

City of Bowbells

WATER SERVICE REGULATIONS

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Official City Ordinance
October, 2011

SECTION 1 - DEFINITIONS

1. **Abandoned Service**
"Abandoned Service" shall mean a service connection documented based on actual field conditions that the service lateral was cut, capped, and left in place. If the service classified as abandoned is actually removed, the service shall be reclassified as removed in City records. See "Removed Service".
2. **American Water Works Association (AWWA) Standards**
"American Water Works Association (AWWA) Standards" shall mean the latest revision of the standards adopted by AWWA, Denver and available for review at the City.
3. **Applicant**
"Applicant" shall mean a person applying for new water service to a particular parcel within the City. The applicant must be the property owner or his legally designated representative.
4. **Automated Meter Reading (AMR)**
"Automated Meter Reading" shall mean the equipment for the remote collection of consumption data from a customer's water meter.
5. **Average Annual Potable Water Rates for Large Irrigation Customer**
"Average Annual Potable Water Rate for Large Irrigation Customer" shall mean the cost per 1,000 gallons on an annual basis for this class of customer.
6. **Backflow Prevention Assembly**
"Backflow Prevention Assembly" shall mean an assembly for the prevention of backflow from the customer's water system to the City's water system and may include, but not be limited to, a backflow prevention device, isolation valves, test cocks, thrust restraints, a vault, connecting piping, an enclosure, and other appurtenances.
7. **Backflow Prevention Assembly - Approved**
"Approved Backflow Prevention Assembly" shall mean an assembly that has been investigated and approved by the City. The approval of backflow prevention devices by the City will be on the basis of a favorable report by an approved testing laboratory recommending such an approval, and acceptance through the City's approval process.
8. **Billing Date**
"Billing Date" shall be the date shown on the monthly water bill.

9. Board
"Board" shall mean the City Council or other Agency having appropriate jurisdiction.
10. Bolstering
"Bolstering" shall mean looping, or increasing the length of a proposed main extension beyond that required to serve a particular development, in order to provide for the orderly development of the City's distribution system, improve water quality, and/or improve system reliability.
11. Combined Service
"Combined Service" shall mean a single service connection through which water is obtained for the dual purpose of private fire service and domestic service.
12. Conditional Water Commitment
"Conditional Water Commitment" shall mean a water commitment that may be made if the applicant completes specific requirements within specified time frames as specified in a written agreement with the City.
13. Construction Water
"Construction Water" shall mean metered water delivered for construction purposes including, but not limited to, compaction and dust control. Construction water is not permitted for domestic or fire suppression use.
14. Consumptive Use
"Consumptive Use" shall mean water that is not returned to an approved community sanitary sewer for treatment. Such water shall include, but not be limited to, septic tanks, turf irrigation with potable water, and other, similar uses.
15. Cross-Connection
"Cross-Connection" shall mean any physical connection or arrangement of piping or fixtures between two (2) otherwise separate piping systems, or a private well, one of which contains potable water and the other non-potable water or industrial fluids of questionable safety, through which, or because of which, backflow may occur into the potable water system. This would include but not be limited to any temporary connections, such as swing connections, removable sections, four-way plug valves, spools, dummy section of pipe, swivel or change-over devices or sliding multiport tube.
16. Customer
"Customer" shall mean a person who is a recipient of water service from the City through an existing service connection, or a person applying for water through an existing service connection.

17. Deserted Service
"Deserted Service" shall mean a service connection whose existence is documented in City records, but cannot be field located.
18. Developer
"Developer" shall mean any person engaged in or proposing development of property.
19. Development Approval
"Development Approval" is the notification to the City that all required permits and administrative processes have been successfully completed and approved for the division of property or issuance of a building permit.
20. Disconnected Service
"Disconnected Service" shall mean an active service connection which has been turned off or terminated for non-payment of water bills.
21. City
"City" shall mean the City of Bowbells.
22. Domestic Service
"Domestic Service" shall mean a service connection through which water is obtained for all purposes permissible under law, including commercial and industrial uses exclusive of fire protection and construction service.
23. Emergency
"Emergency" means a sudden or unexpected occurrence or need that requires immediate action to prevent an adverse impact upon life, health, property or essential public services.
24. Emergency Service Connection
"Emergency Service Connection" shall mean a City authorized service connection on an interim basis required to safeguard health and protect private or public property.
25. Employee
"Employee" shall mean any individual employed by the City, excluding independent contractors, consultants, and their employees.

26. Equivalency - 5/8"
"5/8 Equivalency" shall mean the comparable number of 5/8" meters, which equates to the meter size under discussion primarily used for fee and rate calculations.

Meter Size	Typical 5/8" Equivalency
5/8"	1.0
3/4"	1.5
1"	2.5
1½"	5.0
2"	8.0
3"	16.0
4"	25.0
6"	50.0
8"	80.0
10"	115.0
12"	170.0

27. Existing Landscape
"Existing Landscape" shall refer to landscape not meeting the definition of New Landscape.
28. Expansion or Addition
"Expansion or Addition" shall mean an increase in size of an existing building or other structure presently served by the City; or building or structure added to an existing parcel presently served by the City.
29. Final Water Project Acceptance
"Final Water Project Acceptance" shall mean prior to scheduling the final inspection, the Developer shall verify the entire water project is ready for inspection. The Developer is responsible for the restoration of all existing water facilities belonging to the City immediately adjacent to the approved water plans work area. The water facilities include laterals, meters, valves, collars, blow-offs, vault access cover, air vacuum air release assemblies, backflow assemblies, anode test stations, and or chlorine/pressure monitoring stations.
30. Fire Hydrant Service
"Fire Hydrant Service" shall mean a service connection for public fire hydrant(s) to be located within a public right-of-way or easement. The fire hydrant shall be of a type and manufacturer approved by the entity having jurisdiction.
31. Fixture Units
"Fixture Units" shall be defined as specified in the Uniform Plumbing Code, current edition.

32. General Manager
"General Manager" shall mean the person duly appointed by the Board to perform the duties of the position, or that person's duly appointed representative.
33. Hand watering
"Hand watering" shall mean the application of water to outdoor vegetation with a handheld hose or container.
34. Idler
"Idler" shall mean a length of pipe installed in lieu of a meter (use of an idler is not allowed).
35. Illegal Service
"Illegal Service" shall mean a service connection which is located in the field, but whose installation was not authorized by the City or is in violation of the City's Service Rules. Illegal services include, but are not limited to, expansions of on-site systems to serve adjacent parcels.
36. Inactive Service
"Inactive Service" shall mean a service connection which is not in use, but is fully operational, installed in accordance with City standards and documented in City records.
37. Indoor Water Feature
"Indoor Water Feature" shall mean a water feature completely enclosed in the interior of a building.
38. Inter-Connection
"Inter-Connection" shall mean any actual or potential unauthorized connection from customer piping, which will provide water to other property, or permit use of water for purposes other than that for which a service connection was authorized.
39. Irrigation of Commercial Nursery Stock
"Irrigation of Commercial Nursery Stock" shall mean the irrigation of vegetation intended for sale at a licensed commercial plant nursery.
40. Land Division
"Land Division" shall be as defined by North Dakota Statute.
41. Large Scale Turf and Landscape Irrigators
"Large Scale Turf and Landscape Irrigators" shall mean agents, entities, firms, and companies responsible for the development and/or operation, and/or maintenance of landscaped areas. Areas include, but are not limited to, parks, golf courses, schools, and

land approved for subdivision for residential, industrial, or recreational complexes, and their related common areas.

42. **Legally Designated Representative**
"Legally Designated Representative" shall mean that person to whom the property owner has given power of attorney or other documentation satisfactory to the City authorizing said person to apply for new water service on behalf of the property owner. The documentation presented to the City must contain the property owner's signature, mailing address, and location of the property, which is the subject of the application. The property owner shall become liable for all water service provided to the property as a result of the application by the legally designated representative, and any unpaid charges shall become a lien on said property.
43. **Main Extension**
"Main Extension" shall mean an adjacent, parallel, or extended addition to the City's distribution system, consisting of a pipeline which is a nominal six (6) inches in diameter or greater, for the purpose of providing an adequate water supply. The City may require an increase in the length of a main extension beyond that required to serve a particular development in order to provide for the orderly development of the City's distribution system, improve water quality, and/or improve system reliability.
44. **Manmade Lake**
"Manmade Lake" shall mean every manmade body of water including lakes, ponds, lagoons, and reservoirs (excluding tank-type reservoirs which are fully enclosed and contained) that are filled, or refilled, with potable water, or non-potable water from any source, for recreational, scenic or landscape purposes; except for swimming pools, ornamental water features or manmade recreational water theme parks.
45. **Master Meter**
"Master Meter" shall mean the City approved primary measuring device installed for, but owned by the City, which is used for the purpose of accurately recording all consumption entering an area containing a number of customers, or sub-metered services.
46. **Meter**
"Meter" shall mean the City approved measuring device, installed for, but owned by the City, which is used for the purpose of accurately recording the consumption of water used by customers.
47. **Meter Maintenance**
"Meter Maintenance" shall mean the routine testing, calibration, repair or replacement of City water meters to ensure accuracy and compliance with the American Water Works Association Meter Standards.

