

**RULES AND REGULATIONS
GOVERNING WATER
AND
WASTEWATER SERVICE
FOR THE
RIVER ROCK COUNTY WATER
AND SEWER DISTRICT**

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VERSION 1.1

RULES AND REGULATIONS

CHAPTER 1 - DEFINITIONS

1-2	Definitions	10
1-2	Abbreviations	16

CHAPTER 2 - GENERAL

2-1	Authority.....	17
2-2	Intent and Purpose	17
2-3	Jurisdiction	17
2-4	Application	17
2-5	Noncompliance.....	17
2-6	Review of Administrative Actions	18
2-7	Owner’s Duty to Use District Water/Wastewater Facilities.....	18
2-8	When Private Systems May Be Used	18
2-9	Access to Customer’s Premises.....	18
2-10	Permit Required for Connection, Extension, or Use	19
2-11	Unauthorized Acts	19
2-12	Miscellaneous Devices	19
2-13	Condition of Service.....	19
2-14	Interruptions of Service	19
2-15	Liability of District	20

CHAPTER 3 - INITIATION AND DISCONTINUANCE OF SERVICE

3-1	Written Service Application Required	21
3-2	Service Application Provisions	21
3-3	Service Applicants.....	21
3-4	Information to be Provided.....	21
3-5	Service Application Prerequisites.....	22
3-6	Transfer of Service Account.....	22
3-7	Discontinuance of Service by Customer	22
3-8	Discontinuance of Service by District	22

CHAPTER 4 - TURN ON AND TURN OFF OF SERVICE

4-1	General	24
4-2	Operation of Curb Valves.....	24
4-3	Inspection of Meters and Appurtenances Required.....	24
4-4	Turn-off for Nonpayment and/or Noncompliance.....	24
4-5	Turn-on and Turn-off Liability Disclaimer	24

4-6	Landlord Responsibility	24
-----	-------------------------------	----

CHAPTER 5 - DEPOSITS

5-1	When Required and Amount of Deposit	25
5-2	Application of Deposits	25
5-3	Transfer of Deposits	25
5-4	Failure to Make Deposits.....	25
5-5	Refund of Deposits	25
5-6	Record of Deposits	25
5-7	Receipt of Deposits	26

CHAPTER 6 - TEMPORARY AND CONSTRUCTION SERVICE

6-1	Temporary Water/Wastewater Service.....	27
6-2	Construction Water Permit Required	27
6-3	Service for Building Construction.....	27
6-4	Service for Public Works Construction.....	27
6-5	Sprinkling Meter Service.....	28

CHAPTER 7 - BILLING

7-1	Billing Period	29
7-2	Bills Due.....	29
7-3	Information on Bills	29
7-4	Combined Charges	29
7-5	Bills for Wastewater Services Only.....	30
7-6	Refusal of Service.....	30
7-7	Multiple Owners.....	30
7-8	Payment Transfers	31
7-9	Bill Payment Stub.....	31
7-10	Estimates	31
7-11	Adjustment of Wastewater Bills.....	31

CHAPTER 8 - RATES, CHARGES, AND FEES-GENERAL

8-1	General	33
8-2	Monthly Metered Water Charges	33
8-3	Minimum Monthly Water Charges	33
8-4	Monthly Volume Wastewater Charges.....	33
8-5	Minimum Monthly Wastewater Charges	34
8-6	Charge for Reestablishment of Water/Wastewater Service	34
8-7	Wastewater Extra Strength Surcharges	34

8-8	Connection Charges (Impact Fees) for Water/Wastewater Service	34
8-9	Miscellaneous Water/Wastewater Fees and Charges	35
8-10	State Fees.	36
8-11	Charges for Miscellaneous Work/Service	36
8-12	Late Payment Interest Charge.....	37

CHAPTER 9 - CURRENT RATES, CHARGES, AND FEES

.....	38
-------	----

CHAPTER 10 - METERING

10-1	General	40
10-2	Meters for Nonusers of District Water Supply System	40
10-3	District’s Responsibility	40
10-4	Customer’s Responsibility.....	41
10-5	Inside Metering Facilities	41
10-6	Outside Metering Facilities	42
10-7	Use of Inside/Outside Metering Facilities	42
10-8	Permanent and Temporary Meter Installations.....	42
10-9	Sub Meters.....	43
10-10	Standard Meter and Service Line Sizes	43
10-11	Single Meter Per Service Line.....	43
10-12	Interconnected Water Service Lines	43
10-13	Special Meter Accuracy Tests	43
10-14	Replacement of Meters.....	44
10-15	Standard of Meter Accuracy.....	44
10-16	Non-Registering Meter	44
10-17	Testing and Repairing Meters	44
10-18	Damaged Meters and Equipment	44
10-19	Prohibited Taps Connections.....	45
10-20	Meter Tampering/Bypassing	45
10-21	Relocation of Meters	45
10-22	Maintenance of Outside Meter Boxes/Vaults.....	45
10-23	Fire Hydrant Meters.....	45
10-24	Secondary Wastewater Meters	46
10-25	Sprinkling Meters	47
	Standard Meter Pit Drawing

CHAPTER 11 - USE OF WATER SERVICE

11-1	Waste of Water.....	47
11-2	Cross Connections.....	47

11-3	Resale of Water	48
11-4	Water Use Restrictions	48
11-5	Unlawful Sprinkling of Lawns and Gardens	48

CHAPTER 12 - USE OF WASTEWATER SERVICE

12-1	Discharging Certain Matter Into Sewers Prohibited.....	49
12-2	Grease, Oil and Sand Interceptors	50
12-3	Maintenance of Interceptors	50
12-4	Approval Required for Discharge of Certain Waters	50
12-5	Preliminary Treatment Facilities	51
12-6	Maintenance of Preliminary Treatment Facilities	51
12-7	Control Manholes and Test Locations.....	51
12-8	Wastewater Testing and Analyses.....	52

CHAPTER 13 - PRETREATMENT OF INDUSTRIAL WASTES

13-1	Methodology.....	53
13-2	Actions of Director	53
13-3	Preemption by National Categorical Pretreatment Standards	53
13-4	Modification of National Categorical Pretreatment Standards.....	53
13-5	State Requirements.....	53
13-6	District’s Right of Revision.....	54
13-7	Industrial Discharge Permits	54
13-8	Reporting Requirements.....	56
13-9	Availability of Records.....	56
13-10	Notification of Violation	56

CHAPTER 14 - WATER AND/OR WASTEWATER SERVICE AREAS

14-1	Adoption of Service Area.....	57
14-2	Prohibited Act.....	57
14-3	Enlargement Application and Fee	57
14-4	Prerequisites to Application	57
14-5	Application Reviews and Recommendations	58
14-6	Public Hearing.....	59
14-7	Board of Directors Action	59

CHAPTER 15 - WATER AND WASTEWATER EXTENSIONS

15-1	Intent and Purpose	60
15-2	Prohibited Act.....	60
15-3	Application and Fee.....	60

15-4	Water and Wastewater Service Areas	60
15-5	Approval of Extensions	61
15-6	Water and Wastewater System District Waivers.....	61
15-7	Charges and Regulations	61
15-8	System Construction Fees and Charges.....	61
15-9	Introduction of District Service Applications.....	61
15-10	Methods and Financing of Extensions	62
15-11	Ownership of Extensions.....	62
15-12	Maintenance of Extensions	62
15-13	Water Service Lines and Firelines.....	63
15-14	Fire Hydrants, Valves, and Other Appurtenances	63
15-15	Wastewater Service Lines	63
15-16	Manholes, Wastewater Pumping Stations, Force Mains, And Other Appurtenances	64
15-17	Rights-of-way, Licenses, and Permits	64
15-18		
15-19	Extensions Outside Corporate City Limits.....	64
15-20	Subdivision Extensions of Water Supply Facilities	65
15-21	Subdivision Extensions of Wastewater Facilities	65
15-22	Individual Extensions	65
15-23	Oversizing Extensions.....	66
15-24	Staged Construction of Extensions.....	66
15-25	Underground District Information.....	66
15-26	Excavations	66
15-27	Traffic Control and Construction Signing.....	67
15-28	Professional Engineer.....	67
15-29	Contract Plans and Specifications	67
15-30	Design Standards.....	68
15-31	Materials and Methods of Construction	68
15-32	Construction and Final Inspection.....	68
15-33	Minimum Size and Spacing Criteria for Water Systems.....	69
15-34	Depth of Water Mains and Appurtenances	70
15-35	Minimum Capacity, Size, Arrangement, and Spacing Criteria for Wastewater Systems	71
15-36	Depth of Public Sanitary Sewers and Appurtenances	73
15-37	Standard Utility Siting.....	74
15-38	Point of Connection of Extension	74
15-39	Connection to Water Supply System.....	74
15-40	Project Notices and Other Correspondence.....	75
15-41	Testing, Flushing, and Disinfecting Extensions of Water System	75
15-42	Testing and Inspection of Wastewater Extensions	76
15-43	As-Built Drawings.....	76
15-44	Acceptance of Extensions by District.....	76

15-45 Public Contractors License Required	77
15-46 Warranty and Guarantee	77
15-47 Operating Existing Valves, Hydrants, and Appurtenances	77
15-48 Protection of Existing Wastewater System	77
15-49 Protection of Existing Water System	77
15-50 Interruptions of Service	78
15-51 Fees and Charges	78
15-52 Damages to Existing Systems	78

CHAPTER 16 - WATER AND WASTEWATER SERVICE LINES, FIRELINES AND CONNECTIONS

16-1 Permit Required.....	79
16-2 Applications and Fees.....	79
16-3 Connection, Construction, and Development Charges.....	80
16-4 Bond and Liability Insurance.....	80
16-5 Guarantee.....	80
16-6 Installation, Ownership, and Maintenance	81
16-7 Underground Utility Information	81
16-8 Excavations	81
16-9 Traffic Control and Construction Signing.....	81
16-10 Arrangement and Location	82
16-11 Multiple Building Service Agreements	83
16-12 Abandoned Water Service Lines	83
16-13 Abandoned Sewers	83
16-14 Minimum Diameter of Water Service Lines	84
16-15 Size and Slope of Sewer Services	84
16-16 Depth of Water Lines	84
16-17 Depth of Sewer Services	84
16-18 Materials and Methods of Construction	84
16-19 Curb Valve	85
16-20 Point of Connection to Public Water Main	85
16-21 Point of Connection to Public Sanitary Sewer	85
16-22 Connections to Public Water Mains.....	86
16-23 Inspection and Tapping Notification	86
16-24 Damage to Public Water and Sewer Mains.....	86
16-25 Keeping Sewers Clean.....	87
16-26 Service Line Sub-outs.....	87
16-27 Protective Devices for Water System.....	87
16-28 Firelines	87

CHAPTER 17 - FIRE HYDRANTS

17-1	Public Fire Hydrants	89
17-2	Operation of Public Fire Hydrants.....	89
17-3	Installation of Blow-Off Hydrants.....	89
17-4	Relocation of Public Fire Hydrants	89
17-5	Obstructing Public Fire Hydrants	89
17-6	Damages to Public Fire Hydrants.....	90
17-7	Painting of Public Fire Hydrants	90
17-8	Private Fire Hydrants.....	90

CHAPTER 18 - REFERENCES

.....	91
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CHAPTER 1 - DEFINITIONS

1-1 DEFINITIONS

Unless the context specifically indicates otherwise, the meanings of the terms used in these rules and regulations shall be as follows:

- (1) "Approval Authority" means the regional administrator of the EPA.
- (2) "Appurtenances" refer to machinery, appliances, or auxiliary structures attached to the sewer to enable it to function, but not considered an integral part of it.
- (3) "Biochemical Oxygen Demand" (BOD) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in 5 days at 20 degrees Centigrade, expressed in terms of weight and concentration (milligrams per liter).
- (4) "Building Drain" means that part of the lowest horizontal piping of a drainage system which receives the discharge from waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet outside the inner face of the building wall.
- (5) "Building Sewer" means the privately-owned extension of the building drain to the public sanitary sewer or other place of disposal.
- (6) "Bypassing" means any act, using any means, the purpose of which is to obtain district water/wastewater service without having such service pass through the meter that is provided for measuring or registering such service.
- (7) "District" or "River Rock County Water and Sewer District" means the River Rock County Water and Sewer District in the County of Gallatin and State of Montana.
- (8) "District Attorney" means the Attorney for the River Rock County Water and Sewer District.
- (9) "District Clerk" means the District Clerk of the River Rock County Water and Sewer District.
- (10) "District Manager or "General Manager" is the River Rock County Water and Sewer District staff member designated to have authority as directed by the Board of Directors over the District Wastewater System and the District Water System.
- (11) "Board of Directors" means the Board of Directors of the River Rock County Water and Sewer District.
- (12) "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.
- (13) "Commercial Account" means a district water/wastewater account other than a domestic account.
- (14) "Cooling Water" means the water discharged from any use such as air conditioning, cooling, refrigeration, or to which the only pollutant added is heat.
- (15) "County" or "Gallatin County" means the County of Gallatin in the State of Montana.
- (16) "County Clerk and Recorder" means the County Clerk and Recorder of Gallatin County.
- (17) "County Commissioners" means the County Commissioners of Gallatin County.
- (18) "Customer" means any person receiving district water/wastewater service either

- directly or indirectly from the district water supply system/district wastewater system.
- (19) “Discharge” is the direct or indirect introduction of treated or untreated wastewater into the ground waters of the State of Montana, either through the district wastewater system and district wastewater treatment plant or through a point source into State ground waters.
 - (20) “Domestic Account” means a district water/wastewater metered account for a single family or multi-family residence.
 - (21) “Domestic Wastes” means liquid wastes (a) from the non-commercial preparation, cooking, and handling of food or (b) containing human excrement and similar matter from the sanitary conveniences of dwellings, commercial buildings, industrial facilities, and institutions.
 - (22) “Environmental Protection Agency”, or “EPA”, means the U.S. Environmental Protection Agency, or, where appropriate, the terms may also be used as a designation for the administrator or other duly authorized official of EPA.
 - (23) “Extension” means the act or process of extending, adding to, or enlarging the district water supply system/district wastewater system on the District’s side of the point of delivery/point of connection to provide district water/wastewater service to a prospective customer or group of prospective customers.
 - (24) “Fire Hydrant Meter” means the meter which is owned by the district water/wastewater utility and which is used to measure the amount of water delivered to a customer through a fire hydrant.
 - (25) “Fireline” means all service pipes, curb stops and/or valves, curb boxes and/or valve boxes, backflow prevention devices, check valves, inside piping, fittings, fixtures, and any other apparatus on customers’ side of the point of delivery that is used for, and limited to, the providing of water to customers for fire suppression activities.
 - (26) “Harmful Contribution” means an actual or threatened discharge or introduction of wastes to the district wastewater system which (a) presents or may present an imminent or substantial endangerment to the health and welfare of persons or to the environments, (b) inhibits or interferes with the physical or lawful operations of the district wastewater system, or (c) causes the violation of any condition of the District’s MPDES permit.
 - (27) “Individual Extension” means an extension of the water/wastewater system to provide water/wastewater service to an individual customer.
 - (28) “Interceptors” are defined as equipment used as preliminary treatment devices for physical removal of undesirable substances prior to discharging into the sewage system.
 - (29) “Industrial” means of or pertaining to industry, manufacturing, agriculture, commerce, trade, or business.
 - (30) “Industrial User” means (a) any person or source that introduces or discharges wastewater from industrial processes into the district wastewater system or (b) any non-domestic user or source regulated under Sections 307 (b), (c), or (d) of the Clean Water Act.
 - (31) “Industrial Wastes” or “Industrial Wastewater” means all liquid or water-carried

- wastes other than domestic wastes. The terms includes, by way of example and not by limitation, the trade wastes produced by food processing and bottling plants, food manufactured plants, slaughtering plants, tallow works, plating works, disposal services, industrial cleaning plants, fertilizer plants, car and truck washing operations, vehicle repair facilities, commercial laundries and cleaning establishments, cooling plants, industrial plants, factories, feedlots, and chemical treatment installations.
- (32) “Interceptor Sewer” means a public sanitary sewer having a size greater than 24 inches that was installed by the District for the principal purpose of collecting and conveying wastewater from several district trunk sewers to the district wastewater treatment plant for treatment and disposal.
 - (33) “Interference” means the inhibition or disruption of the district wastewater system treatment processes or operations which causes (a) a violation of any requirement of the utility’s Ground Water Monitoring Agreement or (b) the violation of any requirement of any agency with jurisdiction over the discharges by the district wastewater treatment plant into the receiving waters. The term also includes contamination of the treatment plant sludge byproducts.
 - (34) “Main” means the instrument, including any auxiliary equipment, which is used to measure the amount of water delivered to a customer from the district water supply system or the amount of wastewater contributed to the district wastewater system by a user.
 - (35) “Meter” means the instrument, including any auxiliary equipment, which is used to measure the amount of water delivered to a customer from the district water supply system or the amount of wastewater contributed to the district wastewater system by a user.
 - (36) “District Wastewater Treatment Plant” means the wastewater treatment plant owned and controlled by the River Rock County Water and Sewer District.
 - (37) “District Water Meter” means the meter, including the meter horn and remote read equipment, which is owned by the utility and which is used to measure the amount of water delivered by the utility to a customer through the customer’s water service line.
 - (38) “District Water/Wastewater Utility” or “Utility” means the Public Works Department of the River Rock County Water and Sewer District.
 - (39) “Natural Outlet” means any outlet into a water course, pond, ditch, lake, or other body of surface or ground water.
 - (40) “National Categorical Pretreatment Standards” or “Pretreatment Standard” means any regulation containing pollutant discharge limits promulgated by the State of Montana or the EPA in accordance with Section 307(b) and (c) of the Clean Water Act (33 U.S.C. Section 1317) that applies to a specific category of Primary Industrial Users.
 - (41) “Organic Matter” refers to chemical substances of basically carbon structure. Comprising compounds consist primarily of hydrocarbons and their derivatives.
 - (42) “Person” means any firm, company, partnership, public or private corporation, association, group or society, governmental agency, or other entity as well as a natural person.
 - (43) “pH” refers to the negative logarithm of the hydrogen ion concentration in moles per

- liter of solution. pH is an indicator of the acid or base content of the solution.
- (44) “Point of Connection” means the point at which the district wastewater system connects physically to a user’s building sewer. The point of connection shall be located at and include the user’s service tee or wye fitting, which, in turn, is normally attached to the public sanitary sewer located in the public right-of-way that abuts and fronts the property to be served.
 - (45) “Point of Delivery” means the point at which the district water supply system connects physically to a customer’s water service line. The point of delivery shall be located at and shall include the customer’s corporation stop, which, in turn, is normally attached to the public water main located in the public right-of-way that abuts and fronts the property to be served.
 - (46) “Pollutant” means any dredged soil, solid waste, incinerator residue, sewage, garbage, septic waste, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, and industrial, district, and agricultural waste discharged into water.
 - (47) “Pollution” means the alteration of the chemical, physical, biological, or radiological integrity of water by human activity.
 - (48) “Polluted Waters” means water that contains objectionable wastes or suspended solids as a result of human activity.
 - (49) “Pretreatment” or “Treatment” means the reduction of the amount of pollutants, the elimination of pollutants, the alteration of the rate of their introduction into the district wastewater system, or the alteration of the nature of pollutant properties in wastewater to a less harmful state, prior to or in lieu of discharging or otherwise introduction of such pollutants into the district wastewater system. The reduction or alteration can be achieved by physical, chemical, or biological processes, process changes, or by other means, except as prohibited by 40 CFR Section 403.6(d).
 - (50) “Pretreatment Requirement” means any substantive or procedural requirement related to pretreatment, including National Categorical Pretreatment Standards, imposed on an industrial user.
 - (51) “Public Building” means any building held, used, or controlled exclusively for public purposes by any department or branch of government, federal, state, county, or District, without reference to the ownership of the building or of the realty upon which it is situated.
 - (52) “Public Sanitary Sewer” means the sewer directly controlled by the District and laid in the street or other right-of-way for the collection of wastewater from user’s building sewers.
 - (53) “Public Service Commission” refers to the elected body of Public Service Commissioners and their staff of the State of Montana.
 - (54) “Public Water Main” means the main directly controlled by the District and laid in the street or other right-of-way for the distribution of water to customers’ water service lines.
 - (55) “Rate Schedule” means a resolution approved by the Board of Directors which sets forth the charges and conditions for a particular class or type of utility service.

- (56) “Readily Accessible” means safely and easily reached and not being under “lock and key”, “fenced in”, “covered up”, or otherwise obstructed.
- (57) “Sanitary Sewer” means a sewer that carries wastewater or sewage. Storm, surface, and ground waters are not intentionally admitted.
- (58) “Sanitary Sewer Service Line” or “Wastewater Service Line” means that portion of the privately-owned building sewer extending from the property served to the public sanitary sewer.
- (59) “Secondary Wastewater Meter” or “Secondary Meter” means a meter which is furnished, installed, and maintained by a user, and which is used to determine the amount of wastewater contributed by such user to the district wastewater system.
- (60) “Septage” means the mixed liquid and solid contents pumped from septic tanks used for receiving primarily segregated domestic wastes or wastes from sanitary conveniences,
- (61) “Septage Disposal Permit” means a written receiving ticket issued by the District Manager permitting the discharge of septage into the District’s approved manhole location in accordance with the provisions of these rules and regulations.
- (62) “Septage Hauler” means a person having a valid business license, when appropriate, and, in addition, licensed by state and local government agencies to operate a business for the purpose of cleaning septic tanks and transporting septage to an approved septage disposal facility.
- (63) “Service Agreement” means the agreement or contract between the District and its customers pursuant to which water/wastewater service is provided.
- (64) “Sewer” means a pipe or conduit for carrying wastewater or drainage.
- (65) “Shall” is mandatory; “May” is permissive.
- (66) “Significant Industrial User” means any user of the district wastewater system (WWS) who:
 - (a) Is subject to National Categorical Pretreatment Standards as defined herein;
 - (b) Discharges an average of 25,000 gallons per day or more of process wastewater to the wastewater system, excluding sanitary, noncontract cooling, and boiler blowdown wastewater.
 - (c) Contributes a process wastestream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the district wastewater treatment plant (s); or
 - (d) Is designated as such by the District on the basis that the industrial user has a potential for adversely affecting the WWS or for violating any pretreatment standard or requirement.
- (67) “Significant Violator” means an industrial user who is in significant noncompliance by violating one or more of the following criteria;
 - (a) Chronic violations of wastewater discharge limits, defined as those in which 66 percent or more of all of the measurements taken during a 6-month period exceed, by any magnitude, the daily maximum limit or the average limit for the same pollutant parameter;
 - (b) Technical review criteria (TRC) violations, defined as those in 33 percent or

more of all of the measurements for each pollutant parameter taken during a 6-month period equal or exceed the product of the daily maximum limit or the average limit times the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil, grease, and 1.2 for all other pollutants except pH):

- (c) Any other violation of a pretreatment effluent limit (daily maximum or longer-term average) that the District Manager determines has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of District personnel or the general public;
 - (d) Any discharge of a pollutant that has caused imminent endangerment to human health, welfare, or the environment or has resulted in the District's exercise of its emergency authority to halt or prevent such a discharge;
 - (e) Failure to meet, within 90 days after the scheduled date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance;
 - (f) Failure to provide, within 30 days after the due date, required reports such as baseline monitoring reports, 90 day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;
 - (g) Failure to accurately report noncompliance; or
 - (h) Any other violation or group of violations which the District Manager determines will adversely affect the operation or implementation of the local pretreatment program.
- (68) "Source" means any building, structure, facility, or installation from which there may be a discharge of pollutants.
- (69) "Sprinkling Meter" means a district water meter that is installed on a customer's water service line for the purpose of measuring the water delivered by a utility to a customer exclusively for lawn and garden irrigation.
- (70) "State" means the State of Montana.
- (71) "Storm Sewer" or "Storm Drain" means a sewer which carried storm and surface waters and drainage, but excludes wastewater and polluted industrial wastes.
- (72) "Subdivision Extension" means an extension of the wastewater system or provide water or wastewater service to serve a subdivision, Certificate of Survey, commercial or industrial development, or any other similar type parcel of land wherein the extended water or wastewater system facilities within the development are to be owned by the District, not including any privately owned facilities.
- (73) "Sub Meter" means a meter or meters which are furnished, installed, and maintained by a customer, and which are installed downstream of the district water meter by the customer for the purpose of proportioning district water/wastewater charges between various tenants.
- (74) "Suspended Solids" means solids that either float on the surface or are in suspension in water, wastewater, or other liquids, and which are removable by laboratory filtering.
- (75) "Tampering" means damaging, altering, adjusting, or in any manner interfering with or obstructing the operation or function of any metering device that is used for

