

# **Oak Creek Water District**

**90 Oak Creek Blvd  
Sedona, AZ 86336**

# **RULES AND REGULATIONS**

Board Approved and Implemented February 17, 2021

Minor Addendums (Non-BOD Approval)

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## CHAPTER I

- 1.0.0 GENERAL CONDITIONS – The following are the conditions set forth by these “Rules and Regulations and the Standards and Specifications Manual
- 1.0.1 AUTHORITY – Oak Creek Water District services the north side of Airport Mesa, spanning from Mingus Mountain Road to Sunset Drive on the south side of SR 89A.
- 1.0.2 OPERATION and CONTROL -The water treatment works of Oak Creek Water District including all appurtenances are under the operation of the District and its authorized agents and employees. Such control shall include all phases and fixtures of the water treatment works to the ultimate point of usage.
- 1.0.3 ADMINISTRATION – Duly authorized agents of Oak Creek Water District.
- 1.0.4 EFFECTIVE DATE - These "Rules and Regulations" and "Standards and Specifications Manual" shall be effective on the date stated in the resolution by the Board of Oak Creek Water District and may be amended from time to time.
- 1.0.5 VALIDITY - Should any section, subsection, sentence, clause, phrase or individual provision of the "Rules and Regulations" or "Standards and Specifications Manual" be decided for any reason by the courts to be unconstitutional or invalid, such a decision shall not affect the validity of the "Rules and Regulations" or "Standards and Specifications Manual" as a whole or any part thereof, other than that particular portion so held to be unconstitutional or invalid.
- 1.0.6 ENFORCEMENT - These "Rules and Regulations" and "Standards and Specifications Manual" shall be enforced by the agents of Oak Creek Water District.
- 1.0.7 VIOLATION - Any infraction of the "Rules and Regulations" or "Standards and Specifications Manual" is a violation. Any person, firm, group, or corporation, either owner or agent, who tampers with or attempts to use facilities provided by the District without first obtaining the necessary permits and approvals is in violation of the "Rules and Regulations" or "Standards and Specifications Manual". Any person, firm, group, or corporation, either owner or agent, that obtains a permit or approval based on false information shall be held in violation of the "Rules and Regulations" or "Standards and Specifications Manual."
- 1.0.8 JURISDICTION - These "Rules and Regulations" and "Standards and Specifications Manual" are applicable to all persons within the District as established or amended or any other persons receiving water service from systems owned, operated, or maintained by the District.
- 1.0.9 AGREEMENT - All persons, successors, and assigns obtaining a permit from the District accept and agree to be bound by these "Rules and Regulations" and "Standards and Specifications Manual."
- 1.0.10 INTERPRETATION - The provisions of these "Rules and Regulations" and "Standards and Specifications" shall be the minimum requirements adopted for the promotion of health, safety, and welfare of the constituents of the District. These "Rules and Regulations" and

"Standards and Specifications" are not intended to repeal, abrogate, annul, or in any manner interfere with any laws or rules of any governmental units having jurisdiction that are more stringent. In the event that these "Rules and Regulations" and "Standards and Specifications" impose greater restriction than those existing laws or rules, then the provisions of these "Rules and Regulations" or "Standards and Specifications" shall govern. These "Rules and Regulations" and "Standards and Specifications Manual" may be promulgated by the District to cover unusual situations.

#### 1.0.11 REVISIONS OF THE RULES AND REGULATIONS

Periodically, the Board of Oak Creek Water District shall review the Rules and Regulations, proposed budget, customer data, fees, and charges pertinent to water funds. If changes, revisions, or modifications are necessary in order to ensure that each user charge is proportional to the cost of providing that user with water treatment services, the District shall submit the proposed revisions at a scheduled Board meeting for approval.

- (1) The user charges shall result in the distribution of operation, maintenance, and replacement costs of the treatment works within the jurisdiction of the District to each user.
- (2) The charges shall be reviewed at least annually and revised periodically as required.
- (3) The user charges shall derive revenue sufficient to meet all costs of operation, maintenance, and replacement of the system.

#### 1.1.0 DEFINITIONS - Unless the context specifically indicates otherwise, the meaning of terms used in these "Rules and Regulations" shall be as follows:

##### 1.1.1 "AUTHORIZED REPRESENTATIVE OF THE USER" shall mean:

- (1) If the User is a corporation, the president is the authorized representative of the corporation.
- (2) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.
- (3) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
- (4) The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the District, and the written authorization is submitted to the District.

##### 1.1.2 "BACKFLOW" shall mean the flow of water or liquids, mixtures, or substances into the distribution system of a potable water supply from any source other than the intended source of the potable water supply.

- 1.1.3 "BACKFLOW PREVENTION DEVICE" shall mean any device, method, or type of construction, approved by the Department, intended to prevent backflow into a potable water supply.
- 1.1.4 "COMMERCIAL USER" shall include but not limited to retail stores, restaurants, office buildings, laundries, hotels, car washes, other private business, service establishments and institutional users.
- 1.15 "CONTAMINATION" shall mean an impairment of the quality of the water which could create an actual hazard to the public health.
- 1.1.6 "CONTRACTOR" shall mean any person, group, or organization undertaking a contract under these Rules and Regulations and Standards and Specifications Manual, acting directly or through a duly qualified and authorized representative.
- 1.1.7 "DISTRICT" shall mean Oak Creek Water District.
- 1.1.8 "CROSS CONNECTION" shall mean any arrangement whereby backflow can occur.
- 1.1.9 "DETECTOR CHECK" shall mean a valve designed to prevent the reverse flow of water or fire protection substances. This valve also incorporates a meter which allows the District to detect leaks in the fire system and also provides a detection point for determining unauthorized use.
- 1.1.10 "EASEMENT" shall mean an acquired legal right for the specific use of land owned by others.
- 1.1.11 "FACILITIES" shall mean all components whether in public right-of-ways or easements or on private property of the District water systems (including existing, proposed and abandoned) that are necessary for the proper operation of the systems. The components include service laterals and service connections.
- 1.1.12 "GOVERNMENTAL" shall mean the legislative, judicial, administrative, and regulatory activities of Federal, State, and local governments.
- 1.1.13 "HEALTH HAZARD" shall mean any condition, device, or practice in a water system or its operation that creates, or may create, a danger to the health and well-being of the general public and the District's employees. The word severe as used to qualify a health hazard means a hazard to the health of the consumer that could reasonably be expected to result in significant harm or death.
- 1.1.14 "INSPECTOR" shall mean a duly appointed representative of the District who is responsible for the enforcement of the specifications and quality of construction.
- 1.1.15 "INSTITUTIONAL" shall mean social, charitable, religious, and educational activities such as schools, churches, hospitals, nursing homes, penal institutions, and similar institutional users.
- 1.1.16 "MAY" is permissive. (see "SHALL" 1.1.112)
- 1.1.17 "MDU" shall mean Multiple Dwelling Unit.

- 1.1.18 "OPERATION AND MAINTENANCE" shall mean those functions that result in expenditures during the life of the treatment works for materials, labor, utilities, and other items which are necessary for managing and maintaining the water system.
- 1.1.19 "OWNER" shall mean any person, individual, firm, District, association, society, corporation, group, or political subdivision who is the legal owner of the real estate involved.
- 1.1.20 "PERSONNEL" shall mean representatives of the District- Inspectors, meter readers, plant operators, employees, or representatives of the District whose duty constitutes entrance upon public and private property to ensure proper operation of the water facilities.
- 1.1.21 "PROPERTY OWNER" shall mean the individual or individuals, corporation, trust, trustee or anyone or anything else who is the legal owner of real estate as listed in the Yavapai District Recorder's Office.
- 1.1.22 "REPLACEMENT" shall mean expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the life of the treatment works to maintain the capacity and performance for which such works were designed and constructed. The term "operations and maintenance" includes replacement.
- 1.1.23 "RESIDENTIAL" shall mean all dwelling units such as detached, semidetached, row-houses, mobile homes, and multi-family dwellings.
- 1.1.24 "SERVICE CONNECTION" (water) shall mean that part of the service line situated between the water main to and including the curb stop/box or to and including any meter pits installed at or within three feet of the property line.
- 1.1.25 "SHALL" is mandatory. (see "MAY" 1.1.69)
- 1.1.26 "STANDARD METHODS" shall mean the most recent edition of the Standard Methods for The Examination Of Water And Wastewater published by the American Public Health Association.
- 1.1.27 "STANDARDS AND SPECIFICATIONS" are the design and construction specifications prepared and required by the District for the construction of water mains, service connections, service laterals and appurtenances. The standards and specifications shall be considered to be a part of these Rules and Regulations as if completely reprinted here.
- 1.1.28 "STORM WATER" shall mean any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.
- 1.1.29 "TAP/WATER TAP" shall mean the physical connection, corporation stop, into the water main.
- 1.1.30 "USER" shall mean those directly benefiting from a connection to the public water main.
- 1.1.31 "USER CHARGE" shall mean that amount paid by each premises connected to the treatment works. This charge shall cover operations and maintenance costs.
- 1.1.32 "USER CLASS" shall mean any class of users of the treatment works, as defined in Section 3.8.1.

