

## **Chapter 26**

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**Part 1****Definitions and Construction****§26-101. Definitions.**

Unless otherwise expressly stated the following words shall for purposes of this Chapter have the meaning herein indicated:

*Building main* - the extension from the water system of any structure to the lateral of a main. [Ord. 99006]

*Borough* - Akron Borough, Lancaster County.

*Consumer* - any person, as hereinafter defined, contracting for a supply of water to a premises from the water system.

*Development* - any manmade change to improved or unimproved property including, but not limited to, buildings or other structures, mining, dredging, filing, grading, paving, excavation or drilling operations. [Ord. 99006]

*EDU (equivalent dwelling unit)* - a unit of use or occupancy equivalent to daily water usage of 350 gallons of water per day. [Ord. 3-93]

*Improved property* - any property within the Borough of Akron upon which there is erected structure for continuous or periodic habitation, occupancy or use by human beings. [Ord. 99006]

*Mobile home park* - a group of two or more mobile homes or trailers but not limited to any construction given thereon by the Zoning Ordinance of the Borough of Akron [Chapter 27]. [Ord. 225]

*Person* - person or persons, firm or firms, corporation or corporations, governmental agency or agencies of all kinds.

*Premises* - whenever the word "premises" is used it shall be taken to designate:

(1) A building under one roof owned or leased by one person and (a) occupied as a residence or (b) containing a number of apartments, offices or lofts which are rented to tenants, or (c) used for business or commercial purposes.

(2) A group or combination of buildings owned or leased by one person and occupied by one family or one person as a place of business, for manufacturing or industrial purposes, or as school, town hall or other public institution.

(3) One side of a double house having a solid partition wall.

(4) A single lot, park, or playground.

(5) Each house in a row of houses.

*Private system (service connection)* - that part of the water line extending from the Borough's water main to a curb stop at the outside curb line, or if there shall be no curb, at the edge of the cartway abutting the property affected. [Ord. 99006]

*Property* - real estate within the Borough. [Ord. 99006]

*Service connection* - that part of the water line extending from the Borough's water main to a curb stop at the curb line, or if there shall be no curb line, at the

edge of the cartway abutting the property effected. [*Ord. 99006*]

*Subdivision* - the division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, transfer of ownership, building, or development. [*Ord. 99006*]

*Water system* - the water system operated by the Borough of Akron and all parts of this system, except private systems as hereinabove described.

*Water rates* - the fixed charges imposed and collected by the Borough merely as compensation for the supplying of water to the consumer and the use thereof by the consumer or his tenants.

*Water Committee* - such members of the Borough Council who have been appointed to oversee the affairs of the water system by the President of and approved by the Borough Council.

(*Ord. 146*, 6/4/1962, §100; as amended by *Ord. 225*, 12/14/1970, §1; by *Ord. 3-93*, 11/1/1994, §II; and by *Ord. 99006*, 11/8/1999, §§1, 2)

#### **§26-102. Captions.**

The captions for Sections, articles, paragraphs, subparagraphs, etc. shall not in any way be deemed to be a part of this Part but are inserted herein merely for ease of reference. They shall not have any constructive meaning nor be deemed to add to or subtract from the words of the material which they help to identify.

(*Ord. 146*, 6/4/1962, §102)

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**Part 2****Rates and Collections****§26-201. Separate Meter.**

Effective November 1, 1962, and thereafter each premises shall have a separate water meter.

(*Ord. 146, 6/4/1962, §200*)

**§26-202. Quarterly Rates.**

Council shall, from time to time, by resolution, set applicable fees for the consumption of water from the municipal system. The rates heretofore in effect previously adopted pursuant to *Ord. 146*, as amended, are hereby ratified, reconfirmed and preserved and shall continue in full force and effect.

(*Ord. 146, 6/4/1962, §201; as amended by Ord. 173, 5/3/1965, §1; by Ord. 209, 10/6/1969, §1; by Ord. 243, 7/10/1972, §2; and by Ord. 99006, 11/8/1999, §3*)

**§26-203. How Payable.**

All water rates together with penalties thereto, if any, shall be paid by the consumer to the Borough Treasurer for the use of the Borough at the times and in the manner hereinafter specified.

