

**RULES AND REGULATIONS GOVERNING WATER SERVICE  
AND STANDARDS FOR WATER SYSTEM IMPROVEMENTS  
FOR THE COUNTY WATER DISTRICT OF BILLINGS  
HEIGHTS BILLINGS, MONTANA  
2018**

**CWDBH  
1540 POPELKA DRIVE  
BILLINGS, MONTANA 59105**

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# **1 DEFINITIONS**

## **1.1 DEFINITIONS**

Unless the context specifically indicates otherwise, the meanings of the terms used in these rules and regulations shall be as follows:

- 1.1.1 "Approval Authority" means the regional administrator of the EPA.**
- 1.1.2 "Board" means the Board of Directors of The County Water District of Billings Heights.**
- 1.1.3 "Commercial Account" means a District water account other than a domestic account.**
- 1.1.4 "Connection Charge" means one-time charge paid by those connecting to the District water system for the cost of materials, labor, inspection, and administration by the District.**
- 1.1.5 "Customer" means any person receiving District water service either directly or indirectly from the District water supply system.**
- 1.1.6 "County" or "Yellowstone County" means Yellowstone County of the State of Montana.**
- 1.1.7 "Cross-Connection" means any connection or arrangement, physical or otherwise, between the District water supply system or the customer's installation and any foreign source of water supply, plumbing fixture or any tank, receptacle, equipment or device, through which it may be possible for potable and non-potable, used, unclean, polluted and contaminated water, or other substances to enter into any part of such potable water system under any condition.**
- 1.1.8 "CWDBH" means County Water District of Billings Heights.**

- 1.1.9 "District" means the County Water District of Billings Heights.
- 1.1.1 "Domestic Account" means a District water account for residential dwellings and apartment buildings.  
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- 1.1.1 "Environmental Protection Agency" or "EPA", means the U.S. Environmental Protection Agency, or, where appropriate, the terms may also be used as a designation for the administrator or other duly authorized official of EPA.  
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- 1.1.1 "Extension" means the act or process of extending, adding to, or enlarging the municipal water supply system/on the District's side of the point of delivery/point of connection to provide District water services to a prospective customer or group of prospective customers.  
2
- 1.1.1 "Fire Hydrant Meter" means the meter which is owned by the District and is used to measure the amount of water delivered to a customer through a fire hydrant.  
3
- 1.1.1 "Fire line" means all service pipes, curb stops and/or valves, curb boxes and/or valve boxes, backflow prevention devices, check valves, inside piping, fittings, fixtures, and any other apparatus on customer's side of the point of delivery that is used for, and limited to, the providing of water to customers for fire suppression activities.  
4
- 1.1.1 "Individual Extension" means an extension of the utility system to provide water service to an individual customer.  
5
- 1.1.1 "Industrial" means of or pertaining to industry, manufacturing, agriculture, commerce, trade, or business.  
6
- 1.1.1 "Main" means a pipe or conduit carrying water for domestic, industrial, fire suppression, and other similar uses.  
7
- 1.1.1 "Management" means the Manager and/or the Assistant Manager hired or appointed by the Board having general charge of the District's property, accounting, operation, supervision, and full power of hiring and releasing of all employees as provided for in the By-Laws of the District.  
8
- 1.1.1 "MCA" means the initials of Montana Code Annotated, and stands for the same.  
9
- 1.1.2 "Meter" means the instrument, including any auxiliary equipment, which is used to measure the amount of water delivered to a customer from the District water supply system.  
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- 1.1.2 "Municipal Water Meter" means the meter, including the meter loop and remote read equipment, which is owned by the District and which is used to measure the amount of water delivered to a customer through the customer's water service line.  
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- 1.1.2  
2        **"Person"** means any firm, company, partnership, public or private corporation, association, group or society, governmental agency, or other entity as well as a natural person.
- 1.1.2  
3        **"Point of Delivery"** means the point at which the District water supply system connects physically to a customer's corporation stop, which, in turn, is normally attached to the public water main located in the public right-of way that abuts and fronts the property to be served.
- 1.1.2  
4        **"Public Building"** means any building held, used, or controlled exclusively for public purposes by any department or branch of government, federal, state, county, or municipal, without reference to the ownership of the building or of the realty upon which it is situated.
- 1.1.2  
5        **"Public Service Commission"** refers to the elected body of Public Service Commissioners and their staff of the State of Montana.
- 1.1.2  
6        **"Public Water Main"** means the main directly controlled by the District and laid in the street or other right-of-way for the distribution of water to customers' water service lines.
- 1.1.2  
7        **"Rate Schedule"** means a formal statement approved by the Board, of the rates, charges and conditions for a particular class or type of service as outlined by the District. The rate schedules of the District are attached to these regulations as Appendix A
- 1.1.2  
8        **"Readily Accessible"** means safely and easily reached and not being under "lock and key", "fenced in", "covered up", or otherwise obstructed.
- 1.1.2  
9        **"Service Agreement"** means the agreement or contract between the District and its customers pursuant to which District service is provided.
- 1.1.3  
0        **"Sprinkling Meter"** means a District water meter that is installed on a water service line for the purpose of measuring the water delivered by the District to a customer exclusively for lawn and garden irrigation.
- 1.1.3  
1        **"State"** means the State of Montana.
- 1.1.3  
2        **"Subdivision Extension"** means an extension of the water service to serve a subdivision, Certificate of Survey, commercial or industrial development, or any other similar type annexed parcel of land wherein the extended water system facilities within the development are to be owned by the District, not including any privately-owned facilities.
- 1.1.3  
3        **"Sub Meter"** means a meter or meters which are furnished, installed, and maintained by a customer, and which are installed downstream of the District water meter by the consumer for the purpose of proportioning District water charges between various tenants.



- 1.1.3  
4        **"System Development Fees" means one-time charge paid by new development as a proportionate share of the "general benefit" to finance the construction of public facilities needed to serve the development.**
- 1.1.3  
5        **"Tampering" means damaging, altering, adjusting, or in any manner interfering with or obstructing the operation or function of any metering device that is used for measuring or registering District water service.**
- 1.1.3  
6        **"User" or "Customer" means any person receiving municipal water service either directly or indirectly from the District water supply system. "Water Service" or "District Water Service" means the supply of water directly or indirectly from the District water supply system, or the availability of water supplied either directly or indirectly from the District water supply system, at the point of delivery and also the water so delivered or used.**
- 1.1.3  
7        **"Water Service Area" or "Service Area" means the geographical area which is within the boundaries of the District: a map of which is available at the office located at 1540 Popelka Dr, Billings, Mt.**
- 1.1.3  
8        **"Water Service Line" means all privately owned facilities, including service pipe, corporation stop, curb stop, curb box, municipal water meter box or vault, backflow prevention device, expansion tanks, pressure reducing valve, inside piping, appliances, and other apparatus on the customer's side of the point of delivery, except the District water meter and any other equipment owned by the District.**
- 1.1.3  
9        **"Water Supply System" or "District Water Supply System" means any devices, facilities, structures, equipment, land or works controlled by the District for the purpose of the processing, treatment, transmission, storage, distribution, pumping, and measurement of water supplied to customers.**

## 2 GENERAL

### 2.1 AUTHORITY

These rules and regulations are enacted pursuant to the authority granted to the District under MCA 69-7-201. These rules and regulations are pursuant to any State or Federal laws or regulations which may govern water service within the State of Montana.

### 2.2 INTENT AND PURPOSE

The intent and purpose of these rules and regulations is:

- 2.2.1 To promote the health, safety, and general welfare of the inhabitants of the District and its environs; and
- 2.2.2 To provide the inhabitants of the District and its environs with efficient and economical water service.

### 2.3 JURISDICTION

The jurisdictional area of these rules and regulations shall include any territory, whether situated within or outside the District limits, which is presently or in the future located within the District water service areas and served with District water service. Section 14 defines water service area.

### 2.4 APPLICATION

These rules and regulations are hereby made a part of the contract with every person provided with District water service. Further, every person making application for initiation of such service, or accepting such service, shall be bound thereby.

### 2.5 NON-COMPLIANCE

Any person who shall fail to comply with these rules and regulations after being given a written notice of the nature of the violation, and after being given the time to comply may be subject to discontinuance of District water service. Provided, that in emergency situations, as determined at the sole discretion of the District, such service may be discontinued without notice. District water service shall not be restored until the violation is corrected and full compliance is assured. Further, once service has been discontinued for non-compliance with these rules and regulations, it shall not be restored until the customer involved pays to the District any applicable charges for discontinuance and/or reestablishment of service and restores any required deposits. In addition, persons failing to obey promulgated rules and regulations shall be subject to punishment and penalties.

### 2.6 REVIEW OF ADMINISTRATIVE ACTIONS

Any persons aggrieved by an administrative decision, any rules or regulation adopted, or the application of any rule or regulation governing the operation of the water service may petition the Board for review. The aggrieved shall file a written notice of appeal with District

within 10 days after the date on which the grievance occurred. The notice of appeal shall state the specific action being appealed, the service account number, the reasons for appealing such action, the particular relief sought, the aggrieved person's correct mailing address, and shall be signed by the aggrieved person. The aggrieved person shall be notified in writing by certified mail, return receipt requested, of the date, time, and place the matter will be considered by the Board. The aggrieved person and all other interested persons may appear at that date, time, and place and be heard. The Board shall act on the question at the next regular Board meeting.

## 2.7 OWNER'S DUTY TO USE DISTRICT WATER FACILITIES

The owner of any house, building, or other property used for human occupancy, employment, or recreation, which is situated within the corporate District limits and abuts on any street, alley, or right-of-way in which there is situated District water supply system facilities shall at the owner's expense properly connect and use such facilities.

## 2.8 ACCESS TO CUSTOMER'S PREMISE

Access at reasonable hours to a customer's premise by authorized employees of the District shall be deemed to have been granted to the District by the customer during the time the customer accepts District water service for the purpose of reading meters, testing, repairing, removing or exchanging any or all equipment belonging to the District, examining pipes and fixtures and the manner the water is used, or for the purpose of ensuring that a customer is in compliance with these rules and regulations. All persons must at all times frankly and without concealment answer all questions put to them by said party relative to the consumption of water. Access shall also be granted to employees of the District to cut off the water supply in absence of an outside shutoff valve. If access is denied the District reserves the right to install a shut-off valve and shut the water off.

## 2.9 PERMIT REQUIRED FOR CONNECTION, EXTENSION, OVERUSE

No persons shall uncover, make any connections with, or opening into, extend, use, alter, or disturb the District water system without first obtaining a written permit for the purpose from the District and paying all applicable fees.

## 2.10 UNAUTHORIZED ACTS

No plumber or other person shall make connections with a customer's water service line, connect such water line when it has been disconnected by the District, or turn customer's water on or off, without first obtaining written permission to do so from the CWDBH.

## 2.11 MISCELLANEOUS DEVICES

The CWDBH may require a customer to install, as a condition of continued water service and at the customer's expense, an approved backflow prevention device, an approved expansion tank, an approved pressure reducing device, an approved pumping device, or any other similar type device that the District deems necessary to protect its water facilities, its service products, or its customers/users' facilities. The customer shall be responsible for the testing, operation, and maintenance of all such devices. The District may also require the customer to

semi annual test results on such devices certifying that the devices have been checked by an authorized service representative and are in good working order.

