

Milford Township Water Ordinance

AN ORDINANCE PROVIDING FOR THE SUPERVISION AND REGULATION OF WATER WELLS IN MILFORD TOWNSHIP ESTABLISHING RULES AND REGULATIONS GOVERNING CONSTRUCTION AND OPERATION OF WATER SUPPLY WELLS; PROVIDING FOR WELL CERTIFICATION FOR PRIVATE WATER SUPPLIES; PROVIDING FOR MANDATORY CONNECTION TO PUBLIC WATER SYSTEMS; ESTABLISHING WATER CONSERVATION REQUIREMENTS FOR ALL NEW STRUCTURES WITHIN MILFORD TOWNSHIP; AND PROVIDING PENALTIES FOR BREACH OF THIS ORDINANCE AND REGULATIONS ESTABLISHED HEREUNDER.

ORDINANCE # 121

Enacted August 6, 2002

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Upon review by the
Milford Township Planning Commission,
and the
Bucks County Planning Commission
the
Milford Township Board of Supervisors hereby
ENACTS AND ORDAINS
the following Ordinance.

Section 100 Short Title

This ordinance shall be known and may be cited as the:

Milford Township Water Ordinance

Section 200 Purpose

The purpose of this ordinance is:

- To promote and protect the general health and welfare of the residents of Milford Township by conserving the supply and preventing the pollution and contamination of groundwater;
- To protect the quantity, quality, suitability, and sustainability of water supplies and;
- To secure and maintain the minimum required isolation distances between water supplies and sewage disposal systems or other sources of pollution and contamination.

Section 300 Applicability

This ordinance shall apply to:

- All wells to be drilled,
- All wells not in operation or in operable condition,
- All alterations to existing water supply.

This ordinance shall not require permits for operable wells on properties that are vacated while being sold unless such wells are altered in any way.

Section 400 Mandatory Water Supply Connections

All water users located within the Milford Township Public Water Service District shall be required to make connection to public water and pay applicable tapping and connection fees and service rates to the Milford Township Water Authority (the MTWA). This includes:

All water supply needed due to failure of existing water supplies for any reason,

- All new construction requiring water supply,
- All existing structures wherein the structure is enlarged or changed in use in any way that will require increased water capacity, and
- All existing and proposed structures involved in a subdivision.

This does not include existing private water users where the structure or use does not change.

Section 500 Public Water Supply and Distribution

Section 520 Requirement for Public System

All residential subdivisions located within the Milford Township Public Water Service District, all residential subdivisions outside of the Milford Township Public Water Service District where the average lot size would be 30,000 square feet or less or there would be more than twelve (12) dwellings or involving twenty five or more potential residents regardless of lot size, and all non-residential subdivisions and land developments shall be required to make connection to public water and pay applicable tapping and connection fees and service rates to the Milford Township Water Authority (the MTWA), unless waived by the Board of Supervisors.

Section 540 Ownership and Operating Responsibilities

All public water supply and distribution systems shall be offered for dedication without cost to the Township and/or the MTWA. In the event the Township and MTWA refuse acceptance, ownership and operation shall be maintained by a created and funded homeowner's association or other entity approved by the Milford Township Board of Supervisors. All public water supply shall be required to operate according to provisions of an operating agreement approved by the Milford Township Board of Supervisors.

Section 560 Water System Standards

Water mains shall be constructed by the developer in such a manner as to make adequate water service available to each lot, building or dwelling unit within the subdivision or land development. A minimum design pressure of forty (40) pounds per square inch, measured at the house meter, shall be provided at each house or other building to be connected to the water supply main. The water supply must comply with regulations and standards together with amendments of the MTWA and the Commonwealth of Pennsylvania, Department of Environmental Protection (PA DEP).

The system shall also be designed with a minimum capacity of 1200 gallons per minute for residential and 1500 gallons per minute for commercial at each hydrant with a residual pressure of not less than 20 pounds per square inch and the capability to provide fire flows for a two hour fire and a two hour cool-down period. Fire hydrants shall be spaced an average of six hundred feet (600') between hydrants as acceptable to Milford's Fire Prevention Code Official and MTWA and approved by the Board of Supervisors.

Section 580 Cross Connection and Back-flow Prevention

All extensions and connections to a public water system shall comply with the back-flow prevention program and requirements of the MTWA. Cross connections shall be prohibited.

SECTION 600 WATER IMPACT STUDY

Section 610 Requirement for a Water Impact Study

A water impact study shall be required for all public water supply and distribution systems except connections to the MTWA system.