- 1.1.33 “WATER MAIN/DISTRIBUTION MAIN” shall mean the principle piping or conduit owned and maintained by the District through which water is conveyed or drawn to private water mains and/or service lines.
- 1.1.34 “WATER SERVICE” shall mean the readiness to supply or supplying of water for drinking, sanitation and/or fire protection to a premises on which a water service connection has been installed.
- 1.2.0 ABBREVIATIONS - The following abbreviations, when used in this ordinance, shall have the designated meanings:
- ADEQ – Arizona Department of Environmental Quality  
BMP – Best Management Practice  
District - Oak Creek Domestic Water Improvement District  
EPA – U.S. Environmental Protection Agency  
gpd – gallons per day  
MDU – Multiple Dwelling Unit  
mg/l – milligrams per liter  
µl – Micrograms per liter

## **CHAPTER II**

### **2.0.0 GENERAL PERMIT REQUIREMENTS AND BILLING**

#### **2.1.0 PERMIT REQUIREMENTS**

- 2.1.1 No unauthorized person(s) shall uncover, make any connection with, or opening into, use, alter, or disturb any public water main, appurtenance, private building water, or private collection water without first obtaining a permit issued by the District.
- 2.1.2 Permits shall be valid for one year from the date of issuance. The expiration date of the permit shall be noted on the permit issued. If a permit expires and work has not been started or has been stopped for a period in excess of one (1) week, the property owner or agent shall be required to complete an application for permit renewal provided by the District and submit it along with a permit renewal fee and any other applicable fees and charges as stated in Section 2.7.0. Permits can be renewed on an annual basis by paying the continuation fee before the permit expiration date. Failure to pay the renewal fee by the permit expiration date will require the property owner or agent to complete an application for permit renewal and pay the permit renewal fee.
- 2.1.3 A repair permit shall be required for any repairs that are made on building water lines or appurtenances, private collection water lines, or as deemed necessary by the District.
- 2.1.4 Permits shall be available on the job site at all times until the job is completed and approved. Posting of the permit is recommended.



- 2.1.5 All costs and expense incident to the installation and connection of building water and appurtenances shall be borne by the owner(s). The owner(s) shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the installation of a building water or appurtenance.
- 2.1.6 The issuance of a permit to connect or repair by the District does not relieve the permit holder of the responsibility of securing permits from the proper governmental or private agencies for the permission to work in public or private rights of way or easement areas.
- 2.1.7 For installation of water lines and appurtenances for new subdivisions, water main extensions, or any special project shall be submitted to the District in accordance with the department's rules and regulations. The application shall be signed by the property owner, developer, or president of the corporation.

A permit shall not be issued until all applicable plans/specifications, easements, approvals, general requirements, and fees and charges have been submitted. All applicable fees and charges shall be paid at the time application is made for a permit.

#### APPLICABLE FEES PER STRUCTURE CONNECTING

(including but are not limited to):

Permit Fee

Inspection Fee

Tap-In Fee

Unit Service Charge

Cost Recovery Charge, if applicable

(See Section 2 and current list of fees/charges posted online or in the office)

#### 2.2.0 CONTRACTOR LICENSING REQUIREMENTS

- 2.2.1 Only persons, firms, companies, or corporations of proven liability and approved by the District, shall be permitted to construct or repair building water lines, private collection water lines, or water line improvements installed by private developers to be dedicated to the District for ownership, operations, and maintenance. Persons, firms, companies, or corporations constructing or repairing building water lines, private collection water lines, or water line improvements installed by a private developer shall obtain a yearly license and furnish a performance bond.

Said contractor's license shall be approved and signed by the District or his authorized agent and shall expire on the 31st day of December in the year in which the license is issued. The expiration date of the license shall be marked on said license when issued.

Contractors not possessing a valid license and not under contract with the District shall not be permitted to install or repair any public or private appurtenances connected to the water treatment systems. A valid license may be revoked at any time by the District or authorized agent for any violation of the Rules and Regulations or Standards and Specifications Manual.

A contractor's license from the District shall be valid for work to be performed under a permit in the water District covered by these Rules and Regulations and Standards and Specifications. The following is a list of requirements that shall be met prior to issuance of a license from the District:

- (1) Completed and signed Application for a License
- (2) Payment of Contractor's License Fee
- (3) A copy of a current (valid) Workman's Compensation Certificate for the life of the license.
- (4) Properly executed Performance Bond in the amount of \$5,000.00 on a document provided by the District or approved equal.
- (5) Proof of Insurance Certificates showing the following minimum amounts:
  - Comprehensive General Liability \$300,000 each occurrence
  - Completed Operation & Products Liability \$ 15,000 each occurrence.
  - Comprehensive Auto Liability
    - Insurance & Bodily Injury \$300,000 each person
    - Liability \$300,000 each occurrence
    - Property Damage Liability \$300,000 each occurrence

Any person or contractor doing work under these Rules and Regulations and Standards and Specifications and who is responsible for the use of explosives or other dangerous materials shall abide by all applicable laws, and upon approval of a qualified applicant and payment of the appropriate fees, a license or temporary permit will be issued. A copy of the license or temporary permit shall be supplied to the District by the person or contractor.

Contractors are hired by the property owner to perform the installation of water service connections. The contractor's license with the District shall not be construed as an endorsement or guarantee of the contractor's work. The assurances the District obtains from the contractor are for the protection of the District's system only, the property owner shall ensure that the contractor has adequate insurance and bonding to protect the property owner's property.

2.2.2 Contractors are exempt from retaining a valid contractor's license with the District when said contractor is installing, repairing, or testing District owned water lines and appurtenances and said contractor is acting under a legally executed contract with the District designed and executed projects. Said legally executed contracts shall not include escrow accounts with private developers or written agreements made with private developers. Said contractor shall be required to abide by the Rules and Regulations and Standards and Specifications Manual of the water treatment systems. In the event of a problem with the said contractor, retainage from said contract shall be held by the District until all matters of conflict have been resolved.

2.2.3 The property owner or the property owner's immediate family member may construct and install, to District specifications, said water line improvements on their property. If the property owner or the property owner's immediate family member performs the work themselves, the property owner is assuming full financial responsibility for any damage caused to the District's system or to any structure or surface objects and is fully responsible

for the safety of those performing the work.

- 2.2.4 An immediate family member shall be defined as a: current spouse, parent, stepparent, child, stepchild, brother, sister, stepbrother, stepsister, mother-in-law, father-in-law, or grandparent.
- 2.3.0 STANDARDS AND SPECIFICATIONS MANUAL AUTHORIZATION
- 2.3.1 All water construction and repair specifications for public and private water mains, building water, and appurtenances shall be listed in a separate document from the Rules and Regulations and it shall be titled "Standards and Specifications Manual." This Manual shall be considered an inclusive document of the Rules and Regulations.
- 2.3.2 The Standards and Specifications Manual shall be considered approved for use upon the adoption of these Rules and Regulations by the District.
- 2.3.3 Items of concern not specifically covered in the Standards and Specifications Manual shall be subject to interpretation and/or clarification by the District.
- 2.4.0 SAFETY STANDARDS
- 2.4.1 All contractors working within the District, its system, its appurtenances, public or private, connected to said treatment system under these "Rules and Regulations" and "Standards and Specifications Manual" shall work in accordance with all applicable O.S.H.A. safety standards. The District shall reserve the right to stop work at any time if the District sees or suspects any hazardous situations that may endanger the public or employees. Work shall not resume until the situation has been resolved. The District shall not be responsible for lost time or reimbursement for stopping work due to a hazardous or potentially hazardous situation caused by not following applicable safety standards.
- 2.5.0 BILLING METHOD AND DELINQUENT ACCOUNTS
- 2.5.1 Water bills, under the billing jurisdiction of the District, shall be mailed by the District on a monthly basis unless otherwise determined by the District. The bill shall cover the charges for each property for the previous billing period. Billing periods are based on when the meters are read, which is usually the third week of every month. Generally, bills will be mailed the first week of the month immediately following the billing period. The District shall be responsible for submitting all water bills to the United States Postal Service. The District shall not assume liability for each property owner receiving a bill once bills are placed in the mail.
- 2.5.2 Water bills are payable and due by 5:00 p.m. (local time) on the 20th day of the month on which the bills were issued. In the event the 20<sup>th</sup> day of the month in which the water bill is due falls on a weekend or on a holiday observed by the District, water bills shall be due by 5:00 p.m. of the next business day.
- 2.5.3 After 5:00 p.m. on the day on which bills are due, any bills not paid shall be subject to a late fee.