48. Mobile Home Park
"Mobile Home Park" means an area or tract of land where two (2) or more mobile homes or mobile home lots are privately owned, rented or held out for rent. This does not include an area or tract of land where:
1. More than half of the lots are rented overnight or for less than 3 months for recreational vehicles.
 2. Mobile homes are used occasionally for recreational purposes and not as permanent residences.
49. Mobile Meter
"Mobile Meter" shall be a fire hydrant meter, generally mounted on a vehicle, issued to small consumption water users for short-term connection to fire hydrants at multiple locations over time. Use must remain within the City's service area and permits are issued solely at the discretion of the City. All mobile meter permittees must abide by the conditions set forth in Section 7 of these rules.
50. Multiple Meter Service
"Multiple Meter Service", shall be a single lateral pipe utilizing a battery of meters for providing domestic service.
51. New Landscape
"New Landscape" shall mean new vegetation planted as part of an initial landscape installation, replacement, or as part of a landscape conversion from turf grass to xeriscape.
52. Non-Potable Water
"Non-Potable Water" (also called recycled or reclaimed water) shall mean water that does not meet the State of North Dakota standards for potable water and that is made available for irrigation purposes for large scale turf and landscaped areas including, but not limited to, golf courses, schools, and parks. Non-potable water may include reclaimed or recycled wastewater, water which has been recovered from a ground water recharge/recovery facility for non-potable use, and/or potable water which has been blended with reclaimed or recovered groundwater for capacity or water quality reasons.
53. Non-Potable Water User
"Non-Potable Water User" shall mean the entity or person responsible for fees and charges assessed for using non-potable water from a recycled water distribution system.
54. Non-Potable Water User Modifications
"Non-Potable Water User Modifications" shall mean those onsite modifications and facilities such as replacement of greens, storage reservoirs, sprinkler systems, installation of a second water distribution system, retro-fitting of certain existing equipment, and the installation of signage, as necessary to, allow the use of non-potable

water on the premises in accordance with the approved Effluent Management Plan (EMP).

55. **Non-Spray Irrigation**
"Non-Spray Irrigation" shall mean any irrigation system that applies water without projecting droplets farther than one foot (such as drip or bubbler systems).
56. **Non-Standard Service Connection**
"Non-Standard Service Connection" shall mean a service connection from a main to a parcel that is not contiguous to the main to which the connection is made. A service will not be considered or classified as non-standard if the parcel to be served is not adjacent to a public right-of-way, and a permanent right of access with overlapping utility easement is provided for the on-site (private) lateral. The applicant will be required to provide an easement for the onsite (private lateral) from the owner of the property upon which the applicant's private lateral will cross to complete the service connection.
57. **Offsite Main**
"Offsite Main" shall mean a main, regardless of size, which extends from the existing system to a development and generally remains outside the development boundaries.
58. **Onsite Main**
"Onsite Main" shall mean those public mains, which are installed specifically to provide service to developments, and generally located within the development's boundaries.
59. **Onsite Non-Potable Water Distribution Pipelines**
"Onsite Non-Potable Water Distribution Pipelines" shall mean that portion of the non-potable water distribution pipeline, sited on the User's property located downstream of the point of delivery. Ownership, maintenance, and repair will be the responsibility of non-potable user.
60. **Ornamental Water Features**
"Ornamental Water Feature" shall mean any manmade stream, fountain, waterfall, or other manmade water feature that contains water that flows or is sprayed into the air, constructed for decorative, scenic or landscape purposes, excluding swimming pools, manmade lakes, and manmade recreational water theme parks.
61. **Over-seeding**
"Over-seeding" shall mean the process of spreading seed over an Existing Landscape for the purposes of increasing vegetation, typically turf grass.
62. **Oversized Main Extension**
"Oversized Main Extension" shall mean a main larger in diameter than the minimum diameter necessary to provide a supply to a proposed development, which will be capable of meeting future demands on the City's distribution system. The City may

increase the length of main extension beyond that required to serve a particular development, in order to provide for the orderly development of the City's distribution system, improve water quality and/or improve system reliability.

63. **Parallel Main**
"Parallel Main" shall mean a distribution main extension installed adjacent to a previously existing distribution main or transmission main. Where used, frontage connection charges and refunds will be based on the main providing the direct connection for service.
64. **Parcel Map or Out-Lot Survey Map**
"Parcel Map or Out-Lot Survey Map" shall be as defined in State Statute
65. **Person**
"Person" shall mean any individual, firm, association, organization, partnership, trust, company, corporation or entity, and any municipal, political, or governmental corporation, City, body or agency other than the City.
66. **Point of Delivery**
"Point of Delivery" shall mean the location on User's property, immediately downstream of the City's meter and control valve vault, and test port at the boundary of the permanent easement granted by the non-potable water User.
67. **Potable Water**
"Potable Water" shall mean water that is treated pursuant to the Safe Drinking Water Act.
68. **Primary Building Permit(s)**
"Primary Building Permit(s)" shall mean the permit(s) issued by either the City or County for a structure including but not limited to the foundation, shell, and other related building components.
69. **Private Fire Service**
"Private Fire Service" shall mean a service connection through which water is available on private property for fire protection exclusively. Private fire service shall be equipped with a City approved double check detector assembly.
70. **Private Main**
"Private Main" shall mean a water pipeline and appurtenances not owned by the City after completion.

71. **Property**
"Property" shall mean any real property owned, leased, rented, or otherwise controlled, utilized, or inhabited by any person, including any corporation or partnership of any form holding a water account with the City.
72. **Property Owner**
"Property Owner" shall mean the owner of record of a property, which is or will be receiving water service from the City
73. **Public Health and Welfare**
"Public Health and Welfare" shall mean any activity where the use of water is the most appropriate and practical method to abate a health or safety hazard, or where the use of water is required to reasonably meet the provisions of federal, state, or local law, or where a project approved by the General Manager is planned, or underway.
74. **Public Main or Main**
"Public Main" or "Main" shall mean a water pipeline and appurtenances which is owned, operated and maintained by the City after completion and acceptance.
75. **Recycled Water Distribution System (RWDS)**
"Recycled Water Distribution System (RWDS)" shall mean the pumping stations, pipelines, control systems, and related facilities and appurtenant equipment, which conveys or aids in the efficient conveyance of non-potable water from the designated water resource center.
76. **Removed Service**
"Removed Service" shall mean a service connection documented based on actual field conditions that the service lateral no longer exists. The service is classified as removed in City records. If field conditions later indicate that a service classified as removed was actually abandoned, the service shall be classified as abandoned in City records. See "Abandoned Service".
77. **Reservoir Level Sensing Device**
"Reservoir Level Sensing Device" shall mean the equipment owned, controlled, and maintained by the City which will be used to monitor and maintain the level of water in User's irrigation storage pond and for transmission of that information to the City's main control center and/or to the control valve in the meter and control valve vault.
78. **Residential Car Washing**
"Residential Car Washing" shall mean washing personal vehicles with leak free hose equipped with a positive shut-off nozzle.

79. Residential Fire Service Meter (RFS)
"Residential Fire Service Meter" (RFS) shall mean the City approved measuring device, installed for, but owned by the City, which is used for the purpose of accurately recording the consumption of water used by customers, and that supports domestic water and fire suppression supply.
80. Residential Main Extension
"Residential Main Extension" (RME) shall mean the water main and its appurtenances installed by the City to supply water to an individual applicant property zoned single family residential, either as a supplement to a Well Conversion Program, or for an individual improved lot within a community well system that requests City water service. Such main shall be installed at a cost to the single-family property owner in accordance with the City's Service Rules.
81. Service Adjustment
"Service Adjustment" shall mean the adjustment of an existing service connection to include the horizontal and/or vertical extension and/or adjustment of the meter and meter box, while using the existing lateral or lateral alignment and tap, while maintaining the existing account. This adjustment will not require the payment of inspection fee(s), unless as otherwise provided for in the Service Rules.
82. Service Connection
"Service Connection" shall mean the connection to the main and the lateral pipe to deliver the water, and may also include, but not be limited to, a meter, or battery thereof, a meter box or vault, valves, thrust restraints, and other appurtenances from a City main, to the point where the water being delivered leaves the piping owned by the City in accordance with UDACS for new service installation.
83. Service Deposit
"Service Deposit" shall mean an amount deposited with the City to assure payment of water bills. The deposit may be in cash or another form of security acceptable to the City.
84. Service Relocation
"Service Relocation" shall mean a change in location that will require tapping the existing main or a new water main at a new location, installing a new service lateral, establishing a new account, and removing an existing account. This service will require the payment of appropriate application fees, inspection fees, and/or other charges.
85. Spacer
"Spacer" shall mean a length of perforated pipe temporarily installed in lieu of a meter or idler while facilities are under construction.

86. Spray Irrigation
"Spray Irrigation" shall mean the application of water by projecting droplets farther than one foot from the sprinkler head.
87. Subdivision
"Subdivision" shall, for the purposes of these Rules, meet all provisions of State Statutes.
88. Sub-meter
"Sub-meter" shall mean a meter that is used for the purpose of accurately recording the consumption of water used by customers served by a master meter.
89. Supervised Testing
"Supervised Testing" shall mean supervised operation of an irrigation system for testing, repair, adjustment, or efficiency assessment. The operator must be physically present.
90. Supplemental Service Connection
"Supplemental Service Connection" shall mean a service connection or connections to property, which is also served by another source of supply, such as a well or non-potable system. A supplemental service connection shall include an approved backflow prevention assembly.
91. Syringing
"Syringing" shall mean the process of applying small amounts of water to turf grass for the purposes of cooling it and helping it survive mid-day stress.
92. Tampering
"Tampering" shall mean acts by persons which cause damage to, or alteration of, City property including, but not limited to, service connections, shut off valves, hydrants, mains, meters, registers, AMR equipment, and service locks, or seals by any willful or negligent act. Such persons shall be responsible for payment of costs incurred and any and all penalties prescribed by these Service Rules and by law.
93. Temporary Riser
"Temporary Riser" shall mean a service connection of a minimum of six (6) inches attached to a blow off valve.
94. Temporary Service Connection
"Temporary Service Connection" shall mean a City-authorized service connection installed at a location not adjacent to the parcel served, i.e. a non-standard location, and which is subject to removal or relocation at such time as a main is constructed contiguous to the parcel.