Section 620 Coordination with DRBC and the MTWA

Any water withdrawal project whether under the jurisdiction of the DRBC or not, will be reviewed by the MTWA and/or Township.

Milford Township is located within the Southeastern Pennsylvania Groundwater Protected Area of the Delaware River Basin Commission (DRBC). All projects withdrawing 10,000 gpd or greater of groundwater or surface water or a combination of these two sources are required to obtain a permit from the DRBC. Copies of all correspondence, applications, and required submissions and/or reports by the applicant to the DRBC shall be sent to the Township and MTWA. Additionally, copies of all submissions to the PA DEP and all correspondence received by the applicant from the PA DEP shall be forwarded to the Township. A copy of the DRBC permit shall be submitted to the Township and MTWA as a condition of preliminary plan approval.

Section 630 Conduct of a Water Impact Study

The water impact study shall be prepared by a hydrologist or licensed professional engineer qualified to conduct groundwater investigations in the Commonwealth of Pennsylvania. The purpose of the study will be to determine whether there is an adequate supply of water for the proposed use and to estimate the impact of the additional water withdrawals on existing nearby wells, underlying aquifers and streams. The Township and/or MTWA Engineer shall give direction and review the study at the discretion of the Milford Township Board of Supervisors.

Section 640 Water Impact Study Requirements

The water impact study shall be signed by the person(s) preparing the study and shall include the following information:

- a. Calculations of the projected water needs using the criteria set forth in the following references:
 1. PUBLIC WATER SUPPLY MANUAL, Bureau of Water Quality Management Publication No. 15 by the PA DEP, Harrisburg, Pennsylvania, as amended.
 2. GUIDE FOR DETERMINATION OF REQUIRED FIRE FLOW by the Insurance Services Office (ISO) as amended.
 3. AMERICAN WATER WORKS ASSOCIATION Standards and Manuals for the American Water Works Association, Denver, Colorado, as amended.
- b. A geologic map of the area within a 1 mile radius of the site.
- c. The location of all faults, lineaments and fracture traces within 1/4 mile of the site.
- d. The locations of all existing and proposed wells within 1/4 mile of the site, and all large withdrawal wells (over 10,000 gpd) within 1 mile of the site.

- e. The location of all existing and proposed on-lot septic systems and sewer lines within 1/4 mile of the site.
- f. The location of all streams, perennial and intermittent, within 1/4 mile of the site.
- g. A discussion of the aquifers underlying the site and their long-term drought recharge capability based on accepted published data or detailed site specific investigations.
- h. Based on the drought recharge capability of the underlying aquifer and the calculated daily groundwater withdrawals of the project, a hydrologic budget shall be calculated for the site property itself, and for the area within 1/4 mile of the site.
- i. Based on the results of the hydrologic budget, a determination shall be made on whether or not the potential exists for adverse affects on the hydrologic environment caused by the project.
- j. The study shall include a brief statement of the qualifications of the person(s) preparing the study.
- k. For each well that is constructed:
 - 1. An accurate geologic log should be constructed during the drilling of the well giving a detailed description of the type and thickness of rocks encountered.
 - 2. The log should contain information on the depth and thickness of all water bearing zones encountered and the yield from each zone. Yield from the well must be measured using a quantitative method.
- l. A pumping test of not less than 72 hours duration shall be conducted at a rate of not less than 150% of the intended long-term withdrawal from the well. This rate must be determined by a step test and approved by the TOWNSHIP OR ITS DESIGNEE before the start of the pumping test. The 72-hour test shall be conducted at a constant pumping rate that should not deviate greater than +/-5% during the test. Notice of all pumping tests shall be given to the Township and MTWA at least 72 hours before commencing the pumping test.
- m. In order to determine the impact of the project well on existing wells, a representative sample of existing wells, evenly spaced around the pumping well, shall be monitored for changes in water level. The number and location of monitoring wells shall be subject to approval by the TOWNSHIP OR ITS DESIGNEE before conducting a step test. Sufficient well monitoring shall be performed to allow for the construction of hydrographs showing a continuous record of well levels before, during and after the pumping test.
- n. A means of accurately measuring the well discharge shall be provided subject to approval by the TOWNSHIP OR ITS DESIGNEE.
- o. Well discharge shall be directed away from the site by a method suitable to the TOWNSHIP OR ITS DESIGNEE and to a point suitable to the TOWNSHIP OR ITS DESIGNEE.

