hand-held hose with an automatic shut-off nozzle for the purpose of washing a motor vehicle or boat; and
 - c. powerwashing a building through the use of a high-pressure powerwash machine.
4. Exceptions
 - a. newly installed sod may be watered for 7 consecutive days from the date of installation, as evidenced by invoice date, provided the Authority is notified on or before the first business day after installation.

117. PENALTIES FOR VIOLATIONS

A. Except as may otherwise be provided herein, in the event of any violation of the Rules and Regulations of this Authority or of any improper or unauthorized use of any portion of the water system or sewer system by any customer, then the customer shall, in the discretion of the Authority, be fined an amount up to the maximum of \$100.00 for each violation or improper or unauthorized use. Each action constituting a violation or improper or unauthorized use, as well as each property affected by the violation or improper or unauthorized use, as well as each day that the violation or improper or unauthorized use exists, shall be counted as separate violations for the purposes of determining the fine to be imposed.

B. All fines shall be paid within fifteen (15) days from the date that the customer is notified in writing of the violations charged and the fine to be imposed. In the event that any customer wishes to contest the violation or the fine imposed, the customer must file with the Authority within fifteen (15) days of receipt of notification of the violation and fine imposed, a written notice that the violation and fine shall be contested. A hearing shall thereafter be scheduled before the Authority at which time the Executive Director or his designee as well as the customer or his or her attorney, may present evidence regarding either the violation or the fine imposed. The fine, if any, that is imposed by the Authority after the hearing shall be paid within fifteen (15) days after the customer receives written notice of the decision of the Authority.

C. In the event that the fine is not paid as required under these Rules, then the Authority, in its discretion, may discontinue all water and sewer services to the customer and may declare all agreements or contracts with the customer null and void and of no force and effect.

D. The penalties imposed in this section shall be cumulative to the penalties described in other sections of these Rules and Regulations and to the other remedies afforded to the Authority by statute.

E. In the event of a violation of any water use restriction imposed by the Authority, a maximum fine shall be imposed upon the user as follows:

First violation in a calendar year.....	\$ 50.00
Second violation in a calendar year.....	\$100.00
Third and each subsequent violation in a calendar year.....	\$500.00

118. GENERAL REGULATIONS

A. Turn-on Charge: When water has been turned on at any premises for either a new service or a reinstatement of service after service has been discontinued, the turn-on charge which is indicated in the Rate Schedule of the Authority shall be imposed.

B. Turn-off Charge: When water service has been discontinued at any premises for any reasons stated in these rules, the turn-off charge which is indicated in the Rate Schedule of the Authority shall be imposed.

C. Complaints: Complaints with respect to the nature of the service furnished, including bill disputes, must be made to the Authority's office in writing. A record of such complaint will be kept by the Authority, noting the name and address of the complainant, the date, the nature of the complaint, and the response of the Authority.

D. Reasonable Access: The properly identified authorized agents of the Authority shall have the right to enter on any lands, waters or premises, at all reasonable hours, for the purposes of reading meters or making surveys, borings, soundings and examinations for the purposes of the Authority.

E. No Oral Agreements: No agent or employee of the Authority has authorization to bind it by any promise, agreement or representation not provided for in these rules. Any promise, agreement or representation which is binding upon the Authority can only be made by the Authority itself by majority vote at an open public meeting.

F. Single Service - Water Only: In instances where owners of existing properties make application for and are furnished only water service, the customer must comply with all rules pertaining to water service.

G. Single Service - Sewerage Only: In instances where owners of existing properties make application for and are furnished only sewerage service, the customer must comply with all rules applicable to furnishing sewerage service. All customers applying for sewer service only after January 1, 1996 must install a meter on their well or water supply.

H. Damage Claims: All claims for damages against the Authority shall be governed by the provisions of the New Jersey Tort Claims Act. Notice of any claims shall be given to the Authority by certified mail. The form of notice must comply with the requirements of the New Jersey Tort Claims Act. In addition to the form of tort claims notice required by N.J.S.A. 59:8-4, in all actions seeking recovery for property damage or personal injury, a claimant shall provide certified answers to the interrogatories prescribed by Forms A, B and C of Appendix II, as appropriate of the Rules of Court, within a reasonable period of time after receipt of same, but in no case, later than 150 days after receipt.

I. No Cross-connections: No water will be furnished to any premises where any possibility exists of the mingling of the water furnished by the Authority with water from any other source. No customer shall connect the Authority's mains or service pipes to any piping, tank, swimming pool, vat or other apparatus containing liquids, chemicals, or any other matter which may flow back into the Authority's service pipes or mains.

J. Amendments to Rules and Regulations: The Authority reserves the right to change or amend, from time to time, these rules and regulations.