## 2.12 CONDITIONS OF SERVICE

Service shall be provided by the District only under and in accordance with the rules and regulations contained herein, by modifications or additions thereto lawfully made, and under such applicable ordinances, resolutions, rate schedules, and contracts as may from time to time be lawfully established.

## 2.13 INTERRUPTIONS OF SERVICE

The District reserves the right to temporarily interrupt water service to its customers for the purpose of addressing emergency situations or making, connections, extensions, repairs, replacements, and/or additions to the District water supply system. Whenever possible the District will give reasonable notice to its customers in advance of accomplishing such work.

## 2.14 LIABILITY OF UTILITY

2.14.1 The utility shall only be responsible to a customer for providing water service in accordance with the conditions set forth herein, irrespective of ownership of the property served. The District shall not be responsible for inconvenience, damage, or injury to persons or property resulting from the District's termination, discontinuance, or interruption of District water service to any property in accordance with these rules and regulations. Further, the District shall not be responsible for the providing of District water service to a customer at a pressure greater than or less than the pressure existing in the water main at the point of delivery of the customer in question. The District is responsible for the maintenance of the water service from the water main to the curb stop. The customer is responsible for the maintenance of the water line from the curb stop into and including all interior plumbing with the exception of the water meter. Connection at the main will be done by authorized District personnel.

## 2.15 GENERAL MANAGER

2.15.1 Operation and Management. The General Manager shall have control and Management of the water distribution system, and equipment subject to District ordinances and water regulations adopted by the CWDBH Board.

2.15.2 Department Employee Responsibility. The General Manager shall be responsible for the management of the water system and shall be answerable to the Board of Directors of the District.

2.15.3 Supervision. The General Manager shall supervise and conduct the distribution system in accordance with the ordinances of the CWDBH. The General Manager shall have supervision over all contracts Concerning the water system. The General Manager shall recommend the ordering of all equipment and supplies needed to operate or extend or maintain the waterworks plant and distribution system. The General Manager shall supervise, and have charge of all construction, placing and erection of all buildings, engines, pumps, fixtures, filters, basins, wells, intakes, reservoirs, and grounds. The General Manager shall have charge and be responsible for all tools, materials and stocks on hand. The District shall supervise all taps for water service and examine the service pipes to see that they are properly laid and that corp cocks are placed in proper position on each service as provided by regulations. The General Manager shall perform such other duties as directed by the CWDBH Board.

## 2.16 FUNDS

The accounting and billings for the water department funds shall be the responsibility of the Bookkeeper. Water Department receipts and expenditures shall be accounted for in a separate enterprise fund of the District.

## 2.17 DAMAGES TO CWDBH PROPERTY It is prohibited:

2.17.1 To disturb or damage any pipe, district machinery, tools or other property of the District water department.

2.17.2 To throw or place any foreign materials into any of the reservoirs.

2.17.3 To deface or injure any buildings or other improvements of the District Water Department.

2.17.4 To disturb or damage in any manner any watershed, lawn, grass plot, flowers, vines, bushes, or trees belonging to the District Water Department.

## 2.18 ADMINISTRATIVE POLICIES

The office of the Bookkeeper is authorized under this ordinance to adopt certain policies related to the day-to-day operation of the CWDBH Water Services, including policies of service applications, credit policies, billing procedures and other related matters. These policies may be adopted without further resolution or ordinance, however, the District Board reserves the right to oversee the implementation and management of those policies.

### 3 INITIATION AND DISCONTINUANCE OF SERVICE

#### 3.1 SERVICE APPLICATIONS REQUIRED

A person requesting to establish an account for District water service with the District shall make written application for such service with the CWDBH. After approval by the District, the application to establish an account for water service shall constitute the agreement between the District and the customer that the rules and regulations provided herein shall serve as the contract between said parties. Existing customers hereby agree to accept the rules and regulations provided herein as their contract with the District upon passage of said rules and regulations by the CWDBH Board.

##### 3.1.1 Service Application Pre-Requisites

An application to establish an account for District water service shall be accepted by the District only for property that:

- 3.1.1.1 Is located within the District limits and the District's service area;
- 3.1.1.2 Fronts and abuts a water main.
- 3.1.1.3 Has a water service line stubbed to the property line of the property to be Served.
- 3.1.1.4 Is properly plumbed in the dwelling up to and including the meter loop.
- 3.1.1.5 Has paid to the District all applicable fees and any outstanding water bills.

## 3.2 SERVICE APPLICATION PROVISIONS

An application to establish an account for municipal utility service shall contain a provision wherein the applicant agrees to pay to the utility all charges for service provided by the utility to the applicant

## 3.3 SERVICE APPLICANTS

A person requesting to establish an account for District water service must be the owner of the property to be served. The service application shall include the name and mailing address of the owner of the property involved. It shall be the responsibility of the property owner on file with the District to maintain a current mailing address. The owner of the property is held ultimately responsible for payment of water service regardless of the amount used in rental properties. A Landlord agreement must be signed by the property owner to allow the bill to be sent to the tenant that occupies the property.

## 3.4 INFORMATION TO BE PROVIDED

A person requesting to establish an account for District water service shall, upon request by the District, furnish information necessary to verify identity of applicant and service address, including ownership, tenancy, or relationship of applicant to other present or former customers of the District at the service address in question. In the event this information, or any other information required to be submitted under these rules and regulations, is not furnished, service to the applicant or service address involved shall be denied or discontinued until such information is provided. In addition, prior to restoring any service, the applicant must first pay to the District any applicable charges for discontinuance and reestablishment of service.

## 3.5 TRANSFER OF SERVICE ACCOUNT

A customer requesting to have the customer's District water service account transferred to a new address may do so by telephone provided that the customer has an established account for District water service. In the event that the applicant does not have an established account with the District, then the provisions of Section 3.1 regarding submission of such an application, shall apply.

## 3.6 DISCONTINUANCE OF SERVICE BY CUSTOMER

Once District water service is initiated, a customer shall be responsible for payment to the District for any water service provided, including any minimum charges due. A customer shall, under normal circumstances, contact the District at least 48 hours in advance of the need to discontinue the customer's/user's District water service, Saturdays, Sundays, and holidays, excluded.

## 3.7 DISCONTINUANCE OF SERVICE BY CWDBH

The District may discontinue District water service to any customer/user as provided below or as may be provided elsewhere herein these rules and regulations:

### 3.7.1 Without prior Notice

- 3.7.1.1 In the event of any condition determined to be hazardous to property and/or persons.
- 3.7.1.2 In the event a customer/user uses equipment in such a manner that adversely affects the District water supply system that adversely affects District water service to other customers and users.

- 3.7.1.3 In the event of any unauthorized use or diversion of District water service or when any evidence of tampering with or bypassing of the District's water meter is found.
- 3.7.1.4 Upon written receipt of orders from government authority to discontinue District water service.
- 3.7.2 No Less Than 24 Hour's Notice
  - 3.7.2.1 For violation and/or non-compliance with any applicable federal, state, or local laws, and rules and regulations contained herein.
  - 3.7.2.2 For failure of a customer to permit representatives of the District reasonable access to the customers premise for reasons set forth in Section 2.9
  - 3.7.2.3 For failure of a customer to fulfill his/her contractual obligations for service, including, but not limited to, nonpayment of his/her current water bill.
- 3.7.3 Upon 10 Days Written Notice
  - 3.7.3.1 For failure of a customer to keep his/her water service line, meter box/vault, fixtures, and/or any other appurtenances in good repair and in a safe and operable condition.

For the purposes set forth under this section, or any other section contained in these rules and regulations, written notice shall be deemed to have been given by the District when such notice is mailed first class to the name and address of the owner of the property in question currently on file with the District. Whenever service is discontinued under this section the provisions of Section 2.5 regarding non-compliance shall apply.

#### 4 TURN ON AND TURN OFF OF SERVICE

##### 4.1 GENERAL

The District will not turn the water on or off at a customer's curb valve to any property until such time as the owner has established a District water account with the District as required and in addition, has paid to the utility a turn-on fee, if applicable.

##### 4.2 OPERATION OF CURB VALVES

Only authorized representatives of the District shall turn water on or off at a customer's curb valve. The District will not turn the water on at a customer's curb valve unless the customer or an authorized agent thereof is at the customer's premise at that time or a release of liability waiver has been signed by the owner prior to the requested time of reconnection.



#### 4.3 INSPECTION OF METER AND APPURTENANCES REMODELED

At the time the water is turned on, a representative of the District may inspect the District's water meter in question for evidence of tampering/by passing and to ensure that it is sealed properly. All properties may be required to install an approved backflow prevention device and provide surge protection devices at the property owner's expense.

#### 4.4 TURN-OFF FOR NONPAYMENT AND/OR NONCOMPLIANCE

Normally, the District shall not turn the water off on the day before a non-working day for non-payment of charges for District water service or for non-compliance with these rules and regulations however, the District may do so in those cases set forth in Section 3.7.

#### 4.5 TURN-ON AND TURN-OFF LIABILITY DISCLAIMER

The District shall not be liable for any damage to persons or property that may result from the turning on or turning off of the water to a customer's premises as provided for in these rules and regulations or from the water being left on when the premise may be unoccupied.

#### 4.6 LANDLORD RESPONSIBILITY

The real property owner of a rental property shall be primarily responsible for the payment in full of all water bills generated by the real property so billed for said water use. Failure of the real Property owner to pay the bill as and when rendered will subject the property to termination of service. A landlord agreement signed by the owner will allow the bill to be sent to the tenants.

## 5 DEPOSITS

### 5.1 WHEN REQUIRED AND AMOUNT OF DEPOSIT

For the purpose of securing payment of the District water charges, the District may require any prospective customer to file a deposit with the District prior to providing the prospective customer with District water service.

### 5.2 APPLICATION OF DEPOSITS

The District may apply to a delinquent customer's account any or all of such customer's deposit to offset any outstanding bill at the customer's former address.

### 5.3 TRANSFER OF DEPOSITS

Any deposit made under the provisions set forth in this section may be transferred by the District to any address within the District's service area where service is provided in the depositor's name.

### 5.4 FAILURE TO MAKE DEPOSITS

Failure to make deposits, or sign up for service after notification shall be due cause for the District to refuse/discontinue service to the customer involved until such deposit has been made plus the payment of any applicable charges for discontinuance and/or reestablishment of service.

### 5.5 REFUND OF DEPOSITS

The District may at any time refund a customer's deposit or any part thereof by check or by credit to the customer's account.

### 5.6 RECORD OF DEPOSITS

The District shall maintain a record of any deposits filed by customers with the District.

### 5.7 RECEIPT OF DEPOSITS

The District shall issue to a customer from whom a deposit is received a non-assignable receipt. However, the District shall provide reasonable ways and means whereby a deposit may be refunded to a customer who is unable to produce the original receipt. A current picture I.D. may be required to reclaim deposit.

## 6 TEMPORARY AND CONSTRUCTION SERVICE

### 6.1 TEMPORARY WATER SERVICE

District water service provided for a shorter period than 6 months shall be considered temporary, and in such cases, the customer shall be required to reimburse the District for the cost of installing and removing the District's water meter involved. Further, the customer shall at his/her expense install in accordance with District standards any needed water service lines required in order to connect such temporary service as well as remove such facilities, if required, when service is discontinued.

### 6.2 CONSTRUCTION WATER PERMIT REQUIRED

It is prohibited for any contractor or other person engaged in construction work to utilize District water service without first obtaining a written permit from the CWDBH and paying to the District the appropriate fees and charges for such service as determined by the District.

