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BEECH CREEK AUTHORITY

SEWER RATES, RULES, AND REGULATIONS

(AMENDED May 3, - 1999)

BEECH CREEK AUTHORITY - SEWER RATES, RULES, AND REGULATIONS

(AMENDED May 3 - 1999)

SECTION I. DEFINITIONS.

As used or referred to in these Rules and Regulations, the following words shall have the following definitions unless a different meaning clearly appears in the context:

- 1.1 Authority: Beech Creek Borough Authority.
- 1.2 Building sewer: Shall mean that part of the main building or house drain or sewer line inside the walls of the building and extending through the walls to a point five (5') feet outside the wall connecting to the Service Line or House Connection.
- 1.3 Commercial Establishment: Any improved property used wholly or in part for manufacturing, processing, cleaning, laundering, or assembling of any product, commodity, or article.
- 1.4 Connection: The jointure or process of making the jointure of the Service Line or House Connection with the lateral sewer owned by the Authority.
- 1.5 Improved Property: Any property upon which there is erected any structure intended for continuous or periodic habitation, occupancy, or use by human beings or animals and from which structure sanitary sewage and/or industrial wastes shall be or may be discharged.
- 1.6 Industrial Waste: Any solid, liquid, or gaseous substance or form of energy relected or escaping from any industrial manufacturing, trader business process, or from the development in recovering or processing of natural resources.
- 1.7 Inspector: Any authorized representative of the Beech Creek Authority.
- 1.8 Sanitary Sewage: The normal water-carried household and toilet waste from any improved property, excluding, however, the effluent from septic tanks or cess pools, rain, storm and ground water, as well as roof or surface water, drainage, or percolating or seeping waters, or accumulation thereof, whether underground or in cellars or basements.
- 1.9 Service Lateral, Lateral Sewer, or Service Connection: That part of the sewer system extending from a sewer to the curb line or, if there shall not be a curb line, to the edge of the street abutting the property affected or, if no such lateral shall be provided, then service

lateral shall mean that portion of, or place, in the sanitary sewer which is provided for the connection of any service line.

1.10 Service Line or House Connection: That part of the sewer line extending from outside the outer building wall or foundation to its connection with the service lateral or service connection.

1.11 Sewer: Any pipe or conduit constituting a part of the sewer system and used or usable for sewage collection or transportation purposes.

1.12 Sewer Customer: The owner of the property or other person contracting for sewer service to a property or being served by the sewer system.

1.13 Sewer System: The sewer system of the Borough of Beech Creek and the Beech Creek Borough Authority.

1.14 Soil pipe or waste pipe: Shall mean any pipe receiving the discharge of one or more plumbing fixtures.

1.15 Street: A public way, including any highway, street, road, lane, court, public square, alley, or other passageway.

1.16 Tapping or Connection Fee: The fee charged by the Authority to the permittee for the construction cost of the lateral sewer owned by the Authority, which fee shall be determined by Resolution of the Authority, from time to time.

1.17 Vent pipe: Shall mean any pipe extended vertically from a sewer, soil pipe, or waste pipe to provide ventilation for the system of piping and to prevent siphonage and back pressure.

SECTION II. CONNECTION TO SEWER SYSTEM.

2.1 All owners of an improved property accessible to and whose principal building is within one hundred fifty (150') feet from the sanitary sewers of the Authority are required to make connection with such sewer system for the purpose of discharging therein all sewage from such premises. All such sewage shall, after such connection, be conducted into such sewer.

2.2 In the event that an owner of property, after sixty (60) days notice from the Authority or Borough to make connections with such sewer, shall fail to make such connections, the Authority or Borough may make such connection and may collect the cost thereof from such owner by a municipal claim or in an action in assumpsit, as provided by law.

2.3 No privy vault, cess pool, or similar receptacle shall hereafter be maintained upon any premises from which connection with any sewers shall have been made nor shall it be legal to discharge sewage into any drainage pit, mine shaft, or other underground openings.

SECTION III. CONDITION OF SERVICE.

