

CHAPTER 25

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Part 1

Mandatory Water Restrictions

§101. Purposes.

This Part is enacted to prohibit the use of water supplied by the Borough of Bloomfield during periods of water restrictions mandated by the Borough's Water Authority.

(Ord. 260, 12/5/2006, §1)

§102. Restrictions.

The following restrictions shall apply:

- A. Watering lawns, gardens, landscaped areas, trees, shrubs and outdoor plants. Newly seeded lawns and newly planted outdoor plants may be conservatively watered with hand-held equipment between 5:00 p.m. and 8:00 a.m.
- B. Washing paved surfaces such as streets, sidewalks, driveways, parking areas, tennis courts and patios.
- C. Washing or power washing homes, garages and other buildings.
- D. Operating water fountains, artificial waterfalls and reflecting ponds unless operation is recycling water provided prior to the water condition.
- E. Washing vehicles except from a bucket or using a commercial car wash.
- F. Filling or topping off swimming pools except filling and topping off of public swimming pools with filtration and recycling capabilities and serving 25 or more dwelling units.

(Ord. 260, 12/5/2006, §2)

§103. Penalty for Violation.

Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of \$25.00 for the first occurrence and \$50.00 for each occurrence thereafter during that restriction period.

(Ord. 260, 12/5/2006, §3)

Part 2

Water Service Connections

§201. Connection Required.

Except as otherwise provided in §202 of this Part, every owner of property in the Borough of Bloomfield whose property abuts upon the public water system (the “water system”) owned and operated by Bloomfield Borough Water Authority (the “Authority”), including upon any street or alley in which there is an existing accessible water line or accessibility to a water line which may be hereinafter constructed or which otherwise is accessible to an existing or hereinafter constructed water line of the Authority, shall connect, at its own expense, the house building or other structures located on said property with the water system for the purpose of providing all potable water to be used on said property. Each owner of property required to connect hereunder shall connect such property with the water system within 60 days after notice to such owner from the Authority to make such connection. Connection shall be made by installation of a building main and a water meter at a location upon the property approved by the authority.

(Ord. 256, 8/5/2008, §1)

§202. Existing Water Supply Systems.

Any property with an existing water supply system which is operational as of the effective date of this Part,¹ (an “existing private water supply system”), shall not be subject to §201 of this Part; provided however, that any owner of a property with an existing private water supply system who builds or constructs any new building or other structure on such property after the effective date of this Part, or any person (hereinafter defined) who becomes an owner of a property with an existing private water supply system after the effective date of this Part, shall be required to connect said property to the water system of the Authority, at the owner’s own cost and expense.

(Ord. 265, 8/5/2008, §2)

§203. Time Limit for Connection.

1. Where any house, building or structure in the Borough abutting upon the water system is now or hereafter may be using any method for the provision of potable water other than through the water system, it shall be the duty of the Authority Secretary to notify the owner, lessee or occupier of such structure in writing, either by personal service, certified mail or registered mail, to disconnect the same and make proper connection for the provision of all potable

¹ Editor’s note: Ordinance #265 provided that it take effect upon passage (8/5/2008)

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water for use on such property, as herein provided, within 60 days after receipt of such notice.

2. Any owner or lessee or occupier of a structure who cannot comply with the provisions of this §203 as to connection within the sixty (60) day period stipulated above due to causes beyond his control shall apply to the Borough within said sixty day period for a time extension of up to six (6) months in duration. Said application shall be made on a form to be furnished by the Authority and shall contain a voluntary agreement on the part of the applicant under which the applicant shall agree to commence paying the regular water rates immediately even though actual connection to the water system will not be accomplished until some later date within the said six months' extension period.

(Ord. 265, 8/5/2008, §3)

§204. Notice to Connect.

The notice by the Authority to make connection to the water system of the Authority defined and referred to in §201 hereof shall consist of a copy of this Part, including any amendments and/or supplements at the time in effect, or a summary of each section thereof, and a written or printed document requiring connection in accordance with the provisions of this Part and specifying that such connection shall be made within 60 days after the date such notice is given or served. Such notice may be given or served at any time after a main is in place which can deliver water to the particular property. Such notice shall be given or served upon the owner in accordance with law.

(Ord. 265, 8/5/2008, §4)

§205. Permit Required.

No person, firm or corporation ("person") shall uncover, connect with, make any opening into, use, alter or disturb, in any manner any main or any part of the water system without first obtaining a permit in writing from the Authority. Application for a permit hereunder shall be made by the owner of the property, or by a duly authorized agent of such owner.

(Ord. 265, 8/5/2008, §5)

§206. Conditions.

No person shall make or cause to be made any connection with any part of the water system of the Authority until such person has fulfilled all the following conditions:

- A. Such person shall make application to the Authority, upon a permit form to be formulated and supplied by the Authority for permission

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to connect to the water system. Among other things, the applicant must state the character and use of each structure located upon such person's property and such person's desire and intention to connect such property to the water system.

