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TECHNICAL SERVICES
DRINKING WATER PROGRAM

41-00461

Rivergrove Water District
Ordinance 99-2

Rivergrove Water District

ORDINANCE NO. 99-2

AN ORDINANCE ESTABLISHING REGULATIONS FOR THE DISTRICT WATER SYSTEM, PROVIDING FOR WATER SERVICE FEES AND CHARGES; ADOPTING MEASURES FOR COLLECTION OF FEES AND OTHER MATTERS PERTAINING THERETO; AND REPEALING ORDINANCES ENTITLED "RULES AND REGULATIONS OF THE RIVERGROVE WATER DISTRICT," EFFECTIVE JUNE 1, 1975, AND "CROSS CONNECTION ORDINANCE SECTION XVI," EFFECTIVE MAY 16, 1997.

THE RIVERGROVE WATER DISTRICT ORDAINS AS FOLLOWS:

SECTION 1. Purpose.

(1) The District is a municipal corporation, whose primary purpose is to supply water within the confines of the District or without, in the manner approved by the Board and in accordance with applicable law.

(2) The purpose of this ordinance is to authorize charges, rates and fees for the use of the District water system, to regulate the use of District water, to regulate the construction, maintenance and operation of the system, to provide for discontinuance of service, to regulate connections to the system and to provide for collection of charges.

(3) The District finds that the operation and maintenance of the District water system and a portion of the costs of construction of the system should be funded through user charges imposed against those persons and activities using or receiving service from that system.

(4) The intent of the Board is that this ordinance be construed to impose charges for use of the District water system and for services of all kinds provided by the District, rather than to impose taxes upon property.

(5) It is the policy of the District to provide clean, healthful, and plentiful water to its residents. There may be circumstances beyond the District's control, however, including most particularly weather conditions and the effects of natural catastrophe or the actions of others on the District's water supply sources, that make it necessary to reduce the water regularly used by the District's residents and apportion among the District's residents a restricted supply of water. In those circumstances, the District intends that water be apportioned in a manner that is consistent with the relevant provisions of this ordinance, is determined by the District to be equitable under the circumstances, and takes into account public health and safety.

(6) The purpose of this ordinance is also to provide maximum protection of the public water supply of the District from the possibility of contamination or pollution by isolating within the customer's internal distribution system(s) or the customer's water line, such contaminants or pollutants that could backflow into the public water system. The Cross Connection Protection program goal of the Rivergrove Water District shall be premise isolation of customer's services.

(7) The District has authority to adopt this ordinance pursuant to ORS Chapter 264.

(8) This ordinance shall be known and may be cited as the "Water Service Ordinance."

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SECTION 2. Definitions.

“Appurtenance to the distribution system” means any additional plumbing and/or backflow assembly that is added to the service connection in order to comply with ordinance regulations.

“Auxiliary water supply” means any water source or system other than the public water system that may be available in the building or on the premises.

“Backflow” means the flow in the direction opposite to the normal flow or the introduction of any foreign liquids, gases, or substances into the District water system.

“Backflow Prevention Assembly”: An assembly designed to prevent backflow, including but not limited to the following:

“Double check valve backflow prevention assembly” or **“double check assembly”** or **“double check”** or **“DCVA”** consists of two independently operating check valves, which are spring-loaded or weighted. The assembly comes complete with a shutoff valve on each side of the checks, as well as test cocks to test the checks for tightness.

“Reduced pressure backflow prevention assembly” or **“RP assembly”** or **“RPBA”** means an assembly containing two independently acting approved check valves together with a hydraulically-operated, mechanically independent pressure differential relief valve located between the check valves and at the same time below the first check valve. The assembly shall include properly located test cocks and tightly closing shut off valves at both ends of the assembly.

“Board” shall mean the Board of Directors of the Rivergrove Water District, the District’s governing body.

“Boresight” or **“boresight to daylight”** means providing adequate drainage for backflow prevention assemblies installed in vaults through the use of an unobstructed drainpipe.

“Contamination” means the entry into or presence in a public water supply system of any substance, which may be deleterious to health, and/or quality of the water.

“Cross connection,” means a point in the plumbing system where the public potable water supply is connected directly, or has the potential of being connected, to a source of non-potable substance that is not a part of the public potable water supply.

“Cross Connection Program Director” means the Rivergrove Water District Board authorized employee or agent in charge of the cross connection program.

“Customer” shall mean any person granted or provided water service by the District.

“Customer’s water line” shall mean the pipe, valves and fittings leading from the water meter into and including the premises served.

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“Degree of Hazard” means the low or high hazard classification that shall be attached to all actual or potential cross connections.

“District” means Rivergrove Water District, a **municipal corporation**.

“District Manager” means the person appointed by the Board as the District Manager or the District employee, employees or agent whom the District Manager may designate to carry out all or portions of the administration of this ordinance.

“High hazard” means the classification assigned to an actual or potential cross connection that potentially could allow a substance that may cause illness or death to backflow into the potable water supply.

“Low hazard” means the classification assigned to an actual or potential cross connection that potentially could allow a substance that may be objectionable, but not hazardous to one’s health, to backflow into the potable water supply.

“Main” or **“Water Main”** shall mean the pipe in the street, alley, right-of-way or easement owned and maintained by the District for the purpose of distributing water to customers and servicing fire hydrants.

“Meter” shall mean a device for measuring the flow of water to a particular premise.

“Person” shall mean and include any natural person, firm, partnership, association or corporation.

“Point of use” means the point at which the actual or potential cross connection exists.

“Point of use isolation” means the appropriate backflow prevention in the customer’s water line at which the actual or potential cross connection exists.

“Potable water supply” means water supplied by the District intended for human consumption and other domestic use.

“Premise” means any building, structure, improvement or parcel of land, which may now or at some future time receive water service from the District.

“Premise isolation” means the appropriate backflow prevention at the service connection between the public water system and the water customer.

“Shut-off” of water service shall mean suspension of service pending payment of delinquent charges or compliance with District regulations.

“System” shall mean all or any part of the water system owned and operated by the District and includes but is not limited to all service lines, meters, hydrants, premise backflow assemblies, revisions, treatment, filtration plants, and appurtenances for distribution.

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“**System hazard**” means an actual or potential threat of severe danger to the physical properties of the public or consumer’s potable water system or of a pollution or contamination, which would have a detrimental effect on the quality of the potable water in the system.

“**Termination**” of water service shall mean permanent disconnection of service and the closing of the service account.

“**Thermal expansion**” means heated water that does not have the space to expand.

“**Vault**” shall mean an enclosure used to protect meters, valves or similar devices.

