

**NORTH BEACH PUBLIC DEVELOPMENT AUTHORITY
PACIFIC COUNTY, WASHINGTON**

RESOLUTION NO. 08-2008

**A RESOLUTION OF THE BOARD OF DIRECTORS OF NORTH BEACH
PUBLIC DEVELOPMENT AUTHORITY, PACIFIC COUNTY,
WASHINGTON, ESTABLISHING SERVICE CHARGES, CONNECTION
CHARGES AND SERVICE REGULATIONS.**

WHEREAS, the North Beach Public development Authority (NBPDA) has established a water supply and distribution system and has purchased the water facilities formerly owned by Ocean Park Water Company and Pacific Water Company; and

WHEREAS, the NBPDA has incurred debt in purchasing such facilities that must be retired;

WHEREAS, the NBPDA has a desire to operate and maintain the system, retire the debt and plan for the future; and

WHEREAS, the NBPDA has reviewed the operating expenses and revenue, held public hearings on May 19, 2008 and May 26, 2008 and approved the proposed utility rates on June 16, 2008; now, therefore

BE IT RESOLVED by the Board of Directors of the North Beach Public Development Authority, Pacific County, Washington as follows:

Section 1. The following rules, regulations and rates shall be established for the Agency's operation of the water systems serving the Agency:

Sections:

- 1.01.000 Rules established
- 1.01.010 Purpose.
- 1.01.020 Definitions.
- 1.01.030 Rules for administration and enforcement-Copy filing--Noncompliance.
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- 1.01.070 Waste of water prohibited.
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- 1.01.250 Use of substandard mains.
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- 1.01.270 Main connection charges.
- 1.01.280 All services to be metered.
- 1.01.290 Turning on water.
- 1.01.300 Permission required to connect or turn water on or off.
- 1.01.310 Notice required to have water discontinued.
- 1.01.320 Service reconnection or transfer of service .
- 1.01.330 Occupant turning on water--Penalty.
- 1.01.340 Charges to become lien.
- 1.01.350 Water meter rates.
- 1.01.360 Water for construction purposes.
- 1.01.370 Cash deposit for water service.
- 1.01.380 Payment of water bills--Delinquency Notification--Service discontinued for nonpayment--Past due fees.
- 1.01.390 Service Charges.
- 1.01.400 Severability

1.01.000 Rules established.

These rules are adopted for the regulation of water service by the Agency.

1.01.010 Purpose.

The following rates and regulations are established for the control of the water supply system of the Agency.

1.01.020 Definitions.

For purposes of this resolution, the words or phrases defined below shall have the following meanings:

A. "Agency" means the North Beach Public Development Authority, or as indicated by the context, may mean the Agency, Agency general Manager, Agency engineer, or other Agency employee or agent representing the Agency in the discharge of his or her duties.

B. "Agency engineer" means the engineer designated by the Agency. Any act in this resolution required or authorized to be done by the Agency engineer may be done on behalf of the Agency engineer by an authorized Agency employee or an independent consulting engineer hired by the Agency.

C. "Board" means the Board of Directors of the North Beach Public Development Authority.

D. "Mains" means water lines designed or used to serve more than one premises.

E. "Manager" means the General Manager of the Agency. Any act in this resolution required or authorized to be done by the Manager may be done on behalf of the Manager by an authorized employee of the Agency.

F. "Person," "customer," "owner," "occupant," or "agent," shall be held to include natural persons of either sex, associations, co-partnerships, governmental agencies, and corporations whether acting by themselves or by a servant, agent or employee; the singular number shall be held to include the plural and the masculine pronoun to include the feminine.

G. "Premises" means a continuous tract of land, building or group of adjacent buildings under a single control with respect to use of water and responsibility for payment therefor. Subdivisions of such use or responsibility shall constitute a division into separate premises as defined in this section.

H. "Service connection" means that portion of the Agency water supply system connecting the supply system on a premises to the Agency water distribution main including the tap into the main, the water meter and appurtenances and the service line from the main to the meter and from the meter to the property line. Service connections include connections for fire protection as well as for domestic, commercial and industrial uses.

I. "Standard or permanent mains" means mains conforming to the standard specifications of the Agency with respect to materials and minimum diameter.

J. "Standard specifications" means those standard specifications for public works construction which have been adopted by the Agency board.

K. "Substandard or temporary mains" means mains which do not conform to the standard specifications of the Agency with respect to materials and/or minimum diameter.

