

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

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1.01.000 Rules Established

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

1.01.010 Purpose

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

1.01.020 Definitions

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

- A.** “District” means the District, or as indicated by the context, may mean the District, District General Manager, District engineer, or other District employee or agent representing the District in the discharge of his or her duties.
- B.** “District engineer” means the engineer designated by the District. Any act in this resolution required or authorized to be done by the District engineer may be done on behalf of the District engineer by an authorized District employee or an independent consulting engineer hired by the District.
- C.** “Board” means the Board of Commissioners of the North Beach Water District.
- D.** “Mains” means water lines designed or used to serve more than one premises.
- E.** “Manager” means the General Manager of the District. 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 District.
- 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 therefore. 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 District water supply system connecting the supply system on a premise to the District 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 District with respect to materials and minimum diameter.
- J.** “Standard specifications” means those standard specifications for public works construction which have been adopted by the District board.
- K.** “Substandard or temporary mains” means mains which do not conform to the standard specifications of the

District 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 District. A copy of such rules and regulations shall be on file and available for public examination at the office of the District 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 a District engineer to prepare a comprehensive plan for the District 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 District 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 District 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 District 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 District 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 District 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 District 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 District'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 (June 20, 2011)

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. Customers may, during emergencies and to prevent property damage, take measures inconsistent with this section to resolve the emergency provided; they take all reasonable measures to resolve the emergency within 48 hours.

1.01.75 Responsibility for repair of service pipe (June 20, 2011)

A. The service pipe from the meter box extending into the customer's property, including pipes or plumbing inside buildings, belongs to the customer and it is the customer's responsibility to maintain, repair, and or replace those pipes. The service pipe, meters, meter setters, meter box, or valves located in the meter box and extending back to the main belongs to the District and it is the District's responsibility to maintain those pipes, meters, meter setter, meter box, and valves. The customer will not in any way render the meter box inaccessible to District personnel. The property owner assumes all responsibility on their premises for water furnished by the District. All service pipes, fittings, and equipment belonging to the customer must be kept in good repair and protected from freezing at the property owner's expense.

B. The District has no obligation to notify customers of a suspected leak on their premises. To provide excellent customer service and promote good relations between the District and its customers, District personnel will notify customers of any suspected leak on their premises. The District assumes no responsibility for any expenses incurred by the customer in determining if a leak is present.

In the event customers are notified of or become aware of water waste as defined in Section 1.01.070, they shall repair or remedy the waste of water within 48 hours. Failure to do so shall be a violation of this section and Section 1.01.070. The District has the authority to terminate that customer's water service without notice until waste of water is corrected.

C. In the case of a leak in the service pipe, the customer may be entitled to an adjustment on their water bill provided that an adjustment may be requested upon written application within a fourteen (14) day period of receipt of the billing in question. Failure to take plumbing system winterization precautions or repair a leak in a timely manner (48 hours) may constitute a forfeiture of the leak adjustment. After the complete and satisfactory repairs and with documentation of satisfactory repair, reduction in fees shall be limited to one-half of the excess water usage billing as determined by the District to be associated with the billing period in question, and excludes the monthly service charge. The adjusted rate for the month in which the leak was detected shall be equal to the average of the water charges of the three-month period consisting of the same month from the previous year as the month the leak was discovered, and the month before and after the previous year. Said three-month average shall be the adjusted rate for the month in which the leak was detected. A leak adjustment shall be available to the customer once every five years.

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 District 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 District unless authorized by the Manager in writing; provided, that this rule shall not apply to members of the Fire District 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 District reservoir or to deposit, or allow to be deposited any deleterious matter in or upon any part of the District'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 District water system.

1.01.100 Cross-connections prohibited

- A.** All cross-connections between any private water supply and the water supply of the District, 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 District 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 District 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 District to connect any premises or buildings with the District 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 District shall notify, insofar as practicable, all water consumers affected. The District 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 District 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 District, 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 District 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 District water system restrains authorized District employees from making the necessary inspections and surveys, water service may be immediately discontinued to the premises.

