

INDIANA COUNTY
MUNICIPAL SERVICES AUTHORITY
SEWER RULES AND REGULATIONS

TABLE OF CONTENTS

ARTICLE I – GENERAL	2
ARTICLE II – DEFINITIONS	2
ARTICLE III – REQUIRING CONNECTION TO SANITARY SEWER SYSTEM.....	4
ARTICLE IV – APPLICATION FOR AND TERMINATION OF SEWAGE SERVICE	5
ARTICLE V - CONNECTIONS TO SEWER SYSTEM	7
ARTICLE VI – BUILDING DRAINS AND LATERAL SPECIFICATIONS	8
ARTICLE VII – USE OF SANITARY SEWER SYSTEM.....	10
ARTICLE VIII – PROHIBITED WASTES	11
ARTICLE IX – POWERS AND AUTHORITY OF INSPECTORS.....	17
ARTICLE X – EXTENSION OF WASTEWATER SYSTEM	17
ARTICLE XI – SERVICE.....	19
ARTICLE XII – TAPPING FEES, SEWER RATES AND OTHER CHARGES FOR SERVICE	20
ARTICLE XIII – BILLS, TIME AND METHOD OF PAYMENT, COMPLAINTS, AND ADJUSTMENTS	21
ARTICLE XIV - RESPONSIBILITY OF OWNERS OF IMPROVED PROPERTY.....	24
ARTICLE XV – ADDITIONS TO AND CHANGES OF SEWER RATES AND OTHER CHARGES; ADDITIONAL RULES AND REGULATIONS	24
ARTICLE XVI– CONSTRUCTION AND SEVERABILITY	24

ARTICLE I – GENERAL

1. ICMSA will furnish sewage service only in accordance with the Rules and Regulations of the Authority. Every person, firm, corporation and political subdivision, who takes sewage service from ICMSA and by taking of the sewage service, agrees to be bound thereby.
2. The Authority shall have the power and authority to make all reasonable rules and regulations relating to the supplying of wastewater by the Authority which it shall deem necessary and proper in the public interest, and such rules and regulations shall be binding on all users.
3. The Authority hereby reserves the right so often as it may deem necessary to alter, amend, and/or repeal its Rate Schedule and/or these Rules and Regulations, or any part; and in whole or in part to substitute new Rates, Rules and Regulations.

ARTICLE II – DEFINITIONS

Unless the context specifically and clearly indicates otherwise, the meaning of terms and phrases used in these Rates, Rules and Regulations for the Indiana County Municipal Services Authority (“ICMSA”) shall be as follows:

1. Abnormal Waste: Any waste having suspended solid content or B.O.D. appreciably in excess of that normally found in municipal sewage. For the purpose of this ordinance, any waste containing more than 250 parts per million of suspended solids, or having B.O.D. in excess of 250 parts per million, shall be considered an abnormal waste regardless of whether or not it contains other substances in concentrations differing appreciably from those normally found in municipal sewage.
2. Authority: The Indiana County Municipal Services Authority (ICMSA), a Municipal Authority organized pursuant to the laws of the Commonwealth of Pennsylvania, or any designated agent, representative or employee acting on behalf of the Indiana County Municipal Services Authority.
3. B.O.D. (“Biochemical Oxygen Demand”): The quantity of oxygen utilized in the biochemical oxidation of the organic matter in sewage or industrial waste under standard laboratory procedure in 5 days at 20 degrees C., expressed in parts per million by weight.
4. Building Drain: The plumbing fixtures and drain extending from a building to the connection point of the lateral.
5. E.D.U. (Equivalent Dwelling Unit): An amount of waste equal to the average amount typically produced in a single family dwelling unit in volume, herein defined as 6,000 gallons a month, and in strength and character as outlined in the Rules and Regulations of the Authority.
6. Developers: Any landowner, agent of such landowner or tenant with the permission of such landowner, who makes or causes to be made a connection or extension of the Sanitary Sewer System.
7. Improved Property: Any property upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure sewage shall be or may be discharged.

8. Lateral: The sewer lateral extending from the Authority's Sanitary Sewer System to the connection with the building drain at the curb line, right-of-way line, or if there shall be no curb line or right-of-way line, to the property line.
9. Multiple Use Unit: A combination of a single family dwelling unit and/or store, shop, office, business, institutional, commercial or industrial unit contained within any structure or any building determined by the Authority to have more than one use. In this event, each unit shall be considered a separate E.D.U. for billing purposes.
10. Owner: Any Person vested with ownership, legal or equitable, sole or partial, of any Improved Property
11. Person: Any individual, partnership, company, association, society, corporation or other group or entity, including a municipal authority and any municipal subdivision
12. Sanitary Sewer System: The sewer collection system which carries sewage and to which storm, surface and ground waters are not intentionally admitted.
13. Sewage: Wastewater or waste matter carried off by sewers.
14. Sewage System: All of the components that convey or treat sewage including the sanitary sewer system, pump stations and treatment facilities.
15. Slug: Slug, as used herein, shall mean any discharge of water as wastewater which, in concentration of any given constituent or in any quantity of flow, exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment facility.
16. Suspended Solids: Suspended Solids, as used herein, shall mean solids that either float on the surface of or are in suspension in water, sewage or other liquids and which are removable by laboratory filtering.
17. Tapping Fee: The fee charged to a user for connection, access and use of the sanitary sewer system.
18. User: The person, whether owner, tenant, agent or representative of the owner or other occupant of an Improved Property who has applied for and/or is receiving or shall receive wastewater service or is required by statute, ordinance, or other law or regulation to connect to the Sewer System, and shall include the following subcategories:
 - a) Residential User – All premises used only for human residency and which is connected to or required to connect to the wastewater system and which is capable of producing wastewater.
 - b) Commercial User – All premises used for trade, commerce and/or service and which is capable of producing wastewater and which is connected to or required to connect to the wastewater system.
 - c) Industrial Users – Any non-residential user identified in Division A, B, C, D, E or I of the Standard Industrial Classification Manual. This shall also include any User which discharges wastewater containing toxic or poisonous substances or any substances which causes interference in the wastewater system.

19. Sewer Charge: The monthly fee or other charges imposed by the Authority for wastewater treatment and tap debit service.
20. Wastewater: Herein shall be used interchangeable with the term Sewage.
21. Wastewater System: Herein shall be used interchangeable with the term Sanitary Sewage System.
22. Volume of water used: shall include, for sewer service charge and surcharge purposes, metered water purchased from the Water Authority and, in addition thereto, all water obtained from wells, springs, streams, etc., as determined by (a) water meters installed and maintained by the Water Authority, (b) water meters installed and maintained by the property owner or water user or (c) estimates or measurements made by the Water Authority and/or calculations based on sewage flows from Chapter 73.17 of Act 537, The Pennsylvania Sewage Facilities Act.