95. Transmission Main
"Transmission Main" shall mean a main extension that transports water from the main supply or source to a distant area where the water is distributed through distribution lines. A Transmission Main is usually a larger diameter main (greater than 16") with limited connections that ensure system reliability as well as recognize the nature of the materials used to construct large diameter pipelines.
96. Turf
"Turf" shall mean a densely planted grassy area characterized by frequent mowing and fertilization and/or watering, commonly used for lawns and playing fields. Plant species used in turf areas may include, but are not limited to, varieties of Bermuda Grass, Fescue, Zoysia, Rye, St. Augustine, or Bentgrass.
97. Uniform Design and Construction Standards for Potable Water Systems (UDACS)
"Uniform Design and Construction Standards for Potable Water Systems (UDACS)" shall mean the minimum design and construction criteria for water distribution systems within the jurisdiction of the City.
98. Unusual Installation Conditions
"Unusual Installation Conditions" shall mean circumstances that include, but are not limited to, the length of the lateral, the type of pavement, anticipated soil or other underground conditions, and the width or travel conditions of the roadway or right-of-way and also those imposed as a result of governmental or property owner actions.
99. Valved Outlet
"Valved Outlet" shall mean a valve installed on a main to which a distribution main could be connected.
100. Water Budgeted Facility
"Water Budgeted Facility" shall mean a facility that is assigned water budgeting provisions by the City in accordance with Section 12.
101. Water Commitment
"Water Commitment" shall mean a commitment from the City to provide water service to a specific development on a specific parcel of land.
102. Water Conservation
"Water Conservation" shall mean the controlled and systematic protection of water resources.
103. Water Facilities
"Water Facilities" shall mean, but not be limited to, water mains, fire hydrants and laterals, service connections, backflow prevention assemblies and appurtenances, from the main to the point where water being delivered leaves the piping owned by the City.

SECTION 2 - CONDITIONS OF SERVICE

The City will endeavor to provide its customers with a continuous and adequate supply of water within reasonable maximum and minimum pressures. However, pressure will vary throughout the distribution system.

The City will also act to conserve water resources in a manner that reflects the goal of achieving and maintaining a sustainable community.

The City may reject, rescind, reduce, or terminate current or proposed uses of water where such use:

- a. Is contrary to the City's obligation to assure reasonable use including, but not limited to compliance with rules for water efficiency, drought, conservation, and the use of non-potable water for irrigation.
- b. May encumber or impair the City's ability to maintain an adequate level of service to other customers.
- c. Compromises public health, welfare, or safety due to circumstances that limit the available water supply to the City.

The conservation of ground and surface waters is an integral component of the City's long range water resource plan. The City, through its Rules, policies, and procedures makes a consistent effort to maximize the resources of the Colorado River and groundwater basins. The City is required under various statutes and federal codes to provide for beneficial use and avert the waste of water. The City will continue to use rates, education, regulation, and incentives to develop programs to reduce the waste of water and improve the efficiency of its use. Further, the City may conserve potable water by providing customers with non-potable water resources, when available, for use in an efficient, effective manner.

2.1 Water Pressure

Property owners and/or customers are responsible for installation and maintenance of privately owned pressure regulators, or other devices as required. In accordance with the Uniform Plumbing Code, individual pressure reducing valves are required to be installed and maintained by the owner whenever static water pressure exceeds 80 psi.

Prior to City service being provided in areas known to fluctuate above or below acceptable operating limits, the customer may be required to give written acknowledgment and acceptance of the high or low pressure conditions.

The City may adjust pressures as the need arises.

2.2 Interruption of Service

The City will endeavor to notify customers in advance of any interruption in service due to repairs, or other causes. However, in emergency conditions or when notification is not practical, service may be interrupted without warning for indefinite periods of time.

2.3 Parcel Location Adjacent to a Main

New applications for service will only be accepted if a minimum of twenty feet of useable main which meets the City's pressure, flow, and capacity standards is located adjacent to the parcel to be served. Said main must be within a dedicated right-of-way or easement grant to the City. Where these conditions are not met, an application for service will require a main extension.

2.4 Parcel Not Adjacent to a Main

In order to obtain service to a parcel not immediately adjacent to a main as required by Subsection 2.3 above, the applicant will be required to provide a main extension in accordance with the requirements of Section 10, or the applicant may make application for a non-standard service if the property meets the requirements of Section 6.

2.5 Damage to Property

The City will not be liable for damage to property occasioned by water running from open or faulty piping or fixtures on the customer's property. Customers who request activation of a service shall be responsible for damage resulting from such activation due to open or faulty piping and/or fixtures on the customer's property. The City may, at its discretion, opt to return the water service to a shut off condition if there is indication of water running on the customer's property at the time of service activation. When this occurs, the City will endeavor to leave a notice of explanation for the customer.

2.6 Access to City Facilities

Parcel owners who permit landscaping, fencing, structures, or other fixed or movable obstructions to block, prevent, hamper, or restrict free and easy access to the City's facilities for work of any nature, including meter reading, shall be liable for costs incurred in removing such items. The City will mail either a fourteen (14) or a sixty (60) calendar day notice by certified mail, return receipt requested to the mailing address on file with the County Tax Receiver in order that the property owner may correct the condition. If the property owner fails to remove the moveable obstruction in fourteen (14) days or the fixed obstruction within the 60-day period, the City may complete the work at the sole cost of the property owner. However, in the event of an emergency, the City has the right to cause the obstruction to be removed without notice to the property owner and all related costs are the property owner's responsibility. At the

property owner's option, subject to City's prior approval, the City's facilities may be relocated by a Licensed Contractor of the property owner's choice at the sole expense of said property owner but subject to the standards and procedures of the City; or the property owner may make application for relocation by the City and at that time pay a deposit towards the actual total cost to be borne by said property owner.

Failure of the property owner to comply shall be just cause for terminating water service to the subject property.

2.7 Efficient Water Use

Any person(s) or association(s) is prohibited from imposing private covenants, conditions, restrictions, deed clauses or other agreements between the parties, which prevents person(s) from utilizing water efficient landscaping including, but not limited to, xeriscape, in the conservation of water. As a condition of service, customers of the City must use water delivered through the City's system in a manner that promotes efficiency and avoids waste.

2.8 Customers' Premises

City employees shall have the right to access customers' property at all reasonable hours for any purpose related to the furnishing of service and protection of water quality. Except where specifically authorized for the purpose of conservation, employees are prohibited from entering upon customers' premises to engage in repair or alteration of customer piping and fixtures.

2.9 Use of Non-Potable Water for Irrigation

It is the purpose and intent of the City to require all large-scale turf and landscape irrigators and appropriate non-residential users to use non-potable water when and where it is made available by the City. Irrigation plans may be evaluated as they are submitted subject to City goals, operational requirements, Service Rules, and criteria for conservation, public health, safety, and welfare, and accessibility and availability of service. The use of non-potable water for irrigation encourages conservation and allows the valuable and limited natural resources of potable water to be freed for other, higher uses. As the population in the City continues to increase, it will become increasingly important that large-scale turf and landscape irrigators make use of non-potable water.

SECTION 3 - BILLING CLASSES OF POTABLE SERVICE

All potable service connection types shall be classified as domestic, private fire, combined, construction, and/or supplemental for billing purposes.

3.1 Domestic Service

Includes all service connections through which water is delivered for all purposes permissible under the law except private fire service and construction service.

3.2 Private Fire Service

Includes all service connections through which water is delivered to private property for fire protection exclusively.

3.3 Combined Service

Includes all service connections through which water is delivered for domestic use and for onsite private fire protection.

3.4 Construction Service

- a. Includes permanent or non-permanent connections for delivery of water for use during the construction of new development, additions to existing improvements, sand and gravel operations, and other construction uses, such as grading and compaction, paving, and dust control.
- b. Construction services may not be used to avoid installation of a permanent water service connection for permanent irrigation, long-term dust suppression, or domestic service, or private fire service. Water from construction sites is prohibited from flowing continuously into public streets, roadways and sidewalks.

3.5 Supplemental Service

Includes all domestic or combined connections from which water is delivered for domestic purposes to properties that are also provided water from any other source. This section shall not apply to residential properties that are served by a domestic well.

SECTION 4 – NOT USED

SECTION 5 – NOT USED

SECTION 6 - SERVICE CONNECTIONS

6.1 General Provisions and Conditions

It is the intention of these Rules that all water delivered through a service connection will be metered and billed. The use of idlers and spacers to deliver water is prohibited. Connection charges and payment for all water used from the time of initial service installation shall be the responsibility of the applicant. In addition, the installation of a backflow prevention assembly may be required.

The City reserves the right to determine the size and type of the service connection to be installed. The minimum lateral size shall be 1". For new service connections 1" and greater, the lateral pipe shall be the same size as the meter. No service connection shall be approved of a size larger than can be supplied by the main without adversely affecting service to other customers.

In the event an existing main is determined to be inadequate to meet the requirements of an application for service and a main extension will provide for those requirements, provisions of these Rules applying to main extensions will be followed.

Whenever two (2) mains are available from which service can be provided, the City shall, at its option, determine the main to which the service connection will be made.

Plans acceptable to the City are required for all service connections except individual residential service connections under one (1) inches in diameter that are installed by the City. Water plans shall be prepared by a Registered Professional Engineer for review by the City for conformance to City standards, as stipulated in Section 10 "Installation of Water Facilities". However the review is not an indication that a property right in water is, or will be granted, nor shall evidence of review be construed as a preference for obtaining a water commitment. It is the applicant's responsibility to obtain development approval along with other water commitment requirements specified in these Rules.

6.2 Location

Service connections shall be installed at nominal right angles to a main in accordance with City Standards. The point of connection shall not be within a street intersection from curb return to curb return, nor shall any portion of the service connection be within the intersection. The meter location shall be directly adjacent to the parcel being served within the public right-of-way. In the event street right-of-way is not available, the City may approve installation within an easement or alley adjacent to or on the parcel to be served. If the applicant feels extraordinary conditions exist that would prevent compliance with this requirement, he may submit to the City a written request for a waiver of this requirement at the time the water plan is submitted for review.

6.3 Composition

Specifications for materials, appurtenances, and construction techniques for service connections are determined and approved solely by the City.