1.01.030 Rules for administration and enforcement--Copy filing--Noncompliance.

The Board shall have the power to adopt rules, and the Manager shall enforce and carry out, rules and regulations not inconsistent with the terms of this resolution for carrying out and enforcing the payment, collection, and remittance of the rates defined in this resolution, and the rules and regulations affecting the operation of the water system as such relate to services, connections, and the general operation of the Agency. A copy of such rules and regulations shall be on file and available for public examination at the office of the Agency or at such other place or places as may be designated by the board. Failure to comply with any such rules and regulations shall be deemed a violation of this resolution.

1.01.040 Comprehensive water system plan--Contents

The Board may retain, or contract with an Agency engineer to prepare a comprehensive plan for the Agency water supply and distribution system and to recommend to the Board the standards for development and improvement of the system to provide adequate water supply for domestic and industrial consumption and fire protection. The comprehensive plan shall be on file at the Agency office and shall include:

- A. Main sizes required on all existing streets; and
- B. Main sizes and approximate locations for future major distribution mains in areas in which public streets do not presently exist; and
- C. The location and construction standards for all waterworks facilities including, but not limited to, mains and appurtenances, reservoirs, and pump stations; and
- D. All information required to be included in the comprehensive plan by State Statute and Federal, State, and local regulatory agencies; and
- E. Such other information as may be deemed necessary by the Agency engineer or the Board.

1.01.050 Application for new service or transfer of service.

All applications for water service connections to and/or the use of water within any premises shall be made at the Agency office or at such other place or places as the Board may designate. Every such application shall be made by the owner of the property to be furnished, or by his authorized agent, and the applicant shall state fully and truly all the purposes for which the water may be required, and must agree in writing to conform to the regulations and rules

established from time to time as the condition for the use of the water. The applicant must further in writing agree as a condition precedent in the premises that the Agency shall have the right at any time, without notice, to shut off the water supply for repairs, extensions, nonpayment of rates, or for any other reason, and that the Agency shall not be responsible for any damage caused by the breaking, bursting, or collapsing of any boilers, pipes or fixtures, or by the stoppage, or interruption of the water supply, or any damage whatever resulting directly or indirectly from the Agency providing water service. The customer is responsible for any and all plumbing beyond the water meter. The applicant shall pay a fee for application for new service or transfer of service as specified in Section 1.01.390.

1.01.060 Use of water for purposes stated in application.

It is prohibited for any person supplied with water from the Agency's water supply system to use the water for purposes other than those named in the application upon which rates for water are based, or for any other purposes than that for which the application provides, or to use it in violation of any provision of this resolution.

1.01.070 Waste of water prohibited.

It is prohibited for any person to waste water or allow it to be wasted. Waste of water is defined as: applying water to a landscape in sufficient quantity to cause significant runoff of that water to impervious areas or to allow significant overspray onto non-landscaped areas; applying water to a landscape in sufficient quantity to cause substantial puddling of that water at the ground surface; allowing leaking valves, pipes, closets, faucets, or other fixtures; or allowing any pipes or faucets to run open to prevent the service from freezing or for any other reason. This section shall apply only to use of water from the Agency water supply system.

1.01.080 Damaging or interfering with water system prohibited.

A. It is prohibited for any person to willfully disturb, break, deface, or damage any fire hydrant, water meter, gate valve, water pipe or other waterworks appurtenance together with the buildings, grounds, and improvements thereon belonging to or connected with the water system of the Agency in any manner whatsoever.

B. It is prohibited for any person to open, close, turn or interfere with, or attempt to, or to connect with any fire hydrant, valve, or pipe belonging to the Agency unless authorized by the Manager in writing; provided, that this rule shall not apply to members of the Fire Agency or such other fire department duly authorized to operate fire hydrants while acting in such capacity.

C. It is prohibited for any person to deposit, or allow to be deposited, refuse or any substance into any Agency reservoir or to deposit, or allow to be deposited any deleterious matter in or upon any part of the Agency's watershed or water supply system.

1.01.090 Sprinkling during fires prohibited.

It is prohibited for any person to knowingly use water for a lawn or garden sprinkling or irrigating purposes on any premises during the progress of a fire or conflagration within the Agency water system.