- measuring or registering district water/wastewater service.
- (76) “User” or “Customer” means any person receiving district water/wastewater service either directly or indirectly from the district water supply system/district wastewater system.
 - (77) “Wastewater” or “Sewage” means the liquid and water carrying industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with any ground water, surface water, and storm water that may be present, whether treated or untreated, which is discharged into or permitted to enter the district wastewater system.
 - (78) “Wastewater Meter” means a meter which is furnished, installed, and maintained by a user, and which is used to measure the amount of wastewater contributed by such user to the district wastewater system.
 - (79) “Wastewater Service” or “District Wastewater Service” means the act of either directly or indirectly discharging wastewater into the district wastewater system from users’ building sewers for the purpose of collecting, transporting, treating, and disposing of users’ wastewater.
 - (80) “Wastewater Service Area” means that particular territory within the District which has been officially adopted by the Board of Directors as the area it intends to provide with district wastewater service.
 - (81) “Wastewater System” or “District Wastewater System” means any wastewater facilities, including interceptor sewers, outfall sewers, wastewater collection systems, and wastewater treatment facilities, controlled by the District.
 - (82) “Water Service” or “District Water Service” means the supply of water directly or indirectly from the district water supply system, or the availability of water supplied either directly or indirectly from the district water supply system, at the point of delivery and also the water so delivered or used.
 - (83) “Water Service Area” means that particular territory within the District which has been officially adopted by the Board of Directors as the area it intends to serve with district water service.
 - (84) “Water Service Line” means all privately owned facilities, including service pipe, corporation stop, curb stop, curb box, district water meter box or vault, backflow prevention device, expansion tanks, pressure reducing valve, inside piping, appliances, and other apparatus on the customer’s side of the point of delivery, except the district water meter and any other equipment owned by the District.
 - (85) “Water Supply System” or “District Water Supply System” means any devices, facilities, structures, equipment, land or works controlled by the District for the purpose of the processing, treatment, transmission, storage, distribution, pumping, and measurement of water supplied to customers.

1-2 ABBREVIATIONS

The following abbreviations shall have the following designated meanings for the purposes of these rules and regulations:

- (1) BOD: Biochemical Oxygen Demand

- (2) CFR: Code of Federal Regulations
- (3) EPA: Environmental Protection Agency
- (4) MCA: Montana Code Annotated
- (5) mg/l: Milligrams per Liter
- (6) MPWSS: The current edition of the “Montana Public Works Standard Specifications.”

CHAPTER 2 - GENERAL

2-1 AUTHORITY

These rules and regulations are enacted pursuant to the authority granted to the District under MCA Title 7, Part 22 (including but not limited to section 7-13-2217) and Part 23. These rules and regulations are subsidiary to any State or Federal laws or regulations which may govern water and wastewater service within the State of Montana. The River Rock County Water and Sewer District also hereby adopts the most recent version of the Uniform Plumbing Code as a guideline for water and wastewater service design.

2-2 INTENT AND PURPOSE

The intent and purpose of these rules and regulations is:

- (1) To promote the health, safety, and general welfare of the inhabitants of the District and its environs; and
- (2) To provide the inhabitants of the District and its environs with efficient and economical water/wastewater service.

2-3 JURISDICTION

The jurisdictional area of these rules and regulations shall include any territory, whether situated within or outside the District limits, which is presently or in the future located within the District water/wastewater service areas and/or served with district water/wastewater service.

2-4 APPLICATION

These rules and regulations are hereby made a part of the contract with every person provided with district water/wastewater service. Further, every person making application for initiation of such service, or accepting such service, shall be bound thereby. Nothing in this document shall prohibit the District from contracting with third parties or entities to provide services to the District, including the administration of these rules and regulations, the management, oversight and operation of the water and waste water system, and any and all functions required or delegated herein to the District manager. All such contacts with third parties or entities for such services shall be reviewed and approved by the District board.

2-5 NON-COMPLIANCE

Any person who shall fail to comply with these rules and regulations after being given a written notice of the nature of the violation, and after being given the time to comply as stated in Section 3-5, shall be subject to discontinuance of district water/wastewater service. Provided, that in emergency situations, as determined at the sole discretion of the utility, such service may be discontinued without notice. District water/wastewater service shall not be restored until the violation is corrected and full compliance is assured. Further, once service has been discontinued for non-compliance with these rules and regulations, it shall not be restored until the customer involved pays to the District any applicable charges for discontinuance and/or reestablishment of service and restores any required deposits. In addition, persons failing to obey promulgated rules and regulations shall be subject to punishment and penalties.

2-6 REVIEW OF ADMINISTRATIVE ACTIONS

Any persons aggrieved by an administrative decision, any rules or regulation adopted, or the application of any rule or regulation governing the operation of the utility may petition the Board of Directors for review. The aggrieved shall file a written notice of appeal with the Board of Directors within 10 days after the date on which the grievance occurred. The notice of appeal shall state the specific action being appealed, the service account number, the reasons for appealing such action, the particular relief sought, the aggrieved person's correct mailing address, and shall be signed by the aggrieved person. The aggrieved person shall be notified in writing by certified mail, return receipt requested, of the date, time, and place the matter will be considered by the Board of Directors. The aggrieved person and all other interested persons may appear at that date, time, and place and be heard. The Board of Directors shall act on the question within 30 days of the hearing on the questions.

2-7 OWNER'S DUTY TO USE DISTRICT WATER/WASTEWATER FACILITIES

The owner of any house, building, or other property used for human occupancy, employment, or recreation, which is situated within the District limits and abuts on any street, alley, or right-of-way in which there is situated district water supply system facilities or district wastewater system facilities within 300 feet of the property line, shall at the owner's expense properly connect and use such facilities.

2-8 WHEN PRIVATE SYSTEMS MAY BE USED

When district water services are not available as provided in these rules and regulations, private wells may be used under the conditions set forth in Section 16-10 provided that all such systems shall be constructed, installed, and maintained under and pursuant to the rules and regulations of the Gallatin County Health Department.

2-9 ACCESS TO CUSTOMER'S PREMISES

Access at reasonable hours to a customer's premises by authorized district employees shall be deemed to have been granted to the District by the customer during the time the customer accepts district water/wastewater service for the purpose of reading meters, testing, repairing, removing or exchanging any or all equipment belonging to the utility, examining pipes and fixtures and the manner the water is used, or for the purpose of ensuring that a customer is in compliance with these rules and regulations. All persons must at all times frankly and without concealment answer all questions put to them by district employees relative to the consumption of water. Access shall also be granted to district employees to cut off the water supply in absence of an outside shutoff valve. If access is denied the district reserves the right to install a shut-off valve at the customer's expense and shut the water off.

2-10 PERMIT REQUIRED FOR CONNECTION, EXTENSION, OR USE

No persons shall uncover, make any connections with, or opening into, extend, use, alter, or disturb the district water system and/or district wastewater system without first obtaining a written permit for the purpose from the District Manager and paying all applicable fees.

2-11 UNAUTHORIZED ACTS

No plumber or other person shall make connections with a customer's water/wastewater service line, connect such water/wastewater line when it has been disconnected by the District, or turn customer's water on or off, without first obtaining written permission to do so from the District Manager.

2-12 MISCELLANEOUS DEVICES

The District may require a customer to install, as a condition of continued water/wastewater service and at the customer's expense, an approved backflow prevention device, an approved expansion tank, an approved pressure reducing device, an approved pumping device, or any other similar type device that the District deems necessary to protect its District water/wastewater facilities, its service products, or its customers/users' facilities. The customer shall be responsible for the testing, operation, and maintenance of all such devices. The utility may also require the customer to submit semi-annual test results on such devices certifying that the devices have been checked by an authorized service representative and are in good working order.

2-13 CONDITIONS OF SERVICE

Service shall be provided by the District only under and in accordance with the rules and regulations contained herein, by modifications or additions thereto lawfully made, and under such applicable ordinances, resolutions, rate schedules, and contracts as may from time to time be lawfully established.

2-14 INTERRUPTIONS OF SERVICE

The district reserves the right to temporarily interrupt water/wastewater service to its customers for the purpose of addressing emergency situations or making connections, extensions, repairs, replacements, and/or additions to the district water supply system/district wastewater system. Whenever possible the District shall give reasonable notice to its customers in advance of accomplishing such work.

2-15 LIABILITY OF DISTRICT

The District shall only be responsible to a customer for providing water/wastewater service in accordance with the conditions set forth herein, irrespective of ownership of the property served. The District shall not be responsible for inconvenience, damage, or injury to persons or property resulting from the District's termination, discontinuance, or interruption of district water/wastewater service to any property in accordance with these rules and regulations. Further, the District shall not be responsible for providing of district water service to a customer at a pressure greater than or less than the pressure existing in the public water main at the point of delivery of the customer in question. The utility is responsible for water facilities up to the tap. All facilities from the building up to and including the corporation stop are the responsibility of the property owner. The District is responsible for wastewater facilities up to the service wye or tee. All facilities from the building up to and including the service wye or tee are the responsibility of the property owner. The District Manager shall determine whether a line is a service line or a public main if a discrepancy occurs.

CHAPTER 3 - INITIATION AND DISCONTINUANCE OF SERVICE

3-1 SERVICE APPLICATIONS REQUIRED

A person requesting to establish an account for district water/wastewater service with the District shall make written application for such service with the District. Applications are available at the office of the District Clerk. After approval by the District, the application to establish an account for water/wastewater service shall constitute the agreement between the District and the customer that the rules and regulations provided herein shall serve as the contract between said parties. Existing customers hereby agree to accept the rules and regulations provided herein as their contract with the District upon passage of said rules and regulations by the Board of Directors.

3-2 SERVICE APPLICATION PROVISIONS

An application to establish an account for district water/wastewater service shall contain a provision wherein the applicant agrees to pay to the District all charges for service provided by the District to the applicant. In addition, it shall contain a provision wherein the applicant agrees to abide by all the District's regulations governing District water/wastewater service, including the rules and regulations contained herein.

3-3 SERVICE APPLICANTS

A person requesting to establish an account for District water and/or wastewater service must be the adult owner or adult lessee of the property to be served. The service application shall include the name and mailing address of the owner of the property involved. It shall be the responsibility of the property owner to maintain on file with the District the owner's current mailing address. The owner of the property shall be held ultimately responsible for payment for water and wastewater service regardless of amount used by tenants of rental properties.

3-4 INFORMATION TO BE PROVIDED

A person requesting to establish an account for district water/wastewater service shall, upon request by the District, furnish proper identification, including but not limited to Driver's License Number, or birth date, together with any information necessary to verify identity of applicant and service address, including ownership, tenancy, or relationship of applicant to other present or former customers of the District at the service address in question. Accounts will only be established in the name of the owner of the real property. In the event this information, or any other information required to be submitted under these rules and regulations, is not furnished, service to the applicant or service address involved shall be denied or discontinued until such information is provided. In addition, prior to restoring any service, the applicant must first pay to District any applicable charges for discontinuance and reestablishment of service.

3-5 SERVICE APPLICATION PRE-REQUISITES

An application to establish an account for district water/wastewater service shall be accepted by the District only for property that:

- (1) Is located within the district's water and/or wastewater service area;
- (2) Fronts and abuts a public water line and/or public sanitary sewer;
- (3) Has a water/wastewater service line stubbed to the property line of the property to be served;
- (4) Has building and yard plumbing meeting the requirements of the latest edition of the Uniform Plumbing Code;
- (5) If the property to be served is located outside of the District's service areas, the applicant must apply for service pursuant to section 14-30;
- (6) Has paid to the District all applicable construction fees, impact fees, and permit fees.