6.4 Ownership

Service connections, including laterals, meters, boxes, shut-off valves, backflow assemblies, and other appurtenances, shall be and remain the property of the City. Upon acceptance of the installation by the City, the City shall be responsible for the maintenance and repair of such facilities, subject to any agreements covering the installation of such facilities. All pipe and fittings on the customer's side of the meter or backflow prevention assembly, or all facilities within the customer's property shall be installed by and owned and maintained by the property owner. Any entry into, or work, including but not limited to operation, maintenance, repair, or relocation of City property by any unauthorized person is expressly prohibited.

6.5 Installation of Service Connection

The property owner shall be responsible for payment to the City of all applicable fees, charges and deposits in effect at the time the application is made. Service connections may be installed by the City. Service connections installed by the applicant shall comply with the requirements of these Rules.

6.6 Service Connection Types

In addition to the installation requirements for a standard service connection, the following shall apply:

Emergency Service Connection

Emergency service shall be authorized for limited periods of time when the usual source of supply fails. Connections may be provided, at the discretion of the City, to a fire hydrant or any acceptable City facility and shall conform to requirements of these Rules. The applicant shall pay all installation costs and applicable fees, charges and deposits and shall make application for a main extension in accordance with Section 10 if applicable.

All emergency services shall conform to requirements of these Rules and shall be limited to a maximum of sixty (60) calendar days. Should the need for the emergency service extend beyond sixty (60) calendar days; the applicant shall apply to the City for a time extension. The emergency service may be extended by

the General Manager until such time as the application can be brought to a regularly scheduled meeting of the Board.

In the event that the emergency service will provide water to multiple users, a deposit shall be submitted that shall include an amount for an estimated thirty calendar days of consumption including service charges for each unit of property to be served. A single monthly bill shall be issued to the applicant, who will be responsible for payment.

6.7 Non-Standard Service Connection

A non-standard service may be approved when the City determines that a main extension will not be necessary for orderly development of the system, fire protection, and service to other property, or other reasons. Onsite piping from the meter to the property served shall not be located within a public thoroughfare.

A copy of the recorded easement for the onsite piping shall be provided to the City. Only the property owner, or duly authorized designee, may execute a non-standard service connection agreement with the City.

6.8 Meter Maintenance

City water meters are routinely serviced and maintained during normal business hours. This procedure may cause a total shut down of the services located on a site.

6.9 Temporary Service Connection

A temporary service may be authorized by the City when the applicant provides a guarantee for the construction of any required main extensions and a standard service connection to the parcel. The applicant is required to pay applicable fees, charges and deposits in accordance with the provisions of these Rules.

6.10 Metering Requirements for New Developments

- a. It is the intent of the City to separately meter all services for each dwelling unit; public, quasi-public, commercial, and/or industrial occupancy. Inter-connection(s) are not allowed which include, but are not limited to, expansion of on-site systems to serve adjacent parcels. However, the City retains the right to determine the quality, quantity, type, size and location of all such metered services and appurtenances.
- b. Each lot or parcel shall have a minimum of one (1) metered service. If, in the opinion of the City, a single meter for all service is the most practical installation

given the conditions of the site, one (1) meter to serve the entire development may be allowed.

- c. In the event a parcel is divided into more than one (1) lot after water service is obtained from the City, it is the property owner's responsibility to obtain additional water services for the additional lots from the City prior to the parcel division. Inter-connection(s) which include, but are not limited to, the expansion of on-site systems to serve adjacent parcels, are not allowed.

Commercial developments created through the subdivision or Out-Lot Map process, with CC&R's, which include property management payment of communal services, may be exempted from this requirement provided adequate documentation is provided to support this arrangement. The City will not prorate water bills between customers.

- d. Water service for mobile home parks will be as required State Statute. Individual meters and services may be required for each lot in mobile home parks constructed, unless the park is operated by a non-profit corporation or housing authority. Mobile home parks constructed on or before January 1, 2011 may be expanded utilizing the existing master meter(s), provided the expansion can be accommodated with the existing water capacity.

6.11 Metering Requirements for Conversion of Developments

All existing developments which were developed in accordance with the provisions of any applicable zoning ordinance enacted pursuant to law that are to be converted from rental occupancies to occupancies for the transfer of titles in an occupancy and open space may retain the existing metered service without modification except when such service is required to be modified in the interest of the public health, safety and welfare. The City may authorize the retention of the existing metered services, with or without modifications, for cause.

6.12 Cross-Connection Control (Backflow Prevention)

All backflow prevention assemblies for service protection are tested and maintained by the City.

The City may require access to properties of customers currently receiving water service to conduct a cross-connection control survey. The purpose of this survey is to establish the extent of protection required for the City's water system based on an evaluation of how a customer uses water on a site. Examples of on-site uses requiring protection include, but are not limited to, laundries, businesses that mix and process chemicals and water, potable and/or non-potable irrigation systems, and fire services. Water from a customer's service may, under certain conditions, be drawn into the public water supply through the meter (through a backflow condition such as back siphonage or

backpressure). If there are existing or potential cross-connections with non-potable fluids on a customer's property, the water drawn into the public water supply may be contaminated and therefore compromise the City's supply. The installation of a City approved backflow prevention assembly adjacent to the meter may be required based on the results of the survey and the identification of existing or potential cross-connections within the property.

The City may determine that there is the potential for contamination of the City's distribution system from an existing service(s) due to processes on a customer's property. This requirement may be made in the absence of a cross-connection control survey. At that time, the City may install a backflow prevention assembly at its expense. If a customer requests a larger assembly, the cost of that equipment and installation will be borne by the customer. The customer must provide an easement to the City for this work unless one of approved dimensions already exists.

If the customer objects to the requirement for backflow prevention assembly installation, he shall, at his own expense, obtain a cross-connection control survey from a Certified Cross-Connection Control Specialist. If the survey finds no need for backflow prevention, the requirement by the City shall be deferred at that time. The City may require the customer to obtain, at his own expense, a similar City approved cross connection control survey not more frequently than annually to validate that the deferral is still appropriate. An approved copy of the results of the survey shall be provided to the City, which will determine the need for an assembly. Failure to provide such a survey shall be cause for the City to require the immediate installation of a backflow prevention assembly. The customer shall pay all expenses required for this installation.

A City approved backflow prevention assembly adjacent to the meter will be required at applicant's expense for all new services to commercial and industrial facilities, all new fire services, all new potable and/or non-potable irrigation services, all services for parcels with multiple services, for the relocation or upgrade of existing services, or when on-site work occurs to any facility which would otherwise qualify for installation of a backflow prevention assembly.

The backflow prevention assembly may be installed by a properly licensed contractor, however, the installation shall be approved, inspected, and the assembly tested to City Standards before the service is activated.

Installations of backflow prevention assemblies larger than 2" by the customer/applicant shall be accomplished in accordance with Section 10 of these Rules. An easement shall be provided to the City for the construction, operation, and maintenance of all backflow assemblies larger than 2".

Backflow prevention assemblies 2" and smaller may be installed by a licensed contractor provided the Property Owner first obtains a permit from the City. A permit for the installation and inspection shall be obtained by the owner/developer for all assemblies 2" and smaller. Failure to provide the City access to the assemblies shall be grounds for termination of water service.

An approved backflow prevention assembly appropriate to the degree of hazard shall be installed at the point of delivery to an existing customer's water system as a prerequisite of continued service:

- a. Whenever entry to all portions of the premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not cross-connections exist.
- b. Whenever an emergency turn off is necessary, as determined by the degree of hazard.

Customers will be notified by mail when a survey or other action (such as a public works or City project related to existing service removal and relocation, or service adjustment) has revealed that an existing service has been identified as requiring installation of a new or upgraded backflow prevention assembly. The customer shall be required to have the backflow prevention assembly installed in a manner acceptable to the City within 120 days from the date of the notification. If, after the 120 day period elapses should the backflow prevention assembly not be installed, the City shall notify the customer of their failure to meet these requirements. If the customer has not completed the installation of the backflow prevention assembly nor responded to the City 30 days following the notification (150 days elapsed time from initial notification) a second notification shall be made to the customer. If, after 30 days have elapsed (180 days elapsed time from the date of first notification), and the backflow prevention assembly is not installed, the service to the customer's account may be terminated. The City may elect to install the appropriate assembly at the expense of the customer. Upon completion of installation of the backflow prevention assembly, the City may restore service.

If the customer so requests, the City shall take the necessary actions to have the backflow prevention assembly installed. If a customer qualifies due to a Public Works or City project that requires an existing service removal and relocation, or service adjustment, and the installation of a backflow prevention assembly, it shall be installed at the expense of the City. Any requests for a larger service will result in the customer being charged the full cost of the assembly.

Once a customer requests installation by the City, the 120-day installation period shall be considered as having been satisfied. The City may make arrangements for the installation by a contractor, or may do the installation using City work forces. The application shall be considered to have been received by the City when the customer

presents an appropriate application for installation along with a properly executed easement and/or license document and delivers payment in the amount estimated by the City for the installation work. Following completion of the work, the City shall either refund to the customer overpayments or shall invoice the customer for the monies required.

In some locations where physical constraints may preclude the installation of backflow protection on individual services, the City may choose to install a properly sized backflow prevention assembly on a portion of the distribution system to protect other customers in the vicinity. In this situation, the City shall make all arrangements for the backflow prevention assembly installation. At the completion of the installation, the cost of the installation will be prorated to the parcels requiring protection based on the equivalency sizes of the services involved. Those service users will then be billed a monthly service charge equal to the amount charged for a backflow prevention assembly equal in size to their installed service. The City will notify the customer in advance of installation should this situation arise.

6.13 Installation of Hydrants

The City may install a fire hydrant for single-family residentially zoned lots when the owner of the lot applies for domestic service and pays all applicable fees, charges and deposits, which must include the cost of the fire hydrant and installation.

SECTION 7 - CHARGES, FEES AND DEPOSITS

7.1 Charges, fees, and deposits for areas managed or served by the City may be established and approved by the Board based on actual costs to serve those designated areas.

