

## CHAPTER 1 CONDITIONS OF SERVICE, DEFINITIONS

### 101.0 Conditions of service

- 101.1 The Authority\* will furnish water and sewer service only in accordance with its Rules and Regulations and at its prevailing rates, which rates and Rules and Regulations are made a part of every application, contract, agreement, or license entered into between the Owner or Customer and the Authority.
- 101.2 The Authority reserves the right, as often as it may deem necessary, to amend, supplement, or rescind these Rules and Regulations or any part thereof, including its rates and charges, without notice. All such changes to these Rules and Regulations will be a part of every application, contract, agreement or license for water, sewer, and storm water service in effect at the time such changes are adopted by the Authority.
- 101.3 In the event of a water shortage or other condition threatening public health or safety, the Director may adopt such additional or revised Rules and Regulations as may be necessary to conserve or supply water under the circumstances.

### 102.0 Definitions

- 102.1 "ALCOSAN" means the Allegheny County Sanitary Sewer Authority, Allegheny County, Pennsylvania.
- 102.2 "Authority" means The Pittsburgh Water and Sewer Authority, a municipal authority organized and existing under the laws of the Commonwealth of Pennsylvania.
- 102.3 "Backflow" means the flow of water and other liquids, mixtures, and substances into the Authority's Water Mains, or into other lines carrying domestic water, from any sources other than those intended by the Authority.
- 102.4 "Business Customer" means any Person with title to a Business Use Property, his duly authorized agent, or his Guaranteed Lessee who by operation of law or agreement is primarily responsible for the payment of charges for water and/or sewer service at a Business Use Property.
- 102.5 "Business Tenant" means a person who leases a Business Use Property pursuant to a current lease agreement.
- 102.6 "Business Use Property" means any property used for either profit or non-profit purposes that is Commercial Property, Industrial Property, Health And Education Property, or Combined Use Property, all as defined herein.
- 102.7 "Business Use Property Owner" means a person who owns a Business Use Property.
- 102.8 "Capital Lease Agreement" means the agreement bearing that title between the City and the Authority on July 15, 1995, effective July 27, 1995, and includes any amendments thereto.
- 102.9 "City" means the City of Pittsburgh, Pennsylvania.
- 102.10 "City Lien Verification Letter" means a written letter from the City to a Person regarding any liens, claims, or taxes due the City from that Person.

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\* Words with initial capital letters are defined in section 102.0 of these Rules and Regulations.

- 102.11 “Combination Sewers” or “Combined Sewers” means sewers designed and built to carry sanitary Sewage and/or industrial waste combined with Storm Water.
- 102.12 “Combined Use Property” means property that is used as both Residential Property and Commercial Property.
- 102.13 “Commercial Property” means property acquired or leased for purposes of carrying on a trade, business, profession, vocation, or any commercial, service, financial, or utility business or activity including, but not limited to, hotels, office buildings, gas service stations, laundries, commercial establishments, stores, malls, car washes, and parking lots.
- 102.14 “Corporation Stop” means the valve placed on a Water Service Line at or near the junction with the Water Main.
- 102.15 “Curb Box” means the casting or enclosure that houses or permits access to the Curb Stop.
- 102.16 “Curb Stop” means the valve installed to turn water service on and off to a building or facility.
- 102.17 “Customer” means the Owner or Tenant contracting for or using water or sewer service on a single Premises, and the word “Customers” means all Persons contracting for such service.
- 102.18 “Development” means changes to private and public infrastructure involving a new Sanitary Sewer tap, new Storm Sewer tap, new water service tap, termination of existing taps, or construction by a private entity of new Sewer Mains, Water Mains, or other facilities intended for dedication to public use. The term “Development” may also include the types of buildings to be served by the proposed changes.
- 102.19 “Director” means the Executive Director of the Authority and includes the agents, officers, and employees authorized to act for the Executive Director.
- 102.20 “Dwelling Unit” means an individual housing unit on or in a Residential Property such as a single family home or a single apartment within a multi-unit apartment building.
- 102.21 “Dye Test” means any commonly accepted plumbing test whereby a nontoxic, non-staining dye is introduced into the surface Storm Water collection system of real property to determine if any surface Storm Water is entering the Sanitary Sewer system. The term “Dye Test” shall include any other reasonable and appropriate testing methodologies (excluding the use of smoke testing to detect roof leaders) acceptable to the Authority to determine if surface Storm Water is entering the Sanitary Sewer system.
- 102.22 “Dye Testing Ordinance” means City Ordinance No. 3 of 2006, adopted March 28, 2006, effective July 5, 2006, as codified in Title Four, Public Places and Property, Article III Sewers, Chapter 433, Illegal Storm Water Connections, of the Pittsburgh Code, and includes any amendments thereto.
- 102.23 “Dye Testing Results Form” means the form provided by the Authority to any person who has applied for evidence of compliance for a property served by a Sanitary Sewer, completed by a Registered Plumber.
- 102.24 “Equivalent Dwelling Unit” or “EDU” means a unit of measurement that standardizes all land use types to the level of demand created by 1 single-family dwelling unit. The Authority equates 1 EDU to 300 gallons of water consumption per day.