(*Ord. 146, 6/4/1962, §202*)

**§26-204. Regulations Governing Ownership of Facilities and Responsibility Therefore.**

1. Upon the request of the owner of any property within the corporate limits of the Borough of Akron, abutting upon a street wherein a water main exists or is reasonably adjacent thereto, the Borough of Akron will approve a connection to the main, for said owner, to be constructed at said owner's sole expense. All piping from the main to the property served, including curb shut off valve located within 5 feet of curb line or edge of cartway and meter shall be installed for the owner at his expense by a plumber recognized by the Borough of Akron. The Borough reserves the right to require, in lieu of the meter being located in a building, a suitable protective pit directly opposite the point at which the connection is made to the curb shut off valve. The Borough of Akron reserves the right to repair at the property owner's expense any leak on a customer's service pipe between the curb shut off valve and the water meter. A water meter shall be installed in such piping, located inside the building equipped with an outside remote reading device which conforms to municipal standards. On all existing connections and upon final inspection for new connections the property owner is responsible for all maintenance of the water line from the building to the curb shut off valve, for new connections on the building to within 5 feet of the curb line or cartway. Each new water meter shall be furnished by the Borough of Akron at the expense of the property owner. The Borough of Akron shall have the right to remove any such water meter for testing or for maintenance and may furnish in its place another meter substantially the equal thereto as the need for such replacement may occur, without

incurring liability therefore to the owner. The Borough of Akron shall inspect, test, adjust, maintain, and/or replace such meters at its own expense, except that any meter damaged in service through the negligent act or omission of the property owner or his tenant or agent shall be replaced by the Borough of Akron at the expense of the property owner. Meter damage resulting from freezing or back flow of hot water shall be considered to be the result of negligence on the part of the owner or tenant.

2. The accuracy of the water meters on the Borough of Akron's system shall be determined in accordance with the rules and regulations adopted by resolution by Akron Borough Council. Upon request of any user, the Borough of Akron will remove the meter from his premises and test the accuracy thereof. If the said meter is found to register a greater quantity of water than passed through it, to a degree exceeding the tolerance of accuracy prescribed by the Borough for such cases, no charge shall be made for such test, and the bills for water rendered on the basis of the registration of said meter for a period of not more than 3 months preceding the removal thereof may be adjusted on an equitable basis. If the said meter is found to register a smaller quantity of water than that passed through it, or to be within the prescribed tolerances of accuracy, a charge shall be paid by the user for the testing of the meter in accordance with the schedule of charges adopted from time to time by the Borough of Akron Council. Upon prior request, the water user may witness the water test during normal working hours.

3. As long as water is piped to any building, the proper officials of the Borough of Akron shall at all reasonable times have free access to the meters or service pipes to inspect, test, read, repair, remove, or replace the same, whether or not the occupant of the building is a water user, and such access shall not be impeded by coal, ashes, or rubbish, nor in any other manner. Failure to provide such free access shall be cause for termination of service until suitable access is provided.

4. Any customer of the Borough of Akron can request a supplementary meter for the purpose of accessory uses that prohibit said water from entering the sanitary sewer system. All cost associated with purchase and installation are the responsibility of the water customer. The Borough will prescribe proper installation and conduct final inspection. Supplementary meters will not be subject to minimum purchases.

5. In the event that a customer's water meter fails to register or is not read at the scheduled time, the Borough of Akron may issue an estimated bill for the period involved based upon the records of the same customer's usage for comparable past periods. Any inaccuracy resulting from failure to read a user's meter at the regularly scheduled time will be corrected in the preparation of the bill based upon the next reading of the meter.

(*Ord. 146*, 6/4/1962, §203; as amended by *Ord. 162*, 3/2/1964, §1; and by *Ord. 99006*, 11/8/1999, §5)

#### **§26-205. Billing.**

1. Bills for water furnished for all purposes shall in general be rendered on a quarterly basis, a quarter to consist of any period of approximately 90 days. A fractional part of a quarter equal to or exceeding 45 days shall be considered a full quarter for the purpose of determining the minimum charge. Upon request of any user, the Borough of Akron will remove the water meter from his property and discontinue minimum

charges thereon, and will thereafter upon request and payment of a reconnection charge, established pursuant to a resolution of the Akron Borough Council, reinstall the meter or a similar meter at the property and reestablish service.

2. Usage, service and minimum charges shall be payable at the Borough office on the date shown on the bill rendered. Thereafter, a penalty, as set from time to time by resolution, shall become due and payable. Failure to receive a bill shall not entitle an owner or user to an extension of time for payment. Any owner or user whose account for utility service is in arrears shall pay the gross amount of each bill until all outstanding indebtedness is paid.

3. If an employee or the Borough of Akron collects the amount of delinquent bill at the user's or owner's premises prior to termination of service, a collection charge, established pursuant to a resolution of the Akron Borough Council, shall be collected therewith.

