

service to an applicant's property may be shut off and a turn-on charge may be assessed.

### SECTION 13. SERVICE MAINS AND CONNECTIONS

All meter boxes, meters, service lines and connections, up to and including the valve on the customer's side of the meter, shall be the property of the Water District, and shall be unlawful for any person, except an employee of the Water District, to interfere therewith. No person will be allowed to make a connection to the Water District's mains, or to connect to the Water District main after such person has been disconnected, or to turn the water off or on at the Water District's corporation cock at any premises without first having obtained the written consent of the Water Board.

### SECTION 14. CHARGE FOR WATER WHEN METER IS OUT OF ORDER

When a meter cannot be read or fails to register accurately, the charge will be according to the average quantity of water used monthly, based on the preceding calendar year. If meter has been in service for less than a year, the charge will be based on average of previous months in use.

### SECTION 15. EXTENSIONS

If water is desired for any tract or subdivision not presently served with water by the Water District, the water distribution system for such tract or subdivision shall be installed under the supervision of the Water District and shall conform to specifications of the State, County and Water District, and shall be conveyed to the Water District upon satisfactory completion.

No lines, mains or extensions of mains, placed on private property, will be furnished with water from existing District mains, until properly recorded easements for servicing such lines have been furnished to the Water District, and until such lines, mains or extensions have been inspected and accepted by the Water District.

No water will be furnished until the applicant has complied with Section 3.

### SECTION 16. REQUESTS AND COMPLAINTS

All complaints or requests shall be made in writing to the Southwest Lincoln County Water District Board of Commissioners.

The Board of Commissioners will hear or consider any complaints or requests at their regularly scheduled business meetings held each month.

The Board reserves the right to waive the enforcement of a particular rule if it appears to the Board that enforcement of such rule will work an extreme hardship in a particular case.

### SECTION 17. INTERRUPTIBLE WATER SERVICE

All non-domestic water users and users outside of the Water District boundaries are subject to interruptible water service in the event that water supplies are insufficient to provide domestic users inside the Water District with normal household needs.

### SECTION 18. RESIDENTIAL PROPERTY IN UNIT OWNERSHIP

(a) Residential property in unit ownership refers to such property which has been submitted to unit ownership in accordance with the provisions of Oregon Revised Statutes, Section 91.505 through 91.575. For the purpose of this section, the definitions set forth in Oregon Revised Statutes, Section 91.505 shall apply when applicable.

(b) All water furnished to general common elements and limited common elements shall be furnished through a meter separate from that or those furnishing the units and shall be charged for at applicable rates.

(c) At the time when water shall be supplied to one or more units, the following charges shall be paid:

- (1) The regular connection charge for each unit, whether occupied or not; and
- (2) The cost of all meters, together with installation cost of same; and
- (3) The cost of all pipe from the water main to within 2 feet of the property line, including all necessary fittings thereof.

The Water District shall determine the size of the pipe to be used for supplying each unit, or several units, in accordance with Paragraph (d) of this section.

(d) In accordance with the Rules and Regulations of the Water District, water may be supplied to the units by either of the following methods:

- (1) Through a master meter, which shall supply all the units and the regular monthly charge that shall be imposed for water furnished through such master

meter shall be the base charge for a domestic user multiplied by the total number of units, whether occupied or vacant, plus the actual water used; or

(2) Through a separate service pipe, meter, and shut off valve for each unit, which shall be charged regular District rates for a domestic user.

### SECTION 19. INACTIVE WATER SERVICE

Upon approval of the Board, a water service may be installed without the meter upon payment of the required new service charges. If a service is installed at the time of a pipeline extension, a contractor may pay a service fee less than the normal service fee. To activate the service, a meter set fee and the System Development Charge will be paid and the meter will be set.

### SECTION 20. TERMINATED WATER SERVICE

If a water service has been turned off for non-payment for one and one-half fiscal years, then such service shall be considered permanently disconnected. Any reconnection thereafter shall be upon the same terms and conditions and at the same rates as any new user except that if the System Development Charge (SDC) has previously been paid; the SDC will not be charged again on the same property.