- 2.5.4 Customers contesting the late penalty charged to their account(s) may be granted a one (1) time waiver of said charge during a two (2) year period providing the following conditions are met:
- (1) Requests for waiver must be submitted in writing, signed and dated by the property owner or person on record with the District as being responsible for payment of charges; and,
  - (2) No prior requests have been made and granted for a waiver during the previous two (2) year period; and,
  - (3) All charges for water service shall be paid in full prior to the next billing cycle for said service.
- 2.5.5 The customer can make payment in full with cash (shall be made in person, cash shall not be sent through the mail), check, money order (made out to Oak Creek Water), direct payment plan from a checking or savings account (processing fees apply) through Xpress Bill Pay.
- 2.5.6 SHUT OFF Notice: All water bills will have printed on it the payment due date of the 20<sup>th</sup> with the disconnect date after the 30<sup>th</sup>. This meets all disconnect requirements. A courtesy phone call may be made approximately on the 24<sup>th</sup>. This courtesy phone call may ONLY be offered three times a year. (See Section 2)
- 2.5.7 Once an operator is sent out to shut a property owners' water off, they are then subject to the shut off fee. Operators will not have a discussion with a property owner about payment nor are they legally allowed to accept payment. The operator will only take direction from the District office.
- 2.5.9 It is the responsibility of the customer to obtain and pay a final water bill by notifying the District when transferring property to a new owner. A final bill will not be issued until the property transfers and notice of transfer is received from the District Recorder's office. Failure of the customer to pay a final bill shall result in the District taking whatever action may be necessary to receive payment. See section 3 for final billing when service is discontinued.
- 2.6.0 TURN-OFF WITH NOTICE
- A. The supply of water through any service may be turned off with prior notice from the District for any of the reasons listed below. The turn-off notice is posted on the monthly bill. This notice meets the statute required by Arizona for notice. There shall be three (3) courtesy calls per year to remind the customer of a past due balance. The reason for the turn-off and the measures the customer can take to prevent the turn-off or recover the service shall be provided to the customer. The reasons for turn-off with notice are as follows:
1. When access to the premises cannot be achieved to inspect/verify an inside meter with a remote reader or when an inside meter cannot be accessed to obtain a reading for three (3) consecutive billing periods.
  2. Cross-connections or interconnecting with any other supply of water when not approved by the District. This includes installation of pipe and fixtures such that a possibility of back siphonage or backflow, in the opinion of the District or its

authorized representative, exists.

3. Failure to properly repair a leaking service lateral within forty-eight (48) hours after notice is given by the District to do so.
  4. The use of water on any premises other than that recorded in the application, except as may herein otherwise be provided for.
  5. Misuse, abuse, or illegal use of any service pipe, meter, curb stop, corporation stop, any appurtenance, or the seal on any water system appurtenance.
  10. Failure to Comply with Section 4.2.6
  11. Water to vacant property will be turned off by the District unless otherwise arranged beforehand by the property owner.
- B. The turn-off notice shall indicate the date of discontinuation of water service and/or the amount due. If the property is used for rental purposes and the monthly water bill is mailed to the tenant, the property owner of record may be contacted if the bill is delinquent. A listing of those water services that remain shut-off 2-3 days after the shut-off date will be sent to the District.
- C. The supply of water, turned off under this Section, will not be turned on again until the cause of the turn-off has been corrected and either (1) all charges, including a standard service charge, have been paid; (2) a Payment Agreement is entered into; or (3) the current Payment Agreement is brought up to date. Water to a premise shall be turned back on only by employees or authorized agents of the District.

#### 2.7.0 TURN-OFF WITHOUT NOTICE

- A. The supply of water through any service may be turned off by the District without any notice for, but not limited to, the following reasons:
- 1 Any situation deemed by the District as jeopardizing the integrity of the public water system or has the potential to harm the public's health, safety, or welfare.
  - 2 Willful waste of water, as determined by the District.
  - 3 Making any additions or alterations in or about the service line without notice thereof being previously given to and permission obtained from the District.
  - 4 Theft of service.
  - 5 When mail to an address has been returned repeatedly, when other efforts to obtain a good address have been unsuccessful, and when a bill is delinquent for two (2) billing periods for that property.
- B. The supply of water, turned off under this Section, will not be turned on again until the cause of the turn-off has been corrected and either (1) all charges, including a standard service charge, have been paid; (2) a Payment Agreement is entered into; or (3) the current Payment Agreement is brought up to date. Water to a premise shall be turned back on only by employees or authorized agents of the District.

#### 2.8.0 RENTAL PROPERTIES

For property owners with rental property, a service contract is available at the Districting

Department. A service contract, which must be signed by the property owner, allows the water bill to be sent directly to the tenant of the property. The property owner still assumes full responsibility for the billing of the property.

All invoices for water service shall be mailed to the property owner of record. If the invoices are to be mailed to someone other than the property owner of record, the record property owner shall complete and sign an Indemnification Agreement prior to a change being made. It is the property owner's responsibility to notify this office in advance of any change of tenant. All address changes must be submitted in writing.

## 2.9.0 FEES AND CHARGES

All applicable fees and charges shall be due-in-full upon submittal of an application for permit or request for said services.

### 2.9.1 Permit Fees for All Water Districts activity shall be charged the following fees that can be found posted on our website or in the office:

- A. PERMIT ISSUANCE FEE
- B. REPAIR PERMIT
- C. PERMIT RENEWAL FEE
- D. CONTINUATION FEE

Explanation of Permit Fees:

- A. A permit issuance fee shall be charged for every new permit to connect (or install) issued. If more than one structure on a property is connecting to the water at the same time, only one permit needs to be issued for the property (only one permit fee required). A deed restriction form supplied by the District will be required. In the event of a property split, each structure will require a separate connection.
- B. A repair permit shall be issued at no cost. If the property owner is replacing, deleting, or adding less than one (1) section of pipe, testing may not be required if the inspector deems it unnecessary.
- C. A permit renewal fee shall be charged when an original permit has expired, and the work has not been started. A renewed permit shall be issued upon application and payment for a permit renewal and other equalization fees or charges, if applicable.
- D. A continuation fee shall be charged to continue a permit for one-year. This fee shall be paid prior to the expiration date of the permit.

### 2.9.2 Inspection Fees shall be paid for each building or part thereof being connected to the appurtenance prior to construction.

### 2.9.3 Contractor's License Fee: Yearly License Fee: See Section 2 for requirements and current rates posted online or in the office.

### 2.9.4 Certification Fee: See Section 2 for requirements current rates posted online or in the office.

### 2.9.5 OTHER FEES ASSOCIATED WITH OBTAINING SERVICE

See sections 3 and 4 for other fees that may be required to obtain a permit.

2.10 ADDRESS CHANGES

In order to change the mailing address of a bill, the property owner must make the request for change in writing to the District. Verbal notification will not be accepted due to possible discrepancies.

2.11 LOCATING WATER MAINS/SERVICE CONNECTIONS (TAPS) AND CONSTRUCTION REGULATIONS (EXISTING WATER MAINS/SERVICES)

- A. Property owners and contractors shall comply with all Arizona Revised Statutes concerning guidelines for locating existing utilities including, but not limited to, ARS 40-360.21. In summary, the property owners and contractors shall call 811. The Department will locate District owned service connections (taps) and District owned water mains at no cost, providing the following is complied with:
  - 1. The District shall be notified, in writing, a minimum of 48 hours prior to the start of the project (earlier notification is suggested when possible). The notification shall contain the following:
    - a. Name/Address/Telephone Number of the Contractor.
    - b. Name/Telephone Number of the Owner.
    - c. Start date of the project and type of project.
    - d. All streets involved.
    - e. All addresses of the services involved.
  - 2. After the stakes, symbols, and/or paint markings have been placed by the Department, the maintenance of the same becomes the responsibility of the contractor. Any subsequent relocation or re-staking will be charged to the contractor at the District's direct cost (subject to the requirements of the Arizona Revised Statutes).
- B. Failure to follow the above procedure will place the responsibility for damage on the contractor.
- C. Information furnished to the contractor is based on records of the District. The absolute accuracy of these records cannot be guaranteed. The contractor is directed to take every precaution possible so that District facilities are not damaged and service to customers is not interrupted.
- D. If the contractor requires a more accurate location, it is suggested that he secure pipe locating equipment for this purpose.
- E. Generally, the service connections (taps) will be located in a straight line from the curb box to the water main at right angles. However, since this does not hold true in all cases, deviations of several feet are possible.