3-6 TRANSFER OF SERVICE ACCOUNT

A customer requesting to have customer's district water/wastewater service account transferred to a new address may do so by telephone provided that the customer has an established account for district water/wastewater service. In the event that the applicant does not have an established account with the District, then the provisions of Section 3-1, regarding submission of such an application, shall apply.

3-7 DISCONTINUANCE OF SERVICE BY CUSTOMER

Once district water/wastewater service is initiated, a customer shall be responsible for payment to the District for any water/wastewater service is provided, including any minimum charges due, until such time as the customer requests the discontinuance of said service. A customer shall, under normal circumstances, contact the District at least 48 hours in advance of the need to discontinue the customer's district water/wastewater service, Saturdays, Sundays, and holidays, excluded.

3-8 DISCONTINUANCE OF SERVICE BY DISTRICT

The District may discontinue water/wastewater service to any customer/user as provided below or as may be provided elsewhere herein these rules and regulations:

- (1) **Without Notice**
 - (a) In the event of any condition determined to be hazardous to property and/or persons.
 - (b) In the event a customer/user uses equipment in such a manner that adversely affects the district water supply system/district wastewater system or that adversely affects district water/wastewater service to other customers/users.
 - (c) In the event of any unauthorized use or diversion of district water/wastewater

service or when any evidence of tampering with or bypassing of the district water meter is found.

- (d) Upon written receipt of orders from government authority to discontinue district water/wastewater service.

(2) Upon Not Less Than 24 Hours Notice

- (a) For violation and/or non-compliance with any applicable federal, state, or local laws, and rules and regulations contained herein.
- (b) For failure of a customer to permit representatives of the District reasonable access to the customer's premise for the purposes set forth in Section 2-9.
- (c) For failure of a customer to fulfill his/her contractual obligations for service, including, but not limited to, nonpayment of his/her current water/wastewater bill.

(3) Upon 10 Days Written Notice

- (a) For failure of a customer to keep his/her water service line, meter box/vault, fixtures, and/or any other appurtenances in good repair and in a safe and operable condition.
- (b) For failure of a user to keep his/her building sewer and appurtenances in good repair and in a safe and operable condition.

Whenever service is discontinued under this section, or any other section contained in these rules and regulations, the provisions of Section 2-5 regarding non-compliance shall apply. Further, for the purposes set forth under this section, or any other section contained in these rules and regulations, written notice shall be deemed to have been given by the District when such notice is mailed first class to the name and address of the owner of the property in question currently on file with the District as required under the provisions of Section 3-3.

CHAPTER 4 - TURN ON AND TURN OFF OF SERVICE

4-1 GENERAL

The District shall not turn the water on at the curb valve to any property until such time as the owner has established a district water/wastewater account as required under Section 3-1 and, in addition, has paid to the District a turn-on fee, if applicable.

4-2 OPERATION OF CURB VALVES

Only authorized representatives of the District shall turn water on or off at a customer's curb valve. The District will not turn the water on or off at a customer's curb valve unless the customer or an authorized agent thereof is at the customer's premise at that time to check for open faucets and/or leaking fixtures and plumbing.

4-3 INSPECTION OF METER AND APPURTENANCES REQUIRED

At the time the water is turned on, a District representative shall inspect the district water meter in question for evidence of tampering/bypassing and to ensure that it is sealed properly. Commercial properties shall be required to install an approved backflow prevention device and provide surge protection devices at the property owner's expense.

4-4 TURN-OFF FOR NONPAYMENT AND/OR NONCOMPLIANCE

The District normally shall not turn the water off on the day preceding a non-working day for non-payment of charges for district water/wastewater service or for non-compliance with these rules and regulations. However, the District may do so in those cases set forth in Section 3-8(1).

4-5 TURN-ON AND TURN-OFF LIABILITY DISCLAIMER

The District shall not be liable for any damage to persons or property that may result from the turning on or turning off of the water to a customer's premise as provided for in these rules and regulations or from the water being left on when the premise may be unoccupied.

4-6 LANDLORD RESPONSIBILITY

The real property owner of a rental property shall be primarily responsible for the payment in full of all water and wastewater bills generated by the real property so billed for said water use. Failure of the real property owner to pay the bill as and when rendered will subject the property to termination of service.

CHAPTER 5 - DEPOSITS

5-1 WHEN REQUIRED AND AMOUNT OF DEPOSIT

For the purpose of guaranteeing payment of the district water/wastewater charges, the District may require any prospective customer to file a deposit with the District prior to providing the prospective customer with district water/wastewater service. A person desiring to establish an account for district wastewater service to a property not currently supplied with district water service shall be required to file a deposit with the district prior to being granted such service. Such deposit shall be equal to the estimated bill for 100 days of district water and/or wastewater service. Provisions can be made in a case of need that the deposit can be paid over a two-month period. If a customer established an account without a deposit, but subsequently develops an unsatisfactory credit history with the District, a deposit may be required as a condition of continuing service. No interest shall be paid on deposits.

5-2 APPLICATION OF DEPOSITS

The District may apply to a delinquent customer's account any or all of such customer's deposit to offset any outstanding bill at the customer's current or former address. The District may require the customer to immediately restore the deposit to the full amount whenever it has been used for this purpose.

5-3 TRANSFER OF DEPOSITS

Any deposit made under the provisions set forth in this section may be transferred by the District to any address within the District's service area where service is provided in the depositor's name.

5-4 FAILURE TO MAKE DEPOSITS

Failure to make deposits, increase deposits, or restore deposits after notification shall be due cause for the District to refuse/discontinue service to the customer involved until such deposit has been made plus the payment of any applicable charges for discontinuance and/or reestablishment of service.

5-5 REFUND OF DEPOSITS

The District may at any time refund a customer's deposit or any part thereof by check or by credit to the customer's account.

5-6 RECORD OF DEPOSITS

The District shall maintain a record of any deposits filed by customers with the District.

5-7 RECEIPT OF DEPOSITS

The District shall issue to a customer from whom a deposit is received a non-assignable receipt. However, the District shall provide reasonable ways and means whereby a deposit may be refunded to a customer who is unable to produce the original receipt. A current picture I.D. will be required to reclaim deposit.

CHAPTER 6 - TEMPORARY AND CONSTRUCTION SERVICE

6-1 TEMPORARY WATER/WASTEWATER SERVICE

District water/wastewater service provided for a shorter period than 6 months shall be considered temporary, and in such cases, the customer shall be required to reimburse the District for the cost of installing and removing the district water meter involved as provided under Section 10-8. Further, the customer shall at his/her expense install in accordance with district standards any needed water service lines/building sewers required in order to connect such temporary service as well as remove such facilities, if required, when service is discontinued.

6-2 CONSTRUCTION WATER PERMIT REQUIRED

It is prohibited for any contractor or other person engaged in construction work to utilize district water/wastewater service without first obtaining a written permit from the District and paying to the District the appropriate fees and charges for such service as well as a deposit for the anticipated water use as determined by the District Manager.

6-3 SERVICE FOR BUILDING CONSTRUCTION

A contractor, builder or owner shall take out a permit for use of any district water/wastewater service in connection with the construction of a building, and all such service shall be deemed temporary and subject to the provisions of Section 6-1. All water passing through the district water meter shall be billed to the applicant for such a permit at least monthly, and the charges for such service shall be calculated using the current minimum and metered water service schedules of the district. Such bills shall be due and payable when rendered. Failure of the applicant to pay the bill within 30 days after mailing shall be deemed sufficient cause to immediately remove the district water meter. Once removed, the district water meter shall not be reset for an applicant until all outstanding bills for construction water are paid and the applicant has reimbursed the District for its expenses in removing and installing the meter. In addition, regular district water/wastewater service to any new building shall not be initiated until all charges for temporary service, including any minimum service charges due, have been paid in full to the District.

6-4 SERVICE FOR PUBLIC WORKS CONSTRUCTION

Application to obtain water by means of a fire hydrant for public works construction shall be made to the District on forms furnished for this purpose by the District. Payment of the appropriate district fire hydrant meter setting/removal fee shall be made to the District. All construction water passing through the district fire hydrant meter shall be billed to the applicant at least monthly and the charges for such service shall be calculated using the District's current minimum and metered water service schedules for a 3-inch meter. Such bills shall be deducted from the funds deposited prior to hookup. Failure of the applicant to pay any bill over and above the deposit amount within 30 days after mailing shall be deemed sufficient cause to immediately remove the District fire hydrant meter.

Once removed, the District fire hydrant meter shall not be reset for an applicant until all outstanding bills for construction are paid, and the applicant has again paid to the District the appropriate fire hydrant meter setting/removal fee.

6-5 SPRINKLING METER SERVICE

Sprinkling meter service shall be available to inside-district customers subject to these Rules and Regulations. Water provided to a customer through a sprinkling meter shall be billed to such a customer at least monthly. Such bills shall be due and payable to the District when rendered. Failure to pay the bill within 30 days after mailing shall be deemed sufficient cause to immediately remove the sprinkling meter. Once removed, the sprinkling meter shall not be reset for the customer involved until all outstanding bills for water service are paid and the customer has reimbursed the District for its expenses in removing and installing the meter. Sprinkling meters installed for a shorter period than 6 months shall be considered temporary and subject to the provisions of Section 6-1.

CHAPTER 7 - BILLING

7-1 BILLING PERIOD

The charges for district water and wastewater services together shall be billed at least monthly. To meet unusual conditions, such as discontinuances, the District may render bills for service at other than the aforementioned intervals.

7-2 BILLS DUE

All bills must be paid at the District office (or other designated location) promptly when due. Bills are due upon receipt but shall become delinquent 30 days from the date the billing is mailed. Users shall be notified of any delinquency by the District at the time of delinquency and shall be notified that the service will be discounted by the District ten (10) days from the date of the second months' bill, by attaching a notification to said bill. Upon failure to pay the delinquent account in full within such notification period, the District shall post a 24-hour notice of disconnection on the door of the service address prior to disconnection and the service will be disconnected and the delinquent account may be charged off against any deposit.

Before water service shall be turned back on, it shall be obligatory upon said customer to pay all of the delinquent bill, the cost of cutting off and turning service back on, and a refundable deposit. All delinquent amounts plus additional charges and deposit must be paid in full before services will be turned back on. If any such delinquent customer desires to have service turned on during on-business hours or on weekends or holidays, he/she must pay the required outside normal working hours rate in advance.

7-3 INFORMATION ON BILLS

As a minimum, a bill for district water/wastewater service shall show the customer's name and mailing address, the billing date, the billing period, the customer's account number, the service address, the previous and present meter readings, the actual or estimated water usage in gallons, the current and past due charges, the previous balance, and the total amount due.

7-4 COMBINED CHARGES

All bills issued for district wastewater service to persons or properties which are also customers of the district water utility, whether within or without the District limits, shall be included as a part of the bills for water service, but separately stated. No payment of district water service charges or of district wastewater service charges so billed shall be accepted without payment of both such charges.

7-5 BILLS FOR WASTEWATER SERVICES ONLY

Bills issued for district wastewater service to users connected to the district wastewater system but which do not receive district water service shall be made on the same forms and at the same times as are combined water and wastewater bills. Payment of bills issued for only district wastewater service shall normally be handled as set forth under Sections 7-1 and 7-2. However, in the event of non-payment of such bills, the district Manager may order the wastewater service line serving the property involved to be cut and plugged. Notice will be served as provided herein. Service shall not be restored until the total amount of the outstanding wastewater bill is paid plus all the expenses incurred by the District in disconnecting and restoring service and the customer restores any required deposits. The procedures set forth under MCA 7-13-2301, which inserts the payment as a tax against the property involved and permits the bringing of a suit, may also be used to collect payment of delinquent water or wastewater charges in this instance. Whenever an account for water/wastewater service is established by a domestic customer with no prior history of water consumption, the District Manager will estimate water consumption based upon an average District use for billing purposes until a sufficient history of use is established to the district Manager's satisfaction. The District may require metering of private wells to determine water consumption and use this to determine wastewater consumption.

7-6 REFUSAL OF SERVICE

The District may refuse service to any delinquent customer or to other members of the delinquent customer's household or firm when the request by such person for service may be a means for evading payment of unpaid district water and wastewater charges.