SECTION II

RULES APPLICABLE TO WATER SERVICE

201. WATER SERVICE CONNECTION FEES

- A. The applicant shall pay a water connection fee for each equivalent dwelling unit at the time that the W-4 permit is requested, in an amount as established by the Authority's rate schedule in effect at the time that service is requested.
- B. Connection fees for nonresidential users shall be based upon the Authority's calculation of estimated water usage multiplied by the rate per gallon per day contained in the Rate Schedule. A minimum water connection charge for nonresidential users shall be imposed, in an amount equal to the residential connection fee regardless of whether the estimated water usage is less than the residential rate of usage.
- C. In the event that there is any physical or operational change, associated with an increase in estimated projected flow of water to any building, facility or structure of a nonresidential customer for which a building permit, site plan, subdivision or other municipal approval is required, the Authority shall impose an additional connection fee to correspond with the amount of estimated increased usage.
- D. In the event that the customer is to receive both water and sewer services from the Authority, both the water service connection fee and the sewer service connection fee shall be due and payable at the same time.

202. SIZE AND KIND OF SERVICE LATERAL

- A. The Authority shall approve the size and kind of service line from the main to the curb stop. In the case of individual customers only and not developers, the Authority may, in its discretion, install the pipe from the main to the curb line, including the curb box, with the cost of labor, materials and equipment to be charged to the owner. The Authority may require the owner to excavate or arrange for excavation in order that the Authority may make the installation. The cost of physical connection are not related to the "Connection Fees" that are to be charged to the applicant.
- B. The service lateral from the main to the curb stop shall be inspected by the Authority prior to backfilling the trench, and any construction not approved shall be immediately removed and reconstructed in an approved manner.
- C. In the event of any danger to the health, welfare and safety of the community caused by any defect, disrepair or malfunction of the service lateral, the Authority may in its discretion, make the necessary repairs and bill the owner on the basis of time and materials for the cost of repairs.
- D. All required permits shall be the responsibility of the customer.

203. MAINTENANCE BY CUSTOMER

A. All connections, service lines and fixtures from the curb stop to and within the structure shall be maintained by the customer in good order.

B. Meters and the associated telephone line interconnection shall be protected properly by the customer from freezing, flooding, vandalism or other damage. In case of such damage, the replacement cost of the meter and associated telephone line interconnection shall be the responsibility of the customer.

C. All leaks in the water service line or any other pipe or fixture in or upon the premises supplied from the curb stop to the structure must be repaired immediately by the owner or occupant of the premises.

D. The customer shall make such changes to the service lateral that are required by reasons of changes of grade, relocation of mains, or otherwise.

E. The customer is responsible for keeping the top of the curb box exposed at all times.

204. MAINTENANCE BY AUTHORITY

A. The Authority shall be responsible for the maintenance of the water line from the main to and including the curb stop.

B. The Authority will only be responsible for replacement of the meter and associated telephone line in the case of normal wear and tear.

C. The Authority shall not be responsible for maintaining any portion of the water service-line or fixtures owned by the customer or for damage done by water escaping therefrom.

205. PROPERTY SUPPLIED BY SINGLE SERVICE LINE

A. A service line from the curb stop to a property, facility or structure shall not supply more than one property, facility or structure. For clarification purposes, the following list identifies a single property, facility or structure:

1. A single detached residential dwelling unit or one side of a double house, or a house in a row of houses, or a single condominium or townhouse unit, provided that a garage, and similar structures accessory shall be considered as a portion of the dwelling.

2. A building used for industrial, commercial, or manufacturing purposes.

3. A use separated from adjacent uses by a party wall or party walls, and comprising apartments, stores or offices, or any combination thereof, as in the case of a strip-shopping center.

4. A detached apartment building.

5. A single condominium unit for commercial or industrial use.

B. Any of the aforesaid properties, facilities or structures referred to in the preceding paragraph, upon application of the owner, may be supplied by two or more service lines and meters provided that the supply to each such meter has an individual stop at or near the curb line.

C. Any property, facility or structure existing as of January 1, 1981, which does not conform to the above regulation shall install separate services to each property, facility or structure upon either subdivision of land, change or expansion of the use of any facility thereon, further extension of water service by the Authority thereon or upon repair or replacement of the existing service line or lines. All other properties, facilities or structures must conform to the above regulation, unless a specific written request for a waiver has been presented to, and granted by, the Authority.

D. Where two or more customers are now supplied through a single service line, any violation of the rules of the Authority, with respect to either or any of said customers, shall be deemed a violation as to all. Unless said violation is corrected after reasonable notice, the Authority may take such action as can be taken for a single customer.

