



**SOUTHWEST LINCOLN COUNTY WATER  
PEOPLE'S UTILITY DISTRICT**

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## **Rules and Regulations**

*A Board of Directors, elected by the people, are the governing body for Southwest Lincoln County Water People's Utility District. The property of SWLCWPUD belongs to the people of the District, and the Directors require the cooperation of all the customers and property owners. Observance of the Rules and Regulations, and the prompt payment of all water charges, along with the diligent protection and careful use of the waterworks will assist the Board of Directors with the success of the People's Utility District.*

### **SECTION 1. SERVICE CLASSIFICATIONS**

SWLCWPUD was formed under Oregon Revised Statute Chapter 198 as a Domestic Water User District. The first priority of the district is to serve the needs of domestic users.

**DOMESTIC** – For the purposes of the Rules and Regulations, a domestic water user is defined as one to whom water is provided for a single dwelling occupied by one family. Single family users will be allowed one (1) water meter per tax lot. In the event that a serviced tax lot is partitioned, refer to Section 12: Extensions.

**COMMERCIAL** – For the purposes of the Rules and Regulations, a commercial user is any water user not defined as a single-family water user. The size and number of meters required to service a commercial property will be determined by SWLCWPUD. The size must be appropriate for serving the needs of the property.

**FIRE PROTECTION** - SWLCWPUD will allow the installation of services for fire protection. These services will be fitted with Flow Detector Devices and Backflow Preventors. Fire Protection service is for the explicit purpose of providing fire flows to fire sprinkler systems and fire hydrants. Testing the fire system or fighting a fire is the only permitted water use. Any other use will result in the termination of fire protection service until such unauthorized use is corrected or a meter is installed. Any service adjustments will be at the customer's expense.

**IRRIGATION SERVICES** - SWLCWPUD will allow the installation of a separate metered service(s) for irrigation on behalf of any current Domestic or Commercial customer. SWLCWPUD Board of Directors may, at its discretion, waive the prerequisite of Domestic or Commercial service.

- (a) Irrigation service will need to be fitted with backflow preventors at the customer's expense. The cost of installing an Irrigation service shall be the same as a Domestic or Commercial service of the same size, and the Systems Development Charge (SDC) will not apply.
- (b) Irrigation service rates will be the same as active Domestic service of the same size.
- (c) The only permitted water use is for irrigation purposes. Any other use will result in the termination of the Irrigation service until such unauthorized use is corrected. Or, the service may be converted to a Domestic or Commercial service, subject to the SDC. Any service adjustments will be at the customer's expense.
- (d) By customer request, the Irrigation service can be turned on or off by SWLCWPUD

for a fee. When the irrigation meter is turned off, there will be no monthly charge.  
(e) SWLCWPUD reserves the right to turn off Irrigation service without notice if it deems water unavailable.

NON-DOMESTIC - Non-domestic users may be subject to interruptible water service at such times that water supplies are insufficient to serve the needs of domestic users.

## SECTION 2. APPLICATION FOR WATER SERVICES

Application for water service must be signed by the owner, or his legal representative, and made on SWLCWPUD's application form. By signing the form, the applicant agrees to SWLCWPUD's Rules and Regulations as a condition of utility service. For a new service, once the meter is installed, service is active and monthly service charges begin.

All applications on file must be current. If SWLCWPUD does not have an application on file for active water service, a new application, signed by the property owner, will be required. Updated applications do not require any fees (in exception are the requirement of an additional or larger connection and the restoration of service once removed).

If water is shut off for non-payment, daily service charges will continue. Water service may be terminated by a property owner upon notification to SWLCWPUD. Voluntary termination shall not abate, reduce, or remove any unpaid charges regarding the service location.

## SECTION 3. USE BY APPLICANT

No person receiving water from SWLCWPUD water mains will be entitled to use it for any other purpose than that stated in the SWLCWPUD's Water application form or to supply water to any other person or property than that specified in said application. Please refer to Section 11: Service Mains and Connections. An applicant shall be responsible for all water charges until a permanent disconnect is requested or service is transferred to a new applicant.

If a customer wishes to create a subdivision on their tax lot, the requirements of Section 12, concerning Extensions, and easements, are required. Failure to install a new connection as described will justify turning off water until the foregoing conditions are met.