1.01.150 District employees to work on mains and service connections

Only employees of the District or qualified contractors duly authorized by the Manager or the District engineer shall be allowed to do any work in connection with the District 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 District water system are subject to the approval of the District

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 District, 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 District; provided, that all private systems existing on April 1, 2006, shall remain under private ownership unless dedicated to the District under the provisions of this resolution. The District 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 District standards

- A. All private water distribution systems in order to become or remain eligible for water to be furnished by the District must be constructed to the District's minimum standards, subject to approval by the District'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 District may petition the Board to accept ownership and maintenance of the system provided the system meets District 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 District, a valid deed or bill of sale and all necessary easements and/or franchises must be presented to the District.
- 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 District unless there is an adjacent standard main under the ownership and exclusive control of the District. The District reserves the right to refuse to connect any premises if the District 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 District.
- C. Except as provided in Section 1.01.210, every separate premises supplied by District water must have its own separate meter and the premises so supplied will not be allowed to supply water to any other premises. The District 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 District and the cost to the District charged therefore. The property owner in applying for service shall pay to the District 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 District 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 District service shall be required to use only materials conforming to the standard specifications and regulations of the District. Plumbing on premises shall conform to the current Uniform Plumbing Code.
- G. Before water will be turned on to the premises connected to District 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 District'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 District. 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 District, 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 District detailed plans of their systems in such form as specified by the District engineer. Each such consumer shall, prior to commencement of work, submit for the approval of the District 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 District'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 District.

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 District 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 Low-Income Connection Charge Installment Payments (*June 21, 2010*)

Low-income property owners may apply for payment of connection charges in installments in accordance with the terms and conditions of this Section and any form installment payment agreement approved by the District. The District's participation in the installment payment program shall be capped at \$25,000 for all participants and contracts in total, commencing on effective date of the resolution that adopts this Section. The contract shall be for a maximum of \$3,000 per connection, and shall require a minimum of 20% of the total amount financed as a down payment. "Low-income" means "combined disposable income" as defined in RCW 84.36.383, of less than \$40,000.00. The installment payment program shall authorize the low-income property owner to pay the following charges and costs in installments: installation costs under Section 1.01.190(e); if applicable, connection charges under Section 1.01.230; if applicable, water main installation charges under Section 1.01.260 and Section 1.01.270; water system connection charges under Section 1.01.350; and any interest. The

contract shall be for period not to exceed 5 (five) years, payable in equal monthly installments, with interest at a rate equal to the District's rate of interest on its investments in Washington State's Local Government Investment Pool (LGIP) at the time of execution of the contract. The contract shall be a covenant running with the land and shall be binding on successors. The contract shall provide that the unpaid balance of the charges, penalties, accrued interest and District collection and foreclosure costs shall be a lien upon the property, superior to all liens and encumbrances, except liens for general taxes and special assessments, and that the District shall enforce the lien by foreclosure in accordance with RCW 57.08.081. 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, the District shall record a release of the lien. The contract shall further provide that in the event of delinquency in payment of an installment payment, the Manager may disconnect temporarily the District's water service from and refuse to supply water to the property until the entire amount due and owing is paid in full. This remedy to be concurrent with and in addition to the District's right to foreclosure of the lien. This section, and the contract authorized in this section, shall not prevent the District, 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 of Commissioners shall deem reasonable.

1.01.250 Use of substandard mains

- A.** No substandard or temporary mains shall hereinafter be installed and connected to the District 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 District. The design capacity shall be determined by the District 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 District 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 District shall be retained by the District 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 District 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 District, the District 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 (*January 19, 2010*)

- 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 District water supply system. The standard main must conform to the comprehensive plan of the District water system and must be installed along the complete street frontage of the premises to be served in accordance with the comprehensive plan.
- B.** Applicant may enter into a mainline extension agreement as follows:

