

**RULES AND REGULATIONS**  
**OF THE**  
**OAK LODGE WATER DISTRICT**  
**OAK GROVE, OREGON**

**Adopted by the Board of Commissioners**

**July 1967**

**Revised July 2001**

*"The quality shows our commitment"*

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General Manager

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## PREFACE

The Oak Lodge Water District is a Municipal Corporation, duly incorporated and organized under the laws of the State of Oregon. The District was formed in 1922 and is entirely within Clackamas County. It serves most water users in an area extending from the Willamette River on the west, to approximately Webster Road on the east, and from the cities of Gladstone on the south, and Milwaukie on the north.

The Oak Lodge Water District has as its prime purpose and function; the job of supplying water for domestic, industrial, and commercial purposes to those residing and working within its area. A Board of five Commissioners governs the District, elected by the residents of the area it serves. It is the job of the Commissioners to formulate, and interpret and cause to be applied District policies, in a manner as to best meet the needs of its residents and inhabitants, and in a way that will promote its development. Commissioners hold regular monthly meetings that are open to the public in general.

Generally, the work of installing, repairing, constructing, and maintaining mains and other equipment, and services necessary to perform the task of supplying water to District users is carried on by paid personnel directed by the District Manager.

The properties and water system of the District are actually owned by the taxpayers of the District. Major improvements, such as reservoirs and supply lines, are normally undertaken by funds obtained from the issuance of bonds approved by the voters; regular service charges pay for day to day operating expenses; minor extensions are paid for by the particular parties concerned.

The District, under its own water right, distributes water taken from the Clackamas River. The water supplied by the District is, screened, settled, filtered, and chlorinated, before entering the District's lines. In addition, the District maintains a constant water quality testing program, to assure maintenance of highest standards of purity.

Suggestions and recommendations, for the improvement of the system, and services rendered, are not only welcome, but encouraged by the Board of Water Commissioners. It is only through the customers' assistance and cooperation, that the District can render the best possible service, and eliminate irregularities and defects.

The rules and regulations of the District which follow have been prepared and adopted by the Board in the interest of maintaining uniform policy, predicated upon what the Board believes to be sound financial, engineering, management, and legal principles.

Board of Commissioners

# **RULES AND REGULATIONS OF THE OAK LODGE WATER DISTRICT**

## **DEFINITIONS**

"District" means the Oak Lodge Water District.

"Board" means the Board of Commissioners of the Oak Lodge Water District, which is the District's governing body.

"Customer" means any person granted water service by the District.

"Cross-connection" means any actual or potential connection, including any mechanical structural arrangement, between the District's system, or any other water source, or system through which, any other water could possibly be introduced into the District's system, or where any industrial fluids, gas, or substances other than the District's potable water, could likewise be so introduced into the system.

"Customer Line" means the pipe, valve and fittings, leading from the water meter to the premises served.

"Dwelling" means premises occupied, or intended to be occupied, by one "family" living unit.

"Main" or "water main" means the pipe in the street, alley, right of way, or easement, owned and maintained by the District, to distribute water to customers, and for servicing fire hydrants.

"Meter" means a device for measuring the flow of water to a particular water service.

"Owner or Person" means and includes any natural person, firm, partnership, association or corporation.

"Premises" means any building, structure, improvement or parcel of land that may now, or at some time, receive water service from the District.

"Service Area" means that area included within the corporate limits of the Oak Lodge Water District, and other adjacent or neighboring territory, as the Board will, from time to time, determine to serve.

"Service Line" or "Service Connection" means the pipe, valve stops and fittings from a main to, and including the meter, and meter box.

"General Manager" means the person charged by the Board of Commissioners with the responsibility of directing the operation of the District's functional systems. The General Manager is responsible for the administration and implementation of the District's policies and programs as adopted by the Board of Commissioners.

"System" means all or any part of the water system, owned and operated by the District, and includes all service lines to, and including all meters.

"Vault" means an enclosure used to protect meters, valves, or similar devices.

## **OWNERSHIP OF SYSTEM**

The District owns the water system, serving District residents and properties. None of the properties of the District may be disposed of without approval of the Board. The District is a municipal corporation of the State of Oregon, whose primary purpose is to supply water within the confines of the District, in the manner approved by the Board and according to applicable law.

## **JURISDICTION AND OPERATION**

The entire system, including all mains, service lines, meters, reservoirs, pumping stations, treatment plant, and all facilities, and appurtenances, is operated only by authorized employees, and agent; (representatives) of the District.

No person will connect to any main or service of the system, or interfere with the operation of any of the facilities whatsoever, or turn on or off, any meter or service, or operate any valves or fire hydrants; provided however, permit members of regularly constituted Fire Departments are authorized to connect and use fire hydrants for the express purpose of fighting fires, testing, and or has uses consistent therewith, according to procedures as the District will establish.