Where a customer vacates the property and the water bill is delinquent, SWLCWPUD reserves the right to shut off water and not restore service until the property owner pays the delinquent balance.

## SECTION 4. WATER RATES

Whenever necessary to maintain the finances of SWLCWPUD, the Board of Directors may decide to increase rates to generate sufficient funds to allow for the replacement of the Water System or improvement of the Water System as needed. OUT-OF-DISTRICT and TAX-EXEMPT-WATER customers shall be billed at a rate of 150 percent of the IN-DISTRICT user rates. A schedule of rates is available upon request.

## SECTION 5. WATER LEAK ADJUSTMENT

An adjustment of charges caused by a leak or broken pipe after SWLCWPUD's water meter may be granted in the SWLCWPUD Board's sole discretion. At a minimum for board consideration, the leak or break must be promptly repaired. Any requested adjustments must be submitted within 30 days of the billing cycle in which the leak was repaired. The Board will consider the facts and circumstances regarding the leak or break at its next meeting. Customers may speak to the Board directly during a meeting or submit documents for the Board to review.

## SECTION 6. PAYMENT OF WATER BILLS

All monthly water charges shall be due on or before the due date on the bill. This is the Friday before the next meter reading. If any water bill is not paid before becoming delinquent, SWLCWPUD reserves the right to shut off water. Water will remain off until all arrears and the turn-on fee have been paid.

## SECTION 7. PROPERTY OWNER LIABILITY

Once the application is filed and water service provided, the property owner will be held responsible for all water and service charges, whether supplied to the owner or to a renter or occupant thereof, and for the compliance by any renter or occupant thereof with Rules and Regulations of SWLCWPUD. In the case of a dispute as to who should pay a water bill, SWLCWPUD shall not be required to decide which party is obligated to pay the bill, and SWLCWPUD may withhold services until all arrears have been paid. If the property is sold, the account balance stays with the property and becomes a lien.

## SECTION 8. RESIDENTIAL PROPERTY IN UNIT OWNERSHIP

Residential property in unit ownership refers to such property which has been submitted to unit ownership in accordance with the provisions of Oregon Revised Statutes, Section 91.505 through 91.575. For the purpose of this section, the definitions set forth in Oregon Revised Statutes, Section 91.505 shall apply where appropriate.

- (a) All water furnished to general common elements and limited common elements shall be furnished through a meter separate from that or those furnishing the units and shall be charged applicable rates.
- (b) At the time when water shall be supplied to one or more units, the following charges shall be paid:
  - 1. The regular connection charge for each unit, whether occupied or not; and
  - 2. The cost of all meters, together with installation cost of same; and
  - 3. The cost of all pipe from water main to within 2 feet of the property line, including all necessary fittings thereof.

SWLCWPUD shall determine the size of the pipe to be used for supplying each unit, or several units, in accordance with paragraph (d) of this section.

- (c) In accordance with the Rules and Regulations of SWLCWPUD, water may be supplied to the units by either of the following methods:
  - 1. Through a master meter, which shall supply all the units, and the monthly rate imposed for water furnished through such master meter shall be the base charge for domestic service multiplied by the total number of units, whether occupied or vacant, plus the actual water used; or
  - 2. Through a separate service pipe, meter, and shut off valve for each unit, which shall be charged regular SWLCWPUD rates for domestic service.

At the time water service is provided to one or more units, the following charges shall be paid:

- (a) The regular connection charge for each unit, whether occupied or not; and
- (b) The cost of all meters, together with installation cost of same; and

- (c) The cost of all pipes from the water main to within 2 feet of the property line, including all necessary fittings thereof.
- (d) A Systems Development Charge (SDC), separate from and in addition to any applicable tax, assessment, charges, or fee otherwise provided by law or imposed as a condition of development.
  - i. The SDC is an improvement fee collected at the time of connection to the water system. No person may connect to the SWLCWPUD waterworks unless the appropriate Systems Development Charge has been paid. (RESOLUTION #99-01)

#### SECTION 9. PLUMBING PRACTICES

All service lines from SWLCWPUD mains shall be metered and all plumbing shall conform to a standard acceptable to SWLCWPUD. SWLCWPUD responsibility ends at the meter; customers are responsible for plumbing on private property. Leaking faucets, fixtures, and lines must be repaired or corrected by the customer at the customer's own expense. Service may be shut off for failure to comply.