SECTION 3. Ownership of System.

(1) The water system is owned by the District. None of the properties or system facilities of the District may be disposed of without approval of the Board. Legal title to the entire system, including all mains, laterals, service lines, service connections, water meters, meter boxes, reservoirs, pumping stations, fire hydrants, and all facilities and appurtenances, is vested in the District and shall be operated only by duly authorized employees, personnel, contractors, and agents of the District. The District shall at all times have the exclusive jurisdiction, possession and control thereof.

SECTION 4. Water System Operation.

(1) No person other than the duly authorized agents of the District shall connect to any main or service of the system or interfere with the operation of any of the system facilities whatsoever. No person shall be permitted to install, move, change, tamper with or in any other manner interfere with a service connection, water meter or appurtenances of the District system.

(2) No person shall turn on or off any meter or service or operate any valves, which are part of the system. Customers shall install a master shut-off valve as close to the meter location as practical, the operation of which will control the entire water supply from the service. Operation by any customer of the curb stop in the meter box is prohibited. In the event a curb stop is damaged due to use by a customer, the District shall charge the customer the associated reasonable expenses incurred for repair of the curb stop and such charge must be paid prior to repair.

(3) Persons other than duly authorized District agents or contractors and members of regularly constituted fire departments shall not operate fire hydrants. Fire department members shall be permitted to connect and use fire hydrants for the express purpose of fighting fires or testing in accordance with such procedures, as the District shall establish.

SECTION 5. Responsibility and Liability of the District.

(1) The District shall maintain and repair its mains, service lines, meters, structures, facilities and all appurtenances so as to keep them in repair and operative condition at all times insofar as practical and reasonable, and in accordance with budgeting restrictions.

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(2) The District shall not be liable for damages or otherwise responsible because of interruptions or discontinuance of water service or variations in water pressures.

(3) Because of potential interruptions due to construction, repair and damages from an earthquake, flood, electrical brown out, the District advises all customers to keep on hand emergency potable water of one gallon per person per day for a minimum 72 hour period.

(4) The District shall have the right, in cases of inadequate supply or shortage of water, to determine how water from the system may be used, and may establish regulations limiting water use. The District may give preference to those uses determined to be in the best interests of the public health, welfare or necessity, and shall give highest priority to household use, which shall not include irrigation of lawns or fields.

(5) By making application for water service or by using water service supplied by the District, every applicant, customer or user shall be deemed to grant to the District, its duly authorized agents and employees, the right to enter upon the concerned premises to which water is furnished at all reasonable times for the purposes of inspection for compliance with this ordinance and meter reading.

SECTION 6. Use of Water.

(1) The District shall furnish water for ordinary domestic, household, business, and community use, and for such sprinkling, irrigation, industrial, commercial, flood debris washing, and fire fighting purposes as the system can reasonably supply.

(2) The District Board may, by Resolution, institute a program of water rationing or conservation. Such program may consist of limitations on the use of water as to hours, purpose or manner.

(3) Resale of water purchased from the District by a customer may only be permitted by approval of the District, which shall be in writing and specify the appropriate conditions therefor.

SECTION 7. Furnishing Water.

(1) The District shall not be obligated to furnish and install system facilities for all properties and premises within the District. The District shall, so far as reasonable and practicable and within its financial means, provide adequate source of supply, necessary primary feeder mains, storage facilities and other improvements to make water service generally available to all areas within the District.

(2) The costs of main extensions and other facilities to furnish water to areas and premises, developed or not, not now being furnished water from the system, shall normally be at the expense of those persons requesting such services. Such extensions shall be performed only by the District or its duly authorized agent or by those with express written authorization and permission of the District under such terms and conditions, as the District shall require.

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SECTION 8. Water Service Application and Connection.

(1) Application for water service shall be made in writing by the owner or tenant of the premises to be served, or the owner's duly authorized agent, on regular application forms furnished by the District. No water service will be provided until the District approves the application, all required conditions of approval have been met, and required payments have been made.

(2) All applications shall include:

- (a) The signature of applicant;
- (b) The location of the premises for which the service is requested;
- (c) Date the applicant will be ready for service;
- (d) The address to which all bills shall be sent;
- (e) Social security and driver's license number of applicant;
- (f) Whether the applicant is owner or tenant of the premises; and

(3) Upon approval of an application, the applicant shall execute a Customer Services Agreement committing to abide by all rules, regulations and ordinances of the District and such other terms as the District may determine necessary.

(4) Consistent with the Oregon Public Records law, District personnel shall regard as confidential any additional information furnished by an applicant at the District's request; provided, however, the District shall in no way be responsible for disclosure of said information. Failure to supply such information when requested shall be deemed sufficient cause to deny the application.

(5) All applications for service shall be in the names of all owners or tenants of the premises. Two or more persons who join to make and submit a single application for service shall be jointly and severally liable for all applicable charges. Where the address of each person is indicated as the same, separate bills need not be sent.

(6) The District may shut off water service if service to the premises is turned on without first submitting an application and obtaining District approval. In addition to other remedies provided by these regulations, before service is restored following shut off pursuant to this section, the applicant shall pay double the applicable rate for the quantity of water consumed as determined by the District.

(7) Where service to premises is provided, charges imposed and billed, and such charges have remained unpaid and the account has become delinquent, in addition to other remedies provided by these regulations or other law, the District may require the following as a condition of providing future water service to that premise:

- (a) For leased premises where the tenant's account has become delinquent and the tenant vacates the premises without satisfying water service charges previously incurred, then before the premises are provided future water service, the owner (provided it is the same owner who previously leased such premises when the water service account became delinquent) of such premises shall satisfy the outstanding water service charges and submit a joint application with the future tenant.

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(b) The District may refuse to provide service to any premises where the person to whom service has been provided has failed to pay previously imposed water service charges until such unpaid charges are paid in full.

SECTION 9. Service Connections.

(1) No person shall install a new service connection or attempt to install a new service connection to the system without first completing an application and receiving an installation permit from the District. No person shall excavate, fill, dig up, cut or otherwise alter any street, sidewalk, curb, gutter, or do any other such work in order to install a water meter or line or connect to the system without first obtaining a permit in writing from the District. A new service connection shall not be granted until the applicant has obtained all necessary development and/or building permits from applicable jurisdictions. For purposes of this section, "new service connection" includes any connection to a parcel at which a prior service has been terminated pursuant to Section 12.

(2) New service connections shall be not less than one inch in size from the main to the meter box. Service line and meters shall be first quality, together with such fittings, connections, meter box, shut-off valve, etc., as the District may require.

