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RULES AND REGULATIONS OF THE MOSSY BRAE WATER DISTRICT

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FIELD SERVICES
DRINKING WATER PROGRAM

Article I. Definitions

As used in these rules and regulations, the following terms shall be defined as follows:

- (1) "District" shall mean the Mossy Brae Water District.
- (2) "Board" shall mean the Board of Commissioners of the Mossy Brae Water District.
- (3) "User" shall mean any person actually receiving water service from the District, and shall also include the owners of legal title to the premises to which water service is furnished.
- (4) "Service Connection" shall mean all the necessary pipes, valves, stops and fittings connected therewith through which water service shall be furnished by the District through its water mains, to the private Service Connection of the User.
- (5) "Employee" shall mean Board members, agents of the Board, or anyone designated by the Board to act on its behalf.

Article II. Jurisdiction and Ownership

1. Ownership: Legal title to the entire system, including all mains, laterals, Service Connections, reservoirs, pumping stations, fire hydrants, and all other property related thereto, is vested in the District and the District has and shall at all times have exclusive jurisdiction, possession and control thereof.
2. Jurisdiction: No person other than an Employee of the District shall be permitted to install, move, change, tamper with or in any manner interfere with the Service Connection, water main, valve or any other property of the District, nor shall any person other

2. Pressure Irregularities and Shortages

2.1 The District shall not be liable for damage or otherwise responsible because of pressure irregularities, interruptions, or discontinuance of water service. The Board shall have the right in cases of inadequate supply or shortage of water to determine how water from the system may be used, establish regulations limiting water use, and give preference to those uses determined to be in the best interest of public health and public convenience or necessity.

2.2 The District reserves the right at any time without notice to shut off the supply of water to any User for the purpose of repair, emergency or other reasons. However, the District shall give advance notice whenever it is known that service is to be interrupted for any appreciable length of time, if such notice can be reasonably given.

2.3 The District shall not be responsible for any damage in the event of any shut off, including any shutoff pursuant to Section 2, Article IX, to pipes, fixtures, or for interruption of water supply or any other damage resulting from the shutting off of water or by change of water pressure.

Article V. Use of Water

1. Use of Water: The District shall furnish water for ordinary domestic and community use and for such sprinkling and fire fighting purposes as the system may reasonably supply, and as may be approved by the Board.

2. Irrigation: The District reserves the right to control, limit and forbid the use of water for purposes of irrigation or any purposes other than domestic use and in the opinion of the Board, the use of water for domestic purposes is not sufficient in amount for resident Users.

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injury whatsoever for leakage or the running of water on the premises from pipelines, plumbing fixtures, open faucets, valves, and hoses.

Article VI. Service Connection

1. Location

1.1 A Service Connection shall be located only on a public road or easement deeded to the District at such point as the District shall determine. A Service Connection shall be made only to premises which have a public road as one of its boundaries. Whether User's premises border or connect with two or more public roads, the District shall determine on which road the Service Connection is to be installed.

1.2 The District shall maintain all Service Connections in good repair without expense to the User.

2. Relocation: Standard Service Connections requested to be removed or relocated by the User will be removed or relocated at the User's expense. The District may change the location of Service Connections at the User's expense where the construction of a driveway, parking area or the growth of impediments to the Service Connections or valves have been permitted in violation of its regulations.

3. Size: A standard Service Connection shall consist of fittings and connections determined by the District to be necessary. Service Connections larger than standard will be permitted only upon written application to the District. The District reserves the right to deny the same and to install such size Service Connections as in its opinion will be adequate for the reasonable needs of the User.

8. Other Physical Connections: No physical connections shall be made or permitted to exist even temporarily between pipes carrying water of the District and those carrying water from other sources such as wells, springs, and streams. When such connections or the facilities for the making of such connections are found to exist, the Board shall shut off, without notice, water to the premises found to be in violation. Service shall not be reestablished until satisfactory proof is furnished that the connection has been completely and permanently severed.