ARTICLE III – REQUIRING CONNECTION TO SANITARY SEWER SYSTEM

1. General – The Owner of all houses, buildings or properties used for human occupancy, employment, recreations, commercial or other purposes, situated within the approved Act 537 Plan and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a sanitary sewer of the Authority, and which is within 150 feet of said sewer, is hereby required at the Owner(s) expense to connect such houses, buildings or other structures located on said property with the aforementioned sanitary sewer for the purpose of disposing of all sanitary sewage. The connection with the sanitary sewer shall be made in accordance with the provisions of these Rules and Regulations, within ninety (90) days after date of official notice to do so.
2. Disposal of Sewage – Any occupant of any property in the approved Act 537 Plan abutting upon any sanitary sewer shall not be permitted to employ any means, either by septic tank, cesspool, privy vault, mine hole or otherwise, for the disposal of sewage other than into and through said sanitary sewers, when said sanitary sewers are available for service.
3. Connection Requirements – Where any house, building or structure in the approved Act 537 Plan is now or hereafter using any method for the disposal of sewage other than through said sanitary sewers, it shall be the duty of the Authority to notify occupants of such structure, in writing, either by personal service, certified mail or registered mail, to disconnect same and make a proper connection for the discharge and disposal of the sewage through the sanitary sewer. Said connection cannot be made until proper request for service has been made to the Authority and all required fees and costs are paid.
4. Failure to Comply – If the Owner(s) of any occupied houses, buildings or structures in the approved Act 537 Plan shall neglect or refuse to comply with the provisions of these Rules and Regulations or written notice as prescribed in this Article, the Authority may perform or cause to be performed such work and labor, and furnish such material as may be necessary to comply with the provisions of these Rules and Regulations at the cost and expense of such Owner(s). All Tapping Fees, charges and expenses incidental thereto, which sum shall be collected from said Owner(s) for the use of the Authority as debts, are by law collectible or the Authority may file a municipal claim or lien therefore against said premises as provided by law.

ARTICLE IV – APPLICATION FOR AND TERMINATION OF SEWAGE SERVICE

1. Permit Required – No unauthorized person(s) shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof of the Authority without first obtaining a written permit from the Authority and paying the connection fee and Tapping Fee required at that time. Any permit so issued shall be null and void five years from the date of its issuance. If a permit has been issued before adoption of these Rules and Regulations, then the permit shall be good for five years from its date of issuance. A new permit must be issued if the installation is not completed and inspected by Authority personnel within the five year period. No building drain can be installed as a dry sewer on any permits issued before the effective date of this Resolution. A building drain cannot be installed unless construction has been commenced on a building.
2. Application for Permit - No person shall connect any property, new or existing, to any part of the Authority's Sanitary Sewer System without first making a written application on the form furnished by ICMSA and securing a permit, in writing, from the Authority. The written application for service must be signed by the property Owner(s). The Authority reserves the right to require any applicant to submit any other information, as deemed necessary by the Authority, to evaluate the permit application. Any property connected without first making an application for service shall be in violation of these Rules and Regulations, and shall be subject to the penalties set forth herein.
3. In submitting an application for service, the Owner must state the purpose for which service will be used. If service will be from a commercial or industrial establishment, the applicant will be required to complete a Wastewater Plan for compliance with ICMSA's Rules and Regulations.
4. A security deposit must accompany all new request for sewage service if the person seeking service has no previous credit rating in good standing with ICMSA. Deposits will be required for the estimated bill for a three (3) month period based on current rates. Deposits shall be returned to the depositors when they shall have paid bills for a service period of twelve (12) consecutive months, on a timely basis, or upon discontinuance of service by the ratepayer and payment of all charges due. No interest will be paid on deposits. In the event sewage service is discontinued, the security deposit shall be used as payment credit to reduce any balance for service. If there is no balance, the security deposit will be returned to the depositor.
5. In the event the Owner wishes for service to be in a tenant's name, and contingent upon ICMSA's approval in its sole discretion, the tenant will be required to make a request for service and to pay the required security deposit.
6. ICMSA reserves the right to require that service be placed in the name of the Owner. In no event shall a sewer service account be placed in the name of any person other than the property Owner where the property is not also served by the public water system owned, operated, and maintained by ICMSA.
7. ICMSA may prohibit service to a User until all arrears are paid for, rates and other charges for sewer service due for the property at issue or any other property then owned and therefore owned or occupied by the User.
8. Upon receipt of a completed application, ICMSA will determine if service is available and what the applicable fees will be. Once all appropriate fees have been received, a connection

permit will be issued. Fees charged shall be in accordance with the duly adopted Rate Schedule in effect at the time of application.

9. ICMSA reserves the right to deny any permit if access is not available, if capacity is not available, or if the "Wastewater Plan" indicates non-compliance with the Authority's Rules and Regulations.
10. A new application for service must be made to and approved by the Authority upon any change in the identity of the Owner or tenant at a property, or any change in the use of service as described in the original application for service. The Authority, may, upon ten (10) days written notice and posting of said notice at the main entrance of the property terminate the service until such new application for service has been submitted and approved. Where an Owner elects to have a tenant receive the monthly bill, the Consumer will be responsible for jointly filing with the Tenant a new Application for service with the Authority.
11. If a User wishes that service be discontinued due to change in occupancy, the User must give at least three (3) days written notice prior to the date of requested discontinuance.
12. If a User requests that service be discontinued due to change in occupants or vacancy of an improved structure, the User shall be responsible for all sanitary Sewer Charges and fees up to the time that the service is discontinued as requested or a new customer assumes liability for the service charges. If a User request that service be discontinued due to a vacancy of an improved structure, the User shall be responsible for all active charges if the water service to the property cannot be discontinued. If the water service can be discontinued, the User shall be responsible for all inactive sanitary Sewer Charges until the property becomes occupied and/or water service is restored in accordance with ICMSA's Rules and Regulations, policies, and Rate Schedule.
13. The Authority reserves the right to terminate sewer service and to collect all costs incurred in such termination for neglect or refusal to comply with the Rules and Regulations of the Authority and/or for the reasons listed below:
 - a) For misrepresentation in the application for service as to property or improvements to be serviced by the sewer service.
 - b) Use of service for any improved property or purpose other than that described in the Application for Service.
 - c) Discharging sewage through improper or imperfect pipes, fixtures, or otherwise.
 - d) Vacancy of the premises.
 - e) Violation of any rules of the Authority.
14. The Authority shall have the right to close up or disconnect from the Sanitary Sewer System any building drain used for carrying rain water, surface water, groundwater, or objectionable matter or whenever any violation of these Rates, Rules and Regulations are committed. The Authority further reserves the right to restrict the use of the Sanitary Sewer System whenever the public welfare may require it.
15. Where service has been discontinued or terminated Service shall not be restored until such time as all applicable provisions of these Rules and Regulations are complied with and any

applicable Sewer Charges or other fees, penalties, or fines owed to the Authority are remitted in full thereto.