### SECTION 21. AMENDMENTS OR ADDITIONS

The Water District reserves the right to amend or add to these Rules and Regulation or to change the water rates as experience may show to be necessary in compliance with the Oregon Revised Statutes governing Domestic Water Districts.

Adopted Effective January 14, 2004

## **SOUTHWEST LINCOLN COUNTY WATER DISTRICT**

7740 101 NORTH

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www.swlcmd.org

(541) 547-3315

41-00925

Office Hours: 8:00am to 4:00pm

Mon. thru Fri.

Service Hours: 7:30am to 4:00pm

Mon. thru Fri.

Closed Legal Holidays

### **Rates, Rules and Regulations**

A Board of Commissioners, elected by the people, are the governing body for the **SOUTHWEST LINCOLN COUNTY WATER DISTRICT**. The property of the Water District belongs to the people of the District, and the Commissioners require the cooperation of all the water users and property owners within the District. Observance of the rules and regulations and the prompt payment of all water charges, and the diligent protection and careful use of the water system will assist the Board of Commissioners in managing this public trust in the interests of all.

### SECTION 1. WATER USERS

(a) DOMESTIC - Since the **SOUTHWEST LINCOLN COUNTY WATER DISTRICT** has been formed under Oregon Revised Statute Chapter 264 as a Domestic Water User District, the first priority of the district is to serve the needs of domestic users.

A domestic water user is one to whom water is furnished for a dwelling intended for occupancy by one family. This Domestic user may not be the applicant. The applicant will be charged a basic charge for each user or will be required to have a separate service installed for each user. In the event that a dwelling is intended for occupancy by more than one family, each family occupying such dwelling shall be deemed to be a domestic user and shall be required to submit the application before being served with water. In the event that more than one dwelling is located on the same lot or tract of land, each dwelling shall be considered as a

domestic user and be required to have a separate connection.

(b) **COMMERCIAL** – A commercial user is a user to whom water is furnished for the operational needs of a business or non-domestic use and shall be subject to interruptible water service at such times as water supplies are insufficient to serve the needs of domestic users.

(c) **FIRE PROTECTION** – The District will allow the installation of services for fire protection. These services will be fitted with Flow Detector Devices and Backflow Preventors. This service is for the explicit purpose of providing fire flows to customer fire sprinkler systems and customer fire hydrants. The only permitted water use is to test the fire system or to fight a fire. All other water uses will result in the termination of the fire service until such unauthorized uses are corrected or a full flow meter is installed. Any corrections needed will be at the customer's expense.

(d) **IRRIGATION SERVICES**-The District will allow the installation of a separate metered service(s) to be used for irrigation for any current Domestic or Commercial customer. The Water District Board of Commissioners may, at its discretion, waive the requirement of having a Domestic or Commercial service. These services will need to be fitted with Backflow Preventors at customer expense. The cost of installing an Irrigation service shall be the same as for a Domestic or Commercial service of the same size except that the System Development Charge (SDC) will not apply. The charges for the water used through the Irrigation service will be the same as that for an active Domestic service of the same size. The only permitted water use is for irrigation purposes. All other water uses will result in the termination of the Irrigation service until such unauthorized uses are corrected or the service has been converted to a Domestic or Commercial use including the payment of a SDC. Any needed corrections will be at the customer's expense. For a fee, the Irrigation service will be turned on or off by the Water District at customer request. When the irrigation meter is turned off, there will be no monthly charge. The Irrigation service can be turned off without notice by the Water District if it deems water for irrigation is not available.

## SECTION 2. APPLICATION FOR WATER SERVICES

Application for water service must be signed by the owner or his legal representative, and made on the District's application form. By signing such application form, the applicant agrees to conform to the Rules and Regulations of the Water District as a condition for being served with water. The connection fees shall be as set by the Board of Commissioners and will be raised as needed. **A schedule of connection fees is available upon request.** The activation date for a new service shall be considered the date the water is turned on at the premises by the Water District.

All applications on file must be current. In the event that the District does not have on file an application for a water user now being served, a new application, signed by the applicant, shall be required as a condition for continued water service. If such water user, or his predecessor at the premises in question has paid the connection fee, a second connection fee shall not be required unless an additional or larger connection is desired or required to serve the user or the service has been removed.