4. Failure to pay either usage, service, or minimum charges within 10 days after the gross bill becomes due shall be cause for termination of water service until payment is made of all outstanding charges for water service; provided, in no case shall the water supply be shut off until 10 days after written notice of an intention so to do has been mailed to the person liable for payment and a written notice has been posted at a main entrance to the premises where the water supply is to be shut off. If during such 10-day period, the person liable for payment delivers to the Borough of Akron a written statement which states under oath or affirmation that such statement is not executed for purpose of delay and that he has a just defense to the claim for payment or to part of such claim, the water supply shall not be shut off until such claim has been determined.

5. In the event that any property is disconnected from water service, because of failure to pay an invoice or for any other reason relating to a violation of the provisions of this Part, a disconnection charge shall be assessed (by resolution by Borough Council) against the delinquent invoice (in the event of a non-delinquency against the rate payer). Further, a re-connection charge shall be established (by resolution by Borough Council), which shall be paid in advance of such re-connection. [*Ord. 00068*]

(*Ord. 146*, 6/4/1962, §204; as amended by *Ord. 99006*, 11/8/1999, §6; and by *Ord. 00068*, 5/13/2013, §1)

#### **§26-206. Use of Public Water System Required.**

1. The owner of any improved property within the Borough abutting upon the water system, except any improved property which has its own supply of water for uses other than human consumption, shall connect such improved property with and shall use such water system in such manner as the Borough of Akron may require, within 90 days after notice to such owner from the Borough of Akron to make such connection; subject to such limitations and restrictions as shall be established herein or otherwise shall be established by the Borough of Akron.

2. The notice by the Borough of Akron to make connection to a main referred to above 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 the connection in accordance with the provisions of this Part and specifying that such connection shall be made within 90 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 improved property. Such notice shall be given or served upon the owner in accordance with law.

(*Ord. 146, 6/4/1962, §205; as amended by Ord. 99006, 11/8/1999, §6*)

**§26-207. Building Mains and Connections.**

1. No person shall uncover, connect with, make any opening into, use, alter or disturb, in any manner, any main or part of the water system without first obtaining a permit in writing from the Borough of Akron and paying the requisite fees.

2. Application for a permit required under subsection .1 of this Section shall be made by the owner of the improved property served or to be served with notice as provided in §26-202, or by the duly authorized agent of such owner.

3. No person shall make or shall cause to be made a connection of any improved property to a main until such person fulfills each of the following conditions:

A. Notify the Borough of Akron of the desire and intention to connect such improved property to a main.

B. Apply for and obtain a permit as required by subsection .1 of this Section.

C. Give the Borough of Akron at least 24 hours notice before such connections will be made in order that the Borough of Akron may supervise and inspect or may cause to be supervised and inspected the work of connection and necessary testing.

D. If applicable, furnish satisfactory evidence to the Borough of Akron that any connection, tapping or customer facilities fees, which may be charged and imposed by the Borough of Akron against the owner of each improved property who connects such improved property to a main, has been paid.

4. Except as otherwise provided in this subsection .4, each improved property shall be connected separately and independently with a main through a building main. Grouping of more than one improved 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 Borough of Akron, in writing, shall have been secured and only subject to such rules, regulations and conditions as may be prescribed by the Borough of Akron.

5. All costs and expenses of construction of a building main and all costs and expenses of connection of a building main to a main shall be borne by the owner of the improved property to be connected; and such owner shall indemnify and shall save harmless the Borough of Akron from all loss or damage that may be occasioned directly or indirectly as a result of construction of a building main or of connection of a building main to a main.

6. A building main shall be connected to a main at the place designated by the Borough of Akron. A smooth, neat joint shall be made and the connection of a building main to the curb stop valve and main shall be made secure and watertight.

7. If the owner of any improved property located within the Borough of Akron and abutting upon the water system, subject to the exception provided for above, after 90 days notice from the Borough of Akron, in accordance with the above, shall fail to connect such improved property, the Borough of Akron may construct such connection and collect from such owner the costs and expenses thereof in any manner permitted

by law.

(*Ord. 146, 6/4/1962, §206; as amended by Ord. 99006, 11/8/1999, §6*)

**§26-208. Regulations Governing Building Mains and Connections to Mains.**

1. No building main shall be covered until it has been inspected and approved by the Borough of Akron. If any part of a building main is covered before so being inspected and approved, it shall be uncovered for inspection, at the cost and expense of the owner of the improved property to be connected to a main.

