

ARTICLE 4 - Use and Maintenance of Water System

4.1 Responsibilities of District.

Except as otherwise provided by these Rules and Regulations, the District is responsible for the operation and maintenance of the Water System in accordance with these Rules and Regulations. The District shall not provide water for use outside the boundaries of the District without the approval of the Board of Directors.

4.2 Unauthorized Tampering with the Water System.

No unauthorized person shall uncover, use, alter, disturb, or make any connection with, or opening onto, alter a use, or disturb the Water System without first obtaining a written permit from the District. Unauthorized uses of the Water System include, but are not limited to, an unauthorized turn-on or turn-off of water service, or a tampering, or in any way modifying any Meter, even though the same may be performed on a privately owned and maintained Service Line.

4.2.1 No person shall maliciously, willfully, or negligently, break, damage, destroy, cover, uncover, deface, or tamper with any portion of the Water System.

4.2.2 Any person, who shall violate the provisions of this Section 4.2, Unauthorized Tampering with the Water System, shall be liable to the District for any expense, loss or damage occasioned by reason of such violation, or for any fees or charges payable as determined by the Board. Until paid, all such fees and charges shall constitute a perpetual lien on and against the property served as provided by CRS 32-1-1001(1)(j)(I).

4.3 Complaints and Service Requests.

All Customer complaints, requests for service, or inquiries which are not readily answered, will be documented by initiation of a Service Request/Complaint Form. Forms will be completed by District personnel and will indicate the nature of the complaint, request or inquiry and the action taken or response thereto.

- 4.3.1 Receiving Complaints. Complaints are received and processed by the General Manager. All complaints will receive prompt investigation and action. If investigation indicates that the complaint is without merit, the complainant will be so notified.

4.4 Responsible for Maintenance.

Proper maintenance of the Water System requires a sharing of responsibility between the Board and the Customers as herein outlined:

- 4.4.1 Customer Service Lines. The Customer or the property owner shall be responsible for maintenance and repair of the Customer Service Line. Each Customer shall be responsible for all costs associated with maintenance of the Customer Service line from the building or point of use to the Meter Pit.
- 4.4.2 Meters. Meter sizes for all applications shall be determined by the Customer in consultation with the District.
- 4.4.3 Pressure Reducing Valves (PRV). The District recommends the installation of a PRV on all service connections. A PRV may be installed in all Customer Service Lines downstream of every water meter, ensuring that the building's plumbing system, including any fire sprinkler system, are protected from fluctuating water main pressures. Repair and maintenance of the PRV on a private main shall be responsibility of the Customer(s) receiving the service from that private main.
- 4.4.4 Water System. The District shall be responsible for repairs and maintenance of the Water System, except for Customer Service Lines and private mains.
- 4.4.5 Turn On/Turn Off Service. All routine turn on and turn off of water service at a meter valve shall only be performed by District personnel. During emergencies, a Customer may turn off the water service at the meter valve. The District shall be notified of the turn off and the reason for the turn off at the earliest possible time. Only District personnel shall turn on the water service.

When initial service is provided and when the turn on/turn off service is performed for a Customer requiring maintenance to his Service Line, a service fee will not be charged. In other circumstances, the District shall assess a single turn on/turn off charge for each turn off and turn on performed. In each case where turn off of water service is caused by non-payment or late payment of service charges and fees, a service fee shall be imposed when the turn on is performed. The service fee will be increased in increments per instance of turn on over a consecutive 12 month period. Please reference Article 9 Rates, Charges and Fees for applicable fees. Payment of all charges and fees are required in full prior to turn on of the water service. All other requests for a turn off or turn on of water service may be granted or denied by the General Manager in his or her sole discretion.

The District will provide turn on service for a tap for new construction only one time prior to the occupancy of the building served. At the time the Meter is set, service charges begin unless the District is requested to perform a turn off. In this event, the Customer will be charged an additional fee when service is turned on.