1.01.100 Cross-connections prohibited.

A. All cross-connections between any private water supply and the water supply of the Agency, as that term is defined in the current WAC 248-54-480, whether or not such cross-connections are controlled by automatic devices, such as check valves, or by hand-operated mechanisms, such as gate valves or stopcocks, are prohibited. In addition to any penalties provided by this resolution, failure on the part of persons, firms, or corporations to discontinue the use of any and all cross-connections and to physically separate such cross-connections will be sufficient cause for the discontinuance of the public water service to the premises on which the cross-connection exists. It is further unlawful to maintain any plumbing or arrangement or interconnection whereby, in the judgment of the Manager, the Agency water supply system either on or off the premises may be contaminated.

B. The Manager shall make periodic inspections of premises served by the water supply system to check for the presence of cross-connections. Any cross-connections found in such inspection shall be ordered removed by the Manager. If any immediate hazard to health is caused by the cross-connection, water services to the premises shall immediately be discontinued until it is verified that the cross-connection has been removed. This section does not apply to the interconnection of the Agency water supply system with the water supply system of another public water system where approved by the Board.

C. Backflow prevention devices, approved by the Manager, shall be installed at the service connection or within any premises where, in the judgment of the Manager, the nature and extent of activities on the premises, or the materials used in connection with the activities, or materials stored on the premises would present an immediate or dangerous hazard to health should a cross-connection occur, even though such cross-connection does not exist at the time the backflow device is required to be installed. A backflow prevention device shall be installed at the following facilities unless the Manager determines no hazard exists:

1. Hospitals, mortuaries, clinics;
2. Laboratories;
3. Piers and docks;
4. Sewage treatment plants;
5. Food or beverage processing plants;
6. Chemical plants using a water process;
7. Metal plating industries;
8. Petroleum processing or storage plants;

9. Radioactive material processing plants or nuclear reactors.

1.01.110 Use of nonconforming connection material prohibited.

It is unlawful for any person to use any material not conforming to the standard specifications and the regulations of the Agency to connect any premises or buildings with the Agency water system.

1.01.120 Emergency interruption of service.

In case of an emergency, or whenever the public health, safety, or equitable distribution of water so demands, the Manager may reduce or limit the time for or temporarily discontinue the use of water. Water service may be temporarily discontinued for purposes of making repairs, extensions, or doing other necessary work. Before so changing, reducing, limiting, or discontinuing the use of water, the Agency shall notify, insofar as practicable, all water consumers affected. The Agency shall not be responsible for any damage resulting from interruption, change, or failure of the water supply.

1.01.130 Displacement of waterworks appurtenances.

All persons, contractors, corporations, and municipalities performing construction work in streets or utility rights-of-way, such as grading, regrading, filling, trenching, or paving shall give the Manager thirty days' written notice in case it becomes necessary during the work to remove, displace, or change any water mains, pipes, fittings, meters, valves, or other waterworks appurtenances that may interfere with the prosecution of such work. Damage to any part of the water system shall make such person, contractor, corporation, or municipality liable to the Agency for the cost of necessary repairs and replacements.

1.01.140 Access to premises for inspection.

Consistent with statutes and case authority, authorized employees of the Agency, properly identified, shall have free access at reasonable hours of the day, to all parts or premises or within buildings thereon to which water is supplied from the Agency water system for the purpose of checking conformity to these regulations. In addition, such personnel are authorized, from time to time, to survey water customers as a means to update customer lists and status in a responsible and reasonable manner. Whenever the owner or occupant of any premises supplied by the Agency water system restrains authorized Agency employees from making the necessary inspections and surveys, water service may be immediately discontinued to the premises.

1.01.150 Agency employees to work on mains and service connections.

Only employees of the Agency or qualified contractors duly authorized by the Manager or the Agency engineer shall be allowed to do any work in connection with the Agency mains or

service connections.

1.01.160 Mains and services--Location from sanitary sewers.

All mains, service lines and other waterworks appurtenances which carry water shall be located a sufficient distance, both horizontally and vertically, from any sanitary sewer to prevent contamination, and shall meet or exceed any Federal, State, or local separation requirements, and all locations of waterworks facilities, both public and private, which are connected to the Agency water system are subject to the approval of the Agency engineer.

1.01.170 Ownerships of mains and service connections.

The ownership of all mains, service connections, and appurtenances in public streets or utility rights-of-way shall be vested solely in the Agency, and the person responsible for the construction of such mains shall relinquish, by bill of sale, all interest in the ownership of such mains upon acceptance by the Agency; provided, that all private systems existing on April 1, 2006, shall remain under private ownership unless dedicated to the Agency under the provisions of this resolution. The Agency will operate and maintain all approved and accepted mains in public streets or utility rights-of-way. In no case shall an owner, agent, officer or employee of any premises have the right to remove or change any part thereof without the approval of the Manager.