1. Owner shall construct at his own expense the water facility extension as per plan attached hereto, marked Exhibit A and incorporated herein by reference as though fully set forth. Said facility shall be constructed by the District or in accordance with the Rules and Regulations of said District in effect governing the construction and specifications for facilities of such type, and subject to the approval of the District's General Manager or his agent. Connection to the District's system is conditioned upon payment by the Owner to the District of all the District's costs associated with such extension including, but not limited to, the District's construction, restoration, engineering, legal and administrative costs.
2. For a period of 15 (fifteen) years from date hereof, any person, firm, or corporation owning real estate and not contributing to the original cost of such facility, who subsequently connects into or uses the same, shall pay a fair pro rata share of the cost of construction of said facility in accordance with the schedule set forth in Exhibit B which is attached hereto and incorporated herein by reference as though fully set forth. The Owner is required every two years from the date this contract is executed to provide the District with information regarding the current contact name, address, and telephone number of the person, company or partnership that originally entered into the contract. If the property Owner fails to comply with the notification requirements of this subsection within sixty days of the specified time, then the District may collect any reimbursement funds owed to the property Owner under the contract. Such funds must be deposited in the capital fund of the District. (RCW 57.22.020)
3. Upon completion of construction of the extension and its acceptance by the General Manager of the District, the facility shall become a part of the District's water system without cost to the District. Maintenance and operation costs of said lines and facilities after acceptance shall be borne by the said District.
4. No person, firm, or corporation shall be granted a permit or be authorized by the District to connect into or use any such facility, or extensions thereof, during the period of time prescribed in paragraph (2) of this contract without first paying to the District, in addition to any and all other costs and charges made and assessed for such connection or use, the amount required by the provisions of the contract under which the facility so connected onto or used or constructed, as set forth in Exhibit B. All amounts so received by the municipality shall be remitted to the Owner or assignee within sixty (60) days after the receipt thereof.
5. Whenever any connection is made onto the facility described in Exhibit A under this contract without such payment having first been made in accordance with Exhibit B, the District may remove or cause to be removed, such unauthorized connection and all connecting lines or pipe located in the facility right of way, and dispose of such material removed without any liability whatsoever.
6. Owner hereunder is an independent contractor and not an agent or employee of the District.
7. Owner agrees to pay to the District an administrative fee of five percent (5%) of all reimbursements collected by the District on behalf of the Owner.

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 District 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 District 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 District 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 District engineer prior to the commencement of construction. Participation by the District is contingent upon available funds budgeted for this purpose.

1.01.280 All services to be metered

All service connections to the District water system shall be metered and all meters shall remain the property of the District 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 District'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 District 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 (*February 17, 2009*)

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). In accordance with RCW 57.08.005(3) all customers connected to the District's system will be charged the "Monthly Service Charge" specified in Section 1.01.390 regardless of whether their water is on or discontinued.

1.01.311 Notice required to have water permanently disconnected (*February 17, 2009; June 20,2011*)

An owner may permanently disconnect their water service by bringing their account to current, submitting an application and payment of the disconnect fee identified in Section 1.01.390. Once the account is current and the application and fee have been received by the District, the District will permanently remove the water service and all appurtenances from the premises. The customer will no longer be charged any fees specified in Section 1.01.390 and will be removed from North Beach Water District's customer list. Customer records will be retained for a minimum of 7 years in accordance with state law.

In the event the current or future property owner wants water service reestablished for the premises, application must be made in accordance with Section 1.01.050 "Application for new service or transfer of service". If at that time water service for the premises is available, the application will be approved. Water service will be provided, in a timely manner, to the premises when all fees and charges identified in Section 1.01.390 "Service Charges" have been paid.

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 District, 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 District 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 District 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 District. 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.
- E. Water System Connection Charges.** For every lot or facility connected to the District's water system, the property owner shall pay a one-time water system connection charge as stated in Section 1.01.390 based upon meter size. Payment of the connection charge does not grant to the property owner an ownership

interest in the District's water system. Payment of the connection charge authorizes connection only to the designated lot or facility and is not transferable to any other lot or facility.

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 District 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 therefore 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 District, 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 District shall issue within 60 days. In lieu of a cash deposit, the consumer can elect to provide the District with a demonstrated regular payment history from another utility which shows no delinquent or late payments for a period of twelve months.

