

Rules and Regulations

Public Water Supply District #9
Boone County, Missouri

April 1996

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THIS DISTRICT POLICY WHEN ADOPTED SHALL AMEND, CHANGE, CLARIFY, RENEW, AND CANCEL ANY PREVIOUS RULES AND REGULATIONS OF THE DISTRICT PERTAINING TO WATER FACILITIES AND WATER SERVICE. THESE POLICIES ARE GUIDELINES ADOPTED BY THE BOARD OF DIRECTORS FOR THE USE OF PUBLIC WATER SUPPLY DISTRICT #9 OF BOONE COUNTY, MISSOURI.

1. General

- 1.1. These rules and regulations have been adopted to govern the water services furnished by the District in a uniform manner for the benefit of the District and its water user and are subject to change as herein provided without notice to any water user or any other person. Any amendment or change to these rules and regulations shall be effective on the date such amendment or change is passed by the Board of Directors. If any portion of these rules and regulations shall be declared invalid by competent authority, such invalidity shall not effect validity of the remaining portion.
- 1.2. No employee or agent of the District shall have the right or authority to bind it by any promise, agreement or representation contrary to the letter or intent of these rules and regulations or of the bylaws of the District, or the laws of the State of Missouri.
- 1.3. Any complaint against the service or employees of the District should be made at the office of the District in writing.
- 1.4. No person shall turn the water on or off at the street valve, corporation cock, curb cock or other street connection, or disconnect or remove any meter or otherwise tamper with water service facilities of the District without the consent of the District.
- 1.5. The service pipes and fixtures on the water user's property shall at all reasonable hours be accessible to the District for observation or inspection.

2. Definitions

The following expressions, words and terms when used herein shall have the meaning stated below:

- 2.1. **District:** Public Water Supply District #9 of Boone County, Missouri, acting through its Board, officers, or other duly authorized employees or agents.
- 2.2. **Applicant:** Any individual, firm, partnership, corporation, limited liability company, the federal or state government, or any unit, political corporation or subdivision of either the federal or state government or other agency or entity applying for a water user's agreement.
- 2.3. **Board:** The Board of Directors of Public Water Supply District #9 of Boone County, Missouri.
- 2.4. **Water User:** Any individual, firm, partnership, corporation, limited liability company, the federal or state government, or any unit, political corporation or subdivision of either the federal or state government or other agency or entity receiving water and water services, or to whom water services are made available from the District's facilities pursuant to a written water user's agreement.

2.5. **Customer:** A water user as defined herein.

2.6. **Point of Delivery:** The point of delivery shall be at the water meter, unless otherwise specified in the water user's agreement or in any other agreement where it shall be mentioned.

2.7. **Service:** The term service when used in connection with the supplying of water shall mean the availability of water for use by the water user subject to the provisions of these rules and regulations and the bylaws of the District. Service shall be considered as available when the District maintains the water supply at a minimum of 20 psi pressure at the point of delivery with the service line static, in readiness for the water user's use, regardless of whether the water user makes use of it.

2.8. **Landowner (Owner):** Any person or entity owning or having title to property served by the water system of the District. The term "Owner" shall also include life tenants but the Board may at its own discretion require remaindermen to enter into any agreement required with the property owner under these rules and regulations, and the remaindermen shall be bound by these rules and regulations in all respects. To be considered an "Owner" a resident of a mobile home must own the land or lot on which the mobile home is placed.

2.9. **Water User's Agreement:** Any written agreement or contract between the water user and the District, pursuant to which water service is supplied or made available including fire suppression systems. (rev 06/17/97)

2.10. **Extensions:** The customer will be obligated to pay at least a minimum water bill for five years where the District has contributed money, labor or materials to the extension.

2.11. **Water Service:** The water service shall consist of facilities for supplying water to one residence or business establishment on land within the District.

2.12. **Public Water System:** The water works system of the District which furnishes water to the water users; including mains, valves, fittings, service lines, and other appurtenances.

2.13. **Cross Connection:** Any physical arrangement whereby the public water system of the Water District is connected, directly or indirectly, with any other water supply system, sewer, drain, conduit, pool, storage reservoir, plumbing fixture, or other device which contains, or may contain contaminated water sewage or other waste or liquid of unknown or unsafe quality which may be capable of imparting contamination to the public water system as a result of backflow. Bypass arrangements, jumper connections, removable sections, swivel or changeover devices through which, or because of which, backflow could occur are considered to be a cross connection.

2.14. **Auxiliary Intake:** Any piping connection or other device whereby water may be secured from a source other than that normally used.

2.15. **Interconnection:** Any system of piping or other arrangement whereby the public water system of the Water District is connected directly with a sewer, drain, conduit, pool, storage reservoir, or other device which does or may contain sewage or other waste or liquid which would be capable of imparting contamination to the public water system.

2.16. **Person:** Any individual, corporation, company, association, partnership, limited liability company, state, municipality, utility district, water cooperative, or federal agency or any other legal entity.

2.17. **Subdivision, Plat or Survey:** The definition of these terms shall be as defined in the Subdivision Regulations of Boone County, Missouri.

2.18. **Administrative Survey:** Any subdivision survey consisting of one or more lots, any and all of which are less than twenty (20) acres in size but equal to or greater than ten (10) acres and all of which have frontage upon and direct access to an existing public road or no more than four (4) such lots having a common private drive with access to a public road.

2.19. **Major Plat:** Any subdivision having six (6) or more lots, any or all of which are ten (10) acres or less or the creation of a new public road or any other subdivision not specifically qualifying as an administrative survey or minor plat.

2.20. **Minor Plat:** Any subdivision consisting of five (5) or fewer lots, any of which is less than ten (10) acres, where each lot has direct access to and frontage upon an existing public road, or, a subdivision plat consisting of any number of lots, each being five (5) acres or more, where each lot has direct access to and frontage upon an existing public road, or has a common private driveway situated on and created for the exclusive use of no more than four (4) lots providing ingress and egress to a public road.

2.21. **Major Mobile Home Park:** Any mobile home park occupying land under one ownership, consisting of ten (10) or more pads or sites, and metered through a master meter. (rev 10/22/96)

2.22. **Minor Mobile Home Park:** Any mobile home park occupying land under one ownership, consisting of fewer than ten (10) pads or sites. (rev 10/22/96)

2.23. **Agent:** Any person or entity representing a landowner in the establishment of water service to the landowner's property. (est. 09/21/04)

2.24. **Renter:** Any individual(s) occupying, dwelling, or living in residential property he, she or they do not own. (est. 09/21/04)

2.25. **Residential Property:** Property served by the District that is designed or used as a place of living for a human being. (est. 09/21/04)

2.26. **Private Water Main:** Any water service line of any size installed by or for any Person, which is privately owned and maintained connecting to the waterlines of the District by a metering device(s) or other means of monitoring approved by the District.

2.27. **Fire Suppression Main:** Any Private Water Main, which has the function to provide water service for the sole purpose of providing water to a fire sprinkler system, fire hydrants, or both.

2.28. **Water Conservation Measures:** The District taking measures to conserve water by disconnecting water service to any Customer that is wasting water or irrigating with the Public Water System not conforming with implemented guidelines during a drought or water shortage after a Water Shortage Warning has been issued by the District. (est. 09/18/12)

2.29. **Lawn Irrigation Systems:** Any irrigation system designed for lawn watering that has buried service lines and/or is equipped with an approved backflow device that is connected to the Public Water

Supply by means of a separate water meter or by means of a meter serving any other metering unit.
(est. 07/19/16)

2.30. **Combination Meter:** Any water service supplying any property or Metering Unit with a Fire Suppression Main or Lawn Irrigation System connected to it. (est. 01/17/17)

3. Fee Schedule

3.1. Fee Schedules for water and water service are fixed by the Board and are subject to change by action of the Board. If a provision of the rules and regulations conflicts with a provision of the Fee Schedule, the provision of the Fee Schedule shall prevail. If the total amount of revenue and income derived from the collection of the water rates is insufficient to meet the payment of the cost of operation, maintenance, depreciation, necessary extensions and enlargements, and payment of the principle and interest on any general and special obligation bonds, then outstanding, with their attendant obligations pursuant to the terms of the bonds and authorizing resolutions, the Board will increase the water rates to an amount sufficient to meet these costs and obligations.

4. Meter Deposit

It is provided that all such meter deposits shall be held by the District as a guarantee that the bills of the water user making such deposit shall be fully paid and that no damage will be done to the water meter, line, or any property of the District by the water user; such deposit shall be returned to the water user at such time said user discontinues water service and ceases to be a water user of the District or until the meter is disconnected and water service is terminated by the District as provided herein, but the District shall be entitled to first deduct the amount of any unpaid water bills and any unpaid bills to the District, and if the amount of such unpaid water bills exceed the amount of the deposit, to apply the entire deposit against such unpaid bills and damage.