1.01.180 Private distribution systems to conform to Agency standards.

A. All private water distribution systems in order to become or remain eligible for water to be furnished by the Agency must be constructed to the Agency's minimum standards, subject to approval by the Agency's engineer. All new construction and repairs shall conform to such standards. Failure to bring any existing system up to such standards within twelve months of written notice of defects to the owner of any such system shall result in termination of water service until corrections are made.

B. The owner(s) of any private water distribution system connected to the water supply system of the Agency may petition the Board to accept ownership and maintenance of the system provided the system meets Agency standards or satisfactory arrangements have been made to bring the system up to standards within twelve months. Included with such petition shall be such records of the system as necessary to indicate location, size, material and date of installation of all mains and appurtenances. Prior to acceptance by the Agency, a valid deed or bill of sale and all necessary easements and/or franchises must be presented to the Agency.

C. Nothing contained herein shall be construed to require the Board to accept ownership to any private distribution system.

1.01.190 Service connections--General requirements.

A. Except as provided in Sections 1.01.200, 1.01.210 and 1.01.250, no premises shall hereinafter be connected to the water supply system of the Agency unless there is an adjacent standard main under the ownership and exclusive control of the Agency. The Agency reserves the right to refuse to connect any premises if the Agency determines that it lacks sufficient facilities or water to provide service to such premises.

B. When a permit has been obtained for the installation of water service, the Manager shall cause the premises described in the application to be connected with the water system by a service pipe extending at right angles from the main to the property line, and including a stopcock and water meter placed within the rights-of-way, which connection shall thereafter be maintained by and kept within the exclusive control of the Agency.

C. Except as provided in Section 1.01.210, every separate premises supplied by Agency water must have its own separate meter and the premises so supplied will not be allowed to supply water to any other premises. The Agency engineer may require individual buildings on any premises to be separately metered.

D. When two or more buildings on the same premises are being served unsatisfactorily by one water service connection, the Manager shall have the right to require the installation of additional water service connections from the water main to the premises already served. When additional water service connections are provided for any premises, all water service to such premises shall be metered and installed in the regular manner.

E. Service connections shall be installed at the expense of the property owner, the same to be installed by the Agency and the cost to the Agency charged therefor. The property owner in applying for service shall pay to the Agency the then prevailing cost to cover the expense for the installation as outlined in Section 1.01.390. All services shall be constructed by the Agency from the main to the property line and shall include a suitable water meter and appurtenances. This rule shall also apply where exchanges in size of service are made at the request of the property owner. In case of replacement or new services, no service smaller than three-fourths inch shall be installed.

F. All persons connecting to Agency service shall be required to use only materials conforming to the standard specifications and regulations of the Agency. Plumbing on premises shall conform to the current Uniform Plumbing Code.

G. Before water will be turned on to the premises connected to Agency mains, the service pipes must be so located that the supply for each separate building shall be controlled by a separate stop and waste cock of standard make with extension handle, approved by the Manager, properly protected from the frost and so placed within the premises that all service pipes and fixtures may be thoroughly drained to prevent damage from freezing. All pipes placed

underground outside buildings shall be installed at least two feet below finished grade. The connection between the Agency's pipes at the property line and the service pipes on the premises shall be made with a union.

H. When necessary due to the grading or regrading of public streets, the Manager may relocate services on the premises to conform to the grade or slope occasioned by the street grading, and charge the expense to the owner of the service.

1.01.200 Temporary service connections.

Water service may be supplied to a premises on a temporary basis during the construction of a building on the premises or during the construction of a standard main to serve the premises as long as it meets requirements for adequate backflow prevention. Application for temporary service shall only be approved upon payment of all fees required by this resolution. This application shall state fully the purposes for which water is desired, the circumstances which require service by temporary means, and the duration for which temporary service is necessary. All costs necessary to install and remove the temporary service shall be paid by the applicant. Upon completion of the work for which the temporary service was necessary, the owner shall immediately apply for permanent service to the premises and the temporary service shall be removed. Failure to obtain permanent service shall be cause for immediate discontinuance of water supply to the premises.

1.01.210 Service connection-Wholesale consumers.

A. The Board may, at its discretion, authorize water service to a community or number of individual users to be furnished through a common meter upon finding that service through individual meters is not practical. Where communities or a group of individuals are granted service through a common meter, such meter shall be furnished, installed, maintained, and kept within the exclusive control of the Agency. The cost of the installation including the meter shall be at the expense of the consumer.

