

CHAPTER 254

Water

Article I

Method of selection and duties of the Operator

§ 254-1. Appoint Operator of Water

§ 254-2. Duty of Operator of Water

§ 254-3. Operator of Water issuing
tap- on permit

§ 254-4. Operator of Water not
satisfied with inspection

§ 254-5. Operator to perform tests
and inspections

§ 254-6. Operator of water to
determine leak

Article II

Property Owners Required to Connect into the Municipal Water System

§ 254-7. Requiring new owners of
property to tap on to water line
lateral

§254-8. No water wells

§ 254-9. Continue use of well a
violation unless adequate
documentation

§254-10. Every 3 years legal well
owners must have water sample
tested

§254-11. Rehabilitation of well

§254-12. Transfer of ownership shall
cease use of well

§254-13. Upon transfer well must
produce potable water

Article III

Permit Required for Tap-On Ownership and Maintenance of Lateral Lines: Penalties

§254-14. Owner of real property
within Linesville Borough is required
to Tap on to Water and fill out
application

§254-15. Must keep lateral line
exposed for visual inspection

§254-16. No person shall connect a
water line service without having first

obtained a tap-on permit signed my
Operator of Water

§254-17. If owner applied for Tap-on
permit shall receive notice by
Operator of Water if in compliance

§254-18. Owner of property must
retain title and maintenance for
lateral water line

Article IV Specifications for Lateral Water Lines and Joints

§254-19. Water service line shall be
maintained in a sanitary and safe
condition by owner

§254-20. Borough reserves right to
adopt additional rules and
regulations relating to connections
with service lines

Article V Meters

§254-21. All meters will be furnished
by and remain property of Borough

§254-22. Water used for fire
protection

§254-23. If meter must be placed
outside it must have suitable cover at
expense of owner and lock and key

§254-24. Owner responsible to
Borough for injury to or loss of any
meter

§254-25. Sole discretion of Borough if
meter is registering inaccurately

§254-26. Owner disputes correctness
of his meter reading

§254-27. Owner must notify Borough
of any damage done to meter

§254-28. Owners are responsible for
any damage done to their meters

§254-29. In cases of modification of
commercial or family structure may
be metered separately or one meter

§254-30. Definition of term "Unit "

§254-31. Meters in excess of one inch
size shall be purchased by property
owner

§254-32. Meter in excess of one inch
shall be inspected

§254-33. Meter in excess of one inch
shall be removed

Article VI Service Rates; Collection and Penalties

§25-34. Definitions

§254-35. Fee to connect to Water System

§254-36. Borough reserves the right to establish and set water rates, charges, penalties

§254-37. Owner of property served shall be responsible for payment

§254-38. Late penalty amounts

§254-39. Shut off provisions

§254-40. Fee for reinstating water

§254-41. Owner to keep access to shut-off valve free and clear

§254-42. Owners of property receiving water service are liable for charges for tenants regardless of rental agreement

§254-43. Borough shall comply with the Utility Service Tenant Rights Act 68

§254-44. Penalty for outstanding charge when new ownership is assumed

§254-45. Person has outstanding charge for more than 30 days shall not be provided with water at subsequent location

Article VII

Repair of Leaking Laterals

§254-46. Notice of a leaking lateral line between the shut-off and meter

§254-47. If owner shall fail to perform the required repairs

§254-48. After owner repairs Operator of Water to inspect repairs

Article VIII

General Regulations

§254-49. Borough Council may temporarily suspend, regulate or prohibit the use of water

§254-50. Borough shall not be liable for any damages from temporary shut off of water

§254-51. Borough agents or employees shall have free access at all reasonable times to read meters

§254-52. Persons wishing to discontinue use of water

§254-53. Borough reserves right to cancel any contract for use of water

§254-54. Water shall not be turned on by any person not an agent of the Borough

§254-55. Shall not be a connection of any description by which water can pass from the private supply to public supply