The District shall pay any amount of such water deposit due the water user upon demand by the water user when water service is discontinued after the District has had a reasonable time to compute said water bill and to determine of any such damage had been done by the water user. The District shall keep all such deposits in a separate bank account or accounts, and the Board at its discretion may invest such funds in savings accounts, or certificates of deposit in the bank or banks in which such funds are held, provided that a reasonable sum is held in a demand account to meet anticipated refunding requirements. Any interest accruing on such deposits accounts or certificates will become the sole property of the District and no water user shall have any claim for or to such interest, or any portion thereof for any reason. Such interest shall be used by the District in the same manner as income received from the sale of water by the District. The investment of such meter deposit account is discretionary with the Board and shall not under any circumstances be regarded as mandatory. Any mailed meter deposit refund that is returned to the District or any unreturned meter deposit refund not processed, deposited or cashed by the customer after 12 months shall have the funds for that deposit refund amount sent to Unclaimed Property. (rev. 04/21/20)

4.1. Meter Deposits Charges: All water users of said District and applicants thereof shall make a meter deposit before connecting any water service lines to the water lines and meters of said District as provided on the Fee Schedule.

In the case of multiple-unit dwellings, trailer courts (mobile home courts) and meters larger than 1", the amount of deposit shall be determined by the Fee Schedule or a special written agreement between the Board and the applicant. (rev 04/21/20)

4.2. Deposits: A meter deposit must be paid for each meter. With the exception of a deposit for multiple locations, which the rate thereof shall be determined by the Fee Schedule. All meter deposits shall be paid in the form of cash, credit card, check or money order. The District does not accept bonds or other forms of surety or indemnity as a security deposit. (rev 9/21/04)

4.2.1 Multiple Location Deposit requirements: Any Water User utilizing a Deposit for multiple locations for Unlimited Residential Addresses will be required to adhere to the following rules.

1. Water User must have a minimum of ten (10) properties that are being utilized for this purpose. If the number of properties utilizing this deposit falls below ten (10) for six (6) consecutive months, the Multiple Location Deposit will be converted to a standard deposit and the monies held by the District will be divided evenly and applied to the properties on file. A standard Water Users Agreement must be completed and signed by the Water User for each property or location to be covered by the Multiple Location Deposit.
2. The Water User must identify which properties and locations are to be covered under the Multiple Location deposit in writing and keep the District informed if any of these properties or locations change or are no longer covered by this deposit. Neglect to do so could result in the Water User being held responsible for charges to those properties or locations previously identified as being covered by the Multiple Location Deposit. All properties and locations utilizing the Multiple Location deposit shall be registered and identified by one account number in the Districts billing system.
3. The Water User must keep all their accounts current and in good standing. Any past due fees or charges that are equal to, or in excess of \$750 in a single billing cycle or, are three (3) Months past due will result in payment of those fees and/or charges being paid from the deposit on file and the remainder of the Multiple Location deposit being divided into a minimum of \$100 portions, converted to standard deposits and applied to the properties of the Districts choosing of those properties identified previously on file. All other properties or locations that were covered by the Multiple Location deposit will no longer be covered by a deposit and the water service will be disconnected as normal when there is not an active Water User of record on file. (rev 5/17/22)

4.3. Deposits Held: Deposits are held until customer's final water bill is paid or until the meter is disconnected and water services are terminated by the District as provided herein. (rev. 04/21/20)

4.4. To Have Service Disconnected: Customer must call or come into the office and specify date to disconnect service and leave a forwarding address where we may return customer's deposit.

4.5. Transfers of Meter Deposits: A customer moving from one unit to another within the District may transfer their deposit to the new address if:

1. The customer's existing deposit amount is the same as that on the current Fee Schedule and
2. All of the customer's outstanding bills are paid.

One deposit may be used for both old and new units for a maximum of five working days to allow for cleaning and moving if customer has a zero balance, the customer does not have a history of delinquency averaging more than two (2) times annually, customer has never been disconnected for nonpayment and all proceeding requirements have been met.

The final bill for the old account may be transferred to the new account. Additional charges may apply to transfers.

Any customer who has relocated within the District or any former customer who has moved back to the District shall not receive service until all of their old accounts and all relevant charges established herein are paid in full. (rev. 06/19/07)

5. Application for Water Service

Applicants for a water user's agreement shall make application in the office of the Water District. Such applications shall be in writing and the office personnel shall prescribe the form of such application, subject to the approval of the Board. Applicant will be required to furnish easement of said property before water service will be installed. If the service is for residential use, the name on the account and the person signing the application must be the same. On commercial business accounts, the person signing the application must be the official designee of the owner making application. (rev. 09/21/04)

5.1. Set Up Service for Property Owners on Existing Meters: The Owner must execute the water user agreement, and pay the amount required. The Owner must pay a deposit, new account charge, reconnection charge (if water has been shut off), and same day service charge if same day service is desired. Owners of rental property may have a deposit on each of their rental properties so that when the renter moves out the water will go directly into their name so that the water service is not disconnected. Owners may establish water service by and through an agent to manage owner's residential property or residential properties by completing the Water Users Agreement and paying the appropriate deposit(s) per the Fee Schedule. If an Owner or agent for the owner wishes to establish service on property with a balance owed by the Owner for water service, the balance must be paid in full prior to service being established. (rev. 09/21/04)

5.2. Set Up Service for Renters: The renter must fill out the water application agreement and pay the amount required. The renter must pay a deposit, new account charge, reconnection charge (if water service has been shut off), and a same day service charge if same day service is desired. Any renter making application for water service within 30 days after the water service for the location being applied for has been disconnected for non-payment may be required to provide a copy of the lease on the property to be served. (rev. 03/17/09)

6. Metering

6.1. Service for the Sole Use of Water User: The standard water service connection is for the sole use of the water user and does not permit the extension of pipes to transfer water from one property to any other consumer. No water user or owner or custodian of property served by the District shall extend or permit the extension of pipes for the purpose of transferring water from one property to another nor will he/she share, resell, or sub-meter to any other consumer. Each meter service shall supply water to only one residence or business establishment located on land within the District, except as

provided herein. If a specific situation should make such an arrangement advisable, it shall be done only on the specific written permission of the District. No more than one residence shall be served by one water service connection. A farm containing one residence and other buildings for use in the farming operation shall be considered as one residence and the water user may use water from one meter for all such buildings; provided that in the event that a farm contains two or more residences, a meter shall be required for each residence if separate deeds are recorded. (rev. 10/22/96)

6.2. Metering Unit: Each of the following facilities shall comprise a metering unit and must be metered individually; provided, however, that the owners of a multiple family building shall have the option of installing a single meter for each building, but the rate charged for water service on such single meter shall be as set forth in the Fee Schedule:

Apartment.

Boarding or lodging house.

Club, accommodating or assembly-type cooperative house.

Commercial business property; separate meter required for each business.

Dormitory.

Dwelling, one-family.

Dwelling unit in multiple-family building.

Farmstead.

Hotel.

Industrial or Manufacturing plant.

Mobile home park.

Motel or tourist court.

The general rule for establishing metering units for any other types of facilities not mentioned above shall be one meter for each family unit used for residential purposes and one meter for each business or industry.

Exception: Mobile home parks shall be master metered to serve the entire mobile home park or shall have the option of installing a meter for each individual mobile home, provided they install a water main system within the park, designed, constructed and inspected in accordance with the District's water main installation and extension policies, and that such water mains along with necessary easements are dedicated to the District. (rev. 10/22/96)

6.3. Meter Sizing: When requesting water service, the customer may be required to furnish information as to his expected water demand. The District shall then determine the proper type and size of meter(s) to be installed. The District reserves the right to change the meter size at any time in order to improve registry or flow.

6.4. Combination Meters: Properties utilizing water service for residential or business purposes and also having fire protection or lawn irrigation functions through a single meter will pay the rate established on the Rate Schedule for such use. (est. 01/17/17)

7. Service Installations

7.1. Readiness to Accept: Before installing a service line extension and providing water, the District may require the applicant to pipe his home and be in readiness to accept the service.

7.2. Meter Location: Unless otherwise agreed upon in writing, meters shall be set outside of buildings in a location which provides the District the greatest ease of reading and repair and offers reasonable protection from damage. All meters shall be set horizontally and never connected to a vertical pipe. Meters outside of buildings shall be placed in meter boxes furnished and installed by the District. Water meters will be located at the property line to the water users land except as specifically approved in writing by the Board of Directors. The meter box shall be installed to match the existing land surface, unless the customer submits a written description or plan of proposed relandscaping to the District.

