SOUTHWEST LINCOLN COUNTY WATER
PEOPLE'S UTILITY DISTRICT
7740 HWY 101 NORTH, YACHATS, OREGON 97498
PO BOX 368 WALDPORT, OREGON 97394
(541) 547-3315
www.swlcwpud.org

Rules and Regulations

Southwest Lincoln County Water People's Utility District (SWLCWPUD) is a water supplier operating under Oregon Revised Statute (ORS) Chapter 261.

A Board of Directors elected by voters within SWLCWPUD district boundaries is the governing body. The Board asks water users to follow these Rules and Regulations, promptly pay water charges, and diligently protect and carefully use water.

SECTION 1. WATER SERVICE CLASSIFICATIONS

DOMESTIC – Domestic water service is for one single family dwelling on a tax lot. A System Development Charge (SDC) may be applicable for new service.

COMMERCIAL – Commercial water service for the purpose of the Rules and Regulations is not defined as service for a single-family dwelling. The size and number of meters required to provide Commercial service shall be within the discretion of the SWLCWPUD. The size must be appropriate for serving the needs of the property. A SDC may be applicable for new service.

FIRE PROTECTION – Fire protection service is for the exclusive purpose of providing water explicitly to fire sprinkler systems and/or fire hydrants. Testing water flow or fighting a fire is the only permitted water use. A Flow Detector and Backflow Prevention Assembly is required. A SDC does not apply.

IRRIGATION SERVICE – Irrigation service is exclusively for irrigation use.

(a) A Backflow Prevention Assembly is required.
(b) The finished installation shall be inspected and approved by SWLCWPUD before water can be furnished.
(c) Irrigation service, if converted to a domestic or commercial service, may be subject to a SDC.
(d) A property owner may request irrigation service be turned on or off by SWLCWPUD for an extended period (minimum of 60 days) without a charge. The daily base rate charge will stop when the water is shut off and resume when turned on.

SECTION 2. APPLICATION FOR WATER SERVICES

An application for water service must be completed and signed by the property owner or an authorized representative. Designation of an authorized representative must be made in writing by property owner. By signing the form, the applicant agrees to SWLCWPUD Rules and Regulations and charges, and to keep the application information current. Water service

will not be furnished if a completed application is not on file. When a meter is installed and water turned on, the service is considered active and daily base and water use charges begin.

When a property with existing water service is purchased, the transfer of that service to a new property owner is subject to a Change of Owner Charge.

SECTION 3. WATER RATES AND CHARGES

The Board of Directors may, at any time and with appropriate public notice, increase water rates or charges. Current water rates and charges are available upon request and from the SWLCWPUD website.

SECTION 4. PAYMENT OF WATER BILLS

Monthly water charges and any applicable charges shall be paid on or before the due date listed on the statement.

(a) Each time SWLCWPUD does not receive a payment by the due date, a late charge is added to the next bill.
(b) If a balance becomes delinquent after sixty (60) days, or roughly two (2) billing cycles, then a Door Hanger is issued.
(c) Once a Door Hanger is issued, a property owner or tenant has fourteen (14) days to make a payment or to arrange a payment plan with SWLCWPUD.
(d) If the bill is still unpaid and no payment plan made, SWLCWPUD reserves the right to shut off water on the fourteenth day from the date the Door Hanger was placed. Water will remain off until all unpaid charges, including the turn on charge, are paid.
(e) If a balance becomes delinquent in a tenant's name, SWLCWPUD will attempt to contact the property owner with notice that the account is nearing shut off status.

If a served property is vacated and payment is delinquent, SWLCWPUD reserves the right to shut off water and not restore service until the delinquent balance is paid.