Article IX
Penalties and Miscellaneous
Provisions

§254-56. The violation of any provisions of Chapter 254

§254-57. Collection charge

§254-58. Water rate schedule

§254-59. All Ordinances or Resolutions not in accord are hereby repealed

§254-60. Words and phrases

§254-61. Shall not invalidate any sections

CHAPTER 254
ESTABLISHING WATER RATES
AND REGULATIONS

Article I. Method of Selection and Duties of the Operator of Water

254-1. The Borough Council shall from time to time, as required, appoint a competent adult knowledgeable in matters of water lines and systems to be Operator of Water, to serve from the time of said appointment until the appointment is terminated or a substitute appointed.

254-2. It shall be the duty of the Operator of Water, in person or by his designated agent, within seven (7) days after receiving from any owner of real property situate within the Borough, an application for water tap-on permit, as further set forth in Article III hereof, to inspect the entire length of any water line lateral desired to be connected into the Linesville Municipal Water System, from curb shut-off valve to the meter, together with any attendant join, joints, valve, valves, cock, cocks, curb box, or boxes and tapping sleeve or sleeves related to said connection.

254-3. If the Operator of Water shall be satisfied that such a water line lateral proposed to be connected into the Municipal Water System, together with the joints and fittings related thereto, are in conformance with the specifications and that meter placement is in conformance with the requirements of Article IV and V hereof, he or she shall issue to such applicant property owner, a tap-on permit. There shall be no separate charge for said permit beyond the charges and/or fees as set forth in Article VI hereof.

254-4. In the event that the Operator of Water, after inspection is not satisfied that such lateral line or Lines, joints and fittings are in accordance with the specifications set forth at Articles IV or V hereof, he or she shall within five (5) days after such inspection, submit to both the Borough Council and to the applicant property owner, a list setting forth the requirements to satisfy Chapter 254.

254-5. It shall be the duty of the Operator of Water to perform such tests and inspections as may reasonably be necessary to locate any leak or leaks in the Linesville Municipal Water System.

254-6. In the event that the Operator of Water shall reasonably determine the presence of a leaking water line lateral, he or she shall give notice to the owner of the affected property in person or by certified mail, return receipt requested, to repair or replace the said leaking line within ten (10) days after the receipt of notice in accordance with the provisions of this Ordinance.

Article II. Property Owners Required To
Connect Into The Municipal Water System.

254-7. Except as otherwise herein set forth, any owner of real property situate within the Borough and having erected thereon any building or buildings, mobile home or other structure requiring water service and which property abuts upon any road or street within the Borough in which there is now or shall hereafter be installed a water line of the Linesville Municipal Water System, shall immediately install upon his said property a water line lateral and connect or tap the same onto the Linesville Municipal Water System, according to the procedures and provisions set forth herein.

254-8. No owner of real property situate within the Borough which abuts upon any road or street within the Borough in which there is installed a water main of the Linesville Municipal Water

System, shall drill any new water well or substantially restore any existing water well upon such real property, whether the water is required for domestic consumption, commercial, industrial, recreational or other purposes, and any such activity shall be deemed a violation of this Ordinance.

254-9. The other provisions of this Chapter 254 notwithstanding, the continuing provision of water to a structure which is completed and in existence as of the effective date of this Chapter 254, from a water well which was in existence and providing the primary water supply to the said structure as of said date shall not constitute a violation so long as the property owner provides adequate documentation that said well produces potable water and the well requires or receives no substantial restoration; but upon the occurrence of either of these conditions, the continued use of any such well shall constitute a violation.

254-10. In order to document to the Operator of Water that a well produces potable water as provided in 254-9 of this Article, the well owner shall at his own expense, at intervals no less than three (3) years measured from the effective date of this Ordinance, have a water sample from the well tested by the Pennsylvania Department of Environmental Protection (DEP) or a professional chemist and shall present to the Operator of Water a written report, in satisfactory form, confirming that the coliform bacterial count for such well is less than 2 per 100 ml, or within such other level as may then have been established by Pennsylvania DEP as safe for human consumption.

