

ORDINANCE # 63-2001
OF THE TOWNSHIP OF UPPER BERN, BERKS COUNTY, PENNSYLVANIA
WATER CONSERVATION

WHEREAS, the Board of Supervisors of the Township of Upper Bern (the "Township") hereby finds and determines that in order to conserve and protect its water supply for the greatest public benefit, it is necessary to reduce the demand for water in the manner set forth, and

WHEREAS, the purpose of this ordinance is to insure continued availability and service of water to Township residents, now therefore:

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF UPPER BERN, BERKS COUNTY, PENNSYLVANIA, as follows:

Section One: General Policy

No water shall be provided for internal or external use to any residential, commercial, industrial, agricultural, recreational, governmental, or public building or structure of any kind which is constructed or remodeled and in which plumbing, water piping or water fixtures are to be installed, extended or altered in any way, and for which construction a permit is required to be obtained from the Township (or would be required but for an exemption from a permit requirement for public or governmental agencies) unless the new, extended or altered plumbing, water piping and other water using fixtures therein conform to the requirements and standards of Section Two of this Ordinance. The provisions of this Ordinance shall apply to any building or structure for which such a building permit is issued, or would otherwise be required to be issued but for such an exemption, on or after April 3, 2001.

**Section Two: Water Conservation Performance Standards for Plumbing
 Fixtures and Fittings**

Article 1 - Water Closets and Associated Flushing Mechanisms

The water consumption of water closets shall not exceed an average of 1.6 gallons per flush cycle over a range of test pressures from 20 to 80 psi. The fixture shall perform in accordance with the test requirements of the ANSI A112.19.2M and ANSI A112.19.6M.

Article 2 - Urinal and Associated Flushing Mechanisms

Urinal water consumption shall not exceed an average of 1.5 gallons per flush cycle over a range of test pressures from 20 to 80 psi. The fixtures shall perform in accordance with the test requirements of ANSI A112.19.2M and ANSI A112.19.6M.

Article 3 - Showerheads

Showerhead discharge rates shall not exceed 3.0 gallons of water per minute over a range of test pressures from 20 to 80 psi. The fixture shall perform in accordance with the test requirements of ANSI A112.18.1M.

Article 4 - Faucets

Sink and lavatory faucet discharge rates shall not exceed 3.0 gallons of water per minute over a range of test pressures from 20 to 80 psi. The fixture shall perform in accordance with the test requirements of ANSI A112.18.1M.

Section Three: Special Provisions

Article 1 - Special Purpose Equipment

The performance standards of Section Two of this Ordinance shall not apply to fixtures and fittings such as emergency showers, aspirator faucets, and blowout fixtures that, in order to perform a specialized function, cannot meet the specified standards.

Article 2 - Exemptions

Any person(s) may apply to the Township for an exemption to the terms of this Ordinance, which may be granted by the Board of Supervisors, upon proof that some other device, system or procedure will save as much or more water as those set forth herein, or that those set forth herein cannot be complied with, without undue hardship.

Section Four: Official Review and Modification

The Board of Supervisors may, from time to time, modify, add to, or remove from the standards and restrictions herein.

Section Five: Penalties

It shall be a misdemeanor for any person to use or apply water within the Township contrary to or in violation of the restrictions herein, and upon conviction thereof, such persons shall be punished by being imprisoned in the county jail for not more than 30 days or by fine of not more than \$1,000 or by both such fine and imprisonment.

Section Six: Severability

In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of this Township that the remainder of this Ordinance shall remain in full force and effect.

Section Seven: Repealer

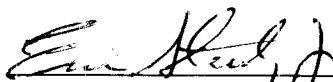
All other resolutions, ordinances or parts thereof, insofar as the same shall be inconsistent herewith, shall be and the same expressly hereby are repealed.

Section Eight: Effective Date

This Ordinance shall be effective immediately.

DULY ENACTED THIS 3RD DAY OF APRIL, 2001, BY THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF UPPER BERN, BERKS COUNTY, PENNSYLVANIA, IN LAWFUL SESSION DULY ASSEMBLED.

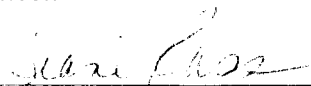
TOWNSHIP OF UPPER BERN,
BERKS COUNTY, PENNSYLVANIA



Chairman, Board of Supervisors

(SEAL)

Attest:



Township Secretary