7.2 Charges for Installing Service Connections

Charges, fees and deposits shall be payable in advance in accordance with the approved rate schedule in effect at the time of water plan approval or at the time the City's water service application form is signed and returned to the City. Any and all required or outstanding bills, charges, fees, and deposits for any service or project must be paid to the City prior to approval of water plans for construction, or prior to commencement of any scheduling or construction activity for services to be installed by the City.

7.3 Connection Charges

- a. A connection is defined as a service connection or main extension connected to an existing main. A connection shall not include an emergency service connection, interim/construction water service or temporary service connection. Any connection charges based on a meter size will be based on the smaller (domestic) meter for combined services.
- b. If more than one (1) main is available with sufficient pressure and capacity for a connection, the applicant may request a connection to a specific main. The City may elect to require the connection be made to another main.
- c. "Facilities Connection Charge" shall mean the charge required of all applicants for service to property where a service connection does not exist or where a service is to be enlarged or added. The charge is to be paid based on meter size. This connection charge is an equity buy-in so that all customers have an equal equity position in the City's facilities.
- d. "Application Fee" shall mean the charge required of all applicants for service to property where a service connection does not exist, where a service is to be enlarged or where a service is added, including those temporary connections and those connections located within an Assessment City. The charge is based on meter size. The charge includes City costs for the initial application, engineering review and water commitment process, water plan approval, and miscellaneous related administrative costs. Fees are established for revisions to the initial application. These fees are non-refundable, and valid for applications submitted for two (2) years from the time of payment. The application fee is required for the reactivation of a service classified as deserted, a temporary service, or an

interim service. Application fees are due for relocations of existing fire hydrants or service connections on the same parcel of land. The application fee does not apply to adjustments to or relocation of water facilities completed in conjunction with public road improvement projects, or work necessary for the installation of a new backflow prevention assembly required as a result of the City's Cross Connection Control Program.

- e. "Inspection Fee" shall apply to all new water facility installations and water service relocations constructed by private contractors. The fee is based on the quantity, type of water facility installation and/or size of the meter. The charge includes City costs for the inspection and related administrative costs of water facility installation. The fee must be paid prior to water plan approval and may be refunded if work does not begin. The fee is not refundable or prorated once construction begins. The inspection fee is valid for two (2) years from the date of plan approval. Any time extensions for work remaining after the two (2) year period require payment of an additional inspection fee for those portions of the project which are incomplete. Any inspection required after the normal working hours (7:00 a.m. - 3:30 p.m., Monday - Friday) will be charged in addition to these fees.

The inspection fee does not apply to adjustments to, or relocation of, water facilities completed in conjunction with public road improvement projects.

Inspection fees are due for service connection relocations and service connection size increases.

7.4 Deposits - Based on Projected Costs

When the City is requested to perform work and where there are no fixed charges, the applicant shall deposit an amount established by the City, in addition to connection charges and other applicable fees, prior to commencement of work. A refund or billing will be made when the job is completed and actual cost determined. When requested by the applicant, the City may establish a "not to exceed" upper limit.

7.5 Reactivation of Deserted or Inactive Services

Upon receipt of application, a deserted or inactive service may be activated provided the applicant pays any costs required to locate the service and upgrade it to current City standards. If the service cannot be located, it will be classified as abandoned, or removed. If a service is located but found to be non-functional, the service may be classified as abandoned, or removed.

7.6 Illegal Service Connection

A service connection which is located in the field, but whose installation is not authorized in City records will be considered as a new service. All fees, charges, and deposits required by the City must be paid before the account is established in the City's system. In the event an illegal service is discovered and a water commitment is required by the City and is not obtained or the fees, charges, and deposits are not paid, the City may physically remove the service connection at the property owner's expense. Any service connection which is in violation of these Rules will be considered an illegal service connection and be subject to all of the conditions and restrictions as listed above.

7.7 Relocation of Service Connection

An existing service connection may be relocated on the same parcel, with the approval of the City; however it may not be moved to a new parcel. A relocated service connection shall be installed pursuant to the same Rules and applicable rate schedules as a new service connection, except that no facilities or regional connection charges shall be applied.

7.8 Changes in Meter Size

Meters in place, which are of a size less than the diameter of the lateral pipe, may be replaced with a larger size not to exceed the size of the lateral pipe. Applicants shall pay the full application fee for the new service, the meter charge, and other charges as established by the rate schedule. Facilities connection charges shall apply to increases in meter sizes. Meters sized two (2) inches and less may be replaced with a smaller size meter upon request of the property owner and with City approval. The cost to reduce the meter size shall be the cost of the new meter plus a \$45 installation fee, plus all other applicable fees and charges. Applicants for replacement of meters greater than two (2) inches with a smaller size shall pay all costs incurred.

The City may replace a battery of meters with a single meter, replace a single meter with a battery of meters, or install an appropriately sized meter, service, and backflow prevention assembly to meet a current demand, providing such replacement does not impair service to the customer. The owner/applicant shall be responsible for all applicable fees and charges.

7.9 Increases in Size of Service Connection

An existing service connection may be enlarged with the approval of the City provided a water commitment for the additional capacity requested is obtained in accordance with these Rules. An enlarged service connection shall be installed pursuant to the existing Rules and applicable rate schedules. Facilities connection charges shall apply to

increases in meter sizes. The amount of the charge will be the difference between the facilities connection charge for the new service connection and the facilities connection charge applicable to the existing service connection at the rates in effect at the time of application. The full application fee and inspection fee (for service connections installed by private contractor) for the new service size will apply.

7.10 Service Connection Removal

In the event that a service connection is to be permanently deactivated, the owner of the property must sign a service removal form provided by the City. The meter and other salvageable materials may be removed by the City without credit to the property owner or by a private contractor in accordance with the requirements of Section 10. In the event a service will be relocated or the size of service changed, the service removal may be done either by the City on an actual cost basis or by a private contractor in accordance with the requirements of Section 10.

7.11 Private Use of Public Fire Hydrants

Connections to public fire hydrants (those which have been dedicated for public use) are prohibited unless a permit is issued by the City and a City owned hydrant valve and meter utilized. The applicant shall pay a permit fee in accordance with the rate schedule prior to issuance. The applicant for the permit shall designate the period of time and purpose for which water is to be used. The City may discontinue the service and remove its equipment at the expiration of the period so designated, if the water is used for any purpose other than that designated by the applicant, or if any part of the fire hydrant is operated. The City may establish limitations on the rate of flow and time of use. The City will install all equipment necessary for the meter connection and no water will be used until such equipment is installed. Except for emergency service connections, which may be established by the City for a limited time as described in Section 6, water service from a fire hydrant for domestic purposes is prohibited.

The applicant shall use City installed backflow protection to prevent backflow to the City's system.

In the event that an unauthorized connection is made to a fire hydrant the user shall be required to pay appropriate charges as determined by the City, and may be subject to other penalties as established by law.

A mobile meter may be provided to small users who generally move to multiple locations over time. These meters are granted at the sole discretion of the City. Mobile meter permit holders must:

1. Pay an annual permit fee.
2. Report the location of all water taken each day upon request by the City.

3. Acknowledge the initial meter reading.
4. Agree to have readings estimated for an average monthly bill throughout the year and balance the actual read at the time of the annual meter inspection against the billable consumption for the year for payment or credit adjustment to the account, or refund.
5. Have meter inspected annually.

7.12 Security Deposits to Assure Payment of Bills

The City may require security deposits from new customers who have not established credit with the City, or from customers whose accounts are consistently delinquent, or in any situation where the City has cause to believe that a deposit is required to assure payment. For accounts where credit has not been established, or for accounts that are consistently delinquent, the deposit will be in an amount proximate to, but not less than two and one half (2.5) times the highest monthly bill as assessed during a twelve-month period. The City may establish standard deposits various services sizes and types.

Deposits must be paid in full on the date they were assessed to the account, or service may not be activated or restored on the date requested. The City may, at its sole and exclusive discretion, make arrangements to extend this payment deadline and/or allow the customer to pay the required deposit amount in installments. Failure to remit valid payment in compliance with arrangements made may result in service discontinuance without notice. In lieu of a cash deposit, a surety bond is acceptable.

Deposits will be applied as a credit on the customer account at such date as the customer has established credit to the satisfaction of the City, or refunded to the customer at the City's discretion, or applied to the closing bill upon discontinuance of service. Interest on security deposits will be credited to the customer's security deposit account on a quarterly basis and/or on the date the customer's deposit account is closed.

The annual interest rate for the ensuing year will be a rate equal to the regular savings deposit rate of a major local commercial bank as of the first business day of the calendar year.

7.13 Interest on Deposits

Except as provided for deposits to assure payment of bills, any cash deposit(s) or other payment(s) paid to the City will not accrue interest.

7.14 Delinquent Processing Fee

If a service is processed for shut-off for non-payment of bills, payment arrangements, deposits, or other violation of these Rules, the customer shall pay a delinquent processing fee of \$25.00. Before the service will be reactivated, the customer must pay the total amount due including any assessed security deposits, and related delinquent processing and restoration fees. The City may, at its sole and exclusive discretion, make arrangements for other than full payment. Should the customer reactivate or tamper with the service without consent of the City, an additional charge of \$25.00 will be made for each such occurrence. Service shall be considered processed for shut off as of the date immediately following the due date of the bill or payment arrangement.

7.15 Fee to Reestablish Service

Customer or property owners will be charged a \$100 fee per incident for services that have been locked for tampering, illegal use and/or prevention of further damage to City facilities. Further service to the property must be established only in the name of the property owner. When service is shut off at the main, or restricted from use by the City by means other than locking the service, the property owner or the property owner's representative possessing an appropriate power of attorney must pay a deposit of \$1,800 to the City in the form of cash, cashier's check, money order, or credit card to cover the actual cost of damage incurred by the City in addition to any other applicable fees, charges or deposits before a turn-on will be scheduled. Once actual costs are determined, the property owner will be billed or refunded the difference between the deposit and the actual cost.