4.4.6 Safety Devices. Each Customer having boilers, booster pumps and/or other appliances which depend on pressure or water in pipes, or on a continual supply of water, shall provide, at his own expense, suitable safety devices to protect himself and his property against a stoppage of water supply or loss of pressure. The District expressly disclaims any liability or responsibility for any damage resulting from a Customer's failure to provide such appropriate protection.

4.4.7 Fire Hydrants. It is unlawful for any person to operate District valves or fire hydrants without prior written authorization by the District. Law enforcement officers, personnel of the District, or personnel of a fire district/department are authorized to confiscate any hydrant wrench, valve shut off key or other materials found to have been used to operate or attached to any valve or fire hydrant without written District authorization. Any violation shall be considered "Unauthorized Use" and will be subject to all fines and fees herein.

No landscaping, retaining walls, or buildings may obstruct the access to fire hydrants. Minimum clearances must be maintained around fire hydrants to facilitate their use. Customers are responsible to maintain a seven foot (7') clearance on either side (where 2" connectors are located), four foot (4') clearance (including landscaping, retaining walls) on back, ten foot (10') clearance in front (where steamer connection is located), and twenty five foot (25') clearance above all fire hydrants. The breakaway collar must be six inches (6") above finished grade.

4.4.8 Obstruction of Easements or Rights-Of-Way. No person shall obstruct easements or rights-of-ways containing any part of the Water System in any manner that may prevent unrestricted access to and use of the easements or rights-of-way by duly authorized employees, agents, or representatives of the District unless such obstructions are specifically permitted, as applicable, by the public authority having jurisdiction of public rights-of-way or under the terms of the agreement granting the easement to the District.

4.5 Waste of Water.

It is recognized, by the Board and the Customers, that water is a limited natural resource and should not be wasted. It is incumbent upon each Customer to conserve water so as to use only that amount necessary for domestic requirements. Customers shall be aware of the amount of water used and shall strive for maximum efficiency. The District may establish voluntary water usage guidelines to optimize

water conservation throughout the District. Further, in periods of water shortage, the District may impose water use restrictions. It shall be incumbent upon each Customer to adhere to water use restrictions when such are imposed.

4.6 Unauthorized Use of Water

Any Unauthorized Use of water shall be paid for at the same rate as if that use had been authorized, together with the costs incurred by the District in discovering and collecting for the Unauthorized Use. Such payments shall not in any way affect the right of the District to disconnect or suspend Water Service to any Customer for Unauthorized Use, or to charge additional penalties or pursue such other remedies as may be authorized by law or approved by the Board; nor shall it affect any criminal liability which may have attached by reason of such Unauthorized Use.

4.7 Inspection Powers and Authority of District Agents.

The General Manager and other duly authorized agents, consultants or employees of the District, bearing proper credentials and identification, shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling, and testing, in accordance with the provisions of these Rules and Regulations. Refusal by a Customer, property owner or his agent of any request by the General Manager or any employee of the District to permit such inspections, observations, measurements, sampling and/or testing upon the request may result in the immediate disconnection of service to the property.

4.8 Discontinuance of Service.

The District reserves the right to discontinue service to any property at any time when deemed necessary or appropriate by the Board or the General Manager. The District shall also have the right to discontinue service to any property for violations of these Rules and Regulations in accordance with the procedures set forth herein.

4.9 Access to Private Property.

Application for or receipt of service from the District shall be deemed to give permission by the property owner to allow District employees to enter the premises for the purpose of reading the Meter and, when required, to make changes or repairs to the Meter. Denial of access during reasonable times of day or in case of an emergency shall be cause for termination of service.

4.10 Delivery Pressure.

The District will normally deliver water at a pressure of between twenty five (25) and one hundred and forty five (145) pounds per square inch (psi). In the event the District cannot maintain a delivery pressure of twenty five (25) psi or more, the Customer shall be responsible for the installation of a booster pump or pressure tank and an approved double check valve for backflow prevention. The Customer

will also be responsible for the installation of a PRV if the delivery pressure exceeds their appliance parameters.