2.12.0 ACCESS TO FACILITIES - District personnel shall have access to the premises for the proper operations and maintenance of the District facilities. Should access to the premises be denied, the District may discontinue service and will not restore same until time of access is granted.

- 2.13.0 LIMITATION OF SERVICES - The District shall have the right to limit service due to lack of capacity for any portion of the treatment works.
- 2.14.0 TERMINATION OF SERVICE - The District shall have the right to terminate water service immediately if it is determined that the violation produces a dangerous, toxic, odorous, destructive, or other condition which, in the opinion of the District, cannot be tolerated. Additionally, termination of service may occur for failure to pay service fees that have been certified to the property taxes, or failure to make assessment payments with property taxes. User will be responsible for any costs of reinstating the services.
- 2.15.0 PENALTIES - Any person, firm, group, or corporation, either owner or agent, committing a violation of the "Rules and Regulations" or "Standards and Specifications Manual" shall be fined by the District in accordance with the District's "Rules and Regulations" and the Arizona Revised Statute to insure that remedial action will be taken to rectify the violation. This fine shall be in effect until the violation is corrected. The violator shall be liable and responsible for any and all damages incurred as a result of the violation.
- Any person who violates the "Rules and Regulations" or "Standards and Specifications Manual" shall be subject to the penalties in accordance with the District's "Rules and Regulations" and the Arizona Revised Statute and such other penalties as may be provided for by law and may be enjoined from threatening to violate, violating, or continuing to violate said "Rules and Regulations" or "Standards and Specifications Manual."
- Any person who fails to comply with an Order to connect issued pursuant to Section 3 of these "Rules and Regulations" shall be subject to the penalties specified in the District's "Rules and Regulations" and the Arizona Revised Statute and such other penalties as may be provided for bylaw and may also be enjoined from continuing in violation.
- Any violation of any section of the "Rules and Regulations" or "Standards and Specifications Manual" for which no penalty is specifically provided shall be punished by a fine of not more than one hundred dollars (\$100.00) with each day or act of violation considered a separate offense.
- 2.16.0 APPEALS - The District shall establish and maintain an administrative appeal procedure by which individual users may be heard.

A two (2) step administrative dispute and appeal procedure shall provide for the following:

A. Dispute Provisions

1. If a dispute should arise, a written notice shall be filed with the District within thirty (30) days of the user receiving notification from the DISTRICT (i.e. Date of bill or date of letter from DISTRICT).
2. Filing a notice of dispute shall entitle the User to a hearing before an officer of the District as designated by the District within 30 days of the notice of filing.
3. If the dispute is not resolved to the satisfaction of the User, then each User has the right to file an appeal to the Board at a regularly scheduled meeting.

B. Appeal Provisions



1. Within 30 days of the notice of filing, each User shall have the opportunity for written presentation and the right to have financial or legal counsel participate in such presentation to the Board.
2. Each appeal will be decided promptly, which decision shall either uphold the original determination or allow adjustment and/or repayment.
3. Each appeal decision will include a written statement of reasons on which the decision is based.
4. Repayment shall be made, within 30 days of any amounts which are determined to be due the User or the District resulting from a ruling from the Appeals.
5. The District shall retain all documents substantiating each appeal per the District retainage policy.

## **C H A P T E R   I I I**

### **3.1.0       RATES AND BILLING METHODS**

3.1.1       The users of the systems shall be divided into classes. Classes shall be groups or users for which water characteristics are approximately equal and services provided are essentially the same. Initially, there shall be established four (4) classes of users, as follows:

- A.       Residential Users
- B.       Commercial, Institutional, and Governmental Users

The user charges shall result in the distribution of operation, maintenance, and replacement costs of the treatment works within the jurisdiction of the District to each user class in proportion to such user's probable contribution of the total water loading of the treatment works. Factors such as strength, volume, and delivery flow rate characteristics shall be included to ensure a proportional distribution of the costs.

3.1.3       The District may establish additional classes as determined to be necessary.

3.1.4       The probable flow rate demand that users place on the water treatment system is correlated to the demand expected by a single-family dwelling using equivalency factors as shown on the following pages. Equivalency factors for types of users not listed shall be determined by the District on an individual basis:

**TABLE “A”  
EQUIVALENCY FACTORS**

CATEGORY:	BREAKDOWN	EQUIV FACTOR
Single Family Dwelling	per dwelling	1.000
Apartment	per unit	1.000
Condominiums	per unit	1.000
Mobile Homes	per unit	1.000
Mobile Home Parks	per home space	0.750
Rental Cottages	per cottage	0.250
Efficiency Rental	per unit	0.625
Assembly Halls	per seat capacity	0.005
Bowling Alleys (w/no food service)	per lane	0.188
Car Wash	per automatic bay	1.500
Churches (small w/no kitchen facilities)	per seat (seating capacity)	0.011
Churches (large w/kitchen facilities)	per seat (seating capacity)	0.017
Condominium Storage	per unit	0.250
Country Clubs	per member	0.125
Dance Halls	per person (capacity)	0.005
Drive-In Theater	per car space (capacity)	0.013
Dock Spaces and Rack Spaces	per dock or rack	0.100
Factories (w/no shower facilities)	per employee	0.063
Factories (w/shower facilities)	per employee	0.088
<b>FOOD SERVICE OPERATIONS</b>		
Ordinary Restaurant (not 24-hour)	per seat (seating capacity)	0.088
Restaurant next to a freeway	per seat (seating capacity)	0.250
24 Hour Restaurant	per seat (seating capacity)	0.125
Banquet Rooms	per seat (seating capacity)	0.013
Tavern	per seat (seating capacity)	0.088
Drive-in (curb side/drive thru)	per space (vehicle capacity)	0.125
Gas (fuel) Station	first pump island	2.500
	per additional island	1.250
Hospital (no resident employees)	per bed (bed capacity)	0.750
Institutions	per bed (bed capacity)	0.250
Laundries (coin operated)	per machine	0.350
Motels/Guest Rooms	per unit	0.250
Nursing and Rest Homes	per patient	0.375
	per resident employee	0.250
	per non-resident employee	0.125
Office Buildings	per employee	0.050
R.V Parks/Camps (w/collection)	per R.V. or tent space	0.313
R.V. Parks/Camps (primitive-dump stations)	per R.V. or tent space	0.125
Retail Business	per employee	0.050
Schools (elementary)	per pupil	0.038
Schools (high & junior)	per pupil	0.050
Shopping Center (no food or laundry service)	per 100 sq ft floor space	0.050
Swimming Pools (w/no shower facilities)	per swimmer (capacity)	0.010
Swimming Pools (w/shower facilities)	per swimmer (capacity)	0.018
Youth & Recreation Camps	per person (capacity)	0.125

\* Total equivalency factor per establishment shall be a minimum of one (1).

### 3.1.5 RESIDENTIAL USER CLASS:

SINGLE FAMILY DWELLING A detached building, mobile home, or recreational vehicle located on a subdivided lot or parcel of land that is not licensed by the District as a Mobile Home Park or Recreational Camp.

APARTMENTS One or more attached or detached units, located on a parcel of land, used for residential purposes and rented on a monthly or annual basis.

MOBILE HOME PARK (trailer park or manufactured home park) Any site or tract of land under single ownership that is licensed by the District as a Mobile Home Park. If a mobile home park rents dock spaces with mobile home site, park will only be billed for the mobile home site.

#### MULTIPLE DWELLING UNITS:

1. Detached buildings used seasonally for recreational purposes and are not designed for year-round occupancy. Detached buildings are commercial units being rented on a daily or weekly basis.
2. One of several units split out within a large establishment or house with total ownership held by one individual where each unit has a combined kitchen and living area with or without a separate sleeping room. Units are rented on a monthly or annual basis. Most units have a separate entrance.

### 3.1.6 COMMERCIAL USER CLASS:

ASSEMBLY HALLS A building or structure used to accommodate a gathering of people to deliberate, legislate, worship, or entertain (no kitchen or food service facilities).

BOWLING ALLEYS A building or structure used to accommodate recreational lanes or alleys for purposes of bowling (does not include a kitchen or food service facilities).

CHURCH (small) (no food service) Building/structure used for religious worship.

CHURCH (large) (with food service) A building or structure used for religious worship, but also is capable of preparing and/or serving food for gatherings.