- p. Records shall be compiled in typewritten form to include the following information:
 - 1. Name of driller and personnel conducting test.
 - 2. Description of test well to include horizontal and vertical dimensions, casing installed and grouting details.
 - 3. List of formation samples.
 - 4. Static water level immediately prior to yield testing.
 - 5. Hydrograph of depth to water surface during test pumping and recovery period at the test well showing corresponding pump and discharge rate in gallons per minute and time readings were taken.
 - 6. Log of depth to water surface at existing and monitoring wells during test pumping period showing time readings were taken.

- q. A report shall accompany the test well data, which analyzes and interprets all data regarding impacts on the groundwater supply and existing wells. The credentials of the individual(s) preparing the report shall be included. Conclusions shall be drawn from the analysis with respect to:
 - 1. Availability of sufficient water for the land development proposed;
 - 2. Probable effects of long-term pumping on well levels within one (1) mile of the test well; and
 - 3. Compliance with Section 738.

- r. The submission to the Township shall include and and all applications, reports, or supplemental information submitted to the PA DEP and/or the DRBC

SECTION 700 Well Drilling Controls

Section 710 Intent

No well may be drilled, increased in depth, reconstructed or subjected to major repair or changes within the Township except in strict accordance with the provisions of this Ordinance and the regulations of the TOWNSHIP OR ITS DESIGNEE.

Section 720 Permit Required

It shall be unlawful for any person to locate, drill, or have drilled any well; or to alter an existing well until a permit for such location, drilling, installation or alteration shall have been issued by the duly appointed Code Enforcement Officer or other proper representative of the Township.

No construction, drilling, digging, reconstruction, major repair, abandonment, retirement, or other change of or for any well for the production of water shall commence unless the property owner, or a duly authorized agent, shall apply for and receive a permit for such construction activity from the Township. It shall be unlawful for a licensed well driller to construct a well without being named on a properly issued permit for that well.

Prior to commencement of any such activities, the owner shall be required to make application to, and receive approval from, the Township.

Issuance of a permit shall not be made until payment of a permit fee as set in Section 735.

Section 721 Private Water Supply Wells

Permits for construction of private water supply wells must be obtained from the Township. Upon application for the well, a site inspection and engineering approval may be required. This matter will be determined at the time the application is processed.

Section 725 Public Water Supply Wells

Every municipal corporation, municipal organization, private water supply company, private corporation, company or individual must obtain a permit from the Township to construct a well. For those wells to be constructed for public water supply use, the applicant must first obtain approval of the site from the Township, MTWA and the Bucks County Department of Health (BCDH) acting on behalf of the PA DEP.

Section 730 Application Form and Permit Procedure

Section 731 Application Forms

Application for a well permit shall be made upon a form supplied by the Township, and shall be submitted to the duly appointed Code Enforcement Officer or other proper representative of the Township.

The application shall set forth the name or names of owners of the property, the address or location of the property, a scale or sketch of the premises showing the proposed location of the well, the location or proposed location of all buildings and septic tanks and drain fields, the boundary lines of the premises upon which the well is proposed to be located, the boundary line of all adjacent premises, and such other information as may be required thereon.

Section 732 Water Well Permits

All well permits shall be executed by the duly appointed Code Enforcement Officer or other proper representative of the Township. Permits shall be prepared in quadruplicate, and distribution of copies shall be made as follows:

1. Original copy to be retained by the Township;
2. First copy to be tendered to the MTWA;
3. Second copy to be tendered to the applicant upon written acknowledgement of receipt thereof upon the original copy; and
4. Third copy to be tendered to the applicant for use by a well driller.

Section 733 Site Inspection

Upon receipt of an application for a well permit, the Township, through its duly appointed Code Enforcement Officer or other proper representative of the Township, shall within thirty (30) days review the site plan showing the location of the proposed well and perform an inspection of the premises on which the well is to be constructed to determine if the location, which must be staked by the applicant, conforms to the standards of Section 775 of this ordinance. The inspection shall be conducted in accordance with the provisions of this Ordinance and the provisions of any and all other

relevant ordinances of the Township. Upon completion of the inspection, the Inspecting Officer shall either:

1. Issue a permit to the applicant indicating the approved location for the well and special instructions for construction, if any; or
2. Refuse to issue the said permit, and, in such event, shall provide the applicant with written reasons for such refusal.

Section 734 Effective Date of Permits

All permits shall be in effect as of the date of issuance, and shall remain in effect for a period of one (1) year. In the event that construction under the permit has not been completed at the expiration of one (1) year from the date of issuance, the permit shall expire, the validity of the permit shall cease and terminate and all fees paid will be forfeited.

