

**NORTH WASHINGTON STREET
WATER AND SANITATION
DISTRICT**

RULES AND REGULATIONS

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THE NORTH WASHINGTON STREET WATER AND SANITATION DISTRICT

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SECTION 1

GENERAL-EXPLANATORY MATERIAL

1.1 **Scope:** These regulations shall be treated and considered as comprehensive regulations governing the operations and functions of the North Washington Street Water and Sanitation District as hereby changed, amended, altered, revised and reenacted this 1st day of January, 2013.

1.2 **Policy and Purpose.** It is hereby declared that the Rules and Regulations hereinafter set forth will serve a public use and are necessary to insure and protect the health, safety, prosperity, security, and general welfare of the inhabitants of the North Washington Street Water and Sanitation District.

The purpose of these Rules and Regulations is to provide for the control, management, operations and regulation of the water supply and distributions system, and the wastewater collection system of the North Washington Street Water and Sanitation District including additions, extensions and connections thereto, and to provide for the general requirements, enforcement of general requirements promulgated by the District, the Metropolitan Wastewater Reclamations District Number 1, the Colorado State Health Department, the U.S. Environmental Protections Agency and the Denver Water Department.

1.3 **Definitions.** Unless the context specifically indicates otherwise, the meaning of terms used herein shall be as follows:

Actual Cost shall mean all direct costs applicable to the construction of a given facility, including surveys, construction, preliminary and design engineering, inspection, administrative and legal, a one year's maintenance bond, all required easements, plan approval fees, "as built" drawings, and other costs necessary for completion.

Board and Board of Directors shall mean the governing body of the North Washington Street Water and Sanitation District.

B.O.D. (Denoting 5-Day, 20° C Bio-Chemical Oxygen Demand) shall mean the amount of oxygen which is utilized in the aerobic decomposition of sewage under laboratory procedures in accordance with correct "standard methods".

Categories of Sewer System Users - shall mean:

classification of users for the District's convenience for all purposes based upon a type of service,

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degree of treatment required and volumes of sewage flow. As used herein categories shall be: Residential, Commercial, Industrial.

The classifications herein established are for the District's purposes and convenience. A user may be classified differently under the District's regulations than under the regulation promulgated by the Metro Wastewater Reclamation Discharge Prohibitions and Regulations set forth in Section 6, page 6.1 and referred to herein as the Metro District Wastewater Discharge Prohibitions and Regulations. In case of conflict, the Metro District Wastewater Discharge Prohibitions and Regulations shall apply and supersede the Rules and Regulations of the District.

Residential Category - service to and for facilities for human comfort and convenience of normal household varieties. Service to all residential uses and to business uses not otherwise classed shall be of the Residential Class.

Commercial Category - service to any business, commercial customer, or industrial facility, normally contributing sewage of a quality similar to that contributed by sanitary convenience facilities, but less than those that would be in the Industrial Class, and any mixed use containing any of the preceding. The Manager may designate other use facilities as being in the Commercial Class.

In addition to the foregoing definition, commercial users may also be classified as an industrial user pursuant to the Metro District Wastewater Discharge Prohibitions and Regulations.

Industrial Category - commercial or industrial use which produces a process wastewater flow which contributes, or is likely to contribute, sewage to the public system which would require special handling and/or extra treatment works capacities shall be of the Industrial Class. Industries so classed shall be those identified in the Standard Industrial Classification Manual under: Division A, Agricultural, Forestry and Fishing; Division B, Mining; Division D, Manufacturing; Division E, Transportation, Communications, Electrical, Sanitary Services; Division I, Services. A user of the type in the Divisions listed may be excluded from this Category if the Manager determines that normal contributed sewage is representative of the type contributed by Domestic or Commercial Category. In such instances, the facility shall be considered as being in the Commercial Category.

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In addition to the foregoing definition, industrial users may also be classified as Industrial or non-domestic users pursuant to the Metro District Wastewater Discharge Prohibitions and Regulations.

Contractor shall mean any person, firm or corporation licensed by the District to perform work and to furnish material therefore within the District.

Customer shall mean any person, company, corporation, or governmental authority or agency authorized to use the public water or sewer under a permit issued by the Board of Directors.

Developer shall mean the person, firm, joint venture, partnership or corporation which is the owner or operator of land and is subdividing the land for resale and which seeks to have the subdivided land served by the District.

District shall mean the North Washington Street Water and Sanitation District or the board of Directors of the North Washington Street Water and Sanitation District.

Engineer shall mean the firm or duly authorized representative, designated by the District to act in it's behalf.

Industrial Wastes shall mean the liquid and solid wastes from industrial processes as distinct from sanitary sewage.

Inspector shall mean the Manager, superintendent, agent, officers, employees of he District or other persons so designated by the Manager.

Manager shall mean the Manager of the District, or in his absence, his duly authorized deputies.

Owner shall mean record title holder of lessee with planning powers.

Permit shall mean written permission of the Board of Directors authorizing connection to a water or sewer main of the District, granting applicant a license to use the water and sewer system or to receive water or sewer service from the system owned, operated, or served by

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the District as the same is defined in the Rules and Regulations of the District.

Person shall mean any individual, firm, company, association, society, corporation or group.

Residential Unit shall mean a structural facility consisting of a kitchen and sanitary facilities within which one or more persons may reside as a family unit in an apartment or condominium complex and each mobile type home.

Sewer or Sewer Main shall mean a District owned sewer pipeline, carrying sanitary sewage or approved industrial wastes only, and shall be installed in a public street or special easement.

Sewer Service Line shall mean the privately owned sewer line extending from the building drain to the sewer main and shall include the tap onto the sewer main.

Sewage shall mean any liquid waste containing animal or vegetable matter in suspension or solution from residences, commercial buildings, institutions, and industrial establishment.

Shall is mandatory; "May" is permissive.

Suspended Solids shall mean the weight of filterable solids in milligrams present in one liter of sewage.

Water Main shall mean a District owned water pipeline carrying potable water only and shall be installed in a public street or special easement.

Water Service Line shall mean the privately owned water line extending from the water main to the customer's building, and shall include the tap on the main, corporation stop, curb valve and box and meter installation.

Any other term herein defined nor defined in METRO WASTEWATER RECLAMATION DISTRICT RULES AND REGULATIONS, Section 6, shall be defined as present in the "Glossary–Water and Sewage Control Engineering", A.P.W.A., A.S.C.E., and W.P.C.F. latest edition.

1.4 **Powers and Authority Of Inspectors.** The Manager, superintendent, agent, officers, employees of the

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District, or other persons so designated by the Manager bearing proper credentials and identifications shall be permitted to enter upon all properties for the purpose of inspection, observation, measurements, sampling, and testing, in accordance with the provisions of the these Rules and Regulations.

- 1.5 **Applicability.** Any user discharging non-domestic wastewater into the North Washington Street Water and Sanitation District's municipal wastewater collection and treatment system is required to comply with the Pre-treatment/Industrial Waste Control Regulations set forth in METRO WASTEWATER RECLAMATION DISTRICT RULES AND REGULATIONS, Section 6 hereof. When the Provisions of METRO WASTEWATER RECLAMATION DISTRICT RULES AND REGULATIONS, Section 6 are applicable, the Pre-treatment/Industrial Waste Control Regulations contained in METRO WASTEWATER RECLAMATION DISTRICT RULES AND REGULATIONS, Section 6 shall supersede the regulations contained in Sections 1 (one) through 6 (six).

**SECTION 2
CONDITION OF USE OF WATER AND SEWER SYSTEMS**

- 2.1 **Who May Use.** Water and sewer service can be furnished only to persons whose property is included within and subject to taxation by the District.

A Person owning land outside the exterior boundaries of the District who desires service must annex all of his land within the exterior boundaries of said District to the District. All legal costs of petitioning, advertising and annexation to the District shall be borne by the petitioner.

No Person shall connect to and/or use the District's water and sewer systems without obtaining a written permit from the District and unless he complies with these Rules and Regulations. No water or sewer service may be obtained until Customer's deposits are made at the office of the District. No water or sewer service will be available until all back charges are paid.

- 2.2 **Damage.** No Person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the District's water or sewage works.