### 6.3 SERVICE FOR BUILDING CONSTRUCTION

A contractor, builder or owner shall take out a permit for use of any District water service in connection With the construction of a building and all such service shall deemed temporary and subject to the provisions of Section 6.1. All water passing through the District water meter shall be billed to the applicant for such a permit at least monthly, and the charges for such service shall be calculated using the current minimum and metered water service schedules of the District. Such bills shall be due and payable when rendered. Failure of the applicant to pay the bill within 30 days after mailing shall be deemed sufficient cause to disconnect service. Once removed, the District water meter shall not be reset for an applicant until all outstanding bills for construction water are paid and the applicant has reimbursed the District for its expenses in removing and installing the meter. In addition, regular District water service to any new building shall not be initiated until all charges for temporary service, including any minimum service charges due, have been paid in full to the utility.

### 6.4 SERVICE FOR PUBLIC WORKS CONSTRUCTION

Application to obtain water by means of a fire hydrant for public works construction shall be made to the District on forms furnished for this purpose by the District. All construction water passing through the District fire hydrant meter shall be billed to the applicant at least monthly and the charges for such service shall be calculated using the District's current minimum and metered water service schedules for a 3-inch meter. Failure of the applicant to pay any bill within 30 days after mailing shall be deemed sufficient cause to immediately remove the District's fire hydrant meter. Once removed, the fire hydrant meter shall not be reset for an applicant until all outstanding bills for construction water are paid.

### 6.5 SEASONAL METER SERVICE

Seasonal meter service shall only be available to customers within the district. Water provided to a customer through a seasonal meter shall be billed to such a customer monthly. Such bills shall be due and payable to the District when rendered. Failure to pay the bill within 60 days after mailing shall be deemed sufficient cause to discontinue service until the outstanding balance is paid

## 7 BILLING

### 7.1 BILLING PERIOD

The charges for District water services shall be billed at least monthly. To meet unusual conditions, such as discontinuances, the District may render bills for service at other than the above mentioned intervals.

### 7.2 BILLS DUE

- 7.2.1 All water bills must be paid to the District office promptly when due. Bills are due upon receipt but shall become delinquent 60 days from the date the billing is mailed. Users shall be notified of any delinquency by the District at the time of delinquency and shall be notified that the service may be discontinued by the District
- 7.2.2 Before water service shall be restored, it shall be obligatory upon said customer to pay all of the delinquent bill and the reconnect fee. All delinquent amounts plus any additional charges must be paid in full before service will be restored. If any delinquent customer desires to have service restored during non-business hours or on weekends or holidays, he/she must pay the required overtime and reconnect fee schedule.
- 7.2.3 Billing & Payment of Water Bills; Delinquent Bills: All water bills shall be considered delinquent if they remain unpaid for 60 days from the date the water bill was mailed from the District .Any customer who is delinquent will receive a Past Due Notice from the district advising them of their Status The amount set forth in the notice must be paid within the next 10 days or their service will be subject to termination.

Once the customer has failed to pay the delinquent amount of the bill within 10 days of the past due notice, the District is authorized to terminate service as follows:

- 7.2.3.1 The customer shall receive notice by mail informing the customer of the date of termination of service unless the outstanding delinquent balance is paid in full within fifteen 10 days of the notice. If payment is not received, service will be terminated immediately. Any customer who received a termination notice will be assessed an additional reconnection fee.
- 7.2.3.2 The District shall be allowed to charge a fee to reconnect the delinquent customer's service.

### 7.3 INFORMATION ON BILLS

As a minimum, a bill for District water service shall show the customer's name and mailing address, the billing date, the billing period, the customer's account number, the service address, the previous and present meter readings and or estimated water usage in gallons, the current and past due charges, the previous balance, and the total amount due.

#### 7.4 REFUSAL OF SERVICE

The District may refuse service to any delinquent customer or to other members of the delinquent customer's household or firm when the request by such person for service may be a means for evading payment of unpaid District water charges.

#### 7.5 MULTIPLE OWNERS

Where District water service is provided through a single meter to property having multiple owners, the District will not apportion the charges for the use of water service among the various owners. The bill for such service shall be charged against the person in whose name the account stands. However, if the one in whose name the account stands fails, refuses, or is unable to pay such bill, the remaining owners shall be responsible for the unpaid District water charges. Such unpaid bills may be cause for discontinuation of service to the property involved until the total amount due is paid plus payment of any applicable charges for discontinuance and/or reestablishment of service.

In instances where more than one service connection is served by a single curb stop, the District may require the property owner to install, or hire a plumber to install, a separate curb stop to any or all of the services in the event the account becomes delinquent. All charges associated with the installation of the curb stop as well as any reconnection charges must be paid by the property owner before reestablishment of service.

#### 7.6 PAYMENT TRANSFERS

Where a customer is liable to the District for water service at one address within the district and is thereafter located at some other address within the district, any amounts due to service furnished at any previous location may be transferred to the customer's account at the customer's current location. Water service may be discontinued at the customer's current location until all outstanding accounts are paid in full, plus payment of any applicable charges for discontinuance and/or reestablishment of service and any required deposits are restored.

#### 7.7 BILL PAYMENT STUB

Whenever possible, a bill payment stub should be presented when a District water account is paid to ensure proper crediting of payment.

#### 7.8 ESTIMATES

In instances where a meter is not read, the District may use estimated water usage in determining a customer's water bill.

## 8 RATES, CHARGES, AND FEES -GENERAL

### 8.1 GENERAL

All rates, charges, and fees for District water service shall be adopted by the CWDBH Board by resolution and as such may be lawfully changed from time to time.

### 8.2 MONTHLY METERED WATER CHARGES

Any monthly metered water charges adopted by the CWDBH Board, or as such may be lawfully changed from time to time, shall apply to all customers that have either direct or indirect water service connections with the District water supply system.

The monthly metered water charge shall be based upon the volume of water, in 1000 gallons (or fractions thereof), which is registered monthly on the District water meter serving a customer. Monthly metered water charges are due and payable as set forth in Section 7.2.

### 8.3 MINIMUM MONTHLY WATER CHARGES

The minimum monthly charge for water service in the District shall be based upon the size of the District water meter used to serve a customer.

### 8.4 CHARGE FOR REESTABLISHMENT OF WATER SERVICE

Any charge for reestablishment of water service adopted by the CWDBH Board, or as such may be lawfully changed from time to time, shall apply to any customer that has had the water service to his/her property discontinued for failure to pay District water charges or for failure to comply with the rules and regulations set forth herein. Once the water service to a customer has been discontinued, such service shall not be restored until the customer involved is in full compliance with these rules and regulations and has paid to the District the applicable charge for reestablishment of District water service, plus payment of any outstanding charges for such Service.

### 8.5 CONNECTION CHARGES FOR WATER SERVICE

Any charges for connection of service lines to the District water system adopted by the CWDBH Board, or as such may be lawfully changed from time to time, shall apply to those wishing to make connections to the existing District water system.

### 8.6 MISCELLANEOUS UTILITY FEES AND CHARGES

Any miscellaneous water fees and charges adopted by the CWDBH Board, or as such may be lawfully changed from time to time, shall apply as follows:

#### 8.6.1 Applicable Fee for Service Area Enlargements

***Reserved.***

8.6.2 Application Fee for Extensions

*Reserved.*

8.6.3 Impact Fees (System Development Fees)

***Reserved.***

8.6.4 Fee for Special Agreements

***Reserved.***

8.6.5 Fee for Performing a Special Meter Accuracy Test

The fee for performing a special meter accuracy test shall apply to any customer that desires the District water meter serving his/her property be tested for accuracy. The purpose of the fee for performing a special meter accuracy test is to compensate the District for its cost in performing such a test in those instances where the District water meter is found by a test to be within acceptable accuracy limits. The fee shall be due and payable to the District at the time of the request for performing a special meter accuracy test is filed with the District.

8.6.6 Fee for Setting/Removing a Fire Hydrant Meter

The fee for setting/removing a fire hydrant meter shall apply to any person submitting to the District an application to obtain construction water by means of a fire hydrant meter, as provided for under Section 6.4. The purpose of the fee for setting/removing a fire hydrant meter is to compensate the District for its expense in setting/removing such a meter. The fee shall be due and payable to the District at the time the application for construction water is filed with the District.

8.6.7 Fee for Performing Fire flow Test

The fee for the performance of a fire flow test by the District shall apply to all persons who request the performance of such a test. The purpose of the fire flow test fee is to compensate the District for its expenses in performing such a test. The fee shall be due and payable to the District at the time the request for a fire flow test is filed with the District.

## 8.7 STATE FEES

Any water supply fees, pollution control fees, taxes, and so on lawfully adopted or changed by the State of Montana and levied against the District shall apply to all customers of the District. Applicable provisions of Section 8 shall apply to these State fees. The District shall pay all money collected from such fees to the State as required under State law.

## 8.8 CHARGES FOR MISCELLANEOUS WORK/SERVICE

The District may require service agreements to be executed by a prospective customer prior to performing any work and/or service for the customer. All charges for work performed by the District for a customer shall be adequate to cover the District's expenses, including but not limited to application, license, construction, permit, and legal fees as well as overhead, but shall not include any profit for the District. The District may revise the charges from time to time to reflect current costs, and the District may estimate such charges and require the prospective customer to deposit an amount equal to such estimated charges with the District prior to performing such work or service. In the event the District has over estimated the cost of performing such work, the District shall refund to the customer any overpayment upon completion of the work by the District. In addition, the customer shall pay to the District an amount equal to the difference between the estimated cost and the actual cost in the event the District has under estimated the cost of the work performed by the District. The charges shall be due and payable to the District upon completion of the work performed.

## 8.9 LATE PAYMENT INTEREST CHARGE

*Reserved.*

## 8.10 OTHER FEES

Any bank charges or other direct costs to the CHDBH as a result of delinquent water bills, will be paid by the customer.

Any work done in connection with a customer's water service will be charged on a time and material basis.

## 8.11 BOOKS OF ACCOUNT

The CWDBH shall keep a complete set of books which shall at all times show the distribution of accounts of the Water Department and said books shall be open to inspection by the public or any officer of the District during the hours the District office is open for business.

## 8.12 SNOWBIRD RATES

A monthly Snow Bird Rate is established for those who temporarily discontinue water service. The charge is a flat rate that is correlated to the fixed costs of the Water District. These are costs that are incurred whether customers use any water or not. The rate will be established and adjusted by the CWDBH Board.



## 9 RATES, CHARGES, AND FEES -CURRENT

### 9.1 SERVICE APPLICATION FEE

All applications for the use of water must be made at the District office on the printed form for that purpose, along with a deposit. Every such application must be made by the owner of the property to be served, the owner's authorized agent or authorized tenant.

### 9.2 WATER TURN-ON FEE

Failure to comply with the rules and regulations established as a condition to the use of water, or to pay the water rates, or any charge or penalty imposed, in the time and manner herein provided, the water may be shut off until payment of the amount due is made, with an addition for the expense of restoring service.

### 9.3 FEE FOR UNAUTHORIZED ACTS

Should the owner or occupant of the premises or any other person(s) turn on the water, or cause it to be turned on, without the District's consent after it has been shut off at the curb stop, it will be turned off at the curb stop by the District, and a charge made for the expense of turning it off and on, payable before the water is turned back on. Any damages resulting from the unauthorized operation of the District's curb stop will result in the property owner paying for any and all necessary repairs required by the District. Water service will not be restored until the costs for such repairs have been paid to the District.

