

Chapter 217

WATER

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[HISTORY: Adopted by the Borough Council of the Borough of Dallastown as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Water Authority — See Ch. 8, Art. II.

Sewers — See Ch. 159.

ARTICLE I Rates, Rents and Charges [Adopted 3-14-1977 by Ord. No. 311]

§ 217-1. Rates for water service. [Amended 7-9-1979 by Ord. No. 323; 4-13-1998 by Ord. No. 432]

- A. The rates for water service to consumers located in this borough are adopted by the borough. The particular fees as imposed and established will be set by resolution of the Borough Council.
- B. Public fire protection. For each standard fire hydrant, per quarter, the particular fee as imposed and established will be set by resolution of the Borough Council.
- C. Private fire protection.
 - (1) For a six-inch or less connection to the street main, per quarter, the particular fee as imposed and established will be set by resolution of the Borough Council.
 - (2) For an eight-inch connection to the street main, per quarter, the particular fee as imposed and established will be set by resolution of the Borough Council.
 - (3) For a ten-inch connection to the street main, per quarter, the particular fee as imposed and established will be set by resolution of the Borough Council.

- D. Connection charge. A service charge shall be made for connecting each new dwelling unit or commercial or industrial unit to the water distribution system, payable before the extension of a service line to the premises for which the new service is requested. The particular fee as imposed and established will be set by resolution of the Borough Council.
- E. Minimum rates. All metered customers shall be subject to a quarterly minimum charge based on the required size of meter to render adequate service. The customers shall pay the minimum charge even though the amount resulting by applying the meter rate to the quantity of water consumed is less than the minimum charge. When such amount is greater than said minimum charge, then the greater amount shall constitute the bill for service rendered. The particular fee as imposed and established will be set by resolution of the Borough Council.

§ 217-2. Payment period.

The rates established herein shall be payable quarterly. The charges imposed constitute the net bill. If water rentals or charges are not paid within 20 calendar days after each quarterly billing date, an additional sum of 5% for each quarter or part thereof that the bill remains unpaid shall be added to such net bill. Payment made or mailed and postmarked on or before the last day of said twenty-calendar-day period shall constitute the payment within such period. If the end of such twenty-calendar-day period shall fall on a legal holiday or Sunday, payment made or mailed and postmarked on the next succeeding weekday which is not a legal holiday shall constitute payment within such period.

ARTICLE II

Water Use Restrictions

[Adopted 12-9-1991 by Ord. No. 403]

§ 217-3. Restrictions established; notice.

In the event of an emergency, catastrophe, drought, failure of facilities or equipment or other unforeseeable cause requiring the conserving or rationing of water, the Borough of Dallastown may take any appropriate conservation measures and actions or ration the available water supply, or both, with regard to the water service provided within the borough. Upon establishment of any such restrictions, the Borough Council shall cause notice thereof to be given to the public, which notice may be but need not be by publication in a newspaper of general circulation within the borough or by not fewer than five notices posted in public places within the borough.

§ 217-4. Type of restrictions.

Restrictions on water use which may be imposed hereunder by the Borough of Dallastown may include, but are not limited to, any or all of the following:

- A. Prohibiting all outside burning within the borough except for outside fires for the purpose of cooking food, which fires shall be properly enclosed and controlled, and except for

- controlled burnings by existing businesses which routinely engage in such controlled burnings as part of its legitimate business purposes or procedures.
- B. Prohibiting watering of all lawns.
 - C. Restricting the watering of gardens, yard plants, trees, shrubs, vegetables and flowers to the hours of 6:00 p.m. to 8:00 a.m.
 - D. Restricting the serving of water at eating establishments unless specifically requested by the patron.
 - E. Prohibiting the washing of any motorized equipment, motor vehicles, trailers, boats, lawn mowers and the like, with the following exceptions:
 - (1) Individuals may wash personally owned or leased vehicles using buckets only.
 - (2) Commercial car washes may operate, provided that the same recycles water or uses timed dispensing equipment that restricts the flow of water to the minimum rate necessary to ensure an effective wash.
 - (3) New and used car dealers may wash inventory in preparation for sale between the hours of 6:00 p.m. and 8:00 a.m.
 - F. Prohibiting the topping off or filling of swimming pools.

§ 217-5. Term and withdrawal of restrictions.

Any restrictions imposed by the borough hereunder shall remain in full force and effect until withdrawn by the borough and notice of such withdrawal having been given in the same manner as the initial notice imposing such restrictions.

§ 217-6. Violations and penalties. [Amended 4-13-1998 by Ord. No. 432]

Any person violating any of the provisions of this article shall, upon conviction thereof, be punishable by a fine of not more than \$600, plus costs of prosecution, and in default of payment of such fine and costs by imprisonment for not more than 30 days.

ARTICLE III

**Delinquent Payment of Charges
[Adopted 3-12-2001 by Ord. No. 464]**

§ 217-7. Request to shut off water supply; notice.

- A. Pursuant to authority granted in the General Municipal Law, 53 P.S. §§ 2261 and 2264, the Borough of Dallastown, by its Borough Manager, Borough Secretary, Mayor, sewer billing or collection agent or officer, or other person authorized by motion of Borough Council passed at a duly convened public meeting, may and is hereby authorized to request the Dallastown-Yoe Water Authority to shut off the supply of water to any property in Dallastown Borough for which sewer rental, rate or charges are delinquent for a period of at least 30 days, whereupon the supply of water to such premises is to be shut off until all

such overdue rentals, rates and charges, together with any and all penalties, interest, solicitor's fees and other charges and expenses, including charges hereinafter imposed, are paid in full.

- B. Prior to requesting and directing the Dallastown-Yoe Water Authority to shut off water to any premises as aforesaid, the authorized agents of Dallastown Borough shall provide written notice of the intent to shut off the water supply to the premises if the delinquent sewer rentals or charges, together with all other additional items as aforesaid, are not paid within 10 days from the mailing and posting of such notice. Such notice shall be mailed to the person liable for payment of the sewer rentals or charges and shall also be posted at a main entrance to the premises.

§ 218-8. Payment of fees required prior to restoration.

In addition to any other penalty, interest, solicitor's fees and other charges, fees and expenses to be paid in connection with the overdue sewer bill, before the water supply may be restored to the subject premises, the owner of the property for which the sewer bill is in arrears shall pay in full any and all charges and fees imposed by Dallastown-Yoe Water Authority to shut off the water, to restore the water service and for any lost revenues occasioned by the Dallastown-Yoe Water Authority as a result of the water being shut off as herein provided. All such charges and fees shall also be a municipal claim against the said premises along with the overdue sewer rentals, rate or charges and all other expenses and charges thereon.