Deposit:	
3/4" meter	\$85.00
1" meter	\$195.00
1 1/2" meter	\$300.00
2" meter	\$800.00
3" meter	\$850.00

1.01.380 Payment of water bills – delinquency notification – service discontinued for non-payment – past due fees. (April 18, 2011)

A. Monthly statements of charges for water service shall be due and payable at the office of the District, or at such place or places designated by the District, on the date established by the District 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. Failure to receive mail will not be recognized as a valid excuse for failure to pay water utility charges. 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 1.01.390 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 1.01.390 of this resolution.

Section 2. All accounts for utilities shall be kept in the name of the property owner and not transferred into the name of the tenant. The property owner shall be held responsible for water utility charges. Nothing in this section shall prevent a tenant from paying a utility bill which has been billed to

an owner.

- 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 District.
- C.** Shall a premise remain delinquent for a period of sixty (60) days or more, and every sixty (60) days thereafter, a lien shall be placed against real property in accordance with RCW 57.08.081(3) to the auditor of the county for charges and any penalties added thereto. Interest thereon will be added at a rate of the prime lending rate of the District's bank plus four percentage points per year to the lien. Shall a premise remain delinquent for a period of one hundred eighty (180) days or more the premise shall be permanently disconnected and considered to have abandoned its entitlement to water service. The District shall permanently remove the water service, meter and other water supply apparatuses from the premise. The customer will then no longer be charged the "Monthly Service Charge" specified in Section 1.01.390 after period of one hundred eighty (180) days. A final lien shall be placed upon the real property at this time. If the premise at a later date makes application for new service specified in Section 1.01.050, it shall be responsible for any and all charges for new service including but not limited to installation charges, service charges and water system connection charges as specified in Section 1.01.390.

Section 2. Accounts currently delinquent for a period of one hundred eighty (180) days or more at the time of approval of this resolution are considered to have abandoned its entitlement to water service. The District shall make reasonable attempt to notify the owner or its representative that if the delinquent charges remain unpaid in the next thirty (30) days that the District shall permanently remove the water service, meter and other water supply apparatuses from the premise. If the premise at a later date makes application for new service specified in Section 1.01.050, it shall be responsible for any and all charges for new service including but not limited to installation charges, service charges and water system connection charges as specified in Section 1.01.390.

1.01.390 Service Charges (February 17, 2009; January 19, 2010; June 21, 2010)

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

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|---|---|---------------|
| 1. Meter tampering fee | \$100.00 or actual to make repair, whichever is greater | Sec. 1.01.330 |
| 2. Delinquency Notification Penalty | \$10.00 or 1.5% of total bill, whichever is greater | Sec. 1.01.380 |
| 3. Service disconnected/water reconnected for nonpayment penalty | \$25.00 | Sec. 1.01.380 |
| 4. Water for commercial construction purposes | \$50.00 per month plus consumption charges | Sec. 1.01.360 |
| 5. Water for residential building construction purposes | 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 | Sec. 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/Auto Bill Rejection	\$25.00	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.

Meter Size	July 2008 - June 2009	July 2009 - June 2010	July 2010 - June 2011	June 2011 - July 2012	July 2012 -
¾-inch	\$ 28.18	\$ 31.27	\$ 34.40	\$ 37.84	\$ 39.73
1-inch	\$ 47.04	\$ 52.21	\$ 57.43	\$ 63.17	\$ 66.33
1.5-inch	\$ 93.84	\$ 104.16	\$ 114.58	\$ 126.04	\$ 132.34
2-inch	\$ 143.64	\$ 159.43	\$ 175.38	\$ 192.92	\$ 202.56
3-inch	\$ 163.65	\$ 181.65	\$ 199.81	\$ 219.79	\$ 230.78
4-inch	\$ 247.25	\$ 274.45	\$ 301.89	\$ 332.08	\$ 348.69
6-inch	\$ 480.22	\$ 533.04	\$ 586.34	\$ 644.98	\$ 677.23

Water Consumption charge per 100 cubic feet

July 2008 - June 2009	\$1.55 per 100 cubic feet
July 2009 - June 2010	\$1.72 per 100 cubic feet
July 2010 - June 2011	\$1.90 per 100 cubic feet
July 2011 - June 2012	\$2.09 per 100 cubic feet
July 2012 -	\$2.19 per 100 cubic feet

Monthly Fire Flow Service Charges

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 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.