## **RESPONSIBILITY AND LIABILITY OF THE DISTRICT**

The District will maintain and repair its mains, service lines, meters, structures, facilities, and all appurtenances to keep them in repair, and in operative condition, always as far as practical and reasonable.

The District will not be liable for damages, or otherwise responsible because of the interruptions, or discontinuance of water service, or variations in water pressures. District customers are encouraged to equip their personal water systems with backflow devices and pressure regulators, to prevent damage thereto, in the event of service interruptions or pressure changes, within the District's system; provided however, all new services installed after adoption of these Rules and Regulations will require the installation of a backflow device.

The Board will have the right in cases of inadequate supply, or shortages 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, well-being or necessity, and/or provided by law will give highest priority to household use, that will not include irrigation of lawns or fields.

Entry upon premises: by making application for water service, or by using water service supplied by the District, every, customer or user does thereby grant and give 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 to the extent required to inspect for compliance with these Rules and Regulations.

## **USE OF WATER**

The District will furnish water for ordinary domestic, household, business and community use, and for such sprinkling, irrigation, industrial, commercial and fire fighting purposes, as the system can supply, and as may be approved by the Board.

The Board may prescribe limitation on the use of water, as to hours, purpose, or manner, from time to time.

The resale of water purchased from the District by a customer will be permitted only by special written contract with the District, specifying the appropriate conditions therefore.

## **FURNISHING WATER**

The District will not be obligated to furnish or install system facilities for all properties and premises within the District.

The District will, as far as reasonable and practicable, and within its financial means, provide adequate sources of water supply, including necessary, and primary feeder mains, storage facilities, and other improvements, to make water service generally available, to all areas within the District. Main extensions and other facilities, to furnish water to areas and premises, underdeveloped or not, not now being furnished water from the system, will normally be at the expense of those persons requesting such services, and will be made only by the District, or upon its written authorization, or by those with express permission of the Board, under such terms and conditions, as the Board will require.

## **WATER SERVICE / APPLICATION AND METERS**

The owner of the premises to be served, or the owner's duly authorized agent, will apply for water service in writing, on regular application forms, furnished by the District. No service will be provided until the District approves the application, and required payments are made.

The District will provide water service only from mains located within public roads, streets, alleys, or Oak Lodge Water District easements, public right of ways, and to property abutting such mains, and to dwellings, and other structures, and premises fronting such thoroughfares, with sufficient frontages on the same, to provide for appropriate service from such thoroughfares.

All applications will include the signature of the applicant, the location of premises for which the service is requested, the address to which all bills will be sent, and such additional data, as the Board from time to time may require, including a plot plan of the area to be served. District personnel will regard as confidential, additional information furnished by an applicant, at the District's request; provided, however, the District will in no way be responsible for its use of said information, which will be at its discretion. Failure to supply such information when requested shall be deemed sufficient cause to deny the application.

Applications for service will be considered merely as a request for service, and will not bind the District or Board, to provide such service Charges made for the installation of water service will be paid in full, and before installation, by the District.

Each dwelling, or building, or premises must be provided with its own water service connection, and meter. No person will furnish water to any other building, property, or premises, without written approval of the, District being first obtained, and then, only according to the specific term of any such authorization that might be granted.

The District will not permit so-called "spider connections" which would provide service from one road or street, to premises abutting, or dwellings fronting, on another road or street, the District will provide each dwelling with a separate service connection, and no other occupant of such dwelling, will furnish water to any other dwelling, or premise.

Meters will be set at property lines, and the service pipe from the main to the meter, as well the meter and the meter box, will be the property of the District and not the person owning the premises or paying for the installation.

## **INSTALLATION /SERVICE CONNECTION**

Unless otherwise requested and approved in writing, service connections will be 3/4" and meters will be first quality 5/8" x 3/4" meters, with such fittings, connections, yoke, or setter, a meter box, shut off cocks, etc. as the District may from time to time require.

When in the judgment of District personnel, unusual conditions exist which require greater attention, 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 meet the cost of such additional fittings, meter vaults, or other safeguards, at customary District charges that will be charged to the applicant, and be in addition to the usual meter and service installation charges, and considered a part of it.

When meters are required to be installed in driveways or roadways or under other circumstances, that in the opinion of the District's personnel may cause unusual installation or maintenance problems, the District will have the right in its discretion, to require concrete meter vaults, or other devices to likewise be installed. The cost of such vaults or other protective devices will be borne by the owner of the property requesting the service installation.

Services larger than 3/4", may, in the discretion of the Board, be installed when requested in writing, provided the system can adequately serve such larger connections without interfering with the water service of others. The charges made for the installation of larger services will be sufficient to cover all costs thereof, and the minimum or "ready to serve/ charge will be higher than for standard 3/4" service connections.

The Board may require persons requesting large service connections for fire protection, to pay for an equitable portion of the cost of feeder mains needed to supply the required flow. Each such case will be considered separately on its merits and the circumstances applicable to the case. The Board may also enter into special service

contracts, in which higher minimum charges are established sufficient to cover the cost of the service rendered.

