

**RULES and REGULATIONS
for**

W/J METROPOLITAN DISTRICT

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SECTION I - GENERAL REGULATIONS

- 1.1 Purpose. These Rules and Regulations together with the District's Standards and Specifications, which are incorporated herein, provide for the management, maintenance and operation of all District facilities and infrastructure including additions thereto and will serve a public use and promote the health, safety and general welfare of the inhabitants of the District and are enacted pursuant to Colo. Rev. Stat. §32-1-101 et se . (1973) as amended.

The W/J Metropolitan District is a quasi municipal corporation (local government) which manages, administers, operates and maintains the road, potable water and wastewater facilities and infrastructure within the District.-

- 1.2 Water System. The water system within the District consists of six (6) wells drilled in the Roaring Fork alluvium, a central pump station, a chlorine disinfection system a twelve (12)-inch delivery main, a storage, tank, a booster pump station and a distribution system, including piping, valves, fire hydrants and service taps. The water system is owned and maintained by the District for the benefit of owners of property within the District. The line that runs from the wells up to the storage tank is twelve (12)-inch. From the storage tank an eight (8)-inch line and a booster pump station services all residences and fire hydrants on Upper Bullwinkle. From the storage tank a twelve (12)-inch line returns water to the lower bench. One eight (8)-inch line services all residences and fire hydrants on Lower Bullwinkle; a second newer eight (8)-inch line services all residences and fire hydrants on Stevens Street. All residences on Upper and Lower Bullwinkle as well as Stevens Street have their own curb-stop water shut-off valves. The District is responsible for maintenance of the system from the wells to this valve; individual property owners are responsible for maintenance of the line from the valve to and into their homes. The new eight (8)-inch line supplying Stevens Street runs parallel to an old four (4)-inch line that has been abandoned. The water system may not be tapped into or accessed without permission from the District. Penalty for unauthorized use of the water system is \$500, in addition to any other costs to the District to remedy such unauthorized use.

- 1.3 Wastewater Disposal System. The wastewater systems within the District consist of Individual Sewage Disposal Systems ("ISDS") which are privately owned, located on private property or on property owned jointly by the property owner and the District and maintained by the District. These ISDS may not be installed and may not be tapped into or accessed without permission and license from the District. Penalty for unauthorized installation or use of an ISDS is \$500, in addition to any other costs to the District to remedy such unauthorized use.

- 1.4 Roads, Streets and Safety Improvements. The District road and street system, together with all safety improvements is owned, operated and maintained by the District and includes both primary and secondary access to residences within the District. All roads within the District are private and public use of District roads is limited to invitation by residents of the District or specific access easements.

1.5 Definitions. As used herein.

Board shall mean the Board of Directors of the W/J Metropolitan District. "Board" and "Board of Directors" are the elected or appointed Board of Directors of the District who has responsibility for policy and management oversight of the water and/or sewer systems.

Constituent, Property Owner, Individual, Customer, Member shall all mean a person who pays taxes to the District, owns property within the District, or receives service from the District.

Cost means all direct and indirect costs attributable to any project or the construction of any new facility, including without limitation the costs of inspections, reviews, surveys, actual construction, preliminary and design engineering, inspection, construction observation, administration and legal service, "as built" drawing, easements and acquisition and all other costs necessary for review, evaluation or completion of such new project or facility.

County shall mean Pitkin County.

Cross Connection Control Device, or back-flow prevention device, shall be installed on all private water service lines between the primary source of supply and any other supply or use that may lead to cross-contamination. This includes but is not limited to private wells, swimming pools, spas, irrigation systems, hot tubs, et cetera. This device is also known as a back-flow preventer.

Customer shall mean any person, partnership, contractor, developer, corporation, governmental authority or their lessees and tenants authorized to use District facilities under a license or permit and who is supplied with water, drainage, sewer or storm sewer service by the District.

Developer shall mean the persons, firm, joint venture, partnership or corporation which is the owner or agent of the owner of land which is developing or subdividing owner's land and which seeks to have the development or subdivided land served by the District.

District shall mean the W/J Metropolitan District.

District Engineer shall be the person or consultant appointed by the Board or manager to provide professional engineering services to or on behalf of the District. See also District Manager.

District Facilities or Infrastructure means all facilities of any kind owned, operated or otherwise managed by the District. This includes but is not limited to pipelines, pumps, pump station, storage tanks and vessels, irrigation systems, irrigation heads, lines and controls, water system controls, manholes, valves, blow-offs, hydrants, electrical systems, computer and telemetry systems, roads, streets, access ways, drainage ways, septic tanks, leach fields, signs, signals, warning devices, traffic devices, treatment systems, offices, vehicles, and equipment.

District Manager or Manager shall be the person or management entity appointed by the

Board to manage the District and inspect all water, wastewater and sewer installation, repair, excavations, and connections, the setting of fees, rates and charges, the management of fiscal operations, oversight of maintenance, repair and rehabilitation of district facilities and infrastructure and charged with enforcement of these regulations and the District's standards and specifications.

Extra-territorial Service shall mean the provision of service to any property not within the approved District's boundary but which lies within the District's approved Service Area. Extra-territorial service is only available on a contractual basis.

Inclusion shall mean the expansion of District boundaries of the W/J Metropolitan District for inclusion of property into the District shall be granted only in accordance with these Rules and Regulations.

Inspector shall mean District Manager or his authorized agent, employee or contractor.

Inspection Fees shall mean a fee assessed the owner for the inspection of any ISDS, service line or main to be connected to District facilities and is to ensure that all lines, mains, appurtenances or structures constructed comply fully with these rules and regulations and with the By-laws, Standards and Specifications of the District.

ISDS, or individual sewage disposal system, refers to the wastewater disposal system defined in 1.3 above.

Landscaping shall mean any area planted with grass, trees, bushes, shrubs, flowers or other similar materials including naturally occurring vegetation which is owned, operated or maintained by the District.

License/Tap Permit shall mean written permission of the Board of Directors to connect to any water main or distribution line of the District pursuant to the Rules and Regulations and Standards and Specification of the District.

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

Potable Water shall mean water which meets community water standards for drinking water quality.

Premises shall mean a single dwelling unit or duplex structure, including detached structures with a common foundation, such as a garage, caretaker unit, or similar that has common ownership.

Pump Station shall include any facilities owned by the District which may be used for the pumping of water.

Road Cut Permit shall mean any permit issued by the District for the purpose of cutting any District road, street, trail or other means of access.

Road Cut Fee shall mean a refundable fee assessed by the District to be accompanied by a

permit to install utilities in the public right of way.

Road Impact Fee shall mean any fee assessed by the District to cover unusual wear and tear on District roads caused by construction or heavy traffic. Road Impact Fees will be assessed to all properties prior to the granting of building permits by Pitkin County.

Service Area shall mean that area approved by Pitkin County for provision of service outside of the District's taxing boundaries. As of the date of adoption of these rules and regulations, Pitkin County has approved no areas outside the District for provision of service from the District, including the rest of White Star.

Shall is to be construed as mandatory, may is discretionary.

State shall mean the State of Colorado.

Street Light shall mean any public safety or transportation lighting fixture owned, operated or maintained by the District.

Street Sign shall mean any public safety or transportation street sign or signal owned, operated or maintained by the District.

System Development Charge (Tap Fee) shall mean a fee assessed the owner for the right to access the District roads and water facilities. Tap fees are collected to repay the costs of previously constructed facilities and/or the future rehabilitation or replacement of existing facilities. Tap fees may be used for any purpose authorized by the Board.

Tap Fee - See System Development Charge.

Tapping Fee - See Connection Charge.

