

PWS #41-00681

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OCHOCO WEST WATER DISTRICT
Cross-Connection Control Policy OWORD #100 SECTION 10A

RECEIVED
DEC 30 2005
FIELD SERVICES
DRINKING WATER PROGRAM

In compliance with Oregon Administrative Rule, Chapter 333, Division 61, Health Division and Ochoco West Water District shall undertake programs for controlling and eliminating cross-connections.

Inspections shall be made by certified personnel where there is reason to believe that a cross-connection or a potential cross-connection exists on the users premises. Example under ground sprinkler systems, etc.

Whenever a cross-connection from another water supply in to the OWWD system is found or whenever any other condition is found which presents the possibility of contamination or pollution, the water supply to such premises and/or other premises from which the cross-connection is made shall be discontinued immediately, or the condition remedied.

The control or elimination of cross-connections shall be in accordance with any manuals of standard practice pertaining to cross-connections control approved by the Oregon State Health Division and OWWD, and any requirements set forth by the National Safe Drinking Water Act PL93-523, and any subsequent legislation.

OWWD shall regulate the location, installation and testing of cross-connection control devices and prior to the device being put into service, OWWD shall inspect said installation.

All devices shall be of a type that are testable according to Oregon State Health Department test procedures and approved for use in Oregon by OHSD.

Any corrective measure, disconnection, or change on private property shall be at the sole expense of the person in control of said property. The cost of any change required in OWWD system outside the property or between the meter and the supply or distribution shall be the responsibility of the person in control of the property.

On all services, the entire cost of installation and equipment will be borne by the person in control of said property.

Testing of cross-connection control devices shall be by LICENSED PERSONNEL. The frequency of testing shall be determined by the severity of hazard. All devices shall be tested at least once per calendar year..

Water Meters in -
120 days -

41-00681 Ochoco West WD

O. W. ORDINANCE NO. 100

An ordinance prescribing the rules and regulations for the conduct and operation of the water system at Ochoco West, providing penalties for nonpayment of water service and for violation of this ordinance, and providing rates to be charged for water service.

SECTION 1. Rules & Regulations.

(1) Title. This ordinance shall be known as "Water rules, rates and regulations for the operation of the water system at Ochoco West, Crook County, Oregon."

(2) Scope. The water board and all customers receiving water services from the district, are bound by these rules and regulations.

SECTION 2 Definitions.

(1) Sub-division. Whenever the word "Sub-division" is used, it shall mean the legally constituted municipality of Ochoco West, Crook County, Oregon.

(2) Water Board. Whenever the words "Water Board" are used, they shall mean the legally elected group of members composing the water board.

(3) Meter Agent. Whenever the words "meter agent" are used they shall refer to the individual or individuals appointed by the board to read meters and report the meter reading to the billing agent.

(4) Billing Agent. Whenever the words "billing agent" are used they shall refer to the individual appointed by the board to keep the record of meter readings and prepare and mail the appropriate bill.

(5) Applicant. Whenever the word "applicant" is used, it shall mean the person or persons, making application for water service.

(6) Customer or User. Whenever the words "customer" or "user" are used, it shall mean an applicant who has been accepted under the terms of these regulations or receives water from the sub-division.

(7) District. Whenever the term district is used it shall refer to the Ochoco West Water District.

SECTION 3 Service Area.

The area served by the district shall be all the area included within phase one and two of the sub-division plus those prior users and applicants accepted as users as water becomes available.

SECTION 4. Description of Service.

The water board shall not be liable for damage resulting from the interruption in service or from the lack of service. Temporary suspension of service by the water board for improvements and repairs will be necessary occasionally. Whenever possible, and when time permits, all customers affected will be notified prior to

shutdowns.

(1) **Supply.** The Water Board will exercise reasonable diligence and care to deliver a continuous and sufficient supply of water to the customer at a reasonable pressure and to avoid so far as reasonably possible any shortage or interruption in delivery.