B. Where water service is supplied through a master meter, a company, association, or other form of organization, which is acceptable to the Agency, shall be responsible for the rates and charges set forth in this resolution.

C. Applications for water service under the provisions of this section shall be made on the forms furnished for that purpose. The application shall include a detailed description of the premises to be served, the name and nature of the organization which is to be responsible for the service charges, the conditions or circumstances precluding service by individual meters and such other information as the board may deem necessary.

D. Such consumers shall file with the Agency detailed plans of their systems in such form as specified by the Agency engineer. Each such consumer shall, prior to commencement of work, submit for the approval of the Agency engineer similar information with respect to all

construction or modifications which add to, reduce, or alter the water system.

E. Water service, under the terms of this section, shall be limited to those premises described in the application. Service to additional premises, not included in the original application shall require a separate application and approval.

F. The ownership of the water system beyond the common meter shall be vested in the consumer and the operation, repair, expansion and renewal of the system shall be the responsibility of the consumer. The Agency's responsibility shall terminate with the common meter.

G. Any violation of the procedures required by this section shall be cause for immediate discontinuance of service to the system by the Agency.

1.01.220 Service agreements with other governmental units.

The Board may, at its discretion, enter into an agreement with any other municipal corporation, or governmental unit, or legal entity for the purpose of obtaining or providing any service relating to water supply as provided by law. Terms of such agreements shall be established by the board for each agreement.

1.01.230 Connection charge.

Each parcel of property to be served by the water supply system shall be charged a connection charge based on its proportionate share of the cost of construction of a standard main in the street or streets abutting the property. Prior to approval of an application for water service, the Agency engineer shall ascertain if the property in question has previously contributed its proportionate share of such construction costs. If the connection charge has not previously been satisfied, the applicant shall pay this charge as provided in Section 1.01.390 prior to the approval of the application for water service.

1.01.240 Property not previously charged for costs of connection.

A. Property abutting upon a street containing an adjacent standard main, but not previously assessed or not having previously contributed its proportionate share of construction costs for such standard main, may be connected to such abutting main upon payment of a special construction charge as prescribed in Section 1.01.270. The charge shall be paid in full at the time of application; provided, that low-income applicants may pay on a deferred payment plan in accordance with the provisions of this section. Such special construction charge is in addition to the other applicable charges required by this chapter. For purposes of this section, a "low-income applicant" means an applicant with a combined disposable income, as defined in RCW 84.36.383 (and as it may be amended), of less than \$40,000.

B. If a low-income applicant elects to take advantage of the deferred payment plan, the

owner of the premises shall execute a contract with the Agency in such form as prescribed by the board to pay the construction charge and interest with the provisions that any unpaid balance may be paid in full on the date any payment is due. The contract shall be a covenant running with the land and shall provide that the unpaid balance of the construction charge and any accrued interest shall be a lien upon the property to which such connection is made, superior to all other liens and encumbrances except those for general taxes and special assessments, which may be foreclosed in the same manner provided by law for the foreclosure by counties of delinquent local improvement Agency assessment liens. The contract shall be recorded in the office of the Pacific County Auditor at the expense of the property owner, and upon payment in full a release of the lien shall be executed by the Agency. The contract shall further provide that in the event of delinquency in payment of the construction charges the Manager may disconnect the Agency's water service from and refuse to supply water to the premises in default until the delinquent payments are paid in full.

This remedy to be concurrent with and in addition to the Agency's right to foreclosure of the lien as herein provided; provided, that nothing herein shall be deemed to prevent the Agency, upon order of the Board as part of a street improvement program, from replacing any existing mains with new mains of any size to prevent future street destruction for water main repairs, and such replacement may be made without cost to the abutting property owner or upon such apportionment of cost as the board shall deem reasonable.

1.01.250 Use of substandard mains.

A. No substandard or temporary mains shall hereinafter be installed and connected to the Agency water supply system. Existing substandard mains may be extended to serve additional customers provided the design capacity of such main is not exceeded and provided the main is under the ownership of the Agency. The design capacity shall be determined by the Agency engineer.