## **TEMPORARY SERVICE**

The District will take applications for temporary services in writing on forms furnished by the District. Applicants will pay the established charge for installation of the service connections, plus any additional charge that may be required by the District, for the removal of the service, following the cancellation of such temporary use.

The District will continue temporary service at the sole discretion of the Board of Commissioners, which may be canceled anytime upon thirty (30) days written notice to the owner or occupant of the premises, so served. Temporary service will impart no special privilege, or provide any vested right to water service, and will not under any circumstances, release or excuse said premises and/or occupant, or owner, thereof, as may be, from being required to pay proper or proportionate shares of any charges incurred for line, or main extensions, or assessments, otherwise rendered for the provision of permanent service, or facilities, for permanent service to the area of concern.

## **OUTSIDE USER SERVICE**

Service to persons and property outside the boundaries of the, District, will be at the discretion of the Board, at all times. Water provided outside users can only be made if the District has sufficient surplus water beyond its requirements within the District, and such service, if provided may be discontinued any time, if the interests and needs of the District so require. Any such service installation shall be required to meet and abide by all the rules and regulations of the District, with respect to installation, maintenance, and service.

## **CONTRACTS / SPECIAL SERVICES**

Applications made to connect a premises for water service accepted by the District, will be considered a contract in which the applicant agrees to abide by all rules and regulations in effect, at the time of signing the application, or as may be adopted, or modified, thereafter by the Board including payment of all bills, promptly as rendered.

Whenever the applicant or user'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. Water for swimming pools, tanks reservoirs, and like facilities will be considered under this section, and will be dependent upon sufficient water supply, and service for normal residential use.

All District rules, regulations, rates and charges are subject to change or modification by the Board. All special contracts will be in writing, signed by the proper person, or customer and the District.

## **DEPOSITS AND ESTABLISHMENT OF CREDIT**

At the time a written application is made for water service, the applicant will pay to the District, an amount sufficient to cover the cost of the installation, according to schedules established by the District.

After such installation is made, the facilities will be the property of the District, and the cost of installation will not be refunded to the customer, or owner of the premises served

The District, may at its discretion, require an advance cash deposit for water service, either for new services, new premises, or for turning on water at an inactive service, if the credit of the applicant is unknown or has not been established, or for other good cause. Advance deposits for water service so collected will be applied to bills rendered after one year, until all of any such have been used to pay for water supplied to the premises; the Board may require replenishment of deposits as a prerequisite to continuation of service, if determined necessary. Deposits or payments made to cover costs of new service installations will not be considered such deposits, as herein described.

## **METER READING AND BILLING**

The District will read meters at regularly established intervals as determined by the District, and bills will be rendered based upon consumption to the nearest 100 cubic feet of water furnished. For the purpose of making charges the District will bill all meters serving a customer's premises separately, and will not combine readings, unless such meters are installed in a battery at one location, according to the requirements of the District. The District will provide separate meters for each service unit or structure unless otherwise specifically approved in writing by the District.

## **PAYMENTS FOR SERVICE**

All charges for water services furnished, will be due and payable on the date of billing, or as specified therein, and become delinquent following the tenth (10th) day thereafter. Water services to premises and/or District customers, may be discontinued when a billing delinquency exists according to Oregon laws; these Rules or the District's administrative regulations adopted pursuant thereto.

Water service terminated or disconnected for lack of payment for bills due the District, will not be restored until all past due bills are paid, and such other charges therefore, as the Board will determine proper from time to time, and as set forth in the District's "Rate and Service Schedules."

All payments will be made to the Water District either by mail or at the office of the District, or such other places as the Board may from time to time, designate for such purposes.

All delinquent water or service charges due the District by; customer including services rendered any premises may be collected in a manner provided by law, including referral to a collection agency or legal counsel.

## **DISCONTINUANCE OF SERVICE, VOLUNTARY OR WATER ACCOUNT AND CHARGE DELINQUENCIES**

A customer occupying premises served with water, may have the water service to such premises temporarily, or indefinitely terminated by giving the District written notice as far in advance of the effective termination date as possible. Such user will, upon giving such notice, pay all charges for services rendered to the date of such termination. Where water service has been discontinued at the request of a customer, such service may be restored upon the request of that customer.

In the event, prompt payment of water charges are not made by the premises owner or customer, as may be, or for water services furnished to premises, the District may shut off the water supply to the concerned dwelling, building, structure or premises, or to which services are rendered according to District rules, or regulations, adopted pursuant hereto.

According to applicable District practice and/or Oregon Revised Statutes (ORS) 264.306, the District may terminate water service to premises where such premises, or the customer (user), is in violation of any rule or administrative regulation of the District, and also failed after 30 days written notice to comply with such rule or regulation.