254-11. The substantial restoration of any well as referred to in 254-4 of this Article shall be deemed to include any additional drilling to increase well depth; any rehabilitation by surging or other similar process; and any installation of, or replacement of all or any part of the well casing.

254-12. Upon the transfer of ownership of any nature whatsoever of real property situate within the Borough of Linesville, involving the use of any water well which was in existence as of the effective date of Chapter 254 and providing the primary water supply pursuant to 254-9 and 254-10 above to the said structure in accordance with the provisions of this Ordinance, shall cease and the new owner shall permanently discontinue the use of said well in accordance with 254-12 of this Article.

254-13. Upon the transfer of ownership pursuant to 254-12, or the failure of the owner to adequately document that the said well produces potable water, or should the well require substantial restoration pursuant to 254-11 above, use of the well shall be permanently discontinued and said well shall be professionally capped and sealed and permanently sealed and disconnected from the structure.

Article III. Permit Required For Tap-On; Ownership and Maintenance of Lateral Lines: Penalties

254-14. Any owner of real property situate within the Borough of Linesville who desires or is required by the provisions of Chapter 254 to connect or tap a water line lateral into the Linesville Borough Municipal Water System shall make application to the Operator of Water for a tap-on permit.

254-15. Any such property owner applicant shall, for a period of seven (7) days after making such application or until the time of inspection by the Operator of Water, or his designated agent, whichever shall first occur, maintain the lateral line proposed to be connected in a condition fully exposed for visual inspection from the point of proposed tap-on to the meter; or, in the alternative, such applicant shall make said line available for inspection in such manner as the Operator of Water may reasonably require. If any property owner applicant shall have tapped on to the Municipal Water System and shall have so maintained the shut-off and lateral line in an exposed condition for a period of seven (7) days from date of application and the Operator of Water shall not have performed any inspection, then the conformance of said line, joints and equipment with the specifications set forth at Article IV hereof shall be presumed, and a tap-on permit shall issue.

254-16. No person or owner shall connect or tap on a water line service lateral, or shall cause the same to be connected or tapped onto any main water line of the Linesville Municipal Water System, without having first obtained a tap-on permit signed by the Operator of Water or his designated agent.

254-17. If any person or owner, after having applied for a tap-on permit, shall receive notice by the Operator of Water or the Borough that the application is not in compliance with the requirements of Chapter 254, the person or owner shall have the opportunity to then complete any and all requirements necessary to comply with Chapter 254 and upon the completion of same shall be entitled to submit a new application for a tap-on permit. The procedure for review of such second and subsequent applications shall be the same as that set forth for the application for, and issuance of, tap-on permits generally; provided, however, that there shall be no additional assessment charged for said second and subsequent inspections.

254-18. It shall be a condition of the issuance of any tap-on permit that the applicant property owner, his heirs, successors and assigns, shall, after tap-on, retain title to the lateral water line between curb shut-off and meter and/or related equipment, and shall be liable for the care and maintenance of the same in a tight and sound condition. Furthermore, the Borough does not, by instituting the regulation of lateral water lines, as herein provided, assume any responsibility or liability whatsoever for the care or maintenance of the same.

Article IV. Specifications For Lateral Water Lines and Joints

254-19. Every water service line of any improved premises shall be maintained in a sanitary and safe operating condition by the owner of such improved property. Furthermore, there shall be no joints in the lateral water lines between the municipal borough hook-up and the structure.

254-20. The Borough reserves the right to adopt, from time to time, additional rules and regulations it shall deem necessary and proper relating to connections with service lines, and with the water system, joints, and any other matters relating to the municipal water system, which rules and regulations, shall be attached hereto and be construed as part of Chapter 254. Such rules and regulations shall be adopted by resolution made and passed at a duly constituted meeting of Borough Council, a quorum being then and there being present for the transaction of business.