3.1 No connection shall be made, either directly or indirectly, to the sewer systems until all requirements of the rules and regulations have been met. No service, line, lateral sewer, or connection, through which sanitary sewage does or may enter the sewer system shall be connected, altered, repaired, or allowed to exist which does not comply with the rules and regulations.

3.2 All service laterals and house connections shall be constructed by and at the expense of the property owner and upon completion of construction, the service lateral shall become the property of the Authority.

SECTION IV. APPLICATION FOR SERVICE, ISSUANCE OF PERMIT, AND CONNECTION.

4.1 No person shall uncover, connect with, make any opening into, or use, alter, or disturb in any manner any sewer without first making application for and obtaining a permit, in writing, from the Authority. Application to the Authority for a permit required hereunder shall be made by the owner of the property to be served, in such form as may be prescribed by the Authority. The application shall be accompanied by the required tapping and/or connection fee required by the Authority.

4.2 Upon obtaining a permit to uncover, connect with, make any opening into, or use, alter, or disturb in any manner any sewer, all work to be done by owner shall be completed within a six (6) month period. Should an applicant fail to complete the work within the six (6) month period, the applicant shall be required to reapply for a new permit and pay all required application fees before the customer shall be allowed to connect to the sewer system.

4.3 No connection shall be made except under the supervision, control, and approval of the Authority or its authorized representatives. The application and its acceptance by the Authority shall constitute, from the date of acceptance by the Authority, a contract obligating the applicant to pay rates as established by resolution of the authority, from time to time, and to comply with the rules and regulations as established by resolution of the Authority, from time to time.

Sewer service shall be furnished only after:

- (1) The owner of the improved property to be served shall have installed, at his own cost and expense, the service line in accordance with the rules and regulations; and
- (2) The Authority has inspected said service line and approved such facility as complying with the rules and regulations.

SECTION V. INDIVIDUAL SERVICE LINES AND CONNECTIONS.

5.1 Unless written permission is obtained from the Authority, separate connections and corresponding separate tap, connection, and inspect fees will be required for each improved property, whether it be commercial, industrial, or residential, or whether it is constructed as a detached unit or as one of a pair or row, vertically, or horizontally, but a single connection will be permitted to serve a school, factory, an apartment house, or other permanent multiple unit structure whose individual apartments or units shall not be subject to separate owners.

SECTION VI. MAINTENANCE AND REPAIR OF SERVICE LATERALS.

6.1 All service lines or house connections shall be maintained and repaired by and at the cost of the owner of the property. Such repairs shall be subject to the direction, approval, and inspection of the Authority.

SECTION VII. PIPE AND INSTALLATION.

7.1 Service lines, building sewers, and house connections, unless specifically called for by the Authority, shall be constructed of the following type of pipe:

- (1) Polyvinyl chloride (PVC) at least four (4") inches in internal diameter, conforming to ASTM designation D3034(SDR35).

7.2 Jointing material for the above type of pipe shall be as follows:

- (1) Polyvinyl chloride (PVC) pipe shall have push-on joints with elastomeric gaskets meeting ASTM D3212 and ASTM F477 and shall be installed in accordance with the manufacturer's recommendations.

7.3 All service lines and house connections shall be installed with a minimum grade of one (1%) percent, the best possible alignment, and shall have adequate cover to protect the line from crushing or frost action. All service line and house connections shall be bedded to a point one (1') foot above the pipe with 2A or 2RC aggregate. All bends shall be forty-five (45) degrees or less. All service lines and house connections shall be constructed in accordance with the specifications for construction of sanitary sewers currently in effect by the Authority.

7.4 No trench shall be backfilled until the service line or house connection has been inspected and approved by the Authority.

7.5 Each building sewer shall be provided with a main trap and a vent pipe. The trap shall be located wherever possible within five (5') feet of the outside building well and shall consist of a trap, service tee, with a riser terminating in the outside air with a suitable vent pipe. The vent pipe shall be located to prevent surface water from entering the sewer.