- 2.3 **Water System.** The District's water system has been planned and constructed to provide potable water for conventional domestic and commercial uses and fire protection. Persons wanting to use the water system for an industrial water supply, which could be expected to require large quantities of water or unusual demand rates, shall be required to submit demand data for the industry's water use before a permit will be issued; said

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permit may contain use limitations as determined necessary by the Board.

- 2.31 **Cross-Connection.** Water from the District's system and water from any other source shall be distributed through systems entirely independent of each other and cross-connection between such supplies is prohibited. A. cross-connection is defined as any physical arrangement whereby the District's water supply is connected, directly or indirectly with any non-potable or unapproved water supply system, sewer drain, conduit, pool, reservoir, plumbing fixture or other device which contains, or may contain, any contaminated water, liquid, or other waste of unknown or unsafe quality that could impart a contaminate to the District's water supply as a result of backflow. Where a potential of backflow is present, an acceptable protective device or system shall be installed to prevent it's occurrence.

All backflow preventer installations shall be approved by the District. The Customer shall install, operated, test, and maintain the backflow preventer as required by the District. The Customer shall provide the District with yearly, certified test results of the backflow preventer. Tests shall be made on the device at a minimum of one per year or as determined by the District.

- 2.4 **Sewer System.** The sewer system is for the disposal of water contaminated by bio-degradable wastes. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof run-off, subsurface drainage, foundation drainage, cooling water or unpolluted industrial process water to any sanitary sewer.

Each Customer shall be responsible for maintaining the entire length of his sewer service line. Excess infiltration or leaks in the service lines shall be repaired by the property owner within 72 hours from the time of notification of such condition by the District. If satisfactory progress toward repairing the said leak has not been made by the time specified, the District shall have the authority to repair, or have repaired, the line and shall charge the Owner all resulting costs thereof.

Health hazards resulting from raw sewage existing, escaping, flowing, being directed or located anywhere within the District other than within the District other than within the approved sewer system shall be abated and corrected by the Owner, it's agent, employees, representatives, or attorney's within 3 hours after receipt of written notice from the District ordering the abatement, correction, or repair to be made. In the event the repair or correction is not commenced within 3 hours after receipt of notice, then the District may determine to accomplish or perform the repairs or abatement procedures and assess the cost thereof against the Owner and the property of properties involved on a basis, if more than one property involved, determined to be equitable by the District. In the event the District, the Manager, or his representative, is of the opinion

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that repairs must be instituted immediately for the sake of the health and safety of the inhabitants of the District, then upon delivery such notice to the Owner of his representative or posting the premises on the front door if no Owner or agent or representative can be found after reasonable search, therefore, the District can immediately proceed to perform the repairs without delay or authorization from the Owner to perform said repairs.

If the Manager or his agent determines that a health hazard exists due to water or sewer pollution damage, open sewer or any other condition involving the District water system or sewer system or treatment system, distribution or flow, the District Manager shall notify the person, corporation, entity, owner or representative of the property or facility responsible, therefore to abate said nuisance or violation within 3 hours after service of said notice upon the person, corporation, entity, owner, agents, or attorneys, if found to repair said break, damage, facility, otherwise the District may repair said damage, break, absence of a line, illegal discharge or distribution and the cost thereof shall be a lien against the property.

If the owner, agent, person, corporation or entity cannot be found after reasonable efforts to locate and notify the appropriate person have been made, then the District may, without obtaining personal service of delivery of notice to the individual and by posting the premises, commence the repair immediately and assess the cost thereof to the property owner and the same shall be a lien and shall be a personal claim against the Owner.

The Owner, by receiving service from the District, agrees that the cost of any such repairs which the District is required or elects to or determines is appropriate to make shall be a charge against property as a lien and against the Individual as a personal claim. The Owner or licensee expressly authorizes the District to effect repairs under the conditions here in above set forth and to be responsible therefore.

In addition to the costs of repair, the Owner, agent, person, corporation or entity shall be responsible for the payment of engineering fees, attorney fees, costs of service and cost of attempted service to give notice, in addition to the actual costs of repair.

- 2.41 **Detrimental Effluent.** Toxic or non-bio-degradable waste or any wastes which make the effluent not within state standards after providing treatment shall not be discharged into the sewer systems. No drain accepting discharge from vehicle wash racks, filling stations, restaurants, or other building sewers as specified by the District shall be connected to any sewer service line unless the discharge first passes through an acceptable grease, sand, oil interceptor.

Except as provided herein, no person shall discharge or cause to be discharged any of the following

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described water or wastes to any public sewer:

- a. Any liquid or vapor having temperatures higher than 104 degrees Fahrenheit.
- b. Any water or waste which may contain more than 200 ppm, by weight of animal or vegetable fat, oil, or grease.
- c. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid gas, oil or grease.
- d. Any garbage that has not been properly shredded to less than 1/2-inch in the largest dimension.
- e. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood, paunch manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper and normal operation of the sewage works.
- f. Any waters or wastes having pH lower than 5.0 or higher than 9.0, or having any other corrosive or toxic property capable of causing damage or hazard to structures, equipment, and personnel of those sewage works.
- g. Any water or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals or fishers, or create any hazard in the receiving water of the sewage treatment plant effluent.
- h. Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.
- i. Any noxious substance or malodorous waste, waters, gases, or substance capable of creating a public nuisance, either in the public sewer or at the sewage treatment plant.
- j. The admission into the public sewer of any water or wastes having:
 1. A 5-day B.O.D. greater than 230 mg/L.
 2. A content of more than 200 mg/L of Suspended Solids.
 3. A content of more than 40 mg/L of Total Kjeldahl Nitrogen
 4. Any quantity of substances having the characteristics described in the paragraph 2.41.
 5. Peak flow rate greater than 15,000 gpd/gross acres of acre, excepting swimming pools

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drained under the supervision of the Manager, shall be subject to review of the Board.

6. Concentrated wastes from septic tanks and portable sanitary devices.
7. A peak flow rate greater than 4 times the average flow rate.
8. Any water or wastes having a 24 hour proportionate composite sample concentration at the point of discharge in excess of the following:

| | |
|-------------------------------------|-----------|
| Cadmium | 0.10 mg/L |
| Chromium | 5.0 |
| Copper | 3.0 |
| Cyanides | 2.0 |
| Iron | 15.0 |
| Phenol | 10.0 |
| H ₂ S (Hydrogen Sulfide) | 1.0 |
| Zinc | 2.0 |

2.411 Pre-treatment. Where necessary, and the District determination shall be final, the Owner shall provide, at his expense, such preliminary treatment as may be necessary. Where preliminary treatment facilities are provided for any waste or water, they shall meet with the approval of the Board for adequacy of design, and once built, shall be maintained continuously in satisfactory and effective operation by the Owner. When required by the Board, the Owner of any property served by a service line carrying industrial wastes shall install a suitable control manhole or monitoring point in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole monitoring point shall be accessible and safely located, and constructed in accordance with plans and specifications approved by the Board. The manhole or monitoring point shall be installed by the Customer at his expense; it shall also be maintained at his expense.

In addition to the foregoing requirements for District purposes, the user shall also comply with the Rules and Regulations of the Metro District Wastewater Discharge Prohibitions and Regulations set forth in METRO WASTEWATER RECLAMATION DISTRICT RULES AND REGULATIONS, Section 6 hereof. When the provisions of METRO WASTEWATER RECLAMATION DISTRICT RULES AND REGULATIONS, Section 6 are applicable, the Metro District Wastewater Discharge Prohibitions and Regulations, METRO WASTEWATER RECLAMATION DISTRICT RULES AND REGULATIONS, Section 6 shall supersede Rules and Regulations of the North Washington Street Water and Sanitation District.

2.4115 Customer Pre-treatment. Any industrial user having a sewage treatment facility within his own plant shall install at his expense, a shutoff valve with control, a by-pass line with seal, and if such user shall find it necessary to by-pass his sewage, he shall break the seal and immediately notify the District of such act.