CONDOMINIUM STORAGE UNITS Several units within a larger establishment each equipped with no more than a single basic restroom, simple “slop” sink, and hose bib. The establishment must have an official recorded document (i.e., deed restrictions or official regulations) disallowing the units to be used as living units, overnight stay units, or retail business units. Use of said units shall be primarily for storage and which may include the unit owner/lessee for personal light maintenance type work.

COUNTRY CLUBS A building or structure used, by members, as a club for social and recreational activities.

DANCE HALL A building or structure used for social dancing.

DRIVE-IN THEATER A parcel of property used as an outdoor theater allowing patrons to be accommodated while remaining in their automobiles.

#### FOOD SERVICE OPERATIONS:

ORDINARY RESTAURANT (not 24-hour) A building or structure which is used as a

public eating place open for business only during the morning, afternoon, or evening hours. Said business is not open overnight.

24-HOUR RESTAURANT A building or structure which is used as a public eating place, open for business 24 hours per day.

BANQUET ROOM(S) A building or structure which is used to conduct banquets, receptions, and/or formal ceremonies (food service facilities on site).

RESTAURANT ALONG FREEWAY A building or structure, located adjacent to a freeway access point, which is used as a public eating place.

TAVERN (has very little food service) A building or structure which is open to the public and used as an establishment where alcoholic beverages are sold to be consumed on the premises.

CURB SERVICE (drive-in/thru) A building or structure, located on a parcel of property, which is used as a food service facility catering to persons sitting in parked automobiles or driving through in automobiles.

HOSPITALS A building or structure used as an institution where the sick and injured are given medical or surgical care.

INSTITUTIONS A building or structure used as an establishment that serves to instruct or train individuals.

LAUNDRIES (coin operated) A building or structure used to house a self-cleaning laundry where the machines are operated by coins.

MOTELS A building or structure which provides rooms for overnight lodging. The units are rented on a daily or weekly basis.

MULTIPLE DWELLING UNITS:

3. Detached buildings used seasonally for recreational purposes and are not designed for year-round occupancy. Detached buildings are commercial units being rented on a daily or weekly basis.
4. One of several units split out within a large establishment or house with total ownership held by one individual where each unit has a combined kitchen and living area with or without a separate sleeping room. Units are rented on a monthly or annual basis. Most units have a separate entrance.

NURSING & REST HOMES A building or structure used as a facility to provide nursing care for the aged or chronically ill who are unable to care for themselves.

OFFICE BUILDING A building or structure used to house one or more kinds of businesses transacting or supplying a service.

RECREATIONAL VEHICLE PARKS AND CAMPS (travel trailer parks) Any site or tract of land which is licensed by the District as a Recreational Camp. If an RV park or camp area rents dock spaces with the sites, the camp area will only be billed for the RV or camp site. Different EDUs are assigned to parks with primitive camp sites.

RETAIL ESTABLISHMENT A building or structure used in a commercial capacity to sell,

purchase, or exchange goods and services.

SCHOOLS A building or structure used to provide formal instruction or education to students.

SERVICE STATIONS A building or structure used to service vehicles as a service.

SHOPPING CENTERS (without food service or laundries) A building or structure used to house a group of retail stores and service establishments.

YOUTH and RECREATIONAL CAMPS A tract of land which includes buildings or structures used on a seasonal basis for the harboring of individuals where the owner of the camp provides the habitation for the individuals.

DOCK SPACES and RACK STORAGE A commercial facility used for the storage of boats during the summer months from which a boat can be made operable within a short period of time. This includes dry rack storage. If a dock space is rented in conjunction with either an RV site, mobile home site, or camp site, the dock space will not be billed.

#### 3.1.7 INDUSTRIAL USER CLASS:

FACTORIES (w/no showers) A building or structure used to manufacture products and does not have shower facilities for its employees.

FACTORIES (w/showers) A building or structure used to manufacture products and does provide shower facilities for its employees.

*CATEGORIES NOT LISTED SHALL BE DETERMINED BY THE DISTRICT IN ACCORDANCE WITH ARIZONA ADEQ OR EPA GUIDELINES.*

#### 3.2.0 RATES

Each user, regardless of user class, connected to the District water treatment system shall pay the unit charges per equivalent dwelling unit. The system of user charges and capital charges shall be reviewed and revised periodically as required. See current rates posted online and in the office.

#### 3.3.0 MISCELLANEOUS CHARGES

In addition to the above referenced charges, each user shall pay the charges for miscellaneous service and monitoring as determined by the District whenever, in his opinion, it is deemed appropriate. The District shall turn over to the District Treasurer in the manner prescribed by law, all funds received as a result of the miscellaneous charges which will be credited to the appropriate fund.

#### 3.4.0 UNSCHEDULED CHARGES

Any system user who is responsible for damage to the system shall be charged the full cost of repair of the damage to the system. The cost shall include, but is not limited to, labor, equipment, materials, administrative expense, interest on borrowed funds, engineering, legal, or other professional fees and charges to the District by other utilities or departments.

## CHAPTER IV

### 4.0.0 WATER TREATMENT WORKS

#### 4.1.0 GUARANTEE OF SUPPLY AND SERVICE

- A. The District shall operate each of the water systems to meet the American Water Works Association standards to the best of their ability. The District cannot guarantee any fixed pressure or a continuous supply of water, but will, in an emergency, endeavor to notify affected customers of variances from normal operations when possible.
- B. Persons or entities using steam boilers, gas engines, or other equipment or whose operations depend on a supply of water direct from the service pipe, should have in mind ITEM "A" of this Section and provide storage of sufficient water to operate for a reasonable length of time.
- C. In case of a serious fire(s) or water shortage or when, for any cause, it is necessary to conserve the water supply by limiting the use thereof, such an order shall be made and shall be obeyed by all users of water affected by such an order and the District shall not be responsible for any damages resulting from any such limited use.
- D. Every reasonable effort will be attempted to restore service as soon as possible should an interruption of service occur. The District shall not be liable for any accidents or damage resulting from interruption of service. Whenever possible and as time permits, customers will be notified prior to shut down.
- E. The District shall have the right to shut off water service for nonpayment of bills, routine maintenance, emergency repairs, water main extensions, tests, water system improvements, noncompliance to the District's rule and regulation or whenever necessary. The District disclaims any responsibility for damage or accidents arising from the same. All privately owned valves and service lines are to be maintained in such condition as to allow termination and reinstatement of service at any time. Whenever possible and as time permits, customers will be notified prior to discontinuance of service.
- F. The District disclaims any responsibility for damage by water to any personal or real property caused by leaks, broken pipes, meters, or fixtures whether privately or publicly owned.

#### 4.2.0 BACKFLOW PREVENTION/CROSS CONNECTION CONTROL PROGRAM

- 4.2.1. To provide an effective means for protecting the public water system from contamination due to the backflow of contaminants through the water service connection into the public water system, all water service lines shall conform to the Arizona Administrative Code R18-4-215. The Department reserves all rights specified therein.
- 4.2.2 All new or upgraded water service lines shall be required to have a backflow preventer, as specified in Standards and Specifications.
- 4.2.3 The property owner and/or occupant who purchases water from the public water system is liable for any installation of devices or actions taken on the premises that may endanger the

quality or integrity of the public water system and presents either an actual or potential hazard to the potable water system.

- 4.2.4 The Department reserves the right, at any time, to order a property owner to install an approved backflow preventer on any existing water service line. Conditions that guarantee a required backflow:
- A. Premises having an auxiliary water system.
  - B. Premises or consumer where any substance is handled in such a fashion as to create an actual or potential hazard to the public potable water system. This shall include any system where water is not under the sanitary control of the water purveyor where the process fluids may or may not originate from the potable water.
- 4.2.5 The following types of facilities will require the designated backflow prevention devices. The list is presented as a guideline and should not be construed as being final or complete. Each case will be judged by its own merit.