(3) When, in the judgment of District personnel, unusual conditions exist which require extra fittings, meter boxes, vaults or other safeguards to assure adequate volume and pressure of water to an individual service and/or to minimize repair and maintenance problems inherent in the installation, the District may require the applicant to pay the cost of such additional fittings, meter vaults or other safeguards at customary District charges in addition to the usual meter and service installation charges.

(4) Persons requesting larger than normal service connections for fire protection or other services which necessitate an expansion of water mains to accommodate increased flow may be required to pay for the cost of water mains needed to supply the required flow.

(5) Except as authorized by the District, a separate service and meter to supply regular water or fire protection service shall be required for each building, residential unit or structure served. For nonresidential uses, separate meters shall be provided for each structure.

(6) Service to a building or premises containing multiple or mixed commercial or industrial uses shall be furnished through the number and sizes of meters determined by the District. Each such case shall be considered separately based upon the water demands of the uses.

(7) If a service connection to any premise is abandoned, discontinued by the customer or terminated by the District, the District may remove such service. Should a service be required at a later date at the same location, the service shall be considered a new service, and the applicant shall pay all fees applicable to a new service installation and shall meet all required conditions of approval which the District may require.

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SECTION 10. Discontinuance of Service by Customer.

(1) Any occupant or owner of property connected to the water system may discontinue further water service charges pursuant to this Section. If notice of discontinuance is not given as provided in this Section, the customer shall remain liable for all charges on service to the premises.

(2) A customer desiring to discontinue service shall notify the District with the following information: the customer's name, the date of discontinuance, the name of the property owner, the name of the new occupant of such premises, if known, and a forwarding address for the final bill. The District shall then cause the meter to be read on the date of discontinuance.

(3) Temporary suspension of water connection or service by a customer is not permitted.

SECTION 11. Delinquencies and Subsequent Shut off of Water Service by District.

(1) Water service charges shall be due and payable on the date of billing and become delinquent if not paid by the 10th of the following month. If a customer does not make prompt payments of water service charges, the account shall be delinquent and water service to the customer may be shut off in accordance with the procedure set forth in this section.

(2) Prior to the date scheduled for shut-off, the District shall notify the customer of the scheduled shut-off as follows:

(a) Unless the front door of the premises is inaccessible, the District agent shall attempt to contact the occupant at such premises.

(b) If no adult person responds at the premises to the District's agent's attempted contact, then a written notice shall be sent to the customer by first class mail or shall be affixed either on or near the door.

(3) The notification provided to the customer under this section shall state the following:

(a) Water service will be shut off due to nonpayment of water service charges;

(b) Water service shut off may be avoided by paying delinquent charges;

(c) If water service charges are disputed, the customer may contact the District office at 635-6041; and

(d) A specific date and time when water service will be shut off unless delinquent charges are first paid or unless the District Finance Department is notified that the water service charge is disputed. Such shut-off date shall not be less than five (5) days from the date notification is provided.

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- (4) The District shall shut-off water service to customer and/or premises:
- (a) Whose accounts have become delinquent.
 - (b) Where the customer is found in violation of mandatory water rationing or conservation. Shut off will be effective immediately upon District notification to the customer.
 - (c) Where the customer failed to complete, sign, and return a water use survey required under Section 25 of this Ordinance.
 - (d) Where the customer failed to conduct a required annual test of a point of use backflow assembly.
 - (e) Where the customer failed to discontinue use of all cross connections and to physically separate cross connections.
 - (f) Where the customer is in violation of any rule or administrative regulation of the District and where the customer failed, after five days' written notice to comply with such rule or regulation.
 - (g) Where the demand for service is greatly in excess of past average or seasonal use or where excessive demand for such premises may be detrimental or injurious to the water service furnished to others or results in inadequate service to others

(5) The District shall not re-establish water service to premises where services have been shut off involuntarily unless and until appropriate arrangements are made with the customer for satisfaction of water charges due the District.

(6) The District shall charge each customer a turn-on fee for restoring service. The District will restore service to premises where service has been shut off involuntarily only during posted business hours.

(7) The failure of the District to shut off or terminate water service for any reason, including the non-payment of water service charges due, unless so notified, shall not relieve the owner of the premises or customer from the obligation and duty to pay for all such charges, whether or not the owner or customer has knowledge of any delinquencies for charges

SECTION 12. Termination of Water Service by District.

- (1) The District shall terminate water service to customers and/or premises:
- (a) Whose accounts have become delinquent, and the account is not brought current within ninety (90) days of shut-off pursuant to Section 11.
 - (b) Where the customer is in violation of any rule or administrative regulation of the District and where the customer failed, within 90 days of shut off to comply with such rule or regulation.
- (2) The failure of the District to shut off or terminate water service for any reason, including the non-payment of water service charges due, unless so notified, shall not relieve the

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owner of the premises or customer from the obligation and duty to pay for all such charges, whether or not the owner or customer has knowledge of any delinquencies for charges.

SECTION 13. Regular Service.

Where a service connection and meter have been lawfully installed, regular service shall be provided upon application and payment of all charges. The date of initiation of regular service to a customer shall be the date of completed installation as determined by the District.

SECTION 14. Outside User Service.

(1) The District may, by contract, provide water service to persons or properties outside District boundaries. Service to persons and property outside the boundaries of the District shall be at the discretion of the Board. Such service may only be made if the District has sufficient surplus water over and above its requirements within the District. Such service, if provided, may be discontinued at any time if the interest and needs of the District so require. Any such service installation shall be required to meet and abide by all rules and regulations of the District with respect to installation, maintenance and service.

(2) All persons and properties covered by this section shall pay 130 % of all applicable monthly rates and fees paid by water system customers within the District.

(3) All persons and properties receiving water service pursuant to this section shall be subject to the provisions of the District's Water Service Ordinance, as now or hereafter constituted, as well as any rules and regulations adopted pursuant to such ordinance.

SECTION 15. Bulk Water Service.

(1) Where available, a contractor or property owner may request temporary service through a fire hydrant by means of a hydrant meter. Operation and use of all District hydrants shall be in accordance with such procedures, as the District shall establish, including bulk water use procedures adopted by resolution.

(2) A person requesting hydrant service shall pay a deposit for such meter as specified by District resolution. Charges for water furnished through a hydrant meter, and for tools and equipment provided with a hydrant meter, shall be established by District resolution.

(3) If a hydrant meter or other equipment is damaged during the period in which such equipment is used, the applicant will reimburse the District the cost of replacement or labor and materials of making necessary repairs. Where such repair costs exceed the replacement cost, then the applicant shall pay the replacement cost only.