B. At the time of application for the extension of a substandard main or connection to an existing substandard main, the owner of each property to be connected thereto shall pay to the Agency a connection charge as prescribed in Section 1.01.270 per front foot of property being served by such connection together with the costs and fees provided for water service connections; provided, that property for which a connection charge has previously been paid for the installation of mains or property that has contributed its pro rata share of the cost of otherwise installing a main shall be exempt from the front foot payment. The connection charge paid to the Agency shall be retained by the Agency and shall be deposited in the water main customer's reserve fund, to be dispersed as hereafter provided by the Board. The property immediately abutting the connection shall be credited with the payment. Upon installation of standard mains, the sum retained by the Agency in the water main customer's reserve fund shall be applied to the payment thereof for the benefit of the property. If the front foot payment previously made is greater than the charge required, the residue shall be paid to the then record owner of the property without interest; however, if the charge is greater than the front foot payment previously made, then the property shall be liable for any deficiency. Whenever a standard main shall be constructed by the property owner under the direction and supervision of the Agency, the Agency shall pay toward

the cost of the project, out of the charges paid pursuant hereto and from the water main customer's reserve fund, the front foot payment previously made for each parcel of land abutting a connection

1.01.260 Service connection--No main in street.

A. Whenever an applicant requests water service to premises with no main in the adjacent street, a standard main must be installed as a prerequisite to connection to the Agency water supply system. The standard main must conform with the comprehensive plan of the Agency water system and must be installed along the complete street frontage of the premises to be served in accordance with the comprehensive plan.

B. The main shall be designed by a licensed professional engineer and installed at the sole expense of the owner by a competent contractor under the supervision and approval of the Agency engineer, in which case the Agency will contract with the owner to provide for the reimbursement of such owner and his assigns for a period of ten years by any owner of real estate who did not contribute to the original cost of such main and who subsequently taps onto the main for service of a fair pro rata share of the cost of construction of the main. The contract shall be recorded in the office of the Pacific County Auditor upon acceptance of construction of the main by the Board.

1.01.270 Main installation charges.

Installation charges for those mains installed as of March 2006 when the Public Development Authority purchased the water system shall coincide with the installation charges fixed by the Board and outlined in Section 1.01.390. Installation charges for those mains installed by the PDA after March 2006 or by the Agency shall be based on the actual cost of installing the main including administrative and engineering charges as outlined in Section 1.01.390. Whenever the Agency requires a main size larger than would be required to serve the adjacent property or, in the case of a subdivision or development, a main size larger than required to serve that development, the Agency shall participate in the cost of the main to the extent of the additional size required, provided the amount of such participation shall be established by the Agency engineer prior to the commencement of construction. Participation by the Agency is contingent upon available funds budgeted for this purpose.

1.01.280 All services to be metered.

All service connections to the Agency water system shall be metered and all meters shall remain the property of the Agency and any meter may be exchanged with another meter of similar kind as deemed necessary by the Manager.

1.01.290 Turning on water.

Whenever the owner or occupant of any premises connected with the Agency's water supply system desires to use water, he shall notify the Manager and request that the water be

turned onto the premises. The owner shall leave his portion of a new service exposed in the trench until the water is turned on by the Manager, when he shall immediately properly cover the pipe.

1.01.300 Permission required to connect or turn water on or off.

No plumber or other person will be allowed to make connection with the Agency mains or make connection with any conduit, pipes, or any fixtures connected therewith, or to connect pipes that have been disconnected, or to turn water on or off of premises without the written permission of the Manager.

1.01.310 Notice required to have water discontinued.

Should an owner or occupant desire to discontinue the use of water supplied to any premises, notice must be given to the Manager. The water will then be turned off and turned on again on application during normal business hours at the charges specified in Section 1.01.390(1).

1.01.320 Service reconnection or transfer of service.

When new buildings are to be erected on the site of the old ones, and it is desired to increase the size of or change the location of the old service connection, or where a service connection to any premises is abandoned or no longer used, the Manager may cut out or remove such service connection after which, should a service connection be required for the premises, a new service shall be placed only upon the owner's making an application and paying for a new tap in the regular manner. When the service connection of any premises does not come from a main in front of the premises, the Manager shall, when a main is laid in front of the premises, after notifying the owner or tenant thereof, transfer the service connection to the new main without charge, and at the same time cut out the old service connection.

1.01.330 Meter tampering fee.

Should the owner or occupant of the premises turn on the water or suffer or cause it to be turned on after it has been shut off at the curb cock by the Agency, or damage the meter or service, it may be turned off by the Manager, and an additional charge as set forth in Section 1.01.390 of this resolution made for the expense of turning it off and on, or making repair.