## 10 METERING

### 10.1 GENERAL

Except for fire lines, all water service lines connected with the District water supply system shall be metered by the District. The District shall normally read all District water meters to determine customer water usage for billing purposes. In months where the District water meter Cannot be read the District may estimate the meter reading and use the calculated water usage to render the bill for the customer involved. The District shall not estimate a meter reading for a customer more than four consecutive months without first making every effort to read the meter in question.

### 10.2 DISTRICT'S RESPONSIBILITY It shall be the District's responsibility to:

- 10.2.1 Furnish, install, and maintain a District water meter, and any required Remote reading equipment on every water service line connected with the District water supply system;
- 10.2.2 Approve the size of the District water meter to be installed on any water service line connected with the District water supply system;
- 10.2.3 Ensure that all District water meters are properly sealed prior to installation on water service lines.
- 10.2.4 Periodically check all District water meters that are in service for tampering, bypassing, or any other acts of water theft.

### 10.3 CUSTOMER'S RESPONSIBILITY It shall be the customer's responsibility to:

- 10.3.1 Provide a location approved by the District for installation of the District water meter that is readable and that is properly protected from damage due to freezing or other adverse access conditions. Customer will be Responsible for costs associated with damage due to neglect. Provide proper access of sufficient size to work or maintain water meter as determined by the District.

- 10.3.2 Furnish, install and maintain an approved outside meter box/vault, if approved by the District, as well as any pipe, fittings, meter loops, valves, expansion tanks, backflow prevention devices and surge protection devices on commercial accounts, pressure reducing devices, and other appurtenances required to meet the standards of the District for the type of metering facility involved.
- 10.3.3 Obtain the written approval of the District in advance of installing the plumbing for a large District water meter (1" and larger), whether it be set inside or outside the building to be served; and
- 10.3.4 Protect the District water meter from tampering, bypassing, or any other acts of water theft, without preventing access by the District.

#### 10.4 INSIDE METERING FACILITIES

An inside District water metering facility shall be approved by the District prior to its installation, meet the standards and specifications of the District, and meet the following requirements:

- 10.4.1 The District water meter shall be installed in a horizontal position no less than 2 feet above the floor, and shall be located as close as possible to the point where the water service line enters the building;
- 10.4.2 Mobile Homes and Trailers. Any mobile home or trailer without a permanent foundation will be required to install a meter pit approved by the District.
- 10.4.3 Crawl Spaces. Access doors must be a minimum of 3 feet wide by 2 feet high and not more than 3 feet from meter location;
- 10.4.4 Basements. There shall be no obstructions within 2 feet on either side or in front of meter;
- 10.4.6 The District water meter shall be located near a floor drain if at all possible.
- 10.4.7 As a minimum at least one valve must be located on the mainline coming into the home before the water meter.
- 10.4.8 No meter within the District will be allowed to have a Bypass regardless of the size of the meter.
- 10.4.9 Prior to meter installation the contractor/owner must ensure a visible address on the property requesting the meter installation. The contractor/owner will ensure the the curb stop to the property is at grade and clearly staked and or marked. Failure to meet these requirements will result in the meter not being set and Water service not initiated until the deficiencies are corrected.

## 10.5 OUTSIDE METERING FACILITIES

An outside meter box/vault shall be approved by the District prior to construction, meet the standards and specifications of the District, and meet the following requirements:

10.5.1 The meter box/vault shall be located a minimum of 5 feet inside private property.

10.5.2 The meter box/vault if located near a driveway or turnout and shall be readily accessible to District vehicles without causing damage to public or private property or endangering the public or District personnel.

10.5.3 The meter box/vault shall be waterproof and shall be large enough to safely and easily install, maintain, and replace the District water meter.

10.5.4 The District water meter shall be installed within the meter box/vault in a horizontal position, no less than 2 feet above the floor.

10.5.5 A valve shall be located before and after the District water meter to allow removal of the meter without first draining the water service line and the yard and building plumbing.

## 10.6 USE OF INSIDE/OUTSIDE METERING FACILITIES

As a condition of service, a customer shall normally provide inside metering facilities meeting all the requirements of the District. The District may, however, require any customer to install an approved outside meter box/vault as a condition of providing or continuing water service to the property involved. The District may also require a customer to replace defective outside metering facilities as a condition of continuing water service to the property involved.

## 10.7 PERMANENT, TEMPORARY, OR SEASONAL METER INSTALLATIONS

When a District water meter is installed at the request of a customer, its installation is deemed to be permanent unless the customer discontinues service entirely. Service on a District water meter for a shorter period than 6 months shall be considered temporary or seasonal. The customer shall be responsible for the setting, removal, and storage of seasonal water meters.

## 10.8 SUBMETERS

Customers desiring one or more sub meters for various tenants shall furnish, install, maintain, and read such meters at their own expense. The District shall not furnish, install, maintain, read, or bill on such meters. Further, all District water charges for a single water service line shall be billed to and shall be paid by the person named on the water service application for the property involved.

## 10.9 STANDARD METER AND SERVICE LINE SIZES

The following table shows the size of meter that will be used by the District on various size water service lines.

<u>SERVICE LINE DIAMETER- INCHES</u>	<u>MINIMUM SIZE OF METER- INCHES</u>
3/4	5/8 or 3/4
1	1
1 1/2	1 1/2
2	2
4	4
6	6
8	8

The District will allow only one District water meter for a single water service line.

## 10.10 INTERCONNECTED WATER SERVICE LINES

A customer served by two or more water service lines which are interconnected shall have a check valve located on each water service line at its metering facility to prevent circulation of the water through the customer's meter and water service lines and back into the District water supply system.

## 10.11 SPECIAL METER ACCURACY TESTS

When a customer makes a complaint that the District water charges for any particular billing period are excessive, the District shall, upon request, have the District water meter for the customer involved reread. Should the customer then desire that the District water meter be tested, the customer shall make a deposit with the District to cover the cost of making the test. The District will then test the meter in question. Should the meter test show a registration in excess of 5 percent in favor of the District, the account deposited shall be refunded to the customer and the District shall make an adjustment for the estimated excess consumption on the bill immediately preceding and/or the current bill. The excess registration on the reading for the previous and/or current month shall be credited to the customer's account. Where no such error is found in favor of the District, the amount deposited will be retained by the District to cover the expense of performing the test.

## 10.12 REPLACEMENT OF METERS

Whenever a customer requests the replacement of the District water meter, such request shall be treated as a request for a test of the meter. As such, it shall be handled by the District in the Manner set forth above.

### 10.13 STANDARD OF METER ACCURACY

The District shall not place in service or allow to remain in service without adjustment any District Water meter that has a known error in registration of more than plus or minus 5 percent.

### 10.14 NON-REGISTERING METER

When the District water meter fails to register for any period, and the reason for the malfunction is beyond the reasonable control of the District, the District may estimate the charge for District water service during the period in question. The malfunctioning meter must be repaired/ replaced by the District within one month of the date that the meter was discovered by the District to be malfunctioning.

### 10.15 TESTING AND REPAIRING METERS

The District may test and/or repair a District water meter at any time, and for this purpose the District may temporarily shut off the water to a customer.

### 10.16 DAMAGED METERS AND EQUIPMENT

Whenever a District water meter, cable, remote read device, or any other equipment owned by the District is damaged by the carelessness or negligence of the customer, the District shall repair/replace the damaged equipment and charge the cost of doing so against the customer's account. Failure to pay this charge shall be just cause for the District to discontinue service to the property involved until the total amount is paid plus payment of any applicable charges for discontinuance and/or reestablishment of service.

### 10.17 PROHIBITED TAPS/CONNECTIONS

It is prohibited for any customer to make a tap to or maintain a connection with the customer's water service line at a point located upstream of the District water meter. Such taps and or connections shall be treated as a bypass around the meter.

### 10.18 METER TAMPERING/BYPASSING

It is prohibited for any person to bypass or tamper with a District water meter. It is also prohibited for any person to receive District water service knowing that the measurement of such services is being affected by bypassing, or tampering. In case a meter seal is broken or the working parts of the meter have been tampered with or the meter damaged or bypassed, the District will, in addition to any other penalties provided by law, estimate the time period the tampering took place and will render an estimated bill for that time period to the customer involved. The District will also bill the customer for the full cost of repairing such damage to the meter, and may refuse to furnish water until the customer's account is paid in full plus payment of any applicable charges for discontinuance and/or reestablishment of service.

## 10.19 RELOCATION OF METERS

A customer requesting relocation of the District water meter after its initial installation will bear all costs associated with relocating the meter.

## 10.20 MAINTENANCE OF OUTSIDE METER BOXES/ VAULTS

A customer shall at his/her expense keep his/her outside meter box/vault and appurtenances in good repair, readily accessible, and in a safe and useable condition at all times. Failure to do so shall be deemed just cause to discontinue District water service to the customer involved

## 10.21 FIRE HYDRANT METERS

The following provisions and conditions shall govern the setting, use, and removal of District fire hydrant meters for the purpose of obtaining water for public works construction:

- 10.21.1 Only fire hydrants owned by the District shall be used for this purpose.  
The District reserves the right in all cases to determine upon which particular fire hydrant a District fire hydrant meter shall be installed.
- 10.21.2 The applicant for a meter shall sign the application for such service, shall be responsible for the payment of all fees and charges for such service, and shall be responsible for the protection and care of the meter while it is in use. In addition, any damages to public or private property, including the District fire hydrant meter and the District water supply system, caused by the applicants use of the District fire hydrant meter shall be immediately repaired by the applicant at the applicant's expense. Further, it shall be the applicant's responsibility to secure the operating valve on the District fire hydrant meter whenever the applicant is not using the meter so as to preclude unauthorized use of water through the meter.
- 10.21.3 Only District personnel shall install and/or relocate a District fire hydrant meter. Further, such a meter shall not be installed on a fire hydrant in a manner which will interfere with the fire department's use of the 5-1/4 inch pumper nozzle.
- 10.21.5 District fire hydrant meters shall normally be set on the basis of permit dates, with the earliest date having first priority.
- 10.21.6 Applicants shall give the District at least 48 hour's notice of their need to have a District fire hydrant meter installed.

A fire hydrant meter installed during months when the weather may subject it to freezing is the responsibility of the applicant to insulate and ensure the meter does not become damaged. Further, since service from a District fire hydrant meter is considered temporary, such a meter shall not be installed at any one location for a period greater than 6 months.

- 10.21.7 Applicants for a District fire hydrant meter shall ensure that their filling operations do not cause a cross connection or excessive pressure surges. Failure to do so shall be deemed just cause to immediately remove the District fire hydrant meter from service. Such service shall not be restored until the applicant takes corrective action, takes out another District fire hydrant meter permit, and pays the appropriate permit fees to the District.

## 10.22 SEASONAL METERS

Seasonal meters are used to measure the amount of water delivered by the District to a customer exclusively for lawn and garden irrigation. Said meters shall only be installed on water service lines serving property situated within the District's limits. Further, said meters shall be installed on separate independent water service lines. If the seasonal meter is not located inside a heated building it must be installed in an approved, engineered meter pit or vault to protect it from freezing and/or tampering.



## 11 USE OF WATER SERVICE

### 11.1 WASTE OF WATER

Waste of water is prohibited. Customers shall keep all waterways closed when not in use. Further, customers must keep their water service lines, valves, fixtures, appliances, and other equipment in good order at all times and at their own expense. Leaking water service lines, valves, fixtures, appliances, and other equipment shall be repaired at once by the customer without waiting for notice from the District.