In accordance with ORS 264.305(2), whenever the household supply of water within the District is being jeopardized by non-household use of water, the District may order the non-household use of water to be immediately discontinued. For the purposes here stated, non-household water includes irrigation of lawns or fields.

When a water account becomes delinquent as herein defined, and before termination of water service for nonpayment thereof, the District will deliver a FINAL WATER SHUT -OFF NOTICE, to the delinquent customer (user).

In the event the customer's and/or billing address is other than the premise address for which the account has been incurred, a copy of such written Notice will also be furnished to the occupant of the premises. This Final Water Shut-off Notice will specifically advise that the concerned delinquent water service will be turned off, on or after a certain date. Such Notice will also inform the customer (user), that the District will hold a hearing at a time and place as stated in said notice, at which the customer (user) or those responsible for such payment, may appear and be heard, concerning the unpaid charges due, which will include water furnished since the due date.

The District will give this shut-off notice to the customer (user) and other concerned parties, at least five days before scheduled date for said District hearing. If the District mails this notice, it will be sent by U.S. Mail, postage prepaid, postmarked at least five days before a said hearing date. If the customer (user) or other concerned party, does not appear at said hearing, or does not furnish sufficient reason to avoid District water service shut-off, the concerned water service may thereafter be terminated at the discretion of the General Manager.

Unless good cause is shown at the pre-shut-off hearing, or otherwise, or unless, the delinquent water account of concern is paid in full, or other satisfactory arrangements made specifically with the District for payment thereof, before the specific date set forth in the Final Water Shut- off Notice, an employee or agent of the District, may thereafter turn off the water service to the premises concerned, at the earliest convenient time, following the expiration of the time specified in said Notice; provided, further, that the District employee or agent, affecting the actual water turn off, will immediately prior thereto, advise an occupant of the premises concerned if any be present, that such turn off is being made then. However, if no occupant is present upon the premises, or none responds to the District's notification of such turn off, this will not in any way cause the District to delay premises water turn off, in accordance with notice previously given, unless the delinquency be corrected prior to the event, a notice will be placed conspicuously upon the premises to advise that such turn off has occurred.

In all instances where a water service has been turned off because of a delinquent account or charges, the District will make a service charge for the restoration thereof, according to the current District rate charge schedules.

A premises water service terminated or disconnected for lack of payment of water bill due, or other water charges relating to the concerned premises, will not be restored until past-due water bills and charges are paid.

The failure of the District to discontinue water service for any reason, including nonpayment of water service charges due, will not relieve the owner of the premises, or the customers, as the case may be, from the obligation and duty to pay for all of said service furnished them, whether said owner or customer, as the case may be, does, or does not, have knowledge of the delinquencies for water use or charges.

If, at the customer's request, a service is shut off and turned on, more than once in a given month, the District will make a charge for such services, as the Board may from time to time determine.

The District, in complying with an owner's or customer's request to discontinue water service, will under no circumstances, be responsible to said owner or customer, or as the case may be or any other party, for any damages resulting from such action, including civil damages.

## **LEAKAGE WITHIN PREMISES / DAMAGES THERETO**

The District will not be liable for any damage or injury whatsoever, 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, or for any damage, or injury whatsoever, for the malfunction, or improper maintenance, or installation of a customer's system.

All leakage occurring beyond the meter installation will be at the expense of the customer, who will be responsible for the proper maintenance and repair of their own lines, stop and waste valves, gate valves, pressure regulators, plumbing fixtures, etc., within their own premises.

The customer will install, maintain and repair, all piping between meters and premises served in accordance with good plumbing and engineering standards, all

requirements of the State Plumbing Code, and other applicable specialty codes, statutes and regulations. Pipes must be laid not less than twenty-four inches (24") deep, and provided with stop and waste drainage; all stand pipes 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.

No person other than an employee of the District will turn on or off, any of the services or meters of the District. As previously indicated, customers desiring either discontinuance, or restoration of service, a new or modified service, will make arrangements therefore with the District's office.

All plumbing within buildings served by the District will be installed and all plumbing fixtures so constructed, as to prevent pollution of the water supply by approved back siphonage, or cross-connections protection devices.

Water service to any premises known, or found to have such defects and hazards, will be disconnected and not restored, until such defects and hazards have been eliminated.

## **CONNECTION TO ANOTHER WATER SUPPLY**

1. No private water supply shall be connected to the customer's service line without written consent and approval of the General Manager.
2. The District shall require backflow devices or check valves in customer service lines when deemed appropriate to prevent contamination of the water system as set forth below.

## **BACKFLOW AND CROSS CONNECTION**

### **Prohibitions and Conditions**

1. No water service connection to any premise shall be installed or maintained by the District unless the water supply is protected as required by the Oregon Administrative Rules 333-61-0070 and these Rules and Regulations. Service of water to any premise shall be discontinued by the District if a backflow prevention assembly required by OAR 333-61-0070 and these Rules and Regulations is not installed, tested, and maintained, or if it is found that a backflow prevention assembly has been removed, bypassed, or if an unprotected cross-connection exists on the premise. Service will not be restored until such conditions or defects are corrected.