Section 735 Fees

All applications for a well permit shall be accompanied by a fee payable to Milford Township in accordance with a schedule of fees established from time to time by resolution of the Board of Supervisors of Milford Township.

Initial fees are as follows:

- a. Residential Water Supply-Fifty Dollars (\$50.00) per dwelling unit;
- b. Other Water Supply – Fifty Dollars (\$50.00) per 262.5 gpd projected use;
- c. Sealing of a Well – Twenty five Dollar (\$25.00);
- d. Emergency Permit – Fifty Dollars (\$50.00); and
- e. Monitoring Well – Ten Dollars (\$10.00) annual permit

The Township shall be required to file an application for a permit under this ordinance in regards to any municipal well but shall be exempt from the payment of any fee.

Section 736 Site Inspection and Permit Approval

The Township shall examine the application, complete the site inspection, if a site inspection is required, and approve or disapprove the application in writing within thirty (30) days from receipt of the application. Approval of the site for a public water supply well by the BCDH, acting on behalf of the PA DEP, does not necessarily imply approval by the Township.

Where the capacity of any new well or wells, or the total capacity of old and new wells on or for use on one property in excess of 10,000 gallons per day or where close spacing of wells in an area so dictates in taking action on applications, the Board shall have the authority to impose such conditions and make such requirements and limitations as may in their opinion be necessary to protect the people of the Township and the applicant and may issue limited and revocable permits for such wells.

Section 737 Emergency Permits

Emergency permits may be issued for the correction of problems to an existing well that cause disruption of the availability of potable water. Such emergency permits shall be issued within three working days of the date of application. This permit shall be effective for 30 days after which the normal permit must be obtained.

Section 738 Minimum Water Yields

A water system which does not provide an adequate supply of water for the proposed use, considering both quality and quantity, adversely affects nearby wells and streams or does not provide for adequate groundwater recharge considering withdrawals shall not be approved by the Township.

The adequacy of private water supply shall be determined according to the standards of Section 771.

The adequacy of public water supply shall be determined based upon the assumption that there are 3.5 persons per dwelling unit using 150 gallons of water per person per day. Non-residential water supply must meet peak water use projections that are approved by the township or its designee. The applicant shall submit an analysis, which evaluates the consistency between the proposed use and the groundwater preservation guidelines included in the Townships Sewage Facilities Plan/201 Facilities Plan.

Section 740 Report and Registration

All well drillers shall upon completion of the drilling of any well file a report in the form to be supplied by the Township.

Section 745 Final Inspection

Upon the completion of construction, or at such other time as the Inspecting Officer may deem appropriate, the Township, through its duly authorized Inspecting Officer, shall perform a final inspection of the well to determine whether there has been compliance with the permit issued. Upon completion of the said inspection, the Inspecting Officer shall:

- a. Issue an approval of operation upon the original permit, or
- b. Deny such approval due to non-compliance with the permit issued, in which latter event written reasons for such denial shall be noted on the original permit.

As a condition precedent to the issuance of the approval of operation, the applicant shall submit such record data pertaining to each well as may be requested by the Inspecting Officer, including but not limited to the number of gallons of water per minute produced by the well, the depth, size and type of casing, and water quality test reports, showing the water is potable and safe for drinking.

The issuance of an operating permit by the Township does not in any way constitute a guarantee to the applicant that the subject well will produce any quantity of water or that the subject well is pure and fit for consumption either at the time of the issuance of the permit or at any time in the future.

Section 750 Delegation of Authority

The Board of Supervisors of Milford Township hereby delegates to its agent, the Milford Township Water Authority, all responsibilities hereunder for approval or disapproval of public water supply wells and for the establishment of reasonable regulation of these water sources and their public water distribution systems.

Section 760 Well Construction Standards

Each well shall be a minimum of 6" in diameter and shall be provided with a watertight casing. The minimum length of the casing shall be 40' or 15' into bedrock, whichever is greater. The material of the casing shall be steel with a weight of 18.97 lbs. Per linear foot for 6" wells and an equivalent weight for larger diameter wells. All joints between sections of casing shall be made by continuous welding. Where a pump section or discharge pipes enter or leave a well through the side of the casing, the circle of contact shall be watertight. All casings shall extend at least eighteen inches above final grade and shall be above the 100-year flood elevation of the site. The annular space between the earth and outside of the casing shall be filled with cement grout from the bottom of the well to a distance of no less than six feet (6') below the ground surface. Unconsolidated or carbonate water bearing formations will require special consideration. All wells having a diameter of more than 6" must comply with Pa DEP regulations. The township or its designee may approve observation or monitoring wells, which do not meet these standards.