7.2.1. Alternate Locations: When it is impractical to install the meter box at the property line, as determined by the District, the water meter may be installed indoors or elsewhere on the property to be served, provided it is protected from damage and freezing and, when located indoors, is readily accessible in an unlocked room or enclosure. Alternate locations are at the sole discretion of the District. If a meter becomes inaccessible, in the opinion of the District, the customer must make provisions, at the customer's expense, for its relocation or for a remote reading device. Regardless of its location, the customer shall be responsible for damage to the meter or its appurtenances, caused by the customer's negligence or failure to properly safeguard and protect such meter and appurtenances from hazard.

7.2.2. Land-locked Properties: Any applicant for water service to a lot, tract or other parcel of land shown on a subdivision plat or survey which contains fewer than four (4) lots, tracts or parcels of land and which does not have a boundary bordering a public road currently served by a District water main, may obtain service by acquiring an easement for private utilities from the landowner(s) bordering such public road. A copy of the recorded easement must be provided to the District before service will be provided.

7.2.3. Water service shall be obtained only from water mains located along public thoroughfares. Cross-country transmission lines shall not be tapped for individual meter settings except as expressly approved in writing by the Board of Directors.

7.3. Charges: New installation charges shall be as provided on the Fee Schedule.: An additional charge shall be made for cutting and repairing concrete or asphalt streets or sidewalks equal to the actual cost of such work. To set up a new installation account the customer must sign the water application agreement, new connection agreement, and pay the amount required.

7.4. Services: The District will install all water service pipes from its main to the meters on the property abutting the right-of-way along which the main is installed insofar as its current financial responsibilities, obligations, and conditions will permit, and insofar as adequate water pressure and flow are available at the point of delivery requested by the applicant or water user and insofar as said installation will not materially affect in an adverse manner the service rendered to any existing customer of the District. The service pipe shall not be less than $\frac{3}{4}$ " in size. The meter will be set at the point on the water user's premises designated by the District. The charge for the services to be made by the District shall be that amount specified by these rules and regulations, or as otherwise provided by the Board, but in no event shall be less than the cost to the District.

7.5. Customer's Piping: All piping work done in connection with pipe and services connected with the District's main shall be submitted to the inspection of the District before such underground work is covered up. Whenever the District determines that a job of plumbing is obviously defective, the

District shall require that it be corrected before the water will be turned on. The Board reserves the right to prescribe the type of materials and the standard of workmanship to be followed in enforcing this section.

All service pipes shall be laid at all points at least forty-two (42) inches below the surface of the ground and shall be placed on firm and continuous earth so as to give unyielding and permanent support. They shall not be laid in sewer ditches. It shall be installed in a trench at least 18 inches in a horizontal direction, in undisturbed earth, from any other trenches wherein, are laid gas pipe, sewer pipe, or other facility, public or private. Such service line shall not pass through premises other than that to be supplied unless the District shall so agree in writing.

7.6. Vacant Properties: The District reserves the right, at the option of its Manager, to install water service lines and water meters to vacant and previously unserved properties prior to receiving application for such service; provided, however, that service lines or meters so installed shall not be used for the purpose of providing service to a customer until after such customer has made formal application and paid the appropriate fees for such service.

8. Policies Regarding Service Connections Readiness to Accept Service:

- 8.1.1. The applicant or water user, or their designated representative, shall be at the premises when water service is turned on. The applicant or water user shall assume all responsibility for any open outlets resulting in water loss or damages.
- 8.1.2. Functioning Shut-off Valve: Before service will be provided, a functioning shut off valve shall be present on the customer's side of the meter between the meter yoke and the first tap or union. Failure to provide said valve shall result in service call charges each time District personnel are required to turn the service on or off.
- 8.1.3. Unpaid water service lien: No water will be furnished to a property on which a water service lien has been recorded by the District pursuant to Section 247.110(3) RSMo. And the amount of said lien has not been paid in full. (est. 09/20/16)
- 8.2. Only District personnel are authorized to operate valves owned by the District. Unauthorized operation of District valves, including meter shut-off valves, shall result in service charges, fines, disconnection of service for tampering and/or legal action.
- 8.3. **Relocation of Water Meter and/or Appurtenances:** The District reserves the right to relocate the water meter, service line or any appurtenances thereof, at its own expense. If the customer desires a relocation, or change in elevation, of the water meter, service line or any appurtenances thereof, he shall make written request to the District and deposit the estimated cost for labor, equipment and material, plus overhead, to complete this relocation or change with the District. In the event of an underestimate, the customer will be billed for the remainder; in the event of an overestimate, the excess will be refunded.

If the customer should relandscape his property, making it difficult to read the meter or repair the main or appurtenances, the District reserves the right to relocate or change the elevation of the

meter, service line or any appurtenances thereof, and charge the actual cost for labor, equipment and material, plus overhead to the customer.

8.4. Continuity of Service: The District shall make a reasonable effort to supply continuous, uninterrupted service. However, it shall have the right to interrupt service for the purpose of making repairs, connections, extensions or for other necessary work. Efforts will be made to notify water users whenever possible whom may be affected by such interruptions, but the District will not accept responsibility for losses which might occur due to such interruptions. The District does not accept responsibility and shall not be liable for losses which might occur due to such interruptions to service for any cause and does not accept responsibility for losses due to failure of the District to notify any water user of any such interruptions.

8.5. Right to Inspect: Representatives of the District shall have the right at all times to enter upon the water user's premises to read and test meters, inspect piping, and to perform other duties for the maintenance and operation of service, or to remove its meters and equipment upon discontinuance of service by the water user.

8.6. Intercepting Tank Required for Large Customers: Service pipes shall not be connected to the suction side of pumps. The supply for the use of a character requiring a large quantity of water within a short period will not be permitted except through intercepting or intermediate storage tanks.

8.7. Customers Duty Regarding Service Lines: The customer's water installation shall extend from either:

1. The discharge of the water meter, where the meter is located at or near the property line.
2. The property line, where the meter is located elsewhere on the property.
3. The water main tap, where an unmetered fire protection or sprinkler system serves the property, or where a private water main is extended from the District water main.

The water user's service pipe and all connections and fixtures attached thereto shall be subject to the inspections of the District before the water will be turned on, if the District so elects, and all properties receiving a supply of water and all service pipes, meter and fixtures, including any and all fixtures within any improvements or buildings on said premises, shall at all reasonable hours be subject to inspection by any duly authorized employee or agent of the District.

Water user shall, at his own cost and expense, make all changes in the service pipe required or rendered necessary on account of changes in the street grades, relocation of mains, or other causes.

No fixture shall be attached to, or any branch made in, the service pipe between the main of the District and the meter.

Any repairs or maintenance necessary to the service pipe or on any pipe or fixture in or upon the water user's premises, shall be performed by the water user at his sole expense and risk.

Service pipes must be kept and maintained in good condition and free from all leaks, and for failure to do so the water supply may be disconnected.

The District shall in no event be liable for any damage done or inconvenience caused by reason of any break, leak or defect in, or by the water escaping from service pipes, or from fixtures on the

premises of the owner or water user. The user shall be billed on the usual manner for the cost of

all such water according to the rate schedule of the District as provided in these rules and regulations and the bylaws of the District.

- 8.8. **Multiple-Unit Policy:** In each active account where multiple units are served by a single meter, the monthly base rate shall be applied to each unit, regardless of occupancy status, except for major trailer courts as provided in the Fee Schedule or by written agreement with the Board to the contrary.
- 8.9. **No One But Employee May Turn Off or On:** No one but a District employee or a person authorized by the District shall turn on water or shut off water from the District meter to any water user or to any property served by such meter, except in case of escaping water.
- 8.10. **Water Users Requiring Uninterrupted Supply:** The District will endeavor to give reasonable service, but does not guarantee a sufficient uniform pressure, or an uninterrupted supply of water, and water users are cautioned to provide sufficient storage of water where an absolutely uninterrupted supply must be assured, such as for steam boilers, hot water heating systems, gas engines, fixtures or devices taking a supply of water directly from the service pipes, depending upon the hydraulic pressure of the pipe system of the District for supplying same under working pressure, would do so at the risk of the parties making such attachments.
- 8.11. **Requested Meter Test:** Meter tests requested by water users shall be performed without cost to the water user if the meter is found to be in excess of two percent (2%) fast. Otherwise, the water user for whom the requested test was made will be charged the cost of making the test.
- 8.12. **Water User's Responsibility:** The water user shall be responsible for any damage to the meter or appurtenances installed for his service, for any cause other than normal wear and tear. (rev. 09/20/16)
- 8.13. **Disconnection of Inactive Meter.** (adopted 04/21/20) In the event a meter has been inactive for twelve (12) consecutive months, the District may remove the meter service connection from the water user's property and terminate services of the District. Reestablishment of meter services would be at the cost of the user or landowner. Any deposit shall be returned as provided herein.