- 102.25 “Evidence of Compliance Statement” means a written letter or statement from the Authority confirming that it has on file a completed Dye Testing Results Form or other statement by a Registered Plumber certifying that there are no Illegal Surface Storm Water Connections to the Sanitary Sewer system on the property that is the subject of the application or statement.
- 102.26 “Ferrule” means the connecting link between the Water Service Line and the Water Main.
- 102.27 “Ground Water” means water located beneath the ground surface.
- 102.28 “Guaranteed Lessee” means a Business Tenant to whom a Business Use Property Owner has made an assignment of possessory rights by agreement, thereby making the Business Tenant primarily responsible for the payment of water and/or sewer charges.
- 102.29 “Guarantor” means a Business Use Property Owner who guarantees payment of water and/or sewer charges by a Guaranteed Lessee.
- 102.30 “Health or Education Property” means any hospital, clinic, or other human health care facility other than private physician or dentist offices, and any school, college, university, or other educational facility, whether public or private.
- 102.31 “Health Department” means the Allegheny County Health Department, Allegheny County, Pennsylvania.
- 102.32 “Illegal Surface Storm Water Connection” means any connection to the Authority’s Sanitary Sewers that allows surface storm water to be discharged into the separate Sanitary Sewer system from sources including, but not limited to, downspout drainage, roof drainage, and areaway drainage.
- 102.33 “Impervious Surface” means a surface that prevents the infiltration of water into the ground, including, but not limited to, any roof, paved parking or driveway areas, and any streets and sidewalks. Surface areas constructed with gravel or crushed stone shall be assumed not to be impervious surfaces.
- 102.34 “Industrial Property” means any property the principal use of which is for manufacturing, processing, or otherwise producing products or goods for sale.
- 102.35 “Meter” means the Authority’s water meter, and includes the meter body, the register and any associated hardware. The Meter does not include the vault, crock, or other containing or supporting structure or the cover for such vault or crock.
- 102.36 “Occupant” means a Person to whom an Owner has yielded possession of a Residential Property or Dwelling Unit and who has a reasonable expectation of residing at such Dwelling Unit for six months or more.
- 102.37 “Owner” means the person having an interest as owner, or a Person representing itself to be the owner, whether legal or equitable, sole or partial, in any Premises that are or are about to be supplied with water or provided with sewer service by the Authority; and the word “Owner” means all so interested.
- 102.38 “Party Water Service Line” means a single Water Service Line that connects to the Authority’s Water Main and that delivers water from the Water Main to more than one building.