Traffic Signal/Control Device shall mean any traffic signal/control device owned, operated or maintained by the District.

Water Main shall mean any water line of any diameter and owned by the District from the wells to any individual curb-stop water shut-off valve.

Water Main Extension shall be any water main, pipeline or other facility required to connect an owner's established water distribution system to District service facilities.

Water Meter shall mean the mechanical or electronic device used to measure the quantity of water delivered to a District customer or use.

Water Rates shall mean those rates and fees for which water shall be furnished within the district and/or its Service Area.

Water Service shall mean the provision of water to District Constituents or contract holders for a fee or rate established by the Board.

Water System shall mean the entire system complete with all facilities, infrastructure and appurtenances, rules and regulations, standards and specifications.

Water System Operator shall mean the person responsible for overseeing the operation of the District water system. Currently, the water system operator also oversees all other permits and inspections, including fire hydrants, ISDS, and road cuts. The water system operator does not handle parking, snowplowing, or trash collection.

- 1.6 Authority of Agents and Inspectors. Inspectors and other duly authorized employees or agents of the District with proper credentials shall be permitted to enter upon all properties within the District at reasonable times as necessary for the purpose of inspection, observation, measurement, sampling, testing, maintenance, repairing, and replacing any culverts, water mains, service lines, water meters, valves, pumps, storage vessels, roads, streets, signs, ditches, or other district facilities.

NOTE: Pursuant to Colo. Rev. Stat. §18-8-106, a person commits a Class 1 petty offense if, knowing that a public servant is legally authorized to inspect property (a) he refuses to produce or make available the property for inspection at a reasonable hour or, (b) if the property is available for inspection, he refuses to permit the inspection at a reasonable hour. Pursuant to C.R.S. §18-8-102 (1973), a person commits obstructing government operations (A class 3 misdemeanor) when he intentionally obstructs, impairs or hinders the performance of a governmental function by a public servant by using or threatening to use violence, force or physical interference or obstruction.

- 1.7 Tampering, By-Passing or Unauthorized Use of District Facilities. No person shall by-pass any meter or in any way tamper with or make any use of any of the facilities of the District or the water supplied by or other services provided by the District or make any connection to its roads or water systems or any other facility (except authorized fire fighting personnel) without advance written permission from the Board. Any tampering with or connection to any District facilities without written permission of the Board shall subject the violator of this section to a minimum penalty of \$500, plus a supplemental fee or charge set by the Board, such supplemental fee or charge to be at least as great as the total costs of all water or other products or services taken and all damage or costs caused to the District or its customers by the unauthorized tampering or connection together with all costs and attorneys' fees reasonably incurred in collecting such penalty.

NOTE: Pursuant to C.R.S. §18-4-505, a person commits a Class 1 misdemeanor if he tampers with the property of a utility or institution with intent to cause interruption or impairment of a service rendered to the public by a utility or by an institution with intent to cause interruption or impairment of a service rendered to the public by a utility or by an institution providing health or safety protection.

Pursuant to C.R.S. § 18-4-506, a person commits a Class 2 misdemeanor if he tampers with property of another with intent to cause injury, inconvenience or annoyance to that person or to another or if he knowingly makes an unauthorized connection with property of a utility.

Pursuant to C.R.S. § 18-4-506.5, a person commits a class 2 misdemeanor if he connects any contrivance with any main supplying water without the District's permission or if he alters or obstructs or interferes with the operation of the water meter without the District's permission.

Pursuant to Colo. Rev. Stat. §40-7.5-102, 103, and 104, the District shall be entitled to recover as damages, three times the amount of the actual damages, plus all reasonable expenses and costs incurred on account of the by-passing, tampering, or unauthorized use of any district facility.

- 1.8 Damage. No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface, open or close any lines, valves, tanks, mains, pumps, structures, appurtenances or equipment of the District's water supply, traffic, or transportation system.
- 1.9 Compliance. If any customer violates any of these rules and regulations or fails to pay when due any of the rates, fees, tolls or charges and interest thereon at 1 % per month, the District may terminate and/or sever such customer's water service lines from the District facilities upon 3 days notice and assess a disconnection charge to be at least as great as the costs and damages to the District or its customers associated with any violations and subsequent disconnection. A disconnection notice may be served upon the occupant or attached to the front door of the premises or mailed by certified mail return receipt requested. Such disconnection charge shall be assessed as an additional charge to the violating customer and, until paid, shall constitute a perpetual lien against the property formerly served to be foreclosed in the same manner as a mechanic's lien.
- 1.10 Regulation Changes. These rules and regulations may be altered, amended, repealed or reenacted at any regular meeting of the Board of Directors of said District or at any special meeting of the Board called for that purpose.
- 1.11 Invalidity of Rules and Regulations. 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.
- 1.12 Liability. Any person violating any of the provisions of these rules and regulations shall be liable to the board for any expense, loss or damage to the District occasioned by such violation, including the District's reasonable costs and attorneys' fees to require adherence to these rules and regulations or to collect the penalties, fees, tolls and charges due hereunder.
- 1.13 District Standards and Specifications. The Standards and Specifications of the W/J Metropolitan District are incorporated herein as an integral part of these Rules and Regulations. In the event any rule, regulation, or standard, adopted by the District conflicts with another rule, regulation, of standard, the District in its sole discretion shall determine which rule, regulation, or standard shall control.
- 1.14 Cooperative Agreement. The District has entered into a cooperative agreement with the W/J Homeowners Association. This agreement calls for the District and HOA to cooperate on matters that affect both entities, such as damage to common facilities, roads, signs, water systems, open space, et cetera, and to withhold deposits or other fees paid to ensure compliance with covenants, guidelines, rules and regulations of both entities.

SECTION II. SERVICE POLICY

- 2.1 Eligibility of Service. All properties situated inside the corporate boundaries of the District as of its date of incorporation shall be eligible to receive water, and other services provided by the District, upon compliance with these rules and the payment of all required fees.
- 2.2 Inclusion of Property into the District. Property not eligible for service by the District may petition the District Board for inclusion into the District, however, the decision on whether to include any property lies solely within the discretion of the District's Elected Board of Directors. Landowners wishing to include property into the District must petition the District for inclusion of such property in strict compliance with Colorado Revised Statutes, Sections 32-1-401 and 32-1-402 complete, and all administrative rules of the District as of the date of petition for inclusion. The Petitioner must pay all fees and costs associated with the inclusion and agree to be bound by all District Rules, Regulations, Standards and Specifications.
- 2.3 Exclusion of Property from the District. Fee owners of property within the District may petition the Board for exclusion of such property in accordance with Colorado Revised Statutes, Section 32-1-501.
- 2.4 System Development Charge (Tap Fee). The right to take and use water distributed through or have collected by District facilities shall exist only under license and before any tap or connection is made to the District's water mains. The right to build and use an ISDS shall also exist only under similar license. Written permits, therefore, shall be obtained from the District and all required fees shall be paid. For owners building new homes on undeveloped property, there is an initial tap fee, or system development charge, of \$2000/EQR* for non-free-market properties and \$6000/EQR* for free-market properties. This fee shall be collected at closing when any person purchases a parcel of undeveloped property from Lowe W/J, LLC. Tap fees may be used for any purpose authorized by the Board. Tap fees do not include any other fees or expenses related to connecting water lines or building ISDS, including all inspection fees. (*One EQR = 3000 square feet of gross floor space excluding garages.)

All properties within the District which were already developed and receiving water service from Lowe W/J, LLC, the owner of the water system prior to the transfer of the Water system to the District, are automatically licensed and not charged this tap fee. However, if and when any property owner's ISDS fails and has to be replaced, old or new, said property owner shall pay this tap fee prior to replacement. Except for this fee, however, the replacement cost of the ISDS will be the responsibility of the District.