7.6 The Authority shall not be responsible for any damage or expense resulting from leaks, stoppage, or defective plumbing, or from any other cause occurring to any property or within any house or building. The Authority shall not be responsible for any deficiency or failure of service when occasioned by an emergency, required repairs, or failure from any cause.

7.7 All hotels, restaurants, boarding houses, and public eating places shall install grease traps on the service lines. The grease traps shall be of a type and size approved by the Authority. All service stations, garages, factory buildings, or commercial establishments handling oils, petroleum products, washing care, trucks, or other machinery shall install grease traps and sand traps of a size and type approved by the Authority.

7.8 Unless otherwise authorized by the Authority or its representatives, cleanouts shall be provided in each house connection and at intervals to permit complete rodding with a one hundred (100') feet long auger or tape. Cleanouts shall be constructed using a wye fitting in the run of the pipe with a forty-five (45%) degrees bend and a riser to the ground surface. The riser pipe shall be provided with a standard four (4") inch screw-type ferrule.

SECTION VIII. EXISTING HOUSE CONNECTIONS.

8.1 Existing house connections may be utilized providing they are inspected by the Authority or its authorized representatives and found to be reasonable, true to grade, and alignment, in good condition for the purpose of conveying sanitary wastes and have reasonably tight joints of approved materials. If the existing lines do not conform this requirement, a new line must be laid in accordance with the specifications of these rules and regulations.

SECTION IX. USE OF SYSTEM BY INDUSTRY.

9.1 No industry shall discharge industrial waste or a combination of industrial waste and sanitary sewage into the system until it has first submitted a written application to the Authority accompanied by a report prepared by a sanitary engineer, registered in Pennsylvania and satisfactory to the Authority, setting forth such information related to such industrial waste or a combination of industrial waste and sanitary sewage as the Authority may, from time to time, require. The Authority may refuse connections or compel discontinuance of use of the

time, require. The Authority may refuse connections or compel discontinuance of use of the sewer or to compel pretreatment of industrial waste or a combination of industrial and sanitary waste into the system when to do so would be determined by the Authority to be harmful to the system. Nothing in this Section shall prohibit, and the Authority shall be permitted to impose surcharges for the discharge of industrial waste or a combination of industrial waste and sanitary sewage into the system.

SECTION X. PROHIBITED WASTES.

10.1 No person shall discharge or cause to be discharged into the sewer system nor shall any connection remain and no apparatus be constructed which shall be intended to permit entry into the sewer system, the following:

- a. exhausting oils, tar, grease, gas, gasoline, benzine, other combustible gases and liquids, garbage, offal, and insoluble solids or blood.
- b. roof drainage, cellar ground water, storm water, or other ground water from underground drainage fields into the sewer system.
- c. non-contaminant waste waters and waters used solely for cooling purposes without express written permission from the Authority.
- d. any waters containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injury or interfere with any waste treatment process, constitute a hazard to humans or animals, create a public nuisance, or create a hazard in the receiving waters of waste water treatment plants
- e. any waters or waste having a PH lower than 6.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of waste water treatment plants.
- f. solid or viscous substances in quantities of or such size capable of causing obstruction to the flow and sewers or other interference with the proper operation of the waste water facilities such as but not limited to ashes, bones, cinders, sand, mud, straw, shavings, metals, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, ponch manure, hair and fleshings, entrails, paper cups and dishes, milk containers, etc., either whole or ground by garbage grinders.
- g. having a temperature higher than 150 degrees fahrenheit.

- h. containing iron, chromium, copper, zinc, cyanide, or similar objectionable or toxic substances.
- i. wastewater containing more than 25 milligrams per liter of petroleum oil, non-biodegradable cutting oils, or product of mineral oil origin.
- j. wastewater from industrial plants containing floatable oils, fat, or grease.
- k. quantities of flow that exceed for any period of duration longer than fifteen minutes more than five times the average 24-hour concentration, or flows that would adversely affect the sewer system and/or performance of the wastewater treatment facilities.
- l. any flow that shall constitute an industrial waste, hazardous waste, or toxic waste discharge as defined by EPA or DEP.