Abbreviations Used Are as Follows:

RP	Reduced Pressure Type Backflow Device
DC	Double Check Valve Backflow Preventer
DCDC	Double Check Detector Check Assembly
RPDC	Reduced Pressure Detector Check Assembly
CCI	Cross Connection Control Inspection

<b><u>TYPE OF FACILITY</u></b>	<b><u>TYPE OF PROTECTION</u></b>
Auxiliary Water Supply (any supply other than ours)	CCI and RP
Car Wash	RP
Chemical Plant	RP
Convenience Stores	DC
Film Laboratory or Development	RP
Fire Protection System:	
(without auxiliary water or process water)	DCDC
(with auxiliary water or process water)	RPDC
Food or Beverage Processing Plants	DC
Funeral Homes - Mortuaries	RP
General Office Buildings	DC
Laundries - Dry Cleaners	DC or RP
Machine Tool Plants (degree of hazard)	DC or RP
Medical Facilities:	
Hospitals	RP
Clinics	RP
Veterinary	RP
Offices	RP
Metal Processing/Production (degree or hazard)	DC or RP

- |                                   |                             |
|-----------------------------------|-----------------------------|
| Multi-residential Facilities      | DC                          |
| Paper Products                    | RP                          |
| Petroleum Processing Plant        | RP                          |
| Petroleum Storage Plant/Yard      | DC or RP                    |
| Plating Facilities                | RP                          |
| Restaurants                       | DC                          |
| Schools (degree of hazard)        | RP                          |
| Sprinkling and Irrigation Systems | DC                          |
| Strip Shopping Malls              | DC                          |
| Irrigation Systems                | RP (above grade or in bldg) |
| Other                             | CCI and RP                  |
- 4.2.6 Backflow preventers shall be tested on an annual basis. These results must be submitted to the department on the standard District forms or approved equal. Failure to comply will result in shutting the water service off to the facility.
- 4.2.7 Backflow preventers installed outside of buildings shall be installed above grade and be protected from the weather.
- 4.3.0 HYDRANTS
- A. Only authorized representatives of the Department or members of the fire department carrying out their official duties may draw water from a hydrant.
  - B. “Soft suction” (soft jacketed) type hoses should be used to connect to a public or private hydrant. This standard is to prevent anyone from suctioning water (via a pump) out of a hydrant at a faster rate than what the hydrant is regulated to flow which jeopardizes the integrity of the public water system. Fire departments who must use “hard suction” type hoses to connect to a hydrant shall not allow the pump to draw more water from the hydrant than what the hydrant can provide from static flow.
  - C. Hydrants shall be opened and closed very slowly to prevent water hammer from developing within the water mains. Due to serious consequences of water hammer within the water system, quickly opening or closing hydrants shall be considered a violation of the Rules and Regulations. When opening a hydrant to draw water, the hydrant shall be opened to its fully open position. If less water is required than supplied by the hydrant in its open position, an external valve as approved by the Department must be inserted to regulate flow.
  - D. The authorized operator of the hydrant being used must always remain in the immediate vicinity of the hydrant while the hydrant is being used (in the open position). The hydrant wrench used to operate the hydrant must be in the possession of the authorized operator while the hydrant is in use.
  - E. Fire departments shall notify the Department of any hydrant used for carrying out their official duties. Notification shall be made the same day when possible or as soon as reasonably possible. The fire department shall also supply the Department with an estimate of the amount of water used for the purposes of calculating water loss within the public water system.



- F. If a hydrant, or any part of the water system, is damaged by any person, group, or firm, the Department shall prepare an invoice for the necessary repairs, including labor and material costs, and send it to the responsible party who shall have thirty (30) days to remit payment to the Department.
- G. A ten (10) feet minimum diameter clearance shall be always maintained around public hydrants. No person, firm, or group shall place or cause to be placed any permanent/stationary or temporary/mobile objects within ten (10) feet of a hydrant.
- H. To maintain water quality, DISTRICT from time to time will utilize hydrants to flush water mains. Such flushing can cause cloudy and/or rusty water. The District shall not be held liable for damage to customers water piping as a result of this standard operating procedure.

#### 4.4.0 WATER METERS/METER PITS

- A. Once water meters (including backflow prevention devices) are properly installed and approved, the District assumes ownership and standard maintenance responsibilities of the meters in accordance with these “Rules and Regulations” and the standard policies of the Department.
  - 1. A determination of the meter and service line size required for service to a property shall be made by the customer and reviewed by the District or his representative. The Department does not assume any liability for improper meter and/or service line sizing, levels, or variations in water pressure or other problems caused by improper sizing of the meter or service line. All meters shall be purchased from District.
  - 2. Meters will be installed by District personnel unless other arrangements are made prior to the service being installed.
  - 3. All water services shall be metered unless specifically exempted by these “Rules and Regulations.”
  - 4. All meters shall be installed in a meter pit within three (3) feet of the public right-of-way or easement line. If such a location is not practical or would jeopardize the integrity of the public water system, the location may be revised upon approval of the District or its authorized representative. Meter pits for water meters one inch (1”) in size or smaller shall be purchased from District. Meter pits/vaults for larger meters shall be purchased and installed by the property owner or licensed installer, however, the meter pit and meter setting shall be approved by District prior to installation.
  - 5. All primary meters (read by the Department and billed accordingly) shall be of the radio read type meter and as specified in the Standards and Specifications Manual unless otherwise approved by the District. All costs associated with the water meter and meter appurtenances shall be borne by the property owner unless otherwise stated in these Rules and Regulations.
  - 6. All water that passes through the customer’s meter shall be billed to the customer whether the water is used, wasted, or lost due to leakage or other means. Water charges may be adjusted for the following reasons.

- a. An inaccurate meter
  - b. A monitor meter adjustment
  - c. An improper billing of the account
  - d. Any other adjustment required to correct proven inequities in billing
  - e. No adjustment will be made for a problem on the customer's property, such as a service line break, which causes a significant increase in water usage to the property above the normal average usage.
7. Secondary meters, for the purpose of metering water within a property or premises, may be purchased and installed by the property owner, at his own expense, wherever the property owner wishes individual metering. However, the Department will not read these meters, nor be responsible in any way for their accuracy, maintenance, or replacement. It shall be the property owner's sole responsibility to read and maintain secondary meters. Upon request from a property owner, the property owner may contract with the District to read secondary meters, purchased from the District, and send separate bills out for said secondary meters. A written contract shall be established between the two parties before the service is initiated.
  8. Each meter of two (2) inch in diameter or larger shall be a compound or turbine type meter. By-passes around meter settings shall be required for two (2) inch and larger meter installations not used for fire protection. Such bypass installations shall be in accordance with the District's standard specifications. Bypasses shall be sealed by the Department or its authorized agents.
  9. Meters or meter pit appurtenances owned by the District shall only be removed or altered by authorized employees of the Department except as otherwise approved by the District or the Operations Manager.
  10. If a meter fails to register or is found to be out of order, the customer will be charged at the average consumption rate for comparable periods, as shown by the meter records, when the meter is registering accurately.
  11. The Department may test and correct meters at its discretion. The Department's meters should be accurate to within 2 percent plus or minus on all flows above 20 gallons per minute (GPM) and within 10 percent plus or minus on ½ gallons per minute (GPM).
  12. Upon acceptance of water service, the customer agrees that the District shall have reasonable access to all meters.
  13. The Department may test meters upon a written request of a customer to verify the meter's accuracy. The written request shall include authorization from the consumer to debit the customer's account with a meter charge if the test proves the meter to be within the guidelines shown above. The customer should plan to be present to witness the test. If the customer chooses not to witness the test, the findings of the Department personnel conducting the test shall be accepted as final. A proper refund shall be made if the test shows the customer has been over charged. In order to protect the Department against unreasonable demands for

this service, the first test showing the meter to be registering properly will be done without charge, any tests thereafter in which the meter is shown to be registering properly may be charged for the DISTRICT personnel's time to perform the testing.

14. If damage occurs to a water meter or its appurtenances due to negligence on the part of the consumer (or property owner), the consumer (or property owner) shall be billed for all costs incident to the repair or replacement of the damaged items.
  15. The cost of repairs to meters and appurtenances owned by the District made necessary because of normal wear and deterioration will be assumed by the District.
  16. Existing inside water meters (or approved new inside installations) shall have a drain installed in the area of the water meter to carry off all water that may leak from a meter or meter setting. The District is not responsible for any damage caused by water leaking from an inside meter or meter setting. The property owner is responsible for protecting the inside meter from any damage including freezing.
  17. Meters and appurtenances attached thereto shall not be tampered with. If the Department finds that a meter seal has been broken or there is evidence that a meter has been tampered with, the water will be shut-off and not turned on again until a payment, determined by the District, has been made to pay for the resealing of the meter, any water loss that may be detected, and any damage that may have occurred.
- B. All officially read **remote registers** will be operated and maintained in accordance with the same general provisions that apply to the meters.
- 1 Existing remote register systems may remain in place until the property's water service is upgraded to the standards of the Department. No new inside meters with remote registers shall be permitted except for extreme circumstances that are pre-approved by the District.
  - 2 In the event of a malfunction of the remote register, a visual reading of the register dial on the meter shall govern.
  - 3 All remote registers shall be sealed by the Department. In the event a seal has been broken, the Department shall investigate to determine who broke the seal and why. Violations may be issued as they warrant. Visual verification that the meter and the remote are working shall be completed prior to resealing the remote register.
  - 4 Periodically, the Department may verify that the remote register and the meter are on the same reading. If adjustments are needed to make the remote register equal to the meter register, either a debit or credit shall be applied to the following billing cycle, whichever is appropriate to properly "equalize" the account for the associated water meter.