206. WATER METERS

A. In General: All water meters shall conform to the Authority's specifications and shall remain the property of the Authority and shall be accessible. The initial cost of the meter and installation shall be the responsibility of the customer. The Authority shall furnish all meters. Customers are required to provide an interconnection with the Authority's automatic meter reading system.

B. All Water Services Shall Be Metered: Each water service shall be metered. The Authority shall approve the size and location of the meter. Each unit in a multi-unit building, excluding apartment buildings, shall have individual meters with an exterior shutoff. Apartment buildings may have a common metered service for all units; however, the building owner shall be solely responsible for the payment of all service charges, interest, fees and penalties. The Authority shall make no special allowances for the conversion of existing apartment buildings into condominiums and the requirement for individual services shall apply.

C. Location: The applicant shall provide a location for the meter which is readily accessible and provides proper protection for the meter. The applicant shall have the plumbing arranged to receive the meter at a convenient point approved by the Authority

and shall position it so that it meters and controls the entire supply. A telephone line interconnection shall be provided for connection of the water meter to the Authority's automatic metering reading system. An RJ11 telephone jack shall be securely mounted in an accessible location, within twenty-four inches (24") of the meter and at the same approximate height. The jack shall be connected to the user's main phone line. In cases where the Authority determines it is not practical to place the meter within a building, an approved meter pit with the required telephone line interconnection shall be constructed in accordance with the Authority's specifications and standard meter pit detail as found in these regulations. In the event that a property does not have telephone service, a remote digital readout must be located on an exterior building wall in a location selected by the Authority.

D. Valves Required: A combination valve and meter coupling or flange is required before and after the water meter. All 3/4" valves shall be purchased from the Authority. All meters three inches (3") and larger must also include a valves bypass equivalent to the size of the service line. All valves larger than 3/4" shall be supplied by the customer and shall be in accordance with the Authority's specifications.

E. Authority to be Notified When Meter Not Working: The customer shall immediately notify the Authority of damage to the meter, as soon as it is known to the customer.

F. Registration Conclusive: A meter reading shall be deemed conclusive unless the meter is tested and is found to be inaccurate. No reduction shall be made for any water bill unless the water meter has been found to be inaccurate through proper testing. A water meter will be tested upon request of a customer. If the error in registration is less than 2%, no adjustment shall be made. If the error in registration is 2% or more, the bill shall be increased or decreased correspondingly.

G. Meter Testing and Accuracy: The Authority shall, upon a written request of a customer, make a test of the accuracy of the meter. The customer may require the meter to be sealed in his or her presence and transported to the Authority facility for meter testing, where the seal will be removed in the presence of the customer and the meter tested for accuracy. If the tested meter is found to be in error less than two percent (2%), or the error is greater than two percent (2%) but favors the customer, the customer will pay a testing fee as determined by the Authority. Otherwise the testing fee will be borne by the Authority. When making such request, the customer shall agree to the basis of payment herein specified. A report of such test shall be made to the customer and a complete record of such test shall be kept by the Authority. If, when tested in conformity with the provisions of this rule and regulation, the meter is found to have an error in registration of two percent (2%) or more, the bills will be increased or decreased accordingly.

207. PUBLIC FIRE SERVICE

A. Hydrant Location:

1. The Fire Marshal shall specify the location of fire hydrants along existing water mains or water mains that are to be extended. The Authority shall approve the location of fire hydrants along existing water mains if the size of the existing street main and surrounding distribution system and the available pressure at the proposed location, as determined by the Authority, are sufficient to provide proper service at the fire hydrant. The cost of the installation of the fire hydrant shall be borne by the Board of Fire Commissioners. A written request for installation of a fire hydrant along an existing main is required.

2. An applicant who intends to extend water mains shall size the mains to accommodate estimated peak flows plus fire service flows. Fire hydrants required along mains to be extended shall be installed by the applicant at the expense of the applicant as part of the water main extension. The number and location of fire hydrants along the extended water main are subject to approval by the Fire Marshal. All water main extensions shall be subject to approval by the Authority.

B. Maintenance and Inspection: All fire hydrants will be maintained by the Authority. In addition, the Authority shall, if requested by the Board of Fire Commissioners, make special inspections of any fire hydrant to determine its condition. Any such inspection made by the Authority shall, if requested, be made in the presence of a representative of the Board of Fire Commissioners.

C. Allowable Uses: The Board of Fire Commissioners is authorized at all times to take water from any public fire hydrant for the purposes of fighting fires. The taking of water for conducting practice sessions, refilling pumpers or other legitimate uses related to fire prevention or protection shall also be allowed upon notice to the Authority. No public fire hydrant shall be used by any corporation, individual or governmental unit for the purposes of sprinkling streets, flushing sewers or gutters, filling swimming pools, use during construction or for any other purpose other than as specifically authorized above, except with the written approval of the Authority.