### 11.2 CROSS CONNECTIONS

Furnishing of water service to any customer or prospective customer shall be contingent upon the customer furnishing a type of connection which is approved by the District. When required by the District, the connection must be capable of protecting the District's water supply from contamination due to backflow and back siphoning. It shall be prohibited for the owner or occupant of any premise using water supplied by the District to cross-connect such water supply with a foreign source of water or with any appliance, appurtenance, hose, pipe, or other fixture in such a manner that there is a possibility that water or other substances from such foreign source may flow, be siphoned, or be forced into the District water system.

If contamination of the District water supply occurs, the District, or a plumber hired by the District, shall be allowed to inspect the water system to determine the cause and source of contamination. All costs associate with the inspection and corrective measures to remove contamination from the system shall be charged to the owner of the property which is determined to be the source of said contamination.

### 11.3 RESALE OF WATER

The District's water rate schedules cover the sale of water for the sole and exclusive use of the customer. Water service shall be used by the customer only for the specified in the service agreement, contract, or applicable rate schedules. A Customer shall not re-meter, sell, or permit any other individual to use such service or secure water through a customer's service line by hose or other devices for the purpose of supplying water to the individual's property without first obtaining written permission to do so from the District.

### 11.4 WATER USE RESTRICTIONS

The General Manager, as directed by the CWDBH Board, is authorized to determine and establish the times and hours when water may be used for watering and sprinkling lawns and gardens and may set and fix times when no water may be used for such purposes. Further, he/she may make such rules and regulations regarding the use of water as he/she may find necessary to maintain an adequate supply of water in the reservoirs for fire protection of the District or for other public health and safety reasons.

## 11.5 UNLAWFUL SPRINKLING OF LAWNS AND GARDENS

Any person using water for the purpose of watering or sprinkling of any lawn and/or garden at a time prohibited by the rules and regulations established by the General Manager shall be subject to discontinuance of water service as well as any punishment and penalties available under law.

## 12 WATER SERVICE AREAS

### 12.1 ADOPTION OF SERVICE AREA

The official water service areas for the District are those areas within the boundaries of the District, any areas presently served outside the District, and any subsequently approved amendments thereto. A map depicting the water service areas adopted herein, and any enlargements that may be from time to time approved by the CWDBH Board, shall be made available at all times for public inspection during regular working hours at the CWDBH Office, Billings, Montana.

### 12.2 PROHIBITED ACT

It is prohibited for any person to extend, or cause to be extended, beyond the water service area boundaries any public or private water system facilities which are, in turn, either directly or indirectly connected with the District water system.

### 12.3 ENLARGEMENT APPLICATION

Persons desiring water service to serve properties located either partially or entirely outside the service areas shall make application to the CWDBH Board on a special form furnished for this purpose by the Board. Such application shall be supplemented by any plans, reports, or other information considered pertinent.

## 12.4 PREREQUISITES TO APPLICATION

The following conditions shall be met prior to making application for enlargement of the water service areas:

12.4.1 The property at the time the application is filed:

12.4.1.1 Shall be contiguous to the boundary of the water service areas as same exists;

12.4.1.2 Shall entirely fall under the CWDBH's Growth Policy.

12.4.2 Applicant shall complete annexation requirements.

12.4.3 Provided that, should a state or federal Governmental entity as a condition of providing funds or grants, require that service be extended to other areas outside the scope of this section, the CWDBH Board may, upon receipt of application for waiver and upon a proper showing, waive the requirements of this section.

Information concerning the prerequisite conditions set forth in this section may be obtained from CWDBH Staff during normal working hours at the CWDBH Offices, 1540 Popelka Drive Billings, Montana.

## 12.5 APPLICATION REVIEWS AND RECOMMENDATIONS

The General Manager shall review all water service area enlargement applications so filed, and upon completion of said review shall submit to the CWDBH Board for their review and consideration such applications with recommendations and comments attached hereto. Any applications which are filed with the CWDBH Board at least 2 weeks prior to the next regularly scheduled council meeting, shall be submitted to the Board at the next regularly scheduled meeting. Applications filed less than 2 weeks prior to the next regularly scheduled Board meeting, need not be submitted until the next regularly scheduled meeting following the date of submission of the application.

The CWDBH Board shall review each water service area enlargement application filed for the purpose of determining compliance with the following specific conditions:

12.5.1 Each application for enlargement of the water service area so filed shall be accompanied with a legally binding, and lawfully recorded special agreement wherein 100 percent of the owners-of-record of the property under consideration for inclusion in the service area shall have agreed to the following:

12.5.1.1 To waive their right to protest any future water special improvement districts

12.5.1.2 Agree to fully comply with all rules, regulations, resolutions, ordinances, and laws governing the providing of water service by the District, or as same may be lawfully changed from time to time,

- 12.5.1.3 Make commitment to construct all the necessary water system facilities and to begin development of the entire parcel of property to be included in the water service area within 2 years from the date of the CWDBH Board's approval of the enlargement application. In the event the applicant fails to comply with this particular commitment, the property in question shall automatically be excluded from the service area; and,
- 12.5.1.4 Agree to fully comply with any such other conditions and/or requirements as the CWDBH Board may establish from time to time.
- 12.5.2 Under no circumstances shall the CWDBH Board grant approval to any applicant for enlargement of the water service areas which would include property in the service area that is beyond the service capabilities of the District system.
- 12.5.3 The General Manager, in his/her recommendations and comments to be submitted to the CWDBH Board, shall address each of the aforementioned conditions and specifically set forth in writing whether or not the application Under consideration fully complies, partially complies, or fails to comply with each of said conditions.

## 13 WATER EXTENSIONS

### 13.1 INTENT AND PURPOSE

The intent and purpose of the rules and regulations set forth in this section are to:

- 13.1.1 Provide for an orderly, planned, and cost-effective method of extending the District water system within the service area;
- 13.1.2 Ensure that extensions to the District water system are properly designed, inspected, and constructed in accordance with appropriate health, utility, and fire suppression standards; and
- 13.1.3 Facilitate the administering and documenting of all activities relating to extensions of the District water system.

### 13.2 PROHIBITED ACT

Any unauthorized person is prohibited from extending or causing to be extended, either directly or indirectly, any portion of the water system without first obtaining in writing the necessary approvals and paying the appropriate fees and charges as required and set forth herein.

### 13.3 APPLICATION AND FEE

A prospective customer, or a group of prospective customers, desiring water service to serve property which is situated within the water service area, and which does not front or abut a right-of-way containing a public water main or sanitary sewer, shall make application in writing to the CWDBH Board on a special form furnished for this specific purpose by the CWDB Board.

Said extension application shall be supplemented by engineered plans or other information considered pertinent. The appropriate application fee adopted under or as such may be lawfully changed from time to time, shall be paid by the prospective customer or group of prospective customers, to the CWDBH Board at the time the water extension application is filed. All such extension applications shall be signed by the owners of record of the property to be served by the extension involved, or their legally designated representative, and shall be properly witnessed by a notary public.

### 13.4 WATER SERVICE AREA

The CWDBH Board shall not accept for consideration a water extension application which is intended to provide District service to property, or any portion thereof, which is situated outside the service area. Prior to acceptance for consideration of an extension application for such property, the property shall be included in its entirety within the service area.

### 13.5 APPROVAL OF EXTENSIONS

Subject to all the requirements and conditions set forth in this section, the CWDBH Board is hereby authorized to grant approval of water extension applications submitted to the CWDBH Board. All such approvals granted by the Board shall be in writing.

The CWDBH Board shall grant approvals of water extension applications in a nondiscriminatory manner. In addition, all such extensions so granted by the CWDBH Board shall be non assignable to other property. If the extension is to be done in phases or separate filings with phases, each phase or filing must be completed, approved and accepted by the District before any subsequent phases or filings will be granted approval for extension. Further, if the construction of the extension has not commenced within 2 years from the date of the Board's written approval of the extension application involved, the CWDBH Board's approval shall automatically be deemed void and no longer in force and effect. No refund of fees will be made to the applicant if approved extension construction has not commenced within 2 years of the approval.

### 13.6 CHARGES AND REGULATIONS

A prospective customer, or group of prospective customers, granted permission to extend the District water system in accordance with the provisions set forth in this section shall be deemed to have contracted with the District for the service of the District water supply system and thereby to have agreed to pay all charges and to comply with all the District's regulations in regard to said service, or as such may be lawfully changed from time to time.

### 13.7 SYSTEM CONSTRUCTION FEES AND CHARGES

Any applicable District water system construction fees and charges to be assessed against the property included within an extension application pursuant to provisions of ordinances and/or resolutions approved by the CWDBH Board shall be paid to the District at the time the extension application is filed. If the extension application is subsequently denied, then in that event the construction fees and charges so collected from the applicant shall be refunded without interest.

### 13.8 INTRODUCTION OF DISTRICT SERVICE APPLICATIONS

Applications for introduction of water service to service previously unserved property which fronts and abuts a right-of-way containing a public water main, but which has never been assessed for the cost of constructing an extension of the system, shall be subject to all applicable provisions, requirements, and conditions stated in this section for extensions. In addition, any special system construction or development fees and charges to be assessed against the property involved shall be paid in full to District at the time the application for introduction of service is filed. Subject to all applicable requirements and conditions set forth in this section, the District is hereby authorized to approve in writing such type applications. The District shall be responsible for maintaining a permanent file of all such applications so approved.

### 13.9 METHODS AND FINANCING OF EXTENSIONS

Extension of the District water system shall be accomplished by means provided for by law or by private contract. Prospective applicants desiring to extend the District water system shall first, and prior to creation of such a district or entering into such a contract, have made an application to the CWDBH Board for extension of the system and have obtained the approvals and have paid the fees and charges required. All costs of extending the system shall be borne by the owners of the property to be served from the extension in question, except as may be otherwise set forth in this section. The Board shall not grant and/or construct free extensions to serve any property with District water service.

### 13.10 OWNERSHIP OF EXTENSIONS

The ownership of all extensions constructed within the District at its expense or by private contract shall be vested in the District regardless of whether or not such facilities are located within or outside the boundaries of the District limits.

An applicant constructing an extension within the District limits by means of a private contract shall be deemed to have conveyed the ownership of such an extension to the District upon acceptance of the extension by the District. The District shall at that time have assumed complete control over the facilities so extended, including the right to connect additional customers to the extended facilities as well as the right to further extend said facilities.

### 13.11 MAINTENANCE OF EXTENSIONS

The District shall be responsible for the maintenance of extensions only when the ownership and control of said extensions are vested in the District. The responsibility for installation, operation, maintenance, repair, enlargement, or replacement of facilities that are privately owned and/or controlled by persons other than the District shall rest solely with the owners of facilities.

### 13.12 WATER SERVICE LINES AND FIRELINES

During the course of constructing an extension to the District water supply system, a water service line and/or a fire line, whatever is deemed appropriate, shall be stubbed to the property line of each lot and/or parcel of property included in the extension application. The cost of installing each such water service line and fire line shall be borne by the owner of the property benefitted by said water pipes. The District shall be notified of the date construction is to commence so as to facilitate inspection of construction activities.

All water service lines and fire lines installed during the course of constructing extensions to the District water supply system shall be individually and appropriately marked in the field in a manner acceptable to the District. Also, the location of each such water service line and fire line so installed shall be accurately depicted on the as-built drawings for the extension involved, with the appropriate offset distances measured from respective property lines set forth and shown for each such water service line and fire line. In addition, the invert elevation at the end of each stubbed water service line and fire line shall be legibly noted on the as built drawings.