#### 4.5.0 FIRE PROTECTION SERVICES

- A. Improvement drawings and specifications for fire protection service lines and systems

shall be submitted by the property owner to the Department for approval prior to the issuance of a permit to connect or install. The improvement drawings shall show projected flow rates for the fire protections line and/or system and the estimated size of meter and service line needed to meet the demands of the system. An application for permit shall be completed, signed, and returned to the Department along with all applicable fees and charges.

- B. It shall be the responsibility of the property owner to install the fire service line from the public water main to the point of application including all material and labor to install the tap on the water main. All construction shall be under the supervision of the Department.
- C. Fire protection service lines are required to be monitored with a detector type check valve. The detector check valve and backflow preventer shall be installed in a vault(s) at or near the property line closest to the public water main.
- D. The domestic or processed water supply for the structure shall not be connected at any point on the fire protection service line after the detector check valve.
- E. All fire protection systems shall have a backflow preventer installed within the system. The location shall be easily accessible for continuous inspection and maintenance. The type and locations shall be shown on the improvement drawings approved by the District.
- F. Fire pipes, valves, and other accessories which are part of the fire protection system shall be so installed as to be always accessible for purposes of inspection by the Department. Termination of underground construction of the fire service line will be at the first joint above the floor line.
- G. The use of drip or blow-off valves for draining fire systems shall be allowed only in cases of absolute necessity (as determined by the Department), and in no case shall their installation be permitted unless furnished with a District specified valve and the end of every such pipe shall be exposed to always view. The size of the drip or blow-off pipes shall be as approved by the District in each case.
- H. All fire pumps used to maintain pressure on an unmetered fire service line shall be supplied from a monitored source.
- I. All tanks, cisterns, or reservoirs maintained for fire protection purposes shall be metered for billing purposes at the expense of the premises or parties supplied.
- J. Fire protection service lines having a looped system with more than one source of supply from the public water main shall have a double check backflow preventer valve at each source. The check valve shall be located on private property and within ten (10) feet of the public right-of-way unless otherwise approved by the District. A standard manhole or vault shall be constructed over each check valve.
- K. All “anti-freeze” type fire protection systems shall have a “Reduced Pressure Backflow Preventer” in the system at a location acceptable to the Department.
- L. The property owner shall submit to the District for its approval the name of the

contractor(s) employed to install the system. Any work to be done on the public portion of the water main (water main, service connection, meter) shall be completed by a contractor licensed with this Department. Once approval is granted, the property owner or the owner's contractor shall notify the Department at least two (2) days in advance of any work on the system so an inspector may be assigned to the job. All inspection costs incurred by the Department shall be the responsibility of the property owner.

- M. Upon completion of construction, two (2) consecutive passing bacteriological tests shall be made by the property owner at his expense. The tests shall be conducted in accordance with the A.W.W.A. standards for testing new water mains/services and the test results shall ensure that all drinking water standards have been met. The fire protection service line shall be pressure tested in accordance with the Standards and Specifications of these Rules and Regulations. The pressure test shall be witnessed by an authorized representative of the Department.
- N. Private fire systems and the appurtenances connected therewith may be tested by parties owning the same or by the insurance inspectors under the following conditions:
  - 1. Notice shall be given to the Department, in writing, that such a test is desired. The notice shall be given five (5) working days in advance of when the test has been scheduled. The Department may have a representative present for the test.
  - 2. The property owner is responsible for all water used to conduct the test. A charge based upon usage (or estimated usage) shall be billed at the current water rates.
  - 3. Copies of the results of all tests conducted shall be submitted to the Department as soon as reasonably possible.
- O. Operations, maintenance, and repair of the fire protection system or service line and all appurtenances shall be the responsibility of the property owner. See paragraph B of this section.
- P. If at any time a fire protection system or service line is found to be in violation of these Rules and Regulations, all changes necessary to make said systems comply therewith must be made within thirty (30) days after written notice to do so is given by the Department. A copy of the written notice will be sent to the interested insurance District, if known. Failure to comply as directed will result in discontinuance of water service after a five (5) day period. Any violation that may result in risk to the health, safety, and/or welfare of persons shall be corrected immediately.
- Q. When requested by the District, plans and specifications for existing fire protection systems shall be furnished to the Department within thirty (30) days after notice to do so. The plans shall include the profile of the fire service within the public right-of-way.
- R. The Department does not guarantee, and will not be responsible for, a given volume of water or pressure at any time. Property owners with fire protection systems should keep this in mind when in the planning stages of installing a fire suppression system.

- S. No changes, alterations, or extensions of any fire protection system or service line shall be made without first securing approval from the District. All changes, alterations, or extensions shall be inspected by the Department.

#### 4.6.0 TAMPERING WITH THE PUBLIC WATER SYSTEM

- A. Tampering with the public water system is prohibited and is a violation of these Rules and Regulations. Actions which constitute violations include, but are not limited to, the following:
  - 1 Unauthorized connections or reconnections of water service(s).
  - 2 Removing or reversing a meter.
  - 3 Unauthorized bypass of a meter.
  - 4 Tampering with locks, locking valves, and/or seals.
  - 5 Unauthorized water taps.
  - 6 Disconnections of the remote register.
  - 7 Unauthorized hydrant usage.
  - 8 Tampering with public or private valves, curb stops, apparatus, or facilities for the purpose of obtaining service without authorization from the Department.
  - 9 Preventing access of District personnel to curb boxes and meter pits.
  - 10 Unauthorized entrance into meter pits or any tampering with the meter, meter pit, meter pit cover, locking device, radio read equipment, or any other equipment attached thereto.
  - 11 Any obstruction of the electronic radio transmission from the water meter which prevents the Department from obtaining water meter readings using the standard methods for radio read meters, including, but not limited to gravel, asphalt, concrete, topsoil, structures placed over the meter pit, etc.
- B. Violations may result in the termination of service without notice, assessment of investigation and billing costs related to the termination of service, penalties, restitution for metered and/or unmetered water use and criminal prosecution.

#### 4.7.0 DISCONNECTION OF WATER SERVICE FOR SEWER INSTALLATION

District approved procedures are to be followed where property owners or contractors are permitted to disconnect water services for the purpose of the installation of sewers, etc. Under no circumstances will this work be permitted without prior consultation and approval by the Department. A representative of the Department must be present at all disconnections and/or reconnections. The general procedures are as follows:

- 1. The property owner or contractor may disconnect water services when using a construction trench box. All disconnections shall occur at an existing connection point. He may roll services out of the way and reconnect the service when passed. Extreme care shall be taken not to cause leaks in the services.

2. All service lines are to be plugged and capped to prevent contamination and the corp valve closed.
3. The property owner is to be notified by the contractor prior to the disconnection. Also, the property owner is to be temporarily served with water (by the contractor) if service is to be disrupted for more than two (2) hours. The method of temporary water service shall be agreed upon by the property owner and the Department.
4. The Department shall inspect and approve all water lines prior to backfilling. The full circumference of the service pipe is to be available for inspection.
5. It is necessary to support the service pipe or water main across the ditch or other excavation in a manner approved by the Department.
6. Any water services that are backfilled prior to inspection and testing shall be uncovered for inspection by the property owner or contractor (at their cost).
7. The contractor or property owner shall be charged for all expenses incurred by the District on all work, including inspection, correction of faulty installation, damage to piping and meters due to foreign material, and other necessary work.

#### 4.8.0 DELINQUENT ACCOUNTS

- A. Water service and water billing may be discontinued to a property, at the property owner's written request. When the property owner makes a written request in the future to have the water turned back on, a re-establishment fee (and all delinquent charges, if applicable) shall be paid-in-full prior to restoring water service to the property.
- B. Requests for discontinuance of service, in occupied premises will not be honored or accepted.
- C. In the case where more than one party is supplied with water from the same service pipes, and one of the parties so supplied fails to pay the bills when due or fails to comply with the "Rules and Regulations" the water shall be shut off from such service laterals without District liability in damages to any of the other parties serviced by such service laterals.
- D. All invoices for water service shall be mailed to the property owner of record. If the water invoices are to be mailed to someone other than the property owner of record, the record property owner shall complete and sign a Landlord Water Billing Agreement prior to a change being made. It is the property owner's responsibility to notify this office, in advance, of any change of tenant. All address changes must be submitted in writing. The property owner is ultimately responsible for all water usage, the property owner has the option to receive copies of bills.
- E. All water that passes through a meter shall be charged for, whether used, wasted, stolen, or lost by leakage, at the standard water rate. Water charges may be adjusted for the following reasons:
  - 1 An inaccurate meter.
  - 2 A monitor meter adjustment.