Section 762 Procedure for Private Water Supply Well Construction

A private water supply well must be drilled by a well driller licensed by the Commonwealth of Pennsylvania. The well driller is to provide the township or its designee with a sketch of the proposed well construction and all data required on the permit form. This information, plus the proposed location of the well on the property, will be submitted with the application for a permit to drill. The water well drilling rig must also be licensed by the Commonwealth of Pennsylvania. The permit for the water well drilling rig must be carried by the operator during the operation of same.

All well drillers shall, upon completion of the well, provide a copy to the Township of the report submitted to the PA DEP.

Analyses shall be made of bacterial and chemical quality as specified in Section 771. The preferred sample should be taken from the pumping or stage equipment. If none is installed, a sample may be taken by mechanical means from the well. The analyses shall be performed by laboratories approved by the PA DEP and the BCDH in accordance with "Standard Methods for the Examination of Water and Wastewater" latest edition, APHA.

Water from an individual water supply shall be certified as potable by the approved laboratory. A copy of the analysis will be provided to the Township and MTWA.

Prior notice of at least forty eight (48) hours shall be given before any casings are set. A Township representative shall be present when the casing is placed in the well.

Section 764 Procedure for Public Water Supply Well Construction

The applicant for a public water supply well must retain a registered professional engineer qualified to practice in Pennsylvania and competent in the design and construction of wells, storage facilities and distribution systems. A test well and observation well(s) will be required for all public water supply wells.

A. Test Well and Observation Well Construction Procedure:

1. The applicant shall have his engineer locate sites suitable for the test well and observation well. The BCDH and the Township shall be notified to investigate the sites. If there are any objections to the proposed sites, the applicant will be so notified. The observation well shall be located at a distance of 150 to 200 feet from the test well site and in no case shall the observation well be located at a distance of over 500 feet from the test well site.
2. A sanitary survey shall be made by the applicant and shall include the following:
 - Potential for flooding of the well site.
 - Type, number, and location of existing and potential sources of pollution including but not limited to on-site sewage disposal systems on the site or on adjacent sites.
 - Distance from the test well to other existing wells within a 1000-foot radius of the test well.
3. A preliminary conference with the Township shall be required for all projects, which include new wells. At such a conference, the applicant shall set forth the water supply problems and the proposed solution in such a manner as to support his conclusions and recommendations.
4. Preliminary plans, location maps, layout sketches and other illustrative material are to be presented.
5. A preliminary report, presenting the proposed design data, should be included in the material presented in the preliminary conference.
6. If the Township, MTWA, and BCDH advise that the site is satisfactory, the applicant shall prepare specifications to suit the type of well to be constructed.
7. The specifications shall provide for a continuous pumping test with the well driller on the site. DRBC must be notified at least five (5) working days before the commencement of a pump test. The rate of the pump test must be determined by a step test and approved by the township or its designee. The pump test shall be for 72 hours minimum after the pump rate and pumping water level have stabilized.
8. The specifications shall require the well driller to keep a detailed log of the well and should require the collection of samples at every strata and at least every five feet of the material encountered throughout the entire depth. Well drilling specimens shall be kept in proper containers, labeled and turned over to the applicant for use in the final well design.
9. The specifications shall provide for well disinfection and for the collection and analysis of samples of water from the well in accordance with the raw water quality test requirements outlined in these regulations. The disinfection procedure shall be in accordance with AWWA Standard Specification A100, A1-10 attached.

10. The specifications shall be submitted to the BCDH and to the Township for review and comment before awarding the contract for drilling of the test well and observation well.
11. When the test well is drilled, it must undergo a pumping test and the BCDH and the Township shall be notified at least five (5) working days prior to commencement of the test. Test periods must end on Monday, Tuesday or Wednesday to preclude bacteriological analyses terminating over a weekend when laboratories are closed. The test results must be satisfactory to the BCDH and to the Township.
12. Every well shall be tested for well capacity. The test method to be followed shall be clearly outlined in the applicant's specifications as approved by the County and by the Township. The test pump should have a maximum capacity at least equal to 150 per cent of the anticipated quantity of water from the well. The test pump shall operate continuously until the water level has stabilized. Test data to be recorded shall include water level drawdown and pumping rate during the entire test. Concurrent with the pumping test, a continuous water level record shall be made with an automatic water level recorder installed in the observation well. Recovery water levels shall be recorded continuously for at least six (6) hours immediately after the conclusion of the pumping test. Water levels shall be recorded daily for at least thirty (30) days, weekly for at least six (6) months, then monthly thereafter immediately after the conclusion of the pumping test.
13. The test shall also include obtaining representative samples of water for chemical and bacterial analysis upon completion of test pumping.
14. All public water supply wells over 10,000 gallons per day shall comply with DRBC regulations and standards. All public water supply wells under 10,000 gallons per day must have one and one-half days of water storage capacity or have two fully equipped wells to help ensure continuous water supply in the event of well problems.
15. Any well adversely affected by a public water supply well must have the problem mitigated at the cost of the owner of the public water supply well by either connecting the affected water supply to public water or restoring the private water supply to the satisfaction of the township.