9. Water Bills and Rates

- 9.1. **Cost for Water:** Charges shall be as indicated on the Fee Schedule. All customers shall pay a monthly availability rate or standby rate charge as set by the District for the District's water services, if their water meter valve is turned off, but not locked by the District. In addition, all customers that utilize the District's water services for emergency situations and/or as an alternative standby source, shall pay a monthly availability rate or standby rate charge as set by the District for the District's water services. (rev. 04/21/20)
- 9.2. **Mailing of Bills:** Bills are mailed by the last day of the month following the close of the period from which services were rendered. The customer has the responsibility for contacting the Water District if the customer does not receive the bill during the billing cycle or doesn't receive it at all. The District does not accept responsibility for the timeliness of the United States Postal Service delivery. (rev. 01/18/00)
- 9.3. **Water User's Bills:** Water bills are due and payable by the tenth day of the month following the close of the period for which the service was rendered as set forth in the Fee Schedule. All water bills shall

be paid in the form of cash, credit card, check or money order. The District does not accept bonds or other forms of surety or indemnity as a payment for water bills. Service bills not paid by 8:00 a.m. of the 16th day of the month following the close of the period for which service was rendered shall be subject to a ten percent (10%) late charge. Failure of water user to pay bill by the 1st day of the 2nd month following the close of the period for which service was rendered shall result in a Disconnection Charge established by the Fee Schedule to be applied to the water users account. After that date, the disconnection of the service and such disconnection of service shall be made without the necessity of notice to the water user. Any damage resulting to the water user or any property of the water user or the owner of the property occupied by the water user shall not be the responsibility of the District, its agents or employees and the District, its agents or employees shall not be liable to the water user or the owner of any property used, held, occupied, rented, or leased by the water user for any such damage when disconnection is made according to these rules and regulations, and it shall be immaterial that no notice of such disconnection was given to the water user or to said property. Failure of the District to submit a service bill shall not excuse the water user from their obligation to pay for the availability of and/or the water used. (11/16/21)

- 9.4. **Estimating of Readings:** The District may elect, under special circumstances, to estimate meter readings. Estimates may be made in the case of one or more water users or all water users of the District at the discretion of the District.
- 9.5. **Billing Cycle:** Bills may be submitted on a monthly, bimonthly, or quarterly basis as the Board may provide and direct in its resolution establishing a Fee Schedule.
- 9.6. **Rates for Tank Sales:** The Board has the exclusive power to authorize tank sales or sales in bulk of water from such supply heads as it shall designate at the rates to be determined by the Board. By resolution, the Board may prohibit the sale of water in bulk to any resident, landowner, or renter of the District whose property is served by a water line.
- 9.7. **Returned checks:** (adopted 01/18/00) Checks returned shall be charged a returned check charge to be determined by the Fee Schedule in force. Any customer that has two (2) returned checks will not be allowed to write any further checks to the District starting at the time the second returned check is received at the District office. Said customer will be required to pay all future charges by cash, money order, or credit card. Any checks written for insufficient funds will cause the customer to be subject to prosecution for payment of such insufficient funds. (rev. 03/25/03)
- 9.8. **Returned ACH/EFT Payments:** (adopted 03/14/06) ACH payments returned for any reason shall be subject to the same terms, conditions and fees as the returned checks policy. (rev. 09/15/20)
- 9.9. **Customer Payment Plans:** Payment Plans will be granted to customers subject to all the following conditions. A customer whose current bill is higher than the customers normal average billing and whose water service has not been disconnected for nonpayment of that bill, may contact the Districts Office Manager and request a Payment Plan under which the customer may pay that bill in equal installments over no more than six (6) months. In the event the customer is a Renter, the customer requesting a Payment Plan must also provide the Office Manager a copy of their lease agreement, and no Payment Plan for a Renter shall extend beyond the terms of that lease, even if less than six (6) months. In the event a customer fails to pay any installment under a Payment Plan when due, the entire balance due under the Payment Plan is immediately due and payable, the water service of that customer is immediately subject to disconnection, and if water service is disconnected, the customer

must pay the entire balance due under the Payment Plan plus applicable disconnect and reconnect fees under the Rule and Regulations, before the customers water service will be reconnected. The District is not obliged to enter into more than Two (2) Payment Plans with a customer within a single calendar year, and any customer who fails to pay any installment under a Payment Plan when due automatically forfeits their right to request a second Payment Plan within the same calendar year. No Payment Plans will be provided for any inactive accounts. (11/18/25)

10. Discontinuance of Water Service

10.1. Water service will be discontinued to any water user or landowner on account of temporary vacancy of such property upon written request of the water user, without in any way affecting the agreement in force, and upon payment of all charges due as provided in the rules and regulations of the District and the bylaws of the District. In the event, the customer turns off the water meter service or requests the District to turn off the water service, without locking the meter valve, the District shall continue to charge the customer and the customer agrees to pay the monthly availability rate or standby rate charge as set by the District for the District's water services. (rev. 04/21/20)

10.2. In the event that water service is discontinued for any reason other than the temporary vacancy of the property, or in the event that it is discontinued and another source of water is used for the property, then the reconnection charge shall be paid by the water user or landowner of the property. In addition, all previously unpaid bills, plus ten percent (10%) service charge thereon, shall be paid before reconnection shall be allowed for such water user or landowner.

Applicant shall not be required to pay the above reconnection charges as a result of the conduct or actions of the previous owner or occupant.

10.3. Disconnect/Reconnect Policy: (adopted 05/21/96) A disconnect charge for a meter subject to be locked for non-payment will be made after office procedure is complete and work assigned to service man. A separate reconnect charge will be charged for a meter locked for non-payment. The total charge for a meter locked for non-payment to reestablish service shall be the amount shown on the Fee Schedule in force. The District Manager may waive the disconnect and reconnect fees for an active meter service one time, if the customer which has had the service in their name and no delinquent payments for a minimum of twenty-four (24) consecutive months. (rev. 07/21/09)

A broken lock charge shall be charged per the amount on Fee Schedule. Charge to increase for each lock broken thereafter. After first broken lock the meter is removed. If when checked later an illegal connection (i.e. jumper idler) is found, the sheriff's department will be called and a report filed and the violator prosecuted. (rev. 01/18/00) SEE ALSO 10.4.11

Payment may be made only at office or dropbox. No money will be taken by serviceman. (rev. 10/22/96)

To reconnect service for non-payment, customer needs to come to office between 8:00 a.m. and 4:00 p.m. to pay entire balance on account plus a reconnect charge per Fee Schedule. An after hour's service is offered on workdays Monday through Friday. Customer must pay an after hour's charge and be in office by 4:15 p.m. for the after hour service. (rev. 07/21/09)

10.4. Except in cases of failure of the water user to pay the bill owed the District for water service, as set forth in the rules and regulations the District will not discontinue the service of any water user in

violation of any rule or regulation of the District, without written notice of at least two days, mailed to such customer at his address shown upon the District's records, or personally delivered to the water user or a member of his household advising the water user what rule has been violated for which service will be discontinued if the violation is permitted to continue; provided, however, that where misrepresentation of use of water is detected, or where the District's measuring equipment has been tampered with, or where a dangerous condition is found to exist on the water user's premises, service may be shut off without notice in advance.

In addition to the foregoing provisions, service rendered under any application, contract or agreement may be discontinued by the District for any of the following reasons:

- 10.4.1. For willful or indifferent waste of water due to any cause, including ignoring Drought and Water Shortage Warnings to conserve water. A charge for disconnection for Water Conservation Measures shall be charged per the amount on Fee Schedule. Charge to increase for each disconnection for Water Conservation Measures thereafter.
- 10.4.2. For failure to protect from injury or damage the meter and connections, or for failure to protect and maintain the service pipe, or fixtures on the property of the water user (or the property occupied by the water user) in a condition satisfactory to the District.
- 10.4.3. For molesting or tampering by the water user or any other person with the knowledge of the water user, with any meter, connections, service pipe, curb cock, seal, valve or any appliance of the District controlling or regulating the water user's water supply.
- 10.4.4. For theft of water, which shall be defined as the unexplained loss or use of water by means of tampering with the meter, bypassing the meter, installing a straight pipe where no meter is connected, breaking of seals or locks in order to activate the service without consent or permission of the District, or any other unauthorized use of water, the Board, in its discretion, may discontinue service to the property permanently, or until the unexplained loss is explained or accounted for to the Board's satisfaction, and the estimated unauthorized use of water is paid for. The Board may take such actions, in its discretion, with or without proof or identification of the person causing the unauthorized use, it being recognized that the property owner is basically responsible for the protection of the water lines, the meter and the meter well installed on his property.
- 10.4.5. For failure to provide the District employees free and reasonable access to the property supplied, or for obstructing the way of ingress to the meter or other appliance controlling or regulating the water user's water supply.
- 10.4.6. For non-payment of any account for water supplied, for water service or for meter or service maintenance, or for any other fee or charge accrued under these rules and regulations, the rate schedule of the District or the bylaws of the District.
- 10.4.7. In case of vacancy of the premises.
- 10.4.8. For violation of any rule, regulation or bylaw of the District.
- 10.4.9. For any practice or act prohibited by the Missouri Department of Natural Resources or the Missouri Division of Health.