Application for water tap permits or road access shall be made to the District on forms furnished by the District which shall give a full description of the work to be done, the address of the property or unit seeking to connect, the name of the licensed & approved contractor to perform the work under the permit, and such other information as may be required by the individual permit. Any permit may be revoked if the installation or use covered by the permit is not in accordance with requirements of these regulations or any prescribed standard and specification of the District or any governing rule of the Board.

The Licensee shall have the right to use water only on the licensed premises and for the purposes specified in the license, subject to the modification, suspension or revocation of such license as provided herein.

Licenses attach to the licensed premises only. Licenses are not affected by changes in ownership of the licensed premises. Licenses cannot be transferred from one premises to another without the prior written consent of the District.

2.4.1 Accessing District Facilities. No District water main or other district facility shall be tapped into or connected to without first having received a tap permit as described in Section II, paragraph 2.4, above, and second, having scheduled a tapping or connection date and time with the District's manager. All taps and connections to District facilities shall be made in accordance with the District's Standards & Specifications, Appendix II. No tap made to any District main shall be buried prior to inspection by a District Representative. Taps to District facilities shall only be made by District approved contractors or District Staff. See Appendix I.

2.4.2 Sewer or Water Service and Main Access Easements. Any landscaping improvements shall be precluded from easements that are expressly designated and granted upon which an access platform has been constructed, and which route is necessary to serve as the only access to District facilities. Examples of such improvements may include but are not limited to trees, berms, bushes, rock walls, and any landscaping or improvements that would inhibit the District's access to and along the access easement. Any landscaping in these areas will be the responsibility of the homeowner to install, maintain, or replace.

2.5 Separate License/Tap Permit. Not more than one connection to the water main shall be allowed under each permit. A permit shall be limited to one independent structure and licenses attach to the licensed premises only. No combination of permits shall be allowed and each permit is separate from any other permit.

2.6 Other Permits. No permit issued by the District (except for a road cut permit) shall be taken as authority for the making of any cut in a District road or street, nor in lieu of any permit required by any other regulatory body. Permits required by other agencies are the responsibility of the Contractor and the Owner. A District Road Cut Permit must be issued by the District and all appropriate fees paid prior to any cutting of any District road. Penalty for any unauthorized action requiring a permit is \$500, in addition to any other costs resulting to remedy such unauthorized action.

Hydrant Permit. Fire hydrants are for use by authorized fire departments only for the purpose of fighting fires. Fire hydrants shall be inspected annually by private contractor. No fire hydrant shall be used for any purpose without a valid hydrant permit, issued by the District, and required fees paid. Temporary meters will be available from the District for a rental fee.

Road Cut Permit. No cut to any road, street, trail or access way within the District shall be undertaken without first having received a permit from the District. A bond will be held for two years from completion as security against unrepaired damages.

Road Use Permit. The District does not allow parking on any road or street, including shoulders, within the District without an appropriate permit. Contractor parking, special event parking or any temporary parking may be allowed by permit only.

Stub-Out Permit. No stub-out taps and service line shall be permitted to be attached to any District main without prior approval of construction plans and the issuance of one stub-out permit for each proposed stub-out. Stub-out permits shall be valid for one year from date of issue and renewable for one year by application to the District and payment of appropriate fees.

2.7 Service Line. Private water lines shall be installed by a licensed contractor in accordance with these regulations and the standards and specifications of the District. No new buildings with water requirements of any nature shall be constructed within the District unless connected to the District's water systems. Location, excavation, trench shaping, pipe bedding and backfilling for installation or any repairs shall be constructed in accordance with the District's Standards and Specifications and are subject to approval by the District, who shall inspect all mains, service lines and connections before they may be covered. All water service lines shall be installed with a minimum of 72 inches of cover except where exiting to a District above ground structure.

2.8 Maintenance. The District shall be responsible for maintaining all public water facilities, roads and ISDS within the boundaries of the District.

2.9 Disconnections. No service line connected to District mains shall be disconnected without the prior authorization of the District. Upon receipt of approval for disconnection, service lines or mains shall be disconnected and abandoned in accordance with the District's Standards and Specifications.

2.10 Special Equipment/Participation Charges. Developers shall be required to contribute additional capital and service fees for the cost and associated costs and maintenance of all facilities or infrastructure which may be required to service areas not initially served within the District's taxing boundary, or which require additional or special equipment or facilities to serve the proposed development. Such charges may also include participation in the costs of any water rights, existing facilities or capacities, facility expansions, enlargements or improvement determined necessary to maintain or improve the quality of the district's overall facilities and infrastructure and may include facility improvements outside District Boundaries.

2.11 Hearing and Appeal Procedures. The hearing and appeal procedures adopted by the District shall apply to all complaints concerning the interpretation, application or enforcement of the District's Rules and Regulations, and Standards and Specifications. It shall not apply to any rule, regulation, standard or specification which is specifically exempted from the hearing or appeal process.

2.11.1 Initial Complaint - Informal Resolution. Complaints concerning the interpretation, application, or enforcement of any District Rule, Regulation, Standard or

Specification must be in writing and presented to the System Operator. Upon receipt of the complaint the operator, after full and complete review of the allegations contained in the complaint, shall take such action as may be warranted and shall notify the complainant of the action taken within fifteen (15) days after receipt of the complaint.

2.11.2 Appeal. In the event the complainant is not satisfied with the decision or action taken by the manager, the complainant shall advise the operator in writing of the reasons for continued dissatisfaction and shall request a formal hearing of the complaint. The operator shall then designate a hearing officer who may be an officer, agent, or employee of the Board, provided that said hearing officer shall not have participated in any manner in the decision or action, which is the subject of the complaint. The hearing officer shall then schedule a hearing within 30 days of the receipt of the request for a formal hearing and shall notify the complainant by certified mail of the hearing date and time.

2.11.3 Formal Hearing. The complainant and representatives of the District shall be permitted to appear in person and complainant may be represented by any person of his/her choosing. The District and complainant shall be entitled to present evidence and argument; together with the right to confront and cross-examine any person; and the right to oppose any testimony or statement made which may be relied upon by the hearing officer to reach a decision on the complaint. The hearing officer may receive and consider any evidence which has value to the hearing and which is commonly accepted by reasonable and prudent persons in the conduct of such a hearing.

The hearing officer shall determine whether reasonable grounds exist to support the interpretation, application or enforcement of any rule, regulation, standard or specification upon which the complaint is based. If such grounds exist, The hearing officer shall then determine whether extenuating circumstances also exist with regard to the specific complaint. The hearing officer's decision shall be based on evidence provided at the hearing and the burden of proof shall be on the District as to reasonable interpretation, application or enforcement. The burden of showing sufficient extenuating circumstances shall be on the complainant.

2.11.4 Limits of Hearing Officer's Authority. The hearing officer, while having the right to correct errors, interpret rules and regulations, and standards and specifications, make adjustments and otherwise do equity, shall not have the authority to alter or make any finding contrary to the Board's rules and regulations or standards and specifications, as may be changed from time to time.

2.11.5 Appeals to Board. An appeal of the hearing officers decision may be taken to the District's Board of Directors who shall be the sole and final determiner of any complaint relating to an interpretation, application or enforcement of any rule, regulation, standard or specification of the District. The Board shall consider such appeal at any regularly scheduled or special Board meeting held within a reasonable time after filing of the appeal. The Board's consideration of the appeal shall be limited exclusively to a review of the record, supplemented by any additional

statements by either the District or the complainant which support their respective positions, provided however, that no further evidence, unless discovered subsequent to the date of the hearing before the hearing officer, shall be presented by any party to the appeal and there shall be no right to a new hearing before the Board.