SECTION 5. SHUT OFFS AND DISCONNECTIONS

Water service will be shut-off for delinquent accounts, then disconnected for non-payment as follows:

(a) SHUT-OFF: If a property owner or tenant does not respond to a Door Hanger, water service will be shut-off on the fourteenth day from the date the Door Hanger was placed. The daily base rate will continue to be billed until there is a disconnect. A turn on charge will be added to the account, and service will not be restored until the delinquent balance and charges are paid in full.
(b) DISCONNECT FOR NON-PAYMENT: Disconnect for non-payment occurs when no payments are received for a year and a half (18 months). The meter is removed, and billing is stopped. Restoring water service will require a re-connection charge and any unpaid balance and/or any other applicable charges be paid in full. The re-connection charge may be found on the SLWCPWUD approved Water Rates and Charges chart, available on the website or from the District Office. Re-connection is subject to the same terms and conditions as a new water service. A SDC may be applicable.
(c) VOLUNTARY DISCONNECT: A property owner also has the option for voluntary disconnection. A voluntary disconnect requires the property owner

sign a SWLCWPUD consent form. Water service is disconnected, the meter removed, and billing stopped. Restoring water service will require a re-connection charge. The re-connection charge may be found on the SLWCPWUD approved Water Rates and Charges chart, available on the website or from the District Office. Re-connection is subject to the same terms and conditions as a new water service, and a SDC may be applicable.

SECTION 6. PROPERTY OWNER LIABILITY

A property owner is responsible for all water charges and service charges, whether service is supplied to the owner or a tenant. The property owner is responsible for compliance with SWLCWPUD Rules and Regulations, including any property owner's tenant. If the property is sold, any account balance stays with the property and becomes a lien or credit.

Upon written request from the property owner, water may be shut off by SWLCWPUD. Daily water base charges will continue until there is a permanent disconnect. A permanent disconnect will result in the meter being removed.

SECTION 7. PLUMBING PRACTICES

Property owners are responsible for meeting all applicable federal, state and local plumbing practices after the meter. Leaking fixtures and lines shall be promptly repaired or corrected by the property owner at his or her expense. SWLCWPUD reserves the right to shut off service for failure to do so.

SWLCWPUD installations include the line to the water main, a shut-off valve, and the meter and meter box, which are SWLCWPUD's property, and a customer shut-off valve. SWLCWPUD's responsibility ends at the meter.

Property owners are not permitted to use SWLCWPUD's shut-off valve, however SWLCWPUD will install a customer shut off valve at time of meter installation. This shut off will be considered customer property once installed. SWLCWPUD requires the property owner have a shut-off valve installed on their side of the meter by a certified plumber and in an easily accessible location. The property owner will be responsible for the maintenance and repairs of their shut-off valve.

SECTION 8. WATER LEAK ADJUSTMENT

Excessive water use charges caused by a leak or broken pipe on the property owner's side of the meter may be adjusted at the District Manager's discretion. For District Manager consideration, the leak or break must be promptly repaired, and a written Leak Adjustment Request must be made within 30 days of the billing cycle in which the leak was repaired.

Adjustments are limited to charges exceeding the customer's average consumption based on the previous three billing cycles and may provide relief of up to fifty percent (50%) of eligible charges for a period not to exceed two billing cycles. Adjustments are limited to one occurrence per property owner and will not be granted for recurring leaks at the same location. The property owner, customer, or authorized agent must provide documentation demonstrating that the leak has been repaired. Documentation may include receipt of repair, photo of repair made, or a repair invoice.

Leaks resulting from leaking faucets, leaking toilets, sprinkler systems, or accidental over-watering are ineligible for leak forgiveness. No consideration will be given for irrigation leaks or water features such as fountains, ponds, pools or hot tubs. Requests may be denied if the excessive use resulted from negligence or from the failure to take reasonable measures to prevent water loss. The District Manager will review the facts and circumstances. An affected

property owner may speak to the District Manager directly during this meeting in support of documents submitted.

SECTION 9. FAULTY WATER METERS

When a meter cannot be read or fails to register accurately, the monthly charges will reflect the average water usage for the same month of the preceding calendar year or the annual average, whichever is higher. This billing process will continue until a new meter is installed.