(4) Upon termination or discontinuance of temporary hydrant service, the meter and all equipment provided by the District shall be returned to the District. The District without further notice shall terminate or discontinue hydrant service connection six months after such service is provided unless applicant submits and District approves an extension. Where the hydrant service is terminated or discontinued and the meter has not been returned to the District

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within ten (10) days, in addition to requiring the return of District equipment, the District may retain any remaining deposit.

(5) Users of bulk water service shall make use of such service only pursuant to a valid permit, and shall produce or display such permit at any time upon request by District personnel.

SECTION 16. Fire Protection Service.

(1) Fire protection facilities, including fire hydrants and stand-by fire protection systems, will be allowed under the following conditions:

(a) Upon written application and upon payment in advance of the cost of such service to the District, the District may install an additional fire hydrant. The size, location, type and other factors involved with hydrants shall be governed by District standards.

(b) Where a fire hydrant is installed on private property, the installation shall be in conformity with the requirements of the District.

(c) Any owner requesting service for a stand-by fire protection system shall furnish and install a service meter and appropriate backflow assembly approved by the District. Charges for fire protection service shall be adopted by District resolution.

(d) The service connection and all equipment appurtenant thereto, including the meter, shall be the sole property of the District. The District is without authority to furnish fire protection service and undertakes to furnish only domestic water service. The District has no responsibility for loss or damage due to a lack of adequate water supply or water pressure for fire protection.

SECTION 17. Contracts/Special Services

(1) The District's provision of water service, connected as a result of application made and accepted by the District, shall be considered as a contract in which the applicant agrees to abide by all rules and regulations as are in effect at the time of connection, or as may be adopted or modified thereafter by the Board, and to pay all bills and charges in a timely manner.

(2) Whenever an applicant's or customer's requirements for water service are unusual, large, or subject to great fluctuation or variation, the District may require a special contract and may require reasonable security satisfactory to the District sufficient to protect the District against loss and to guarantee performance under the terms thereof. All special contracts shall be in writing, signed by the property owner or customer and the District.

SECTION 18. Interruptions in Service.

(1) The District from time to time must interrupt service for repairing and connecting mains, making extensions, repairing valves, pumps, and control devices, etc., and for cleaning, maintaining and reconditioning reservoirs and storage tanks.

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(2) The District shall, whenever feasible to do so, give customers advance notice whenever it is known that service is to be interrupted for any appreciable length of time. However, failure to give such notice shall in no manner cause the District to become liable for loss or damage caused by service interruptions such as bursting of boilers, the breakage of any pipes or fixtures, stoppage or interruptions of water supply, business interruptions, or any other damage resulting from the shutting off of water.

SECTION 19. Pressure Regulation.

(1) Insofar as is reasonably possible, feasible and economical for the District to do so, it will furnish water at desirable pressures. In locations in which service pressures are higher than needed or desired by users, customers may install and maintain with their premises any pressure regulators required.

(2) The District shall not be responsible for damages or difficulties experienced by reason of variations in pressure within the system.

SECTION 20. Leakage within Premises.

(1) Customer water lines shall be installed, maintained and repaired in accordance with District regulations, jurisdictional plumbing code requirements, and good engineering practices. Pipes must be laid not less than 24 inches deep and provided with stop and waste drainage; all standpipes or fittings of any kind must be so located, anchored and installed as to not interfere with or endanger the meter. All pipes must be well protected from freezing.

(2) The District shall not be responsible for any damage or injury for leaking or the running of water on the premises from pipelines, plumbing fixtures, open faucets, valves, fixtures and hoses beyond the District's service meters.

(3) All plumbing within buildings serviced by the District shall be so installed and all plumbing fixtures so constructed as to prevent pollution of water supply by back siphonage or cross-connections. Water service to any premises known or found to have such defects and hazards shall be disconnected and not restored until such defects and hazards have been eliminated.

SECTION 21. Meters.

(1) All meters, including those for fire protection service, shall be located within the public right-of-way or within an access easement approved by the District.

(2) All meters, meter boxes, fittings and service lines extending from the main to the meter location shall be installed by the District or subject to the District's approval and inspection.

(3) If a change in size of a meter and service is required, the change shall be accomplished as a new installation pursuant to Sections 8 and 9.

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(4) The District may relocate meters or services at the customer's written request and expense, subject to approval by the District. Meters or services relocated for the convenience of the District only shall be relocated at the District's expense.

(5) Service connections shall be made in accordance with current District specifications relating to size, material and location. The service pipe from the main to the meter as well as the meter, meter box, and appurtenances shall be the property of the District and not the person owning the premises or paying for the installation.

(6) No person other than an employee or authorized agent of the District shall turn on or off any of the services or meters of the District. Customers desiring discontinuance of service, or new or modified service shall make arrangements therefor with the District's office.

SECTION 22. Maintenance, Repair and Testing of Meters.

(1) The District, at its expense, shall perform normal maintenance and repair of the service connection, including the meters, meter boxes and appurtenances of the District water system.

(2) Each customer is required to use reasonable care and diligence to protect the water meter, meter box, premise backflow assemblies, and appurtenances from loss or damage by freezing, hot water, traffic hazards, landscaping obstructions, and other causes. If the customer fails to provide reasonable protection, the customer shall pay to the District the full amount of the resulting damage prior to District repair or replacement.

(3) Customers shall not permit any impediment (e.g., plants, trees, fences, structures, etc.) to the free access to water meters or appurtenances. The customer shall reimburse the District for costs to remove impediments.

(4) The District shall change the location of service connections at the customer's expense where the construction of a driveway, parking area or the growth or location of impediments to the meter and appurtenances have been permitted.

(5) The District shall conduct meter tests at a customer's written request. If the meter tested is found to be accurate within four percent (4%) of true delivery, the customer requesting such testing shall pay the cost thereof. However, should such meter be found to over or under register in excess of four percent (4%), the District shall bear the cost thereof.

(6) Charges for meter testing shall be paid by deposit in advance, and deposit required for checking same shall be as shown in the District's rate schedules. The deposit shall be refunded if such meter testing is found to over or under register in excess of four percent (4%) of true flow.

(7) Wherever a meter has been found to over register more than four percent (4%), a reasonable adjustment may be made to the customer for past billings, but in no case shall such adjustment exceed a period of one year.

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SECTION 23. Construction Standards.

(1) All water line construction and installation of services and equipment shall be in conformance with the City of Lake Oswego Construction Standard Specifications and Details a copy of which shall be maintained at the District office.