Article V. Meters

254-21. All meters up to and including one inch in size will be furnished by and remain the property of the Borough and shall be accessible to and subject to its control. Said meters shall be conveniently located within the building supplied, at a point approved by the Borough, so as to control the entire supply, and a proper place and protection therefor, shall be provided by the property owner.

254-22. Whenever water is used on any metered premises for fire protection, in an actual case of conflagration, no charge will be made for the same, and the amount so used shall be ascertained by comparison with the previous average use as shown by the meter.

254-23. In any case where it is not convenient to place the meter within the building as provided in Section 1 hereof, the Borough may place it outside the building in a frost free concrete or brick vault provided with a suitable cover and lock and key. Such vault shall be built at the expense of the property owner and the cost of construction as determined by the Operator of Water or his designated agent shall be payable in advance. Furthermore, the property owner shall be responsible to maintain such structure in a sound condition at the said owner's expense.

254-24. Meters up to and including one inch in size will be maintained by the Borough so far as ordinary wear and tear are concerned but the property owner shall be responsible to the Borough for any injury to or loss of any meter. The property owner shall permit no one, other than an agent of the Borough, or other authorized person, to remove, inspect or tamper with the meter or other property of the Borough on the owner's premises.

254-25. The quantity of water recorded by the meter shall be conclusive on both the property owner and the Borough except when the meter has been found to be registering inaccurately or has ceased to register. In any case, the meter will be promptly repaired by the Borough and the quantity of water consumed shall be estimated by the average consumption registered by such meter in the corresponding month of the previous year, or at the rate of the average consumption registered by such meter in the last preceding month before it was rendered out of repair, at the sole discretion of the Borough.

254-26. Should any property owner at any time dispute the correctness of his meter reading, the property owner may, by making written application and by making a deposit of Fifty (\$50.00) Dollars have the meter tested. Should this test show the meter to be accurate within plus or minus two percent, the property owner shall bear the cost of the test. However, should the test show the meter to be incorrect beyond plus or minus two percent, then the deposit shall be refunded and the account adjusted accordingly.

254-27. The property owner shall at once notify the Borough of any injury or damage done to, or malfunction of, or cessation in registration of, any meter as soon as it comes to his knowledge.

254-28. All property owners using meters shall be responsible for any and all damage done to such meters on their premises. No person shall break the seal of a meter or in any way tamper with the same.

254-29. In all cases of new construction or in the case of addition, any alteration, modification and/or change to existing structures, the plumbing in such structures shall be so installed as to permit

the separate metering of water furnished to each residential or commercial housing unit in any such structure so that the water consumed by each commercial user, family or other occupant of any unit may be metered separately; provided, however, that upon the election of the owner of any such premises, and subject to the approval of Borough Council, the owner may install one meter in the structure to serve all units of the same structure provided that such owner or his duly authorized representative shall be responsible for all water used therein and provided further that such owner agrees to pay for the water used on such premises at rates to be determined in accordance with the rate structure set forth in the Schedule Of Water Rates then in effect, and provided further that in any such case where a single meter serves more than one unit, the Borough will bill the property owner and the owner will be responsible to pay for all charges.

254-30. The term "unit" as used in the Schedule Of Water Rates shall be construed to mean:

- a) Each single family residential property;
- b) Each separate apartment unit or similarly designated space in multi-family residential properties;
- c) Each store, shop, office or other separate entity in or on each commercial property;
- d) Each apartment, or other living or dwelling unit and each store, shop, office or other commercial unit in or on properties devoted to mixed commercial and residential use; and
- e) Each trailer, mobile home or other shelter capable of being occupied by human beings for residential or commercial purposes, the term trailer or mobile home, including those on wheels and those placed on foundations, piers or other permanent or non-permanent bases.

254-31. All meters for service lines in excess of one inch in size shall be purchased by the property owner and inspected and approved by the Borough.