SECTION 10. ON-PREMISE PRESSURE PUMPS

Some areas of low pressure do not warrant the expense of a SWLCWPUD pump station. A property owner may, at their expense, install a pump to increase pressure in their water line at a point between the meter and points of use. A backflow prevention assembly shall be installed at the property owner's expense between the meter and the pump. The installation of the pump and backflow prevention assembly must be inspected and approved

by SWLCWPUD before water will be furnished. For installation, SWLCWPUD will shut off and turn on water at no extra charge.

SECTION 11. FLOW DETECTOR AND BACKFLOW PREVENTION ASSEMBLY

SWLCWPUD shall approve a flow detector and backflow prevention assembly, when required. A backflow prevention assembly shall be tested annually by an Oregon certified Backflow Assembly Tester at the property owner's expense. A copy of the test report shall be filed with SWLCWPUD. Failure to perform the annual test and provide the test results shall justify water shut off.

SECTION 12. SERVICE MAINS AND CONNECTIONS

Meter boxes, service lines and connections up to and including the meter are the property of SWLCWPUD. No connection to SWLCWPUD water lines or mains, or the use of SWLCWPUD's water valve shall be made without the consent of SWLCWPUD.

SECTION 13. INSUFFICIENT WATER SUPPLY

If water availability is, for whatever reason, insufficient, some or all water users may be subject to interrupted water service. Should a property owner incur damage during interrupted water service, SWLCWPUD, its Directors or employees, shall not be held responsible.

SECTION 14. INTERRUPTED WATER SERVICE FOR SWLCWPUD REPAIRS

If possible, notice of interrupted water service will be given. In an emergency, water service may be turned off from the mains without notice. If SWLCWPUD needs to interrupt service for repairs, advance notice will be given.

Should a property owner incur damage during interrupted water service, SWLCWPUD, its Directors or employees, shall not be held responsible.

SECTION 15. PLANNED COMMUNITIES AND MULTI-UNIT FAMILY DWELLINGS

A planned community or multi-unit family dwelling development within SWLCWPUD boundaries is **not** fully covered under these Rules and Regulations. Additional regulations may apply depending on the size and type of development. The developer shall contact SWLCWPUD with building plans prior to seeking permits. SWLCWPUD will then provide the charges for furnishing water services and the applicable Rules and Regulations. Also see 'Primary Water Line Installation by Property Owner or Authorized Contractor', available from SWLCWPUD.

SECTION 16. EXTENSIONS OF WATER MAINS AND LINES

Water service for a tract, subdivision or single or multi-unit dwelling not presently served by SWLCWPUD shall be installed under SWLCWPUD supervision, conform to SWLCWPUD Rules and Regulations, applicable federal, state, county and local standards and specifications. SWLCWPUD lines, mains, or extensions, or either, placed on private property will not be furnished with water until SWLCWPUD has properly recorded easements for the servicing of such lines, and until such line or main extensions have been inspected and accepted by SWLCWPUD and an authorized agent of other applicable licensing or inspection entities.

SECTION 17. CONCERNS AND REQUESTS

Concerns or requests shall be made in writing to the SWLCWPUD District Manager. Any issue that cannot be resolved by the District Manager will be referred to the Board of Directors. The Board will hear and consider the written material at their monthly, regularly scheduled board meeting. The Board reserves the right to waive enforcement of a particular rule if deemed necessary and appropriate, given the circumstances. The exception is if it is a federal, state, county, or local law.

SECTION 18. FAILURE TO COMPLY WITH RULES AND REGULATIONS

Failure to comply with these Rules and Regulations may result in water shut off. Or, in the case of a new development, the right by SWLCWPUD not to initiate water service. Water used for purposes other than the type of service applied for in the Water Service Application may result in termination of water service until water use complies and any applicable charges paid.

SECTION 19. AMENDMENTS OR ADDITIONS

SWLCWPUD reserves the right to amend or add to these Rules and Regulations and change water rates and charges as necessary to comply with Oregon Revised Statutes governing Public Utility Districts and State of Oregon domestic water supply districts. These changes will be posted and available for review on the SWLCWPUD website.