D. Change of Location: Whenever the Board of Fire Commissioners shall request or approve a change in the location of any fire hydrant, and the Authority determines that sufficient service may be provided, the change shall be made, at the expense of the requesting party.

208. PRIVATE FIRE SERVICE

A. Automatic Devices and Hydrants: Automatic sprinklers or other automatic fire service devices located inside a building must be approved by the Township and underwriters. Each service and use shall be monitored for usage by a device approved by

the Fire Marshal and shall be subject to the charges shown in the Rate Schedule. The Authority reserves the right to deny an application for automatic fire service where, in the judgment of the Authority, such service can not be adequately provided.

209. WATER USE FOR CONSTRUCTION PURPOSES

A customer requiring water for construction purposes for property which is not already supplied by a metered water connection must make application for construction water and pay the construction water fee as specified in the Rate Schedule. Construction water shall not be used for watering lawns, flushing the sewer lines, washing streets, sidewalks or driveways, or any other use which is not directly related to construction.

SECTION III

RULES APPLICABLE TO SEWERAGE SERVICE

301. SEWER SERVICE CONNECTION FEES

A. The applicant shall pay a sewer service connection fee for each equivalent dwelling unit at the time that the S-4 permit is requested, in an amount as established by the Authority's rate schedule in effect at the time that service is requested.

B. Connection fees for nonresidential users shall be based upon the Authority's estimated water usage, multiplied by the rate per gallon per day contained in the Rate Schedule. A minimum sewer connection charge for nonresidential users shall be imposed, in an amount equal to the residential connection fee, regardless of whether the estimated usage is less than the residential rate of usage.

C. In the event that there is any physical or operational change associated with an increase in estimated projected flow of water to any building, facility or structure of a nonresidential customer for which a building permit, site plan, subdivision or other municipal approval is required, the Authority shall impose an additional connection fee to correspond with the amount of estimated increased usage.

D. In the event that the customer is to receive both water and sewer services from the Authority, both the water service connection fee and the sewer service connection fee shall be due and payable at the same time.

302. SIZE AND KIND OF SERVICE LATERAL

The Authority shall approve the size and kind of service lateral from the main to the curb line. Laterals shall be constructed in accordance with the Authority's specifications and shall be inspected and approved by the Authority's inspector prior to backfilling the trench. Any construction not approved shall be immediately removed and reconstructed in an approved manner. The service lateral from the main to the building shall be furnished and maintained by the owner of the property and shall be installed by a licensed plumber. The use of vents on any portion of the service lateral which would permit the entrance of surface or storm water is prohibited. The service lateral shall comply with all State Plumbing Code requirements.

303. REPLACEMENT OF SERVICE LATERAL

In the event that it is necessary to replace the service lateral from the main to the structure, the owner shall replace the service in the same location as previously used, unless otherwise approved by the Authority.

304. MAINTENANCE BY CUSTOMER

All connections, service laterals and fixtures from the main to and within the building shall be maintained by the customer in good order. All leaks in the service lateral from the building to the main or in any fixture in the premises served, must be repaired immediately by the owner or occupant of the premises. The customer shall be responsible for notifying the Authority of the party contracted to do any maintenance work on the customer's service lateral prior to work being commenced, and the contractor shall not backfill any trench until the work has been inspected and approved by the Authority's representative. Any work not acceptable shall be immediately removed and replaced by work which is acceptable. The customer shall make such changes to the service lateral that are required by reasons of changes of grade, relocation of mains or otherwise.

305. MAINTENANCE BY AUTHORITY

The Authority shall be responsible for maintaining mains and force mains which have been accepted for ownership by the Authority, but shall not be responsible for maintaining any mains or force mains which have not been accepted by the Authority or for any portion of the sewer service line from or within the building to the main or for damage done by sewage escaping therefrom or from lines or fixtures on the customer's property.

306. PROPERTY SERVED BY A SINGLE SERVICE LATERAL

A. A service lateral shall not serve more than one property, facility, structure or use. Exemptions may be considered by the Authority upon written application by the customer. If an exemption is granted, each unit shall be billed as if it had its own individual service lateral.

B. Where two or more customers are now served through a single service lateral, any violation of the rules of the Authority, with respect to either or any of said customers, shall be deemed a violation as to all, and unless the violation is corrected after reasonable notice, the Authority may take such action as may be taken for a single customer.

307. WASTEWATER DISCHARGE REGULATIONS

The Authority's Wastewater Discharge Regulations are incorporated herein, and are made a part of, these Rules and Regulations.