7-7 MULTIPLE OWNERS

Where district water/wastewater service is provided through a single meter to property having multiple owners, the District will not apportion the charges for the use of water and wastewater service among the various owners. The bill for such service shall be charged against the person in whose name the account stands. However, if the one in whose name the account stands fails, refuses, or is unable to pay such bill, the remaining adult occupants shall be responsible for the unpaid district water/wastewater charges. Such unpaid bills may be cause for discontinuing service to the property involved until the total amount due is paid plus payment of any applicable charges for discontinuance and/or reestablishment of service and any required deposits are restored.

In instances where more than one service connection is served by a single curb stop, the District may install, or hire a plumber to install, a separate curb stop to any or all of the services in the event the account becomes delinquent. All charges associated with the installation of the curb stop as well as any reconnection charges must be paid by the property owner along with any required deposits before reestablishment of service.

7-8 PAYMENT TRANSFERS

Where a customer is liable to the District for district water/wastewater service at one address and is thereafter located at some other address, any amounts due to service furnished at any previous location may be transferred to the customer's account at the customer's current location. Water service may be discontinued at the customer's current location until all outstanding accounts are paid in full plus payment of any applicable charges for discontinuance and/or reestablishment of service and any required deposits are restored.

7-9 BILL PAYMENT STUB

Whenever possible, a bill payment stub should be presented when a district water/wastewater account is paid to ensure proper crediting of payment.

7-10 ESTIMATES

In instances where a meter is not read, the District may use estimated water usage and/or wastewater contributions in determining a customer's water/wastewater bill.

7-11 ADJUSTMENTS OF WASTEWATER BILLS

The wastewater rates, charges, and fees may be adjusted, as applied to a particular premises by the procedure set forth below, where it appears that:

- (1) The character of the wastewater from any manufacturing, industrial, or other plant, building, or premises is such that the wastewater rates provided are unfair, inequitable, unreasonable, or inadequate to pay the cost of wastewater service to such premises;
- (2) The entire amount of water delivered through the metered line, such as a line with a sprinkling meter, to any premises is used for such a purpose and in such a manner as to establish beyond reasonable doubt that such water does enter the district wastewater system;
- (3) The entire amount of water delivered through a secondary meter on any premises is used for such a purpose and in such a manner as to establish beyond reasonable doubt that water so delivered does not enter the district wastewater system. As provided under Section 10-24, secondary wastewater meters shall be furnished at the customer's expense and shall be of a type, size, and make and set at such place as shall be designated by the District Manager.

Any person who considers the wastewater rates, charges, and fees applicable to his/her premises unfair, inequitable, or unreasonable may present his/her complaints to the Board of Directors, stating the facts and grounds of complaint. The Board of Directors shall advise the district Manager of any need for investigation and a report of the investigation shall be made to the District. The Board of Directors, or a District appointed complaint committee, shall consider each and all of such

complaints and reports and coordinate its recommendations with the District Manager. Where the entire amount of water or any metered portion thereof delivered to any premises does not enter the district wastewater system, this fact shall be part of the report. When the Board of Directors or appointed complaint committee finds that the wastewater rates, charges, and fees applicable to any premises are unfair, inequitable, unreasonable, or inadequate, the council shall have the right to order a public hearing as to any such matter, and if convinced that an adjustment of the wastewater rates, charges, and fees for such premises is necessary to provide equality with those charged to others, it shall so provide, either by amendatory ordinance, or by resolutions, special wastewater rates and charges for individual premises during the period of continuance of special circumstances which make the standard rates and charges unfair, inequitable, unreasonable, or inadequate.

CHAPTER 8 - RATES, CHARGES, AND FEES - GENERAL

8-1 GENERAL

All rates, charges, and fees for district water/wastewater service shall be adopted by the Board of Directors by resolution as such may be lawfully changed from time to time. Further, in accordance with the provisions of MCA 7-13-2301, no person shall be permitted to use or enjoy the benefit of the district water/wastewater system unless they pay the full and established rate for said service.

8-2 MONTHLY METERED WATER CHARGES

Any monthly metered water charges adopted by the Board of Directors, or as much may be lawfully change from time to time, shall apply to all customers that have either direct or indirect water service connections with the district water supply system.

The monthly metered water charge shall be based upon the volume of water, in 1000 gallons, which is registered monthly on the district water meter serving a customer. Monthly metered water charges are due and payable as set forth in Section 7-2.

Water hauled from fire hydrants will be metered and the charge will be based upon the 1000 gallon volume charge for district services stated in Chapter 9. Charges will be collected in advance and be based on anticipated water use.

8-3 MINIMUM MONTHLY WATER CHARGES

The minimum monthly charges shall be based on the size of district water meter used to serve a customer. Minimum monthly water charges are due and payable a set forth in Section 7-2.

8-4 MONTHLY VOLUME WASTEWATER CHARGES

Any monthly volume wastewater charges adopted by the Board of Directors, or as such may be lawfully changed from time to time, shall apply to all users that have building sewers connected with the district wastewater system.

The monthly volume wastewater charges for commercial and public school accounts shall be billed based upon the volume of water used monthly, which shall be determined by taking the total number of gallons of water registered monthly on the district water meter, or such other approved water/wastewater meter that serves the account in question, for the months of December, January, February and March and dividing such total by 4.

Monthly volume wastewater charges are due and payable as set forth in Section 7-2.

8-5 MINIMUM MONTHLY WASTEWATER CHARGES

Any minimum monthly wastewater charges adopted by the Board of Directors, or as such may be lawfully changed from time to time, shall apply to all users that have building sewers connected with the district wastewater system. Minimum monthly wastewater charges are due and payable as set forth in Section 7-2.

8-6 CHARGES FOR REESTABLISHMENT OF WATER/WASTEWATER SERVICE

Any charges for reestablishment of water/wastewater service adopted by the Board of Directors, or as such may be lawfully changed from time to time, shall apply to any customer that has had the water/wastewater service to his/her property discontinued for failure to pay district water/wastewater charges or for failure to comply with the rules and regulations set forth herein. The charge for reestablishment of water/wastewater service shall be subdivided into two classification, which are "normal working hours" and "outside normal working hours." Once the water/wastewater service to a customer has been discontinued, such service shall not be restored until the customer involved is in full compliance with these rules and regulations and has paid to the District the applicable charge for reestablishment of district water/wastewater service, plus payment of any outstanding charges for such service.

8-7 WASTEWATER EXTRA STRENGTH SURCHARGES

Any wastewater extra strength surcharge adopted by the Board of Directors, or as such may be lawfully changed from time to time, shall apply to all users building sewers connected with the district wastewater system and that contribute wastewater to the system with strength concentration in excess of the normal allowable limits of 250 mg/I of five-day BOD and 250 mg/I of total suspended solids. Charges will be handled on a case-by-case basis and will be based on the extra cost realized by the District in handling such extra concentrations.

Users contributing extra strength wastewater to the district wastewater system shall pay wastewater extra strength surcharges to the District in addition to the monthly volume wastewater charges.

Wastewater extra strength surcharges are due and payable as set forth in Section 7-2.

8-8 CONNECTION CHARGES (IMPACT FEES) FOR WATER/WASTEWATER SERVICE

Any charges for connection of service lines to the district water/wastewater system adopted by the Board of Directors, or as such may be lawfully changed from time to time, shall apply to those wishing to make connections to the existing district water/wastewater system. This fee shall include costs of inspecting and tapping by District personnel or others subcontracted by the District to do so in place of District personnel.

The District may choose, when it is so deemed to be in the District's best interest, to provide payment of a connection fee from the General fund rather than assess a particular non-profit group.

8-9 MISCELLANEOUS WATER/WASTEWATER FEES AND CHARGES

Any miscellaneous water/wastewater fees and charges adopted by the Board of Directors, or as such may be lawfully changed from time to time, shall apply as follow:

(1) **Applicable Fee for Service Area Enlargements**

The application fee for enlargement of the water service area or for enlargement of the wastewater service area shall apply to any person submitting such type of application to the District for processing. The purpose of the fee is to compensate the District for its expense in processing an enlargement application. The fee shall be due and payable at the time the enlargement application is filed with the District.

(2) **Application Fee for Extensions**

The application fee for extension of the district water supply system or district wastewater system shall apply to any person submitting such type of application to the District for processing. The purpose of the fee is to compensate the District for its expense in processing an extension application and in reviewing and approving the plans and specifications for such an extension. The fee shall be due and payable at the time the extension application is filed with the District.

(3) **Fee for Special Agreements**

The fee for a special agreement shall apply to any person desiring to enter into a special agreement with the District, such as but not limited to Conveyance and Guarantee Agreements, Waiver of Rights to Protest Agreements, Covenant and Subordination Agreements, Right-of-Way Easement agreements, etc. The purpose of the fee is to compensate the District for its expense in processing and approving such agreements. The fee shall be due and payable at the time the special agreement is filed with the District and shall depend on the type of agreement.

(4) **Fee for Performing a Special Meter Accuracy Test**

The fee for performing a special meter accuracy test shall apply to any customer that desires the district water meter serving his/her property be tested for accuracy, as provided for under Section 10-13. This purpose of the fee for performing a special meter accuracy test is to compensate the District for its cost in performing such a test in those instances where the district water meter is found by a test to be within acceptable accuracy limits. The fee shall be due and payable to the District at the time

the request for performing a special meter accuracy test if filed with the District.

(5) Fee for Setting/Removing A Fire Hydrant Meter

The fee for setting/removing a fire hydrant meter shall apply to any person submitting to the District water/wastewater district an application to obtain construction water by means of a fire hydrant meter, as provided for under Section 6-4. The purpose of the fee for setting/removing a fire hydrant meter is to compensate the District for its expense in setting and removing such a meter. The fee shall be due and payable to the District at the time the application for construction water is filed with the District. A deposit will also be required to compensate the District for anticipated water usage.

(6) Fee for Performing Fireflow Test

The fee for the performance of a fireflow test by the District shall apply to all persons who request the performance of such a test. The purpose of the fireflow test fee is to compensate the District for its expenses in performing such a test. The fee shall be due and payable to the District at the time the request for a fireflow test is filed with the District.

(7) Fee for Flushing, Testing, and Chlorinating Water Mains

The fee for flushing, testing, and chlorinating water mains shall apply to all persons who request the District to perform such work.

The purpose of the fee is to compensate the District for its expense in flushing a water main and performing a bacteriological test and a chorine residual test on the water contained therein. The fee shall be due and payable to the District at the time the request for such work is filed with the District. The amount of the fee shall be dependent upon the extent of the work involved.

8-10 STATE FEES

Any water supply fees, pollution control fees, taxes, and so on lawfully adopted/changed by the State of Montana and levied against the District shall apply to all customers of the District. Applicable provisions of Chapter 13 shall apply to these State fees. The District shall pay all money collected from such fees to the State as required under State law.

8-11 CHARGES FOR MISCELLANEOUS WORK/SERVICE

The District shall require service agreements to be executed by a prospective customer prior to performing any work and/or service for the customer. All charges for work performed by the District for a customer shall be adequate to cover the District's expenses, including by not limited to

application, license, construction, permit, and legal fees as well as overhead, but shall not include any profit for the District. The District may revise the charges from time to time to reflect current costs, and the District may estimate such charges and require the prospective customer to deposit an amount equal to such estimated charges with the District prior to performing such work or service. In the event the District has overestimated the cost of performing such work, the District shall refund to the customer any overpayment upon completion of the work by the District. In addition, the customer shall pay to the District an amount equal to the difference between the estimated costs and the actual cost in the event the District has underestimated the cost of the work performed by the District. The charges shall be due and payable to the District upon completion of the work performed.

8-12 LATE PAYMENT INTEREST CHARGE

The District shall require delinquent customers to pay a late-payment interest charge on any monthly account balances that are not paid in full before the next billing period, which is approximately 30 days. The late payment interest charge shall be applied on the full past due amount, including any special fees or charges.

CHAPTER 9 - CURRENT RATES, CHARGES AND FEES

The following rates, charges, and fees will be established by the elected governing Board of Directors by resolution. All rates, charges, and fees will be in effect as of the date of this resolution. The following rates, charges, and fees are due to change from time to time as costs increase and may be done so by amendments to, or replacements of, this chapter.