### 13.13 FIRE HYDRANTS, VALVES, AND OTHER APPURTENANCES

Fire hydrants, valves, and other appurtenances shall be designed and installed as a necessary part of an extension to the District water supply system, and the cost of same shall be borne by the prospective customer, or group of prospective customers, to be provided water service from the water extension involved. The operation, maintenance, repair, enlargement and replacement responsibilities for such type facilities shall be vested in the persons having ownership and control of the facilities so extended. All designs of such appurtenances must be approved by the District prior to any construction.

### 13.14 RIGHTS-OF-WAY, LICENSES, AND PERMITS

An applicant requesting an extension of the District water system shall at applicant's expense be responsible for securing all rights-of-way, licenses, and permits that may be required in order to construct, operate, maintain, repair, and replace the facilities to be extended.

Whenever possible extensions of the District water system shall be installed entirely within public rights-of-way. However, if proven to be impractical to do so, and if the CWDBH Board's approval is first obtained, extensions may be installed within utility easements granted to the District by the owners of record of the property involved.

Public rights-of-way and utility easements shall be brought to official and final grade prior to or immediately after construction of extensions and shall be a minimum of 20 feet in width. The District may require additional widths where unusual maintenance problems exist.

All utility rights-of-way and easements shall remain open and unobstructed to permit ready access of any vehicles and other equipment needed to operate, maintain, repair, enlarge, and replace facilities situated within said rights-of-way and easements. Installation of surface obstructions within such rights-of-way and easements shall be at the risk of the owners of said obstructions. Replacement of such obstructions that are removed to permit access to District water system facilities shall not be the responsibility of the District.

All dedicated rights-of-way and utility easements within a subdivision shall be shown and identified on the dedicated plat and on the extension contract drawings. All water easement agreements shall be subject to the District's approval, shall meet the District's standards for such type agreements and be in legal form, shall be recorded with the County Clerk and Recorder's office, and shall run with the land. A copy of the final recorded water easement agreement shall be provided to the CWDBH Board prior to granting approval of the plans and specifications or the extension involved.

### 13.15 FACILITY PLAN

All extensions to the water system shall be designed and constructed in such a manner and in such a way so as to comply with applicable provisions of the District's latest, adopted facility plan for that system. The District shall not grant approval of extensions which are in non-compliance with said facility plan.



### 13.16 SUBDIVISION EXTENSIONS OF WATER SUPPLY FACILITIES

All public water supply, necessary off-site public water mains required to serve a subdivision, including connecting and cross-tie water mains, as well as the water mains in, to, around, and through said subdivision, shall be installed by and at the expense of the applicants or developers of an approved water extension of the District water supply to serve the subdivision in question. Said applicants or developers shall also extend the District water supply system to the farthest point or points of their subdivision at their expense. Said applicants shall also at their expense have, during the course of construction, gps/gis coordinates taken of every valve, curb stop, corporation stop, mainline fitting, and any span of water main line without fittings at 100' intervals. This information will be given to the District upon completion of the extension along with the as built drawings.

### 13.17 INDIVIDUAL EXTENSIONS

Extensions of the District water supply system to serve a single customer shall be subject to all conditions and requirements set forth in this section

### 13.18 OVERSIZING EXTENSIONS

The District reserves the right to direct a prospective customer, or a group of prospective customers, requesting an extension to the water system to install larger system facilities than that required to serve the area included in said customer's extension application and/or agreement. Any increase in pipe size up to and including 12-inch water pipe shall be borne by the applicant requesting an extension of the District water supply.

### 13.19 STAGED CONSTRUCTION OF EXTENSIONS

Whenever public streets and extensions to the District water system are proposed to be constructed in stages to serve a new subdivision or other phase of development, the public water mains, fire hydrants, and other District water system facilities shall be extended and installed beyond the proposed paving limits of the public street in question so as to preclude unnecessary excavations in said paved public streets when a future approved extension is to be constructed. The cost of designing and installing said stubbed out facilities shall be borne by the customers initiating the approved extension involved and will be made part of and constructed with the extension in question.

### 13.20 EXCAVATIONS

Persons opening up, digging into, excavating, or tunneling in any public right-of-way or utility easement for the purpose of constructing extensions or making connections with the water system, whether same be situated within or outside the boundaries of the District limits, shall, prior to performing such work, obtain in writing at their expense all necessary approvals, permits, licenses, surety bonds, and/or public liability insurance certificates that may be required by the agency or person having jurisdiction and control over such public right-of-way and utility easements.

Any privately-owned property which may be disturbed and/or damaged by a person contracting to construct extensions to the District water system or a connection therewith, shall be restored at said person's expense to a condition equal to or better than the condition existing prior to such construction..

### 13.21 PROFESSIONAL ENGINEER

All extensions of the water system shall be under the direct charge and supervision of a professional engineer licensed in the State of Montana. The District will not accept any Plans or specifications for extensions of the water system unless they bear the seal and Signature of such a professional engineer.

### 13.22 CONTRACT PLANS AND SPECIFICATIONS

The contract plans and specifications for an extension of the water system shall be approved in writing by the CWDBH Board and the State Department of Environmental Quality prior to commencement of any construction of a water extension. The District prohibits the construction, alteration, or extension of any system of water supply or water distribution without first submitting necessary maps and plans and specifications to the State Department of Environmental Quality for their approval.

Final construction plans for extensions of the water system shall be in engineering design drawings on standard plan-profile sheets. All elevations depicted on the plans shall be based upon United States Geological Survey (USGS) datum. Contract specifications shall be in a format suitable to the District.

Contract specifications shall be in a format suitable to the District, and as a minimum, said specifications shall be in a similar format and contain the required provisions recommended by the American Society of Civil Engineers, the American Consulting Engineers Council and/or the National Society of Professional Engineers for such type specifications, with appropriate modifications to reflect State and local laws and conditions.

### 13.23 DESIGN STANDARDS

All extensions of the water system shall be designed in compliance with the standards for such work that may be adopted from time to time by the District and the State Department of Environmental Quality. All properties other than single family residential dwellings will be required to be hydraulically modeled. The hydraulic modeling will be performed by the District's engineering firm. Any and all costs for the modeling shall be borne by the applicant requesting the system connection or system development. The District's policy and submittal requirements for the hydraulic modeling can be obtained at the District office or online at the District's website.

### 13.24 MATERIALS AND METHODS OF CONSTRUCTION

The materials and methods of construction used in the installation of extensions to the water system, or the making of connections to this system, shall conform to the requirements of the latest version of the Montana Public Works Standard Specifications and the District's addendums to the specifications.

### 13.25 CONSTRUCTION AND FINAL INSPECTION

The professional engineer having direct charge of and supervision over a water extension project shall provide at his/her expense full-time, on-site inspection during the construction of the extension project. The engineer is to ensure that such construction work is being performed in accordance with the approved contract plans and specifications for the project and in accordance with the District's standards and regulations.



## 13.26 SIZE AND SPACING CRITERIA FOR WATER SYSTEMS

The following minimum size and spacing criteria shall govern the design of extensions to the District water supply system:

- 13.26.1 Main Size. In a high value area a 12-inch diameter water main shall be the minimum standard diameter of public water main installed. An 8-inch diameter water main may be used in a high-value area only where it completes a closed gridiron and where the water main is of short distance and closely interconnected with other mains.

In a residential area an 8-inch diameter water main shall be the minimum standard diameter of public water main installed.

Certain public water mains that are not required to provide water for fire suppression, and which may never be extended, may be reduced in size to meet customer demands provided the written approval of the District is first obtained. If larger public water mains are required to serve a new development, the prospective customer, or group of prospective customers requesting the water extension involved shall install such larger water mains at their expense.

- 13.26.2 Water Main Valves. Valves shall be situated on District water mains so that the maximum shut-off lengths do not exceed 500 feet in high-value areas and one block, or 800 feet, whichever is less, in residential areas. All such valves so required shall be of the same diameter as the public water mains they are appended to.

- 13.26.3 Fire Hydrants and Branches. Whenever possible, grid ironing of District water mains shall be planned so that not more than one fire hydrant will be installed on a 6-inch diameter water main between intersecting mains, and not more than 2 fire hydrants installed on an 8-inch diameter water main between intersecting mains.

In industrial, warehouse, institutional, shopping center, or other high-value areas within or outside the principal business district, there shall be 1 or 2 fire hydrants at each street intersection, depending upon the character of the area, with intermediate fire hydrants placed so that they are not over 500 feet apart.

In residential areas there shall be 1 fire hydrant installed at each street intersection with intermediate fire hydrants located so that said fire hydrants are spaced not over 500 feet apart

Fire hydrant branches shall have a minimum diameter of 6 inches. In all cases a hydrant leg shall consist of a valve on each side of the feeder main tee and one hydrant leg valve. All valves shall be situated no less than 2' from the tee.

13.26.4 Dead-ends. Dead-end water mains shall be only be allowed for short periods or in phases of the construction process whereby looping of the water main will commence at a later date.

13.26.5 Blow offs. A standard fire hydrant or 2 inch main guard blow off shall be installed at the end of each dead-end District water main to facilitate flushing the water main.

#### 13.27 DEPTH OF WATER MAINS AND APPURTENANCES

District water mains and appurtenances shall be installed in rights-of-way at a depth to prevent freezing during the winter months. The minimum depth of bury for public water mains and appurtenances shall be 6 feet, as measured perpendicularly from the right-of-way surface, or a design grade approved in writing by the District, to the top of the District water main. The CWDBH Board may permit installation of District water mains and appurtenances at a lesser depth provided special construction methods are utilized to prevent freezing.

#### 13.28 STANDARD UTILITY SITING

Whenever possible and practical a District water supply system constructed in public rights of way in new subdivisions shall be situated and installed in such a manner and such a way as to conform to the Districts standards.

#### 13.29 POINT OF CONNECTION OF EXTENSION

The location of the point of connection of water extensions to the District system shall be as determined by the District. Such determination shall be based upon findings that reasonable utility standards are followed in fixing the point of connection and that no substantial deterioration of the overall quality of service to existing customers will result from permitting such a connection. In addition, fire suppression water in sufficient quantities, pressure, and reliability to serve the water extension in question shall be considered in determining the location of the point of connection of water extensions to the District water supply system.

### 13.30 CONNECTION TO WATER SUPPLY SYSTEM

During the course of constructing water extensions and/or making connections to the water supply system, taps to District water mains that are presently in service shall be authorized only by representatives of the District. All expenses associated with the making of such taps by District shall be borne by the person requesting the water extension in question.

All other work such as, but not limited to, any traffic control and construction signing work, any excavating work, and any surface restoration work shall be performed by and at the expense of the person installing the water extension in question. Fittings for tapping District water mains and any other materials needed to tap the District water main shall be provided by and at the expense of the person installing the water extension and/or connection in question.

The person installing the water extension shall be responsible for providing safe trench conditions at all times when the employees of the District are making a tap to the District water main. Failure to provide such safe trench conditions shall be cause for immediate refusal by the District to perform any such tapping work.