254-32. All meters for service lines in excess of one inch in size shall be inspected, repaired and/or replaced by the property owner at periodic intervals not greater than once every five years or whenever, in the judgment of the Operator of Water, or his designated agent, or the Borough, any such meter is not functioning properly. Upon receiving notice from the Borough, the property owner shall within ninety (90) days of receiving such notice, cause any such meter to be inspected by the manufacturer or other industry recognized meter inspection service, and repaired, if possible. If such meter is found to be not repairable, then a new meter shall be installed. The expense of such inspection, repair and/or replacement shall be borne by the property owner. In the event that the desired repair or replacement is not made within ninety (90) days following the provision of written notice as aforesaid, the Borough, in its sole discretion, may discontinue the supply of water to the property.

254-33. When any such meter for service by a line of more than one inch is removed for inspection, repair or replacement, water shall be furnished such property owner by a direct hook-up-

while such meter is out of service and the property owner shall be charged for water for the period that no meter is available in an amount equal to the amount paid by such property owner for water for the corresponding period of the preceding year. However, no direct hook-up shall be maintained for more than ninety (90) days.

Article VI. Service Rates; Collection and Penalties

254-34. Definitions: The following terms shall have these definitions:

Borough" -Linesville Borough.

"Connection Fee" -a fee to be determined by the Borough in each case, which Shall be the actual cost of the connection of the owner's property extending from the Borough's main line to and including the curb stop of the property.

"Facilities Fee" – a fee to be determined by the Borough in each case where the Borough installs the facilities from the curb stop to the dwelling or building to be served. In such cases, the fee shall be the actual cost to install those facilities.

"Inspection Fee" -a \$50.00 fee to be charge for inspection by the Operator of Water of facilities installed by the owner or a contractor engaged by the owner.

"Tapping Fee" -a fee to be determined in each case with reference to the Fee Schedule for Acquisition of Water Service pursuant to this Ordinance, which shall consist of the following fee components (as defined herein): "capacity part" and "distribution part".

"Capacity Part" -that part of the tapping fee determined by referring to the capacity part section and appropriate line size contained in the Fee Schedule For Acquisition of Water Service pursuant to Chapter 254, or by referring to any future Fee Schedule enacted by Borough Council pursuant to this Ordinance.

"Distribution Part" -that part of the tapping fee determined by referring to the distribution part section and appropriate line size contained in the Fee Schedule for Acquisition of Water Service pursuant to this Ordinance, or by referring to any future Fee Schedule enacted by Borough Council pursuant to this Ordinance.

254-35. Every owner of property in the Borough of Linesville who desires to connect to the Linesville Municipal Water System of the Borough for the purpose of acquiring water service shall pay a fee that includes all applicable charges contained in the Fee Schedule for Acquisition of Water Service then in effect. The fee shall be paid to the Borough in the following manner: at the time application for water service is made, the tapping fee portion shall be paid in full, plus a \$500.00 deposit toward the total costs of the connection fee, facilities fee and/or inspection fee. Any portion of the \$500.00 deposit not consumed by the connection fee, facilities fee and/or inspection fee shall be promptly refunded by the Borough to the owner upon completion, inspection and approval of all work. Any amount by which the connection fee, facilities fee and/or inspection fee exceeds the \$500.00 deposit shall be paid by the owner to the Borough before water may be turned on, and in

no event later than thirty (30) days after the work is complete.

254-36. The Borough reserves the right to establish and set water rates, charges, penalties, interest and fee schedules annually by Resolution made and passed at a duly constituted meeting of Borough Council, a quorum being then and there present for the transaction of business. Said Resolution regarding water rates and fee schedules shall automatically become a part of Chapter 254 upon passage and shall be attached hereto.

254-37. The owner of the property served shall be responsible to the Borough for payment of all water furnished and/or provided to the property irrespective of any agreement between the property owner and any third party, and the bill shall in all cases be rendered to the owner of the property who shall be solely responsible for payment thereof. The Borough, by its authorized agent, shall, at such times as it may deem appropriate, mail to each owner of property served by the Water System a bill for water rates and charges accordance with the rates, regulations and charges established by the Borough. Provided however, that the owner of rental property in the Borough may file a written request with the Borough secretary to bill the tenant of the rental property provided that the owner of the rental property provides the Borough with the following information regarding the tenant or tenants: name, address, phone number, number of persons occupying the rental unit.