- B. Such person shall pay the required Authority tap connection fee to the Authority at the time of making application for permission to make a connection.
- C. No work shall commence before the payment of the aforesaid tap connection fee, as well as any other applicable fees, and issuance of the aforementioned connection permit.
- D. Such person shall give the designated "Inspector" of the Authority at least 3 days notice of the time when such connection shall be made in order that the Authority may arrange for tapping equipment to be present and that said "Inspector" can be present to inspect, supervise and approve the work of the connection and completion of any necessary testing. The Inspector shall signify his approval of the connection by endorsing his or her name and date of approval on the aforementioned connection permit in the possession of the permittee.
- E. At the time of inspection of the connection, the owner or owners of properties shall permit the "Inspector" full and complete access to all mains, water lines and water facilities in each building and in and about all parts of the property. No building main or water line shall be covered over, or in any manner concealed, until after it is inspected and approved by said "Inspector".
- F. If applicable, the owner shall furnish satisfactory evidence to the Authority that any tapping, connection, or other fee which may be charged and imposed by the Authority against the owner of the property who connects such property to the water system has been paid.

(Ord. 265, 8/5/2008, §6)

§207. Separate Connections Required.

Except as otherwise noted in this §207, each property shall be connected separately and independently with a main through a building main. Grouping of more than one property on one building main shall not be permitted, except under special circumstances and for good cause shown, but then only after special permission of the Authority, given in writing, shall have been secured and only subject to such rules, regulations and conditions as may be prescribed by the Authority.

(Ord. 265, 8/5/2008, §7)

§208. Construction Specifications.

The construction of all building water lines and mains shall be done in accordance with the specifications, plans and procedures established by the Authority in its Water System Rules and Regulations, as the same may be from time to time promulgated and amended, copies of which, upon adoption by the Authority, shall be maintained on file with the Authority Secretary.

§209. Fees.

A “tapping fee” of and imposed by the Authority, pursuant to the Pennsylvania Municipalities Act, 53 Pa. C.S.A., Chapter 56, shall be payable to the Authority by each person connection a property to the water system pursuant to the provisions hereof. A Borough permit of \$50.00 for the invasion of a public street or right-of-way, if necessary, and such additional permit fees, as the Council may from time to time provide in accordance with the terms of this Part shall be charged and collected by the Authority on behalf of the Borough for connection to the water system at the time such connection is granted by the Authority. Such Borough fee or fees shall be subject to modification to an amount to be established pursuant to a resolution by the Borough.

(Ord. 265, 8/5/2008, §9)

§210. Failure to Connect; Work Performed by the Authority.

If the owner or owners of any occupied houses, buildings or structures in the Borough shall neglect or refuse to comply with the provisions of this Part or the written notice as prescribed in §203 or 204 hereof, the Authority may perform or caused to be performed such work and labor and furnish or cause to be furnished such material as may be necessary to comply with the provisions of this Part at the cost and expense of such owner or owners, together with 10% additional thereof and all charges and expenses incidental thereto, which sum shall be collected from said owner or owners for the use of the Authority as debts are by law collectible, or the Authority may, by its proper officer, file a municipal claim or lien therefore against said premises as provided by law.

(Ord, 265, 8/5/2008, §10)

§211. Penalty for Violation.

In addition to any penalty hereinabove prescribed, any person, firm, or corporation failing to make a proper connection within the time specified after receipt of proper notice as provided in §203 and 204 hereof shall, upon conviction thereof before a Justice of the Peace, pay a fine or penalty of \$50.00 for each day in violation hereof, and violating any of the other provisions of this Part and shall pay a fine or penalty of not less than \$5.00 nor more than \$100.00, and in default of payment of either thereof, be sentenced to undergo an imprisonment of not less than 5 days nor more than 30 days in the County Jail.

(Ord. 265, 8/5/2008, §11)

§212. Grant of Rights and Privileges.

The Borough grants the Authority, its successors and assigns, to the extent necessary or desirable, all easements, rights-of-way and other rights and privileges necessary and desirable in, along, over and under streets, roads, lanes, courts, cul-de-sacs, alleys, public ways, public squares and other properties of the Borough, together with free ingress, egress and regress therein and thereto, along with other persons having interests or rights therein, for use in connection with constructing, replacing, repairing, altering and maintaining the water system; subject, however, to all applicable rules and regulations established, from time to time, by resolution or ordinance of the Borough with respect thereto.

(Ord. 265, 8/5/2008 §12)

§213. Authority as Agent of the Borough.

The Borough may designate the Authority its agent to carry out any of the provisions of this Part.

(Ord. 265, 8/5/2008, §13)