Persons desiring a tap made to a District water main shall notify the CWDBH at least 48 hours in advance of when the tap is needed. No taps to a District water main will be made after regular working hours. Persons requesting such taps shall have the District water main uncovered, have the tapping sleeve installed and pressure tested and ready for the tap to be made at the time designated by the District

### 13.31 PROJECT NOTICES AND OTHER CORRESPONDENCE

The professional engineer in charge of a water extension project shall submit on a timely basis to the District a copy of the advertisement for bids for the extension project, a copy of the bid summary, a copy of the executed contract documents, a copy of all notices to the installing contractor, a copy of all shop drawing submittals for the project, a copy of all change orders for the project, and a copy of any other pertinent project correspondence between the engineer and the installing contractor.

### 13.32 TESTING, FLUSHING, AND DISINFECTING EXTENSIONS OF WATER SYSTEM

All approved extensions of the District water supply system shall be properly and satisfactorily pressure tested, flushed, and disinfected by the person constructing such an extension following AWWA C651-14 and District standards of disinfection for the extension prior to acceptance by the District. All costs of performing such testing, flushing, and disinfecting shall be borne by, and at the expense of, the person constructing the extension involved. The professional engineer in charge of a water extension project shall provide for the inspection and supervision of all phases of flushing, testing, and disinfection operations of the person constructing the extension in question.

An authorized representative of the District shall witness the performance of all pressure testing operations of the person constructing an extension to the District water supply system. In addition, said authorized representative shall operate all valves on the existing water supply system during the testing, flushing, and disinfection operations of newly extended water system facilities.

The costs incurred by the District in witnessing pressure tests and in operating existing water supply system valves during the testing, flushing, and disinfection operations of newly extended water system facilities shall be borne by and at the expense of the person constructing the water extension involved.

All bacteriological sample collecting and testing required in conjunction with the disinfection of newly extended water system facilities shall be conducted in the presence of a representative of the District. The cost incurred in the collection of these samples and tests shall be borne by and at the expense of the person installing the water extension involved.

### 13.33 AS-BUILT DRAWINGS

Upon completion of construction of an extension to the water system, the professional engineer for the project shall submit as-built drawings for said project to the District. The as-built drawings so submitted shall accurately depict all field changes accomplished during the course of construction and shall be certified by the professional engineer as to being an accurate depiction of the location of all facilities, including service lines, installed during the construction phase of the project. A complete version of the drawings on disk and a full size set of as-builts will be provided to the District within 30 days of completion and acceptance of the project by the District.

### 13.34 ACCEPTANCE OF EXTENSIONS BY CWDBH

After an extension project has been completed and has satisfactorily passed the District's final inspection, the professional engineer in charge of the extension project shall certify in writing that the project has been constructed and completed in conformance with the approved contract documents and is now ready for acceptance by the District. The date of official acceptance shall be established in writing by the CWDBH Board and shall be used as it may apply for maintenance guarantees and other extension contract purposes. No service lines connected to the extended facilities shall be activated for customer use nor shall any building construction start until such time as the extension project has been accepted in writing by the District.

### 13.35 WARRANTY AND GUARANTEE

Persons who contract to do any construction work pertaining to the District water system shall, by appropriate performance bond filed with the District guarantee all materials and equipment furnished and work performed for a period approved by the CWDBH Board, from the date of acceptance of the work by the District. Said persons shall warrant and guarantee for a period of not less than one year from the date of acceptance of the work that said work is free from all defects due to faulty materials or workmanship, and said persons shall promptly make such corrections as may be necessary by reason of such defects. In the event the persons performing such work fail to make such repairs, adjustments or other work that may be made necessary by such defects, the District may make arrangements for the performance of such work by others and charge said persons the cost thereby incurred.



### 13.36 OPERATING EXISTING VALVES, HYDRANTS, AND APPURTENANCES

Existing water supply system valves, fire hydrants, and other appurtenances shall be operated only by authorized CWDBH employees during the course of constructing extensions to the District water supply system or making connections to the water supply system. It is prohibited for unauthorized persons to operate said valves, fire hydrants, and other appurtenances on the District water supply system.

### 13.37 PROTECTION OF EXISTING WATER SYSTEM

Extended water lines that are to be connected to existing water system facilities during construction of water extensions shall not be connected to the existing water system until the extended water lines have satisfactorily passed the required tests and inspections set forth in this section and those set forth in the contract specifications for the extension involved. Under no circumstances shall any groundwater, surface water, mud, sand, rock, or other foreign material be allowed to enter the existing water system during the course of constructing, extensions or making connections to the existing District water system. Persons installing water extensions, or making connections to the existing District water system, shall become liable to the District for any expense, loss or damage occasioned to the District by reason of their failure to prevent any foreign material from entering the existing District water system.

### 13.38 INTERRUPTIONS OF SERVICE

A person constructing an extension to the District water system, or making a connection therewith, shall be responsible for notifying existing customers 48 hours in advance of any interruptions in their service which may result from said person's operations. The specific method of notifying such customers shall be approved by the District first and before the interruptions take place. Any such interruptions shall be held to a maximum of 8 hours.

### 13.39 DAMAGES TO EXISTING SYSTEMS

Persons constructing extensions to the water system, or making connections to said system, shall be liable for any damages to existing system facilities or other public or private property occasioned by their operations

## 14 WATER SERVICE LINES, FIRELINES, AND CONNECTIONS

### 14.1 PERMIT REQUIRED

No unauthorized persons shall uncover, make any connection with or opening into, use, alter, repair, extend, or otherwise disturb any water service line, fire line, any connection of a water service line, fire line, or combination thereof with a District water main; or any appurtenances thereto.

Public contractors will not be subject to the requirements set forth in this section when stubbing-out service lines, fire lines, or combinations thereof in conjunction with public construction projects which have been previously approved in writing for construction by the District.

### 14.2 APPLICATIONS AND FEES

Persons desiring to obtain a service line installation permit shall make application to the District on a special form furnished for this purpose by the District. The permit application shall be supplemented by any plans, specifications, or other information deemed to be important. The appropriate permit and fees will be paid to the District at the time the application for service is filed with the District.

#### 14.3 CONNECTION, CONSTRUCTION, AND DEVELOPMENT CHARGES

Any applicable connection charges and/or system development fees assessed against the property to be served pursuant to provisions of ordinances and/or resolutions approved by the CWDBH Board shall be paid to the District at the time the service line installation permit application is filed with the District. Such charges are non-transferable and non-refundable.

#### 14.4 BOND AND LIABILITY INSURANCE

Persons who contract to make connections to public water mains, or to install service lines, fire lines, appurtenances, or combinations thereof, or to make repairs, alterations, or extensions to such facilities, shall file with District Staff, a bond in such amount as deemed appropriate by the Board. Said bond shall be in a form approved by the District's Attorney and shall indemnify and hold the District harmless from any loss or damage that may directly or indirectly be occasioned by the installation, repair, alteration, or extension of such service lines, appurtenances, fire lines, or the connection of same with public utilities; and that he/she will restore the streets, sidewalks and pavements over pipe he/she may lay, and fill all excavations made by him/her so as to leave such streets, sidewalks and pavements in as good condition as he/she found them.

In addition, said persons shall file with District Staff a certificate of public liability insurance in an amount acceptable to the District. Said certificate shall be in a form approved by the District's Attorney and shall be conditioned to hold the District harmless from any damage or injury whatsoever to any person or property of any description, however owned, by reasons of any work performed in making connections with public water mains, installing service lines, appurtenances, or fire lines, or making repairs, alterations, or extensions to such facilities. Said persons may furnish a yearly bond and insurance certificate conditioned as herein above set forth.

#### 14.5 GUARANTEE

Persons who contract to make connections to public water mains or to install service lines, fire lines, appurtenances, or combinations thereof, or to make repairs, alterations, or extensions to such facilities, shall guarantee all materials and equipment furnished and work performed for a period of one year from the date of completion of said work. Said persons warrant and guarantee for a period of up to 2 years from the date of completion of the work that said completed work is free from all defects due to faulty materials or workmanship and such persons shall promptly make such corrections as may be necessary by reason of such defects, including the repairs of any damages to the public utilities resulting from such defects. The District shall give notice of observed defects with reasonable promptness. In the event the persons performing such work should fail to make such repairs, adjustments or other work that may be made necessary by such defects, the District may make arrangements for the performance of such work by others and charge such persons the cost thereby incurred.

#### 14.6 INSTALLATION, OWNERSHIP, AND MAINTENANCE

Water service lines, appurtenances, and fire lines are owned by the owner of the property served. Said owners shall keep their service lines, fire lines, and appurtenances in good repair and condition at all times and, in addition to any other penalties, if not repaired within 10 days after receipt of notice by the District to do so, service to the property involved may be discontinued. Except as otherwise provided herein this document, all costs and expenses incidental to the installation of service lines, appurtenances, fire lines, or making connections of same with the public utilities, or making repairs, alterations, or extensions to such facilities, shall be borne by the owners of said facilities. Service lines, fire lines, and appurtenances are non-transferable and shall run with the property originally served by said facilities. If a water service line needs repair and is the responsibility of the District or is deemed an emergency, prior notice to the property owner is not required.

#### 14.7 UNDERGROUND UTILITY INFORMATION

MCA 69-4-501 through 69-4-506, as amended, sets forth certain procedures for obtaining information concerning underground utilities prior to making or beginning any excavation in any public street, alley, utility easement, or right-of-way dedicated to the public use. Said sections also set forth penalties for failure to comply with the provisions of said State statutes when making connections to public water mains and sanitary sewers or installing service lines, appurtenances, fire lines or making repairs, alterations, or extensions to such facilities.

#### 14.8 EXCAVATIONS

Persons opening up, digging into, excavating, or tunneling in any public right-of-way or utility easement for the purpose of making connections to public utilities or to install service lines, fire lines, or appurtenances, or to make repairs, alterations, or extensions to such facilities shall prior to performing such work obtain in writing at their expense all necessary approvals, permits, licenses, surety bonds, and/or public liability insurance certificates that may be required by the agency or person having jurisdiction and control over such public rights-of-way or utility easements.

Information concerning permits for excavating within public rights-of-way under the jurisdiction and control of the County and the State may be obtained by contacting the County Surveyor's office and the Montana Department of Transportation, respectively. In any case, streets, sidewalks, park-ways, and any other public property disturbed in the course of the work shall be restored in a manner satisfactory to the public authority having jurisdiction and control over such public property.

#### 14.9 TRAFFIC CONTROL AND CONSTRUCTION SIGNING

When working within public rights-of-way or utility easements, persons making connections to public utilities, or installing service lines, fire lines, or appurtenances, or making repairs, alterations, or extensions to such facilities shall comply with the traffic control and construction signing standards of the agency having jurisdiction and control over the rights-of-way and utility easements involved. In any case, all excavations shall be adequately guarded with barricades and lights so as to protect the public from hazard.

#### 14.10 Service Line Location

Separate and independent water service lines shall be provided for each individual residence. Water service lines shall be connected to the District utility main located within the public right-of-way abutting and fronting the property to be served. The curb stop will be located within 5 feet of said property's frontage on the right-of-way involved. In any case, the location and arrangement of all service lines shall be approved by the District prior to construction of such facilities.

If a parcel of land does not front a public water main, then prior to the District granting a service line installation permit to the owner of such property, said property owner shall at his/her expense extend the public utility to a location determined by the District.

#### 14.11 WATER WELLS

Water wells will be allowed within the District or on property served by the District water system for the purposes of irrigation only. Water wells shall not be connected to the District water system in any manner. Domestic potable water must come from the District water system.