10.2 If any waters or wastes are discharged or proposed to be discharged to the public sewers, which waters contain the substance or possess the characteristics enumerated in Paragraphs 10.1 a through l, or which in the opinion of the Authority, may have a deleterious affect upon the sewers or waste water treatment facilities or receiving waters or which otherwise create a hazard to life or constitute a public nuisance, or constitute an industrial waste, hazardous waste, or toxic waste discharged as defined by the Environmental Protection Agency or the Department of Environmental Protection, the Authority may:

- a. Reject the waste;
- b. Require pretreatment to an acceptable condition;
- c. Require control over quantities and rates of discharge; and/or
- d. Require payment to cover added costs of handling and treating wastes not covered by the existing sewer charges.

In the event the Authority permits the pretreatment or equalization of waste flow alternatives, the design of the facility shall be subject to the review and approval of the Authority.

SECTION XI. DISCONTINUATION OF SEWER SERVICE.

11.1 The Authority or its authorized representatives may disconnect from the sewer system any service lateral for violation of any of these rules and regulations or in the event that

it is determined in the Authority's sole discretion to be in the interest of the health, safety, and welfare of the users of the system.

SECTION XII. SUPERVISION AND INSPECTION.

12.1 The construction of service lines and house connections shall at all times be subject to the supervision and inspection of the Authority or its duly authorized representative and shall conform to the Authority's specifications. The lateral sewers or service connection shall not be covered until inspected and permitted by the Authority.

12.2 The Authority, by its agents and employees, in order to enforce compliance with these rules and regulations, shall have the right at all reasonable times, to enter any premises connected with or about to be connected with the sewer system to inspect building sewers, sanitary facilities, service lines, or house connections, soil or waste pipes, cellar drains, vent pipes, plumbing fixtures, and any and all sources and nature of sewage, fixtures, and facilities from which sanitary sewage or industrial waste may be discharged into the sewer system.

SECTION XIII. SEWER RENTALS AND CONNECTION CHARGES.

13.1 There is imposed upon each owner of each property served by the sewer system an annual sewer rent or charge, payable as hereafter provided, for the use or the direct or indirect of the sewer system based on the schedules and classifications and rates or charges hereinafter set forth or as amended by the Authority from time to time.

13.2 All rates and charges for the sanitary sewage service shall be based upon the unit system. The minimum yearly charge for sewer rental for each unit shall be and is hereby fixed at a rate as set forth in Exhibit "A" attached hereto or in such other rate as determined by resolution of the Authority, from time to time, and shall be payable in equal quarterly installments. A minimum charge shall be applicable to each unit regardless of the number of occupants.

Unit Classifications:

1. Commercial and industrial establishments - each group of six (6) employees and operating personnel shall constitute one unit, any such group of less than six (6) shall constitute an additional unit. The number of employees used to calculate individual units shall be equal to the maximum number of employees employable by the commercial or industrial establishment.
2. Private dwelling or living unit - each private dwelling or living unit shall constitute one unit. In the case of a combination of two or more living

units, households, flats, apartments, stores, shops, offices, or industrial units, or two or more families using separate cooking and/or bathroom facilities in one structure having use of the sewer system, through one sewer lateral, each household, flat, apartment, and other such dwelling unit, store, shop, office, business, or industrial unit or such family, shall constitute a separate unit.

3. Schools - one unit per room.

13.3 The owner of any property being serviced by the sewer system shall notify the Authority, in writing, upon any change in ownership of the property. Failure to give such notice shall not relieve the owner of the continued responsibility for sewer charges.

13.4 Each owner connecting a property to the sewer system shall be required to pay a connection or tapping fee at a rate in an amount to be set by the Authority as set forth on Exhibit "A" attached hereto or in such other amount, from time to time.

SECTION XIV. EXTENSION BY DEVELOPERS.

14.1 The Authority shall have no liability to furnish complete sewer service at Authority expense to any contemplated new housing development, nor to any isolated property or properties outside the existing service area.

