
News Release

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FOR IMMEDIATE RELEASE

Water Shut offs for non-payment of Sewer Bills

York, Pennsylvania, April 30, 2012: Recently, the City of York has announced their intention to shut off the water service when a sewer customer has not made payment for sewer charges. Numerous other municipalities in York Water's service area have previously entered into similar arrangements with York Water.

Pursuant to the provisions of Pennsylvania law (the Act of April 14, 2006, P.L. 85, 53 P.S. Sections 3102.501), The York Water Company is required to shut off water service when requested by a sewer authority or municipality ("City") when the following conditions have been met:

Upon written request by the City specifying a premises in the City's service area with regard to which the rentals, rates and charges for sewer, sewage or sewage treatment service shall not have been paid for a period of at least thirty days from the due date thereof, the Water Company shall proceed to shut-off the supply of water to such premises until it is advised in writing by the City that all such overdue rentals, rates and charges, together with any interest thereon, have been paid or the City directs otherwise; PROVIDED HOWEVER, that said written request be accompanied by a statement in writing by a responsible officer of the City setting forth:

- A. For any premises other than a residential building for which the landlord is the party responsible for the payment of sewer service:
 - i. that the City has given ten (10) days written notice of its intention to request the Water Company to shut-off the supply of water from its system to such premises to the person liable for the payment of such rentals and charges,
 - ii. that there has been posted a written notice to this effect at the main entrance to the premises, and
 - iii. that the City has not received a written statement under oath or affirmation from the person liable for the payment of the said rentals and charges stating that the said owner has a just defense to the claim or part thereof,
- B. For any residential building for which the landlord is responsible for the payment of sewer service:
 - i. that the City has given the landlord at least thirty-seven (37) days written notice of the proposed termination and has given a copy of the notice to the appropriate governmental agency, such as the City Department of Public Safety.
 - ii. that the termination notice contained the following:
 - a. the amount owed the sewer system by the landlord for each affected account;
 - b. the date on or after which water service will be discontinued;
 - c. the date on or after which the City will notify tenants of the proposed termination of water service and their rights;

- d. a statement of the obligation of the landlord to provide the City with the names and addresses of every affected tenant or to pay the amount due the City or make an arrangement with the City to pay the balance, including a statement that this list must be provided or payment or arrangement must be made within seven (7) days of receipt of the notice; and of the penalties and liability which the landlord may incur by failure to comply (a civil penalty of not more than \$500 for each day of failure to respond, plus reasonable attorneys' fees);
 - e. a statement of the right of the landlord to stay the notification of tenants by filing a petition with the Court disputing the right of the City to cause termination of water service,
 - iii. that at least seven (7) days after notice to the landlord and at least thirty (30) days before any termination of service, each tenant was provided notice of the proposed termination of water service, the notice containing:
 - a. the date on which the notice was rendered;
 - b. the date on or after which water service will be discontinued;
 - c. a statement of the circumstance under which service to the affected tenant may be continued;
 - d. the bill for the thirty (30) day period preceding the notice to the tenants;
 - e. a statement of the statutory rights of a tenant to deduct the amount of any direct payment to the City from any rent payments then or thereafter due; to be protected against any retaliation by the landlord for exercising such statutory right; and to recover money damages from the landlord for any such retaliation;
 - f. a statement that the tenants may make payment to the City on account of nonpayment by the landlord only by check or money order drawn by the tenant to the order of the sewer system;
 - g. a telephone number at the City which a tenant may call for an explanation;
 - h. a statement that the information in the notice to tenants was also posted by the City in those common areas of the premises where it is likely to be seen by the affected tenants.
 - iv. that the landlord has not paid the amount due or made an arrangement to pay the amount;
 - v. that the landlord has not filed an unresolved petition with the Court disputing the right of the City to cause termination of the water service;
 - vi. that the tenants have not exercised their rights to continued service.

AND FURTHER PROVIDED that no occupant of said premises has produced a medical certification by a physician to be seriously ill or affected with a medical condition which will be aggravated by a cessation of water service or failure to restore water service, as provided for in 52 Pa. Code §§56.11156.118,

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