16. The Authority reserves the right to discontinue sewer service without notice due to breaks, emergencies, or any other circumstance which presents or may present an imminent or substantial endangerment to the health, safety, or welfare of persons or the environment, or other causes beyond the control of the Authority or Users until such time as the circumstances which triggered the discontinuance are rectified to the satisfaction of the Authority. The Authority reserves the right to temporarily suspend service in order to perform upgrades, install connections, or perform maintenance on the Sanitary Sewer System. If time permits, the Authority will use all reasonable and practicable measures to notify the User, in advance, of such discontinuance of service if the Authority has advance notice of the temporary suspension of service. If service is discontinued the Authority shall not be liable for any damage or inconvenience suffered by the User.

ARTICLE V - CONNECTIONS TO SEWER SYSTEM

1. All costs and expenses incident to the installation, connection and maintenance of any service connection, including the Building Drain and Lateral, shall be borne by the Owner. The Owner shall indemnify the Authority from any loss or damage that may directly or indirectly be occasioned by the installation of the service connection. The maintenance and repair of the Building Drain is the sole responsibility of the Owner and shall be kept in good condition by the Owner and any break or malfunction of the Building Drain may result in discontinuance of service as set forth herein. Any and all leaks in Building Drain shall be promptly repaired at the full expense of the Owner. Failure to promptly make necessary repairs may result in the discontinuance of sanitary sewer service until all leaks are repaired by the Owner and the repair is inspected and approved by the Authority. The Owner shall be responsible for any inspection cost that may be incurred if the Authority deems it necessary that an inspection of the service connection be completed prior to the restoration of service.

No unauthorized person(s) shall uncover, make any connections with or opening into, use, alter, or disturb any part of the Sanitary Sewer System or appurtenance thereof without first obtaining a written permit from the Authority as provided for herein.

All service connection lines not installed by the Authority must be inspected by the Authority's Inspector. Trenches must be left open until said inspection is completed. The Authority is to be notified no less than 24 hours in advance of installation and an appointment must be made for inspection. All pipes and pipe joints must be visible and accessible to the Authority's Inspector. If the work is satisfactory, the application for service, which must be on hand at the time of inspection, will be endorsed and returned to the Owner.

2. The permit holder shall notify the Authority 24 hours prior to when the service connection will be ready for inspection and testing prior to connection with the Sanitary Sewer System. The connection shall be made under the Authority's supervision.
3. When two or more Users are supplied through a single Building Drain any violation of the Rules and Regulations of the Authority by either or any of the Users shall be deemed a violation as to all, and the Authority may take such action as could be taken against a single User, except that such action shall not be taken until the innocent User who is not in violation of the

Authority's rules has been given a reasonable opportunity to install an individual Building Drain.

4. For any new construction or new application for sewer service for which a new lateral will be required a separate and independent Building Drain shall be provided for every building; except where it is not possible, as determined by the Authority, to provide for each building on a property a separate and independent Building Drain to be connected to the Lateral, in which case the Authority may permit, in its sole discretion, modification of the requirements of this section. However, the Authority does not and shall not assume any obligation or responsibility for damage caused by or resulting from any such single connection aforementioned.
5. Where one Building Drain has been used for two or more properties held in one ownership and there be a division of such ownership, whether by sale or otherwise, each property shall, thereafter, have its own Building Drain connected to the Lateral, installed at the expense of the Owner(s).
6. The Authority, shall in no event be responsible for damage done by sewage escaping from the Building Drain or any other pipe or fixture on the property of the Owner and the Owner shall, at all times, comply with Federal, State, and local statutes, ordinances, and regulations pertaining to the discharge of sewage and shall take any corrective action required thereunder.

ARTICLE VI – BUILDING DRAINS AND LATERAL SPECIFICATIONS

1. A separate building drain and lateral will be required for each building, whether constructed as a detached unit or as one of a pair or row. A single building drain and/or lateral may be permitted to serve a school, factory, other permanent Multiple Dwelling Unit or Multiple Use Unit structure, whose individual units may not be subject to separate ownership, at the discretion of the Authority, and subject to Tapping Fees based on the definition of E.D.U.
2. The minimum size gravity lateral for any building shall be four (4) inch diameter pipe laid on a minimum grade of one fourth (1/4) inch per foot of length and having permanently sealed water and gas tight joints. The size of the lateral serving other than detached residential units by gravity shall be considered on an individual basis by the Authority.
3. All laterals shall be type PSM SDR 35 PVC pipe conforming to ASTM D3034 or equal. Pipe and fittings shall have bell and spigot type elastomeric gasketed joints. Gaskets shall meet the requirements of ASTM F477. PVC Schedule 40 pipe conforming to ASTM-D1785 may be used if the trench is not wet and if specifically approved by the Authority's Inspector.
4. Unless the sewer tap elevation prohibits standard trench depth, all sewer lateral trenches shall be a minimum of three (3) feet deep.
5. Suitable fill, free of rock material and excessive water content, shall be used in backfilling the trench to a level at least thirty (30) inches over the top pf the pipe. Said cover shall be mechanically tamped, in layers not to exceed twelve (12) inches. The pipe shall be laid in a straight alignment. 100% stone backfill will be required for backfilling the trench when the lateral crosses a driveway.
6. All sewer laterals shall be required to have a clean-out, vent pipe no more than six (6) feet from the building drain connection. The pipe shall extend above grade a minimum of eighteen (18)

inches and shall be equipped with a removal vent cap. All clean-out vent pipes shall have an eight (8) inch collar for protection.

7. All sewer laterals shall be required to have a sanitary trap immediately following the clean-out vent pipe.
8. Unless otherwise authorized by the Authority, cleanouts shall be provided at each building drain and at intervals of a maximum of every one hundred (100) feet or where bends are necessary. No bends shall exceed forty-five (45) degrees. The riser pipe shall be provided with a standard screw type ferrule. The riser pipe shall extend to within six (6) inches of the surface or if extended above the surface shall have an eight (8) inch collar for protection.
9. Connections to the sewer tap shall be made with an approved adapter, coupling, reducing fitting or combination thereof. All fittings, couplings and adapters shall be installed and joined in accordance with the pipe manufacturer's recommendations.
10. In the event that the elevation of the sewer tap prohibits gravity flow of wastewater to the tap, the Authority will provide access by the installation of a pump and a pump tank. If the tap is apart of an ICMSA project covered by a mandatory tap ordinance, the Authority will be responsible for the cost of the pump and installation. The Owner must provide the electrical connection, electrical service, and easement area if necessary and are responsible for any costs of maintenance repairs and replacement to pump system. If the tap is requested by the property Owner and is the subject of a subscription agreement, the Owner shall provide the pump meeting the Authority's specifications and be responsible to maintain and replace the pump.
11. Projecting the smaller pipe in the larger and sealing will not be permitted.
12. All hotels, restaurants, boarding houses (with flows greater than 2 E.D.U.'s) and public eating places shall install grease traps on the Building Drain. The grease traps shall be of type and size approved by the Authority. All service stations, garages, factory buildings, or commercial establishments handling oils, petroleum products, washing cars, trucks, or other machinery shall install grease traps and sand traps of a size and type approved by the Authority. All costs for the installation and maintenance of grease traps and sand traps shall be borne by the Owner.
13. No repairs, alterations or additions to any Building Drain or Lateral shall be made unless the Owner provides notification to the Authority and receives written permission to do so.
14. No User shall be allowed to permit any other Persons or Buildings to use or connect with his Building Drain or Lateral except upon written permission of the Authority.
15. No Building Drain or Lateral shall be placed by any person in the same trench with a water or gas pipe or with any facility of a public service company or municipality, or within three (3) feet of any excavation or vault, unless such installation plan has been previously authorized and approved by the ICMSA as evidenced by its written permission. If authorized by ICMSA, water and sewer lines may be installed in the same ditch with a minimum of 18" of horizontal and vertical separation with the water line a minimum of 40" deep and above the sewer line.
16. All excavation shall be guarded with barricades to protect the public from hazard.
17. Cellar drains which are designed to drain surface water are prohibited from the sewer system and shall not be connected to the Building Drain or Lateral.

