

ORDINANCE NO. 2022-664A

**AN ORDINANCE OF THE BOROUGH OF LEHIGHTON  
DEFINING AND REGULATING CONNECTIONS TO THE  
PUBLIC WATER SYSTEM; REQUIRING CONNECTIONS  
THERETO AND PERMITS THEREFOR; ESTABLISHING  
STANDARDS FOR CONNECTIONS FROM BUILDINGS TO  
MAINS; AUTHORIZING APPEALS IN HARDSHIP CASES; AND  
PRESCRIBING PENALTIES FOR VIOLATION.**

The Borough Council hereby ordains:

**SECTION 1 DEFINITIONS.** As used in this ordinance, the following terms shall have the meaning indicated, unless a different meaning clearly appears from the context:

**AUTHORITY:** The Lehigh Water Authority a body corporate and politic organized under the Municipality Authorities Act of 1945 incorporated by the Borough of Lehigh.

**BOROUGH:** The Borough of Lehigh.

**BUILDING MAIN:** Extension from the water system of any structure to the lateral of a main.

**IMPROVED PROPERTY:** Any property within the Borough of Lehigh upon which there is erected a structure intended for continuous or periodic habitation, occupancy or used by human beings or animals.

**INDUSTRIAL ESTABLISHMENT:** Any improved property located within the Borough of Lehigh and used or intended for use wholly or in part, for the manufacturing, processing, cleaning, laundering, or assembling of any product, commodity, or article.

**LATERAL:**

1. Part of the water system extending from a main to the curb line or, if there shall be no curb line, extending to the property line or;
2. If no such lateral shall be provided, lateral shall mean the portion of, or place in, a main which is provided for connection of any building main.

**MAIN:** Any pipe or conduit constituting a part of the water system used or usable for water distribution purposes.

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 Authority 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 Authority at least twenty-four (24) hours' notice before such connection will be made in order that the Authority may supervise and inspect or may cause to be supervised and inspected the work of connection and necessary testing; and
- D. if applicable, furnish satisfactory evidence to the Authority that any tapping (or connection) fee which may be charged and imposed by the Authority against the owner of each improved property who connects such improved property to a main has been paid.

4. A. 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 Authority, in writing, shall have been secured and only subject to such rules, regulations and conditions as may be prescribed by the Authority.

B. If any improved property does not have a separate and independent connection with a main and wishes to sell said improved property, then the property owner or property owner's real estate agent shall advise the Authority of the connection prior to the property being listed for sale on the market or before an agreement of sale is executed.

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 Authority 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 Authority and where, if applicable, the lateral is provided. A smooth, neat joint shall be made and the connection of a building main to the lateral shall be made secure and watertight.

4. If any person shall fail or shall refuse, upon receipt of a notice in writing of the Authority to remedy any unsatisfactory condition with respect to a building main within sixty (60) days of receipt of such notice, the Authority may 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 Authority.

5. The Authority 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 ordinance.

**Section 6. Appeals; Hardship.** In the event any person shall deem the requirement to connect as provided in this ordinance a hardship, such person may appeal to the Board of Authority for relief from such connection requirement which appeal shall be heard in accordance with provisions of the Pennsylvania Local Agency Law.

**Section 7. Penalties.** Any person, firm or corporation who shall violate any provision of this ordinance shall, upon conviction thereof, be subject to pay a fine of not more than six hundred dollars (\$600.00), and in default of payment, to imprisonment for a term not to exceed thirty (30) days. Each day that a violation of this ordinance continues shall constitute a separate offense.

**Section 8. Repealer.** All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

**Section 9. Severability.** If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this ordinance. It is hereby declared as the intent of the Borough Council that this ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not be included herein.

This Ordinance shall become effective five (5) days after enactment.

**BOROUGH OF LEHIGHTON**  
  
**GRANT HUNSICKER, President**

ATTEST:

  
**BRENDA KREITZ, Secretary**