(2) All new construction of primary mains and main extensions 4 inch interior diameter and greater shall be District approved ductile iron pipe.

SECTION 24. Obligation to Construct Water Facilities; Security; Acceptance of Improvements

(1) When an applicant for water service has an obligation to construct or improve water facilities imposed as a condition of a development permit, the obligation shall be acknowledged by filing an acknowledgement with the District and shall be fulfilled prior to connection to the water system on the site unless the District has granted a waiver in writing of this requirement.

(a) The acknowledgement shall state the nature of the obligation, the time within which the obligation is to be met, identify the property subject to the obligation and contain a security deposit in a form acceptable to the District in an amount equal to 120 percent of the cost of fulfilling the obligation as estimated by the District for the year in which fulfillment of the obligation is anticipated.

(b) A sufficient performance bond, cash deposit or letter of credit are acceptable forms of security. Return of security deposit shall be conditioned upon the applicant carrying out the obligation.

(c) No security shall be required if the applicant has already provided such security to the city or county in connection with the development permit.

(2) As an additional and separate part of the acknowledgment, the applicant shall agree to maintain the public facility for a period of one year following acceptance by the District, to include but not be limited to repair, replacement and all things necessary to insure the operational integrity of the facility, and shall provide the District with security in the amount of 10 percent of the cost of the improvement to insure the fulfillment of this obligation.

(3) The security shall be forfeited to the District if the applicant does not fulfill the requirements stated in the acknowledgment. The District may use the security to complete the obligation or any part of it. Until the obligation is completed the security shall remain in the custody of the District or shall be placed in an escrow account subject to District control.

(4) Upon receipt of written notice to the District that the public facility has been completed and is ready for final inspection and acceptance, the District shall within ten (10) calendar days make such inspection. If the District finds the work to be acceptable, there shall promptly be issued a final certificate stated that the work has been completed and is accepted.

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SECTION 25. Cross-Connections or Physical Connections with Other Water Supplies.

(1) Except where this ordinance provides more stringent requirements, the definitions, standards, requirements and regulations set forth in the Oregon Administrative Rules pertaining to public water supply systems and specifically OAR 333 Division 61 are hereby adopted and incorporated by reference.

(2) Customers shall complete, sign, and return to the District a water use survey. In event this is not done a premise inspection shall be required.

(3) All backflow prevention assemblies installed in the customer's water line shall be a type and model approved by the District and State of Oregon Health Division.

(4) Any mobile unit or apparatus which uses District water or water from any premise within the District shall first obtain a permit from the District and comply with all restrictions and fees.

(5) Premise isolation backflow prevention assemblies shall be installed immediately downstream of the water meter as an appurtenance to the distribution system, before any branch in the line.

(6) The District shall not be responsible for loss of pressure caused by the installation of a backflow prevention assembly.

(7) The customer shall provide adequate protection against thermal expansion. All costs associated with thermal expansion protection will be the financial responsibility of the customer.

(8) The customer is responsible for all cross connection control within the premises, which shall be accomplished through point of use isolation adhering to Oregon Health Division and the following installation standards:

(a) Watertight threaded, fitted plugs shall be installed in the backflow prevention assembly test cocks.

(b) Only backflow prevention assemblies specifically approved by the Oregon Health Division for vertical installation may be installed vertically.

(c) RP assemblies may be installed in a vault only if relief valve discharge can be drained to daylight through a "boresight" or "boresight to daylight" type drain. The drain shall be of adequate capacity to carry the full rated flow of the assembly and shall be screened on both ends.

(9) All costs associated with purchase, installation, inspections, testing, replacement, maintenance, parts, and repairs of point of use backflow prevention assemblies are the financial responsibility of the customer.

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(10) All point of use backflow prevention assemblies must be registered with the District. Registration shall consist of the date of installation, make, model, size, serial number, location, initial and subsequent annual test reports.

(11) All new construction shall have an approved premise backflow prevention assembly at the service connection. The type of assembly shall be commensurate with the degree of hazard as determined by the District Cross Connection Program Director.

(12) Requirements of the Oregon Health Division and the District specify that auxiliary water supplies shall be classified as high hazards unless abandoned by the required procedures of the Oregon Water Resources Division. A Reduced Pressure Backflow Assembly shall be installed at these customer's services directly downstream of the service meter.

(13) Annual testing and repairs of point of use backflow prevention assemblies shall be done in accordance with the following requirements:

(a) Assemblies shall be tested upon installation and at least annually thereafter by a state certified tester. Any assemblies found not functioning properly shall be promptly repaired or replaced at the customer's expense. If such assembly is not promptly repaired or replaced, the District may shut off water service to the premise. The District may set fees by resolution to cover the cost of this service.

(b) The District shall have the right to demand proof of liability insurance, errors and omission insurance and confined space entry training from certified testers working in the District.

(c) Test reports must be fully complete and returned by mail or fax to the District office within five working days of the test.

(d) Test report forms shall be approved by the District Cross Connection Director.

(14) All structures and/or premises served by the District shall be in compliance with the backflow prevention program adopted by the District. The District shall shut off water service to Customers found in violation of the backflow prevention program regulations. Water service shall not be restored until such violation has been corrected.

(15) District personnel shall have the right, without being deemed guilty of trespass or an unlawful act, to check the premises of customers, at reasonable times, for physical connections with other water supplies, and to determine compliance with the backflow prevention program.

SECTION 26. Water Facilities in General and Main Extensions.

(1) The District shall pay for the cost of water supply, pumping stations, storage facilities and transmission (primary) mains which the District determines specifically for the general conveyance of water within the District, except in those cases where pumping, storage or other facilities are needed to serve a limited, local area, which shall be paid for by the person or persons requesting such facilities.

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(2) The District shall not pay the cost of main extensions or the cost of relocating existing facilities to accommodate or service additional customers, properties, tracts or subdivisions. Such extensions or relocations, when requested of and performed by the District shall be paid for in advance by the person or persons requesting such extensions or relocations, at actual cost plus twenty percent (20%) for overhead.

(3) All such main extensions or relocations shall be made by the District or by a contractor approved by the District in accordance with appropriate District standards and in accordance with pertinent requirements of the Oregon State Health Division for public community, municipal or public utility water supply systems. Engineering designs not prepared by the District shall be submitted to the District for review in advance of any construction to determine that District standards and those of appropriate State agencies are being followed, and in such instances, such design shall be in accordance with appropriate District standards and requirements. All construction materials used shall be approved by the District and be of first quality and be consistent and fully compatible with the existing water system of the District so as to permit the District to apply uniform maintenance, repair and replacement thereof.