If it can be demonstrated to the City that neither the property owner nor a legally designated representative is available to meet the above-mentioned requirements for turn-on, a resident of the property may have water service reinstated by securing and delivering to the City a one year irrevocable letter of credit or a bond in a form approved by the City, in an amount equal to two and one half (2.5) times the highest monthly bill as assessed during a twelve-month period, in addition to posting a cash deposit in the amount of \$1,800 to cover the actual cost of damage incurred by the City. Should the cash deposit exceed the damages incurred by the City, a refund of the excess will be made. Should the cash deposit not exceed the damages incurred by the City, the balance will be due from the owner, or representative, prior to restoring service.

7.16 Unauthorized Use of Private Fire Protection Service

When it is found that a private fire service is being used for purposes other than standby fire protection, the City will bill the customer for all private fire protection water consumption measured by the detector check assembly times an applicable service size multiple, as shown in Section 8. Failure to discontinue unauthorized use will be cause for shutoff and/or prosecution as prescribed by law.

7.17 Late Fees - Delinquent Accounts

If payment of a bill is not received by the City prior to the due date as stated on the bill, said date being the first working day twenty-four (24) calendar days after the billing date, the account shall be charged, on the next succeeding bill, four percent (4%) of all amounts in arrears. Governmental agencies shall be exempt.

7.18 Damages to or Tampering with City Property

Persons causing damage to, or tampering with, City property by any willful or negligent act shall be responsible for payment of costs incurred, and any and all penalties as prescribed by the Service Rules, or by law.

7.19 Service Guarantee Program

At the City's sole discretion, the City will apply a \$10 credit to a current customer's active account in the following situations:

- a. If the City turns off the customer's water service in error.
- b. If the City does not activate the customer's service on the date requested.
- c. If the City does not respond to a billing inquiry within seven (7) business days.
- d. If the City validates receipt of payment, but does not process the payment correctly.
- e. If the City, in its sole discretion, may determine if this credit is warranted due to actions of the City's staff. Additionally, if City personnel, while in the course and scope of City duties, physically damage a ratepayer's property that is not improperly located within, above or near a City easement or City property, the City will repair or pay to have repaired the ratepayer's property.

7.20 Meter Testing Fee

A customer who is serviced by a meter 2" and smaller and has requested that the meter be removed for accuracy testing and replaced with another, shall be assessed a fee of \$75.

The fee will be waived if the overall accuracy of the meter as tested is outside the defined acceptable parameters as established by the American Water Works Association.

SECTION 8 – RATE SCHEDULE

8.1 Metered Rates for Domestic Service:

Table 1 – Domestic Rate Schedule

Meter Size (inches)	Service Charge Monthly	Rate Tier Monthly Use		Consumption Tier Per 1000 gallons
		Non Single- Family Residential	Single-Family Residential	
5/8"	\$25	First 3000 Next 2000 Over 5000	First 3000 Next 2000 Over 5000	\$8.00 \$10.00 \$15.00
3/4"	\$25	First 3000 Next 2000 Over 5000	First 3000 Next 2000 Over 5000	\$8.00 \$10.00 \$15.00
1"	\$30	First 5000 Next 3000 Over 8000	First 5000 Next 3000 Over 8000	\$10.00 \$15.00 \$18.00
1 1/2"	\$40	First 8000 Next 5000 Over 13000	First 8000 Next 5000 Over 13000	\$15.00 \$18.00 \$22.50
2"	\$65	First 10000 Next 5000 Over 15000	First 10000 Next 5000 Over 15000	\$18.00 \$22.50 \$30.00
3"	\$85	First 15000 Next 10000 Over 25000		\$18.00 \$22.50 \$30.00
4"	\$150	First 25000 Next 25000 Over 50000		\$18.00 \$22.50 \$30.00
6"	\$250	First 50000 Next 50000 Over 100000		\$18.00 \$22.50 \$30.00
8"	\$330	First 100000 Next 200000 Over 300000		\$18.00 \$22.50 \$30.00

Consumption within the billing period rate blocks will be billed at the appropriate block rate shown above.

The first threshold for all mobile home parks except those participating in an approved master metered program shall be the higher of: a) the monthly threshold based on meter size; or b) the number of spaces x 3,000 gal/mo.). Consumption beyond the first threshold, as computed above, will be billed using the standard thresholds based on meter size.

Charges for water may be affected by water budgeting rules.

8.2 Private Fire Protection Service – Service and Consumption Charge for Unauthorized Use

Applicable to all services through which water is to be used solely for extinguishing fires. Private fire service shall be assessed a monthly service charge.

Table 2 – Fire Service Monthly Service Charge

Fire Line Size	Monthly Service Charge
2" and Under	\$30
3"	\$45
4"	\$65
6"	\$100
8"	\$160

The fire line consumption charge for unauthorized use will be set at the third tie consumption rate of the adopted Rate Schedule for all private fire protection consumption.

Table 3 – Fire Line Consumption Charge for Unauthorized Use

Fire Line Size	Multiple
2" and Under	1
3"	4
4"	8
6"	20
8"	40

8.3 Combined Service

The service charge will be determined by applying the domestic monthly service charge (Section 8.1) to the smaller meter and the private fire protection monthly service charge (Section 8.2) to the larger meter. The consumption through both meters will be added together and billed at the appropriate domestic service rate (Section 8.1) based on thresholds for the smaller meter.

8.4 Backflow Service Charge

All customers having backflow prevention assemblies above or below ground shall be required to pay the following monthly service charges for each backflow prevention assembly, required by the City. This charge shall be in addition to other monthly service charges.

Table 4 – Backflow Service Charge

Assembly Size	Monthly Service Charge
3/4"	\$10
1"	\$15
1 1/2"	\$20
2"	\$25
3"	\$30
4"	\$35
6"	\$50
8"	\$90

8.5 Metered Construction Water and Other Approved Uses

Water taken through public fire hydrants except for firefighting purposes will be metered. The following fees and charges shall apply to water delivered through a metered fire hydrant for construction or other approved uses.

Three (3) working day notice is required to set fire hydrant meters and requests must be received before 4:00 p.m. Requests received after 4:00 p.m. for next day service and requests for same day meter installation before 4:00 p.m. that day may be accommodated with payment of an additional \$250 fee.

- a. A fire hydrant permit fee of \$150 will be charged.
- b. A refundable damage deposit of \$500 will be required for each hydrant valve and meter. all or a portion of any remaining deposit will be refunded upon termination of the service if the hydrant, hydrant valve and meter are undamaged during the period of use and all inactive hydrant meter water accounts have been paid in full. The City may, at its discretion, apply the \$500 damage deposit to the closing bill.
- c. A refundable damage deposit of \$500 will be required for each backflow prevention assembly installed by the City on a hydrant meter. This deposit will be applied to the closing bill upon termination of the service if the backflow prevention assembly is undamaged during the period of use.
- d. The service charge for a fire hydrant meter shall be \$2 per day.
- e. The consumption rate shall be set at the third tier consumption rate of the adopted Rate Schedule in Section 8.
- f. The mobile meter permit fee shall be \$500 per year. The fee may be prorated monthly based on the month of the permit application.
- g. The deposit for a mobile meter is based on the replacement cost of the mobile meter paid by the City.
- h. If a service is processed for shut-off for non-payment of bills, payment arrangements, deposits, or other violation of these Rules, the customer shall pay a delinquent processing fee of \$25.00.

In lieu of a fire hydrant meter for taking construction water, the construction water may be taken through the service connection which is intended to serve the parcel, or it may be taken through any other metered method approved by the City which assures that all water utilized during the construction period is metered.

The construction period shall be considered to have ended for the applicant (developer) upon notification to the City by the applicant and after the City has made a final meter reading for billing purposes. The City will then discontinue (shut-off) the service unless it has received an application for service to that location. Water used through the service connection(s) on a parcel prior to notification to the City that the construction period has ended will remain the responsibility of the applicant. The City reserves the right to audit all development to ensure all parcels are properly metered and consumption is measured and assessed for billing purposes.

The developer responsible for the contract agreement may transfer, for the purposes of construction water billing only, all or part of a development to a subsequent developer following the installation, inspection, and acceptance of facilities as shown on the approved water plans. The agreement developer shall notify the City of the transfer by letter, specifying by lot and block and supplemented by an annotated map of approved water facilities plans, the portions(s) of the development transferred by written, executed agreement to the subsequent developer. A subsequent developer shall be responsible for the billing for construction water, any outstanding water facilities

remaining to be completed, and any damages caused by his actions to City facilities within this approved transferred area. All construction water, except as provided in Section 8.8 below, must be metered including water used in areas previously paid for on an acreage basis.

8.6 Non-Metered Construction Water

Water used in the disinfection of newly constructed public water mains does not have to be metered. Flushing of the mains shall only be done in the presence of a City representative.

8.7 Service Connection Installation Charges

The following charges shall apply under normal condition:

Table 5 –Installation Charges

Standard¹ Meter Size	Complete² Service	Service Excluding Meter	Meter³ Only	Automated Meter Reading Device (AMR)⁴	Backflow⁵ Prevention
5/8"	\$1500	\$1270	\$80	\$150	\$900
3/4"	\$1520	\$1270	\$100	\$150	\$900
1"	\$1570	\$1270	\$150	\$150	\$900
Over 1"	Actual Cost				

Residential Fire Service (RFS)	Complete² Service	Service Excluding Meter	Meter³ Only	Automated Meter Reading Device (AMR)⁴	Backflow⁵ Prevention
3/4"	\$1620	\$1270	\$200	\$150	\$900
1"	\$1670	\$1270	\$250	\$150	\$900
1 1/2"	\$1875	\$1400	\$325	\$150	\$1200
2"	\$3250	\$2600	\$500	\$150	\$1300

¹ "Standard" is a positive displacement meter.