- 102.39 "Person" includes individual natural persons, firms, partnerships, joint ventures, societies, associations, clubs, trusts, corporations, governments, political subdivisions, or organizations of any kind, including officers, agents, employees, or representatives of any of the foregoing, in any capacity, acting either for him- or herself or for any other person, under either personal appointment or pursuant to law.
- 102.40 "Plumbing Code" means the Allegheny County Health Department's Rules and Regulations for Plumbing and Building Drainage, Article XV, as amended, together with the International Building Codes for residential and commercial plumbing that Article XV amends or revises.
- 102.41 "Premises" means a building or unit such as a single family residential unit, an apartment building, a commercial building or an industrial building.
- 102.42 "Registered Plumber" means a plumber registered and certified by the Health Department.
- 102.43 "Remote Reading Device" means the device that is generally affixed to the outside of Premises and remotely collects and reflects Meter data.
- 102.44 "Residential Customer" means any person with title to a Residential Property, his duly authorized agent, or the Tenant or Occupant of a Residential Property, who by operation of law or agreement is primarily responsible for the payment of charges for water and/or sewer service at a Residential Property.
- 102.45 "Residential Property" means any building containing one or more Dwelling Units occupied or intended to be occupied for residential purposes, but not including dormitories, nursing homes, hotels, or motels.
- 102.46 "Residential Rental Property" means any single family home or multi-family building, all or part of which is rented to others for use as a residential dwelling. A property acquired or constructed with the intended use as a Residential Rental Property shall be classified as such. However, a property does not qualify as Residential Rental Property where it is the principal residence of the Owner, it consists totally of residential units, and it consists of fewer than 3 units.
- 102.47 "Residential Tenant" means a Person who leases a Dwelling Unit in a Residential Property pursuant to a current lease agreement.
- 102.48 "Sanitary Sewers" means those portions of the Sewer System in the City of Pittsburgh that were designed and built to carry sanitary sewage and/or industrial waste separately from Storm Water discharge, and portions of the Sewer System designated as Sanitary Sewers by the Authority.
- 102.49 "Sewage" means wastewater that contains the waste products or other discharges from the bodies of human beings or animals and any noxious or deleterious substances harmful or inimical to public health or to animal or aquatic life, or to the use of waters for domestic water supply or for recreation, or which constitutes pollution under the Pennsylvania Clean Streams Law, Act of June 22, 1937, P.L. 1987, as amended.
- 102.50 "Sewer Laterals" are sewer lines that connect to the Authority's Sewer Mains and carry sewage and/or Storm Water from one or more buildings or Premises to the Sewer Mains.
- 102.51 "Sewer Mains" are collection and transmission pipelines and related equipment and facilities, generally located in streets, public ways, or easements, that are used to collect and convey Sewage and/or Storm Water.

- 102.52 “Sewer System” means the entire system of public sewers owned by the City and leased and operated by the Authority pursuant to the Capital Lease Agreement. The Sewer System includes portions that have been designed as Combination Sewers, portions that have been designed as Sanitary Sewers, and portions that have been designed as Storm Sewers.
- 102.53 “Single Family Residential Development” is a residential development equal to a single family residential unit where the total flow is 799 gallons per day or less.
- 102.54 “Single Family Residential Property” is a single family Residential Property where the total flow is 799 gallons per day or less.
- 102.55 “Storm Sewers” means those portions of the public Sewer System in the City of Pittsburgh designed to accept and transport only flows of Storm Water, as distinct from Sewage.
- 102.56 “Storm Water” means drainage or runoff resulting from precipitation or snow or ice melt.
- 102.57 “Temporary Evidence of Compliance Statement” means an Evidence of Compliance Statement issued under those circumstances and conditions detailed in sections 613 or 614 of these Rules and Regulations.
- 102.58 “Tenant” means a Person or entity leasing Premises pursuant to a current lease agreement.
- 102.59 “USTRA” means the Utility Service Tenants Rights Act, 68 Pa. S.A. § 399.1 – 399.18, as amended.
- 102.60 “USTRA-Tenant” means a Residential Tenant, not a Customer, whose Dwelling Unit had water/sewer service at the time of rental, and who would be adversely affected by a shut off of service. An individual is not a USTRA-Tenant if he or she is or has agreed under the rental agreement to be a Customer or if he or she took possession of the Dwelling Unit when it was without water/sewer service. “USTRA” refers to the Utility Service Tenants Rights Act, 68 Pa. S.A. §§ 399.1 – 399.18.
- 102.61 “Vacancy Affidavit” means a notarized statement by the Owner of a property certifying that the property has been vacant and water service has been terminated at the Curb Stop for a period in excess of 90 days.
- 102.62 “Wastewater” means liquid waste discharged into the Sewer System by Dwelling Units or Business Use Properties, including wash water, Sewage, and other contaminants.
- 102.63 “Water Main” means a water distribution pipeline and related equipment and facilities, generally located in streets, public ways, or easements, that is used to deliver water to the general public.
- 102.64 “Water Service Lines” are water lines that connect to the Authority’s Water Mains and that deliver water from the Water Mains to one or more buildings, Premises, or facilities.