#### 14.12 MULTIPLE BUILDING SERVICE AGREEMENTS

In the event it is determined by the District that it is impractical to construct an independent and separate service line, or fire line to serve each building or a group of buildings, such as mobile home courts, planned unit developments, and large commercial or industrial establishments, which are located on a single parcel of land under ownership by a single entity, then in that event the District may allow more than one separate building to be served by a single service line.

#### 14.13 ABANDONED WATER SERVICE LINES

Property owners desiring to abandon water service lines, fire lines, or combinations thereof shall cause same to be disconnected at the property owner's expense at the point of connection with the public water main. Any service line above 2 inch will not be allowed to be plugged and capped. The tapping tee or in line tee will be required to be completely removed from the main. All specifications for the removal of such services can be obtained from the District. All abandoned service lines must be inspected and verified by the District prior to being backfilled.

#### 14.14 MINIMUM DIAMETER OF WATER SERVICE LINES

The minimum diameter of water service lines to be installed to serve any property shall be 3/4 inch. Water service lines shall be installed as a single line without couplers to the curb stop. Fire lines shall be of uniform diameter from the public water main in the public right-of-way to the property line of the property to be served. The diameter of water service lines and fire lines shall be subject to the approval of the District. The size of the service line will be uniform from the main to the base of the meter loop and the size of the meter will be uniform to the size of the service line.

#### 14.15 DEPTH OF WATER LINES

To prevent freezing, water service lines, fire lines, or combinations thereof shall be laid no less than 6 feet below the street surface or top of grade. Where existing conditions do not allow minimum cover requirements the District may grant approval for engineered insulation to be placed above the waterline to prevent freezing. The insulation will be laid according to the District's standards and modifications to the MPWSS.

#### 14.16 MATERIALS AND METHODS OF CONSTRUCTION

The materials and methods of construction used in the installation of water and wastewater service lines, fire lines, and appurtenances, their connection with the public water main; and the repair, alteration, or extension of such facilities shall all conform to the requirements of the MPWSS and the County Water District of Billings Heights Standard Modifications to the MPWSS. In addition, all joints and connections of the water service line or fire line, including their connection with the public water main, shall be watertight and sustain a pressure of not less than 200 pounds. Traffic control and construction signing trench excavation, backfilling, compaction, and surface restoration shall all comply with the requirements of the MPWSS and the agency having jurisdiction and control over the rights-of-way and utility easements affected by such work.

#### 14.17 CURB VALVE

A separate and easily accessible curb valve and cast iron curb box meeting the requirements of the District shall be installed within 5 feet of the property line on each water service line, fire line, or combination thereof at the expense of the customer requesting such water service line or fire line. The specific location and arrangement of the curb valve and curb box on the water service line, fire line, or combination thereof shall be as designated and approved by the District. The District is responsible for fixing curb boxes and curb valves and will charge customers a monthly fee for the maintenance and repair of curb boxes and curb valves.

#### 14.18 POINT OF CONNECTION TO PUBLIC WATER MAIN

The point of connection of a water service line or fire line with the public water main shall be determined and approved by the District prior to making such connection. In the event a water service line or fire line has previously been stubbed to the property line of the property to be served, then in that case the connection shall be made to the stubbed-out water service line or fire line in order to provide the required service to said property.

In any event, every water service line shall have an approved corporation stop or gate valve installed on the service line at or near its connection with the public water main. The corporation stop or gate valve shall be provided at the customer's expense.

Water mains should be tapped on the top quarter, unless the water main is shallow, in which case tapping on the side is acceptable if approved by the District. All service line connections shall have a minimum of 36" separation between corporation stops if serving opposite lots and 5' separation between corporation stops for adjacent lots.

#### 14.19 INSPECTION AND TAPPING NOTIFICATION

Applicants for water service line installation permits shall notify the District 48 hours in advance of when the facilities authorized to be installed by the permit are ready for inspection and/or connection to the public utility. Upon such notification, the District shall, whenever possible, schedule the inspection and, if necessary, the tapping of the public utility on or before the next regular working day for the District immediately following such notification. No inspections or taps will be made after regular working hours. Persons requesting an inspection shall be ready to have the inspection at the time designated by the District.

#### 14.20 DAMAGE TO PUBLIC WATER MAINS

The person installing water or wastewater service lines, fire lines, or appurtenances, or making connections to utility mains, or making repairs, alterations, or extensions to such facilities shall cause to be immediately repaired at his/her expense any damage to the public water mains occasioned by his/her operations.

#### 14.21 SERVICE LINE STUB-OUTS

The District hereby requires that connections from the public water main to the property line of the adjacent property shall be made prior to the permanent improvement of the streets whereon they are located. The making of such connection on streets already improved, or on unimproved streets shall be in accordance with all applicable provisions.

In case the owners of the property on such streets fail to make such connections prior to commencement of such street improvements, the District may cause such connections to be made, and shall assess against the property in front of which said connections are made the entire cost and expense thereof.

#### 14.22 PROTECTIVE DEVICES FOR WATER SYSTEM

When it is deemed necessary by the District to protect a customer's facilities and or the municipal water supply system the District may require a customer to install, as a condition of continued water service and at the customer's expense an approved expansion tank, pressure reducing valve, backflow prevention device, pressure relief valve, or any other similar type device on a customer's water service line at a location designated by the General Manager. Customers shall be responsible for keeping such protective devices in good repair and effective operating condition at all times, and failure to do so shall be just cause to discontinue water service to the property involved.

#### 14.23 FIRELINES

Fire lines shall be applied for and installed in compliance with the appropriate requirements of this section, and, in addition, they shall comply with the District's standards of design and construction for fire lines. All fire lines above 2" will be pressure tested and disinfected according to the District's standards.

All fire lines which connect to the District water supply system shall have District approved reduced pressure principle backflow preventer installed on same to prevent backflow into such system. In addition, fire line loops connecting with the District water supply system at more than one location shall have District approved fire service meters installed at the entry points on the fire line loops to prevent circulation of water through customer's fire lines into the District water supply system.



## 15 FIRE HYDRANTS

### 15.1 PUBLIC FIRE HYDRANTS

All public fire hydrants installed in the water service area and within the boundary limits of CWDBH, and which are connected directly to public water mains, shall be under the ownership of the District. Such hydrants shall be installed at the expense of the property benefitted by such hydrants. The location of all hydrants shall be as directed by the District.

### 15.2 OPERATION OF PUBLIC FIRE HYDRANTS

No person, other than a member of the CWDBH Staff and/or other authorized District employees, shall open or operate any public fire hydrant without permission of the District.

### 15.3 RELOCATION OF PUBLIC FIRE HYDRANTS

Fire hydrant installations shall be deemed permanent after they are installed. Requests for the District to relocate fire hydrants shall be considered only if expenses of relocating the fire hydrants will be borne by the individual or entity requesting the relocation.

### 15.4 OBSTRUCTING PUBLIC FIRE HYDRANTS

No person shall obstruct access to public fire hydrants by constructing fences or other structures within 5 feet or by piling snow or parking within 15 feet of a hydrant in such a manner as to prevent ready access to the public fire hydrants. In addition, no person shall plant trees, shrubs, bushes, or other plantings in such a manner as to prevent ready access to the public fire hydrants.

Further, no person shall change the ground surface level in and around a public fire hydrant so as to render the hydrant inaccessible and/or inoperable. Any person found in violation of this particular regulation shall be given written notice to remove such obstruction at his/her expense and, if such violation is not corrected by the person involved within 10 days from receipt of written notice, the water supply to said person's property shall be turned off by the District.

### 15.5 DAMAGES TO PUBLIC FIRE HYDRANTS

Any person damaging or defacing a public fire hydrant shall be responsible to the District for the repair of such damage.

### 15.6 PAINTING OF PUBLIC FIRE HYDRANTS

The painting of public fire hydrants shall be accomplished only by employees of the District or individuals authorized to do so by the District. All public fire hydrants shall be painted using the District's standard color scheme.

## 15.7 PRIVATE FIRE HYDRANTS

Private fire hydrants are owned by the customer. The costs of installing, operating, maintaining, and replacing such hydrants shall be at the expense of the customer. Customers shall pay to the District the rates in accordance with District's approved rate schedules. Any misuse of private fire hydrants, such as selling water from a private hydrant, is grounds for immediate discontinuance of water service.

## 16 EXISTING FACILITIES

### 16.1 INTENT AND PURPOSE

The intent and purpose of the rules and regulations set forth in this section are to:

16.1.1 To set standards for contractors involved in system improvements within the District service area in which existing District facilities may come in conflict with other system improvements.

16.1.2 To ensure that any and all conflicts with Existing District facilities are resolved to the standards set forth by the District.

### 16.2 SYSTEM IMPROVEMENTS

System improvements as defined for this section includes any improvements within the District service area where streets, or infrastructure may be improved or constructed.

### 16.3 EXCAVATIONS

Persons opening up, digging into, or tunneling in any public right of way or utility easement for the purpose of constructing system improvements within the districts service area shall, prior to performing such work, obtain in writing at their expense all necessary approvals, permits, locates, licenses, surety bonds, and or public liability insurance certificates that may be required by the agency or person having jurisdiction and control over such public right of way and utility easements.

Any privately owned property or District owned property which may be disturbed and or damaged by a person contracting to construct system improvements within the District service area shall be restored at said persons expense to a condition equal to or better than the condition existing prior to such construction.

### 16.4 NOTICE

Any contractor performing system improvements within the District shall be required to give 48 hours notice to District customers prior to any interruptions of water service. Any interruption in service will be held to a maximum of 8 hours. Any disruption of service needing more than 8 hours will require the contractor to provide temporary water service to the District customers affected at the contractor's expense.

### 16.5 EXISTING SERVICE LINES

Any existing service line that may, due to system improvements, need to be moved, crossed, lowered, extended, or adjusted in any way, will be done so as to conform to the District's standards regarding District service lines. Any existing District service line damaged in the course of construction of said system improvements will be replaced at the contractor's expense from the corporation stop to the curb stop. Any repairs by fittings or three part unions may only be temporary to restore service to the customer until proper notice can be given to the customer of a loss of service to replace the service line. All service lines affected by such system improvements will be inspected by District personnel prior to being backfilled.

#### 16.6 EXISTING MAIN LINES

Any existing main line that may, due to system improvements, need to be moved, crossed, lowered, extended, or adjusted in any way, will be done so as to conform to the District's standards of construction regarding District water main lines. Any existing District water main line damaged during the course of construction of said system improvements will be repaired at the contractor's expense. All water main lines affected by such system improvements will be inspected by District personnel prior to being backfilled.

#### 16.6 MAIN LINE VALVES AND SERVICE LINE CURB STOPS

All District main line valves and service line curb stops will be kept free from obstruction and be readily accessible and operational at all times during all phases of system improvement construction. It is the contractor's responsibility to ensure that said valves are kept in good condition throughout all phases of construction. Any valve or curb stop found to not be kept in this condition will be remedied, repaired by the contractor at their expense. Any damages to District facilities or home owner's facilities due to inoperable main valves or curb stops will be borne by the contractor.

#### 16.7 STANDARDS FOR CONSTRUCTION

Any existing District facility involved in system improvements needing to be moved, extended, lowered, crossed, or adjusted in any way will be done so in accordance to the District's construction standards. These standards can be found in the MPWS and the District's addendums to these standards. It is the contractor's responsibility to review these standards prior to commencement of such system improvements. The project engineer shall be responsible for providing the District with system improvement plans in which any District owned property may be affected or altered. All such work done by contractors will be subject to inspection by District personnel during construction and prior to being backfilled.