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- 2.412 **Permit For Change of Use (Wastewater) Required.** The uses for which a permit to utilize a District's sewer facilities is granted may not be changed so as to increase the daily discharge without first having obtained a permit from the District to do so. The District may impose limitations upon a new user or change of use in the event the new or altered use would overload the facilities. The District may require holding tanks, pre-treatment or the establishment of other conditions in order to prevent the sewer system from being overloaded.
- 2.413 **Wastewater Discharge Permits.** In addition to all other permits required by the District, the user shall obtain such other permits as shall be or are required by the Metro District Waste Water Discharge Prohibitions and Regulations (Appendix E). Such additional permits shall be issued by the Manager subject to the approval of the District Board of directors and in accordance with the provisions of Appendix E.
- 2.42 **Manufacturing and Industrial Uses.** Manufacturers and industries are prohibited from using the District sewer system unless they obtain a special permit from the Board, said permit defining the conditions, limitations and restrictions, and fees and charges determined by the Board to be for the best interest of the District and its inhabitants.
- 2.43 **Grease, Oil, and Sand Traps,** Grease, oil, and sand interceptors shall be provided when, in the opinion of the Manager, they are necessary for the proper handling of liquid wastes containing greases, oil, etc., in excessive amounts, or any flammable wastes, sand and other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be located as to be readily available and accessible for cleaning and inspection. Grease and oil interceptors shall be in an accessible location for maintenance and inspection and shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be water-tight, and, if necessary, gas tight. Where installed, all grease and oil and sand interceptors shall be maintained by the Customer at his expense, in continually efficient operation at all times.
- 2.44 **Swimming Pools.** No public or private swimming pool shall be connected to the sewer system without first obtaining a special Permit from the District. Such permit shall define and specify the hours during which water may be discharged from such pools into the sewer system and prescribe the fees and charges therefore.
- 2.5 **Other Permits.** No Permit issued by the District shall be taken as authority for the making of any cut in a public road or street nor in lieu of any Permit required by any other regulatory body.
- 2.6 **Separate Permits.** Not more than one connection to the water main and sewer main shall be allowed under

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each permit. A separate permit shall be obtained for each water and sewer tap to be made to the District's mains. A single tap (water or sewer) may service more than one residential unit in a single building. No water and/or sewer tap permits shall be issued by the District until and unless the customer has made a written application upon forms furnished by the District for said water and sewer taps and paid all applicable fees and charges therefore to the District.

No person, company, corporation, entity, owner, tenant, representative or agent shall be entitled to connect to the District's water and sewer mains or to receive water service and/or sewer service from the District until application for said water and sewer service has been made and a permit has been issued by the District and all applicable fees and charges paid.

Connection to and use of water or sewer system in any respect what so ever imposes upon the premises, the owner, person, corporation, company, entity, tenant, representative or agent all charges and fees in accordance with the Rules and Regulations and all charges accrued against the premises.

2.61 Penalty for Unauthorized Connections. In the event any Person, entity, or Owner connecting to and/or making use of the water or sewer systems without first having obtained permits, submitting application, and having paid the required fees and charges required shall be charged a fee for such non-permitted connection. The charge for each unauthorized connection shall be twice the current and applicable tap fee, plus all engineering, legal, inspection fees, and other costs incurred by the District. The charge shall be based upon the tap fee in effect when violation is discovered or when paid, which ever is greater.

2.65 Permits for Special Hydrant Use.

- a. Water to be used for purposed other than extinguishing fires may be withdrawn from fire hydrants only if a permit authorizing the special use for which such water may be withdrawn shall have been issued by the District. Permits shall be valid only during the dates specified therein and shall be returned to the office of issue at the District after they shall have expired.
- b. Permits for filling tank trucks shall be issued for each truck and shall remain in such truck at all times during the period specified in the permit.
- c. Charges for water used under such permits shall be paid for at the rate as shown in Appendix B. Further, the charges shall include such special administrative costs as are deemed appropriate in addition to the water charge. Standard charges and methods of calculation will be kept on file at the District office.

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- d. Employees of the District shall be permitted to examine such permit at any time it is in use.
- e. Water for construction or hauling must be metered at a designated fire hydrant only with the District's approval. The District charges \$50.00 for a two month construction water permit. The permit holder shall pay \$ 8.59 per 1,000 gallon. A refundable \$ 1,600.00 deposit is required for the meter and attached gate valve.

If a meter is not available, the District will approve a designated fire hydrant to be used for a tanker truck, this procedure must be supervised by a District employee and usage recorded on a load count sheet for billing.

- 2.66 **Unauthorized Use.** Any use of water from a fire hydrant or sprinkler system, not made for extinguishing fires, and not made pursuant to the permit issued by the District shall be deemed unauthorized use.

Penalties and Fines for Unauthorized Fire Hydrant Use:

First Violation

- a. Warning Citation (when possible)

Second Violation

- b. \$1,000.00 Fine Per Offense

An explanation of violation will be issued. Violator will have thirty days upon violation to comply. Non-compliance will be turned over to the North Washington Street Water and Sanitation District Attorney.

The District may also charge additional fines and penalties and pursue such other remedies as may be authorized by law or by these Rules and Regulations. Should the applicant for a Fire Hydrant Permit be involved in a previous unauthorized use of a hydrant or sprinkling system, the Manager may, in his discretion, refuse further permits to applicant until the District is fully compensated for past charges and penalties and fines for un-authorized use and may pursue such legal remedies as are authorized by law or these Rules and Regulations. Any costs, including reasonable attorney's fee, associated with enforcement of these regulations, including costs of obtaining restraining orders, injunctions, judgments for collections, money judgements or other judicial relief or remedy, shall be assessed as District costs.

SECTION 3

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MAIN EXTENSION POLICIES**

- 3.1 **General Policy.** General District policies regarding payment for system extension are as follow:
- 3.11 **Water Distribution System and Collection Sewer Systems.**
In all cases, the Developers of tracts within the District shall pay for the actual costs of system's construction.
- 3.12 **Availability of Service - Annexations.** The Board hereby adopts the legislative definition and requirements that: "The cost of extending water and sewer lines into annexed or included territories shall be paid by the Owners of the property in such territory."
- 3.13 **Line Oversize.** Collection sewers and water distribution lines shall be sized adequately to serve the development tract for which they are designed. Where the collection or distribution lines can also have a transmission function serving areas outside of the subject tract, as determined by the District's Engineer, then the District may require that the lines be oversized. In this case, the developer may make application for reimbursement of 25 percent of the total cost of construction pursuant to subsection 3.8 of these rules and regulations. In no case shall mains 8 inches in diameter, or less, be considered oversized.
- 3.2 **Control.** All installation, construction, connections, use and service of other water and sanitary facilities shall be under the control, supervision and planning of the North Washington Street Water and Sanitation District. It shall be unlawful for any Person to construct a sanitary sewer within the District, or to lay a water line without first having made formal application to the District for approval and complied with the regulations of the District.
- 3.3 **Preliminary Planning.** All sanitary sewer and water line extensions within the District shall be made by the District or under the supervision of the Board of the District. Plans for such extension shall be submitted to the District along with the application for a line extension. Said plans shall be approved for compliance with the District's "master plan" and such study or compliance shall be at the Owner's expense and paid by him to the District.
- 3.4 **Construction Drawings. Specifications and Other Contract Documents.**
These documents shall be prepared by the District's Engineer or registered engineer approved by the District. In all cases, the contracts documents must be reviewed and approved by the District, and by the Denver Water Department for water works and by Metro Wastewater Reclamation District for sewage works. Plan and profile drawings shall be on a horizontal scale of either 1" = 50' or 1" = 100' as approved by the Manager.

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All elevations must be USGS datum. Specifications must include the provisions described hereinafter with other detailed provisions as required by good engineering practice, all subject to Board's approval. Accurate "as-built" drawings showing adequate ties to physical facilities must be provided at the completion of work by the Owner/Developer's Engineer. The District or its Engineer shall be provided with a reproducible set of "as-built" drawings on Mylar. These may be the original tracings or photographic reproductions.

3.5 **Inspection.** In all cases, continuous project inspection shall be provided by the District's inspector or the District Engineer. Costs for inspection shall be included in the "Actual Cost". The Contractor must notify the District a minimum of four working days before beginning construction.

3.6 **Specifications.**

3.61 **Protection.** All excavation for sewer and water installation shall be adequately guarded with barricades and lights so as to protect the public from hazards. Streets, sidewalks, parkways, and other public or private property disturbed in the course of the work shall be restored in a manner required by law.

3.62 **Water Pipe** shall be ductile iron on mains located south of 78th Avenue and polyvinyl chloride (PVC) pipe on mains located north of 78th Avenue.

Ductile-iron pipe shall conform to standards and specifications of the District and Denver Water.

PVC pipe shall conform to the standards and specifications of the District and Denver Water.