· **WATER RATES**

The minimum monthly rates are:

Meter Size	Multiplier	Minimum Monthly Charge-Base Rate	Gallons Included in Base Rate
3/4"	1	\$12.50	6,000
1"	1.79	\$22.38	10,740
1 1/2"	4.0	\$50.00	24,000
2"	7.14	\$89.25	42,840
3"	16	\$200.00	96,000
4"	28.57	\$357.13	171,420

Incremental sales are \$1.41 per 1,000 gallons in excess of the base gallons.

· **SEWER RATES**

Monthly sewer rates will be a base rate and a usage charge, regardless of the size of water service. Each property hooked to the sewer system will pay a monthly base rate of \$15.00 and an incremental sales charge of \$1.10 for each 1,000 gallons of metered water used.

· **Charge for discontinuance/re-establishment of water service**

Inside normal working hours	\$50.00
Outside normal working hours	\$75.00

· **Charge for discontinuance/re-establishment of wastewater service**

Per hour	\$60.00
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·	Application fee for service area enlargements	\$500.00
·	Application fee for extensions	\$500.00
·	Fee for special meter accuracy test	\$60.00
·	Fee for setting/removing fire hydrant meter	\$50.00
	A deposit shall also be required for anticipated water use.	
·	Fee for performing fireflow test	\$60.00
·	Late payment interest charge	1% Month

The District may require a written proposal for such services together with advance payment of the District cost to analyze and review the proposal including all engineering, legal and consulting costs to review the proposal. Thereafter the District will be reimbursed the actual cost incurred to provide such services including the cost to inspect or certify the installation of such services. No service shall be supplied until all such costs are paid in full to the District.

CHAPTER 10 - METERING

10-1 GENERAL

Except for firelines, all water service lines connected with the district water supply system shall be metered by the District. The District shall normally read all district water meters for commercial accounts monthly and all District water metes for domestic accounts at least bi-monthly to determine customer usage and/or customer wastewater contributions for billing purposes. In months where the District water meter cannot be read, the District may estimate the meter reading and use the calculated water usage/wastewater contribution to render the bill for the customer involved. The District shall not estimate a meter reading for a customer more than four consecutive months without first making every effort to read the meter in question.

10-2 METERS FOR NON-USERS OF DISTRICT WATER SUPPLY SYSTEM

Meters or other approved means for gauging or metering water used by commercial accounts connected with the district wastewater system but not connected with the district water supply system shall be installed at the expense of the owner of such property prior to initiating District wastewater service. Such meters shall be of a size, type, and make and set at such a place as shall be designated by the District Manager. Property owners at their expense shall keep their meters in good repair and shall have such meters tested for accuracy prior to initial installation and at least every five years thereafter or as often as may be directed by the District Manager. Such meters shall meet or exceed the standards of the American Water Works Association (AWWA) for such type metes. Until such time as it is deemed practical by the District Manager to install meters for gauging or metering water used by domestic accounts connected with the District wastewater system but not connected with the district water supply system, the District may, for billing purposes, use an estimated monthly water consumption equivalent to the average monthly water use of its domestic customers during the months of December, January, February, and March.

10-3 DISTRICT'S RESPONSIBILITY

It shall be the District's responsibility to:

- (1) Determine the size of the district water meter to be installed on any water service line connected with the district water supply system;
- (2) Inspect and test all district water meters prior to installation on water service lines to ensure that such meters meet or exceed the standards of the American Water Works Association for such type meters;
- (3) Replace all 5/8-inch through 1-1/2 inch district water meters at intervals not to exceed 20 years;
- (4) Test and replace, if needed, all 2-inch district water meters every 3 years and

- all 3-inch and larger District water meters every 2 years;
- (5) Ensure that all district water meters are properly sealed prior to installation on water service lines and before changing any customer account to a new party; and
 - (6) Periodically check all district water meters that are in service for tampering, bypassing, or any other acts of water theft.

10-4 CUSTOMER'S RESPONSIBILITY

It shall be the customer's responsibility to:

- (1) Furnish, install, and maintain a district water meter, and any required remote-reading equipment on every water service line connected with the district water supply system;
- (2) Provide a location for installation of the district water meter that is readily accessible and that is properly protected from damage due to freezing or other adverse conditions;
- (3) Furnish, install, and maintain an approved outside meter box/vault, when required by the District Manager, as well as any pipe, fittings, meter loops, valves, expansion tanks, backflow prevention devices and surge protection devices on commercial accounts, pressure reducing devices, telephone lines/jacks, and other appurtenances required to meet the standards of the District for the type metering facility involved;
- (4) Obtain the written approval of the District in advance of installing the plumbing for a large district water meter (1-1/2 " and larger), whether it be set inside or outside the building to be served; and
- (5) Protect the district water meter from tampering, bypassing, or any other acts of water theft.

10-5 INSIDE METERING FACILITIES

An inside district water metering facility shall be approved by the District prior to its installation, shall meet the standards and specifications of the District, and shall meet the following requirements:

- (1) The district water meter and backflow prevention device shall be installed in a horizontal position, not over 2 feet above the floor, and shall be located as close as possible to the point where the water service line enters the building;
- (2) The district water meter shall be located near a floor drain if at all possible;
- (3) A valve shall be installed just before and one just after the district water meter to allow removal and replacement of the meter without first draining the entire service line and building plumbing;
- (4) A district water meter having the size of 1-1/2 inches or larger shall have a

valved bypass installed around the meter to provide continuous service when the meter is out for repair.

10-6 OUTSIDE METERING FACILITIES

An outside meter box/vault shall be engineered by a licensed Professional Engineer in the State of Montana, approved by the District prior to construction, shall meet the standards and specifications of the District, and shall meet the following general requirements;

- (1) The meter box/vault shall be located on private property at or near the point where the water service line enters the property to be served and outside any driveway or roadway;
- (2) The meter box/vault shall be located near a driveway or turnout and shall be readily accessible to District vehicles without causing damage to public or private property or endangering the public or District personnel;
- (3) The meter box/vault shall be waterproof and shall be large enough to safely and easily install, maintain, and replace the district water meter, backflow prevention device, if required, and other appurtenances;
- (4) The district water meter and backflow prevention device shall be installed within the meter box/vault in a horizontal position, not over 2 feet above the floor;
- (5) A valve shall be located before and one after the district water meter to allow removal of the meter without first draining the water service line and the yard and building plumbing;
- (6) A district water meter having a size of 1-1/2 inches or larger shall have a valved bypass installed around the meter to provide continuous service when the meter is out for repair;
- (7) The remote-read encoder, when needed, shall be installed on a post or supported by other means at or near the customer's front property line.

10-7 USE OF INSIDE/OUTSIDE METERING FACILITIES

As a condition of service, a customer shall normally provide inside metering facilities meeting all the requirements of Section 10-5. The District Manager may, however, require any customer to install an outside meter box/vault meeting the requirements of Section 10-6, as a condition of providing/continuing water/wastewater service to the property involved. Conversely, the District Manager may also require a customer to replace defective outside metering facilities with inside metering facilities meeting the requirements of Section 10-5 as a condition of continuing water/wastewater service to the property involved.

10-8 PERMANENT AND TEMPORARY METER INSTALLATIONS

When a district water meter is installed at the request of a customer, its installation is deemed

to be permanent unless the customer discontinues service entirely. Service on a district water meter for a shorter period than 6 months shall be considered temporary. The customer shall be required to reimburse the District for the cost of installing and removing a temporary district water meter.

10-9 SUB METERS

Customers desiring one or more sub meters for various tenants shall furnish, install, maintain, and read such meters at their own expense. The district shall not furnish, install, maintain, read, or bill on such meters. Further, all district water/wastewater charges for a single water service line shall be billed to and shall be paid by the person named on the water service application for the property involved.

10-10 STANDARD METER AND SERVICE LINE SIZES

The following table shows the size of meter that will normally be used by the District on various size water service lines. Standards of the Uniform Plumbing Code shall be used when sizing water meters and lines.

<u>SERVICE LINE DIAMETER-INCHES</u>	<u>MINIMUM SIZE OF METER-INCHES</u>
3/4	3/4
1	3/4
1-1/2	1
2	1-1/2
4	3
6	4
8	6

A customer requiring a district water meter larger than 6 inches shall be provided with multiple meters manifolded together to meet the customer’s water demands, with the number of meters and their sizes determined by the District. Meters and water service lines to be installed to serve water filling stations shall be limited to a size of 2 inches or less unless otherwise authorized in writing by the District Manager.

10-11 SINGLE METER PER SERVICE LINE

The District will provide only one district water meter for a single water service line except for those that require meters larger than 6 inches.

10-12 INTERCONNECTED WATER SERVICE LINES

A customer served by two or more water service lines which are interconnected shall have a

check valve located on each water service line at its metering facility to prevent circulation of the water through the customer's meter and water service lines and back into the district water supply system.

10-13 SPECIAL METER ACCURACY TESTS

When a customer makes a complaint that the district water/wastewater charges for any particular billing period are excessive, the District shall, upon request, have the district water meter for the customer involved reread and inspect the customer's plumbing for leaks. Should the customer then desire that the district water meter be tested, the customer shall make a deposit with the District to cover the cost of making the test. The District will then test the meter in question. Should the meter on test show a registration in excess of 3 percent in favor of the District, the account deposited shall be refunded to the customer and the District shall make an adjustment for the estimated excess consumption on the bill immediately preceding and/or the current bill. The excess registration on the reading for the previous and/or current month shall be credited to the customer's account. Where no such error is found in favor of the District, the amount deposited will be retained by the District to cover the expense of performing the test.

10-14 REPLACEMENT OF METERS

Whenever a customer requests the replacement of the District water meter, such request shall be treated as a request for a test of the meter. As such, it shall be handled by the District in the manner set forth in Section 10-13.

10-15 STANDARD OF METER ACCURACY

The District shall not place in service or allow to remain in service without adjustment any District water meter that has a known error in registration of more than plus or minus 3 percent.

10-16 NON-REGISTERING METER

When the District water meter fails to register for any period, and the reason for the malfunction is beyond the reasonable control of the District, the District may estimate the charge for district water/wastewater service during the period in question. The malfunctioning meter must be repaired/replaced by the District within one month of the date that the meter was discovered by the District to be malfunctioning.

10-17 TESTING AND REPAIRING METERS

The District may test and/or repair a district water meter at any time, and for this purpose the District may temporarily shut off the water to a customer.

10-18 DAMAGED METERS AND EQUIPMENT

Whenever a District water meter, meter horn, check valve, cable, remote read device, or any other equipment owned by the District is damaged by the carelessness or negligence of the customer, the District shall repair/replace the damaged equipment and charge the cost of doing so against the customer's account. Failure to pay this charge shall be just cause for the District to discontinue water/wastewater service to the property involved until the total amount is paid plus payment of any applicable charges for discontinuance and/or reestablishment of service.

10-19 PROHIBITED TAPS/CONNECTIONS

It is prohibited for any customer to make a tap or to maintain a connection with the customer's water service line at a point located upstream of the district water meter. Such taps/connections shall be treated as a bypass around the meter and subject to the provisions of Section 10-20.

10-20 METER TAMPERING/BYPASSING

It is prohibited for any person to bypass or tamper with a district water meter. It is also prohibited for any person to receive district water/wastewater service knowing that the measurement of such services is being affected by bypassing or tampering. In case a meter seal is broken or the working parts of the meter have been tampered with or the meter damaged or bypassed, the District will, in addition to any other penalties provided by law, estimate the time period the tampering took place and will render an estimated bill for that time period to the customer involved. The District will also bill the customer for the full cost of repairing such damage to the meter, and may refuse to furnish water until the customer's account is paid in full plus payment of any applicable charges for discontinuance and/or reestablishment of service.

10-21 RELOCATION OF METERS

A customer requesting relocation of the district water meter after its initial installation will bear all costs associated with relocating the meter.

10-22 MAINTENANCE OF OUTSIDE METER BOXES/VAULTS

A customer shall at his/her expense keep his/her outside meter box/vault and appurtenances

in good repair, readily accessible, and in a safe and useable condition at all times. Failure to do so shall be deemed just cause to discontinue District water/wastewater service to the customer involved as provided in Section 3-8(3).