18. All construction, reconstruction and alterations of Sewer Connections and appurtenances shall be performed in a competent workmanlike manner in accordance with recognized standards of the plumbing trade and the current sewer technical specifications currently on file with the Authority. The Authority shall stop or require reconstruction of any work not conforming to these standards or specifications.
19. At the time of inspection of the connection, the property Owner shall permit the inspector full and complete access to all sanitary and drainage arrangements and facilities in each building and in and about all parts of the property. No connection shall be covered over, or in any manner concealed prior to inspection and approved by the inspector.
20. Connections and Building Drains shall be hydrostatically, pneumatically, or smoke tested for leakage at the discretion of, and in the manner as specified by the Authority. Final approval must be given prior to connection.
21. Installers of all Building Drains and Laterals shall comply with all Federal, State, and local requirements including all applicable Authority construction specifications. Copies of Authority specifications may be obtained from the Authority upon request.

ARTICLE VII – USE OF SANITARY SEWER SYSTEM:

1. All drains that carry or are capable of carrying wastewater shall be connected to the sewer lateral. Wastewater includes but is not limited to waste from commodes, sinks, tubs, washing machines, showers, and all other drains carrying wastewater.
2. No stormwater, surface water, roof runoff, subsurface draining, cooling water or unpolluted industrial process waters may be deposited in the sanitary sewer system of the Authority.
3. The Sewer Lateral shall be the responsibility of the Owner and shall be maintained and repaired by the Owner at his own cost. Any repairs of the Sewer Lateral shall be subject to the discretion, approval and inspection of the Authority.
4. The Authority reserves the right at any time to excavate or allow the excavation of any Wastewater System component, if it believes that it is in non-compliance with the Authority's Rules and Regulations.
5. The Owner shall maintain the sewer lateral in good condition at all times. Should a break or other accident occur in the Owner's property which would threaten the Wastewater System or its capacity, the Authority reserves the right to discontinue service without notice until such time as the condition is corrected.
6. The Authority may at any time require any ratepayer to install in connection with their service pipes, such vents, traps, gates, or other apparatus as may be in the opinion of the Authority required for the safeguarding and protection of the Authority's or Owner's property.
7. When the Owner desires or is ordered to replace or relocate any Sewer Lateral, the cost of such change shall be borne entirely by the Owner, and shall be subject to the prior written consent of the Authority.
8. It is specifically prohibited to discharge or allow to discharge any waste to the sanitary sewer system except by an approved sewer lateral connection or by written approval from the Authority.

9. Every Commercial or Industrial User will be required to submit a Wastewater Plan for compliance with ICMSA's Rules and Regulations.
10. Every Commercial or Industrial customer that produces more than one (1) E.D.U. of waste as defined by E.D.U. and volume of water used in Article II of these Rules and Regulations, will be required to install a water meter on all water sources used in accordance with the Authority's Specifications. Where meters are currently not in use, estimation of E.D.U.'s will be based on standard calculations based on sewage flows from Chapter 73.17 of Act 537, The Pennsylvania Sewage Facilities Act.

ARTICLE VIII – PROHIBITED WASTES

1. General Restriction - No person(s) shall discharge, contribute or cause to be discharged, contributed, directly or indirectly, any pollutant or wastewater which will pass through or interfere with the operation or performance of the Sewer System. These general prohibitions apply to all Consumers, whether or not the Consumer is subject to Federal Categorical Pretreatment Standards or any other Federal, State, or local Pretreatment Standards or Requirements.
2. Hazardous/Prohibited Materials - The following described substances, materials, waters, or wastes shall be limited in discharges to municipal systems to concentrations of quantities which will not harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The Authority may set limitations lower than the limitations established in the regulations hereinafter if, in their opinion, more severe limitations are necessary to meet the above objectives. In forming its opinion as to the acceptability, the Authority will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials or construction of the sewers, the wastewater treatment plant and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewater discharged to the sanitary sewer which shall not be violated without approval of the Authority are as follows:
 - a) The discharge of any amounts of unpolluted water (swimming pools, hot tubs, stormwater, groundwater, roof runoff, and surface drainage and cooling water) or waste into the Sewer System and/or the sewage treatment works is expressly prohibited. The Authority reserves the right to define the amount it deems excessive in each particular instance and to determine the adequacy of a sewer's capacity.
 - b) The discharge of garbage to the Sewer System is expressly prohibited except from single family dwelling units, and commercial food units, and in such cases the garbage must be first properly shredded by a mechanical garbage grinder or disposer of a type approved by the Authority.
 - c) The discharge of gasoline, benzene, naptha, fuel oil, or other flammable or explosive liquid, solid or gas is expressly prohibited.
 - d) The discharge of any water containing toxic or poisonous solids, liquids, or gasses in sufficient quantity, either singly or by interaction with other wastes which injures or interferes with any waste treatment process, constitute a hazard to humans or animals,

create a public nuisance, or create any hazard in the wastewater treatment plant is expressly prohibited.

- e) No person shall discharge or permit the discharge or infiltration into the Sewer System of any of the following solid or viscous substances in quantities or of such size capable of causing obstruction in the flow in sewers, or other interferences with the proper operation of the wastewater facilities: Wastes containing ashes, cinders, sand, mud, greases, lime or acetylene sludges, straw, shavings, metal, glass, rags, feathers, tar, wax, plastics, wood, sawdust, paunch manure, cotton, chemical or animals, spent mash and grain, pulp from food processing, water or wastes containing grease, fat, blood or oil in excess of 50 p.p.m., or any other liquids, gases, solids or viscous substances by reason of their quality, quantity or characteristics may cause fire, explosion, obstruction to the flow in the Sewer System, or in any other way interfere with or be deleterious to persons, the structure, or the proper operation of the Sewer System.
- f) Wastes or sewage having a temperature in excess of 120 F. (49 C) or less than 32F. (0C).
- g) Wastes or sewage having pH lower than 6.0 or higher than 9.0 or having any corrosive property capable of causing damage or hazards to structures, equipment or personnel of the Sewer System. When the Authority deems it advisable, it may require any person discharging wastes or sewage to install and maintain, at his own expense, in a manner approved by the Authority, a suitable device to continuously measure and record the pH of the wastes or sewage so discharged.
- h) Commercial Food establishments are prohibited from discharging garbage unless shredded by a grinder or disposer approved by the Authority.
- i) Wastes containing mineral acids, waste acid, pickling or plating liquors from the pickling or plating of iron, steel, brass, copper or chromium, or any other dissolved or solid substance which will endanger health or safety, interfere with the flow in, or attach or corrode, or otherwise interfere with or be detrimental to, the Sewer System or the operation of either thereof.
- j) Wastes or sewage containing cyanides or cyanogens compounds capable of liberating hydrocyanic gas or acidification; and wastes or sanitary sewage containing any of the following substances in concentration exceeding those shown in the following table:

<u>Substance</u>	<u>Maximum Permissible Concentration</u>
Phenolic compounds as $\text{C}_6\text{H}_5\text{OH}$	1 p.p.m.
Cyanides as CN	1 p.p.m.
Cyanates as CNO	10 p.p.m.
Iron as Fe	15 p.p.m.
Trivalent Chromium as CR	3 p.p.m.
Hexavalent Chromium as CR	0.5 p.p.m.
Nickel as Ni	3 p.p.m.
Copper as Cu	2 p.p.m.
Lead as Pb	2 p.p.m.

Tin as Sn	2 p.p.m.
Zinc as Zn	2 p.p.m.

and wastes and sewage containing other chemicals or other matter detrimental to the operation of, or causing erosion, corrosion or deterioration in, the Sewer System.

- k) Wastes or sewage containing more than 10 p.p.m. of any of the following gases: hydrogen sulfide, sulfur dioxide, nitrous oxide, or any of the halogens.
- l) Wastes or sewage containing a toxic or poisonous substance in quantities sufficient to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals or create any hazard in the Sewer System, and such toxic substances shall include, but shall not be limited to, substances containing cyanide, chromium and/or copper ions.
- m) Wastes or sewage containing toxic substances in quantities sufficient to interfere with the biochemical processes of the sewage treatment works or that will pass through the sewage treatment works and exceed the state requirements in respect thereof.
- n) Fats, blood, entrails and the like from meat processing plants rendering plants and similar industries and establishments.
- o) Sludges or other materials from septic tanks or similar facilities or from sewage or industrial plants.
- p) Wastes or sewage containing toxic substances in quantities sufficient to interfere with the biochemical processes of the sewage treatment works or that will pass through the sewage treatment works and exceed the state requirements in respect thereof.
- q) Concentrations of BOD in excess of 250 mg/l (milligrams per liter) as determined by the requirements of Section 7, hereinafter.
- r) Radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the authority in compliance with applicable state or federal regulations.
- s) Quantities of flow, concentrations, or both which constitute a "slug" as defined herein.
- t) Wastes or sewage containing odor-producing substances exceeding limits which may be established by the Authority.
- u) Wastes or sewage containing more than 25 mg/l (milligrams per liter) of petroleum oil, nonbiodegradable cutting oils, or products of mineral oil origin. Wastewater containing floatable oils, fat, or grease.
- v) Wastes or sewage containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- w) Wastes or sewage containing concentrations of suspended solids in excess of 250 mg/l (milligrams per liter) as determined by the requirements of Section 7 hereinafter.

- x) Volume of wastewater flow in excess of water consumption as called for by the Authority.
- y) Wastes or sewage containing insoluble, non-flocculent substances having a specific gravity in excess of 2.65.
- z) Wastes or sewage containing soluble substances in such concentration as to cause the specific gravity of the waste to be greater than 1.1.

The Authority may from time to time adopt such further particular rules and regulations, in addition to those set forth herein as the Authority, with the advice of its consulting engineer, shall deem necessary or appropriate for the efficient operation, maintenance and preservation of the Sewer System or the sewer business operation. The construction, meaning and application of the prohibited wastes and sanitary sewage regulations set forth herein shall be made by the Authority and shall be binding and conclusive with respect to users of the Sewer System and shall be consistent with any such construction meaning and application made by the Indiana County Municipal Services Authority (ICMSA) of any similar prohibited wastes and sanitary sewage regulations.

3. Authority Control Over Prohibited Materials - If any waters or wastes are discharged or proposed to be to the public sewers, which waters contain the substances or possess the characteristics enumerated in this Article, and which in the judgment of the Authority may have a deleterious effect upon the wastewater facilities, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Authority may:

- a) Reject the wastes;
- b) Require pretreatment to an acceptable condition for discharge to the public sewers;
- c) Require control over the quantities and rates of discharge; and/or
- d) Require payment to cover added cost of handling and treating the wastes not covered by existing taxes or Sewer Charges. The Authority shall immediately notify any ratepayer when a surcharge is imposed.

When considering the above alternatives, the Authority shall give consideration to the economic impact of each alternative on the discharger. If the Authority permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Authority. No construction of such facilities shall be commenced until said approval is obtained in writing. Where pretreatment or equalization of waste flows are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the Owner(s) at its sole expense

4. Interceptors - Grease, oil and sand interceptors shall be provided when, in the opinion of the Authority, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Authority and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the Owner(s) shall be responsible for the proper removal and disposal by

appropriate means of the captured material and shall maintain records of the dates, and means of disposal which are subject to review by the Authority. Any removal and hauling of the collected materials not performed by Owner(s) personnel must be performed by currently licensed waste disposal firms.

5. Industrial Waste Sampling - When required by the Authority, the Owner of any property serviced by a lateral carrying industrial waste shall install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such structure, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the Authority. The structure shall be installed by the Owner at his expense and shall be maintained by him so as to be safe and accessible at all times. In the event that no special structure or manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer, to the point at which the lateral is connected.
6. Verification of Compliance - The Authority shall require an industrial user of sewer services to provide information needed to determine compliance with these Rule and Regulations. These requirements must be accompanied by a detailed report setting forth the following minimum requirements:
 - a) Wastewater's discharge peak rate and volume over a specified time period.
 - b) Chemical analysis of wastewater.
 - c) Information on raw materials, processes, and products affecting wastewater volume and quality.
 - d) Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control.
 - e) A plot plan of sewers on the user's property showing sewer and pretreatment facility locations.
 - f) Details of wastewater pretreatment facilities.
 - g) Details of systems to prevent and control the losses of materials through spills to the municipal sewers.
7. Testing Procedure - All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in these Rules and Regulations shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association. Sampling methods, locations, times, durations, and frequencies are to be determined on an individual basis subject to approval by the Authority.
8. Special Agreements - No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the Authority and any industrial concern whereby an industrial waste of unusual strength or character may be admitted into the Sewer System.
9. Notification of Release to Authority - In the event of a release into the Sewer System of any substance enumerated in this Article, the person or entity with information about said release

shall notify the Authority as soon as possible and in any event no more than two hours after said release.

10. Surcharge Determination

General – If in accordance with this Article hereinbefore, excessive concentrations of BOD5, suspended solids and/or volume of wastewater flow are found to exist in any industrial waste discharge, a surcharge shall be applied in approximate proportion to the industry's contribution to the total wastewater loading of the treatment works.