1.01.340 Charges to become lien.

The Agency shall have a lien against premises to which water has been furnished, which lien shall be in the amount and to the extent allowed by RCW 57.08.081 as the same now exists or may hereafter be amended. The lien shall be enforced in the manner allowed by RCW 57.08.081 as it now exists or may hereafter be amended.

1.01.350 Water meter rates.

A. Schedule I: Monthly Charges. The schedule as set forth in Section 1.01.390 of this resolution is the monthly charge based upon meter size for all consumers. Monthly charges for meter sizes not listed in the schedule shall correspond to the next larger meter size listed.

B. Rates for Wholesale Consumers. The Board may at its discretion establish a special resolution fixing rates for such wholesale consumers as may be authorized by the Board under the provisions of Section 1.01.210 or for industrial, manufacturing, commercial, or other such consumers, using in excess of one million cubic feet of water per month.

C. Fire Service Connections. All buildings with a special fire service connected with the Agency water distribution system shall pay the ready to serve charge based on pipe size as substituted for equal meter size in the rate schedule. All fire service connection shall be monitored by an approved alarm company and all alarms shall be reported to the Agency. No water shall be used through such connections or sprinkler systems except for actual fire control. If the consumer is found using water through unmetered special fire or sprinkling service connection for other than fire protection, then each such connection of three inches or over shall be equipped with a detector check type of meter, and those connections under three inches shall be equipped with a conventional type of meter.

D. Residential, Unmetered Service. Residential unmetered service shall be charged as set forth in Section 1.01.390 of this resolution.

1.01.360 - Water for construction purposes

Any owner, agent, or contractor intending to use water in the course of the construction of any building or of any street or utility shall apply to the Agency on forms provided for that purpose. Water for construction purposes shall be furnished only upon application and will be charged for at the rate as set forth in Section 1.01.390 of this resolution for consumption, the same to be billed at the time of return of meter; and all delinquent and unpaid charges therefor shall become a lien upon the premises supplied and shall be collected in the same manner as other delinquent and unpaid charges.

1.01.370 Cash deposit for water service.

New consumers may be required to make a cash deposit with the Agency, based upon the estimate of the three months average water usage and service fees, based upon meter size through the meter as set forth in Section 1.01.390 of this resolution. The deposit does not incur interest. Said deposit shall be refunded to the customer as a credit on the water bill(s) if the customer, for a period of two years, keeps their account in good standing without delinquency notification. In the event of the customer closes the account and all claims against the account are paid, the customer shall receive a refund for their deposit which the Agency shall issue within 60 days. In lieu of a cash

deposit, the consumer can elect to provide the agency with a demonstrated regular payment history from another utility which shows no delinquent or late payments for a period of twelve months.

Deposit:

¾" meter	\$85.00
1" meter	\$195.00
1 ½" meter	\$300.00
2" meter	\$800.00
3" meter	\$850.00

1.01.380 Payment of water bills--Delinquency Notification--Service discontinued for nonpayment--Past due fees.

A. Monthly statements of charges for water service shall be due and payable at the office of the Agency, or at such place or places designated by the Agency, on the date established by the Agency as set forth in Section 1.01.390 of this resolution. The statements shall cover service charges for the period shown thereon and shall be issued and forwarded by mail to the customer as soon as practical after the service period. Bills are due and payable eighteen (18) calendar days from the date of mailing, at which time if unpaid become delinquent. A minimum of eight (8) working days written notice will be given a customer before service is discontinued. Service will be restored when payment of all proper charges due from customer, including the reconnection charge, have been made. Returned checks or auto bill payment rejection shall be charged a fee as set forth in Section 1.01.380 of this resolution. Shall the customer desire to have the service restored after normal business hours or on weekends; the customer shall pay a fee as set forth in Section 1.01.380 of this resolution.

B. Delinquency and nonpayment of one or more water service charges shall be sufficient cause for discontinuance of service by turning off the water service to the premises notwithstanding the existence of any deposits made as provided in Section 1.01.370. Water service shall not be turned on again until all charges, together with penalties set forth in Section 1.01.390 of this resolution for shutting off and turning on the water and for delinquency notification are paid, or a satisfactory arrangement and agreement for payment of delinquent charges and penalties has been made with the Agency.