B. Final Well Design

1. All reports, final plans and specifications shall be submitted in duplicate to the BCDH with one additional copy to the Township. Ninety (90) days will be required for processing the application. Documents submitted by the applicant for approval shall include the following:
 - Application
 - Test well results
 - Detailed construction plans and specifications for the proposed production well. The report, specifications and front cover or fly leaf of each set of plans shall bear the signature and imprint of the applicant's engineer. In addition, each plan submitted shall bear an imprint or a legible facsimile of such seal.
2. The applicant's submittal shall comprise completed copies of appropriate modules furnished by the BCDH.

3. The final plans shall be legible and shall be drawn to a scale which will permit all necessary information to be correctly shown. The plans should include topographic maps, general layouts, plan views, elevations, sections and supplementary views which, together with the specification, provide the information for the contract and construction of the validity. The topographic map shall include the location of existing and potential sources of pollution.
4. The datum on all plans shall be U.S.G.S. and the north point shall be shown on all plans. The plans should also include boundaries of the water districts and specified areas to be served. Also included should be topography of the drainage area and site including wells, springs, streams, dams and reservoirs, the location, dimensions and elevations of structures and piping, the locations and logs of test borings and wells and the diameter and depth of the well casing and liners.
5. Complete detailed specifications shall be supplied for the project. They shall include a program for keeping existing water facilities in operation while the existing construction program is underway and provide a safe, potable water at all times.
6. All installations and operations shall meet or exceed the relevant requirements not only of the State, County, and the Township, but also AWWA Standard A100, latest edition related to construction technique and disinfection.
7. Analyses shall be made of chemical and bacterial quality just before the pumping test is terminated. These analyses shall be performed by laboratories approved by the PA DEP and the BCDH and in accordance with "Standard Methods for the Examination of Water and Wastewater," latest edition.
8. The chemical analyses shall included all primary and secondary Drinking Water Standards under the Safe Drinking Water Act including all regulated volatile organic compounds and:

Turbidity	Calcium Hardness	Color
Iron	Odor	Manganese
pH	Fluoride	Total Alkalinity
Nitrates	Hardness	Total Solids
9. The bacterial analyses shall include:
 - Total plate count & Total coliform/100 milliliters
 - Five samples taken at not less than 15-minute intervals.

Section 770 Well Certification

Section 771 Individual Water Supply

Where private water supply is to be installed for new construction, certification as to capacity and quality by a licensed well driller is required prior to issuance of a building permit for the structure serviced.

The well yield shall be determined by a pumping test of not less than 4 hours duration conducted at a rate of not less than 150% of the intended long-term withdrawal from the well. The 4-hour test shall be conducted at a constant pumping rate that should not deviate greater than +/- 5% during the test.

In the event the well does not yield a minimum of 6 gpm, the proposed water system shall be designed to be able to provide sufficient storage via oversized tanks and/or storage in the well bore for the length of time it would take for the expected peak demand to empty a standard pressure tank being supplied by a well pumping 6 gpm.

All well drillers shall, upon completion of the well, provide the Township with a copy of the report submitted to the PA DEP and sufficient data and documentation to verify compliance with subsection A and B, above.

At a minimum, the sample of the water produced shall be subjected to examination by a state certified water laboratory for the presence of the following contaminants and certified to be potable.

1. coliforms
Total plate count
Total coliform/100 milliliters
2. pH
3. iron / manganese
4. nitrates
5. Odor
6. TCE, PCE, and 1-1-1 trichlorethane
7. detergents
8. benzene, toluene, xylene
9. sulphates
10. lead
11. chlorides

The water sample shall be collected fifteen minutes prior to the end of the pump test for analysis. If the samples do not meet EPA standards for safe drinking water, the water supply must be treated to make the water meet the standards.