(2) **Quality.** The Water Board will exercise reasonable diligence to supply safe and potable water at all times.

(3) **Ownership of System.** All water mains, valves, fittings, hydrants and other appurtenances, except "customer service lines", shall be the property of the district.

(4) **Class of Service.** The water provided shall be for the explicit use for domestic purposes, including yards and for single family dwellings.

(5) **Resale of water.** Resale of water shall be permitted only under special contract, in writing, between the water board and the applicant involved.

(6) **Service Preference.** In case of shortage of supply, the district reserves the right to give preference to household inside use only and or, allowing for watering of shrubs and bushes during specific times on published days of the week. Such action will be prefaced by notification from the water board.

SECTION 5. Application for Service

(1) **Application form.** Each applicant for water service shall sign an application form provided by the district giving the date of application, location of service, desired date of service, purpose, and address for billings. In signing the application, the customer agrees to abide by the rules and regulations of the district. The application is merely a written request for service and does not bind the district to serve.

(2) **Deposits and Establishment of Credit.** At the time the application is made, credit can be established by the payment of two months estimated bill or if there has been a delinquency with the district previously a \$50.00 deposit shall be collected and held until one years bills have been paid on time.

(3) **Forfeiture of Deposit.** If an account becomes delinquent and it is necessary to turn off the service, the deposit shall be applied to the unpaid balance due. This deposit must be replaced prior to restoration of service for this customer. Replacement of this deposit is in addition to any other charges levied.

SECTION 6. Service.

(1) **Definition.** The service connection shall be that part of the water distribution system which connects the meter to the main and shall normally consist of the service pipe, curb stop and box, meter, and meter yoke. The customer service line shall be that part of the piping on the customer's property that connects the service to the customers's distribution system.

(2) **Ownership.** The district shall own, install and maintain all services and installation and maintenance shall be performed by or inspected by authorized employees of the district. The customer shall own, install and maintain the customer service line.

(3) **Service Connection Charge.** At the time the applicant files for service where no service previously existed, or if the applicant is filing for a change in size or location, the applicant shall submit with the application the service connection charge.

This charge is to cover the actual cost to the district to install the service from the main to the meter and includes the meter, housing and any needed fittings. The service connection charge shall reflect only real expenses.

(4) **Length of Service Line** The meter will normally be placed nearest the main line and property to be served. In the event that the connection requires an extension in excess of 30 feet, the applicant shall pay the actual cost to the district.

(5) **Service Extensions.** Extensions of service to other occupancies or ownerships than that for which the existing service was intended, shall not be permitted nor shall separate residencies be permitted to receive service through one meter.

(6) **Customers Plumbing.** Customer plumbing shall comply with the plumbing code of the State of Oregon and shall include anti-siphon devices and control valves. It shall be a violation of these rules and regulations for the customer to operate, cause or permit unauthorized operation of the meter stop or any portion of the meter connection after installation.

SECTION 7. Meters

(1) **Ownership.** The district shall own and maintain all water meters. The district will not pay rent or any other charge for a meter on a customer's premises.

(2) **Installation.** Installation of water meters shall be accomplished or inspected by authorized agents of the district.

(3) **Location.** Meters shall normally be placed at the curb or property lines. The meter will be installed wherever the applicant desires within reason but the location must be approved by the district. The meters will not be located in driveways or other locations where damage to the meter or its related parts may occur.

(4) **Joint Use of Meters.** The joining of several customers to take advantage of the single minimum charge and large quantity rates shall be prohibited.

(5) **Changes.** Any change in location of a meter for any reason at the convenience of the customer shall be at the users expense.

(6) **Customers without Meters at adoption of Ordinance.** Customers that live in the subdivision who do not have meters at the time this ordinance is adopted, have a ninety (90) day grace period to have district approved meters installed. After the grace period, the district may install meters under the provisions of this ordinance with the entire cost of installation considered a service connection charge.

SECTION 8. Water Rates.