10-23 FIRE HYDRANT METERS

The following provisions and conditions shall govern the setting, use, and removal of District fire hydrant meters for the purpose of obtaining water for public works construction:

- (1) Only fire hydrants owned by the District shall be used for this purpose. Privately owned hydrants and those fire hydrants situated outside the District shall not be used for this purpose. The District reserves the right in all cases to determine upon which particular fire hydrant a district fire hydrant meter shall be installed.
- (2) The applicant for a meter shall sign the application for such service, shall be responsible for the payment of all fees and charges for such service, shall submit a deposit for anticipated water use, and shall be responsible for the protection and care of the meter while it is in use. In addition, any damages to public or private property, including the district fire hydrant meter and the district water supply system, caused by the applicant's use of the district fire hydrant meter shall be immediately repaired by the applicant at the applicant's expense. Further, it shall be the applicant's responsibility to secure the operating valve on the district fire hydrant meter whenever the applicant is not using the meter so as to preclude unauthorized use of water through the meter.
- (3) Only district personnel shall install and/or relocate a district fire hydrant meter. Further, such a meter shall not be installed on a fire hydrant in a manner which will interfere with the fire department's use of the 4-inch pumper nozzle.
- (4) The District shall not relocate a fire hydrant meter for an applicant without the applicant's first having obtained a new permit and having again paid to the District the appropriate fire hydrant meter setting/removal fee and usage deposit. Such relocations shall be limited to a maximum of one per day for each applicant.
- (5) District fire hydrant meters shall normally be set on the basis of permit dates, with the earliest date having first priority.
- (6) Applicants shall give the district water/wastewater district at least 48 hours notice of their need to have a district fire hydrant meter installed.
- (7) A fire hydrant meter shall not be installed during months when the weather may subject it to freezing. Further, since service from a district fire hydrant meter is considered temporary, such a meter shall not be installed at any one location for a period greater than 6 months nor less than one day.
- (8) Applicants for a district fire hydrant meter shall ensure that their filling

operations do not cause a cross connection or excessive pressure surges. Failure to do so shall be deemed just cause to immediately remove the district fire hydrant meter from service. Such service shall not be restored until the applicant takes corrective action, takes out another district fire hydrant meter permit, and pays the appropriate permit fees to the District.

- (9) Any person tampering with or bypassing a district fire hydrant meter shall be punished as provided in Section 10-20.

10-24 SECONDARY WASTEWATER METERS

Secondary wastewater meters that are to be installed under the provisions of Section 7-11 shall be furnished, installed, and maintained by the owners of the property to be served by such meters. In addition, such meters shall be of a size, type, and make and set at such place as shall be designated by the District Manager. Such meters shall meet or exceed the standards of the American Water Works Association for such type meters.

10-25 SPRINKLING METERS

Sprinkling meters are used to measure the amount of water delivered by the District to a customer exclusively for lawn and garden irrigation. Said meters shall only be installed on water service lines serving property situated within the district limits. Further, said meters shall either be installed on separate, independent water service lines or else be installed on branch water service lines which are connected to the customer's main water service lines at a point located upstream of the regular district water meters. If the sprinkling meter is not located inside a heated building it must be installed in an approved, engineered meter pit to protect it from freezing and/or tampering.

CHAPTER 11 - USE OF WATER SERVICE

11-1 WASTE OF WATER

Waste of water is prohibited. Customers shall keep all waterways closed when not in use. Further, customers must keep their water service lines, valves, fixtures, appliances, and other equipment in good order at all times and at their own expense. Leaking water service lines, valves, fixtures, appliances, and other equipment shall be repaired at once by the customer without waiting for notice from the District.

11-2 CROSS CONNECTIONS

Furnishing of water service to any customer or prospective customer shall be contingent upon the customer furnishing a type of connection which is approved by the District. When required by the District, the connection must be capable of protecting the district's water supply from contamination due to backflow and back siphonage. It shall be prohibited for the owner or occupant of any premise using water supplied by the District to cross-connect such water supply with a foreign source of water or with any appliance, appurtenance, hose, pipe, or other fixture in such a manner that there is a possibility that water or other substances from such foreign source may flow, be siphoned, or be forced into the district water system.

If contamination of the district water supply occurs, the District, or a plumber hired by the District, shall be allowed to inspect the water system to determine the cause and source of contamination. All costs associated with the inspection and corrective measures to remove contamination from the system shall be charged to the owner of the property which is determined to be the source of said contamination.

11-3 RESALE OF WATER

The District's water rate schedules cover the sale of water for the sole and exclusive use of the customer. Water service shall be used by customer only for the purposes specified in the service agreement, contract, or applicable rate schedules. Customer shall not re-meter, sell, or permit any other individual to use such service or secure water through customer's service line by hose or other devices for the purpose of supplying water to the individual's property without first obtaining written permission to do so from the District.

11-4 WATER USE RESTRICTIONS

The District Manager is authorized and empowered to determine and establish the times and hours when water may be used for watering and sprinkling lawns and gardens and may set and fix times when no water may be used for such purposes. Further, he/she may make such rules and regulations regarding the use of water as he/she may find necessary to maintain an adequate supply of water in the reservoirs for fire district protection or for other public health and safety reasons.

11-5 UNLAWFUL SPRINKLING OF LAWNS AND GARDENS

Any person using water for the purpose of watering and sprinkling of any lawn and/or garden at a time prohibited by the rules and regulations established by the District Manager shall be subject to discontinuance of water/wastewater service as well as any punishment and penalties available under law.

CHAPTER 12 - USE OF WASTEWATER SERVICE

12-1. DISCHARGING CERTAIN MATTER INTO SEWERS PROHIBITED

Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes into any public sanitary sewer:

- (1) Any liquid or vapor having a temperature higher than (a) 140 degrees Fahrenheit or (b) that which, alone or in conjunction with other discharges, causes the influent at the wastewater treatment plant to exceed 104 degrees Fahrenheit.
- (2) Any water or waste which may contain more than 100 milligrams per liter of fat, oil or grease;
- (3) Any gasoline, benzene, naphtha, fuel oil, or other pollutants which create a fire or explosion hazard in the wastewater system, including, but not limited to, wastewaters with a closed cup flash-point of less than 140 degrees Fahrenheit or 60 degrees Centigrade, using the test methods specified in 40 CFR 261.21;
- (4) Any garbage that has not been properly shredded:
- (5) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, or any other solid or viscous substance capable of causing obstruction to the flow in the public sanitary sewers or otherwise interferes with the proper operation of the district wastewater system;
- (6) Any waters or wastes having a pH lower than 5.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, personnel or biological life of the District;
- (7) Any waters or wastes containing a toxic, poisonous, or infectious substance in sufficient quantity to (a) injure or interfere with any wastewater treatment process, (b) constitute a hazard to humans or animals, (c) cause the presence of toxic gasses, vapors, or fumes within the district wastewater system in a quantity that may result in worker health and safety problems, or (d) create any hazard in the receiving waters of the district wastewater treatment plant;
- (8) 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 district wastewater treatment plant;
- (9) Any noxious or malodorous gas or substance capable of creating a public nuisance;

- (10) Any pollutant, including oxygen demanding pollutants (BOD, etc.), released in a discharge of such volume or strength as to cause interference in the district wastewater system unless such discharge is first approved by the District;
- (11) Any petroleum oil, solvents, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through;
- (12) Any trucked or hauled pollutants, except for septage which is permitted to be discharged at the approved manhole location;
- (13) Any storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water or unpolluted industrial process waters. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the District Manager. Industrial cooling water or unpolluted process waters may be discharged, upon approval of the District Manager, to a storm sewer, combined sewer or natural outlet;

12-2 GREASE, OIL AND SAND INTERCEPTORS

Grease, oil, and sand interceptors shall be provided when, in the opinion of the District Manager, they are necessary for the proper handling of liquid wastes containing (a) grease in excessive amounts, (b) any flammable wastes, (c) sand, or (d) any other harmful ingredients. Such interceptors shall not be required for private living quarters or dwelling units.

All interceptors shall be of a type and capacity as approved by the District Manager, shall be approved and stamped by a licensed Professional Engineer in the State of Montana and shall be located so as to be readily and easily accessible for cleaning and inspection. The cost of said interceptors shall be at the expense of the user/customer.

Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and be equipped with easily removable covers which, when bolted in place, shall be gas tight and watertight.

12-3 MAINTENANCE OF INTERCEPTORS

Where installed, all grease, oil, and sand interceptors shall be maintained by the owner/customer, at his/her expense, in continuously effective operation.

12-4 APPROVAL REQUIRED FOR DISCHARGE OF CERTAIN WATERS

The District Manager's approval shall be required for the admission into the public sanitary sewers of any waters or wastes having the following characteristic;

- (1) A five-day biochemical oxygen demand greater than 250 milligrams per liter;
- (2) More than 250 milligrams per liter of total suspended solids;
- (3) Containing any quantity of substances described in Section 12-1; and/or
- (4) Having an average daily flow greater than two percent of the average daily wastewater flow entering the District wastewater treatment plant.

12-5 PRELIMINARY TREATMENT FACILITIES

The owner shall provide facilities meeting the requirements set forth in these rules and regulations at his/her own expense where it is necessary; in the opinion of the District Manager, to provide preliminary treatment of any waters or wastes to:

- (1) Reduce the 5-day biochemical oxygen demand in such waters or wastes to at least 250 milligrams per liter;
- (2) Reduce the total suspended solids in such waters or wastes to at least 250 milligrams per liter;
- (3) Reduce objectionable characteristics or constituents in such waters or wastes to within the maximum limits provided by this chapter; and/or
- (4) Control the quantities and rates of discharge of such waters or wastes.

Plans, specifications, and other pertinent information concerning the proposed facilities shall be submitted for the approval of the District Manager and the State Department of Environmental Quality. No construction shall be commenced until such approvals are obtained in writing.

12-6 MAINTENANCE OF PRELIMINARY TREATMENT FACILITIES

Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his/her expense.

12-7 CONTROL MANHOLES AND TEST LOCATIONS

When required by the District Manager, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole or other suitable sampling point, with measuring and sampling devices included, in the building sewer to facilitate observation, sampling, and measurement of the waters or wastes. Such sampling point and appurtenances, when required, shall be readily accessible and safely located and shall be constructed in accordance with plans engineered and stamped by a licensed Montana Professional Engineer and approved by the District Manager. The sampling point and appurtenances shall be installed by the owner at his/her expense and shall be maintained by him/her so as to be readily and safely accessible at all times, with all equipment maintained in continuously satisfactory and accurate operational condition.

12-8 WASTEWATER TESTING AND ANALYSES

All measurements, tests and analyses of the characteristics of the waters and wastes to which reference is made in Sections 12-1 and 12-4 shall be determined in accordance with 40 CFR Part B6, Guidelines Establishing Test Procedures for the Analysis of Pollutants, unless otherwise specified, and shall be determined at the sampling point provided for in Section 12-7 upon suitable samples taken at such sampling point. In the event that no sampling point has been required, the sampling point shall be considered to be the nearest manhole downstream to a point in the public sanitary sewer at which the building sewer is connected.

CHAPTER 13 - PRETREATMENT OF INDUSTRIAL WASTES

13-1 METHODOLOGY

Unless otherwise specified, all measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this section shall be determined in accordance with either (a) the latest edition of the "Standard Methods for the Examination of Water and Wastewater," as published by the American Public Health Association, (b) the ASTM Annual Book of Standards, or (c) the "Methods for Chemicals Analysis of Waters and Wastes," as published by the EPA.

13-2 ACTIONS OF THE DIRECTOR

Whenever the District Manager determines that a significant industrial user is contributing to the district wastewater system any of the substances referred to in Chapter 12, in such amounts as to interfere with the operation of the district wastewater system or to constitute a harmful contribution to the district wastewater system, The District Manager shall:

- (1) Notify or cite the significant industrial user in accordance with Section 13-11 and develop and apply specific effluent limitations and pretreatment requirements for the significant industrial user to correct the interference with or harm to the district wastewater system.
- (2) Take any actions as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the district wastewater system and/or endangerment to any individuals.