SECTION III. POTABLE WATER SYSTEM

3.1 General Provisions and Use.

This section specifically addresses the water facilities owned and operated by the W/J Metropolitan District.

- 3.1.1 Ownership and Operation of the Water System. The water supply system shall be owned by the District and operated consistent with these Rules and Regulations and the Standards and Specifications of the District.

The District shall own all potable water facilities between the source and the point of delivery. The District shall have the right to inspect, repair, and replace any portion of the system deemed to be faulty or in need of repair or replacement and the property owner shall not refuse to allow the District to make such repairs or replacements.

- 3.1.2 Water Use and Restriction. The district shall have the sole authority to determine water use. Such authority may include limitations on types or places of use and hours or days of use.

The watering of lawns from the water system is prohibited or limited to a rotation when notification of such prohibition or rotation schedule has been issued by the District.

- 3.1.3 Metered Service. Water flow is metered at various locations throughout the water delivery system. As of the date of adoption of these Rules and Regulations, only newly built services are required to equip their homes with water meters; older, existing homes, which have not had meters in the past, are not yet equipped with individual water meters. At some time in the future, the District will install a meter at every service location. When all service locations within the District have operating meters, each property owner will be charged according to usage. Until such time, all property owners are charged a quarterly fee which will be determined annually during the budget process. This fee will combine with the ad valorem property tax will cover the cost of providing potable water and sewer services to the owners of the District. No by-pass of any meter shall be permitted by any individual.

- 3.1.4 Liability. No claim for damages shall be made against the District by reason of the following: Damage to any real property or other personal property resulting from inadequate or sporadic pressures or damage caused by any blockage or water escaping from open or defective facilities or devices or damage caused by burst pipes or other facilities owned by the District.

- 3.1.5 Tampering with Meter Prohibited. It shall be unlawful for any person to tamper with any water meter installed or owned by the District or to place, install or put on or near any such meter any instrument or device which will affect the operation or the reading thereof.
- 3.1.6 Wasting of Water Prohibited. It shall be unlawful for any person having a permit to use water from the District to permit, suffer or allow water to run to waste upon his premises, buildings, houses or lots, or in any manner through neglect or by reason of faulty or imperfect plumbing or fixtures.
- 3.1.7 Access to Water Hydrants; Unauthorized Obstruction or Operation; Penalties. Any damage caused to a District water hydrant or other facility while being operated under a valid Hydrant Permit shall be the sole responsibility of the Permittee. All costs of repair or replacement shall be borne by the Permittee.

It shall be a violation for any unauthorized person to open or operate any water hydrant, draw water therefrom or obstruct the approach thereto. (See § 2.6.) Violators shall be subject to fines and all damages associated with such unauthorized use including the cost of any repairs needed to return the hydrant to acceptable condition.

- 3.1.8 Construction Water/Temporary Water Use. Temporary licenses for special uses are issued by the District for limited periods of time. Special purposes for which temporary licenses are issued include:
 - 1. Construction
 - 2. Temporary Irrigation
 - 3. Special situations which may require the use of water for a limited period of time. Unless renewed, temporary licenses expire on the termination date specified in the license and no continuation of water service is permitted beyond that date.
- 3.1.9 Damage to District Facilities. Any damage caused to any District facility by any person shall be the sole responsibility of the person, company, or entity causing such damage. The cost of repair or replacement shall be borne solely by the responsible party and such costs shall include, but may not be limited to, any costs associated with the repair or replacement of the damaged facilities, including all costs incurred by the District or its agents, and all repair or replacement costs associated with any damage caused by fugitive water.

- 3.2 Charges, Fees and Billing. As explained in 3.1.3 above, currently, the District does not meter each residence for water usage. Currently, as of the date of adoption of these Rules and Regulations, only newly built services are required to equip their homes with water meters; older, existing homes, which have not had meters in the past, are not yet equipped with individual water meters. At some time in the future, the District will install a meter in every existing residence. When all homes within the District have operating meters, each property owner will be charged according to usage. Until such time, all property owners are charged a

quarterly utility fee which will be determined in an annual basis during the budget process.

3.2.1 Base Rate and Meter Rate Charge At which time the District deems it necessary to change the utility billing method to metered billings, rates will be set and reviewed by the Board of Directors as part of the annual budget process. A sample rate schedule is as follows.

The monthly service charge shall be composed of two parts; a base rate of \$_____ per month per meter being served and a minimum meter rate of \$_____ per 1,000 gallons used as metered at the point of delivery. This rate shall apply to all water used up to _____ gallons per month. In order to encourage conservation and the wise use of this resource, a step rate system shall be employed for water used in excess of _____ gallons per month. The step rate system shall increase the cost of water per 1,000 gallons delivered by the formula contained below;

The total monthly charge per meter may be computed by the following formula:

For Affordable Units:

Basic Monthly Rate _____ per month per unit
Plus _____ per 1000 gallons up to 11,000 gallons
Plus _____ per 1000 gallons over _____ and
up to _____ gallons
Plus _____ per 1000 gallons over _____ and
up to _____ gallons

For Free Market Units and Parcel 2:

Basic Monthly Rate _____ per month per unit
Plus _____ per 1000 gallons up to 11,000 gallons
Plus _____ per 1000 gallons over _____ and
up to _____ gallons
Plus _____ per 1000 gallons over _____ and
up to _____ gallons

Nothing contained herein shall limit the Board from modifying rates and charges or from modifying any classification.

(a) Temporary Use Rates. Temporary use rates shall be set by the water system operator, and shall be based on the following or an alternative format, to be determined and changed from time to time as necessary by the water system operator. The service charge for temporary use water shall consist of the same two parts, a base rate of \$50.00 per month or any part thereof, and \$5.00 per 1000 gallons delivered. Meter rental \$50.00/month for hydrant

use, limited April - October.

(b) Extra-territorial Use Rates. Extra-territorial use rates shall be set by the water system operator, and shall be based on the following or an alternative format, to be determined and changed from time to time as necessary by the water system operator. The service charge for water delivered through an extra-territorial use contract shall be two times the fee charged for water delivered within the District or such other fee as is approved by the Board.

3.2.2 Cash Deposit. The District may require at any time from any customer or potential customer a cash deposit intended to insure payment of current bills, such deposit not to exceed an estimated 90 day's bill of each customer. The District may require a cash deposit in advance from any contractor, developer, or owner to be applied to any fees which might be due or owing under Sections 3.2.1 (a), 3.2.5 and 3.2.6 herein.

3.2.3 System Development Charges (SDC). No water utility service shall be provided to any new connection or to any addition to existing service until the appropriate System Development Charges have been paid.

a. Transferability of SDC. The System Development Charge is not transferable from one property to another.

b. Refund of SDC. The System Development Charge is not refundable.

3.2.4 Connection/Tapping Fee. In addition to the system development charge, there is a fee assessed by the District for the labor and materials involved in the installation of a service tap. The District tapping fee is on a direct cost reimbursement basis and includes the total costs involved with tapping the line, installing the corporation stop and service line to the curb stop box. (See Appendix I.)

3.2.5 Review, Inspection, Testing & Other Fees. The District shall require payment of appropriate fees for the provision of services or costs not directly related to the sale of water. These include plan & submittal review fees, construction inspection or observation fees, testing & materials fees, engineering, legal and professional fees, and others. All fees shall be reimbursed at actual District cost and billed in accordance with Section 3.2.6 below. These fees are in addition to the system development charge.