- 10.4.10. For failure to allow any District employee, officer, agent or representative the right to inspect the water user's premises for any purpose set forth in these rules and regulations.
- 10.4.11. For any illegal connection or jumper type devise used by an individual to replace any metering device owned by the District, for the purpose of using water without the consent of the District. Said person will be penalized per the Fee Schedule for the illegal act, and could be subject to total disconnection of service and prosecution. (rev. 01/18/00)
- 10.4.12. For removing or cutting lock on any meter without the District's consent will be charged for damages for the offense Per the Fee Schedule and any subsequent offences thereafter. (rev. 01/18/00)
- 10.5. The discontinuance of the supply of water to a landowner for any reason shall not prevent the District from pursuing any lawful remedy by action at law or otherwise for the collection of moneys due from the water user or landowner.
- 10.6. Water service will not be turned on to any property unless the water user or a member of his household advising the water user is present at such time to see that all water outlets in the premises are closed to prevent damage by escaping water.
- 10.7. Only an employee, officer or agent of the District may turn on water and all applicants and water users are expressly forbidden to do so without the expressed consent of the District.
- 10.8. **Change of Occupancy:** It shall be the water user's responsibility to anticipate any change of occupancy and to withdraw the balance of the meter deposit less any amount due the District. Until such withdrawal is made, the original water user shall be responsible for services.
- 10.9. **Agreements with Governmental and Public Bodies:** The Board may make specific water service contracts with the United States of America, and its agencies, the State of Missouri, and its agencies, school districts and municipal corporations, and all other political subdivisions of the State of Missouri and of the United States of America, differing from stipulations set out in the rate schedule and rules and regulations.

11. Other Customer Responsibilities

11.1. The water user, or a member of his household, is advised to be present when water service is connected or restored to see that all water outlets in the premises are closed to prevent damage by escaping water. If such person is not present when water service is connected or restored and District personnel determine that the water meter continues to turn after a reasonable amount of time, service will be shut back off and a service call charge shall be charged for each additional trip necessary to safely restore service. District personnel will not enter premises unless water user or their representative is present.

11.2. Inaccessible Meters:

11.2.1. The water user shall be responsible for providing safe and easy access to the water meter at all times. At the District's option, a service call charge may be applied to any account whose meter is deemed by the Manager of the District to be so difficult or dangerous to access that a return visit

is required. This shall include, but is not limited to, vicious animals or cars, trailers or structures such as deck built or parked over the meter.

11.2.2. The customer must remove the obstruction or have the meter relocated by the District at the customer's expense to a safe and easily accessible location.

11.2.3. It shall be the responsibility of the Manager of the District to determine a meter's accessibility.

11.3. Relocation of Water Mains: Relocation or adjustment of elevation of an existing water main, required because of changes proposed by a property owner or other private party, shall be made under the direction and inspection of the District, in accordance with District construction specifications, and at no cost to the District.

12. Services Charges

12.1. Service charges shall be as provided on the Fee Schedule.

12.2. Insufficient checks must be paid for with cash or by money order.

12.3. After hours' connections are only offered on Fridays and workdays immediately prior to Holidays

13. Leaks

13.1. The customer assumes all responsibility for the construction, maintenance, and any necessary relocation of the customer's water installation; he shall make every effort to keep this system free from leaks. Apparent leaks on the customer's water installation, whether registered on the water meter or not, shall be repaired by the customer within ten (10) days of receipt of notice by the District. If repairs are not made, the District shall issue written notice of disconnection, and five (5) days thereafter shall discontinue water service until the leak is repaired. If, in the judgment of the District, an apparent leak in the customer's water installation endangers public safety, constitutes a serious nuisance, or wastes a considerable amount of water, the District may discontinue water service without previous notice to the customer.

13.2. Leak Adjustment: Any leak on the customer's water installation is the customer's responsibility. Adjustments shall not be made on inactive accounts and will not be made unless the leak was caused by damage to or a defect in the customer's water service facilities. A one-time leak adjustment may be given in regard to a qualified leak by the staff on bills \$350.00 or greater on residential and by the Board of Directors on a case by case basis on business accounts. The District shall pay 50% of the water usage above the customer's preceding twelve (12) month average water usage not including base rate, taxes or other fees on adjusted bill unless the leak is determined to be on an irrigation system and then only the months of usage with the irrigation system active will be used for averaging. If there is less than twelve (12) months water usage the average will be determined by the months of actual usage. The customer must sign a leak adjustment agreement and produce a verifiable paid receipt for work performed or materials purchased to qualify. If the customer has additional leaks, the customer must petition the Board in writing for subsequent leak adjustments. If any customer fails to promptly

repair leaks after notification, or to take other measures to eliminate the wasting of water through leaking installations, no adjustment of monthly charges will be made. (rev. 02/20/17)

If requested, District personnel will provide assistance in locating leaks on the customer's water installation. Repeated requests for assistance may result in a service charge for each trip.

14. Extension of Distribution Water Mains, Generally

14.1. The extension of distribution water mains shall be initiated and made in one of the following ways:

14.1.1. The Board may declare the necessity for and direct the extension of water mains as a public improvement.

14.1.2. Any individual, group of individuals, corporation, limited liability company, association, institution, club or other entity desiring to become customers and to purchase water from the District, may upon approval of proper application and as otherwise herein provided, extend the District's water mains.

14.2. All water mains and water service facilities shall be installed by the District or the District's contractor, except if the owner can satisfy the District that the owner's contractor is competent, qualified and credit-worthy. The District at its sole discretion may permit said facilities to be installed by owner's contractor on said terms and under such conditions as specified by the District.

14.3. All applications for permission to make such extension shall be submitted in writing to the manager of the District, who shall approve or disapprove such application. The application shall clearly indicate the desired route and approximate length of the extension and that the applicant agrees to the following:

14.3.1. To construct the entire extension from a point on the existing District water main which will provide adequate pressures and flows to and across the entire frontage or other dimension of the lot or tract to be served, except as otherwise herein provided. Such extension shall be of a pipe size, as determined by the District, which will provide adequate fire protection and service to the area, but in no case shall the pipe size be less than six (6) inches, or eight (8) inches in commercial/industrial. Should the District require a pipe size larger than that required for adequate fire protection, then the District shall pay the difference in cost of such larger line. (rev. 05/20/97)

14.3.2. To size, locate and construct the extension in accordance with the regulations, specifications and requirements of the District, and under its inspection and direction.

14.3.2.1 Any proposed waterline connection approved by the District which is installed for use by a single Water User shall be considered a Private Water Main and shall be required to have an approved water meter or monitoring device installed on it at the point it connects to the District waterline. (rev 3/14/06)

14.3.3. Upon completion, and after passing final inspection and tests, to be responsible for any failure of the main extension that can be attributed to faulty workmanship or defective materials, and for maintenance of backfilled areas for one year after completion of the work. The completion date

shall be established by the Board, based on the report of the inspector. The Owner or Developer shall be responsible for any cost incurred by the District for any work District crews must perform to water main or appurtenances during construction and for (1) full year after acceptance by the District of the completed work. The District shall not be required to provide service or perform maintenance on such water main extension until after the transfer of ownership has been completed.

14.3.4. To assume the cost of the entire extension including all construction, engineering and legal expense of such extension. Said payment shall be made in advance to the District.

14.3.5. Applicant property owners requesting permission to extend water mains for the purpose of supplying a single one inch or smaller water meter for a homestead, farmstead or recreational property zoned R-1 or A-1 shall:

14.3.5.1. Pay for the extension of the main to his property line; and

14.3.5.2. Pay for the extension of the main across the frontage or other abutting dimension of his tract, unless the frontage or other abutting dimension exceeds two hundred (200) feet, in which case the property owner shall bear the costs of extending the main to a point adjacent to where service is required but in no event less than one hundred (100) feet, and

14.3.5.3. Provide a water line easement across the remaining frontage or other abutting dimension should the water main not cross the entire tract as provided above.

14.3.6. In the event that an applicant property owner does not extend the main across the full lot frontage or above abutting dimension under the provisions of subsection 14.3.5.2 herein, all holders of an interest in the property shall enter into a written agreement in a form approved by the District's attorney, prior to such extension, obligating such owners to pay the balance of the cost of extension at such time as the extension is required by residential or commercial development of the tract or at the date future water services are requested for the subject tract.

14.4. Before granting to an applicant the right to make such extensions, or before entering into an agreement therefor, the District shall first determine that the extension will not materially affect in an adverse manner the service rendered to any existing customers of the District. In the event the District determines, based upon information furnished by its staff and consultants, that such an extension would have a material adverse affect upon existing water users of the District, then the District shall not permit such extension.