(4) The District shall determine the size of mains required. Necessary fittings, valves, valve boxes and fire hydrants required shall be included in the cost of extensions. Extensions shall be installed along the full frontage of the property to be served to permit ready connection by adjoining properties. Water main extensions for new subdivisions shall extend the entire distance between opposite boundaries of the subdivision and shall be located within public rights-of-way unless the District determines it necessary to construct water lines in easements across private property, which determination shall be in the sole judgment of the District.

(5) It shall be the responsibility of the person or persons requesting extension of a water main to pay the full cost of the installation. The size of the main required by the District will be based upon the needs of the development being served, the type of the land uses and building types, fire protection needs, and the integrity of the District water distribution system.

(6) When the person or persons requesting extension of water mains elects to have the District provide the engineering design and contract for construction of the water main extension, advance payment shall be made by the requesting parties. The District shall prepare a detailed estimated cost to the applicant. The applicant shall make full payment of the estimated cost prior to any work being done on the main extension. If the actual cost of the main extension exceeds the estimated cost, the applicant shall pay the excess cost to the District prior to service connection. If the actual cost of the main extension is less than the estimated cost, the District shall refund the difference to the applicant within thirty (30) days after determination of actual cost.

(7) When the person or persons requesting extension of water mains elects to have their own engineer design the water main extension, the District will prepare an estimate of costs for plan review, construction inspection, as-constructed drawings, map updates, and other District expenses related to the main extension. The applicant shall make full payment of the estimated cost prior to commencement of the main extension. If the actual cost of the District work exceeds the estimated cost, the applicant shall pay the excess cost to the District prior to service connection. If the actual cost of the District work is less than the estimated cost, the

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District shall refund the difference to the applicant within thirty (30) days after determination of actual cost.

SECTION 27. Water Main Extension-Cost Refund.

(1) Pursuant to ORS 264.320, any person required by the District to pay the cost of extending a water main adjacent to property other than their own so that water service is made available to such other property without further extension of said main, shall be entitled for a period of ten years after the date of the installation and acceptance of the said water main extension, to claim a pro-rata portion of the initial cost of the main extension which shall be paid prior to such later service connection. The amount to be refunded shall be determined by the District and such determination shall be final. The pro-rata reimbursement shall be based upon:

(a) Total front footage of the property served in proportion to the total front footage of all property abutting on the street, road or right-of-way, within which the main extension was made and which was benefited thereby; or

(b) Any other reasonable basis that equitably distributes the cost of the main extension to the benefited properties.

(2) When extensions described in subsection (1) are installed, the owner of the other property shall pay to the District, prior to receiving water connection or service, the pro rata portion of the extension to be refunded, and the District will refund the payment to the person owned the refund. In the event of failure of the District to collect the payment, the person owed the refund shall have a claim only against the other person for the refund.

SECTION 28. Deposits.

(1) At the time a written application is made for water service, the applicant shall pay to the District a non-refundable deposit sufficient to cover the cost of the installation in accordance with schedules established by the District. After such installation is made, the facilities shall be the property of the District.

(2) In addition, the District may require a customer to deposit such sum of money as the District determines necessary to guarantee payment of charges for water service to the premises of such customer. Such deposit, less deduction for unpaid water service charges, will be repaid to the depositor without interest upon discontinuance or termination of service. Deposits made to the District for new accounts will be classified as District restricted monies and will be kept separately from other District funds.

SECTION 29. Establishment of Fees, Rates and Charges.

(1) The Board shall adopt and may thereafter amend by resolution the actual charges, rates, and fees for the use of the District water supply system and for other materials and services provided by the District in connection with such system. The Board hereby adopts the following charge classifications:

(a) Water Service Charge. Charges for provision of water, for the fixed and maintenance costs of having the water system available to provide water, for meter

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reading, preparing the bill, accounting for the receipt of payment, maintaining customer records and responding to customer inquiries.

- (b) Usage or Consumption Charge. A charge for the amount of water delivered to the customer's premises.
- (c) Service Delinquent Fee. Fee assessed to customers whose accounts have been designated delinquents due to non-payment of water charges.
- (d) Delinquency Notification Fee. A penalty charge to any customer assessed three service delinquent fees within a fiscal year.
- (e) Bulk Water Usage Charges. Charges relating to the temporary use of District equipment to enable water service to be temporarily obtained from a fire hydrant, including but not limited to the deposit for valves and wrenches, the permit fee and usage charges.
- (f) Turn-On Fee. A fee imposed and collected for restoring service.
- (g) Non-sufficient Funds (NSF) Fee. A fee assessed to a customer on a check, which is returned to the District due to insufficient funds or a closed financial account.
- (h) Trim Fee. A fee assessed to customers who have permitted landscaping obstructions or impediments to deny free access to District water meters or appurtenances.
- (i) Restoration Fee. A fee assessed to a customer for the replacement of a meter that was removed by the District due to a violation of Section 33, Subsection (1) of this ordinance.
- (j) New Service Fee. Fee assessed for the administrative cost of staff review to determine applicable requirements and approval process.
- (k) Engineering Fee. Fee reimbursing the District the cost of District's contracted Engineer's time incurred for plan review, construction inspection, as-constructed drawings, map updates, and Engineer's attendance at preconstruction meetings for new services and/or projects.
- (l) Installation Fees. Fees for direct connection to the system or for enlarging or adding to the service connection, which increases the potential flow into the customer's premises. These fees consist of the following:
 - (i) Dig-In Fee. This fee includes permits, cost of backhoe and operator, labor, traffic control, backfill material, cutting and replacing asphalt and associated cost.
 - (ii) Tap Fee. This fee includes materials and labor required to tap the main and lay the service line from main to the meter box and associated administrative cost.
 - (iii) Drop-In Fee. This fee includes materials and labor required to install meter and backflow assembly and associated administrative costs. District personnel must perform this part of installation.

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(iv) System Development Charge (SDC). A reimbursement fee and/or an improvement fee assessed or collected at the time of increased usage of a capital improvement or issuance of a connection permit. System development charges are separate from and in addition to any applicable tax, assessment, fee in lieu of assessment, or other fee or charge provided by law or imposed as condition of development.

(2) Except as specifically provided herein or by resolution, all charges and service fees shall be due and payable within twenty (20) days of billing for provision of service.

(3) It shall be unlawful and a violation of this ordinance for any person to use or maintain connection to the District system without paying the appropriate charges and fees established herein or in any resolution adopted pursuant hereto, or to fail to pay such fee or fees on time.