Section 775 Design Standards

All wells shall be constructed a minimum distance of one hundred feet (100 ft.) from any existing subsurface sewage disposal drain field, or from any location where such a drain field may reasonably be located on adjacent premises, and shall be designed in accordance with all applicable township, state and federal regulations.

The Rules and Regulations set forth the permit procedure for well construction, the technical requirements for construction or alteration and the operational requirements to maintain chemical and bacterial quality.

The PA DEP provides for the regulation of public water supply wells as defined in these Rules and Regulations to promote and protect public health. These Rules and Regulations reinforce the State's requirements on well construction and set forth specific additional requirements for public, semipublic and private water supply wells constructed in the Township. The State's requirements on public water supply wells are set forth in the PA DEP, "Public Water Supply Manual." This manual was prepared as a guide to professional engineers responsible for design and construction of public water supplies. This manual, plus these regulations are to be followed explicitly for all water supply wells constructed in the Township.

These regulations outline minimum construction requirements for all water supply wells. Also, where the requirements of the State “Public Water Supply Manual” are applicable, these requirements will be enforced.

These regulations must be met unless specifically waived by the BCDH.

Section 780 Sealing of Abandoned Wells

The owner of any well shall, upon abandonment of any existing well or test hole, effectively seal and fill such wells and test holes in accordance with rules described by the township or its designee. A well not in operation for three or more years or improperly maintained to prevent contamination may be deemed to have been abandoned. When a use is connected to public water, any well that served that use shall be deemed to have been abandoned.

Section 790 Wells for Waste Disposal

No well shall be drilled nor any existing wells used for the purpose of disposal of domestic or industrial wastes.

Section 800 Water Conservation Requirements

Section 810 Drought

When the township, MTWA, DEP, and/or DRBC declares a drought, the following water uses are declared non-essential and are prohibited within Milford Township.

1. The watering of lawns.
2. The watering of outdoor gardens, landscaped areas, trees, shrubs, and other outdoor plants, except between the hours of 5:00 p.m., and 9:00 a.m. by means of a bucket or pail at the minimum rate necessary.
3. The washing of automobiles and trucks except when required for safety and operational purposes.
4. The washing of streets, driveways, and sidewalks.
5. The serving of water in restaurants, clubs, or eating-places unless specifically requested by the individual.
6. Ornamental water use, including but not limited to, fountains, artificial waterfalls, and reflecting pools.
7. The use of water for flushing sewers or hydrants by any public or private individual or entity except as deemed necessary and approved in the interest of public health or safety by health officials or the Board of Supervisors.
8. The use of fire hydrants by fire companies for testing fire apparatus and for fire drills except as deemed necessary in the interest of public safety and specifically approved by the township or its designee.
9. The use of fire hydrants by contractors and all others except as necessary for fire fighting or protection purposes.
10. The use of water to fill and top off swimming pools.

Section 820 Water Conservation Fixtures

Water saving fixtures and devices shall be required in all new construction regardless of public or private water supply pursuant to the following specifications.

Section 822 Water Closets Operated by Flush Tanks

The water consumption of water closets operated by flush tanks shall not exceed an average of 1.6 gallons per flush cycle. The fixture shall perform in accordance with the flushing test requirements cited in the ANSI 112.19.2 Vitreous China Plumbing Fixtures standard.

Section 824 Showerheads

Showerheads discharge rate shall not exceed 2.75 gallons of water per minute. The fixture shall perform in accordance with the test requirements cited in the ANSI 112.18.1 Finished Rough Brass Plumbing Fixture Fittings standard.

Section 826 Sink Faucets

1. Kitchen sink faucet discharge rates shall not exceed 2.75 gallons of water per minute. The fixture shall perform in accordance with the test requirements cited in the ANSI 112.18.1 Finished Rough Brass Plumbing Fixture Fittings standard.
2. Residential lavatory sink faucet discharge rates shall not exceed 2.75 gallons of water per minute. The fixture shall perform in accordance with the test requirements cited in the ANSI 112.18.1 Finished Rough Brass Plumbing Fixtures Fittings standard.

Section 900 Liability

No responsibility or liability for the construction of any well shall be deemed to be placed upon the Township, or its officers, agents, or employees by virtue of the terms of this Ordinance or otherwise.

Section 1000 Definitions

The following words or phrases when used in the Ordinance or regulations adopted thereunder shall have the meanings described to them except where the content clearly indicates a different meaning.