14.5. Preliminary plans must be submitted to the District for review and approval.

14.6. The Board of Directors will be the final determinate as to how and if the extension will be made.

14.7. A contract must be signed on all extensions and the estimated job cost including connection fees, engineering, attorney, survey, right-of-way and other related fees must be paid before work begins. (rev. 03/14/06)

14.8. A water line easement granted to Public Water Supply District No. 9 is required on all private property. (Not a general utility easement).

- 14.9. Extensions will run adjacent to approved public thoroughfares.
- 14.10. Developer shall give the Water District a final recorded plat.
- 14.11. The District's Specifications for Water Main Construction are made a part hereof by reference.
- 14.12. All Waterline Connection Fees resulting from a waterline extension or development requesting connecting to the District's water supply must be paid in full at time of application. All labor and materials from project shall be paid in full prior to the completed water system being accepted for service by the District. The amounts of the charges for Waterline Connection fees will be determined by review of the project by the Manager of the District according to the Fee Schedule in force. (est. 03/15/05) (rev 03/14/06)

15. Water Line Extensions in Subdivisions and Surveys

15.1. Any applicant for water service to a lot, tract or other parcel of land shown on a subdivision plat or survey which contains more than three (3) lots, tracts or parcels of land must in order to obtain water service have a water main of the District installed either to the farthest boundary of said lot, tract or parcel or to a point directly across the road right-of-way running along the boundary line of said lot, tract or parcel. Each parcel of land abutting said plat or survey which was owned by the person or entity procuring said plat or survey at the time the same was recorded in the local Recorder's Office shall be deemed a part of said plat or survey for the purpose of determining whether or not said plat or survey contains more than three (3) lots, tracts or parcels. Each contiguous aforesaid parcel shall be deemed abutting said plat or survey even if only one said parcel in fact abuts said plat or survey.

If applicant is a person who owns a majority interest in an entity which owns land, the applicant shall be deemed the owner of the land owned by said entity. If applicant is an entity, all land owned by the majority owner of said entity shall be deemed owned by the applicant. (rev. 03/25/08)

15.2. Subdivisions will have boundaries, streets and water line easements of subdivisions surveyed by land surveyor and recorded in County Recorder's office prior to approval for water service.

15.3. The developer of any subdivision will be required to pay nonrefundable Development/Extension fees following the Fee Schedule in force at the time the application for water service to the proposed subdivision is approved. These fees are to offset the obligation the District has in reserving the capacity for water service for the required usage's and fire flows of any subdivision approved for service by the District from the existing waterlines and facilities at the time of application. (est. 03/15/05)

15.4. Certain subdivisions may require improvements and/or extensions to the Water Districts water system external to a proposed subdivision. If the application for water service to a proposed subdivision has been approved subject to required flows being available and the flows are not sufficient, the Board of Directors of the District may elect, at the Boards sole discretion, to waive all or any part the Development/Extension Fees for the following reasons: (adopted 03/15/05)

15.4.1. The improvement will improve service to existing customers of the District.

15.4.2. The improvement can be made in conjunction with an existing or planned project of the District so that, if done together, the District may realize some savings on its project.

15.4.3. Other factors as determined by the Board of Directors of the District.

15.5. Easement Acquisition Policy for Main Extensions by Others. If a developer or third party pays for a water meter connection on behalf of a landowner in connection with procuring a waterline easement across the property of the landowner, the landowner must there upon execute a water user agreement and pay the minimum base water rate for a period of not less than five years even if the water meter connection is not installed. (rev. 02/16/99)

15.6. Legal Cost Reimbursement. If the Water District at the request of a developer or other third party procures a water line easement through condemnation or otherwise, the developer or third party must reimburse to the Water District all costs and expenses incurred in connection with acquiring said water line easement which is in excess of \$100.00. (rev. 02/16/99)

15.7. All water mains and water service facilities shall be installed by the District or the District's contractor, except if the owner can satisfy the District that the owner's contractor is competent, qualified and credit-worthy. The District at in its sole discretion may permit said facilities to be installed by owner's contractor on said terms and under such conditions as specified by the District.

15.8. Fire Hydrant Spacing: Hydrants shall be spaced a minimum of 300 feet apart in commercial and industrially zoned tracts and a minimum of 500 feet apart in single-family residential subdivisions. Where offsite improvements are required, the offsite fire hydrant spacing shall be a minimum of 2000 feet apart. In all other types of development spacing shall be determined by the District on a case by case basis.

15.9. Fire Flows: Required fire flows shall be decided on a case by case basis but in no instance shall they be less than the minimum required under the Boone County Subdivision Regulations or the fire department having jurisdiction in the area of the development or waterline extension. The District, at its discretion, retains the right to be the ultimate determining authority on flows allowed in developments or at connections within its service boundaries. (rev. 03/15/05)

15.10. Additional Requirements: These requirements are in addition to any and/or all requirements specified in Paragraph 14: the Extension of Distribution Water Mains, Generally. (est. 03/14/06)

16. Water Line Extensions by District

16.1. As stipulated above, distribution water mains are extended at the expense of parties other than the District; however, in order to provide a complete adequate water distribution system to all areas of the District, the District has installed and extended, and may continue to install and extend, water mains, generally called trunk mains, within the district under any of the following conditions:

- 16.1.1. Through an undeveloped area to bring service to a developed or developing areas.
- 16.1.2. To provide an increase in water volume and pressure to a developed area.
- 16.1.3. To close loops in the distribution system to provide circulation and increased volume.

- 16.1.4. To connect and bring service to a water distribution system other than the District's for the purpose of taking over or acquiring such system.
- 16.1.5. For the purpose of replacing, to bring up to current District standards, water mains which are acquired from others.
- 16.1.6. Any other reason which, in the opinion of the Manager, is essential to providing adequate service to an area of the District, yet is not an immediate benefit to the properties adjoining the water main.

16.2. The Manager shall determine the priority of need and the location of water mains to be installed by the District. Such determination shall consider the actual needs of the area to be served as well as the availability of funds. First priority shall be given to developed areas which have service that may be inadequate under given conditions.

16.3. **Easement Acquisition Policy for District Projects/Main Extensions.** The District will not give water meter connections to landowners in exchange for waterline easements. If the District is unable to acquire a waterline easement from a landowner on acceptable terms the Board of Directors may authorize the attorney for the District to acquire the waterline easement by condemnation proceedings. (rev. 02/16/99)

17. Private Water mains

- 17.1. Private water mains shall be supplied with water by the District so long as the mains are in good condition and do not provide a health hazard.
- 17.2. Private water mains shall not be permitted to occupy District easements except at the point of connection to the distribution system, unless such mains were in operative use in the distribution of water prior to the dedication and acceptance of such easement.
- 17.3. Proposed private water mains shall be installed only under the approval, direction and inspection of the District.
- 17.4. Private water mains shall be and remain the property of the individual, corporation or association claiming ownership; the District shall have no responsibility for their maintenance.
- 17.5. The District shall not bear the expense of reconnecting customers from private mains to the District mains; in all circumstances, the actual cost of labor, equipment and material, plus overhead, shall be charged the customer.

18. Fire Hydrants

18.1. Fire Hydrants: No private fire hydrants will be allowed in the District. Hydrants may be installed by the District for the cost of the labor and materials. All such hydrants shall become the property of the District. Style and size of hydrant shall be determined by the District for each installation. No fire hydrant shall be installed on any waterline that has not been approved for such use by the District. (rev. 03/14/06)

18.1.1. Relocation of Fire Hydrants: Relocation of a District fire hydrant may be made by the District upon written request of an owner of property adjacent to such hydrant and the deposit of estimated cost of relocation, plus overhead, with the District. In the event of under- or over-estimate, the owner will be billed or refunded the difference; provided, the District reserves the right to refuse to relocate the fire hydrant if, in its opinion, such relocation would be detrimental to the safety, convenience or protection potential of the hydrant.

19. Fire Suppression Mains, Systems on Private Property

19.1. The District Determines the Proper Flow to Supply: If the District determines through its engineer that proper flows are available to furnish a sprinkler system then said system may be allowed upon discretion of the District.

19.2. Installation: Installation to be in accordance with design approved by the District engineer and to be paid for by customer.

19.2.1. The customer has the option of constructing all parts of the system from the water main tap and providing all materials, subject to District approval and inspection. The entire system, excluding any fire hydrants and required detector check, from the valved water main tap, shall be and remain the customer's installation and the District shall not be responsible for its maintenance. The customer shall make no use of this facility other than for fire protection.

19.2.2. **Detector Check Valve:** A detector check valve shall be incorporated in each fire protection system at the customer's expense. Location shall be determined by the District and said detector check valve shall become the property of the District upon installation.

19.2.3. **Tap Size:** The tap size must be approved by the District on recommendation by the District engineer.