3.63 **Fire Hydrants** shall be located as required by the District and approved by the North Washington Fire Protection District. Fire hydrants shall be individually valved and shall be owned and maintained by the District. Hydrant shall be Mueller Centurion #423 with National Standard threads and one pumper and two hose connections, unless otherwise approved by the Board.

3.64 **Valves - Accessories** shall be all AWWA approved and District approved. Main line valve south of 78th Avenue shall be open by turning clockwise (right). All other valves shall open by turning counterclockwise (left).

3.65 **Corrosion Protection** practices shall be required on all installations within the District and shall include the wrapping of ductile-iron pipe, valves, and fittings with 8 mil polyethylene plastic.

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- 3.66 **Sewer Pipe** shall conform to standards and specifications of the District and Metro Wastewater Reclamation District.
- 3.67 **Manholes - Appurtenances** shall be located and constructed as approved by the District. Manholes shall be spaced at a maximum of 400 feet.
- 3.68 **Performance and Maintenance Bond.** A performance and maintenance bond equal to 100 percent of Contract (or construction cost) shall be furnished to the District on all water and sewer main construction within the District.
- 3.69 **Fire Protection Service.** A permit to take and use water from the water system for private fire protection service is granted only upon the following conditions:
- a. The applicant shall have secured a permit for such water service from the District and comply with Denver Water Department application requirements.
 - b. The applicant shall have specified the fire protection facilities for which water service is desired.
 - c. The applicant shall have executed an agreement adequate to control the use to the fire protection facilities to assure that they will not be used for any purpose other than extinguishing hostile or unfriendly fires. Each direct fire protection service line shall be equipped with an approved backflow prevention and flow detection device or meter. These facilities are subject to inspection at the District's discretion.
 - d. The District assumes no obligation for adequacy of private fire protection service. The only use for which water may be taken from fire protection facilities under permit is to extinguish hostile or unfriendly fires. Any other use of water from such facilities shall be deemed an unauthorized use of water for which a permit for fire protection service may be suspended or revoked.
- 3.7 **District Ownership.** Landowners, subdividers, or developers who have completed construction of water and sewer lines shall, before these lines are accepted by the District for taps, deed these lines and appurtenance to the District, free and clear of all liens and encumbrances, and furnish a bond to cover all maintenance for one year from the date of acceptance of the lines by the District. Normally, this will be a contractor bond incorporated in the construction contract documents.

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3.8 Apportionment Of Costs For Water and / or Sewer Line Extension.

- 3.81 The District may extend the District's Water and/or Sewer when, in the opinion of the District, the public convenience and welfare are best served by such construction. At its sole discretion and where it appears equitable for the cost of such construction to be apportioned to more than one (1) Parcel, the District may apportion all, or any part, of the cost of the construction of such improvements among such Parcels as may at any subsequent time apply for a Water and/or Sewer Tap from said extension. The cost of the construction of such improvements shall be assessed to pro rata charges to the Parcels abutting the Water and/or Sewer line extension on the basis of front footage of Parcel to which Water and/or Sewer service is made available by a Water and/or Sewer line extension. The front foot assessment is determined by dividing the Water and/or Sewer line extension cost by the front footages deemed benefitted. The District shall have the sole discretion in determining the frontage(s) which shall serve as the basis for the apportioning the cost of a Water and/or Sewer line extension.
- 3.82 For each Parcel abutting a Water and/or Sewer line extension and served directly therefrom, the customer shall pay all pro rata charges on all frontages, all tap, and all Water and/or Sewer use or other system connection fees as are then in force prior to receiving a tap into the Water and/or Sewer line. The District may authorize the pro rata charge to be added to the monthly Water and/or Sewer bill or service account of a single customer in an amount sufficient to retire such charges. The financing, including appropriate interest rates, shall be determined and approved by the Board of Directors.
- 3.83 At the end of fifteen (15) years, such refunds to the Applicant shall terminate, even though the total refund may not have equaled the Water and/or Sewer line extension final cost. No refund shall be made to the Applicant out of charges collected for any further Water and/or Sewer line extension of or from the Water and/or Sewer line contracted for by the Applicant. All pro rata charges collected after the above fifteen (15) year period shall accrue to the District.
- 3.84 The District is under no obligation for repayment of pro rata charges to the original Applicant unless it collects the applicable pro rata charges from the Parcel owners. The cost of the Water and/or Sewer line extension may be apportioned to the abutting Parcel which may be served directly from the Water and/or Sewer line extension in the same ration that each Parcel frontage liable for pro rata Water and/or Sewer line assessment bears to the sum of the Parcel frontages liable for pro rata Water and/or Sewer line assessment.
- 3.85 If, in the District's opinion an Applicant creates a group of lots through subdivision or lot line rearrangement whereby the frontage of the lots does not fairly reflect the ratio of the areas of the respective lots benefitted by the abutting Water and/or Sewer line(s) then the District reserves the right to apportion of the cost of the

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Water and/or Sewer line(s) based on the ratio of the areas of the lots rather than the actual frontage of the lots.

- 3.86 In determining the frontage(s) liable for pro rata Water and/or Sewer line assessments, the District may determine that a Parcel with a Water and/or Sewer line on more than one frontage shall be assessed on the basis of one frontage only. In order to be considered for this exception, the Parcel must meet the following criteria:
- i. The Parcel must be used as a single family residence.
 - ii. The Parcel must not contain more than 14,500 square feet nor have
 - iii. The District will determine which frontage will be assessed. Any Parcels which do not meet all the previously stated criteria shall pay Water and/or Sewer line assessments on all frontages.
- 3.87 All extensions to the District's Water and/or Sewer System shall be constructed in accordance with the Standards, Rules and Regulations of the District, and in accordance with the Standards of Metro Sewer Water and/or Denver Water.
- 3.88 The request for partial reimbursement shall be made in a form acceptable to the District prior to commencement of construction of the improvements.
- 3.89 Upon receipt of the Applicant's request, the District Manager shall determine which, if any, improvements are eligible for reimbursement, the costs eligible for reimbursement, and the identification of the Parcels that will be subject to the reimbursement obligation. The District Manager shall determine the amount of reimbursement for each benefitted Parcel that may potentially connect to the extension of the Water and/or Sewer Line and related improvements and shall notify the Applicant of the eligible amount. The Line Extension Agreements may or may not allow for a 100% reimbursement to the Applicant depending on District administration fees.
- 3.810 If the District Manager determines that the reimbursement eligibility requirements are met by the Applicant, the District Manager shall cause an agreement to be prepared setting forth the determination as to reimbursement eligibility. The District Board of Directors will make a final decision with respect to eligibility and the terms of the reimbursement agreement.

SECTION 4

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SERVICE LINES AND CONNECTIONS

- 4.1 **Cost Responsibility.** All costs and expenses incident to the installation and connection of sewer and water service lines shall be borne by the Customer. The customer shall indemnify the District for any loss or damage that may directly, or indirectly, be occasioned by the installation of the building service sewer or water service line.

Each Customer shall own and be responsible for the construction, maintenance, and replacement of water service lines with the exception of the water meter. The District shall also provide repair service on the Customer's service line located between the water main and meter box or property line, provided the service line materials and installation are found to be in conformance with the District Rules and Regulations. The District shall perform repairs after receipt of a notice that a leak exists on the service line.

After acceptance of service line construction, ownership of the water meter, as well as calibration and maintenance responsibilities, shall be assumed by the District. Only District personnel shall be authorized to access meters. (Illegal meter pit access by any one other than District personnel will result in fines.)

- 4.2 **Individual Service Lines:** Each individual commercial structure here in after connected, shall pay for an individual water and/or sewer tap and install separate service lines for each commercial structure.

Each individual residential structure here in after connected, shall pay for an individual water and/or sewer tap and install separate service lines for each residential structure. Any variance from this requirement must be by obtaining approval of the Board of Directors of the District.

- 4.3 **Specifications.** All meter pits shall be accessible and safely located, and constructed in accordance with plans and specifications approved by the Board. In the event, in the opinion of the Board, a meter pit is not safely located so that personnel reading the meter or performing services thereon may be endangered, the Board may require the meter to be relocated or require such further protective devices to be installed at the customer's expense as the Board deems necessary.