(4) Nothing contained herein shall in any way limit the right of the District to bring a civil action for legal or equitable remedies or damages in connection with failure to pay, or late payment of any charge or fee established herein or the right of the District to terminate water service through the disconnection of the service line, or other appropriate means. The expense of such a disconnection or discontinuance, as well as the cost of restoring service, shall be an obligation of the owner or customer and shall be recoverable in the same manner as other delinquent charges and fees.

SECTION 30. Water Service Charges and Usage Charges.

(1) The water service charge and/or usage charge shall be imposed where one or more of the following conditions are present:

- (a) Occupancy of property which maintains connection to the system;
- (b) Actual use of water from the system; or
- (c) Maintenance of water service.

(2) Timely payment of the water service charge shall be the responsibility of the customer. The occupant shall be responsible for charges for occupied property. For multi-tenant property served by a single meter, the owner shall be responsible for all charges.

(3) For billing purposes, the owner of the property shall be assumed to be the customer unless the District is otherwise notified.

(4) It shall be a violation of this ordinance to knowingly provide false information to the District regarding any fact related to billing of a water service charge or other charge of the District.

SECTION 31. Meter Reading and Billing.

Meters shall be read at regularly established intervals as determined by the District and bills for water service charges rendered based upon consumption to the nearest 100 cubic feet of water furnished.

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SECTION 32. Adjustments of Accounts.

(1) The District may adjust a customer's account under any of the following circumstances:

(a) Bills for a portion of a billing period shall be prorated based upon the actual days of use, but not less than the billing period "minimum" established by resolution.

(b) When a meter fails to register, registers inaccurately, or for any reason cannot be read, the District may compute the bill based upon average consumption during the preceding three (3) months, the usage at the same time twelve months prior, or in the absence of such consumption history, the average consumption of a similarly situated customer.

(2) The customer will be responsible for the charges incurred for all water lost through leakage, frozen pipes and other causes. The District shall not allow any reduction in the price of water on account thereof.

SECTION 33. Prohibited Conduct.

(1) It is unlawful and a violation of this ordinance for any person to commit or cause any of the following acts:

(a) Wasteful or improper use of water during times of water shortage due to drought, damage to the water system or supply capability, or unanticipated substantial demand which threatens the supply or pressure capability of the water system, or some combination of the foregoing. Wasteful or improper use under this paragraph shall include, but not be limited to, the use of water at times or in a manner, which is prohibited by the terms of any Board rule, which may be adopted by resolution.

(b) Use of an apparatus, appliance or other equipment, which utilizes District water service where such equipment is dangerous, unsafe or violates District ordinances or regulations.

(c) Excessive demand for water service by a customer, which results or may result in inadequate service to other customers.

(d) Obtaining water or other service provided under this ordinance by false or misleading acts.

(e) Damage, destruction, alteration, interference with, connection to or tampering with District equipment, including but not limited to the breaking or destruction of seals, and damage to a meter resulting from hot water or steam from the customer's premises.

(f) Except by specific agreement from the District, the resale of water supplied by the District or the delivery of water to premises other than those specified in the application for service.

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(g) Except as may be needed for fire district use or as expressly permitted by the District, the operation, alteration, change, removal, disconnection, connection with or interference in any manner with any fire hydrant in the District.

(h) The unauthorized connection to or turn on of any water service without authorization where such service has been disconnected or shut off.

(i) Except by means of an approved metering device or by express authorization of the District, the use of any water from the water system.

(j) The further use of District water service after the date shown on a request for discontinuance of such service without a request for and approval of resumption or restoration of service.

(k) Where a customer has applied for the discontinuance of water service, the resumption of use of District water service without first notifying the District and prior to the date previously indicated for such resumption of water service.

(l) Violation of any provision of this ordinance.

(2) In addition to any other remedy provided by District ordinance or state law, violation of any provision of this Section is a civil infraction and subject to civil penalty in the amount of \$500 per violation.

(3) In addition to any other remedy provided by District ordinance or state law, where the violation of this Ordinance results in damage to or destruction of District property, the District shall have the right to recover the reasonable value or cost of repair or replacement of the property, plus twenty percent (20%) of such amount, and any legal costs and attorneys fees incurred by the District to recover.

(4) Whenever it is necessary to make an inspection to enforce any of the provisions of this ordinance, or to connect, disconnect, turn on or turn off a water service, or whenever the District has reasonable cause to believe that there exists on any premises any condition which is unsafe, dangerous or hazardous to the public water supply system, District personnel may enter such premises at all reasonable times to inspect the same or to perform any duty set forth in this ordinance. If the premises are occupied, the District personnel shall first present credentials and request entry; and if such premises are not occupied the District personnel shall first make a reasonable effort to locate the owner or other person having charge or control of the premises and request entry. If entry is refused or if the owner or person in control of the premises cannot be located in a timely manner, the District personnel shall have recourse to a warrant or other remedy provided by law to secure entry. Nothing contained herein shall be construed as imposing upon the District the obligation to or liability for inspection of any apparatus on the customer's premises, since such liability rests with the customer.

(5) In addition to any other remedy provided by District ordinance or state law, the District may shut off or terminate water service to a customer for noncompliance with any provision of this ordinance. Noncompliance with this ordinance means failure or refusal to remedy a violation or a repeated violation for which written notice or warning of such violation has been given either by delivery in person, by posting on the property or by registered or certified mail return receipt requested. If such noncompliance affects matters of health or safety

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or the security of the system, or other conditions warrant such action, such as wasteful or improper use of water, the District may shut off or terminate water service immediately.

SECTION 34. Administrative Appeal.

(1) Except as otherwise provided in Subsection (2) of this Section, any person aggrieved by a ruling or interpretation of, and requesting a variance or exception from the provisions of this ordinance or a review of such ruling or interpretation shall submit a written appeal to the District, not more than ten (10) days after the ruling or interpretation. The appeal shall set forth the facts and circumstances leading to the appeal, the rule or interpretation at issue, the nature of the ruling or interpretation from which relief is sought, the impact of the rule or ruling on the appellant, together with any other reasons for the appeal. Failure of an appeal to conform to the requirements of this subsection shall be grounds for dismissal of the appeal.

(2) In the case of appeals of disputes concerning water service charges, in addition to the requirements of Subsection (1) of this Section, the following provisions shall apply. Unless otherwise directed by the District, where a shut off notice concerning the disputed water service charge has been delivered as provided in Section 11, water service shall be discontinued unless the written appeal is accompanied by a deposit in the full amount of the disputed water service charge. Such deposit shall stay the shut off of water service and shall be in addition to any applicable appeal fee. Upon the disposition of such appeal either by the District staff or upon appeal thereto by the Board, that portion of the deposit which is determined to represent correct service charges shall be paid to the appropriate District account and that portion of the deposit which is determined to represent incorrect service charges shall be credited to the customer's service account, or if appropriate, returned to the customer.

