

RESOLUTION 2020-08

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE BUCKS COUNTY WATER AND SEWER AUTHORITY
ESTABLISHING REQUIREMENTS FOR THE MAKING OF
CONNECTIONS TO SANITARY SEWER AND/OR WATER
MAINS OWNED BY THE AUTHORITY**

WHEREAS, the Bucks County Water and Sewer Authority owns and operates extensive sanitary sewer and public water systems in Bucks, Montgomery, and Chester Counties;

WHEREAS, with respect to public water, it is essential that the integrity of the Authority's public water system be maintained so as to assure its customers that the water being consumed is safe and in compliance with all regulatory requirements;

WHEREAS, a significant problem for the Bucks County Water and Sewer Authority and other providers of sanitary sewer service is the presence of inflow and infiltration into sanitary sewer collection system, and thus, treatment facilities;

WHEREAS, inflow and infiltration adversely affects collection systems, over burdens treatment facilities, and requires the expenditure of significant funds to treat stormwater which does not require treatment;

WHEREAS, regulatory agencies, including the United States Environmental Protection Agency and the Pennsylvania Department of Environmental Protection have repeatedly advised authorities, municipalities and other agencies that provide sanitary sewer collection and treatment that inflow and infiltration must be minimized and appropriate steps taken to make improvements to collection systems so as to minimize the intrusion of inflow and infiltration into sanitary sewer collection systems;

WHEREAS, sanitary sewer inflow and infiltration occurs for a variety of reasons, two of the most significant are where sanitary sewer laterals are leaking and where improper connections are made into the Authority's collection system; and

WHEREAS, the Board of Directors of the Bucks County Water and Sewer Authority believes it is in the best interests of the Authority and its ratepayers, as well as the public, that appropriate steps be undertaken so as to make certain that any connections to any of the Authority's public water or public sewer mains are made in compliance with industry standards, are made by persons competent to do so, and are made when the connection is properly inspected and approved by the Authority.

NOW, THEREFORE, the Board of Directors of the Bucks County Water and Sewer Authority herein adopts the following requirements with respect to connections to Authority owned public water and public sewer mains.

I. Connections. No connection to an Authority owned public water or public sewer main shall be made without a permit, without prior notice to the Authority and shall not be made by any person who has not been properly licensed by the Bucks County Water and Sewer Authority to make that connection.

II. Licensing. The Chief Executive Officer, or her/his designee, shall establish a licensing program for all persons who desire to be permitted to make direct connections to Authority owned public water and public sewer mains, which said licensing program shall provide for testing with the understanding that the licensing program will accept reciprocity for any appropriate license issued by the City of Philadelphia or any other municipality where the testing requirements are satisfactory to the Authority. Furthermore, the Authority's fee schedule shall include the appropriate fee for the licensing and testing process which shall be revised from time to time but shall appear in the Authority's Rate Resolution. The licensing process shall include an annual fee for the renewal of the license, which said renewal shall occur without the need for further testing except the renewal shall require the submission of an application for renewal and the payment of the appropriate renewal fee, which shall be set forth within the Authority's Rate Resolution.

III. Bonding/Insurance Requirements. As part of the licensing process referenced in the preceding Section of this Resolution, the Chief Executive Officer, or her/his designee, shall establish the minimum insurance coverage required by any person who desires to be granted a license to make connections to the Authority's public water or public sewer mains. The required insurance certificate shall accompany any application for a license and shall accompany the renewal application for a license, as well. If applicable, the licensing requirements may include a bonding requirement which said bond will be intended to protect the integrity of the Authority's public water and public sewer facilities with the understanding that bonding requirements shall be required for any connection to the public water and public sewer lines where the extent of the connection is such that the cost exceeds \$10,000 or where the connection is made to a public water or public sewer main is in excess of six (6) inches in diameter or under circumstances where

the nature of the connection is such that there is a risk to the Authority's public water or public sewer facilities by virtue of the proposed connection.