19.3. Water Use: Water is to be used for testing, fire drills, and fire fighting only. No connection for water service for uses other than fire protection shall be made to any private fire protection system. Detection of unauthorized use of water through a fire protection facility shall result in a monthly charge for each incident based upon the rates established in the Fee Schedule.

19.4. Rates: There shall be no charge for water used in fire suppression or during authorized testing of fire protection facilities. Rates for availability shall be as provided in the Fee Schedule.

19.5. Inspection: The District reserves the right to enter upon property of the owner for inspection purposes.

19.6. Guarantee: The District does not guarantee any specified pressure or quantity of water.

20. Policy Governing Cross Connections, Auxiliary Intakes, and Interconnections

20.1. Compliance: The District desires to comply with the Missouri Department of Natural Resources rules and regulations, 10 CSR 60-11.010, Prevention of Backflow, which pertain to cross connections, auxiliary intakes, or interconnections, and establish an effective, ongoing program to control these undesirable water uses.

20.2. Compliance Variance: That no person shall cause a cross connection, auxiliary intake, or interconnection to be made, or allow one to exist for any purpose whatsoever, unless the construction and operation of same has been approved by the Missouri Department of Natural Resources and the operation of such cross connection, auxiliary intake, or interconnection is at all times under the direct supervision of the manager of the District or his authorized representative.

20.3. Auxiliary Sources and Storage: That any person whose premises are supplied with water from the public water system, and who also has on the same premises a separate source of water supply or who stores water in an uncovered or unsanitary storage reservoir from which the water stored therein is circulated through a piping system, shall execute and file with the District a statement certifying the nonexistence or unapproved or unauthorized cross connections, auxiliary intakes, or interconnections and further certifying, representing and agreeing that no cross connection, auxiliary intake, or interconnection will be permitted upon the premises.

20.4. Inspections: That the District shall have the right to cause inspections to be made of all properties served by the public water system where cross connections with the public water system are deemed possible. The frequency of inspections and reinspections based on potential health hazards involved shall be established by the District which shall have the right to submit the same to the Missouri Department of Natural Resources for approval.

20.5. Right of Entry: That any employee or other authorized representative of the District shall have the right to enter, at any reasonable time, any property served by a connection in the District for the purpose of inspecting the piping system or systems thereof for cross connections, auxiliary intakes, or interconnections. On request, the owner, lessee, or occupant of any property so served shall furnish to said inspector any pertinent information regarding the piping system or systems on such property. The refusal of such information or refusal of access, when requested, shall be deemed evidence of the presence of cross connection.

20.6. Existing Conditions: That any person who now has cross connections, auxiliary intakes, or interconnections in violation of this policy shall be allowed a reasonable time within which to comply with the provisions of this policy. After a thorough investigation of existing conditions and an appraisal of the time required to complete the work, the amount of time shall be designated by the manager or other authorized representative of the District.

The failure to correct conditions threatening the safety of the public water system as prohibited by this policy and the Missouri Department of Natural Resources rules and regulations, 10 CSR 60-11.010, Prevention of Backflow, within a reasonable time and within the time limits set by the

District shall be grounds for denial of water service. If the proper protection has not been provided after a reasonable time, the District shall have the right to give the customer legal notification the water service is to be discontinued, and physically separate the public water system from the customer's on-site piping system in such a manner that the two systems cannot again be connected by an unauthorized person.

Where cross connections, interconnections, or auxiliary intakes are found that constitute an extreme hazard of immediate concern of contaminating the public water system, the manager of the District shall have the right to require immediate corrective action be taken to eliminate the threat to the public water system. Immediate steps shall be taken to disconnect the public water system from the on-site piping system unless the hazard(s) is corrected immediately.

20.7. Protective Devices: That where the nature of use of the water supplied a premises by the water system is such that it is deemed:

20.7.1. Impractical to provide an effective air gap separation: or

20.7.2. That the owner and/or occupant of the premises cannot or is not willing to demonstrate to the manager of the District, or his designated representative, that the water use and protective features of the plumbing are such as to propose no threat to the safety or portability of the water system; or

20.7.3. That the nature and mode of operation within a premises are such that frequent alternatives are made to the plumbing; or

20.7.4. There is likelihood that protective measures may be subverted, altered, or disconnected.

Then the manager of the District or his designated representative shall have the right to require the use of an approved protective device on the service line serving the premises to assure that any contamination that may originate in the customer's premises is contained therein. The protective devices shall be a reduced pressure zone type backflow preventer approved by the Missouri Department of Natural Resources as manufacturer, model, and size.

The method of installation of backflow protective devices shall be approved by the manager of the District prior to installation and shall comply with the criteria set forth by the Missouri Department of Natural Resources. The installation shall be at the expense of the owner or occupant of the premises.

The District shall have the right to inspect and test the device or devices on an annual basis or whenever deemed necessary by an employee or other authorized representative of the District. Water service shall not be disrupted to test the device without the knowledge of the occupant of the premises. Where the use of water is critical to the continuance of normal operations or protection of life, property or equipment, duplicate units shall be provided to avoid the necessity of discontinuing water service to test or repair the protective devices or devices. Where it is found that only one unit has been installed and continuance of service may be critical, the District shall have the right to give notice in writing to the occupant of the premises of plans to discontinue water service and arrange for a mutually acceptable time to test and/or repair the device. The District shall have the right to require the occupant of the premises to make all repairs indicated promptly, and the expense of such repairs shall be borne by the owner or occupant of the

premises. These repairs shall be made by qualified personnel acceptable to the manager of the District.

If necessary, water service shall be discontinued (following written notification) for failure to maintain backflow prevention devices in proper working order. Likewise, the removal, bypassing, or altering, the protective device(s), or installation thereof, so as to render the device(s) ineffective shall constitute grounds for discontinuance of water service. Water service to such premises shall not be restored until the customer has corrected or eliminated such conditions or defects to the satisfaction of the District.

20.8. Enforcement: The requirements contained herein shall apply to all the premises served by the District regardless of political subdivision boundaries, and are hereby made a part of the conditions required to be met for the District to provide water service to any premises. Such action, being essential for the protection of water distribution system against the entrance of contamination which may render the water unsafe health-wise, or otherwise undesirable, may be enforced rigidly without regard to location of the premises relative to boundaries of any political subdivision.

20.9. Non-Compliance: Whenever any person neglects or refuses to comply with any of the provisions of this policy, the manager of the District shall have the right to discontinue water service at any premises upon which there is found to be a cross connection, auxiliary intake, or interconnection, and service shall not be restored until such cross connection, auxiliary intake, or interconnection has been discontinued.

21. Lead Ban

21.1 **Lead Ban:** The customer agrees that in the event any part of the water system of the undersigned constructed, expanded, modified or repaired after January 1, 1989 is found to contain materials that are not "lead free" the District shall have the right to remove the water service meter serving the undersigned and shall have the right to sever the service line serving the undersigned. The definition of "lead free" as used herein shall be defined in the regulations of the Missouri Department of Natural Resources as it now exists and as it may from time to time hereafter be redefined by it.

22. Liability of District

22.1 **Liability:** The District shall not in any way or under any circumstances be held liable or responsible to any person or persons for any loss or damage from any excess or deficiency in the pressure, volume, or supply of water due to any cause whatsoever. The District will undertake to use reasonable care and diligence in order to prevent and avoid interruptions and fluctuations in the service, but cannot and does not guarantee that such will not occur. The District shall not be responsible for any claim made against it by reason of the breaking of any mains or service pipes, or by reason of any interruptions of the supply of water caused by the breaking of machinery or stoppage for necessary repairs, and no persons shall be entitled to damages nor have any portions of a payment refunded for any interruption of service.