(3) The District's Manager shall review each complete appeal request. The District's Manager may request additional information from the appellant and from District's records. The District Manager shall cause to be prepared a written decision on the matter within thirty (30) days of receipt of a complete appeal. The District's Manager's written decision shall be mailed or delivered to the appellant.

(4) If the appellant is dissatisfied with the District's Manager's decision, the appellant may appeal the matter to the Board. Such appeal shall be in writing and shall be actually received by the Board within ten (10) days of the date of mailing or delivery of the District's decision. Failure of an appeal to conform to the requirements of this subsection shall be grounds for dismissal of the appeal.

(5) The Board shall review the written appeal of the District's Manager's decision, and any written material submitted by the District Manager, and the ordinance, rule or decision at issue. The Board may schedule a hearing by written notice not less than fourteen (14) days in advance to hear the testimony and further information. The Board may uphold, set aside, or modify the decision of the District. The decision of the District may be rejected or modified only if:

- (a) It exceeds the authority of the District; or
- (b) It was based upon an incorrect interpretation of law or ordinance; or
- (c) It was not supported by substantial evidence in the record.

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(6) The decision of the Board shall be made in writing, and shall be sent to the appellant not more than sixty (60) days from receipt of the appeal to the Board.

(7) Notwithstanding the foregoing, this section shall not apply to civil infraction proceedings initiated by the District to enforce the provisions of this ordinance. Except as otherwise provided in Subsection (2) of this section or as directed by the District, an appeal of any ruling or interpretation to the District or the Board shall not stay the effective date of a District decision to shut off service.

SECTION 35. Collection of Accounts.

(1) In addition to, and not in lieu of, the provisions of Sections 11 and 12, the District may pursue collection of delinquent accounts in any manner provided by law.

(2) In the event that account collection shall be necessary, the prevailing party in such collection proceeding shall recover its costs and attorneys fees at trial and on appeal.

SECTION 36. Miscellaneous Provisions.

(1) In consideration of use of the system, all customers of the system, all contractors who may perform work on the system in any manner and all other persons or entities whose actions may affect the system shall indemnify and hold harmless the District, its officers, employees, and representatives from and against all suits, actions or claims of any character or nature brought because of any injuries or damage received or sustained by any person or property or alleged to have been so received or sustained on account of the actions or failure to act of such users, contractors or other persons, their subcontractors, employees or representatives. Such indemnification shall include the costs of defense of such claims, including attorney fees.

(2) A customer or connector to the system does not thereby acquire a vested property interest in continued use or connection to the system. Such use or connection is conditional always upon such customer or connector complying with all applicable terms and conditions contained in this ordinance and all resolutions adopted pursuant hereto and, further, upon compliance with all federal, state or local requirements which are or may hereafter be imposed upon such customer or connector. Nothing contained herein shall require the District to provide service or access to the water system to such customer or connector when the District has determined that the public interest requires a limitation on such water service or access.

(3) The invalidity of any section, subsection, paragraph, sentence or phrase of this ordinance or resolution which is adopted pursuant to this ordinance or incorporated herein, shall not affect the validity of the remaining portions thereof and a reviewing court shall sever the offensive provision so that every other section, subsection, paragraph, sentence and phrase of the ordinance shall remain effective irrespective of the invalidity of any other provision.

(4) All complaints and special requests for service, and all other matters, upon which action by the District is requested or sought, shall be presented to the District in writing. The District need not give consideration to any request or complaint not so presented.

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SECTION 37. Revision and Modification of Rules, Regulations and Charges.

(1) The Board of Directors of the District may from time to time make such modifications, revisions and additions to these rules and regulations as may be deemed necessary and in the interests of the District.

(2) Rate and charge schedules for services, installation of meters, service piping, hydrant usage, main extensions and the like may be revised from time to time as necessary and advisable and in the interest of the District as determined by the Board.

(3) Rate and charge schedules of the District shall be adopted, modified, revised, added to or deleted by the Board by resolution. Increases in rate schedules shall be made only after public hearing as provided in ORS 264.312.

(4) The scope of the District's authority, as exercised by the Board, shall extend to and include all power and authority granted to the District by appropriate provisions of Oregon law, and especially those powers and duties and authority as set forth in Oregon Revised Statutes, Chapter 264. In all instances not specifically set forth herein, the Board shall act in its reasonable discretion and in a manner consistent with the intent and purposes of ORS Chapter 264 and such other law as may be applicable.

SECTION 38. Prior Ordinances Repealed.

District ordinances entitled "Rules and Regulations Rivergrove Water District," adopted June 1, 1975, and "Cross Connection Ordinance Section XVI" effective May 16, 1997, are hereby repealed.

SECTION 39. Emergency

Since the provisions of this ordinance affect the ongoing operation of the water utility particularly, the charges that are imposed for current service, this ordinance is necessary for the preservation of the peace, health, and safety of the public and therefore an emergency is hereby declared to exist and this ordinance shall become effective immediately upon its passage.

Adopted: _____

6-10-

, 1999.

CHAIR

Attest:

6-10-99
SECRETARY

Rivergrove Water District

(Ordinance 88-1)

Division and Administration of Rates, Regulations and Charges

The Board of Directors of the District has found that it is in the best interests of the District to amend its rates and charges and to the extent of the District.

Rates and charges are subject for review, installation of new rates and charges, and the rates may be revised from time to time as necessary and to the extent of the District as determined by the Board.

Rates and charges established by the District shall be subject to review and adjustment by the Board of Directors and the Board of Directors shall have the authority to amend, modify, suspend, or terminate any rate or charge established by the District.

The Board of Directors' authority as provided in this Ordinance shall extend to and include all power and authority granted to the District by the Oregon Revised Statutes, and especially those laws which relate to the District's power and authority to establish rates and charges for the use of its facilities and services. The Board of Directors shall have the authority to establish rates and charges for the use of its facilities and services, and to the extent of the District as determined by the Board.

SECTION 1A. Title Ordinance Repealed

Any ordinance entitled "Title Ordinance Repealed" and any ordinance entitled "Title Ordinance Repealed" are hereby repealed.

SECTION 1B. Repealed

Any ordinance entitled "Section 1B. Repealed" and any ordinance entitled "Section 1B. Repealed" are hereby repealed.

[Signature]

CHAIR

[Signature]

SECRETARY

[Handwritten notes]