In addition, any costs required to be paid by the contractor, developer or owner, such as insurance costs, costs to repair or replace damaged facilities, et cetera, may be paid by the District at the District's sole discretion, and all monies so paid by the District shall be subsequently charged to and paid by the contractor, developer, or owner. All wastewater plans must be submitted to the District 45 days prior to proposed construction.

3.2.6 Billing and Payment. Statements for all fees, charges, assessments, and penalties shall be rendered monthly or quarterly at the discretion of the Board. Charges for late payments shall be added to the statements.

Bills will be mailed the same week of each month or quarter and shall be payable before the next quarterly statement is sent out. Payments received thereafter will be charged interest at 1.5% per month (\$18% per annum), with no exceptions. Bills not paid shall be declared "overdue" and the manager of the District may be instructed to disconnect the service until full payment, and place a lien upon the property in order to ensure collection of all charges and fees. In the event the District is required to disconnect service, a notice of disconnection shall be affixed to the front door of the residence and disconnection shall occur not less than three days following the disconnection notice. Re-connection of the water service shall require payment of all late fees plus the service charge contained in Section 3.2.3 herein.

- 3.3 Water Use Restrictions. If conditions exist where the District in its sole discretion determines that water supplies should be restricted, then notice of such action shall be published in a local newspaper of general distribution giving the reasons for such water restrictions and detailing the limited conditions of continued use. Notices of such restrictions shall also be posted at various locations within the District and emailed to all members who have given their email address to the Secretary of the District. Once the notice has been published for a period of one week, the water restrictions shall be in full effect until terminated by the District. Such restrictions may include an immediate cessation of irrigation or other outside uses and/or a reduction in water usage permitted for domestic purposes.
- 3.4 Enforcement. The violation of any water use restriction or waste of water shall be grounds for the suspension or revocation of water service to any user served by the District and assessed fines. The amount of the fine shall be set by the water system operator and may range between \$50 to \$500 per month. The owner or occupant of any resident within the District shall be responsible for complying with these rules and regulations and any water use restrictions placed by the District and shall be subject to any actions, fines or penalties adopted Board, and which may be modified from time to time.

SECTION IV. - ROADS, STREETS AND SAFETY PROTECTION

- 4.1 General. It shall be unlawful for any person to construct, excavate, repair, rehabilitate or replace any road within the jurisdiction of the District without first having made formal application to the District for approval and having complied with all the regulations and rulings of the District.

The applicant shall provide the District with definitive preliminary engineering plans and plats including topography of all proposed development projects which require installation of roads, streets or traffic signage and signals. The District shall review such plans, plats, and other submittals and District approval must be obtained prior to preparation of the final plans. Applicant must obtain and dedicate to the District all necessary easements without charge for all roadways and related facilities. The applicant shall further obtain and grant to the District any additional easements necessary for installation of any utilities and related facilities prior to the signing of a contract for the actual construction thereof. Any costs for acquisition of land or easements necessary for the District to serve the proposed project shall be paid by the applicant.

No roads, streets or safety improvements shall be constructed within the Board's jurisdiction until final plans and specifications have been approved by the District and written authorization to proceed has been obtained from the District. No excavation shall be started until all permits of the District or County have been obtained. No roads or streets shall be paved prior to being inspected by the District nor placed into operation unless they have been accepted and approved in writing by the District's authorized representative. No private road shall be approved for installation within the District without the prior written approval of the District Board, which approval shall not be granted unless the Board shall determine that the private road can be constructed and maintained throughout its economic life to the same standards required for a District road.

- 4.2 Procedure for Road Extension Construction. Upon approval of preliminary planning for a proposed project, the landowner or developer will then prepare detailed plans and contract documents for final review by the District.

To the extent the proposed development requires changes in existing roadways or other existing district facilities in order to provide access or adequate fire protection for the development, then developer shall be required to design and construct all such improvements at his own expense. Dedication to the District of facilities and improvements constructed shall be in accordance with paragraph 5.4 herein and with the Standards and Specifications of the District.

To the extent any new construction of road ways, streets or safety improvements are required to serve the proposed development, in the sole discretion and opinion of the District, all costs associated therewith shall be borne by the developer. When required by the District, improvements which benefit a substantial portion of the District beyond the proposed development may be accepted by the District as a partial credit toward required road impact fees, or may be approved for reimbursement of a portion of the costs by the District, or may be approved for reimbursement of a portion of the costs by future users of such improvements.

- 4.3 Inspection Fees. All inspection fees required by the District, County or other involved entity shall be paid by the owner or the Developer.

- 4.4 District Ownership. Landowners or developers who have completed road way construction shall, before these roads are accepted by the District for use, deed the roads and appurtenances to the District free and clear of all liens and encumbrances and furnish a bond to cover all maintenance for encumbrances and furnish a bond to cover all warranty maintenance for one year from the date of acceptance of the roads by the District, or provide an easement or right-of-way acceptable to the District for the entire width of the road, including ditches, and set-backs for signage, hydrants or other District facilities. Easement requirements are contained within the District's Standards and Specifications, all of which are incorporated herein.

- 4.5 Rights-of-Way. No roads, streets or safety improvements shall be constructed within the District which do not fall within a District right-of-way or within a District approved and accepted road easement or an alignment owned by the District.

- 4.6 Utility Easements. Easements are required wherever utilities are proposed for installation in a District right-of-way. All easements shall be prepared in accordance with the District's Standards and Specifications; and must specifically adhere to the "Road Design" section.
- 4.7 Damage to District Roads or Signs. Any damage caused to any District road by any person shall be the sole responsibility of the person, company, or entity causing such damage. The cost of repair or replacement shall be borne solely by the responsible party and such costs shall include, but may not be limited to, any costs associated with the repair or replacement of the damaged roadway, shoulder, sub-grade, drainage, and/or traffic systems, including all costs incurred by the District or its agents, including all administrative costs, and all repair or replacement costs associated with any damage caused as a result of the damage to any road.
- 4.8 Review, Inspection, Observation, Testing & Other Fees. The District shall require payment of appropriate fees for the provision of services or costs not directly related to the sale of water. These include plan & submittal review fees, construction inspection or observation fees, testing & materials fees, engineering, legal and professional fees, and others. All fees shall be reimbursed at actual District cost and billed in accordance with Section 4.2 herein. In addition, any costs required to be paid by the contractor, developer or owner, such as insurance costs, costs to repair or replace damage facilities, et cetera, may be paid by the District at the District's sole discretion, and all monies so paid by the District shall be subsequently charged to and paid by the contractor, developer, or owner.
- 4.9 Road Impact Fee and Road Impact Deposit. In addition to all other fees and permits, the District shall have and exercise the right to assess road impact fees and to collect a road impact deposit to offset damage created to District roads by individual users, contractors, vendors, suppliers, et cetera. These fees and deposits shall be due and payable to the District at the time of issuance of any building permit. The District Board reserves the right to refuse to allow certain vehicles to use the roads or streets of the District unless and until such fees or deposits have been paid to the District and unless and until the proposed vehicle use can be shown to cause no damage to District roads or streets. Normal equipment necessary for the construction of residential homes and septic systems and leech fields will not generally be required to pay a road impact fee; in the event that obvious damage is caused, repair and cost for repair shall be the responsibility of the person causing the damage.
- 4.10 Parking and Traffic Control. As stated previously, the District's roads are not for public use except by invitation. Parking is not permitted on any road within the District without the express permission of the District. Currently, the District does not have a person designated for issuing parking permits and enforcing parking regulations. The District reserves the right to begin such issuing and enforcing at its discretion. Permits for construction parking, temporary or event parking or special needs parking may be obtained through the District for a fee. Violation of the District's parking rules may result in a fine being issued by the District. The District has established a fine schedule for parking violations that begins at \$30.00 per violation. Repeat offenders may be subject to the installation of a Denver Boot upon a vehicle and the cost to remove a boot shall be not less than \$50.00.