Individual meter, sampling stations, and service lines shall be so approved by the District (see Section 5.5)

All materials and installation shall be subject to the District's approval. Meter packages for meters up to 1-inch size shall be purchased from the District, such packages including the meter, yoke, pit and cover.

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Larger meters shall be ordered by the District for individual installation, and the customer shall construct the pit. Service lines, taps, and meter installation shall be inspected and approved by the District prior to backfill and use. Other requirements include:

- a. Bypass is to be installed around all meters 1-1/2 inch and larger. Loc Pac couplings to be used on both sides of meter.
- b. Meters inside of buildings are to be 12-inches from wall and 12-inches from floor. There shall be 3 feet of working space at meter.
- c. All valves are to be bronze body, non-rising stem, gate valves with solid wedge disc.
- d. The sizing of water service lines, meters, and taps, shall be the responsibility of the Customer. Size of service lines, meters, and taps shall be made in general conformance with AWWA (American Water Works Association) Manual, "Sizing Water Service Lines and Meters". The applicant shall, at his expense, furnish data, plans, calculations, or other material when required by the District in order to evaluate the size of the service line, meter, and tap. Approval of all service lines, meters, and taps shall be made by the District.
- e. All sewer service installations shall be vitrified clay from main tap to house connection or, with District approval, heavy 4-inch PVC may be used.
- f. The size and slope of the building sewer service shall be subject to the approval of the District, but in no event shall the diameter be less than 4-inches. Minimum grade and slopes shall be as follows:

| | |
|------------------|-------|
| 4-inch. | 1.0% |
| 6-inch. | 0.8% |
| 8-inch. | 0.4% |
| 10-inch. | 0.28% |
| 12-inch. | 0.20% |

- g. All excavations required for the installation of a service line shall be open trench work, unless otherwise approved by the District.
- h. Water service lines shall be soft copper Type K with flared joints, with minimum cover of 4 feet. The Corp stop, meter, and service line between the corp stop and meter shall all be of the same size. The

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service line may only be increased (or decreased) at a point 15 feet beyond the meter pit.

- 4.4 **Sewer Taps.** The applicant for a building sewer service shall notify the District when the service line is ready for connection to the public main, and the connection to said public main shall not be made until after inspection and approval by the District.

The connection to the main shall be made in the presence of and approved by the District's Inspector. The connection of the building's sewer service to the public sewer shall be made as follows: If the public sewer is 12-inch in diameter or less, the Customer shall, at his expense, install a saddle on up to 8-inch branches in the public sewer. Where the public sewer is greater than 12-inches in diameter, a neat hole may be cut into the public sewer, with entry in the downstream direction at an angle of 45°. The use of saddles is mandatory. On lines 12-inches or less, the entire connection, saddle and all, shall be completely encased in 3,000 psi concrete.

- 4.5 **Water Service Taps.** The applicant shall obtain from the District, an application for tapping by the Denver Board of Water Commissioners. The applicant shall fill out the application and deliver it to the Denver Board of Water Commissioners who will set the date when they will tap the main. Taps shall only be made according to the regulations of the Denver Water Department and the District.

- 4.6 **Lawn Sprinkler Systems.** It is forbidden to install any pipe or sprinkling systems in the meter pit or vault. No attachment is to be allowed at any point on a by-pass. Sprinkling system installations must be made outside the meter or vault and under the supervision and approval of the Inspector of the District.

- a. Every such system installed in the North Washington Street Water and Sanitation District shall contain vacuum breakers and backflow preventors and shall be made of corrosive resistant materials. Vacuum breakers and backflow preventors shall be designed and installed to prevent deterioration or failure under reasonable service conditions.
- b. Before any sprinkling system is installed, the type and design of all elements in the system shall be submitted to the Inspector of the District for approval.

- 4.7 **Stub Ins.** The District shall permit stub-ins for water and sewer service upon payment of all required District, Denver Water Department and/or Metropolitan Denver Sewage Disposal No. 1 fees and charges. Upon payment of said fees/ charges, the District will provide the customer with a District "Stub-In Agreement" and a "Stub-In" application for processing with the Denver Water Department. It shall be the applicant's

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responsibility to comply with the regulations of the Denver Water Department.

Stub-ins shall be identified with a "W" for water and "S" for sewer on the curb and located on District "as built" maps.

In the case of planned, multiple unit developments, an agreement may be issued for a stub-in in order to allow the installation of a water and/or sewer service pipe prior to the paving of streets without payment of a tap fee. A stub-in shall include all fittings and pipe necessary to extend the service pipe to and including a valve at the property line. Use of water and/or discharge of waste from a stub-in shall cause the agreement therefore to be cancelled. The stub-in owner shall be required to execute a stub-in agreement upon a form provided by the District. In addition to the District stub-in agreement, the stub-in owner shall execute the stub-in application required by the Denver Water Department.

Once a stub-in has been converted to a tap, it may no longer be called or considered a stub-in. Stub-ins shall be valid only for a period of two (2) years from the date of application after which, if the stub-in has not been converted to a tap, the agreement shall be cancelled. Issuance of agreements under this paragraph does not guarantee water or sewer service will be activated to the premises nor shall it be construed to give any preference for activated service. It shall be the applicant's responsibility to pay the fees and charges in effect at the time of conversion and to comply with the Rules and Regulations of the Denver Water Department, the Metropolitan Denver Sewage Disposal District No. 1 and the North Washington Street Water and Sanitation District. Stub-ins shall be identified with a "W" for water and an "S" for sewer on the curb and located by two (2) physical monuments on North Washington Street Water and Sanitation District "as-built" maps.

(1) Concurrently with execution of the stub-in agreement, the applicant shall make the following payments:

- (a) An amount sufficient to defray North Washington Street Water and Sanitation District's cost in administering and monitoring the stub-in. The amount of the payment shall be \$50.00 but may be revised as necessary by the North Washington Street Water and Sanitation District, shall not be refundable, and shall not be credited to the Tap Fee upon conversion.
- (b) An amount sufficient to defray costs of disconnecting the stub-in if it is not converted. The amount of the disconnection deposit shall be \$250.00 but may be revised as necessary by the North Washington Street Water and Sanitation District and shall not be refundable. In the event the stub-in is properly converted, the deposit shall be credited toward the Tap Fee due.

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Upon request for conversion of the stub-in within the time period required by the Stub-In Agreement, the owner shall pay the Tap Fee in effect at the time of request for conversion.

SECTION 5
RATES AND CHARGES

- 5.1 **Water Tap Fees.** Water tap fees shall be in amounts given in Appendix A. Tap fees apply to all new Customers as well as to additions to existing developments. In addition, the customer shall pay for the entire service line, meter and meter installation and shall pay the appropriate Denver tap fees as charged by the Denver Water Department. Tap fees shall be paid to the District prior to service line construction and actual tapping. All District tap fees shall be paid for prior to application to the Denver Water Department.
- 5.2 **Water Service Charges.** The District will sell water on a metered basis only using the rates given in Appendix B. The District may estimate water usage as deemed necessary when adverse weather or other conditions make the normally scheduled meter readings impractical. A re-adjustment in billing shall be made as soon as practical.
- 5.3 **Sewer Tap Fees.** Sewer tap fees shall be in amounts given in appendix C. Tap fees apply to all new as well as to additions to existing development. Tap fees shall be paid to the District prior to service line construction and actual tapping.

Sewer tap fees will be computed on an equivalent residential unit (EQR) bases, using the values given in Section 5.6.

Industrial user tap fees are based initially on estimates of measured flow. After operations have begun, flow measurements shall be checked and tap fees adjusted accordingly. The initial check and adjustment will be made within 3 months of start-up and full scale operation of the Industrial Customer. Future adjustments shall be made as often, appropriate, or necessary in the judgment of the District or upon the request of the Customer.

Tap fees may not be reduced or rebated. Future tap fee additions, based on future adjustments, shall be at the unit rate in effect at the time of adjustment. Tap fees (or conditions of connection) for industrial users have a peak to average flow rate ratio in excess of 4 shall be reviewed and set by the Board on an individual basis.

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The District shall administer and collect, in addition to the District tap fees, the "sewer connection charge" levied by and in accordance with the regulations of the Metropolitan Denver Sewage Disposal District No. 1. Formal application shall be made to the District where the specific fee shall be determined and paid to the District.