In the event that the owner of the rental property provides the Borough with the information pursuant to the provisions herein, the Borough shall bill the tenant directly, provided, however, that in the event payment is not made by the tenant or tenants, the Borough shall bill the owner of the property who shall be solely responsible for payment thereof in accordance with the provisions of this ordinance.

Nothing in this section shall relieve the property owner of the obligations and/or responsibilities of Chapter 254.

254-38. In the event that any property owner shall fail to pay to the Borough the full amount of all rates and charges set forth in the bill as aforesaid on or before the due date designated thereon, there shall be assessed against said property owner, a late penalty in the amount of five (5%) percent of the total face amount of rates and charges set forth in the original bill. Unpaid rates and charges shall accrue interest at the rate of one and one-half (1 1/2 %) percent simple interest per month, calculated upon original total billed rates and charges, from and after the due date as aforesaid. All such rates, charges, penalties and interest shall be collectible in the same manner as Municipal Claims generally.

254-39. If any property owner shall fail to pay rates and charges due and owing for water service for a period of thirty (30) days after the due date printed on the face of the aforementioned bill, that property owner's water service shall be terminated by shut-off except in the case of emergency. No action of Council individually or as a group shall be permitted to delay or stop a shut-off under the provisions of this Section.

254-40. a) If water service to any property owner is terminated for any reason, there shall be a fee established pursuant to 254-36 above, charged to said property owner for reinstating water service.

b) In cases where water service to a property owner is terminated because of non-payment of water

service rates, water service shall be reinstated only upon payment of the fee established pursuant to 254-36 above, as well as payment for all past water service rates, charges, penalties and interest to the Borough.

254-41. a) The owner of every parcel of real estate receiving water service from the Linesville Municipal Water System shall hereafter be responsible to keep access to the shut-off valve installed in the lateral water line situated thereon free and clear of cement, concrete, asphalt, stone or other substantial building materials.

b) In cases where water service to a property owner is terminated because of the nonpayment of water service rates and charges, and where said termination requires the removal or destruction by the Borough of any of the aforesaid substantial materials, the Borough shall not be liable for any damage thus occasioned. Furthermore, in such case the Operator of Water shall provide forty-eight (48) hours advance notice to the property owner to clear the shut-off and if the owner fails to do so, then the Borough shall perform the work. Upon presentation by the Borough to the property owner of an itemized statement of charges, the said property owner shall pay to the Borough all actual costs of opening access to the shut-off. If not paid these said charges shall be collectible in the same manner as Municipal Claims generally, together with records costs and fifteen (15%) percent collection charge.

254-42. The owner of any property receiving water service from the Linesville Municipal Water System shall be primarily liable for all charges, rates, penalties and assessments herein referred to. Specifically, owners of property who lease or rent the same, will be held responsible for all charges and penalties for use of water by the tenants regardless of the rental or lease arrangement.

254-43. To the extent applicable to any property serviced by the Linesville Municipal Water System, the Borough shall comply with the provisions of the Utility Service Tenant. Rights Act 68 P.S. §399.1 et seq.

254-44. Whenever any person purchases real estate serviced with water by the Linesville Municipal Water System for which any charge or penalty is outstanding at the time ownership is assumed, the new owner shall become liable jointly with the former owner for paying such charge or penalty as if such new owner had been the owner at the time the charge or penalty was incurred. It shall be the duty of any person purchasing real estate to request and obtain from the Borough, prior to closing and/or transfer of the property, a final reading of the water meter and a written statement of all outstanding charges, rates, penalties and interest.

254-45. Whenever any person shall have not paid any charge, rate, penalty or interest for more than thirty (30) days after the same shall have been billed, that person shall not be provided with water service at any subsequent location or under a new billing account until such outstanding charges, rates, penalties or interest shall have been paid in full.