Section 1005 Authority (or Water Authority)

Milford Township Water Authority (MTWA), its successors and assigns

Section 1010 Board

Milford Township Board of Supervisors

Section 1015 Business

Commercial, industrial, and professional activity, whether conducted for profit or not for profit

Section 1020 Capacity

Except in the case of free flowing wells the capacity is construed to mean the daily capacity of the pumps installed and not the contemplated draft

Section 1030 Consumer

A person, partnership, association or corporation, and shall mean anyone to whom water is supplied by the TOWNSHIP OR ITS DESIGNEE, whether as owner or tenant.

Section 1035 Drilling

All action necessary to construction or reconstruction of wells such as drilling, boring, coring, washing, digging, driving, or letting. This shall not apply to drilling of blast holes in quarries or to core holes 3 1/2" or less in diameter drilled for exploration or investigation.

Section 1040 Equivalent Dwelling Unit

A habitation intended for occupancy by a single family

Section 1043 Individual Water Supply

Wells intended to supply water on the property of a private home or to service no more than two residential dwellings.

Section 1045 New Construction

Construction pursuant to a valid building permit issued subsequent to the date of enactment hereof.

Section 1050 Persons

Any individual, company, municipality, political subdivision, corporation, partnership, municipal authority, association, or any agency of County, State, or Federal government as well as a natural person and shall additionally mean anyone to whom water is supplied by the TOWNSHIP OR ITS DESIGNEE, whether as owner or tenant. This term shall include the officers, employees, and agents of any of the above listed entities.

Section 1052 Public Water Supply and Distribution System

A system for the provision of water for human consumption which serves three or more dwelling units or one or more commercial, industrial or institutional uses.

Section 1060 Underground Waters

Waters of underground streams, channels, artesian basins, or other bodies of water in or under the ground, whether percolating or otherwise.

Section 1070 Water System

All the facilities of the TOWNSHIP OR ITS DESIGNEE existing now or in the future for the supplying of water to consumers.

Section 1075 Well

Any excavation that is drilled, cored, bored, washed, driven, dug, or otherwise constructed for the location, diversion or acquisition of underground waters or charging of water into underground strata.

Section 1080 Well Driller

Any water well contractor licensed by the Commonwealth of Pennsylvania, his employees or representative in responsible charge of drilling or otherwise constructing a well.

Section 1100 Violations

- (a) Any person who violates any of the provisions of this Ordinance shall be subject to prosecution by the Township, and upon conviction before a District Justice shall be subject to a fine of no more than five hundred dollars (\$500.00).
- (b) Upon discovery of any violation of this Ordinance, the Township may, at its option, forego any prosecution hereunder, and may grant to the owner a period of thirty (30) days to comply with the provisions of this Ordinance. Upon failure of the owner to effect such compliance, the Township may initiate prosecution as hereinabove set forth.
- (c) For the purpose of this Ordinance, each day of a continuing violation shall be considered a new and additional violation of this Ordinance.
- (d) The Township may at its option, in addition to any other remedies available to it, institute an action in equity to enjoin, or any other appropriate action or proceeding, to restrain or prevent any violation of the provisions of this Ordinance.

Section 1200 Penalty

The provisions of this Ordinance are declared to be for the health, safety and welfare of the citizens of the Township and persons violating any provisions, upon conviction before any District Justice of Bucks County, shall be fined the sum of Five Hundred (\$500.00) Dollars and costs. Each day during which such violation of any provisions shall continue, shall be deemed to be a separate offense.

Section 1300 Severability

The provisions of this Ordinance shall be severable. If any provision, sentence, clause, section or part of this Ordinance, or the application of any provision hereof, 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 Township that this Ordinance would have been enacted had such unconstitutional, illegal or invalid provision, sentence, clause, section or part hereof not been included.

Section 1400 Repealer

All Ordinances or parts of Ordinances in conflict or inconsistent herewith, are hereby repealed.

Section 1500 Effective Date

This Ordinance is hereby declared to be urgent for the preservation of the peace, health and comfort of the people of the Township and shall take effect and be enforced five (5) days after it is enacted by the Board of Supervisors.

SO ORDAINED AND ENACTED into Ordinance this

6th day of August, A.D., 2002

MILFORD TOWNSHIP BOARD OF SUPERVISORS

/S/ Charles Strunk
Charles Strunk

/S/ Robert Mansfield
Robert Mansfield

/S/ Thomas Courduff
Thomas Courduff

Attested by

/S/ Jeffrey A. Vey
Jeffrey A Vey
Milford Township Manager

/S/ Janya Awckland
Janya Awckland
Milford Township Secretary