5.4 Residential and Commercial / Institutional Sewer Service Charges.

The monthly service charge shall be at the unit rates given in Appendix D. The EQR units shall be computed in accordance with Section 5.6, except that Commercial laundries and laundromats shall be billed based on water meter readings.

5.5 Industrial Sewer Service Charges.

5.51 Classification. Each industrial waste producer operating under this regulation shall be classified by the Board into one of the three classes described here in after. The Board may utilize general knowledge of the industry, plant inspections and periodic sampling procedures as they deem necessary to reasonably classify each user. Classifications may only be revised by Board action.

Class 1-Small Industrial Waste Producers. This class user is defined as one having a probable monthly sewer service charge during a maximum month, of not more than \$500. In addition, to qualify under this classification, the customer must purchase all process water from the North Washington Street Water and Sanitation District through a water flow meter.

Class 2-Medium Size Industrial Waste Producers. This class user is defined as one having a probable monthly sewer service charge during a maximum month of not more than \$1,500 per month.

Class 3-Large Industrial Waste Producers. This class user is defined as one probable monthly sewer service charge, during a maximum month, of greater than \$1,500 per month.

5.52 Metering and Sampling Requirements: (All design details must be approved by the District).

Class 1 users are required only to have a water flow meter; and a manhole or suitable sampling point shall be available for sampling the waste.

Class 2 users shall install, at the user's expense, a waste flow meter with indicator and totalizer.

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(Note: If a particular industry disposes of all water to waste, and if all water is purchased through a flow meter from the District, then, with District approval, the waste flow meter may be omitted and the water flow meter used to determine volume.)

A suitable sampling point shall be provided where District personnel will have access for periodic sampling.

Class 3 users shall install, at the user's expense, a waste flow meter with continuous totalizer indicator and recorder. In addition, an easily accessible sampling point shall be provided which is protected from the weather and suitable for continuous periodic sampling procedures. Adjacent to the sampling point shall be provided an operating refrigerator with suitable locking device.

All sampling and testing shall be accomplished by District personnel at customer expense, per District sample results. Sampling points shall be downstream of all waste sources so that the sample represents a composite mixture of the wastes. Flow meters, recorders and refrigerators shall be of design and manufacture as approved by the District. The installation, including layout and construction, shall be subject to District approval. All flow measuring equipment and refrigerator shall be maintained in constant operating condition by the user. Sampling and testing of Class 2 users shall be on a random basis only for purpose of checking the general strength of the waste (the user rate shall not be changed based on individual sampling results). Should the customer fail to maintain the metering and monitoring equipment, the customer shall be in violation of these Rules and Regulations.

Class 3 users shall be sampled at least twice per month on random, representative days, as selected by the District. Samples shall be of the proportional composite type, and the monthly rate shall be based on the recorded flow and sample test results.

5.53 **Rate Schedules:**

Class 1 Users: Shall pay at the rate per 1,000 gallons in Appendix D.

Class 2 and Class 3 Users: Class 2 and Class 3 rates shall be identical, the only difference being the billing procedures. Class 2 users will be billed on an estimated strength of B.O.D. and Suspended Solids and Total Kjeldahl Nitrogen. Class 3 billings will be based upon the actual test results of B.O.D. and Suspended Solids and Total Kjeldahl Nitrogen for the particular month. The basic charge shall be sufficient where the waste strength is 230 mg/L (milligrams per liter) of the 5-day, 20C B.O.D., or less, and for 200 mg/L of total Suspended Solids and for 40 mg/L of total Total Kjeldahl Nitrogen.

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An additional charge will be made for B.O.D. concentration in excess of 230mg/L as follows:

For each 10mg/L or portion thereof B.O.D. in excess of 230mg/L, the base charge shall be increased as stated in Appendix D.

An additional charge will be made for Suspended Solids in excess of 200 mg/L as follows:

For each 10 mg/L or portion thereof of Suspended Solids in excess of 200 mg/L, the base charge shall be increased as stated in Appendix D.

An additional charge will be made for Total Kjeldahl Nitrogen (TKN) in excess of 40 mg/L as follows:

For each 10 mg/L or portion thereof of Total Kjeldahl Nitrogen in excess of 40 mg/L the base charge shall be increased as stated in Appendix D.

The definitions of B.O.D. and Suspended Solids, Total Kjeldahl Nitrogen and the methods of testing of samples shall be in general conformance with definitions used by the Metro Wastewater Reclamation District.

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5.6 EQUIVALENT UNIT E.Q.R. SCHEDULE.

5.61 Residential

| | DESCRIPTION OR CUSTOMER USE | EQR UNITS |
|----|--|------------------|
| a. | Single family residence, mobile home, condominium unit if billed individually | 1.0 |
| b. | Multi-family residential units, duplexes, apartments, condominiums, when in one building and billed collectively - | |
| 1. | Buffet apartment, not more than 2 rooms and 1 bathroom | .6 |
| 2. | Up to and including 2 bedrooms and no more than 1 1/2 bathrooms | .8 |
| 3. | Three bedrooms and over | 1.0 |
| 4. | Add for each coin-operated washing machine (See 5.62 for addition if swimming pool included) | 1.0 |

5.62 Commercial/Institutional.

| | DESCRIPTION OR CUSTOMER USE | EQR UNITS |
|----|---|------------------|
| a. | Transient rental units, hotels, motels, or rental units in residence. Basic fee includes Manager's quarters | 1.0 |
| 1. | Add for each additional rental bedroom with out cooking facilities | .3 |
| 2. | Add for each additional rental bedroom with cooking facilities | .4 |
| 3. | Add for each coin-operated washing machine | 1.0 |
| 4. | Add 15% to total EQR if on-premises laundry | |
| b. | Bars, Restaurants | |
| 1. | For business with less than 25 seating capacity | 2.0 |
| 2. | Add for each additional 25 seating capacity or fraction thereof | 1.5 |
| 3. | For drive-ins, one car space shall be considered equal to one seating capacity. | |
| c. | Service stations without wash rack | 2.0 |

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| DESCRIPTION OR CUSTOMER USE | EQR UNITS |
|---|-----------------|
| 1. Add for each wash rack | 1.5 |
| 2. Add for travel trailer-camper dump station | 3.0 |
| d. Car Washes - For each wash bay | 2.0 |
| e. Travel trailer-camper dump station | 3.0 |
| f. Laundromats | |
| Tap fee for Laundromats shall be based upon the EQR rate for water tap size serving the structure as follows: | |
| Water Tap | EQR Rate |
| 3/4 | 1.0 |
| 1 | 1.9 |
| 1 1/2 | 4.4 |
| 2 | 8.1 |
| 3 | 19.0 |
| 4 | 35.0 |
| 6 | 84.0 |
| 8 | 154.0 |
| g. Other Commercial, Institutional or Public Buildings such as stores, offices, warehouses, and similar not including industrial wastes | |
| 1. For the first 20 fixture units or fraction thereof | 2.0 |
| 2. For each 20 additional fixture units or fraction thereof (NOTE: Fixture units to be as determined by 1983 Uniform Plumbing Code, w/Amendments) | |
| h. Churches or non-profit organization halls (no residence or regular eating facilities) | 1.0 |

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| | DESCRIPTION OR CUSTOMER USE | EQR UNITS |
|----|--|-----------|
| i. | Schools, public or private: (Values given averaged on 12 month basis) | |
| | 1. Basic rate, per current student body 0-50 | 2.0 |
| | 2. With each additional 40 students or fraction thereof add | 1.0 |
| | 3. Add 20% to the above basis rate if school has gymnasium and showers; add 20% to the basic rate if school has cafeteria | |
| j. | Commercial (other than for single family residence) swimming pools: | |
| | 1. For each 40,000 gallons or fraction thereof swimming pool capacity | |
| k. | Other: For other than the typical commercial uses listed preceding, the Board will investigate and assign an EQR value on an individual basis. | |

5.63 Industrial.

| | | |
|----|--|-----|
| a. | Based on the average daily flow rate or the peak load day; | |
| | 1. for each 500 gallons per day flow or fraction thereof | 1.0 |

5.7 Billing Payments.

5.71 Customer Deposits. All new Customers shall furnish a non-interest bearing deposit to the District at the time of service in the amount as follows:

| | | |
|----|--|---------|
| 1. | Single family residential unit, each multi-family unit, each mobile home, each apartment unit, each condominium unit, and each duplex unit | \$25.00 |
| 2. | Commercial and Industrial 5/8 to 3/4 inch taps | \$50.00 |

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| | |
|-----------------|----------|
| 1 inch taps | \$75.00 |
| 1-1/2 inch taps | \$100.00 |
| 2 inch taps | \$200.00 |
| 3 inch taps | \$350.00 |
| 4 inch taps | \$550.00 |

Over 4 inch to be negotiated through the Board of Directors.