Article VII. Application and Deposits

1. Application for Service: All new residents (property owners, their duly authorized agents, renters, and lessees) requesting water service shall make application for water service in writing, on regular application forms provided by the District. No service shall be rendered until such application has been completed and the required payments made. All applications shall include the signature of the applicant, location of premises for which water service is requested, address to which all bills shall be sent, and such additional data as the Board may from time to time require. Application for service shall be considered as a request for service and shall not bind the District to provide such service. All new applicants for water service shall be given a copy of the Mossy Brae Rules and Regulations and a copy of the rates and charges then in effect upon payment of deposits. All owners of legal title to premises within the District, or their agents or property managers, who rent or lease the premises to tenants who are Users, as defined herein, shall provide notice to the District each time a tenant vacates the premises, is evicted from the premises, or is otherwise no longer occupying the premises.

January/February payment is not received by April 15th, the account is past due If the User's account becomes past due, and is not paid within thirty days, the account becomes delinquent and the Board may send to the User a thirty-day notice to bring User's account current and the Board may assess a delinquent fee of \$20.00 with the written notice. If the account is not brought current within the time stated in the notice, the District may terminate the water service to the premises for which payment is delinquent pursuant to Section 2, Article IX of the Rules and Regulations. Water service shall not be restored until all past due bills are paid together with such other charges as may be determined by the Board as a penalty. *EXAMPLE. If the January/February payment is not received by April 15th, the account is past due. If the January/February payment is not received by May 15th, a 30-day written notice, which may include the assessment of a delinquent fee, may be sent to bring the account current. If the account is not brought current within that time, a termination notice may be sent that water will be shut off on a date not less than ten days from the date of the notice unless the account is brought current and all charges have been paid.*

4. Notice of Termination of Water Service (Shutoff): Written notice of shutoff shall be given by the District at least ten (10) days prior to the shutoff date. The written notice shall contain the date of shutoff, a statement that the User is entitled to a hearing, and that the User must request a hearing prior to the shutoff date. If payment is not made or a hearing is not requested, water service shall be terminated and the User will be required to pay all past due charges and current charges, together with a \$40 restoration of service charge and any penalties or professional fees as provided in Section 3 of Article IX. If payment is made within the ten-day notice period and prior to the shutoff date, the User shall pay current charges, past due

date of termination of service, a statement that the User is entitled to a hearing and that the User must request a hearing prior to the date of termination. Restoration of service charges for failure to comply with the rules and regulations shall be determined by the Board and may include any professional fees incurred by the District (e.g. plumbing, pipe locators, etc.).

3. Penalty: The District may charge a fee, after notice described in Section 4 of Article VIII is given but before service is terminated, or after termination for restoring water service in all cases except where such termination is at the request of the User. In addition, if restoration of service is requested by the User, the Board may charge and collect from the User any professional fees, e.g. plumbers, pipe locators, etc., incurred by the District in the termination or restoration of water service.

4. Exclusive Right to Restore Service: No one has the right to restore water service which has been shut off due to violation of the rules and regulations, emergency or non-payment. The right of restoration of service is the exclusive right of the Board or its agent.

Article X. Fire Hydrants

1. Installation and Use: Additional fire hydrants may be installed by the District upon application and upon payment to the District of the cost therefor in advance. Type, size, location and other factors involved shall be governed by the District.

2. Damage: No person other than an agent of the District shall open any fire hydrant or attempt to draw water from it or in any manner tamper with it. Violators may be subject to criminal prosecution.

3. Moving Hydrants: If a User desires to change the size, type or location of an existing hydrant, he shall pay all such charges if the District approves the change to be made.

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.

Article XIV. Complaints and Special Requests:

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. No oral request or complaint will receive consideration.

Article XV. Revision and Modification

1. The Board of Commissioners may from time to time, as the occasion may demand or require and in accordance with procedures set forth by law, make such changes, modifications, revisions, and additions to the rules and regulations as may be deemed necessary in the interest of the District.

2. Rates and charges for installation of piping, main extensions and other fees and charges may likewise be revised in accordance with the procedures set forth by law and as necessary and as required in the interest of the District.

3. These rules and regulations shall be effective January 1, 2006 and all other rules and regulations shall terminate as of that date.

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