2. Every building main of any improved property shall be maintained in a sanitary and safe operating condition by the owner of such improved property.

3. Every excavation for a building main shall be guarded adequately with barricades and lights to protect all persons from damage and injury. Any street, sidewalk or other public property disturbed in the course of installation of a building main shall be restored, at the cost and expense of the owner of the improved property being connected, in a manner satisfactory to the Borough of Akron.

4. If any person shall fail or shall refuse, upon receipt of a notice in writing of the Borough of Akron to remedy any unsatisfactory condition with respect to a building main within 20 days of receipt of such notice, the Borough of Akron may (among other remedies) refuse to permit such person to be served by the water system until such unsatisfactory condition shall have been remedied to the satisfaction of the Borough of Akron.

5. The Borough of Akron reserves the right to adopt, from time to time, additional rules and regulations it shall deem necessary and proper relating to connections with a main and with the water system, which additional rules and regulations, to the extent appropriate, shall be and shall be construed as part of this Part.

(*Ord. 146, 6/4/1962, §207; as added by Ord. 99006, 11/8/1999, §6*)



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**Part 3****Water Committee, Water Superintendent and Operation****§26-301. Water Committee.**

There shall be appointed annually by the President of and approved by the Borough Council a committee of three members of Council to be known as the Water Committee who shall exercise general supervision of the water system and to whose direction the Water Superintendent shall be subject, except as may be otherwise directed by this Part.

(*Ord. 146, 6/4/1962, §300*)

**§26-302. Emergency.**

Whenever a drought or water famine is imminent, the Borough Council in its discretion may authorize the Mayor to issue a proclamation prohibiting the use of water from the water system for other than necessary human consumption and sanitary domestic needs.

(*Ord. 146, 6/4/1962, §324; as amended by Ord. 99006, 11/8/1999, §7*)



**Part 4**

**[Reserved]**



**Part 5****Offenses and Penalties****§26-501. Offenses and Penalties.**

1. From and after the passage of the Part it shall be unlawful for any person:
  - A. To dirty, contaminate or to pollute or to contribute in any way to placing dirt, pollution or contamination in the reservoirs, springs, or water supply or other portions of the water system or to place any foreign matter of any nature whatsoever therein.
  - B. To damage any part of the water system.
  - C. To wilfully or negligently allow water to flow unnecessarily from a private system under the person's control or in the person's custody.
  - D. To open a fire hydrant, water valve or stop cock, forming a part of the water system, on any occasion whatsoever, except at the request of a member of the Water Committee or the Superintendent, or in case of fire.
  - E. To vacate any building to which water is being supplied contrary to §26-301. [*Ord. 99006*]
  - F. To change the location of any water lines other than that part which may be on the discharge side of a water meter beyond the required valve without securing a permit therefor.
  - G. To locate a water line or any other part of the water system at any location not previously approved by the Water Superintendent or by some other duly constituted authority in writing in advance.
  - H. To use water in any other manner than as shown on the application for a water permit.
  - I. To in any way touch, disturb or have anything to do with a water main except that Borough employees in the exercises of their duly constituted duties are exempt from this provision.
  - J. To refuse access to the Water Superintendent or a Borough employee to the consumer's premises either for the purpose of reading the water meter or for the purpose of examining the private system therein installed.
  - K. To make a meter inaccessible to the Water Superintendent or a Borough employee contrary to §26-301. [*Ord. 99006*]
  - L. To tamper with, break or destroy any water meter, contrary to §26-301. [*Ord. 99006*]
  - M. To change the location of any water meter.
  - N. To make a connection to the water system without first having obtained a connection permit.
  - O. To use water from the water system for other than necessary human consumption and sanitary domestic needs in defiance of a proclamation of the Mayor in accordance with §26-301. [*Ord. 99006*]

P. To ground any electrical line on the water lines in violation. [*Ord. 99006*]

Q. To sell any water purchased from the Borough to any other person.

R. To use the water furnished by the Borough or to permit the same in any way to be used other than on the premises to which the same is furnished.