3. Sewer only accounts will be required to pay \$25.00 per E.Q.R. for customer deposit.

These deposits will be refunded to the person making the deposit upon a request for turn off and after payment of all charges due the District.

- 5.72 **Billing Period-Payment.** Water and sewer charges will be billed monthly to each customer. Payment shall be made within 30 days of the billing date, after which time the account shall be "overdue". The District will re-bill 30 days after the original billing date.
- 5.73 **Late Fees.** Delinquent accounts will be assessed a \$5.00 late fee for each delinquent notice generated.
- 5.74 **Extensions.** Prior to 9:00 am on scheduled shut off day the customer may obtain an additional one or three days which may be obtained by phone. A ten day extension may also be granted once each month in which a signature is required. No extension is to be granted for non-sufficient fund checks.
- 5.75 **Shut-off.** If complete payment of all water and sewer charges has not been received within 20 days of the re-billing date (50 days from the original bill). The District will issue a "delinquent notice". The District will deliver by mail, or by hand, such notice to the customer. If neither the customer nor the occupant can be located for personal service, it shall be lawful to attach the notice to the front door. The delinquent notice shall provide 10 calendar days for payment, after which period the District shall shut off service.
- 5.76 **Turn On.** Until paid, all rates, fees, and charges shall constitute a first and perpetual lien on and against the properties served, and any such lien may be foreclosed in the manner provided by Chapter 89, Article 5, Colorado Revised Statute 1963 or any other applicable state law under which the District was formed. The deposit for service, if any, shall be applied against the outstanding bill.

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Service will not be turned on until all charges, fees, and required deposits have been paid to the District. In addition, the Customer shall pay a turn on fee of \$50.00 for the first offense, \$75.00 for the second and \$100.00 for the third and subsequent time each calendar year. If the turning off and turning on of services result in additional District expense, such expense shall be paid by the Customer.

5.77 **Charge for Unauthorized discharge of Sewage.** In the event any person, firm, corporation, or business discharges, or causes to be discharged, into the District sewer system, wastes prohibited under Section 2.4 or fails to comply with the Rules and Regulations of the District, shall be assessed a fine. The amount of such fine shall be not less than \$500.00/day for each unauthorized discharge or breach of the District Rules and Regulations.

5.78 **Water Meter Test.** The District periodically tests customer's water meter for metering accuracy. The District will test a customer's water meter at the request of the customer and upon the customer's completion of a "Request for Water Meter Test." If the water meter is found to be less than the manufacturer's accuracy tolerance, the meter will be replaced or repaired and there will be no charge for testing. If the meter is found to be accurate within the manufacturer's tolerance, the customer shall pay a \$45.00 meter testing fee.

5.8 **Tap Fee Provisions.**

5.81 **New Connections.** All applicable water and sewer tap fees shall be paid to the District (and the Denver Water Department and the Metro Wastewater Reclamation District.) prior to the making any taps on the District mains or beginning installation of any service line construction.

Service charges shall be levied whenever the water curb valve is turned on and service actually begins; however, in no case may service charges be deferred for more than 1 year from the date of the tap permit.

5.82 **Existing Customers.** If a Customer's use changes, on a particular property, to a lower level of utility service, he may petition the District to reduce base service charges. However, no return of tap fees shall occur.

If a Customer's use changes on a particular property to a higher level of utility service, he shall petition the District for such additional service. He shall pay incremental tap fees being the difference in the computed tap fee for the revised use and the computed tap fee for the use prior to revision, using the current tap fee schedule for both calculations. Service charges will be adjusted accordingly for the revised use. The Customer shall be responsible for any adjustment in the Denver Water Department or Metro Wastewater

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Reclamation District tap fee.

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**SECTION 6
PROVISIONS**

- 6.1 **Delinquent Payment.** All charges, assessments, etc. due the District shall constitute a lien against the real estate in accordance with Colorado Revised Statute (C.R.S.) 34-4-111 (1) (1) (VI), 1973.

No water or sewer service will be available until all back charges are paid.

- 6.2 **Liability.** Any person violating any of the provisions of these Rules and Regulations shall become liable to the Board of Directors of the District for any expense, loss, damage, any other remedies provided in these Rules and Regulations or by statute occasioned by reason of such violation.

- 6.21 **Penalty Charges.** In the event the Customer connects to the water or sewer system of the District without first having made application therefore, the user shall pay service charges and tap or connection fees equal to twice the service charges and tap or connection and tap or connection fees in effect at the time the unlawful connection is discovered. Penalty service charges shall be based upon the average use as determined at the time of the discovery or within a reasonable time thereafter, which charge shall be calculated from the date of water service or sewer service was corrected or the date the building was constructed or first occupied.

Such penalty charges shall be a lien upon the property.

- 6.3 **Violations.** Any person violating any of the provisions of these Rules and Regulations shall be served with written notice stating the nature of the violation and providing a reasonable time of not less than 5 days not more than 30 days for satisfactory correction of the violation and subject the violator to a fine not to exceed \$10,000.00 per day for each violation.

Additionally, any person who shall be in violation of this provision may be subject to disconnection of water and sewer service, penalty charges under the Rules and Regulations of the district, and the appropriate laws of the State of Colorado, or any combination thereof. In addition to the above, the board is empowered to impose a penalty not to exceed \$10,000.00 per day for each day violation has existed.

Any person determined to be in violation of the provisions of these Rules and Regulations shall be sent a notice stating the nature of the violation, describing the satisfactory correction and setting forth a time within which the correction must be completed but in no event to exceed 30 days of the date of mailing or service of said notice. Notice shall be mailed to the last known address of the property owner as shown in

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the record of the District. Service of notice is complete upon mailing.

- 6.31 **Industrial and Commercial Waste Violation:** Any user who is found to have violated the Rules and Regulations of the District including the Rules and Regulations contained in Appendix E, or willfully or negligently failed to comply with the provisions of the District Rules and Regulations, permits or orders issued thereunder shall be subject to an assessment of liquidated damages, not less than \$100.00 or more than \$10,000.00 for each breach as determined by the Board of Directors. Each day on which a breach will occur or continue shall be deemed a separate and distinct breach or violation. In addition to damages provided herein, the District shall recover a reasonable attorney's fee, court costs, court reporter's fee and other expenses of litigation by appropriate suit at law against the person found to have violated these Rules and Regulations or Permits issued pursuant to the Rules and Regulations within. Where a violation is found to have caused or contributed to an increase in fees, charges or costs the District is required to pay to Metro Wastewater, Tri-County Health, Colorado Department of Health, EPA, or any other local, state, or federal agency, the maximum penalty of \$10,000.00 per violation as described above may be increased as necessary to allow the District to recover any increased fees, charges or costs paid by the District to Metro Wastewater, Tri-County Health, Colorado Department of Health, EPA, or any other local, state, or federal agency, together with interest at the legal rate on the increase.
- 6.32 **Specific Performance :** Any person who fails to comply with the Rules and Regulations of the District, including the provisions of Appendix E, or the terms of permits or orders issued by the Board or Manager, the District shall have the right of specific performance to require the user to comply with the Rules and Regulations, orders and permits of the District, or it may, in it's determination, disconnect the user and deny the source of water or sewer service at the discretion of the District.
- 6.33 **Legal Action:** If any person discharges sewage, industrial waste or other waste into the District's wastewater disposal system, contrary to provisions of these Rules and Regulations, Federal or State treatment requirements, or any order of the District, the District's Attorney may commence an action for appropriate legal and/or equitable relief in the District Court in the County for any violation of the Rules and Regulations including water service and recovery cost; including a reasonable attorney fee, and cost of deposition.
- 6.34 **Monitoring Facilities:**
The District may require to be provided and operated at the user's own expense, monitoring facilities to allow inspection, sampling, and flow measurement of any discharges as necessary to determine compliance with the provisions of these rules and regulations.

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There shall be ample room in or near such sampling manhole or facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the user.