SECTION V. WASTEWATER AND SEPTIC SYSTEMS

- 5.1 General. It shall be unlawful for any person to construct, excavate, repair, rehabilitate or replace any ISDS or leach field within the jurisdiction of the District without first having made formal application to the District for approval and having complied with all the regulations and rulings of the District.
- 5.2 New Construction. Each and every applicant proposing new construction within the District shall provide the District with definitive preliminary engineering plans and plats including topography and soil absorption reports for all such development projects which require installation of an ISDS or leach field. All ISDS shall be designed and built to the standards and requirements of the Colorado Department of Health and the Pitkin County Environmental Health Department. The District shall review such plans, plats, and other submittals and District approval must be obtained prior to preparation of the final plans. Applicant must obtain and dedicate to the District all necessary easements, without charge, for all ISDS and related facilities. The applicant shall further obtain and grant to the District any additional easements necessary for installation of any utilities and related facilities prior to the signing of a contract for the actual construction thereof. Any costs for acquisition of land or easements necessary for the District to serve the proposed ISDS shall be paid by the applicant.

No ISDS or leach field improvements shall be constructed within the Board's jurisdiction until final plans and specifications have been approved by the District and written authorization to proceed has been obtained from the District. No excavation shall be started until all permits required by the State, County and District have been obtained. No septic tanks or leach fields shall be placed into operation unless and until they have been accepted and approved in writing by the District's authorized representative.

- 5.3 Inspection Fees. All inspection fees required by the District, County or other involved entity shall be paid by the owner or the Developer.
- 5.4 Operation and Maintenance. The District shall be responsible for the operation and maintenance of all ISDS within its jurisdiction. The operation and maintenance of these systems shall include the replacement, reconstruction and/or relocation of portions of the ISDS systems located within the District boundaries, which systems were in existence prior to the formation of the District. The District shall determine the timing and order of the reconstruction and replacement of the existing ISDS based upon health, safety and environmental concerns.

The District shall be responsible for the regular pumping of each septic tank installed within the District boundaries, which pumping shall occur every two (2) years, or as deemed necessary by the District Manager or Inspector. The District shall assume any and all other maintenance costs associated with the ISDS and shall maintain a reserve fund to cover all budgeted maintenance costs.

- 5.5 Wastewater Discharge Restrictions. - No person shall discharge, or cause to be discharged, to any individual wastewater disposal system, any harmful waters or wastes, whether liquid, solid or gas, capable of causing obstruction to the flow in individual sewers, damage or hazard to individual wastewater treatment system structures, equipment or personnel, inhibiting the biological activity in individual wastewater treatment facilities, interfering with

the proper operation of such individual wastewater treatment system, or causing a violation of Federal, state or local laws. Prohibited discharges shall include but not be limited to the following wastes:

- (a) Water from storm drains, roof runoff, drainage collection systems, surface runoff, sub-surface drainage, or cooling processes.
- (b) Any water or wastes containing grease, oil, hydrocarbons, fatty acids, soaps, fats, or waxes which exceed 50 mg/l as determined by solvent (Freon) extraction.
- (c) Any waste having a temperature higher than one hundred fifty (150) degrees Fahrenheit (66oC).
- (d) Any waste having a pH value lower than 6.8 or greater than 9.0.
- (e) Any toxic substance or substance requiring pretreatment, as those terms are defined in 40 Code of Federal Regulations §403, as amended from time to time, unless otherwise covered under this section.
- (f) Any radioactive wastes or isotopes.
- (g) Any solid or viscous substances in quantities or sizes capable of causing obstruction to the flow in the sewer lines or other interference with the proper operation of the individual wastewater treatment system, such as, but not limited to ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, cattle manure, hair and fleshings, entrails, grit, brick cement, onyx, carbide, and shredded or whole paper products other than tissue, toilet paper, and other products intended for toilet disposal.
- (h) Any noxious or malodorous substance capable of creating a public nuisance.
- (i) Any wastes having a color concentration in excess of 30 color units, based on the Platinum Cobalt Scale.
- (j) Any wastes having a flash point lower than one hundred eighty-seven degrees Fahrenheit (187oF) (86oC) as determined by the Tagliabue (Tag.) closed-cup method.
- (k) Any waste having a five (5) day Biochemical Oxygen Demand which may contain more than 300 parts per million by weight as averaged during any twelve (12) hour period.
- (l) Any waste capable of raising the Lower Explosive Limit (LEL) of the ambient atmosphere in any sewer to 5% for any two successive readings or to 10% for any single reading on an explosion hazard meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha,

benzene, toluene, zylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbines, hydrides and sulfides.

- (m) Any wastes containing phenolic compounds over 5 mg/l expressed as phenol.
- (n) Any cyanides or compounds capable of liberating hydrogen cyanide in excess of 1 mg/l expressed as hydrogen cyanide from any individual outlet.
- (o) Any wastes containing sulfides over 3 mg/l expressed as hydrogen sulfide.
- (p) Any wastes containing toxic or poisonous substances having a 24 hour proportionate composite sample concentration, at point of discharge to wastewater disposal system, in excess of the following:
 - (1) Total Chromium as Cr 7.5 mg/l
 - (2) Copper as Cu 4.5 mg/l
 - (3) Nickel as Ni 15.0 mg/l
 - (4) Cadmium as Cd 1.2 mg/l
 - (5) Zinc as Zn 12.0 mg/l
 - (6) Iron as FE 15.0 mg/l
 - (7) Lead as Pb 15.0 mg/l
 - (8) Arsenic as As 0.25 mg/l
 - (9) Manganese as Mn 0.25 mg/l
 - (10) Selenium as Se 0.05 mg/l
 - (11) Silver as Ag 0.25 mg/l
 - (12) Mercury as Hg 0.10 mg/

SECTION VI. ADDITIONAL DISTRICT SERVICES

- 6.1 General. It shall be unlawful for any person to enter into a contract for the provision of services to the District, or to the Constituents of the District, which services are within the responsibility and jurisdiction of the District, without first having made formal application to the District for contract approval and having complied with all the regulations and rulings of the District.
- 6.2 Snow Removal. The District shall provide, or cause to be provided, snow removal services on all roads within the District boundaries, at such times and in such a manner as the District Manager shall deem appropriate. The District shall not be responsible for the removal of snow from private driveways, which shall be the responsibility of the individual Property Owner.
- 6.3 Trash Removal. The District shall provide, or cause to be provided, trash removal services, at times and in such a manner as the District shall deem appropriate.
- 6.4 Landscape Maintenance. The District shall provide, or cause to be provided, landscaping and landscape maintenance services to property owned, operated or maintained by the

District as the District Manager shall deem appropriate. Each Property Owner shall be responsible for all landscaping and landscape maintenance on the privately owned lots within the District.

APPENDIX I

FEES, CHARGES, FINES AND PENALTIES SCHEDULE

SYSTEM DEVELOPMENT CHARGE

\$2000/EQR - for undeveloped, non-free-market properties.

\$6000/EQR - for undeveloped, free-market properties.

One EQR = 3000 square feet of habitable floor space excluding garages.

The SDC is payable in two instances. First, when an undeveloped property is sold by Lowe W/J, LLC to a person, the SDC is payable, by the buyer at closing. Second, if and when the already built ISDS of a developed property fails and must be replaced, as determined by the District, the individual property owner must pay the SDC prior to the replacement of the ISDS, the cost of which will otherwise be paid by the District.