² Price effective upon installation of full service only, Price includes \$150 for AMR device for City installed services, unless AMR already exists.

³ Price includes encoder register. A City approved RFS meter is required for all single-family residences with fire sprinkler systems. Price for RFS meter does not include required tailpiece assembly that is not available through the City. Price is basis for applicant charges.

⁴ Required of all new or replacement services.

If unusual installation conditions exist, the applicant will be advised of the terms and conditions that must be met before an application for service will be accepted. In circumstances under which the City anticipates unusual installation conditions, the applicant shall pay a deposit established by the City. A refund or billing will be made when the job is completed and actual cost determined by the City. Unusual installation conditions shall exist when, in the opinion of the City, the installation is to be made under conditions that would result in unusual or significant departure from the basic installation charges set forth in the rate schedule.

8.8 Facilities Connection Charges

Table 6 – Facility Connection Charges

<p style="text-align: center;">Meter Size</p>	<p style="text-align: center;">Charge per Meter Size (Residential & Non Residential)</p>
<p style="text-align: center;">5/8"</p>	<p style="text-align: center;">\$1,800</p>
<p style="text-align: center;">3/4"</p>	<p style="text-align: center;">\$2,400</p>
<p style="text-align: center;">1"</p>	<p style="text-align: center;">\$3,300</p>
<p style="text-align: center;">1 ½"</p>	<p style="text-align: center;">\$6,000</p>
<p style="text-align: center;">2"</p>	<p style="text-align: center;">\$9,000</p>
<p style="text-align: center;">3"</p>	<p style="text-align: center;">\$18,000</p>
<p style="text-align: center;">4"</p>	<p style="text-align: center;">\$27,000</p>
<p style="text-align: center;">6"</p>	<p style="text-align: center;">\$54,000</p>
<p style="text-align: center;">8"</p>	<p style="text-align: center;">\$81,000</p>

Table 7 – Facility Connection Charges Based on Factors other than Meter Size

Customer Class	Connection Charge Based on	Charge Per Unit
Residential – Individually metered more than 8 units per acre ¹ & Mobile Homes	Dwelling Unit	\$1,400
Residential – Master metered more than 8 units per acre ¹ & Mobile Homes ²	Dwelling Unit	\$1,400
Non Residential, 6” and larger – excluding Hotels, Motels and Golf Courses ³	Annual Usage (1000 Gal.)	\$35
Hotels & Motels	Hotel Room	\$2,5 00
Golf Course (Irrigated Acres) ⁴	Acre	\$27,225
RV Parks	Space	\$800

¹ "Units per Acre" as used herein, shall mean "Gross Acres", which represents an acre of land, including all interior streets, publicly dedicated land, and adjacent streets or rights-of- way to the street centerline, not to exceed a distance of fifty (50) feet.

² Master metered mobile homes are not authorized without written consent from the City Council.

³ Connection Charge based on audit and confirmation of annual water usage of the facility within the first three (3) years of operation. Based on the audit, the connection charge may be adjusted accordingly.

⁴ The facility connection charges will be based on the potable irrigated acres of the golf course, which will include all playing areas, such as fairways, roughs, lakes, ponds, golf cart paths, sand traps, etc. The potable irrigated acres for this calculation will not include non-playing areas, although minimal potable irrigation may be required. The applicant will provide a development plan with each type of area defined with its acreage identified for City review and approval.

8.9 Application for Water Service Fee

All applicants for water service will be required to pay a non-refundable fee, at the time water plans are submitted for review, or at the time application for service are made, if water plans are not required, as follows:

Table 9 – Application Fees

Meter Size	Application Fee Per Meter Size
5/8"	\$180
3/4"	\$180
1"	\$400
1 1/2"	\$800
2"	\$1,200
3"	\$2,100
4"	\$3,500
6"	\$7,000
8"	\$12,000

Application Fee for fire line(s) without domestic meter installation is \$800.

Application Fee for a water plan with public fire hydrant(s), which include a temporary fire hydrant or temporary riser, without domestic meter installation is \$800.

There will be a \$75.00 charge for staff review of each revision to applications and plans that constitute a change to documents, fees, or services.

8.10 Inspection Fee

<u>Size</u>	<u>Inspection Fee per Each</u>
a. Domestic Services 2" or less	\$ 185
b. Domestic Services greater than 2" and Combined Services	1,000
c. Fire lines	550
d. Public Fire Hydrants, temporary riser (per project) (without domestic service)	350
e. Backflow Prevention Assembly (Retrofit Only)	No Charge

After hours inspection fee shall be the overtime cost of the inspection.

All other inspections occurring after the time limitation established in 10.1.(c) and not related to above services description shall be the straight time cost of the inspection.

A minimum of \$185 will be charged for accumulated site inspections for any project that is cancelled in accordance with Section 10 of these Rules. The balance of Inspection Fees will be refunded as part of the cancellation process.

8.11 Deficiency Fee

The City will assess a fee of \$5.00 per service, per day, for each inspected deficiency not corrected by the developer, until the deficiency is corrected. This charge shall be assessed against parcels where a tenant has occupied the premise without the service being inspected, approved and accepted.

8.12 Residential Main Extension Fee

The residential main extension fee shall be \$35 per foot of main extension for the parcel requesting service.

A minimum charge of \$2,500 shall apply to any property having less than 70 feet of chargeable frontage or requiring less than 70 feet of main extension. The maximum total length of a residential main extension shall not exceed 1,250 feet.

If required by the City, the installation of a fire hydrant, as part of the approval process for a Residential Main Extension shall cost \$4,000, inclusive of all fees and charges associated with that installation.

8.13 Credit for Unused and Undamaged Meters

If meters obtained from the City for the purpose of being installed by a private contractor during construction of a development are returned before the project has received final acceptance from the City, the following credit will be made: Unused and undamaged meters, with original receipt(s) - 100% of original developer cost.

8.14 Charges for City Installation of Meters

When the City discovers that water is being taken through an unmetered service, is damaged, or the meter is not operating properly, or the wrong size meter was installed, and the water plan approval required that the meter be set by the developer, the City will install the meter and charge an installation charge based on the following schedule:

Meter Size

Installation Charge

1" or smaller

\$365

The cost of the original meter issued to the developer will be refunded if that meter has not been used or damaged and is returned to the City. If the development is under warranty for its water facilities, the Developer can replace the meter at his expense.

8.15 Locked Service

If a lock installed on a service connection to restrict use of water is removed by anyone other than an authorized City employee, the customer or developer shall be charged \$200 for a damaged simple lock, \$400 for a damaged complex (Birdcage) lock, in addition to any other charges or fees.

8.16 Automated Meter Reading Equipment

The customer or owner of record may be charged \$400 for replacement of a damaged automated meter reading device.

SECTION 9 – NOT USED

SECTION 10 – INSTALLATION OF WATER FACILITES

10.1 General Conditions for Installation of Water Facilities

a. Applicability

Any work on City facilities, including, but not limited to the installation of new service connections, water main, backflow prevention devices and associated appurtenances (water facilities), relocation or removal of existing facilities, not contracted for directly by the City, shall comply with the requirements of this section. All work shall be submitted for review, required fees and charges paid and approved in writing by the City prior to the time the work is started.

A main extension may be required along the entire length of at least one property line frontage of the property to be developed whenever future line extension is possible, or when the adjacent main cannot meet the needs of the proposed development.

b. Construction Plans

All water plans submitted for review shall conform to the Uniform Design and Construction Standards for Water Distribution Systems (UDACS), (latest edition, as amended).

Water plans shall include, at a minimum, the following:

1. A copy of the recorded final subdivision map, Out-lot survey map or any other map, if applicable.
2. Two (2) sets (24" x 36") of detailed water plans,
3. The required application fee as specified in Section 8, and

Such plans shall be prepared by a Registered Professional Engineer duly registered in the State of North Dakota, shall clearly indicate the size and location of mains and appurtenances, including all lateral pipe and fire hydrants and shall also indicate size and location of all other existing and proposed utilities. Water plans shall designate boundaries of the applicant's property which will be served by the proposed main extension. Proof of right-of-way and/or easement must also be provided.

The City will review the water plan and return one (1) set of plans to the applicant indicating any necessary revisions. The applicant shall prepare and submit to the City a set of final water plans conforming to the revisions, which shall be retained by the City and considered the master water plan after approval by the City. Upon

execution of the appropriate agreements by the applicant and payment of all outstanding bills, applicable charges, fees and deposits, and after approval of other governmental agencies as may be necessary, and any other requirements, the water plan shall be approved and released for construction purposes.

c. Time Limitation

Approval by the City for the installation of water facilities shall be valid for a limited time. In the event that construction of the mains or services covered by any approved plan is not started within one (1) year from the date of approval, or as designated in the construction agreement, the project shall be assumed to have been abandoned, and any subsequent proposal for reactivation shall be treated as a new project. Construction is considered to have started upon the installation of a main or service, or portion thereof, per approved City plans that normally require an inspection. Any limitations on approval for other than one (1) year shall be shown on the drawings. The same shall apply when active construction work is discontinued for one (1) year.

All water facility construction must be completed within two (2) years from the date of plan approval. If work is not completed in the two (2) year period, the developer may request a time extension, however, an additional inspection fee is required. If the work will not be completed in the next six (6) months, the developer shall also post a bond or cash deposit with the City to assure completion in one (1) year or the project may be canceled.

d. Construction, Assignment, Abandonment, Cessation, Cancellation

In the event of abandonment or cessation of construction, prepaid installation fees and other charges and deposits shall be refunded, or used by the City to pursue completion of all or part of the project, as determined by the City.

e. Compliance with Specifications

Main extensions, service connections, and appurtenances shall be constructed by a contractor properly licensed by the State of North Dakota to conform to all City specifications, standards, and procedures which are in effect at the time the water plans receive City approval. In addition to all such specifications, standards, and procedures, the following requirements shall be met:

1. All new water facilities shall be disinfected and tested to the satisfaction of the City before connecting the new mains to existing mains, unless otherwise permitted by the City.