The sampling and monitoring facilities shall be provided in accordance with the District's requirements and all applicable local construction standards and specifications. Construction shall be completed within such a time frame as the District shall specify by written notification.

6.35 Information Submittal, Inspection and Sampling

The District may require any user to submit information as necessary to determine compliance with the requirements of these rules and regulations.

The District may inspect the facilities of any user to ascertain whether the requirements of these rules and regulations are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the District or its representatives ready access at all reasonable times to all parts of the premises for the purposes of inspection, sampling, records examination and copying, or in the performance of any of their duties.

The District, Metro Wastewater, The Colorado Department of Health, and EPA shall have the right to set up on the user's property such devices as are necessary to conduct sampling, inspection, compliance monitoring and/or metering operations. Where a user has security measures in force which would require proper identification and clearance before entry into the user's premises, the user shall make necessary arrangements with security guards so that upon presentation of suitable identification, personnel from the District, Metro Wastewater, The Colorado Department of Health, and EPA will be permitted to enter, without delay, for the purposes of performing their specific responsibilities.

All records relating to compliance with pretreatment standards and requirements shall be made available to officials of the District, Metro Wastewater, The Colorado Department of Health, and EPA upon request.

6.36 Wastewater Treatment:

Users shall provide wastewater treatment as required to comply with the requirements of these rules and regulations, and Metro Wastewater rules, regulations and standards. Any facilities required to pre-treat wastewater to a level acceptable to the District shall be provided, operated and maintained at the user's

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expense.

6.37 Compliance Orders / Compliance Schedules:

Whenever the District determines that any user has violated or is violating any provision of these rules and regulations, or any directives, orders or permits issued or approved hereunder, the District may serve upon the user a written order requiring that the user submit, within a time frame as specified in the notification, a plan (compliance schedule) for the satisfactory correction of such violation(s).

The compliance schedule must represent the shortest schedule by which the user will provide additional treatment or perform such other tasks as will enable the user to consistently comply with applicable requirements. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to compliance (e.g., hiring an engineer, completing preliminary plans for pretreatment systems, completing final plans, executing contract for major components, commencing construction, completing construction). In no case shall an increment of progress exceed nine (9) months.

Upon approval by the District, the compliance schedule will be issued to the user as an administrative order which contains the approved schedule milestones and any applicable reporting requirements. Issuance of a compliance schedule by the District does not release the user of liability for any violations.

Not later than fourteen (14) days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the District including, at a minimum, information on whether or not the user complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason(s) for delay, and the steps being taken by the user to return to the schedule established.

6.4 Severance. If any section, subsection, paragraph, clause, or other provision of these Rules and Regulations shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, subsection, paragraph clause, or other provision shall not affect any of the remaining provisions.

6.5 Revisions. These Rules and Regulations may be altered, amended, repealed, or re-enacted at any regular meeting of the Board of Directors of said District, or at any special meeting of the Board called for that purpose.

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- 6.6 **Exceptions or special requests.** Any person having problems or propositions (including plans and specifications) to submit to the Board for approval shall file the same at the office of the District at least ten (10) days prior to the meeting at which the proposition or problem is to be presented to the Board. The Board will consider said matter, and if able, make a decision: but if engineering, legal or other advise or study is required, a decision will not be made until the next regular Board meeting occurring fifteen (15) days after the receipt by the Board of the necessary engineering, legal or other information or study required by the Board.

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**APPENDIX A
WATER TAP FEES
(Refer to Section 5.1)
EFFECTIVE DATE: January 1, 2014**

A.1 Residential Customers

| | District Tap Fee |
|----------------------------|-------------------------|
| Single Family Residence | \$3,501.00 |
| Includes: | |
| One Bedroom or Buffet Unit | \$2,724.00 |
| Two Bedroom Unit | \$3,112.00 |
| Three or More Bedroom Unit | \$3,501.00 |
| Mobile Home Site | \$3,501.00 |

A.2 Commercial and Industrial Customers

| Meter Size | District Tap Fee |
|-------------------|-------------------------|
| 3/4" | \$3,501.00 |
| 1" | \$6,225.00 |
| 1 1/2" | \$14,006.00 |
| 2" | \$23,769.00 |
| 3" | \$46,794.00 |
| 4" | \$59,962.00 |
| 6" | \$179,687.00 |
| 8" | \$319,442.00 |

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**APPENDIX B
WATER SERVICE CHARGES
(Refer to Section 5.2)
EFFECTIVE DATE: JANUARY 1, 2014**

B. 1 Residential Customers

| Meter Size | Minimum Gallons Per Month | Minimum Monthly Charge | Cost Per 1,000 Gallons Additional or Fraction Thereof |
|------------|------------------------------|---------------------------|--|
| 5/8" | 4,000 | \$30.87 | \$5.48 per 1,000 |
| 3/4" | 4,000 | \$30.87 | \$5.48 per 1,000 |

B. 2 Commercial and Industrial Customers

| Meter Size | Minimum Gallons Per Month | Minimum Monthly Charge | Cost Per 1,000 Gallons Additional or Fraction Thereof |
|------------|------------------------------|---------------------------|--|
| 5/8" | 10,500 | \$60.64 | \$5.48 per 1,000 |
| 3/4" | 10,500 | \$60.64 | \$5.48 per 1,000 |
| 1" | 17,500 | \$114.15 | \$5.48 per 1,000 |
| 1 ½" | 35,000 | \$221.78 | \$5.48 per 1,000 |
| 2" | 52,500 | \$380.23 | \$5.48 per 1,000 |
| 3" | 105,000 | \$785.37 | \$5.48 per 1,000 |
| 4" | 210,000 | \$1,536.68 | \$5.48 per 1,000 |

Each unit in multi-family residential, each mobile home, each condominium unit, each apartment unit, etc., shall pay the monthly minimum as a single family unit, with \$5.48 per 1,000 gallons charged for usage over the allowed 4,000 gallons per unit.

Water for construction or hauling must be metered at a designated fire hydrant only with the District's approval. The District charges \$50.00 for a two month construction water permit. The permit holder shall pay \$9.06 per 1,000 gallons and post a \$1600.00 deposit for hydrant meter (refundable upon return of meter) and a (refundable upon return) for a required gate valve attachment for hydrant meter. If a meter is not available, the District will approve a designated fire hydrant to be used for a tanker trucks, this procedure must be supervised by a District employee and usage recorded on a load count sheet for billing.

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**APPENDIX C
SEWER TAP FEES
(Refer to Section 5.3 and 5.6)
EFFECTIVE DATE: JANUARY 1, 2014**

C.2 Residential, Commercial, Industrial Customers

Tap Fee = \$ 2,989.00 per E.Q.R.

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**APPENDIX D
SEWER SERVICE CHARGE
(Refer to Section 5.4, 5.5, and 5.6)
EFFECTIVE DATE: JANUARY 1, 2014**

D.1 Residential

Sewer charges are based on average water consumption for the previous year(s) (months of Nov. Dec. and Jan.) and are recalculated each year. Each unit in multi-family residential , each mobile home, each condominium unit, each apartment unit, etc. will be charged \$1.69 per thousand gallons of water used over the minimum of 4,000 gallons (for the time period described above) plus a flat rate of \$31.01 per month.

D.2 Commercial and Institutional

Sewer charges are based on average water consumption for the previous year(s) (months of Nov. Dec. and Jan.). This average is re-calculated annually. \$1.77 per thousand gallons of water used is charged over the monthly minimum based on water tap size and E.Q.R.'s. (refer to residential description) plus \$32.41 per E.Q.R. unit.

D2.1 Commercial Laundries and Laundromats:\$3.08/1,000 gallons, based on metered water usage

D.3 Industrial Users

| | |
|-----------------------|--|
| Class 1 | \$ 3.97/per thousand gallons waste flow |
| Class 2 and 3 | Base Charge: \$ 3.97/per thousand gallons plus \$.0038 surcharge for each 10mg/L, BOD (Bio-Chemical Oxygen Demand) in excess of 230 mg/L. Plus \$.0032 surcharge for each 10mg/L, SS(Suspended Solids)in excess of 200mg/L. Plus \$.0089 surcharge for each 10 mg/L, TKN (Total Kjeldahl Nitrogen) in excess of 40mg/L. |
| Class 2 and 3M | (No BOD, SS, TKN) \$ 3.97/per thousand gallons waste flow. |