WATER SYSTEM, ISDS, and ROAD CUTS

Application Fee	\$50
Inspection Fee (Each)	\$50
Fine for unauthorized use	\$500

ROADS & PARKING

Currently not enforced. If and when enforced, fee and penalty scheduled to be set, using the following model as a guideline.

Special Use Parking Permit	\$ _____ month-(\$____/day)
Road Cut Permit	\$ _____
Parking Violation - each offense	\$ _____
Booting of vehicle - each offense	\$ _____
Towing of Vehicle - each offense	\$ _____ or actual cost
Abandoned Vehicle	Tow plus disposal charge

Vehicles will be booted or towed if outstanding tickets are not paid within ten days and a subsequent (repeat) violation occurs. All fines and boot charges must be paid before vehicle will be released.

Road impact fee	\$ _____ per square foot constructed
Road impact deposit	Based on construction plans

LICENSES AND PERMITS

Right-of-way Use License	\$ _____ plus admin costs
Easement Use Permit	\$ _____ plus admin costs
Event/concession Permit	Based on impacts/costs

MISCELLANEOUS FEES

Inspection fees	Actual cost of inspection & follow-up
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ANY FEE OR PERMIT NOT PAID PRIOR COMMENCEMENT OF WORK
SHALL BE SUBJECT TO A TREBLING OF FEES, CHARGES OR FINES PLUS
ANY COSTS OF COLLECTION.

APPENDIX II

STANDARD SPECIFICATION FOR WATER CONSTRUCTION

GENERAL REQUIREMENTS:

1. Rules & Regulations

The applicant, contractor, and property owner are responsible for knowledge and compliance with these provisions of the Rules & Regulations.

These provisions are developed to insure that the service line extension to the water distribution systems is constructed in a manner not to impact adversely the total system.

2. Scope

Service lines are constructed to provide the water link between the District main line distribution or collection system and the privately owned facility. The service line construction is paid for by the developer/property owner. Responsibility for maintenance and repair of water service lines is shared by the owner and the District.

3. Criteria

A separate and independent water service line shall be provided for every separately metered unit within a building. A curb stop shall be located at the property line or edge of easement on all water service lines. The District shall be responsible from the curb stop in and the Owner from the curb stop out. If no curb stop is available, the Owner is responsible for the entire service line. At least one water meter shall be installed for each separate building or unit served. Multi-unit buildings may have individual unit curb stops, meters, and shut-off valves or may be serviced by a single curb stop and a master meter. Accessible valves for emergency water shut-off shall be provided for each unit. The District may authorize an exemption from the above requirements for buildings that are part of a condominium or homeowners' association. In such a case, the District shall bill the association for service charges assessed by the District for water usage in the association in one bill. In all cases where individual units are not separately metered, billing shall be to one entity for water service to all units serviced through the same meter or service line, and payment for less than all units shall be considered non-payment, allowing the District to terminate service.

4. Authorization and Permits

Prior to service line construction, the contractor shall familiarize themselves with the District standards and specifications. The owner or contractor shall obtain approval for the location of the service line and submit a copy of the building permit with information on the number

and size of living units in the facility, appropriate sets of site and mechanical plans, and inform the District's personnel of intended schedule for construction. The District, in its sole discretion, has the authority to grant a variance from strict compliance with District specifications in the event of undue hardship, not self-imposed.

5. Taps and Tap Fees

Only District personnel or an authorized representative shall make taps onto the District's water mains.

Tap fees must be paid prior to connection of any tap.

6. Unauthorized Taps

Any change in use, conversion, or creation of additional units or connection of new structure made without payment of a tap fee will be considered an "unauthorized tap."

The occurrence of an unauthorized tap is subject to a penalty charge, as well as payment of the appropriate tap fee.

7. Service Charges

Service charges begin as of the date of turn-on. The property owner shall be responsible for payment of all fees and charges due the District.

8. Water Saving Devices

Water saving devices are required, consisting of shower restrictors and maximum 3.5-gallon flush toilets.

9. Inspections

The applicant for the water line service permit shall notify the District when the service is ready for inspection and connection to the main. Appointments for inspection and connection should be scheduled twenty-four (24) hours in advance.

All water service lines are to be tested under normal operating pressure. (120 psi)

An open ditch inspection of all service lines shall be conducted by the District's representative. No service lines shall be covered without the District representative's approval. Anyone making any installation without such approval shall be required to remove all soil or any other covering over the service line to allow its inspection.

WATER SERVICE LINES:

1. Responsibility

The District is responsible for the maintenance of the water service line, up to and including

the curb stop valve or the owner's property line or edge of easement, whichever is closer to the main. The customer is responsible for the maintenance of the remaining portion of the service line serving the property. The water meter is property of the District and the responsibility of the District to maintain. Remote meter readouts are required on the front of each house within five feet of the entrance.

2. Service Lines

All structures/metered accounts shall have one service line with one curb stop valve to be installed at property line for each application. The intent of this provision is to allow only one service line for all uses within the building including domestic water and fire suppression systems so that there is only one point outside of the building where water is terminated, which would be the curb stop valve itself. Within the mechanical rooms or meter area, the separation between the domestic water and fire suppression water systems will occur. This separation of the domestic water and fire suppression system will occur downstream of the curb stop valve for the single service line providing water service to the metered account. See Detail B-3, Service Line Meter Vault with Fire Line. The same orientation can occur within a meter pit, meter vault, or within the mechanical room of a building. Any variation from this standard will require written permission from both the local fire authority and the District. An as-built drawing with swing ties shall be provided to the District of the service line on the site plan prior to service.

a. Copper Tubing

Shall be Type K, ASTM B88. Connections are to be compression or silver-soldered. . No couplings shall be allowed from the main line to the curb stop. Service lines between the corporation stop and the curb stop (1 inch, 1-½ inches, and 2 inches only) shall be constructed of type "K" copper.

Type "K" copper service lines shall be inspected to ensure that they are free of all kinks, indentations, and/or damaged areas. Any damaged copper pipes or fittings shall be rejected by the District Inspector.

b. Polyethylene Tubing for Service Lines

May be used only in conjunction with a meter pit installation at property line. Polyethylene tubing may only be installed on the service side of the meter assembly contained within a meter pit installation.

Polyethylene water service lines shall be manufactured of high density 3408 material to the requirements of ASTM D2239 for SIDR pipe, and ASTM D2737 for Copper Tube Size pipe, meet AWWA C901 requirements and be NSF listed. All Polyethylene water service lines shall be approved by the District prior to construction.

c. Ductile Iron Pipe

Water service lines over 2-inches (2") shall be constructed of ductile iron.

d. Tracer Wire

10-gauge tracer wire is required to be installed from the curbstop to the outside of the building.

3. Service Line Separation

A ten-foot (10') separation must be maintained between parallel water and sewer service lines or case per CDPHE regulations.

4. Alignment.

Alignment of the water service line shall be located so as to take the shortest, most direct route, preferably perpendicular from the main to the building. No water service line shall be laid within ten feet (10') parallel to any weight-bearing wall that might be thereby weakened. The water service shall be laid at a uniform grade in a straight alignment.

5. Curb stop

The water service line shall have a curb stop control valve located at the property line or edge of easement, or as otherwise approved by the District with easy access to the District. Curb stops shall be in good operating condition at all times. Curb stop valve box tops must be Mueller Buffalo Pattern, accessible at ground surface. Dry ice shall be used when making repairs to a curb stop valve. Service line constructed of ductile iron material will require curb stop to be located at the tee on the main line.