Excessive Flow – If the volume of wastewater flow from an industry exceeds the water consumption as stated in this Article, a surcharge for excess flow shall be applied in accordance with the following formula:

$$S_f = C_t (V_u/V_t)$$

Excess BOD5 – If the concentration of BOD5 of any industrial waste exceeds the limits as established in this Article, the surcharge to be applied shall be in accordance with the following formula:

$$S_o = (B_c (B_i - 250)) W_i$$

Excess Suspended Solids – If the concentration of suspended solids of any industrial waste exceeds the limits as established in this Article, the surcharge to be applied shall be in accordance with the following formula:

$$S_s = (S_c (S_i - 250)) W_i$$

Definition of Symbols – The symbols used in the formula of the above sections are defined as follows:

S_f = surcharge due for excessive flow.

C_t = total costs associated with flow received by the treatment facilities per month.

V_t = total volume of flow in 1000 gallon units received by the treatment facilities.

V_u = excess volume in 1000 gallons for the monthly discharge by the industry.

S = surcharge due for excessive BOD.

B_c = total cost per pound of BOD received by the treatment facility.

B_i = average total concentration in mg/1 of BOD discharged by the industry.

W_i = the weight in million pounds of wastewater discharged by the industry.

S_s = surcharge due for excessive concentrations of suspended solids.

S_c = total cost per pound of suspended solids received by the treatment facility.

S_i = average total concentration in mg/l of suspended solids discharged by the industry.

ARTICLE IX – POWERS AND AUTHORITY OF INSPECTORS

1. For the purpose of advancing and protecting the public health, employees and authorized agents of the Authority, bearing proper credentials and identification, shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, testing, or performing any other functions of the Authority pertinent to discharge to the public system in accordance with the provisions of these Rates, Rules and Regulations. Authorized agents of the Authority shall carry with them proper credentials denoting employment or authorization by the Authority. In the event that the Authority's employees or duly authorized representatives are denied access to any customer's premises for these purposes, the Authority reserves the right to discontinue sewer service to such premises until inspection is permitted and compliance with the requirements of the Authority has been determined.
2. The Authority or other duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system.
3. While performing the necessary work on private properties as provided for in this Article, the Authority or its duly authorized employees of the Authority shall observe all safety rules applicable to the premises established by any company that may own said premises.
4. The Authority and duly authorized employees of the Authority bearing proper credentials and identification shall be permitted to enter all private properties through which the Authority holds a duly negotiated right-of-way for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, maintenance, and replacement of any portion of the wastewater facilities lying within said right-of-way, all of which shall be done in full accordance with the terms of the duly negotiated right-of-way agreement pertaining to the private property involved.

ARTICLE X – EXTENSION OF WASTEWATER SYSTEM

1. In cases where an extension of the Sanitary Sewer System is required to serve one or more dwelling units or other building(s) to be constructed by an individual or developer, application for such extension must be made on a special form provided by the Authority.

2. The completed application, together with a plot plan showing the proposed construction and the appropriate filing fee (if any) made payable to the Authority, must then be submitted to the Authority's Executive Director.
3. The Authority's duly appointed representative will prepare a feasibility sewer layout and cost estimate, review these with the developer and submit them to the Authority for approval in concept. Where hydraulic modeling and feasibility studies require the use of the Authority's resources, a written agreement and payment by developer is required.
4. Upon approval by the Authority, the developer must enter into an extension agreement with the Authority providing for:
 - a) Review of plans and specifications by Authority representatives.
 - b) Approval by State and local agencies.
 - c) Installation in compliance with Authority's specifications and inspection during construction by Authority.
 - d) Escrow deposit by developer to cover costs of (a), (b) and (c) above, plus legal fees and cost of construction if construction is by contractor engaged by Authority; and deposit of financial security as appropriate.
 - e) Refund to developer of any unexpended monies after acceptance of extensions or, additional escrow deposit to cover any actual costs incurred over and above initial deposit.
 - f) Transfer of title of public sewer extensions to Authority for operation and maintenance.
 - g) Other provisions as may be appropriate to protect the Authority's interests.
5. Dedication/Acceptance of Facilities - Whenever a person constructs and connects an extension of sewer facilities to the Authority's sewer system, excluding facilities that are owned by the sewer customer, such as the Building Drain, such facilities shall, upon inspection and approval by the Authority or its authorized representative, be offered for dedication by the developer or person to the Authority in accordance with the Pennsylvania Municipality Authorities Act. The person constructing such facilities and the Authority shall execute a Sewer Facility Dedication and Acceptance Agreement in a form acceptable to the Authority at such time as the facilities to be dedicated are approved by the Authority.
6. Release of Escrow Funds - As the work of installing extension facilities proceeds, the developer or party posting financial security may request the Authority to release, from time to time, such portions of the financial security necessary for payment of contractors performing the work. Any such requests shall be in writing addressed to the Authority. The Authority shall have 45 days from receipt of the request within which to allow its engineer to inspect and certify, in writing, to the Authority that such portion of the work has been satisfactorily completed in accordance with the approved plans and specifications. Upon such certification, the Authority shall authorize release of security in an amount estimated by the Authority's engineer as fairly representing the value of the work completed. The Authority may, prior to release of funds, require retention of 10% of the estimated cost of the work completed. In the event of a dispute between the Authority and developer or party posting financial security of the extension related to the released of escrow money, the dispute resolution procedures set

forth in Article V of the Pennsylvania Municipalities Planning Code shall be observed and shall control.

ARTICLE XI – SERVICE

1. The Authority will classify sewerage service according to types of use as follows:

(a) Residential Service shall mean sewerage service for buildings or units where there is human residency and where there is residential waste or the capability for residential waste.

(b) Commercial Service shall mean sewerage service for all premises used for trade, commerce, and/or service producing wastewater or processing the capability of producing wastewater.

(c) Industrial Service shall mean sewerage service to all users identified by the Standard Industrial Classification Manual and all users discharging wastewater containing toxic or poisonous substances, or any substance(s) which cause(s) interference in the Wastewater System.

2. The Authority reserves the right to discontinue service for nonpayment of delinquent sewerage bills following the ICMSA Collection Policy or for neglect or refusal to comply with the Authority with respect to Article VI of the Rules and Regulations and after giving the consumer ten (10) days notice. Service so discontinued shall not be restored until unpaid bills are paid in full with late charges and a turn on fee is collected, and a security deposit made if deemed necessary as listed in the current Rate Schedule.

3. Service is subject to discontinuance for any of the following reasons:

- a) Misrepresentation in the application.
- b) The use of service for or in connection with or for the benefit of any other premises or purposes other than those described in the application.
- c) Failure to maintain in good order the lateral connection and fixtures owned by the applicant.
- d) Tampering or in any other way interfering with any service pipe, meter, meter box, stop, seal, or other fixtures and appurtenances of the Authority.
- e) Refusal of reasonable access to the premises for purposes of inspection.
- f) Neglecting or refusing to make or renew advance payments where required, or for nonpayment of sewerage service bills, or for any charge accruing under the application.
- g) Premises where the use of water reduces the capacity of the sewers to such an extent that normal service to others is impaired.
- h) Premises where the character of the waste is detrimental to the sewer or is not in accordance with the requirements set forth herein.
- i) Unauthorized use by others of the building drain and/or lateral.
- j) Premises where apparatus, appliances or equipment using sewers is dangerous, unsafe and not in conformity with any laws or the Rules and Regulations.