IV. Permitting and Inspections. No connection shall be made by any person to a Bucks County Water and Sewer Authority public water or public sewer main without first securing a permit from the Authority to do so. The permit application shall identify the location of the proposed connection, as well as the public water and public sewer facilities owned by the Authority within twenty (20) feet of the proposed connection. The application for a permit will also identify the method and means by which the connection will be made and the steps proposed to be taken by the person requesting the permit to protect the integrity of the Bucks County Water and Sewer Authority facilities, as well as the compliance with any other regulatory requirements of any other state, federal or local regulatory agencies associated with the proposed connection, including but not limited to any highway occupancy permits issued by the Pennsylvania Department of Transportation and/or the local municipality. As noted previously in this section, no connection or work can be done without the receipt of the required permit. All work related to the connection to the Authority's public water or public sewer mains must be inspected by an authorized representative of the Authority.

V. Inspections. As noted in Section IV of this Resolution, all work where connections are made to the public water or public sewer systems of the Bucks County Water and Sewer Authority must be inspected by the appropriate representative of the Authority. The person proposing to make the connection to the facilities of the Authority shall notify the Authority five (5) days in advance when the connection will be made so that appropriate arrangements can be made for an inspector to be present at the site during the process. The inspection must be of the exposed or open trench before the work is covered. If the work is completed where an inspector cannot view the work as an exposed or open trench, the person shall remove the material covering the connection made so as to provide the opportunity for the inspector to complete the inspection. All costs of inspection shall be borne by the persons requesting the permit and shall be in accordance with the fee schedule adopted from time to time by the Authority. Upon completion of the inspection, the person requesting the permit and inspection shall make any required modifications to the work so as to meet the requirements of the inspector and shall do so expeditiously. If the work is deemed acceptable by the inspector, the inspector will provide the appropriate email or other written confirmation that the connection was inspected and approved.

VI. Emergencies. Notwithstanding any of the requirements set forth in this Resolution, if an emergency situation occurs, such that a connection or connections to public water or public sewer facilities of the Authority do not permit adequate time for the licensing, permitting and inspection process as set forth herein, the person making the required connection shall immediately contact the Authority and request that a representative of the Authority, who is available, proceed to the site and provide a temporary permit to the person requesting to make the connection and that Authority representative shall remain and/or return to the site to conduct the inspection to make certain that the connection has been made appropriately and in accordance with the Authority's requirements. The person making the connection shall pay to the Authority the permit fee for the temporary permit as if it were a regular permit and shall pay the cost of the inspection. If the person making the connection with a temporary permit fails to pay the Authority for the permit, and for the inspection cost, that person shall be precluded from making any further connections to any Authority facilities until such time as all outstanding obligations have been satisfied.

VII. Definitions.

A. Person. For the purposes of this Resolution, a "Person" shall be defined as an individual, sole proprietor, partnership, limited liability company and/or corporation.

B. Authority Facilities. For the purposes of this Resolution, "Authority Facilities" shall include all public water and public sewer mains and/or other facilities owned by the Authority and/or located in any public rights-of-way from any public sanitary sewer cleanouts to the main.

C. Authority Specifications or Requirements. "Authority Specification or Requirements" are defined as the Bucks County Water and Sewer Authority Standard Water and Sewer Specifications adopted October 2020, as amended.

VIII. Inconsistent Provisions. To the extent any prior resolutions, specifications or the like that have been adopted by the Authority Board of Directors are in conflict with this Resolution, it is understood and agreed that the provisions of this Resolution shall take precedence.

IX. The terms, conditions and provisions of this Resolution are hereby declared to be severable, and, should any portion, part or provision of this Resolution be found by a court of competent jurisdiction to be invalid, enforceable or unconstitutional, the Board of Directors hereby

declares its intent that the Resolution shall have been enacted without regard to the invalid, enforceable or unconstitutional portion, part or provision of this Resolution.

X. This Resolution shall be effective October 13, 2020.
ADOPTED at a regular meeting of the Authority on this 13 day of October, 2020.

BUCKS COUNTY WATER AND
SEWER AUTHORITY

By: Dennis Cowley
Dennis Cowley, Chairman

By: Richard Weaver
Richard Weaver, Vice Chairman

By: Stacey L. Mulholland
Stacey L. Mulholland, Secretary

By: Patricia K. Koprik
Patricia K. Koprik, Treasurer

By: John Cordisco
John Cordisco, Assistant
Secretary/Treasurer