14.2 In those cases where a developer or individual desires sanitary sewer service to be furnished to his property, the property owner may elect to furnish such service at his own expense.

14.3 Prior to the commencement of the construction of any extension a completed application, including plans, details, specifications of proposed construction, and any other information requested by the Authority. The application shall be accompanied by the applicable tapping and/or connection fee which shall be and is hereby fixed at a rate as set forth in Exhibit "A" attached hereto or at such other rate as determined by resolution of the Authority from time to time.

14.4 Upon receipt of an application for sewer extension, the Authority shall have its engineer review the submission, identify any comments, deficiencies, or concerns, who will then submit the plans to the Authority for approval. If necessary, the Authority shall return the submission to the developer for revision. Revised submissions shall then be returned to the Authority with annotations clearly identified and dated.

14.5 Upon approval by the Authority of an extension application, the developer, as a condition for permission to proceed, shall enter into an extension agreement with the Authority providing for:

- a. Review of plans and specifications by the Authority engineer.
- b. Approval by state and local agencies.
- c. Installation and compliance with the Authority's specifications and inspection during construction.
- d. Escrow deposit by developer to cover costs of 14.1, 14.2, and 14.3.
- 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 the initial deposit.
- f. Transfer of title of public sewer to the Authority for operation and maintenance.
- g. Other provisions as may be appropriate to protect the Authority's interest.

SECTION XV. STANDARD OF QUALITY.

15.1 All construction, reconstruction, and alterations of sewer connection and appurtenances shall be performed in a competent and workmanlike manner in accordance with recognized standards of the plumbing trade and the specifications of the Authority. The Authority shall stop or require construction or reconstruction of any work not conforming to these standards of specifications.

SECTION XVI. MODIFICATION.

16.1 The Authority reserves the right, from time to time, to adopt modifications of, supplements to, or amendments of this Resolution.

16.2 No officer or employee of the Authority shall have the ability to vary these rates, rules, and regulations without the approval of the Authority nor shall any officer or employee of the authority have the ability to bind the Authority to any agreement or representation, except upon written authorization of the Authority.

