

RUSH TOWNSHIP  
SCHUYLKILL COUNTY

ORDINANCE NO. 92

WATER CONSERVATION

WHEREAS, Rush Township, Schuylkill County is situate within the Delaware River Basin which in turn is subject to an Interstate Compact including the Commonwealth of Pennsylvania that established the Delaware River Basin Commission; and

WHEREAS, said Delaware River Basin Commission has established regulations requiring state and local regulations within the basin to comply with various minimum standards concerning water conservation; and

WHEREAS, the Board of Supervisors of Rush 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 hereinafter set forth, and

WHEREAS, the purpose of this Ordinance is to help insure continued availability and service of the water to Rush Township residents,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF RUSH TOWNSHIP 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 Rush 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 Three of this Ordinance. The provisions of this Ordinance shall apply to any such 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 date of adoption of this Ordinance.

Section Two: Definitions

"Township" shall mean the Township of Rush, Schuylkill County, Pennsylvania.

"Persons" as used in this Ordinance shall mean any individual, corporation, partnership or association that owns, leases or occupies a building or structure of any kind situate within Rush Township.

**Section Three: 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 A122.19.2M and ANSI A112.19.6M.

**Article 2 - Urinals 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 A122.19.2M 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 A122.18.1M.

**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 Four: Special Provisions**

**Article 1 - Special Purpose Equipment**

The performance standards of Section Three 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 Rush Township for an exemption to the terms of this Ordinance, which may be granted at the discretion of 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 the person cannot comply with the regulations set forth herein, or other regulations set by the Township without undue hardship. All applications must be in writing setting forth the reasons for the requested exemption but no particular form is required unless a regulation to that effect is specifically set by the Board of Supervisors pursuant to Section Five of this Ordinance.

Section Five: Official Review and Modification

The Board of Supervisors may, from time to time, modify, add to, or remove from the standards and restrictions contained herein by appropriate resolution adopting additional regulations. Any additional regulations shall be posted in the Township Building and available for public inspection.

Section Six: Penalties

Any person using or applying water within Rush Township contrary to or in violation of the restrictions established by this Ordinance, or by the regulations established under Section Five of this Ordinance shall be guilty of a summary offense, and upon conviction thereof shall be punished by being imprisoned for a period of time not to exceed ninety (90) days, or by a fine not exceeding \$300.00, or both. Each day of violation of this Ordinance shall constitute a separate and distinct offense for which the above described penalties may be imposed separately. It is not a defense to any violation of this Ordinance that compliance with the regulations of this Ordinance would constitute an undue hardship if the person has not made the appropriate application for an exemption under Section Four, Article 2 above.

Adopted this 14<sup>th</sup> day of April, 1992.

RUSH TOWNSHIP BOARD OF SUPERVISORS

BY: Ronald T. Warner  
Chairman

ATTEST:

Carol Ann Oglet  
Secretary



GERALD M. HANSLER  
EXECUTIVE DIRECTOR

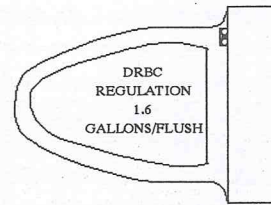
DELAWARE RIVER BASIN COMMISSION  
P. O. BOX 7360  
WEST TRENTON, NEW JERSEY 08628-0360

(609) 883-9500  
FAX (609) 883-9522

HEADQUARTERS LOCATION  
25 STATE POLICE DRIVE  
WEST TRENTON, N. J.

May 22, 1995

Mr. Ronald T. Werner  
Chairman  
Rush Township  
R.D. 4, Box 322  
Tamaqua, PA 18252



Dear Mr. Werner:

The Delaware River Basin Commission is in receipt of Rush Township's ordinance pertaining to water conservation standards for plumbing products. Commission staff has reviewed the ordinance and finds it to be consistent with our regulations.

Thank you for your cooperation.

Sincerely,

Jeffrey P. Featherstone  
Policy Analyst

JPF:sco

c: Edward J. Gaydos