S. To connect with a private system using Borough water or the water system from any other source or use of water other than that furnished by the water system, or to permit any such existing connect to continue so that any water other than the water furnished by the Borough can or does flow through the same pipes as those used for water furnished by the water system. [*Ord. 162*]

2. Any person violating any provision of this Section shall upon conviction before the Mayor or any magisterial district judge be sentenced to pay for the use of the Borough a fine of not more than \$600 plus costs of prosecution and, in default of payment, to a term of imprisonment not in excess of 30 days. [*Ord. 00037*]

(*Ord. 146*, 6/4/1962, §500; as amended by *Ord. 162*, 3/2/1964, §4; by *Ord. 99006*, 11/8/1999, §8; and by *Ord. 00037*, 10/8/2007)

**Part 6****Connection and Other Fees****§26-601. Connection and Related Fees.**

1. This Borough shall charge a connection fee in the amount of the actual cost incurred by the Borough for each connection to the Borough's water lateral. In lieu of payment of said connection fee the Borough may, at the discretion of the Borough, require the construction and dedication of those facilities by the property owner or the owners requesting such connection. Upon the occurrence of said event, the property owner or owners shall reimburse the Borough for its reasonable expenses in supervising such connections.

2. The Borough does also hereby impose a customer facilities fee in the amount of the actual costs incurred by the Borough for the facilities serving the connected property from the property line or curb stop to the proposed dwellings or buildings to be served, where the Borough and not the property owner or owners install the customer facilities. In lieu of the payment of the customer facilities fee the Borough may require the construction of those facilities by the property owner or owners requesting customer facilities. Upon occurrence of said event, the property owner or owners shall reimburse the Borough for its reasonable expenses in supervising the construction of such facilities.

3. The Borough Council shall, from time to time, establish a water tapping fee, by resolution of Council, against the owner of any improved property whenever such owner hereafter shall connect any such improved property with the water system or in the case as to capacity fee and distribution fee parts, whenever use of the system is proposed to be increased. Said tapping fee shall be established pursuant to provisions of applicable codes and may include a capacity fee, a distribution fee, and reimbursement fee. [*Ord. 00065*]

4. The capacities fee and the distribution fee parts of each tapping fee shall be due and payable for each dwelling unit in multi-dwelling situations.

A. In each case of commercial or industrial users, the total tapping fee shall be modified by adding a capacity fee and distribution fee parts sum computed by multiplying the sums set forth in the capacity fee and the distribution fee parts times the number of equivalent dwelling units estimated, in good faith, by the applicant to be the applicant's average daily usage over the term of the first 5 years of use, but will never be less than one capacity fee and distribution fee part.

B. In the event that the Borough is not satisfied with applicant's estimate, the Borough's Engineer shall submit its own estimate. If the applicant is unwilling to accept the estimate of the Borough's Engineer, then, in said event, a hearing shall be held before Council at which time Council shall make a final decision on the matter.

C. The Borough shall have the right to actually measure water usage during each of said 5 years and in the event that the applicant's good faith estimates prove too low or in the event that the decision of the Borough is too low, applicant will promptly pay to the Borough, on an annual basis, the corrected capacity fee and

distribution fee parts then in effect times the number of increased equivalent dwelling units actually used. Any overpayment made hereunder shall be considered used for reservation of capacity and costs in processing and shall not be refunded. Such capacity fee and distribution fee components shall be charged for connection of each improved property or for adding of additional uses or units of occupancy by the owner of such improved property.

D. The Borough shall also have the right to measure water usage at any time during which it is believed that water usage has changed from that previously approved and previously assessed. Owner will promptly pay to the Borough the corrected capacity fee and distribution fee parts then in effect times the number of increased equivalent dwelling units actually used or anticipated to be used. Any overpayments hereunder shall be considered for reservation of capacity and costs in processing and shall not be refunded. Capacity fee and distribution fee components shall be used for increased usages of equivalent dwelling units of water capacity and shall be charged at the capacity fee and distribution fee components then in effect.

E. In the case of mobile home parks, trailer courts, campgrounds, shopping centers, apartments, office buildings, hotels, motels, rooming house, nursing homes, industrial parks and all other tracts wherever by lease, ownership, or contract there are multiple structures, divisions of structures or separate sleeping quarters, or units of occupancy among separate owners, lessees or residents, each unit of use or occupancy shall be considered as though it were a separate unit and a separate capacity fee and distribution fee parts shall be paid thereafter, except when a business or professional use is in connection with a dwelling unit occupied by the same person who owns and operates the business or profession (and no persons are employed therein). This provision shall apply to tapping fees only. Nothing herein shall be construed to prohibit, if otherwise authorized (and if all applicable monies are paid), single laterals for multiple units under one ownership.

F. All fees shall be payable to the Treasurer of this Borough or to such other officer or representative of this Borough as shall be authorized, from time to time, by resolution of this Borough, to accept payment thereof.