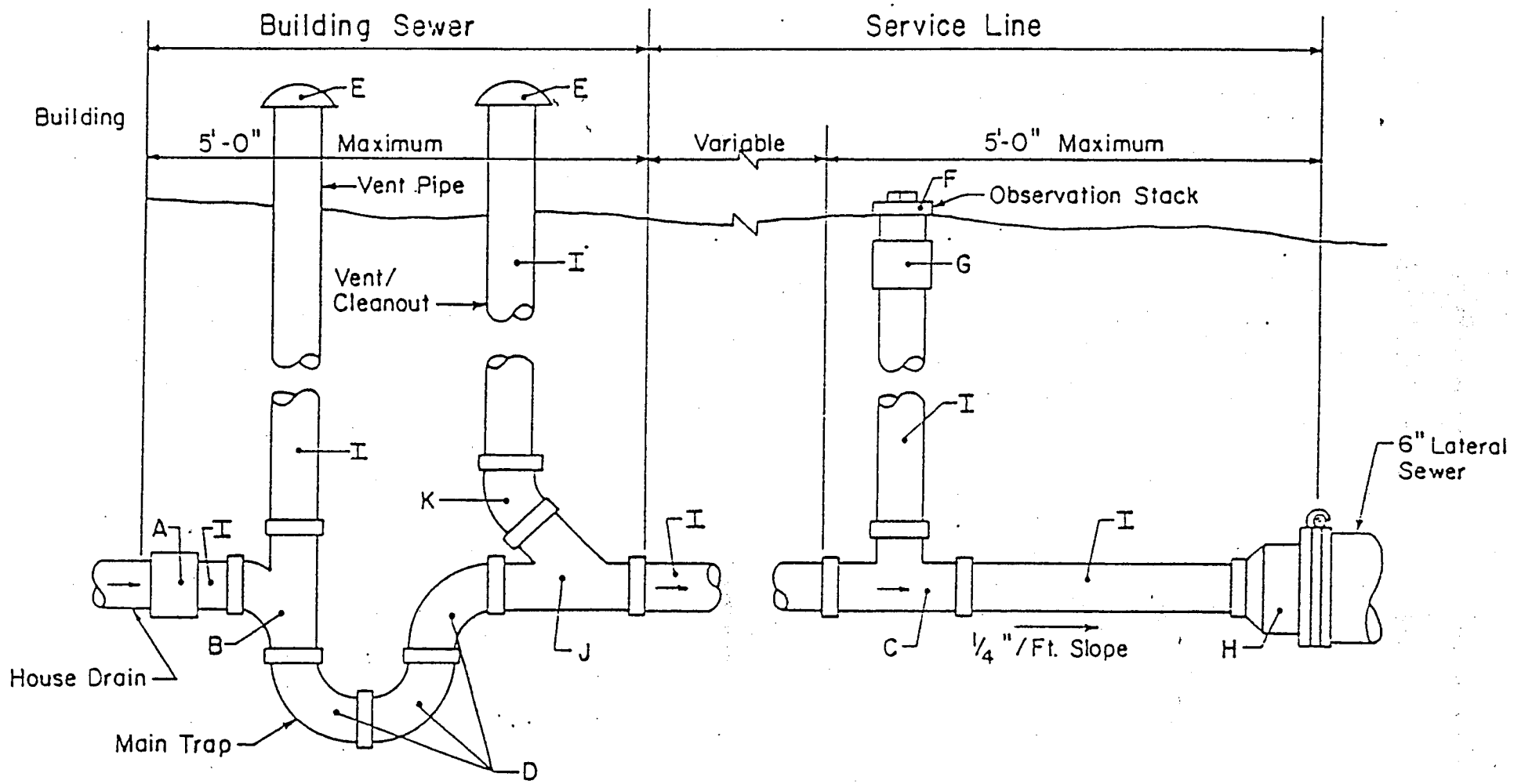
16.3 In the event of any conflict between the provisions of these rates, rules, and regulations and any resolution of the Authority, the provisions of the resolution shall control.

SECTION XVII. SAVINGS CLAUSE.

17.1 In the event that any provisions of these rates, rules, and regulations shall be declared to be invalid or illegal, such invalidity or illegality shall not affect or impair any remaining provision of these rates, rules, and regulations, it being the intent of the Authority that such remainder shall be and shall remain in full force and effect.

SECTION XVIII. REPEALER.

18.1 All prior rates, rules, and regulations are hereby repealed to the extent not inconsistent with the provisions contained herein.

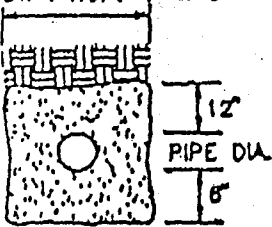


TYPICAL LATERAL INSTALLATION

- | | | | |
|-----------------------|--------|----------------------------|--------------------|
| A. 4" Fernco Coupling | 1 each | G. 4" Threaded Adaptor | 1 each |
| B. 4" Tee/Wye (SxGxG) | 1 each | H. 6" x 4" Fernco Coupling | 1 each |
| C. 4" Tee (SxGxG) | 1 each | I. 4" Pipe | Length as required |
| D. 4" 90° Bend (SxG) | 3 each | J. 4" Wye | 1 each |
| E. 4" Vent Cap | 2 each | K. 4" 45° Bend (SxG) | 1 each |
| F. 4" Threaded Cap | 1 each | | |

Fittings - PVC, ASTM D-2321 with gasket joint

SEE DWG. NO.'S 7 & 8



AGGREGATE CUSHION AND BEDDING FOR LATERALS

12" MIN. 3300 PSI CONCRETE ENCASEMENT

6" x 6" x 10ga. WIRE MESH

1'-8" SQUARE SLAB

FLUSH CLEANOUT PLUG

GRADE

CLEANOUT TO SURFACE

STANDARD AGGREGATE CUSHION AND BEDDING

FLOW

NOTE:
DETAILS FOR CLEANOUTS IN PRIVATE, RESIDENTIAL LAWN OR NON-TRAFFIC AREAS ARE THE SAME EXCEPT THE CONCRETE ENCASEMENT MAY BE OMITTED.