## SECTION 3. USE BY APPLICANT

No applicant supplied with water from the mains of the water district will be entitled to use it for any other purpose than that stated in the District's Water application form nor shall the applicant supply water to any other person or property than that specified in said application.

In the event that a water user's property is divided and someone other than the applicant acquires an interest, either as a contract purchaser or as a legal owner, in a portion of said property, the applicant shall not continue to serve such portion of the property with water. Such portion of the property must have a separate water service connection if water is desired. It is the obligation of the water user, or the new owner, to pay for any water service connections needed. The requirements of Section 15, regarding easements shall also be applicable. Failure to install a new connection as above, will justify turning off the water supply serving the property supplying water to the unserved property until the foregoing conditions are in compliance. An applicant shall be responsible for all water charges until such applicant requests that water be permanently shut off or a new applicant fills out an application form for the same premises.

Where an applicant vacates the premises and the water bill is delinquent, the Water District reserves the right to shut off the water and not restore service until the owner of the property being served pays all delinquent bills.

## SECTION 4. WATER RATES

Whenever necessary to maintain the financial health of the Water District, the Board of Commissioners will cause rates to be set which will generate sufficient moneys to pay all of the Districts bills and allow for the replacement of the Water System or improvement of the Water System as needed. **OUT-OF-DISTRICT** and **TAX-EXEMPT-WATER** users shall be billed at a rate of 150 percent of the **IN-DISTRICT** user rates. **A schedule of rates is available upon request.**

## SECTION 5. PAYMENT OF WATER BILLS

All monthly charges for water shall be due on or before the due date on the bill.

In the event that any water bill is not paid before becoming delinquent, the Water Board reserves the right to shut off the water until all arrears together with the turn-on charge has been paid.

## SECTION 6. PROPERTY OWNER HELD LIABLE

Upon application as herein provided, water service may be supplied; however, the owner of the premises to which water is supplied will be held responsible for all charges for water and services furnished to said premises, whether supplied to the owner or to a renter or occupant thereof, and for the compliance by any renter or occupant thereof with Rules and Regulations of the Water District. In the case of a dispute as to whom should pay a water bill, the Water District shall not be required to decide which of two different persons is obligated to pay the bill, and the Water District may withhold services of Water until all arrears have been paid. If the property is sold, the account balance stays with the property.

## SECTION 7. SEPARATE CONTROL; OF SERVICE

Where one water meter provides water to two or more dwellings, the service pipes must be so arranged that the supply to each separate house, premises or dwelling, served as a domestic user, shall be controlled by a separate valve placed near the meter box.

## SECTION 8. ON-PREMISES PUMPS

There are areas of low pressure in the District that affect one to four homes. These areas of low pressure do not warrant the expense of a pump station operated by the Water District; therefore, individual applicants are allowed to install a pump in their water line at some point between the meter and the place of use in order to increase the pressure at the place of use. An approved backflow device shall be installed by the applicant between the meter and the pump. A real covenant agreement between the Water District and the applicant will also be required.

## SECTION 9. SHUT OFF FOR REPAIRS

Notice before shutting off water will be given, if possible, but in an emergency, the water may, at times be shut off from the mains without notice, for repairs or other necessary purposes, and the Water District will not be responsible for any consequent damages. Should damage result to a heater or other appliances or property of the consumer by reason of water being shut off from the mains, the Water District, Commissioners or Employees shall not be held responsible.

## SECTION 10. PLUMBING PRACTICES

All plumbing in connection with the use of water shall conform to good plumbing practices and be of the class and standard of work acceptable to the Water District. Leaking faucets, fixtures, and lines must be repaired or corrected by the water user at his own expense. Service may be shut off for failure to do so.

## SECTION 11. ACCESS TO PREMISES FOR INSPECTION

Agents of the Water District shall have access, at proper hours of the day, to all parts of the building and premises to which the District water may be delivered for the purpose of determination whether a violation of OAR Chapter 333, Section 42-200 to 42-245 is present, as well as to check for leaks and compliance with these rules generally. If such violation is found, the District reserves the right to shut off the water until violation is corrected.

## SECTION 12. CHARGE FOR FAILURE TO COMPLY WITH RULES AND REGULATIONS

If a water user fails to comply with the Rules and Regulations established by the Water District, water