All backflow prevention device assemblies required under this section shall be of a type and model approved by the Oregon State Health Division and installed as per Oregon Administrative Rule 333-61-0071 and these Rules and Regulations.

2. User's facilities shall be open for inspection at all reasonable times to authorized representatives of the District to determine whether unprotected cross-

connections or violations exist. If such violation becomes known, the District may deny or immediately discontinue service to the premises until the user has corrected the condition(s).

3. The user or the owner of any premises obtaining water from the District who treats the water in any way or adds any chemical or substance to the water shall notify the District.
4. An approved backflow prevention assembly shall be installed on each service line to user's water system at or near the property line or immediately inside the building being served but, in all cases, before the first branch line leading off the service line wherever the following conditions exist:
  - A. There is an auxiliary water supply which is, or can be, connected to potable water piping.
  - B. There is piping for conveying liquids other than potable water, and where that piping is under pressure and installed in proximity to potable water piping.
  - C. There is intricate plumbing which makes it impractical to ascertain whether or not a cross-connection exists.
  - E. There is a water meter 1 inch or larger supplying public water to the premises.
  - F. There is a water meter of any size supplying water to commercial or industrial facilities.
  - G. There is a structure more than 32 feet in height (as measured between the highest peak of that structure and the elevation of the service at the public water main to those premises).
  - H. There is a significant risk of back siphoning or back pressure.
  - I. There is a cross-connection or a potential cross-connection.
  - J. There is an irrigation/sprinkler system not protected by a properly functioning plumbing code backflow device.
5. The owner of a mobile apparatus (for instance fire hose or tanker truck) to which the District supplies water shall provide for backflow prevention by installing a backflow prevention device assembly or provide an approved air gap separation on the mobile apparatus.
6. When there is a standby fire line/sprinkler system using piping material that is not approved for potable water use and/or that does not provide for periodic flow through the line during each 24- hour period, a double check detector assembly (DCDA) will be the minimum protection required. Notwithstanding the minimum standard:

- 1) Any system with provisions for adding foamite or toxic fire retardants, whether directly connected or not, will require a reduced pressure detector assembly (RPDA) at the property line.
  - 2) Any system connected to or with provisions for connecting to an unapproved auxiliary water supply will require an RPDA at the property line.
  - 3) Any system that utilizes toxic antifreeze will require a reduced pressure assembly (RP) on the antifreeze loop or an RPDA at the property line.
  - 4) Any system that utilizes a federal Food and Drug Administration accepted antifreeze will require an RP on the antifreeze loop.
  - 5) Any system with private fire hydrants will require a DCDA at the property line.
7. The type of backflow prevention required shall be at least commensurate with the degree of hazard which exists:
- 1) An approved air gap of at least twice the inside diameter, but not less than 1 inch, of the incoming supply line measured vertically above the top rim of the vessel, or an approved RP shall be installed when the substance which could backflow is hazardous to health, such as, but not limited to, sewage treatment plants, sewage pumping stations, chemical manufacturing plants, plating plants, hospitals, mortuaries, car washes, and medical clinics.
  - 2) An approved double check valve assembly (DCVA) shall be installed when the substance which could backflow is objectionable, but does not pose an unreasonable risk to health.
  - 3) An approved pressure vacuum breaker or an atmospheric vacuum breaker shall be installed when the substance which could backflow is objectionable, but does not pose an unreasonable risk to health, and where there is no possibility of backpressure in the downstream piping. A shutoff valve may be installed on the line downstream of a pressure vacuum breaker, but shall not be installed downstream of an atmospheric vacuum breaker.

8. Backflow prevention device assemblies installed before the effective date of these Rules and Regulations shall be permitted to remain in service if
  - A. They were approved at the time of installation but are not on the current list of approved devices.
  - B. They are properly maintained.
  - C. They are commensurate with the degree of hazard.
  - D. They are tested annually and perform satisfactorily.

When devices of this type are moved, or require more than minimum maintenance, or are on services which have been modified, changed, or remodeled, they shall be replaced by device assemblies which are on the Oregon State Health Division approved list.

## **Testing**

1. The user or owner of the premises where one or more backflow prevention devices are installed shall cause a test of the device(s) to be performed by an Oregon State Health Division certified tester:
  - A. At the time of installation or prior to water service being turned on.
  - B. If the device is moved or repaired, immediately thereafter.
  - C. Annually.
2. Unless otherwise provided, the owner of a mobile apparatus on which a backflow prevention device assembly or air gap separation is required shall cause a test of the assembly or an inspection of the air gap separation to be performed within the year before use in the District and annually thereafter.
3. The District may require more frequent testing of backflow prevention assembly devices if the assembly is installed at a facility that poses an extreme health risk or if the device fails.