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

Water System Connection Charge:

<u>Meter Size</u>	<u>One Time Charge</u>	<u>Sec. 1.01.350</u>
¾-inch	\$ 1243	
1-inch	\$ 2075	
1.5-inch	\$ 4140	
2-inch	\$ 6337	
3-inch	\$ 7209	
4-inch	\$10,914	
6-inch	\$21,181	

Water System Permanent Disconnection Fee:

<u>Meter Size</u>	<u>One Time Charge</u>	<u>Sec. 1.01.311</u>
¾-inch	\$ 480	
1-inch	\$ 800	
1.5-inch	\$ 1,500	
2-inch	\$ 2,500	
3-inch	\$ 2,800	
4-inch	\$ 4,200	
6-inch	\$ 8,200	

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.

15. Credit Card Payments

The District will accept credit card payments through its vendor at a fee established by the vendor to be paid by the customer desiring such service.

16. Low-Income Assistance

In accordance with RCW 57.46, the District

shall participate in a program to offer voluntary contributions to assist low-income residential customers.

1.01.391 Billing dispute policy (July 20, 2009)

Responsibilities

The General Manager shall be responsible for verifications, with the exception of meter readings, as needed. The Office Manager shall be responsible for initiating meter reading verifications, adjustments to accounts, and applicable record keeping.

Adjustment Protocol

Determination of Cause

When an adjustment to a high water bill is requested by the customer, the customer will first be asked if the high bill is due to a leak that has been repaired.

- If the answer is no, the meter will be re-read. If the high water bill is due to a meter reading error, the customer will be notified of the amount due on the current bill along with the amount of the adjustment on the next bill (if any). If the meter reading is correct, the customer will be notified that they are responsible for the full amount of the current bill.
- If the answer is yes, then the customer will be mailed a Water Leak Repair Verification form or instructed to pick one up at the District office. The completed form will be returned to the Office Manager.

Challenges to Meter Accuracy

Should the customer desire to challenge the accuracy of the meter, the following protocol will be followed:

1. The customer shall submit a written request to have the meter tested. The meter will be tested by the District at no cost to the customer. The customer can view the testing.
2. Meters installed as replacements for stopped/under registering meters or meter replacements because of age will not be tested at District expense. Exceptions are at the discretion of the General Manager when subsequent consumption appears abnormal for the size of the service lien and the type of dwelling at the service address.
3. If the meter test indicates that the meter is overstating the water usage outside of industry accepted tolerances (ANSI/AWWA standard C700-95), the amount of overcharged consumption will be calculated from the test report results and credited to the customer's account.
4. If the test indicates that the meter is accurate within industry accepted tolerances (ANSI/AWWA standard C700-95) or understating water usage, the customer will be notified that they are responsible for the full amount of the bill.
5. If the customer disputes the accuracy of the District's meter test and desires a test of the meter accuracy by a third party, the following terms will be offered:
 - a. If the independent test indicates that the meter is accurate within industry accepted tolerances (ANSI/AWWA standard C700-95) or understating water usage, the customer will have a meter testing fee of actual cost plus the meter cost added to their next bill. The customer is responsible for the full amount of the bill.
 - b. If the independent meter test indicates that the meter is overstating the water usage outside of industry accepted tolerances (ANSI/AWWA standard C700-95), the amount of overcharge consumption will be calculated from the test report results and credited to the customer's account. The District will absorb the cost of the test.

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.

Resolutions amending North Beach Water District's Rules and Regulations

Resolution 13-2008 adopted September 15, 2008

Resolution 07-2009 adopted February 17, 2009

Resolution 18-2009 adopted July 20, 2009

Resolution 01-2010 adopted January 19, 2010

Resolution 03-2010 adopted June 21, 2010

Resolution 04-2010 adopted June 21, 2010

Resolution 07-2011 adopted April 18, 2011

Resolution 08-2011 adopted June 20, 2011

Resolution 11-2011 adopted June 20, 2011