- k) Fraud or abuse.
 - l) Violation of these Rules and Regulations or other requirements governing the furnishing of sewage service.
 - m) Non-payment of any or all service bills.
4. Service will be based on an approved application and compliance with the Authority's Rules and Regulations.
 5. It shall be the sole responsibility of the Owner and/or their representative(s) to notify the Authority when service is to be discontinued. The Authority reserves the right to bill for service until proper notification is given. Likewise, the resumption of service shall require proper notification to the Authority. In the event the resumption notice is not given, the Authority reserves the right to bill for service back to the date of discontinuance. The Authority also will continue to bill the Owner a tap debit service fee as long as the building has the capability of producing wastewater.
 6. In the event the Authority desires to terminate service for delinquent sewer bills or violation of the Rules and Regulations, it reserves the right to terminate water service where available and to exercise all remedies available by law to collect any and all unpaid delinquency.

ARTICLE XII – TAPPING FEES, SEWER RATES AND OTHER CHARGES FOR SERVICE

1. In general, the Tapping Fee, Connection Fee, and Customer Facilities Fee required for connection to the Sewer System shall be governed by the Municipality Authorities Act, 53 P.S. 5601, et. seq, as amended from time to time.
2. The Tapping Fee, Connection Fee, and Customer Facilities Fee established and imposed pursuant to this policy is charged for each Improved Property that is connected to the Sewer System, except as otherwise expressly provided herein.
3. Tapping Fee: This fee applies only to new Owners and is designed to recover costs of existing or planned facilities necessary to serve those Owners, excluding costs recovered by other means, such as through Meter Rates or other charges. All new Owners shall pay a Tapping Fee as set by Resolution and as may be amended from time to time and adopted by the Authority. The Tapping Fee shall be paid by the Owners upon proper notice from the Authority and before connection to the system.
4. Connection Fee: The Owners shall be responsible for the entire cost of installation of the Lateral from the sewer main to the property or right-of-way line. If circumstances require construction of the Lateral by the Authority, the Authority shall calculate the connection fee based upon the actual costs related to said Lateral installation and the Owners shall be responsible for the entire cost. The costs shall include all materials, labor, inspections, restoration, and administrative costs incurred in making the connection. If a pump tank is necessary to provide access to the sewer system on a new tap requested by an Owner, the Owner will be solely responsible for the additional costs of the pump tank.
5. Installation of Facilities by Owner: The Authority may, by written agreement with the Owner, allow the Owners or his agent to install sewer facilities. All sewer facilities installed by the Owners in accordance with this section and as otherwise specified in these Rules and

Regulations, shall be offered for dedication to the Authority, except for Building Drains and any other component which the Authority may exempt from the dedication requirement. In cases where the Authority allows the Owners or his agent to install any line or component which will constitute any portion of the sewer system, all construction must be performed in accordance with the most recent edition of the Authority's construction specifications, available at the Authority's office. Any such construction shall be subject to inspection by the Authority's Engineer or other designated inspection, and the Owners shall be responsible for all inspection costs.

6. Customer Facilities Fee: If the Authority installs the service connection, the Owners shall be responsible for actual costs incurred by the Authority for installation of the service connection to provide sewage facilities from the Lateral to the proposed dwelling or building to be served. The service connection shall be constructed in accordance with the Authority's construction specifications. The Owner(s) shall indemnify the Authority from any loss that may directly or indirectly be occasioned by the installation of the service connection.
7. Sewer rates and other charges established under this policy are imposed upon and shall be collected from the Owner of each Improved Property which shall be connected to the Sewer System, and/or any other person who may be liable for said rates and charges whether the benefit resulting from such connection shall be direct or indirect, which sewer rates and other charges shall commence and shall be effective for sewer service rendered on and after the date of connection of such Improved Property to the Sewer System and shall be payable as provided in these Rules and Regulations.
8. Except as follows, there shall be no abatement of sewer rentals and other applicable Sewer Charges imposed by these Rates, Rules, and Regulations, or any duly adopted Rate Schedule of the Authority because a property connected to the Sanitary Sewer System shall have been vacant or unoccupied:
 - a) In the event that a property Owner physically and legally disconnects his property from the Sanitary Sewer System in a manner satisfactory to the Authority, the Authority shall fully abate sewer rentals and other applicable charges from the date of disconnection forward.
 - b) Upon written request from a property Owner, the Authority may in its sole discretion partially or fully abate sewer rentals and other applicable charges in certain very limited circumstances where the property cannot be physically or legally occupied. This may include, but not by way of limitation: severe property loss due to fire or other casualty, or condemnation by a government agency. As a condition of granting a waiver, the Authority may require plugging or capping the Building Drain or Lateral in a manner satisfactory to the Authority.

ARTICLE XIII – BILLS, TIME AND METHOD OF PAYMENT, COMPLAINTS, AND ADJUSTMENTS

1. Monthly user fees will be charged for service as outlined in the Authority's approved Rate Schedule. Any User beginning or discontinuing service during a month shall be required to pay the proper prorated portion of such month's bill.

2. Billing and collections shall be performed in accordance with any duly adopted Rate Schedule and/or Billing and Collection Policy of the Authority, which shall be deemed to be incorporated into these Rules and Regulations by reference.
3. All bills for service and other charges shall be paid by the due date specified on the bill or be subject to a late charge of 1.5% monthly. If a bill remains unpaid for 30 days from the due date of the bill and a 10 day written notice, ICMSA shall have the right to proceed with debt collection procedures, which may include, but not limited to, forwarding the claim to a collection agency, a lien on the real property, and filing a civil suit. Furthermore, a writ of *scire facias* may be issued under the Municipal Claims and Tax Liens Act. 53 P.S. 7101, to enforce the lien to enforce the sale of the property.
4. All past due accounts are subject to all related collection costs, including but not limited to, reasonable interest, at rates adopted by ICMSA from time to time, court costs and reasonable collection fees. If a tenant does not pay, the property Owner shall remain liable for the payment of all utility services irrespective as to whom the bill is rendered. Additionally, the property Owner will need to collect any debt from the tenant himself/herself without further involvement from ICMSA. ICMSA encourages property Owners to actively know their tenants' utility status.
5. If service is terminated due to delinquency of the bill or any other payment due to the Authority under these Rules and Regulations, service shall not be restored until such delinquent bill is paid in full, and payment has been made of a reconnection fee in accordance with the most current Rate Schedule and of all other costs and expenses incurred by the Authority related to collection of such delinquent bill.
6. Every User shall provide the Authority with, and thereafter shall keep the Authority apprised of their correct current address. Failure of any User to receive appropriate bills for service rates and other charges shall not be considered an excuse for nonpayment nor shall such failure result in an extension of the period of time during which the net bill shall be payable.
7. In the event of non-payment by a tenant, a copy of the delinquent bill and/or notice shall be mailed to the Owner within thirty (30) days of the bill becoming delinquent. If a bill remains delinquent for thirty (30) days, the Authority shall notify the Owner of its intent to file a municipal lien against the Owner's property, and if payment is not received within thirty (30) days thereafter, the Authority shall file and enforce a municipal lien at its discretion and in accordance with its applicable policies and procedures. In accordance with applicable law and as set forth in the most current Schedule of Attorney's Fees, as adopted by the Authority, the Owner shall be responsible for all filing fees and other costs associated with filing and/or enforcing the municipal lien.
8. Bills shall only be rendered to the Owner of any Improved Property taking service from the Sanitary Sewer System, or to his tenant if the Owner so directs.
9. Should an Owner elect to have a tenant billed directly, the tenant may be required to make a security deposit to the Authority in an amount equal to three times the average monthly bill unless otherwise specified by the Authority in the Authority's latest Rate Schedule, before Sewer Service is provided. In the event a tenant leaves an unpaid bill larger than the security deposit, the Owner of the Building will be responsible for the unpaid balances. Otherwise, the security deposit shall be retained for a period of one year and shall be refunded thereafter.