4. All completed backflow test reports must be forwarded to the District within thirty (30) days from the date of the test.
  - A. If the test results indicate that the device is working properly, the results shall be entered in the District's records as such.
  - B. If the test results indicate that the device is not working properly, the device must be repaired immediately and retested and the test results forwarded to the District within ten (10) working days from the date of notice.
  - C. If, for some reason, a device fails a test and repair is not immediately possible, the District must be notified immediately of the failure, location of the failed device, and estimated time of repairs.
  - D. If the District has not received the results of a test required to be performed, it may order a test and invoice the cost of the test to the user or owner, or turn the water off to the premises.
  - E. If the user or owner of a backflow device fails to make repairs on a failed backflow device within ten (10) days of a test or notice showing the device is not operating properly, the District may order the repair and retest and invoice the cost of the repair and retest to the user or owner, or the District may turn the water off to the premises.
  - F. The District may discontinue the water service of any person who refuses or fails to pay for charges invoiced related to backflow testing per items D and E of this section or for failure to perform or report test results.
5. Oregon State Health Division certified testers who wish to have their names listed on the District's partial list of State Certified Testers, which is mailed with Device Test Notices, must comply with the District's "Backflow Tester Standards."
6. All water meters which are for irrigation purposes only under Class Code 6 will be locked off upon installation and the locks not be removed until the approved backflow device has been installed properly and inspected and approved by the District's Cross Connection Control Inspector.
7. If the District does the first annual test of the backflow device on an irrigation connection, the cost shall be borne by the customer, representing the cost of connection and record keeping.

## **MAINTENANCE, REPAIR AND TESTING OF METERS**

The District at its expense will carry on normal maintenance and repair of meters. Should a customer wish to have his or her meter tested, the District will make such tests, but should the meter so tested be found accurate within 4 percent (4%) of true delivery, the customer requesting such testing will pay the cost thereof, provided however, that should such meter be found to over-register more than 4 percent (4%), the District will bear the cost thereof.

Charges made for meter testing will be paid in advance, and a deposit required for checking the same, will be as shown in the District's rate schedules. The District will refund the deposit, if such meter is found to over- register more than 4 percent (4%) of true flow.

Wherever a meter has been found to over-register more than 4 percent (4%), an adjustment in a reasonable amount will be made to the customer for past billings, but in no case will such adjustment exceed a period of four months (two billing periods). A customer may request that the meter be reread, if he or she believes the bill is in error.

Water District customers or applicants served, will be liable for any damages to a meter, or other equipment, or property owned by the District, said customer/applicant, their tenant, licensee, agent, employee, contractor, or permittee Includes, but not be limited to, breaking of seals and locks, tampering with meters, damage to meters, caused by hot water or steam, and to damaged meter boxes, curb stops, meter stops, or other appliances, or attachments. Any damage or charges incurred by the District, as hereinabove set forth, can be collected by the District by collections or legal procedures, or in any other appropriate manner provided by law.

## **SERVICE INTERRUPTIONS**

The District from time to time must interrupt service for repairing mains, making extensions, repairing valves, pumps, and control devices, etc. and for cleaning, maintaining, and reconditioning reservoirs, and storage tanks. The District will not be responsible for any damages caused by such interruptions of service, or fluctuations in pressure, but will, whenever feasible to do so, give customers advance notice, whenever it is known that service is to be interrupted. However, failure to give such notice will in no manner cause the District to become liable for loss, or damage included but not limited to bursting of boilers, the breakage of any pipes or fixtures, stoppage or interruptions of water supply, or other damage resulting from the shutting off of water.

## **PRESSURE REGULATION**

As far as is reasonably possible, feasible and economical: the District will furnish water at desirable pressures. In locations in which service pressures are higher than needed, or desired by users, a pressure regulator may be installed at the meter location upon the owner's written request and cost. Such installation will be made according to code requirements, and only if consistent with District regulations and policy. Customers will install and maintain within their premises, any pressure regulators required: Under no

circumstances will the District be responsible or liable for any equipment malfunction, or other damage caused by the customer's failure to install or maintain such a device.

The District will not be responsible for damages, or difficulties experienced because of variations in pressure within the system.

## **WATER FACILITIES IN GENERAL AND MAIN EXTENSIONS**

The District, as a whole, will pay for the cost of supply, pumping stations, storage facilities, and primary mains, for the general distribution of water within the District; but it will not pay the cost of main extensions to service additional customers, properties, tracts or subdivisions. The person, or persons, will pay for such extensions when requested by the District, requesting such extensions, at actual cost plus 20 percent (20%) for overhead expenses.

The District will approve all such main extensions by the District, or approved contractor, in accordance with appropriate District standards, and in accordance with pertinent requirements of the Oregon State Health Division for community, municipal or public utility water supply systems. Engineering designs not prepared by the District, must be submitted to the District for review before any construction, in order to determine that District standards, and those of applicable state agencies are being met and that such design layouts will be in accordance with District standards and requirements, and pertinent state statutes, codes and administrative rules and regulations. All construction materials used must be purchased, or approved by the District, and be of first quality, and fully compatible, with the existing transmission system of the District, to permit uniform maintenance, repair, and replacement, thereof.