2. Connections to existing mains shall be made only when authorized by the City and then only in the presence of an authorized representative of the City, at times specified by the City.
3. Existing mains shall not be taken out of service for the purpose of making new connections when other options are feasible. Mains may only be taken out of service with the specific approval of the City.

f. Construction Inspection

The City shall inspect the installation of water facilities including assemblies, from construction commencement through final water project acceptance. The City reserves the right to terminate service if the work does not comply with City requirements. The City will not provide domestic water service to an identified permanent structure(s) until all water facilities related to that structure(s), as shown on the approved water plans, have been accepted by the City.

g. Meter Installation

For meters 1" and smaller, the applicant shall obtain the meter from the City. For meters larger than 1", the applicant shall provide a meter which meets City specifications.

Meters obtained from City stock will be acquired in accordance with procedures adopted and approved by the City. The meter shall be installed before any water is drawn through the service connection.

No meter shall be installed until a successful pressure test and water sample has been verified by the City.

h. Payment for Water

Payment for all water used from the time of initial meter installation shall be the responsibility of the applicant and will be charged and billed monthly at the Metered Construction Water rate set forth in Section 8. The City reserves the right to audit meter installation. The City reserves the right to start service at its discretion upon verification of meter installation, occupancy, or irrigation. Upon verification, monthly billing will be based on the rate for Metered Construction Water.

The applicant (developer) shall remain responsible for correction of all deficiencies and shall remain liable for the monthly bill payment for all metered water used and associated deficiency fees, regardless of whether subject facilities are in use by a subsequent developer, domestic, or commercial customer, until said defects are corrected by the applicant and are accepted by the City.

Following acceptance of all facilities by the City for ownership and maintenance, the applicant (developer) is responsible for ensuring that services accepted by the City are removed from the developer's account. Until that notification to the City occurs by the developer, billing for all consumption through all meters at the rate for Metered Construction Water remains the responsibility of the developer.

i. Guarantee

Installation, materials, and workmanship shall be guaranteed complete and free of defects for a period of one (1) year from the date of acceptance by the City.

Upon receipt of notice of incomplete work or defect from the City, the developer shall immediately correct the situation, or shall reimburse the City for the cost of correction.

j. Location

1. Main extensions and appurtenances shall be located within right-of-way or private streets forty (40) feet in width or greater, dedicated for utility purposes, if the water main is fourteen (14) inches in diameter and larger, or longer than two hundred fifty (250) feet. Main extensions of lesser diameter or length may be located in private streets or rights-of-way thirty (30) feet in width dedicated for utility purposes.
2. If the fifty (40) foot right-of-way or private streets dedicated for utility purposes is not available, the applicant may petition the City and upon City approval, a main extension and appurtenances may be located within utility easements granted to the City (which may include right-of-way or private streets) for a total thirty (30) foot utility dedication.
3. Right-of-way, Private Street, and/or easement grants for utility purposes totaling less than forty (40) feet may be accepted at the discretion of the City.
4. All right-of-way, private streets and/or easements shall be shown on the water plans and shall be provided to the City prior to the approval of water plans and must provide adequate clearances for the safe operation, maintenance, and repair of the water facilities. The City reserves the right to determine the location of a main extension and appurtenances.

k. Easements

1. No buildings, structures or trees will be placed upon, over or under any City easement, now or hereafter, except that an easement can be improved and used for street, road or driveway purposes and for other

utilities, insofar as such use does not interfere with the operation and maintenance of the City's facilities within the easement.

2. Should the City act to repair any of its facilities within the easement, the City is not responsible for repair or reconstruction of any property located within the easement.
3. Should any of the City's facilities within an easement be required to be relocated or repaired as a result of changes in grade or other construction within the easement, the property owner will bear the full cost of such relocation or repair.

I. Size of Mains

A main extension shall be of sufficient size to provide an adequate water supply to the development (subdivision, commercial, industrial, or single residential property). The minimum water main size will be based on the existing or proposed street right-of-way width, which may include common areas.

A developer extending water mains will be required to install these minimum size water mains at their sole expense. The minimum water main diameters are as follows:

STREET WIDTH	MINIMUM WATER MAIN DIAMETER
Up to 66'	8"
66' to 80' (1/4 Section Roadways)	10"
Greater than 80' (Section Line Roadways)	12"

Water mains in cul-de-sacs, internal streets within subdivisions, and other areas where water mains will not be extended in the future, may be 6" in diameter if that size water main meets the water demand requirement of the development. The City reserves the right to establish the size of all mains and appurtenances.

m. Fire Hydrants

Fire hydrant installations shall conform to design and location requirements of the City.

n. Use of Facilities

A main extension constructed for a development shall not be considered as reserved for service to that development exclusively. Extensions of and connections to a main extension for other development may be permitted when,

in the opinion of the City, such connections will not substantially affect service to the original development.

o. Conveyance of Title

Upon satisfactory completion of construction and acceptance of the facilities by the City, the developer shall deliver to the City a valid bill of sale conveying unencumbered title to the facilities to the City.

p. Construction by Private Contractor or City

Construction work shall be performed by a properly licensed contractor and selected by the applicant. Proof of licensing may be required. In certain circumstances when, in the opinion of the City, the extent of work to be performed is minor and can be accomplished efficiently and economically by City forces, the applicant may deposit an amount determined by the City. Upon completion of construction, the difference between the estimated and actual costs will be either billed or refunded.

q. Refund of Frontage Connection Charges

The developer will receive frontage connection charges collected by the City for connections to the main extension installed by the developer under the provisions of a main extension agreement specifically providing for the refund of frontage connection charges. The potential refunds paid to the developer shall be limited to the fees collected by the City up to ten years from the date of the agreement. Any refund for a connection to the main extension shall be made following the date the main and/or services are inspected and accepted by the City, and a signed Bill of Sale is provided by the developer.

At the sole discretion of the City, transmission mains may have limited connections made to them. Conditions limiting these connections include ensuring system reliability and the nature of the materials used to construct large diameter pipelines. Due to these conditions, parallel mains may be required to be constructed in order to serve adjacent developments.

By deciding whether a connection will be adjacent to, or parallel to a transmission main, the potential for the refunding of frontage connection charges by the City to the developer of the transmission main will be calculated in accordance with these Rules. Development(s) connecting to parallel or adjacent mains shall be assessed frontage charges based on the main providing the direct service with refunding to the main providing the direct service. Refunding of frontage connection charges to the developer of a transmission main may occur with parallel main installations. However, refunds will be based only on the difference

between the frontage of the property to be developed and the length of the parallel main serving that property.

10.2 Service Connections Installed by Private Contractor

If service connections are installed by private contractor, the provisions of Section 10 shall apply.

10.3 Standard Main Extensions

a. Applicability

A standard main extension shall apply if the property to be served does not meet the requirements of a residential main extension, or if a residential main extension does not meet the needs of the applicant, and if the City chooses not to oversize the main.

b. Responsibility for Cost

The cost of a standard main extension, including service laterals, fire hydrants, and all other appurtenances, shall be borne by the applicant.

10.4 Oversized Main Extensions

a. Applicability

An oversized main extension is a main larger in diameter than the minimum diameter necessary to provide a supply to a proposed development, which will be capable of meeting future demands on the City's distribution system. The City may increase the length of an oversized main extension beyond that required to serve a particular development, in order to provide for the orderly development of the City's distribution system, improve water quality and/or improve system reliability.

The City shall refund, without interest, to the developer for the cost of over-sizing the main extension within forty-five (45) calendar days following acceptance by the City and delivery of an unencumbered bill of sale.

b. Cost Allowances

Refunding by the City for the over-sizing of a main extension shall be based on the difference in cost allowance between the oversized main installed and the main required by the developer, multiplied by the horizontal lineal feet of main actually installed. Cost allowances per lineal foot for various diameters are as follows:

<u>Diameter</u>	<u>Cost Allowance per Lineal Foot</u>
<8"	\$ 0
8"	29
10"	35
12"	42
16"	64

At the developer's option, the reimbursement amount may be based on actual construction costs if an open competitive bid process is completed for the oversized main.

e. Alternate Method of Payment

The Board may, in lieu of a lump sum payment of the City's portion of the cost, arrange with the developer or customer for an alternate method of payment.

f. Special Requirements

For an oversized main extension sixteen inches or larger in diameter, the City may add special requirements in addition to those specified in this section.

10.5 Bolstering

Bolstering may be required by the City as a condition of the development approval process. The City shall refund to the developer, without interest, the cost of bolstering the main extension(s) as specified in the agreement(s) within forty-five (45) calendar days following acceptance by the City and delivery of an unencumbered bill of sale.

10.6 Assessment City Improvements

Property owners may petition the City for formulation of an assessment City for the purpose of providing a water supply system or for improving an existing system which is inadequate.

10.7 Residential Main Extensions

a. Applicability

A residential main extension is described as a main extension sized in accordance with these Rules which is installed by the City to provide service to a single family residentially zoned lot.

b. Application

The applicant shall meet the following requirements, submit the following information, and pay the applicable fees, charges and deposits.

1. Provide a legal description of the parcel to be served.
2. Provide a dedicated right-of-way or easement in which the main is to be located.
3. Provide other information as required by the City.

The City shall commence construction of the main extension following payment of fees and obtaining necessary approvals and permits for the project.

The City reserves the right to deny a residential main extension application in certain circumstances.

There are no frontage connection charge refunds due the applicant of a Residential Main Extension for any connection to said main.

c. Length Limitations

The length of main to be installed shall be as necessary to extend from an existing active main with sufficient capacity and pressure to a point which will provide a minimum of twenty feet of main fronting the parcel receiving service. The maximum length of a residential main extension shall be 1,250 feet.

d. Fire Hydrants

Fire hydrants will be installed as a part of residential main extensions when required by the City. Any costs for providing fire protection are the full responsibility of the applicant.