Article VII. Repair of Leaking Laterals

254-46. Upon receipt of notice from the Operator of Water or the Borough as provided in Article I. of the existence of a leaking lateral water line between the shut-off and meter, the owner of the affected property shall within ten (10) days repair or replace, at his own expense, the said leaking line.

254-47. If the property owner shall fail to perform the required repairs within ten (10) days, water service to the property shall be terminated.

254-48. If any property owner shall repair any water line lateral situate upon his property, or shall cause the same to be repaired, such owner shall, before covering over or otherwise obscuring such repaired line, apply to the Operator of Water or the Borough, to inspect the repairs. The procedure for inspections and penalties for noncompliance shall be those prescribed in Article III hereof for the connection or tap-on of new lateral lines; provided, however, that there shall be no fee for such procedure and inspection.

Article VIII. General Regulations

254-49. The Borough Council may temporarily suspend, regulate and/or prohibit the use of water for all purposes except such as are absolutely necessary.

254-50. In case of the temporary inability of the Borough to furnish water to any user thereof, or when it is necessary to temporarily shut the water off from certain lines pending repairs, alterations and/or improvements, the Borough shall not be liable for any damage, loss or inconvenience caused thereby.

254-51. The Borough, its agents and/or employees, shall have free access at all reasonable times to the property serviced for the purpose of reading any meter or to ascertain the condition of any fixture or line forming part of the water service, or to determine the number of residential or commercial housing units in any structure, or to remove water meter for any reason.

254-52. Persons wishing to discontinue the use of water at any time must give notice at least three (3) days prior to such discontinuance and shall pay any and all charges due for water service to the time of discontinuance.

254-53. The Borough reserves the right to cancel any contract for the use of water at any time should the public good require the same.

254-54. Water shall not be turned on to any premises by any person not an agent of the Borough except temporarily by a plumber to enable him to test his work, provided that it is turned off again immediately after the test is made.

254-55. On premises where water is supplied from any source other than the supply furnished by the Borough, for fire protection or any other purpose, there shall not be a connection of any description by which water can pass from the private supply to the public supply.

Article IX. Penalties and Miscellaneous Provisions

254-56. The violation of any of the provisions of Chapter 254 shall constitute a summary offense punishable by imposition of a fine not exceeding Three Hundred (\$300.00) Dollars and, in default of payment, by imprisonment for a period not exceeding ten (10) days. As to any continuing violation, each day during which such violation persists shall constitute a separate offense. And these penalties shall be in additions to any other remedies which may be available to the Borough in law or equity, to

enjoin violations or to enforce compliance for damages.

254-57. In any case addressed in Chapter 254 wherein the Borough is granted the right to perform work, or services or to supply materials and to charge any property owner therefore, then such case shall be deemed to constitute a public nuisance and the Borough shall have the right, after notice and demand for payment upon the property owner, to enter the claim together with record costs and fifteen (15%) percent collection charge as a municipal lien against the affected property and to pursue any other collection remedies provided at law for municipal claims.

254-58. This Chapter 254 and the Schedule of Water Rates shall become effective
July 12, 2011.


254-59. All Ordinances and or parts of Ordinances or Resolutions not in accord
herewith are hereby repealed insofar as they are inconsistent with this Chapter 254

254-60. The words and phrases used in CHAPTER 254 shall be interpreted so as to give this
CHAPTER it's most reasonable application.

254-61. The invalidity of any Section or provision of CHAPTER 254 or part thereof,
hereby adopted shall not invalidate any of the other provisions or parts hereof.

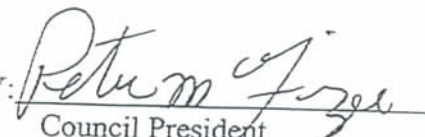
ORDAINED AND ENACTED by Linesville Borough Council this 12th day of July,
2011.

ATTEST:



for

BOROUGH OF LINESVILLE

BY: 

Council President