The District will determine the size of mains required, including the fittings, valves, valve boxes and fire hydrants required in the cost of extensions. Extensions will be made for the full frontage of the applicant's property abutting the road, street, easement, or right of way from which service is to be rendered, or to the end of the block, if the property to be served extends to an intersection, unless the District, for good cause, directs otherwise. The owner or owners of the property will make advance payment for extensions for which service is desired. Upon receipt of a written request for a main extension, and a deposit by said owner(s) desiring said service, in an amount equal to 20 percent (20%) of the estimated cost of such service extension, or if approved by the district, a sum sufficient to cover the cost of preparing said estimates. The District will prepare an estimate of cost and furnish the applicant with a copy thereof. The District will not proceed with the work until payment has been made for the full amount of the proposed work, including 20 percent (20%) for overhead, engineering, and administrative expenses.

After completion of the work, and tabulation of costs of installation, we will refund any excess monies deposited. Any deficiency must be paid to the District by the owner, provided further that said 20 percent (20%) deposit by owner with application for estimates may be retained by the District, to the extent required, to reimburse the District for its expenses in preparing the same, assuming the owner does not proceed with said extension, or service.

The water service facilities following installation, inspection, and acceptance, will become the property of the District, and therefore maintained and operated, by District personnel exclusively. The District will make all connections for services thereto, in the

manner set forth in these regulations. Charges made for service connections, and meters will be as herein set forth.

In the event of the construction of a subdivision or other development in which an engineer and/or contractor is used, said engineer or developer, must furnish the District with a "preliminary" water system design, and where appropriate, a preliminary plat, with "conditions of approval of the plat." All preliminary water system designs will be prepared, and submitted to the District for approval.

In those instances in which a water system design is necessary, such design must meet all requirements of appropriate state agencies, and this District, including the Oregon State Health Administrative Rules for domestic water supply systems. Plans and specifications of such systems will be submitted to, and approved by the District before construction commences. Plan submission must be standard-sized drawing on acceptable scale, and indicate the water facilities as the primary feature, and indicate location of all other underground utilities. Final plans "as-built drawings," must be furnished the District by the concerned engineer, or developer. Plans will be on Mylar, diskette auto cad, or like material and indicate measurements of all pipelines, mains, valves, fittings, hydrants, and services, and show all ties. Information required for preparation of final plans will be provided to the design engineer, by the District, and such should appear on said Mylar copy, with two prints of the "as-built", and each intersection drawing. Detailed intersection drawings of 8 1/2" x 11" size (on Mylar), drawn to the scale of 1" = 20' must be furnished to the District, with appropriate title, and index designations, to meet the District mapping system by the developer, or design engineer. A print of the recorded plat of any subdivision, in which a water system is constructed, must also be furnished to the District.

The District may elect to install a larger main than required by the developer when extensions are made, and when it does so, the District will bear the added costs of the pipe fittings and other materials, and equipment used. Normally, the person requesting an extension will not be expected to pay an amount greater than that which would be incurred by the installation of a six-inch (6") pipeline and appurtenances, unless the development or industrial undertaking be such as to require larger mains, either for normal use, fire protection, or both. Requirements for each development will be provided the applicant for extension or service at start or upon receipt of necessary documentation.

## **WATER SYSTEM CONSTRUCTION**

In the event of water system construction by, or under the direction of a sub-developer / owner / developer, the following conditions will apply:

- (a) An inspector for the District will witness all testing and flushing, and inspect pipelines, and anchor box(es), prior to backfilling. The District inspector will take water samples, and submit same to a qualified laboratory for bacteriological testing.
- (b) The Developer or contractor will secure all appropriate construction permits, and pay all fees, including bonding if required.

- (c) The registered professional engineer, and/or contractor installing the system, shall provide evidence of insurance coverage, which will meet District requirements.
- (d) A 12-month maintenance bond and guarantee will also be required in a form satisfactory to the District.
- (e) The District will accept water system and/or water improvements only upon:
  - (1) Recommendation of the District engineer that said water system improvements were constructed in accordance with the plan and specifications previously approved by the District, and that the pressure and bacteriological testing results comply with the standards set forth by the Oregon Health Division Drinking Water Program, and other appropriate state agencies, and the District street standards as established and/or required by the District must also be met.
  - (2) Receipt of final plans (Mylar) of the design engineer, will include "as built" plans.
  - (3) Payment by developer/owner of all costs incurred by District, which costs will include plan check fee, inspection fees, water for testing and flushing, repair of meters and facilities, costs for revising District section drawings, plus actual legal and administrative costs relating to the concerned project.
  - (4) Payment of all pertinent service installation and connection fees, and applicable system development charges, if any.