(*Ord. 146*, 6/4/1962, §600; as added by *Ord. 3-93*, 11/1/1994, §II.C; and amended by *Ord. 00065*, 1/14/2013, §1)

### **§26-602. Extension of Services.**

1. Where a water line is to be extended at the expense of the owner or owners of property or where this Borough otherwise would construct the customer facilities, the property owner or owners shall have the right to construct the extension or install the customer facilities himself or themselves through a subcontractor approved by the Borough, which approval shall not be unreasonably withheld; provided, that the Borough shall have the right, at its option, to perform the construction itself only if the Borough provides the extension or customer facilities at a lower cost and within the same timetable specified or proposed by the property owner or owners or his or their approved subcontractor.

2. Construction by the property owner or owners shall be in accordance with an agreement for the extension of the Borough's system and plans and specifications

approved by the Borough and shall be undertaken only pursuant to the existing regulations, requirements, rules and standards of the Borough applicable to such construction and shall be further subject to inspection by an inspector authorized to approve such construction and employed by the Borough during construction.

3. When a main is to be extended at the expense of the owner or owners of properties, in advance of construction, the Borough's estimated reasonable and necessary costs of reviewing plans, construction, inspections, administrative, legal and engineering services. Construction shall not commence until the property owner or owners has posted appropriate financial security.

4. The property owner or owners shall reimburse the Borough for all its reasonable and necessary expenses incurred as a result of the extension.

5. Upon completion of the construction, the property owner or owners shall dedicate, and the Borough shall accept the extension of the Borough's system, provided dedication of facilities and the installation complies with plans, specifications and regulations of the Borough and the agreement between the Borough and the property owner.

6. Where the property owner constructs or causes to be constructed at his expense any extension of the water system of the Borough, the Borough shall provide for the reimbursement to the property owner when the owner of another property not in the development for which the extension was constructed connects a service line directly to the extension to the Borough in accordance with the following provisions:

A. Such reimbursement shall be equal to the distribution or collection part of each tapping fee collected as a result of subsequent connections. The Borough shall deduct from each reimbursement payment an amount equal to 5 percent, which shall be deemed to represent the appropriate charge for administrative expenses and services rendered in calculating, collecting, monitoring, and disbursing the reimbursement payments to the property owner entitled thereto.

B. Reimbursement shall be limited to those lines which have not previously been paid for by the Borough.

C. The Borough shall, in the preparation of the necessary reimbursement agreement with the property owner or owners for whose benefit reimbursement will be provided, attach as an exhibit an itemized listing of all water facilities for which reimbursement shall be provided.

D. The total reimbursement to which a property owner or owners shall be entitled shall not exceed the cost of all labor and material, engineering design charges, the cost of performance and maintenance bonds, Borough review and inspection charges, and any and all charges involved in the acceptance and dedication of such facilities by the Borough, less the amount which would be chargeable to such property owner based upon the Borough's collection and distribution tapping fees which would be applicable to all lands of the property owner or owners served directly or indirectly through such extensions if the property owner or owners did not fund the extension.

E. The Borough shall notify by certified mail, to their last known address, the property owner or owners for whose benefit such reimbursement shall apply within 30 days.

(*Ord. 146*, 6/4/1962, §601; as added by *Ord. 3-93*, 11/1/1994, §II.C)

**Part 7****Repeals****§26-701. Repeal.**

Ordinances 77, 90, 102 and the Ordinance of December 6, 1915, entitled “An Ordinance Regulating the Akron Water Works,” are specifically repealed and all other ordinances and parts of ordinances inconsistent herewith are expressly repealed.

*(Ord. 146, 6/4/1962, §600)*

**§26-701A. Subsequent Repeal.**

All paragraphs of this Part numbered with an “a” shall be repealed effective July 1, 1968. No such paragraph need be printed with the permanent printing of this Part in its normal location but may be, in the discretion of the Borough Solicitor, printed at the end of the Part as long as it remains applicable.

*(Ord. 146, 6/4/1962, §600A)*

**§26-702. Use of Words.**

Whatever gender is used shall include that as well as other genders. The singular shall include the plural and vice versa.

*(Ord. 146, 6/4/1962, §601)*

**§26-702A. Remedies Reserved.**

Despite the provisions of §26-201A and §26-204A all rights of the Borough existing prior to the enactment of this Part and accrued to the Borough prior thereto shall remain in full force and effect until the Borough has exhausted such rights and the remedies necessary for such purpose. This provision shall also apply to those matters set forth in sections ending with the letter “a.”

*(Ord. 146, 6/4/1962, §601A)*