6. Stubout

When water service lines are stubbed out from the water main to property lines, the stubout shall be valved off and plugged, with a valve box the top of which is installed at the ground surface. A water service line stubout shall be marked by triangulation on individual lot plans. A copy of the lot plan shall be provided to the District for verification within a 48-hour period prior to covering the water service line stubout.

7. Specifications

Water service lines shall be constructed with type K copper up to two inches (2"); service lines larger than two inches (2") shall be constructed with ductile iron pipe (DIP). Water service lines shall be buried at least seven feet (7') with two-inch (2") uniform graded bedding and six-inch (6") uniform graded compacted cover. Polybutyl pipe for an owner's service line will be allowed after a meter pit that is located at the property line. No District line or line prior to a meter will be installed with polybutyl pipe.

The service line shall be one continuous line with no joints. No splices shall be installed between the curbstop and the main. No lead-soldered fittings shall be allowed. All copper connections must be compression joints, or silver-soldered joints. Service line bedding material shall consist of 3/8-inch or 3/4-inch minus screened rock material.

8. Taps and Inspection

District personnel will make all taps up to two inches (2"). All taps larger than two inches (2") will be made by an approved contractor and inspected by District personnel. The District will record the actual location and depth of water service lines.

Under supervision of the District representative, the water service line is to be pressure tested at normal operating pressure from the water main to the building before backfill begins.

Taps made after November 15 and before April 15 must have a heated tapping area provided. 24-hours advance notice must be given to the District prior to tapping.

9. Pressure Reducing Valves

A pressure-reducing valve (PRV) shall be installed in all service lines upstream of the water meter, ensuring that the water meter and the building plumbing system, including any fire sprinkler system, are protected from fluctuating water main pressures. Variance requests to remove the PRV from a fire sprinkler system may be allowed with written authorization from the District. The pressure setting of the PRV shall not exceed 200 psi without written permission from the District.

10. Shutoff Valves

The contractor will install shutoff valves prior to the PRV and after the spool/water meter to facilitate future repairs.

11. Water Meter and Remotes

The water meter shall be inspected by the District.

The contractor or owner will be required to provide three-strand wire for installation of a touch-read pad. Prior to meter installation and water turn-on, the owner shall install the wire from the meter location to an appropriate site. Touch-read pad will be located on the front of a building, five feet (5') off ground, in an area where snow is normally removed and with minimal vegetation. Within five feet of the entrance. The maximum remote distance from the meter shall be five hundred feet (500').

All meters must be bronze bodied, Sensus SR11, with touch-read pad. A Sensus Meter Transceiver Unit and MXU Mounting Bracket must be attached to the meter to provide for automated meter reading capability. When a meter, transceiver unit and mounting bracket are purchased from the District, the contractor or owner will perform an installation in a horizontal position. All meter installations must be in a freeze-proof, convenient, and easily accessible area. If the meter is located in a crawl space, the meter shall be located within three (3') feet of the access entry. Variances will be considered on a case-by-case basis from the District prior to the installation of the meter.

The contractor is responsible to protect the meter from freezing or other physical damage

during construction. After completion of the construction and acceptance by the owner, the owner is responsible to protect the meter from freezing, from damage due to high water pressure (i.e., PRV), and other physical damage.

Water will remain turned off at the curbstop until the water meter is installed, inspected and approved, and all tap fees are paid in full. All water is to be metered, including construction water.

12. Water Turn-On

Water service is turned on and billing begins when the meter is installed, inspection completed, and as-builts submitted.

Water turn-on will be made by District personnel only. Any water service turned on by other than authorized personnel shall be considered illegal system tampering and subject to fees and penalties.

14. Meter Pits

Meter pits shall be adequately sized to contain the meter assembly and allow maintenance to the assembly. Meter pits shall be installed at the property line or the edge of easement, on the service side of the curb stop valve.

- a. Mueller/Hunt Thermal Coil Meter Box: Recommended installation for 5/8", 3/4" and 1" meter applications.
- b. Meters 1 1/2" or Larger: Will be required to be installed in a concrete manhole meter pit.
- c. Manhole Bases: Precast concrete, ASTM C478, Armorcast 48" x 84" Deep Vault System or District approved equivalent.
- d. Manhole Sections: ASTM C478. Precast concrete (wetcast) with the lip outside, low end down, Armorcast 48" x 84" Deep Vault System or District approved equivalent. Concrete cones shall be eccentric.
- e. Manhole Rings and Covers: (For ROW installations) Cast iron, ASTM A48 with a flat lid with the lettering "WATER" cast on the cover. Ring and cover combined weight is to be greater than 255 pounds and machined to fit securely with a non-rocking cover. Waffle pattern hot dipped in asphalt. HS-20 traffic loading. D&L A1043 or accepted equal.
- f. Manhole Steps: (Concrete Only) Two non-skid grooves in surface of step and capable of carrying load of 1,000 pounds, six inches (6") from face of manhole.
- e. The steps shall meet industry standards or equal and be plastic coated.
- f. Manhole Joint Sealant: Double Rub-R-Neck with primer. One inch (1") on 48-inch diameter manholes; 1-1/2 inch on all larger sizes.

15. Repairs to Service Line

Repairs to service line between the corporation stop and the residence that require

couplings shall be made only by the use of silver-soldered coupling or compression coupling, and shall be inspected and approved by the District.

APPENDIX III

STANDARD SPECIFICATION FOR SEWER CONSTRUCTION

SEWER SERVICE LINES:

1. Customer's Responsibility

The entire sewer service line from the District main to the building belongs to the District, and the District is responsible for repairs and maintenance of the service line.

2. Service Line Separation

A ten-foot (10') separation must be maintained between parallel water and sewer service lines. At locations where water and sewer service lines cross, sewer service line joints within a ten-foot (10') distance of the water service line must be encased in accordance with the Colorado Department of Health standards.

3. Specifications

The sewer service lines shall be a minimum of four inches (4") ID PVC pipe with a minimum wall thickness meeting the SDR 35-thickness with preformed watertight joints with rubber gaskets. The sewer service line shall be watertight, on a constant minimum grade of not less than 1/4 inches (") per foot unless authorized by the District, in a straight line, and if running parallel to the building, no closer than ten feet (10') from the building. Two inches (2") of uniform graded bedding and six inches (6") of a uniform graded bedding compacted cover are required in accordance with specifications.

4. Inspection

Normal inspection of sewer service lines will be made with the service line not under pressure. Locations of sewer service lines must be recorded with the District. The District may allow, in lieu of inspections that the sewer line be pressure tested at the customer's expense. The water service shall be shut off or kept off until inspection or testing of the sewer service line is complete.

5. Floor Drains

Floor drains in industrial areas and garage drains will not be connected to the sanitary sewer without written permission from the District. Sediment and grease traps will be required per the Uniform Plumbing Code.

APPENDIX IV

CONTROL OF HAZARDOUS CROSS CONNECTIONS

The W/J Metro District water system or a consecutive distribution system shall have no uncontrolled cross-connections to a pipe, fixture, or supply, any of which contain water not meeting provisions of the drinking water regulations.

The water system shall retain maintenance records of all containment devices. These records shall be available for inspection by the Colorado Department of Public Health and Environment personnel. All maintenance records shall be kept for three years.

The water system operator shall notify the Maintenance Director of any cross-connections, as defined by Section 1.2.2 (10) of the drinking water regulations, within 10 calendar days of its discovery. The cross-connection shall be corrected within 10 days of being ordered in writing by the Maintenance Director to correct the problem. Failure to do so may result termination of water service