The water rates to be charged including minimum charges, charges for water used over the minimum and service connection charges. Rates shall be as listed on the attached rate schedules. These water rates may be revised at any time, based on actual need,

without invalidating the remainder of these rules and regulations.

SECTION 9. Billing and Payment.

(1) **Meter Readings.** Meters will be read and customers billed on the basis of the meter readings to the nearest one hundred (100) cubic feet.

The district will keep an accurate account on its books of all readings of meters and such accounts so kept shall be offered at all times as evidence of the use of water service by the customer.

(2) **Rendering of Bills.** All meters shall be read and bills rendered thereafter monthly. If more than one service is paid by the same customer the billings shall remain separate.

(3) **Disputed Bills.** When a customer disputes the correctness of a bill, he shall deposit the amount of the disputed bill at the time the complaint is lodged, to preclude discontinuance of service pending final settlement of the bill or bills. Subsequent bills shall be paid or placed on deposit in a similar manner. Failure of the customer to make such a deposit shall warrant discontinuance of service as provided under subsection (6) below.

(4) **Failure to Read Meters.** In the event that it shall be impossible or impractical to read a meter on the regular reading date, the water consumption shall be prorated on the basis of thirty (30) days per month and the total water consumption for the billing purposes for that month shall be estimated. Differences shall be adjusted on subsequent bills.

(5) **Property Owners.** The property owner of record as shown by the record of Crook County shall be responsible for the payment of all water charges and fees prescribed in this ordinance. Billings shall be mailed to the premises where water service is furnished unless requested otherwise. All billings shall include a final date on which payment is due. If the bill is not paid by that date, the account shall be considered delinquent.

(6) **Delinquent Accounts.** A reminder of account delinquency will be sent to each delinquent account on or about fifteen days after the account becomes delinquent.

On or about thirty (30) days after an account becomes delinquent, a turn-off notice will be sent to the customer. Said notice shall state a date on which water will be turned off if delinquent account is not paid in full.

On the turn-off date, the meter reader or agent shall deliver a notice to the customer stating that the water service is being turned off until all delinquent amounts have been paid. The meter reader or other appointed agent shall immediately thereafter turn off the service. A delivery of this notice, by the agent, to the premises shall be considered a delivery of the notice to the customer.

Restoration of service shall include a reasonable service charge of not less than \$25.00 that must be paid in full prior to restoration of service.

(7) **Collection of Bills & Penalty Fees.** Unpaid water service charges and fees shall be a lien against the premises served. In the event that it becomes necessary to certify the liens hereby

established because of nonpayment thereof, there shall be added to such charges a 12 percent penalty fee.

(8) **Refusal of Service.** The district may refuse water service to any property or customer with an outstanding debt until said account balance is paid in full.

(9) **Meter Error.** If a customer feels that a meter is not registering properly, the district will exchange the meter for a \$25.00 fee. If the district feels that the meter is not registering properly it will be exchanged at no cost to the customer.

Should a meter be found to be in error, the bill will be computed upon an estimate based on either the customer's prior year usage during the same period or other customers receiving similar service.

SECTION (10) **Discontinuance of Service.**

(1) **On Customer Request.** Customers moving from a residence will remain responsible for water charges until the district is officially notified of the departure. If the district is notified prior to the departure the meter will be read and a final bill prepared accordingly.

(2) **At districts direction.** Nonpayment of bills or violations of other specifications of this ordinance, provide for the discontinuance of service.

(3) **Nonpayment of Sewer Service Charges.** If said sewer service charges are not paid when due and are unpaid for two quarters, water service can be discontinued and liens placed against the property. Prior notification must be made and the lien provisions in SECTION (9) subparagraph (7) apply.

(4) **Improper Customer Facilities.** The district may refuse to furnish water and may discontinue service to any premises without prior notice where plumbing facilities or equipment using water are dangerous, unsafe or not in conformity with the State Code. Any illegal connection or direct hookup to the district lines will be shut off as soon as detected.