Where one meter provides domestic water use to another dwelling or premises, service lines must be arranged to provide separate control of the water supply to each. All new connections are installed with a customer turn off valve. Removal of this turn off valve by any person will result in a fine to the property owner.

The property owner is responsible for the expense of replacing deteriorated or missing valves. Failure to make replacements within 30 days may result in water being shut off.

#### SECTION 10. ON-PREMISE PUMPS

In-District areas of low pressure do not warrant the expense of a pump station operated by SWLCWPUD. Therefore, individual customers are allowed to install a pump in their water line at a point between the meter and place of use to increase pressure at the place of use. An approved backflow prevention assembly shall be installed by the customer between the meter and the pump. The assembly shall be tested annually by a backflow prevention assembly tester certified in the State of Oregon. A covenant agreement between SWLCWPUD and the customer will be required.

#### SECTION 11. SERVICE MAINS AND CONNECTIONS

All meter boxes, meters, service lines and connections, up to, and including the meter, are the property of SWLCWPUD. It is unlawful for any person, except a SWLCWPUD employee, to interfere therewith. No person will be allowed to make a connection on SWLCWPUD's mains, or to connect to SWLCWPUD water main after such person has been disconnected, or to turn the water off or on at the SWLCWPUD's corporation cock at any premises without first having obtained the written consent of SWLCWPUD.

#### SECTION 12. EXTENSIONS

If water is desired for any tract or subdivision not presently served by SWLCWPUD, the water distribution system for such tract or sub-division shall be installed under SWLCWPUD supervision and shall conform to SWLCWPUD, County and State specifications.

No lines, mains or extensions of mains, placed on private property, will be furnished with water from existing SWLCWPUD mains, until SWLCWPUD receives properly recorded easements for servicing such lines, and until such lines, mains or extensions have been inspected and accepted

by SWLCWPUD.

#### SECTION 13. ACCESS TO PREMISES FOR INSPECTION

Agents of SWLCWPUD shall have access, during regular business hours, to all parts of the building and premises to which SWLCWPUD services for inspection. SWLCWPUD makes inspections for violations of OAR Chapter 333, Section 42-200 to 42-245. Inspections are also made for leak checks and for compliance with SWLCWPUD rules and regulations. If any violation is found, SWLCWPUD reserves the right to shut off the water until the violation is corrected.

#### SECTION 14. CHARGE FOR FAILURE TO COMPLY WITH RULES AND REGULATIONS

Failure to comply with the Rules and Regulations established by SWLCWPUD, as a condition for water service or payment of water charges in the time and manners heretofore provided, may result in water shut off and an accompanying turn-on fee.

#### SECTION 15. SHUT OFF FOR REPAIRS

If possible, notice before shut off will be given. In an emergency, the water may, at times, be shut off from the mains without notice. Should damage to a water heater, other appliances, or customer property occur due to water being shut off from the mains, SWLCWPUD Directors, Commissioners, or Employees shall not be held responsible.

#### SECTION 16. INTERRUPTIBLE WATER SERVICE

All non-domestic water users and users outside of SWLCWPUD boundaries are subject to interruptible water service in the event that water supplies are insufficient to provide for in-district domestic users.

#### SECTION 17. CHARGE FOR FAULTY METERS

When a meter cannot be read or fails to register accurately, the charge will be according to the average quantity of water used monthly, based on the preceding calendar year.

#### SECTION 18. INACTIVE OR TERMINATED WATER SERVICE

If a water service has been turned off for non-payment for one and one-half years, then such service shall be considered permanently disconnected. Any reconnection thereafter shall be upon the same terms and conditions as a new customer, except if the Systems Development Charge (SDC) has already been paid, the SDC will not be charged again on the same property.

#### SECTION 19. REQUESTS AND COMPLAINTS

All complaints or requests shall be made in writing to the SWLCWPUD Board of Directors. The Board of Directors will hear or consider any complaints or requests at their monthly, regularly scheduled, board meetings. The Board reserves the right to waive the enforcement of a particular rule if it deems it necessary and appropriate given the circumstances.

#### SECTION 20. AMENDMENTS OR ADDITIONS

SWLCWPUD reserves the right to amend or add to these Rules and Regulations or to change water rates as may be necessary to comply with the Oregon Revised Statutes governing Public Utility Corporations.