

**RESOLUTION
OF THE
MUNICIPAL AUTHORITY OF THE BOROUGH OF PORTAGE**

MADE this 8th day of September, 2005, at a regularly scheduled public meeting of the Board of the Authority.

WHEREAS, the Municipal Authority of the Borough of Portage, (hereinafter sometimes PWA) provides water service to over 2500 customers, most of them owner occupied properties; and

WHEREAS, the PWA has experienced problems with leaks in service lines and plumbing which customers have not promptly repairs; and

WHEREAS, the PWA has determined that such uncorrected leaks present a potential to adversely affect the ability of the Authority to provide service to its customers; and

WHEREAS, the PWA has determined that it is necessary to adopt an amendment to its rules spelling out the property owners duty to maintain the service line and plumbing and authorizing the Authority to terminate service in certain circumstances until repairs are made.

NOW, THEREFORE, BE IT RESOLVED:

- 1) The following Rules are revised to read as follows:

Rule 3.11 is revised to read:

3.11. Owner Responsible for Leaks in Service Line - The service line from the curb stop to the premises shall be kept in good condition by the property owner under penalty of termination of service by the Authority and the Authority shall not be responsible for damage done by water escaping therefrom. An owner who fails to maintain a service line, located prior to the meter, shall be responsible for payment of the cost of the estimated amount of loss, where the amount of loss is certified by the Authority's Professional Engineer, within a reasonable degree of certainty.

An owner with a leak in their service line shall promptly repair the same. Upon Notice by the Authority an owner shall cause a small leak to be repaired within 5 days. A large leak in a service line shall be repaired immediately by the property owner, or by Authority personnel with the cost assessed against the property owner, where the manager has determined that immediate action is necessary to protect the supply of water to other customers.

Rule 7.6 is revised to read:

7.6. Discontinuance of Service - The Municipal Authority of the Borough of

Portage reserves the right to discontinue water service for nonpayment of delinquent water bills (see rule 6.5), subject to requirement of 66 Pa. C.S.A. § 1521, et seq., or for neglect or refusal to comply with the Authority's policies after first having exhausted all attempts to resolve the problem and giving the owner a five (5) day written notice, (except that service may be terminated without notice upon discovery of a cross-connection). Service so discontinued or shut off temporarily at the request of the owner shall not be restored until a turn-on fee has been paid to the Authority.

Water service under an application may be discontinued for any of the following reasons:

A. Application misrepresentation - such as property or fixtures to be supplied or the use of the water supply.

B. For the use of water for any other property or purpose than that described in the application.

C. For the waste of water through improper or imperfect pipes, fixtures or otherwise.

D. For failure to maintain, in good order, connections, service lines or fixtures for which consumer or owner is responsible.

E. For tampering, obstructing and/or vandalizing any service pipe, meter, curb stop, seal or other equipment owned by the Authority.

F. Cases where the property served by the Authority becomes vacated.

G. For any violation of the Authority's Policies, Procedures, Rules and Regulations.

H. For neglecting to make payments of any charges established by the Authority, (see Rule 6.5).

I. For establishing any cross-connection.

J. The Authority shall have the right to cut off service without notice in cases of breakdowns or for other unavoidable causes, or for the purpose of making necessary repairs, connections, etc. reasonable notice will be given when practicable. In no case shall the Authority be liable for damage or for the inconvenience suffered.

K. For refusal of access to property by a representative of the Authority providing photographic identification, for the purpose of inspection, meter reading, maintaining or removal of meters or other equipment of the Authority.

L. For refusal to conserve water during periods of restricted water use and supply.

M. For failure to pay for sewer service when termination is requested by the sewer service provider pursuant to State Law.

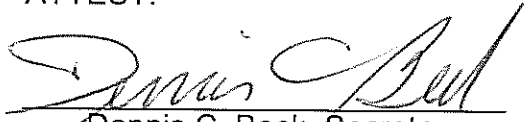
N. For failure to make repairs to leaking plumbing, either upon 5 days' notice in the case of small leaks or immediately, without notice in the case of a large leak which has the potential of affecting the ability of the authority to provide water service to other customers.

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Approved by the Board of the Municipal Authority of the Borough of Portage on the date set forth above.

I certify this to be a true and correct copy of the Resolution adopted on the 8th day of September, 2005, by the Municipal Authority of the Borough of Portage.

ATTEST:



Dennis C. Beck, Secretary
(Seal)