- 3 An improper billing of the account.
- 4 Any other adjustment is required to correct proven inequities in billing.
- 5 No adjustment will be made for a problem on the customer's property, such as a service line break, which causes a significant increase in water usage to the property, above the normal average usage.

#### 4.9.0 MISCELLANEOUS FEES AND CHARGES

The basic fees and charges can be found on our web site or in our office.

### CHAPTER V

#### 5.0.0 WATER PLANNING AND DESIGN

This Chapter shall provide general requirements of the District to be considered by private developers designing water extensions, collection systems, and appurtenances connecting to the District water treatment systems. Additional requirements, beyond what is specified in this Chapter, may be noted in the District's Standards and Specifications and during the District plan review and comment process.

- 5.0.1 All design criteria shall be in accordance with applicable standards, these Rules and Regulations, and the District's Standards and Specifications.
- 5.0.2 The developer of any new subdivision, or parts thereof, shall, at his/her own expense, install water lines and appurtenances according to the specifications of these Rules and Regulations.
- 5.0.3 Water line extensions, installed by the District, into established subdivisions may occur based on the request of the Property Owners. The assessment process may be used to pay for the new waterline.
- 5.0.4 All new extensions, public or private, and subsequent connections to the water treatment systems shall be subject to the applicable fees and charges set forth in these Rules and Regulations.
- 5.0.5 The Districts Standards and Specifications for Water Systems are incorporated into these Rules and Regulations as if completely reproduced herein.

#### 5.1.0 PLAN AND PROFILE REQUIREMENTS

Property owners or developers extending private waterlines shall meet with the District prior to beginning design to verify availability.

Waterlines which will be dedicated to the District shall have plans and specifications in accordance with the Districts' Standards and Specifications submitted for review and approval. All plans and specifications shall be reviewed and approved by the District prior to the start of construction.



Property owners or developers installing new or extending existing private collection water lines which are connected to the public system shall submit plans and specifications drawn up or approved by a professional engineer for approval. All plans and specifications shall be reviewed and approved by the District prior to the start of construction.

Property owners or developers installing a private building water line to one structure shall not be required to submit plans and specifications drawn or approved by a professional engineer unless said private building water line is installed within a public right-of-way (other than a "standard" service connection). The Property Owner shall submit a sketch drawing showing the proposed location of the water on the property. The sketch drawing shall also show any existing or proposed structures.

The District shall reserve the right to require professionally drawn plans and specifications for any proposed water lines when the District deems it necessary.

If private systems are not built to District standards with review, approval and inspection, the District will not take ownership of such systems at any time unless the system is upgraded to meet District standards.

#### 5.2.0 DESIGN/PLAN and SPECIFICATIONS REVIEW PROCESS

The following is a general overview of the District plan review and approval process:

- A. Developer, Property Owner, Engineer, or Agent of the person proposing construction shall meet with District to discuss the proposed project.
- B. If an area is outside of an agreed upon service area, the property owner shall contact the District to determine if the extension of water service will be permitted.
- C. Once the above meeting with District personnel has occurred, and water lines are in agreed upon service areas, plans should be prepared by a Registered state of Arizona Professional Engineer. Two sets of design plans shall be submitted by the developer or engineer to the District for review, and comment.
  1. It is assumed that when District receives construction plans for review that the Developer / Engineer has obtained all required Preliminary Plat, Zoning, and other necessary approvals that should be obtained prior to submitting construction plans. It is the Developer / Engineer's responsibility to determine what other agencies and departments require.
  2. District will review plans for conformance with the Rules & Regulations and Standards & Specifications of the District only.
  3. It is the responsibility of the Developer / Engineer to determine which other agencies within the District, State or Federal Government should review and approve the plans prior to construction.
- D. Plan review comments are sent by the District to the developer and/or the engineer for the project.
- E. Once plans conform to the standards and specifications of the District or the changes to be made are minimal, preliminary approval of the plans will be given

and the District will approve the plans.

- F. After the pre-construction meeting work may progress in accordance with the Standards and Specifications.

#### 5.3.0 STATE REQUIREMENTS

Pursuant to the Arizona Revised Statute all waterline installations, other than service laterals to a single building shall obtain ADEQ approval prior to construction. The District will not recommend plan approval to the Board nor permit construction until written ADEQ approval has been received.

#### 5.4.0 ENGINEER'S COST ESTIMATE

Property owners or developers installing waterlines that will be dedicated to the District for public use shall submit an itemized cost estimate calculated by a professional engineer for the proposed water improvements. Said cost estimate shall be submitted to the District prior to plan approval.

#### 5.5.0 PERFORMANCE BOND

When water lines are to be constructed within any public right-of-way, District easements or any public property and the ownership is to be turned over to the District a performance bond will be required prior to the start of construction.

The developer shall submit a professional engineer's cost estimate (signed and sealed by the engineer) for the improvements.

Exception: When all new water lines will be constructed on lands that will be platted as part of a subdivision, a performance bond will not be required.

#### 5.6.0 EASEMENTS

The District shall not issue a permit or permit construction until a recorded copy of all necessary easements are submitted and approved. Easement areas shown in the new platted areas being submitted do not need additional recorded documentation. All easements shall indicate a perpetual easement specifying the right to own, operate, maintain, repair, and replace the waterlines and appurtenances. The language of the easement shall be clear that the easement shall remain free of obstructions and that the grade within the easement shall not be changed. Waterlines shall require a minimum twenty (20) foot width subject to discretion of the District for each utility, unless additional utilities are being installed in the same easement area, then additional width shall be required as deemed necessary by the District.

All existing or proposed easements shall be shown on the construction documents.

#### 5.7.0 WATER SYSTEM CAPABILITIES

During preliminary design, the developer shall contact the District and discuss any potential problems with extending or connecting to the District's water system. The District reserves the right to deny connections to the water system if the system is deemed

incapable of providing water to the development.

In order to ensure the necessary water quality and pressures within the water system, the developer may be required to construct, water towers, water storage facilities, booster stations, additional water line to loop the system or other appurtenances deemed necessary by the District.

#### 5.8.0 SUBDIVISION PLAT REQUIREMENTS

The District utilizes the platting process to accept water improvements.

The Developer shall contact the District to determine all platting requirements.

Prior to the District signing a subdivision plat, the following conditions shall be met by the developer if the water improvements are to be dedicated to the District for public use:

- A. All water improvements shall be installed, tested and operational.
- B. As-Built Drawings shall be submitted to and approved by District.
- C. All punch list items shall be completed.
- D. All inspection and plan review fees shall be paid in full.
- E. The Developer / Engineer / Contractor shall submit a certified Itemized Statement of Cost to District.
- F. A 1-year Maintenance Bond in the amount of 10% of the construction cost shall be provided to the District.
- G. The Developer shall submit a Notice of Completion and an Affidavit that all suppliers, contractors, and others associated with the project have been paid. A list of all suppliers, contractors and others associated with the project shall accompany the Affidavit.
- H. The dedication language on the plat shall clearly state that the developer dedicates the water lines and appurtenances (within the platted area) to the District.
- I. If easements are being platted the exclusionary language as stated shall be included in the plat language.

#### 5.9.0 REVIEW AND INSPECTION FEES

The time spent by District personnel reviewing construction plans and inspection water installations shall be billed to the developer or the property owner.

The cost for plan review and construction inspection shall be billed at the current rates. The rates can be found on our web site or are available in the office.

Additional fees for water usage and chlorination may also apply.

All fees shall be paid prior to the District approving the work and/or accepting the water systems for ownership, operation and maintenance.

Inspection fees for individual service laterals will be billed when a permit is pulled. The inspection fee is based on a three (3) hour inspection. If the installation requires more than three (3) hours to complete, the District may bill for the additional time.

# Oak Creek Water District

**"Serving West Sedona Since 1953"**

90 Oak Creek Blvd

Sedona, AZ 86336

928 282-3404

[info@oakcreekwater.com](mailto:info@oakcreekwater.com)

September 20, 2023

«Customer\_Name»

«Service\_Address»

«Account\_»

Dear Landlord,

Over the last couple of years there has been an increase in delinquent tenant bills that have had to be written off. As of January 1, 2024, Oak Creek Water District will require all Landlords to be responsible for any delinquent or uncollectible tenant accounts including any past due fees. Landlords will be notified of the shut-off date via the current contact information on file. The Board of Directors passed this motion at the September 19, 2023 board meeting.

If you have any questions or concerns, please contact our office.  
Thank you for your cooperation in this matter.

Sincerely,

*Becky Lisle*  
**Business Manager**