(5) **Water Waste.** Where water is wastefully or negligently used on a customer's premises, seriously affecting the general service, the district may discontinue service if such conditions are not corrected after five day notice by the water board.

(6) **Service Detrimental to Others.** The district may refuse to furnish water and may discontinue service to any premises where excessive demands by one customer will result in inadequate service to others.

(7) **Unauthorized Turn On.** Where water service has been discontinued for any reason and the water is turned on by the customer or other unauthorized person, the district may then shut off at the main and/or remove the meter. The charges for this action shall be at actual cost and be the responsibility of the customer.

(8) **Fraud, Abuse or Noncompliance with Regulations.** The water board may upon five days notice, disconnect service for serious noncompliance with these regulations or to protect the district from fraud or abuse.

SECTION 11. Restoration of Service. Restoration of service after discontinuance for nonpayment of bills shall be made after payment of current and past due charges plus those charges specified in Section 9, sub-paragraph (6). and posting a deposit as previously specified in Section 5, Sub-paragraph (2).

Restoration of service after discontinuance of service for unsafe facilities, water waste, fraud, abuse or for noncompliance with any of the rules or regulations will only be made after the irregularity has been corrected and the water board has been assured that the irregularity will not reoccur. The restoration charge shall in those cases be a minimum of \$50.00 plus any other past due and expense incurred by the district to correct the irregularity.

SECTION 12 Unusual Demands. When an abnormally large quantity of water is desired for filling a swimming pool, or for other purposes, arrangements must be made with the district to insure that these unusual demands will not inconvenience other consumers.

SECTION 13 Access to Property. All duly appointed agents of the district, under the direction of the water board, shall have reasonable access to any and all parts of structures and premises in which water is or may be delivered for the purposes of inspecting connections, fixtures and the manner and extent in which the water is being used. The district does not, however, assume the duty of inspecting the customer's line, plumbing and equipment.

SECTION 14 Equipment.

(1) **Customer Responsibility.** The district shall not be liable for any loss or damage of any nature whatsoever caused by any defect in the customer's line, plumbing or equipment, nor shall the district be liable for loss or damage due to interruption of service or temporary changes in pressure. The customer shall be responsible for outlets on his premises being in the off position when the water service is turned on.

(2) **District Equipment.** Metering equipment and service lines on the customer's premises remains the property of the district and may be repaired, replaced or removed by the district agents at any time without the consent of the customer. No payment will be made to the property owner for the right to install, maintain, replace or remove district equipment. Property owners must keep vicious dogs or other animals secured or confined to avoid interference with the districts operation and maintenance.

(3) **Damage.** The customer shall be liable for any damage to equipment owned by the district which is caused by an act of the customer, his tenants, agents, etc.

SECTION (15) Suspension of Rules No employee or agent of the water board is authorized to suspend or alter any of the policies, rules and regulations cited herein without specific approval or direction of the water board except in emergency situations involving

possible personal injury or serious property damage.

SECTION (16) Easement. Each applicant and user gives and grants the district an easement and right-of-way on and across his property for the installation of water mains and necessary valves and equipment in connection therewith.

SECTION (17) Constitutionality, Savings Clause. If any clause, sentence, paragraph, section or portion of this ordinance for any reason shall be judged invalid by a court of competent jurisdiction, such judgement shall not affect, impair or invalidate the remainder of this ordinance but shall be confined in its operation to the clause, sentence, paragraph, section or portion of this ordinance directly involved in the controversy in which the judgement is rendered.

SECTION (18) Whereas, it is in the best interest of the public peace, safety, health and welfare of the citizens of Ochoco West and the property owners therein that this ordinance go into effect 30 days from its reading at the regularly scheduled meeting of the water board and by the signature of a quorum of the water board and shall be in full force there after.

Signed this 10th Day of November 1992

Roy Tidwell, President

R Marie Tidwell, Secy

Director

Director

Director