### **WATER MAIN EXTENSION –COST REFUND**

Any person required by the District, to extend a water main to obtain service to this property in such a manner so that water service will be available for other property, without further extension of said main, will be entitled for a period of ten years, after the date of the installation and payment for, and acceptance of said main extension, to a pro rata refund the cost of such extension, connection when connection thereto, to such property be made. The amount to be refunded will be determined by the District, which determination will be final. The pro rata reimbursement will be based upon 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.

### **WATER RATES AND CHARGES**

The District will adopt and maintain rate and charge schedules, for water furnished, and services rendered, within and without the District. These schedules will be reviewed and amended from time to time as required. Rates charged may be fixed and classified, according to the type of use, and according to the amount of water used.

In the event a particular service is not specified, a rate may be established upon request by the District Board.

Current rates and charge schedules of the District, will be maintained on file by the District, at its office, and be available for viewing by the public.

Services larger than two inches (2") will be subject to special arrangement and contract, with the District with minimum charge per month established in light of the conditions which pertain to such installations; provided, however, the basic rates for water per 100 cubic feet of water use, will apply to such installation, unless otherwise set forth in specific contract.

Where a meter is found to be broken, fails to register, or for any other good reason such as weather conditions, when the meter cannot be read, the District may at its option prepare, an estimated bill and charges therein based upon a comparable period in the preceding months or year. A customer rendered such "estimated" bill may appeal to the Board if he or she has objections thereto, in which instance, the Board will consider the same, and reach a decision with respect thereto, which decision will be final.

Charges for the installation of service pipe, and meters from main to property line, various materials furnished by the District, and other services as rendered, will likewise be set forth in the District's current rate and charge schedule, which may be amended from time to time for good reason.

In determining appropriate service charge and installation schedules, the District will include therein, charges for District overhead, which will be twenty percent (20%) of actual cost, in addition to the District's actual costs.

In addition to the current rates and charges schedule, the District Board may following public hearing therefore, adopt by appropriate resolution connection, and general surcharges, as the needs of the District may require. After public hearing thereupon; provided that all such charges and schedules of the District presently in effect, as of the date of the adoption of these revised Rules and Regulations, will remain in full force and effect until further amended, or revised by the District. Existing system development charges in effect upon adoption of these revised Rules and Regulations will remain in effect but may be modified by District ordinance following public hearing.

## **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, will be presented to the District in writing for the District to give consideration thereto.

## **INSTALLATION AND USE OF FIRE HYDRANTS**

Fire hydrants may be installed by the District upon application and payment of the cost thereof, in advance to the District. The District will establish the size, location, type and method, of installation, and after installation, such hydrant will become the property of

the District. Any application for change in the type, size or location of an existing fire hydrant will likewise be made to the District, and if such change is approved, the applicant will pay in advance for all costs associated with such change.

Use of fire hydrants is by permit only. Applications for permits and fees, for the use thereof, are available at the District office. Proof of insurance and cross-connection protection is required for the permits and if granted, must be available for inspection at all times while a hydrant is being utilized. Hydrant permits expire on December 31 of each year, or as specifically set forth therefore.

## **AUTOMATIC STANDBY FIRE SERVICE**

The District may provide water for automatic standby fire service connections, upon written application thereof, and upon payment in advance, of the estimated cost of such installation. Before the District will approve such application, the applicant must make adequate provisions to prevent the use of water from such service for any purpose, other than extinguishing fire upon the premises, wherein such standby fire service connection is located.

Under no circumstances will such a connection allow a cross-connection with any other District service facility.

Charges for standby fire protection service connection will be as stated in the District's water rate schedule.

## **REVISION AND MODIFICATION OF RULES –REGULATIONS AND CHARGES**

The Board of Commissioners of the District, may from time to time, as the occasion may require, make modifications, revisions, and additions, to the Rules and Regulations of the District, as may be deemed necessary or advisable. Modifications or revisions, to District Rules and Regulations will be made only after public hearing, upon due notice given, and upon approval, of a majority of the entire Board of Commissioners of the District. Revision or modification of District Rules or Regulations shall be made by ordinance.

Rate and charge schedules for furnishing water for services, installation of meters, service pipes, 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. Rate and charge schedules revision and modification shall be by resolution, adopted by a majority of the entire Board of Commissioners.

Changes in existing rates charged water consumers by the District, shall be made only following public hearing, before the Board on such proposals, following due notice being given to each user, not less than ten days, nor more than thirty days, prior to the date of such hearing.

The District may from time to time, after public hearing, adopt such other administrative regulations, or working rules as may be required, to implement the general

District Rules and Regulations following public notice, and set forth in a regularly scheduled District Board meeting.

The scope of the District's authority as exercised by its governing body, the Board of Commissioners of the District, will 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 such instances, not specifically set forth herein, the Board will act at its discretion, and in a manner consistent with the intent and purposes, of ORS Chapter 264 and such other law as may be applicable thereto.