23. Purchasing and Procurement of Supplies and Services

- 23.1 **Purchasing Authority:** The manager of the District shall have the authority to purchase materials or pay any non-fixed expense or to enter into an agreement and sign contracts that do not require the District seal for services that are paid for out of unrestricted general revenue funds for amounts of \$10,000.00 or less. Purchases that exceed \$10,000.00 for non-fixed expense budgeted items shall require concurrence of the President or Vice-President of the Board of Directors. The manager shall have the authority to purchase or enter into agreements or sign contracts for services which exceed the aforesaid amounts if emergency circumstances warrant to keep service to district customers as identified in the District Emergency Operating Plan. (est. 04/18/06)
- 23.2 **Compensation or Gifts:** Under no circumstances will any employee or Board member of the District receive any compensation or gifts in exchange for any materials purchased or any agreement or contract entered into by the District, or by any vendor or individual connected with the company, individual or entity providing or receiving any such sale, agreement or contract. (est. 04/18/06)

24. Public Records

- 24.1 **Disclosure:** Public Water Supply District No. 9 shall comply with sections 610.010 to 610.030, RSMo, the Sunshine Law, as now existing or hereafter amended. (rev. 02/16/99)
- 24.2 **Copy Fees:** The District shall charge the following fees for providing access to and furnishing copies of public records which are open for inspection and copying: The sum of \$0.10 per page for paper no larger than 9 by 14 inches and the hourly fee for search time not exceeding the average hourly rate of pay for the clerical staff of the District. The fee for access to public records on a computer, including maps, and paper copies larger than 9 by 14 inches will include the cost of copies, staff time, which shall not exceed the hourly rate of pay for staff of the District, and the cost of the disk used for duplication, if necessary [Mo.Rev.Stat.610.026(1)]. If special expertise is required to duplicate a document, the fee shall include the actual rate of compensation for the trained personnel required to duplicate the document. [Mo.Rev.Stat.610.026 (2)]. The aforesaid copy fees must be paid by the customer prior to receiving records (rev. 12/21/04)
- 24.3 **Research Fees:** Research time for record requests will be charged at the actual cost of research time. Based on the scope of the request, the District shall use employees that result in the least amount of charges for search and duplication. [MoRev.Stat. 610.026(1)] (rev. 12/21/04)
- 24.4 **Estimate of Fees:** A person may request the District to provide an estimate of the costs prior to the production of the records. [Mo.Rev.Stat. 610.026(1)] (rev 12/21/04)
- 24.5 **Copy Procurement:** The customer must pick up requested copies of documents at the office of the District during normal business hours. (rev. 04/15/97)

25. Open Meetings

25.1 **Recording of Meetings:** The District will allow for the recording by audiotape, videotape, or other electronic means of any open meeting. All recordings are restricted to the meeting room and shall be

conducted in a manner so as to minimize disruption of the meeting. Recording is permitted when the meeting is called to order and shall end at the adjournment of the meeting. No audio recording of any meeting, record, or vote closed pursuant to the provisions of section 610.021 shall be permitted without permission of the District. Law will prosecute any person who violates this provision. (rev. 12/04/04)

25.2 **Time Limit for Speakers at Meetings:** The President of the Board of Directors or other presiding officer of the Board of Directors of the District shall have the right to impose time limits on guest speakers at any meeting of the Board of Directors when such presiding officer deems such to be appropriate in order to conduct a timely and orderly meeting of the Board of Directors. A guest speaker or other presenter at the meeting of the Board of Directors shall give said person's name and address to the Board of Directors and shall provide to the Clerk of the District a copy of all materials presented to the Board of Directors at a meeting of the Board of Directors. (est. 06/19/07)

25.3 **Use of Meeting Room:** The District will allow the use of its meeting room and authorized facilities to non-profit organizations that request the use of such room or facilities with the approval of the District manager. The manager will schedule the use of the meeting room and determine if there will need to be keys issued to facilitate its use. If any organization request the meeting room or facilities after normal business hours such organization may be required to put up a security deposit for keys and/or access in the amount of \$300.00. Any other organization which request use of the Districts meeting room or facilities may submit a written request to the manager who will submit request to the Board of Directors for approval of use and amount of rent and/or security deposit. (est. 04/18/06)

26. Mutual Aid Agreements

26.1 **Agreements:** The membership applied for by the District into MoWARN on April 20, 2010 for assistance between the District and any other entity is hereby made a part of the Rules and regulations by reference. (est. 06/15/10)

27. Amendment of Rules and Regulations

27.1 **Amendments:** These rules and regulations may be amended at any regular meeting of the Board or at any special meeting thereof called for such purpose, provided that such amendment must receive not less than three affirmative votes of the members of the Board.

28. Drought Policy/Water Conservation Measures

28.1 This Regulation is to be implemented during times of declared Water Shortages or Emergencies to enhance the Districts Water Conservation Measures, enable effective water supply planning, assure reasonable and beneficial use of water, prevent waste of water and prevent unreasonable use of water within Public Water Supply District 9 service area. Such actions are to ensure adequate supplies of water to meet the needs of the customers of the District recognizing that water is a scarce natural resource that requires careful management.

1. **Water Advisory:** Conditions indicate that the possibility of a water shortage exists and steps should be taken to inform water users and ask for voluntary reductions in water use. No serious threat to water supplies is eminent, but the District is watching the situation.

Goals for use reduction under a Water Advisory.

- Request for voluntary reductions in water use.

2. **Water Watch:** Conditions indicate that the probability of a water shortage is rising and steps should be taken to inform water users. A threat to water supplies is possible and the District is monitoring the situation closely.

Goals for use reduction under a Water Watch.

- Prohibit residential or commercial lawn watering between the hours of 8:00 am and 8:00 pm seven days per week.
- Water Shortage Fees in effect.

3. **Water Warning:** Water shortage conditions are present and water supplies are starting to decline. Additional curtailment of use is suggested, especially restrictions on nonessential uses. The Water District is able to meet demands as they exist, but lowering the demands will extend the Water District's ability to meet future demands without significant disruption.

Goals for use reduction under a Water Warning.

- Prohibit hosing off of paved areas, building or windows; operation of swimming pool draining followed by refilling, washing or rinsing vehicles by hose; using water in such a manner as to allow runoff or other water wastes.
- Limit landscape watering at each service address to two (2) days per week based on the last digit of the address per the schedule below.

Last Digit of Address	Allowed Water Days
Odd Numbered Address	Tuesday and Saturday
Even Numbered Address	Wednesday and Sunday

Exceptions: Foundations and new plantings (first year) of trees and shrubs may be watered with a hand-held or soaker hose on any day for up to two (2) hours; nurseries may water plant stock only without restrictions; public gardens and ball fields may water twice per week on Mondays and Fridays.

4. **Water Emergency:** Severe water shortage conditions are present and supplies are becoming limited. Mandatory restrictions of use, especially outdoor use, are in place. System failure is becoming a possibility if conditions do not improve or demands do not decline.

Goals for use reduction under a Water Emergency.

- All residential and commercial landscape watering is prohibited.
- Any and all washing of vehicles is prohibited.

- All commercial water users may be required to reduce water consumption by a percentage determined by the District Manager. (est 11/20/2012)

Exceptions: A) Nurseries plant stock may be watered between the hours of 8:00 am and 8:00 pm two days per week, based on the last digit of their address per the schedule in the Water Warning guide. B) Public gardens and ball fields may water foundations, shrubs and trees between the hours of 8:00 am and 8:00 pm two days per week, based on the last digit of their address per the schedule in the Water Warning guide. C) Foundations may be watered for a two-hour period between the hours of 8:00 am and 8:00 pm with a hand-held or soaker hose on the two day per week, based on the last digit of their address per the schedule in the Water Warning guide.

5. **Water Rationing:** Each user shall be allocated a specific amount of water until conditions improve or the Emergency is over. Violation of rationing shall be followed by strict enforcement and penalties, including prolonged disconnection.

Goals for use reduction under Water Rationing.

- All customers shall be expected to reduce their consumption by 10% of their normal average usage during the months of December, January and February.

A three-way action plan is to be implemented during the Water Shortage and used to alleviate or lessen the effects of the Water Shortage as long as it last.

1. Education
 - a. News releases to the local media describing present conditions and water supply outlook;
 - b. A description of present conditions and an indication of the water supply outlook will be made available at designated public location(s) and the District web site;
 - c. Summaries of current precipitation, temperature, water levels, storage, demand, etc.;
 - d. Public meetings;
 - e. Bill inserts sent to Water District customers providing water-saving tips;
 - f. School programs, featuring guest talks by Water District staff;
2. Management
 - a. Once leaks are located they should be repaired within one to two days;
 - b. Reserve supplies, such as interconnects with other suppliers, should be prepared for use;
 - c. Pumping should be scheduled in such a way as to reduce draw downs;
 - d. Additional emergency supplies should be sought from other users such as irrigators or water utilities;
 - e. The Water District will curtail its own use of water.
3. Regulation
 - a. Voluntary conservation at the early stages of drought, through requests to conserve water, especially for outdoor use;
 - b. Restrictions on nonessential uses such as lawn watering, car washing, filling swimming pools, watering golf course fairways and washing of pavement and buildings. Curtailment or bans

on watering established lawn and landscapes should be implemented prior to the adoption of similar restrictions for new lawns and landscaped areas.

29. **Lawn Irrigation Systems**

29.1 Lawn Irrigation Systems shall be subject to any charges identified on the Fee Schedule. (rev. 01/17/17)

29.2 Deactivation of Lawn Irrigation Systems by customer request is required to be performed by District staff by shutting off and locking the Water Service or, if a Combination Meter, by shutting off and locking the backflow device attached to the system for the removal of any monthly charges for lawn irrigation systems, provided that the backflow device is not located in any structure or building that does not have full unimpeded access at all times. Any lawn irrigation system without a functioning locking mechanism will be subject to any charges based on the rate established on the Fee Schedule. The fee for connecting and disconnecting the Lawn Irrigation System will follow the Fee Schedule for a Service Charge. (rev. 01/17/17)