without interest provided that: (a) no violation of these Rules and Regulations has occurred during the one year period; or (b) the applicant has not been delinquent during the one year period.

If the security deposit is not returned to the Tenant for the reasons set forth above the Authority shall retain the security deposit until such time as the Applicant completes a one year period without violating the reasons for non-return above, or until the Tenant vacates the premises and has paid in full all outstanding charges. If the Tenant vacates the consumer unit and there are unpaid charges, those charges shall be debit from the security deposit, and the remaining amount, if any, shall be returned to the Tenant.

The Authority reserves the right to place the account in the Owner's name even if a request is made that the account be in the name of a tenant.

10. Security Deposits for Existing Users: The Authority may require a security deposit from existing customer if: (a) A User has been delinquent in payment for two consecutive bills or delinquent in payment for two bills within a calendar year; (b) Service has been terminated in accordance with these Rules and Regulations; or (c) The User has failed to comply with a settlement or payment agreement.

Security Deposits that are required as a result of termination must be paid prior to the restoration of service. Security Deposits that are required as a result of delinquency or failure to comply with a settlement or payment agreement shall be due within ten (10) days of the issuance of the notice that a security deposit will be required. If the security deposit is not remitted with ten days service may be terminated in accordance with the Termination of Service Provisions of these Rules and Regulations

Users who are delinquent in payment shall be notified in the notice of delinquency that two consecutive delinquencies or two delinquencies within a calendar year may result in the imposition of a security deposit.

11. Whenever a tenant desires to have its service terminated, the Owner shall notify the Authority to that effect in writing. Owners shall be responsible for the payment of all services rendered by the Authority until such written notice is received and the service is discontinued.
12. Disputing Bills: If a User believes a bill to be in error and wishes to dispute the bill, the User shall present the claim in writing to the Authority's Executive Director by mail or in person at the Authority office located at 602 Kolter Dr, Indiana, PA 15701 within ten (10) business days of the issuance of the bill. The Authority shall render a decision as to whether the bill is correct or whether an adjustment is necessary.
13. A Request for Sewer Service may be denied if there is an unpaid delinquent amount associated with the property. Service shall not be provided until such time as any delinquent charges for the property are paid in full.
14. Service to a new User with an existing bill due may be denied should said bill be in any state other than a current *and* final bill. Service may be refused until such time as any outstanding charges or fees stemming from that User are paid in full.
15. Checks made payable to the Authority that are returned due to insufficient funds will be assessed a returned check fee, in accordance with the latest Rate Schedule.

16. Termination of Service: The Authority may terminate service for the reasons set forth in these Rules and Regulations and shall at all times comply with all laws applicable to the termination of service.

Prior to terminating service the Authority shall give notice, in the manner required by law, of its intention to request and direct the termination of water supply to the Improved Property. Any such notice shall be mailed to the User and shall be posted at a main entrance to the Improved Property.

Service may be terminated without notice for the reasons set forth in these Rules and Regulations or applicable Authority policy, or as otherwise allowed by applicable law.

ARTICLE XIV - RESPONSIBILITY OF OWNERS OF IMPROVED PROPERTY

1. The Owner of each Improved Property connected to the Sanitary Sewer System shall be responsible for all acts of Tenants or other occupants of such Improved Property in so far as such acts shall be governed by the provisions of these Rules and Regulations.

ARTICLE XV – ADDITIONS TO AND CHANGES OF SEWER RATES AND OTHER CHARGES; ADDITIONAL RULES AND REGULATIONS

1. The Authority reserves the right to change or amend, from time to time, these Rates, Rules and Regulations in accordance with law.
2. No officer, employee, or representative of the Authority can vary these rules without action of the Authority and no agent or employee of the Authority can bind it by any agreement or representations except when authorized in writing to do so by an executive officer of the Authority.

ARTICLE XVI– CONSTRUCTION AND SEVERABILITY

1. In the event any provision, section, sentence, clause or part of these Rules and Regulations shall be held by any Court or Administrative tribunal of competent jurisdiction to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Resolution, it being the intent of the Authority that such remainder shall be and shall remain in full force and effect.

Resolution No. MA-10 -19

**A RESOLUTION OF INDIANA COUNTY
MUNICIPAL SERVICES AUTHORITY, INDIANA COUNTY,
PENNSYLVANIA ADOPTING WATER SERVICE AND WASTEWATER
RULES AND REGULATIONS**

WHEREAS, the Authority owns and operates an extensive public water system (the “Water System”) and wastewater system (the “Wastewater System”); and

WHEREAS, the Authority has from time-to-time adopted and amended rules and regulations applicable to the Water System and Wastewater System; and

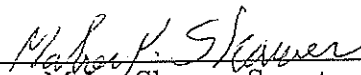
WHEREAS, the Authority desires to adopt a comprehensive set of new Rules and Regulations applicable to the Water System and the Wastewater System, respectively, which are intended to supersede and replace all prior Rules and Regulations applicable to the Water and Wastewater Systems.

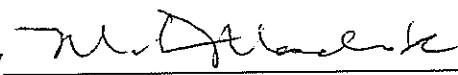
NOW, therefore, BE IT RESOLVED by the Indiana County Municipal Services Authority, and it hereby is resolved as follows:

1. The Authority hereby adopts the Indiana County Municipal Services Authority Water Service Rules and Regulations in the form attached hereto as Exhibit “A.”
2. The Authority hereby adopts the Indiana County Municipal Services Authority Wastewater Rules and Regulations in the form attached hereto as Exhibit “B.”
3. All resolutions or parts of resolutions, insofar as such shall be inconsistent herewith, shall be and the same hereby expressly are repealed.

APPROVED AND ADOPTED this 8th day of Oct., 2019.

Indiana County Municipal Services Authority

By 
Maher Shawer, Secretary

By 
Martin Maschak, Executive Director