STANDARD DETAIL

CLEANOUT CONSTRUCTION DETAIL
FOR PRIVATE COLLECTION SYSTEM
IN COMMERCIAL AREAS

RESOLUTION

WHEREAS, **BEECH CREEK BOROUGH AUTHORITY** (hereinafter "Authority") is a duly organized Pennsylvania municipal authority.

WHEREAS, Section XIII of the Authority's Rules and Regulations dated May 3, 1999, as amended, provides for the imposition of sewer rentals and connection charges as determined by the Authority from time to time;

WHEREAS, the Authority is desirous of amending its Rules and Regulations with respect to sewer rentals and connection charges in accordance with this Resolution.

NOW, THEREFORE, BE IT RESOLVED AND IT IS HEREBY RESOLVED AS FOLLOWS:

1. Section 1.3 of the Authority's Rules and Regulations which currently defines "Commercial Establishment" as "any improved property used totally or in part for manufacturing, processing, cleaning, laundering, or assembling of any product, commodity, or article" shall be replaced with the following definition:

"Commercial Establishment - a separate building, group of buildings, room, or group of rooms on a parcel of land held in separate ownership wherein business activity, trade, or commercial enterprise is carried on by any person or entity. It shall include an office, room, or suite of rooms in a building accommodating a number of separate offices and include but not necessarily be limited to those types of establishments listed in Section 13.2 herein. The determination of the Authority as to what constitutes a separate "Commercial Establishment" shall be final".

2. Section 1 of the Authority's Rules and Regulations with respect to definitions shall be amended to include the following definition:

"Industrial Establishment" – a separate building, group of buildings, or room or group of rooms on a parcel of land held in separate ownership wherein manufacturing or industrial activity is carried on by any person." The determination of the Authority as to what constitutes a separate "industrial establishment" shall be final.

3. That portion of Section 13.2 of the Authority's Rules and Regulations with respect to "unit classifications" shall be deleted and amended to read as follows:

Unit Classifications:

1. "Residential, private dwelling, or living unit – Each residential, private dwelling, or living unit shall be billed as one unit. In the case of a combination of two or more living units, households, flats, apartments, or two or more families using separate cooking and/or bathroom facilities in one structure having use of the sewer system, through one service lateral, each household, flat, apartment, or other such residential, dwelling, unit, or living unit, shall constitute a separate unit."
2. "Industrial Establishments – Each group of six (6) employees and operating personnel shall constitute one unit. Any such group of less than six (6) employees or operating personnel shall constitute an additional unit. The number of employees used to calculate individual units shall be equal to the maximum number of employees employable by the industrial establishment unless otherwise authorized by the Authority."
3. "Commercial Establishments –

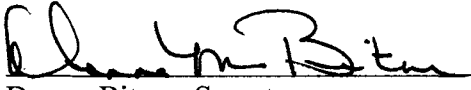
Type of Commercial Establishment	Number of EDU's
Church	1
Fire Hall/Social Clubs	1
Post Office	1
Community Building	1
Library	1
Professional Office	1
Financial Institution	1
Retail/Service with food	1
Retail/Service non food	1
Recreation with showers	1
Recreation no showers	1
Taverns	1 per 20 seats
Bars	1 per 20 seats
Restaurants	1 per 20 seats
Repair/Service Stations	1
Hotel/Motel	.5 per available room
Bed & Breakfast	.5 per available room
Beauty Salon	.5 per available chair
Home Offices	1
Daycare Center	1 per 10 children

These amendments are to become effective January 1, 2008.

4. In all other respects, the sewer rates, rules, and regulations of the Beech Creek Borough Authority shall remain in full force and effect.

ATTEST

BEECH CREEK BOROUGH AUTHORITY


Donna Bitner, Secretary

By: 
Chairman

Date: 12/31/07