1.01.390 Service Charges.

Within the boundary of the Agency's service area the following rates shall apply:

1. Meter tampering fee \$100.00 or the actual to make Sec.1.01.330 repair, which ever is greater
2. Delinquency notification penalty \$10.00 or 1.5% of total bill, Sec.1.01.380 which ever is greater

3.	Service disconnected/water reconnect for nonpayment penalty	\$25.00	Sec.1.01.380
4.	Water for commercial construction purposes	\$50.00 per month plus consumption charge	Sec.1.01.360
5.	Water for residential building construction purpose	Flat fee of \$50.00 paid at application	Sec.1.01.360
6.	Installation cost for 6-inch and smaller main installed as of March 2006	\$12.50 per front foot	Sec.1.01.270
7.	Installation cost for 8-inch main installed as of March 2006	\$15.00 per front foot	Sect.1.01.270
8.	Installation cost for main installed after March 2006	Actual cost per front foot to install water main including engineering and administrative costs	
9.	¾-inch Service	\$650.00	Sec.1.01.190
10.	1-inch and larger Service	Cost plus 15%	Sec.1.01.190
11.	Reconnection fee for after normal business hours or weekends	\$85.00	Sec.1.01.380
12.	Return Check Charge/Auto Bill Rejection	\$30.00	Sec.1.01.380
13.	Application for new service or transfer of service fee	\$25.00	Sec.1.01.050
14.	Water Meter Rates		

Monthly Service Charges

The following is the monthly charge based upon meter size. Monthly charges for meter sizes not listed in the schedule shall correspond to the next larger meter size listed.

<u>Meter Size</u>	<u>Ready to Serve Charge</u>	<u>Sec. 1.01.350</u>
¾-inch	\$ 28.18 + consumption charge	
1-inch	\$ 47.04 + consumption charge	
1.5-inch	\$ 93.84 + consumption charge	
2-inch	\$143.64 + consumption charge	
3-inch	\$163.65 + consumption charge	

4-inch	\$247.25 + consumption charge
6-inch	\$480.22 + consumption charge

Water Consumption charge per 100 cubic feet

Consumption charge \$1.55 per 100 cubic feet

Monthly Fire Flow Service Charges

<u>Meter Size</u>	<u>Ready to Serve Charge</u>	<u>Sec. 1.01.350</u>
2-inch	\$ 29.54	
3-inch	\$ 41.54	
4-inch	\$ 53.55	
6-inch	\$ 77.56	
8-inch	\$ 101.57	

All fire service connections shall be metered. There shall be no charge for water used through a fire service for fighting fires. Water may be obtained at the current rate for occasional filling of tanks through a private fire service, provided the NBPDA is notified in advance and there is an approved method of measurement. Five times the current rate will be charged for water consumed through a fire service for any other purpose.

Water System Connection Charge:

<u>Line Size</u>	<u>One Time Charge</u>	<u>Sec 1.01.350</u>
¾-inch	\$1,243	
1-inch	\$2,075	
1.5-inch	\$4,140	
2-inch	\$6,337	
3-inch	\$7,209	
4-inch	\$10,914	
6-inch	\$21,181	

Unmetered Service

A monthly minimum based on the size of the service line (as set forth above) plus a monthly consumption charge based on the Manager's estimate of monthly usage.

Bills are due and payable (18) calendar days from the date of mailing at which time if unpaid become delinquent. A minimum of eight (8) working days written notice will be given a customer before service is discontinued. Service will be restored when payment of all proper charges due from customer, including the reconnection charge, have been made.

1.01.400 Severability.

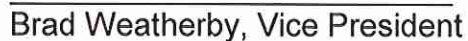
The provisions of this resolution are declared separate and severable. If any provision of this resolution or its application to any person or circumstance is held invalid, the remainder of this resolution or application of the provision to other persons or circumstances shall be unaffected.

Section 2. This resolution shall become effective upon its adoption by the Board.


ADOPTED by the Board of Directors of North Beach Public Development Authority, Pacific County, Washington, at a regular meeting held on July 21, 2008.

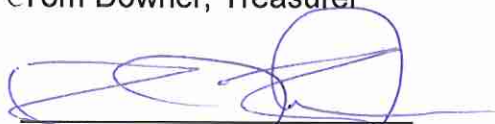
NORTH BEACH PUBLIC DEVELOPMENT AUTHORITY


R D Williams, President


Brad Weatherby, Vice President



Tom Downer, Treasurer


Jim Hagen, Director


Richard Schroeder, Director

I, Nancy Bell, duly appointed acting Secretary to the Board of the North Beach Public Development Authority (NBPDA) do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Board of Directors of the NBPDA on this 21st day of July, 2008

Date: July 21, 2008


Nancy Bell, Acting Secretary to the Board