13-3 PREEMPTION BY NATIONAL CATEGORICAL PRETREATMENT STANDARDS

Upon the promulgation of the National Categorical Pretreatment Standards for a particular industrial sub-category, the National Standards, if more stringent than limitations imposed under Chapter 12 for sources in that sub-category, shall immediately supersede the limitations imposed under Chapter 12. The District Manager shall notify all affected significant industrial users of the applicable reporting requirements under CFR Section 403.12. Failure to notify shall not relieve a significant industrial user from any requirements under the law.

13-4 MODIFICATION OF NATIONAL CATEGORICAL PRETREATMENT STANDARDS

When the district wastewater treatment plant has achieved consistent removal of pollutants limited by National Pretreatment Standards, the District may apply to the approval authority for modification of or exemption from specific limits in the National Pretreatment Standards.

13-5 STATE REQUIREMENTS

State requirements and limitations on discharges shall apply in any case where they are more stringent

than federal requirements and limitations or those in Chapter 12.

13-6 DISTRICT'S RIGHT OF REVISION

Notwithstanding the provisions of Section 13-3, the District reserves the right to establish by ordinance, resolution, rules and regulations, or permit more stringent specific pollutant limitations or pretreatment for discharges to the district system, if deemed necessary.

13-7 INDUSTRIAL DISCHARGE PERMITS

(1) Permit Application.

Significant industrial users may be required to obtain an Industrial Discharge Permit and shall complete and file with the District an application in the form prescribed by the District Manager and accompanied by the permit application fee. The significant industrial user shall submit, in units and terms suitable for evaluation, all information required by the permit application, a state approved and Montana registered engineer stamped impact study, and any supplemental information requested. All significant industrial users connected to or discharging to the district system who are determined to be subject to Industrial Discharge Permit requirements shall apply immediately. Other significant users proposing to connect to the system who are determined to be subject to Industrial Discharge Permit requirements shall apply at least 30 days prior to National Categorical Pretreatment Standard and has not previously submitted an application for an Industrial Discharge Permit, the significant industrial user shall apply for an Industrial Discharge Permit within 60 days after the promulgation of the applicable National Categorical Pretreatment Standard.

(2) Issuance

After evaluation of the permit application, the District Manager may issue an Industrial Discharge Permit subject to terms and conditions provided herein. In determining whether a permit shall be issued and/or what conditions shall be applied, the District Manager shall consider all applicable Network Categorical and Local Pretreatment Standards.

(3) Permit Conditions

Industrial Discharge Permits and significant industrial user permittees shall be subject to all applicable District Rules and Regulations, user charges, and fees. Permits shall contain, but shall not be limited to, the following requirements or terms and conditions:

- (a) Notice of the general and specific prohibitions required.
- (b) Prohibitions on discharge of any specific materials.
- (c) Notice of applicable National Categorical Pretreatment Standards.

- (d) Limits equal to or more stringent than the Specific Pollutant Limitations as established pursuant to Chapter 12, concerning average and maximum wastewater constituents, and on characteristics of either the individual industrial process wastes or combined industrial wastewater discharge.
- (e) Limits on average and maximum rate and time of discharge, or requirements for flow regulations and equalization.
- (f) Monitoring facilities.
- (g) Monitoring programs, which may include sampling locations; frequency of sampling; number, types, and standards for tests; reporting schedules; and pollutants to be monitored.
- (h) Installation, maintenance, and cleaning of any pretreatment facilities that are necessary to achieve compliance with the requirements including filtration; chemical treatment; grease, oil, and sand traps; and other necessary equipment.
- (i) Compliance schedules and any periodic progress or compliance reports required by federal pretreatment regulation, including 40 CFR 103.12.
- (j) Submission of technical reports or discharge reports, as provided for in Section 13-8.
- (k) Maintenance and retention of plant records relating to wastewater discharge for a minimum of 3 years or as specified by the District Manager.
- (l) Notification of any discharge or new wastewater constituents or of any substantial change in the volume or character of the wastewater constituents being introduced into the district wastewater system.
- (m) Notification of any slug or accidental discharge.
- (n) Agreement of the industrial user to (1) allow reasonable access by the District to ensure compliance with permit conditions, (2) agree to perform and comply with all permit conditions, and (3) submit to the remedy of specific performance for breach of contract.
- (o) Permit duration and conditions of transfer.
- (p) Penalties for violations.
- (q) Other appropriate conditions, in the judgment of the District Manager, necessary to ensure compliance with regulations.

(4) Permit Duration

Industrial Discharge Permits are valid for a specified time period not to exceed 3 years from the date of issuance or modification. Each significant industrial user shall apply for permit renewal at least 90 days prior to the expiration date of the existing permit.

(5) Permit Modifications

The terms and conditions of any permit may be subject to modification (a) by the District Manager during the term of the permit, (b) by the modification of Rules and Regulations set forth herein, or (c) as other just cause exists. The significant industrial user shall be

notified of any proposed changes in his/her permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

(6) Permit Transfer

Industrial Discharge Permits are issued to a specific significant industrial user for a specific operation. An Industrial Discharge Permit is not transferable and is void if reassigned, transferred, or sold to a new owner, new user, different premises, or a new or changed operation without written approval by the District Manager.

13-8 REPORTING REQUIREMENTS

The compliance reports shall indicate the average and maximum daily flow or predicted flow for the process units in the significant industrial user facility subject to the federal, State, or District standards and requirements, whether these standards are being met on a consistent basis and, if not, what additional operations, maintenance, or pretreatment is or will be necessary to bring the significant industrial user into compliance with the applicable pretreatment standards or requirements. This statement shall be signed by an authorized representative of the significant industrial user and shall be certified by a qualified professional engineer or a person with adequate wastewater discharge experience as determined by the District Manager.

The District Manager may impose mass limitations in addition to concentration limitations on significant industrial users which are expressly authorized by an applicable categorical pretreatment standard to use dilution to meet applicable pretreatment standards or requirements or upon other significant industrial users when deemed necessary. In such cases, the records and reports shall also indicate the mass of pollutants regulated by pretreatment standards in the effluent of the significant industrial user. These reports shall contain the results of sampling and analysis of the discharge including the flow, nature, concentration, production, and mass of pollutants which are limited by the applicable pretreatment standards. The frequency of monitoring shall be prescribed in the Industrial Discharge Permit.

13-9 AVAILABILITY OF RECORDS

All records relating to compliance with pretreatment standards of requirements shall be made available to officials of the EPA or the State Department of Environmental Quality upon request of the District Manager.

13-10 NOTIFICATION OF VIOLATION

Whenever the District finds that any significant industrial user has violated or is violating their Industrial Discharge Permit, or any prohibition, limitation, condition, or requirements contained therein, the District Manager, at his/her discretion, may either immediately cite the violator or may serve upon such person a written notice stating the nature of the violation, corrective action necessary, and the time limit for its satisfactory correction. Within the time limit stated in said notice, the significant industrial user shall submit to the District Manager evidence of the satisfactory correction of the violation or a plan to correct the same.

CHAPTER 14 - WATER AND/OR WASTEWATER SERVICE AREAS

14-1 ADOPTION OF SERVICE AREA

The official water and/or wastewater service areas for the District are those areas within the boundaries of the District, any areas presently served outside the District, and any subsequently approved additions thereto. A map depicting the water and/or wastewater service areas adopted herein, and any enlargements that may be from time to time approved by the Board of Directors, shall be made available at all times for public inspection during regular working hours at the River Rock County Water and Sewer District management office.

14-2 PROHIBITED ACT

It is prohibited for any person to extend, or cause to be extended without district approval, beyond the water and/or wastewater service area boundaries any public or private water or sanitary sewer system facilities which are, in turn, either directly or indirectly connected with the district water wastewater systems. Nothing in this document shall prohibit the District from contracting with third parties or entities to receive services from the District, including the sale of water and/or wastewater services as allowed by law.

14-3 ENLARGEMENT APPLICATION AND FEE

Persons desiring water and/or wastewater service to serve properties located either partially or entirely outside the water and/or wastewater service areas shall make application to the District on a special form furnished for this purpose by the District. Such application shall be supplemented by any plans, reports, or other information considered pertinent. The appropriate application fee set forth in Section 8-9(1), or as same may be amended from time to time by the Board of Directors, shall be paid by the applicant to the District at the time the application for enlargement of the service area is filed.

14-4 PREREQUISITES TO APPLICATION

The following conditions shall be met prior to making application for enlargement of the water and/or wastewater service areas:

- (1) The property at the time the application is filed:
 - (a) Shall be contiguous to the boundary of the water and/or wastewater service areas as same exists;
- (2) Provided, that should a state or federal governmental entity, as a condition of providing funds or grants, require that service be extended to other areas outside the scope of this section (Section 14-4) the Board of Directors may, upon receipt of application for waiver and upon a proper showing, waive the requirements of this section.

Information concerning the prerequisite conditions set forth in this section may be obtained from the District office during normal working hours

14-5 APPLICATION REVIEWS AND RECOMMENDATIONS

The District shall review all water and/or wastewater service area enlargement application so filed, and upon completion of said review, shall submit to the Board of Directors for their review and consideration such applications with recommendations and comments attached hereto. Any application which are filed with the District at least 2 weeks prior to the next regularly scheduled meeting, shall be submitted to the Board of Directors at the next regularly scheduled meeting. Applications filed less than 2 weeks prior to the next regularly scheduled Board of Directors meeting, need not be submitted until the next regularly scheduled meeting following the date of submission of the application.

The District shall review each water and/or wastewater service area enlargement application filed for the purpose of determining compliance with the following specific conditions:

- (1) Each application for enlargement of the water and/or wastewater service area so filed shall be accompanied with a legally binding and lawfully recorded special agreement wherein 100 percent of the owners-of-record of the property under consideration for inclusion in the service area shall have agreed to the following:
 - (a) To waive their right to protest any future water and sanitary sewer special improvement districts that may be created by the District for the purpose of providing water and/or wastewater service to the property in question;
 - (b) Agree to fully comply with all rules, regulations, resolution, ordinances, and laws governing the providing of water and wastewater service by the District, or as same may be lawfully change from time to time;
 - (c) Make commitment to construct all the necessary water and/or wastewater system facilities and to begin development of the entire parcel of property to be included in the water and/or wastewater service area within 2 years from the date of the Board of Directors's approval of the enlargement application. In the event the applicant fails to comply with this particular commitment, the property in question shall automatically be excluded from the service area; and,
 - (d) Agree to fully comply with any such other conditions and/or requirements as the Board of Directors may establish from time to time.
- (2) Under no circumstances shall the Board of Directors grant approval to any applicant for enlargement of the water and/or wastewater service areas which would include property in the service area that is beyond the service capabilities of the district systems.
- (3) The District Manager, in his/her recommendations and comments to be submitted to the Board of Directors, shall address each of the aforementioned conditions and specifically set

forth in writing whether or not the application under consideration fully complies, partially complies, or fails to comply with each of said conditions.

14-6 PUBLIC HEARING

At the time of completion of annexation, the annexed territory shall automatically be included in the service area; however, before officially acting upon any application for enlargement of the service area into an unannexed area, the Board of Directors shall hold a public hearing thereon and shall give public notice of hearing upon each such application published once each week for 2 consecutive weeks in a newspaper of general circulation in the County. Said notice shall set forth the time and place of the public hearing and shall be published not less than 15 nor more than 30 days to the date of the hearing.

14-7 BOARD OF DIRECTORS ACTION

The Board of Directors shall approve, conditionally approve, or deny an application for enlargement of a service area within 30 days after the date of the public hearing. The approval or conditional approval shall be in force for one year after the date of such denial unless stipulations are identified in such denial, in which case the application may be resubmitted with deficiencies corrected.

CHAPTER 15 - WATER AND WASTEWATER EXTENSIONS

15-1 INTENT AND PURPOSE

The intent and purpose of the rules and regulations set forth in this chapter are to:

- (1) Provide for an orderly, planned, and cost-effective method of extending the district water and/or wastewater systems within their service areas;
- (2) Ensure that extensions to the District water and/or wastewater systems are properly designed, inspected, and constructed in accordance with appropriate health, District, and fire suppression standards; and
- (3) Facilitate the administering and documenting of all activities relating to extensions of the district water and/or wastewater systems.

15-2 PROHIBITED ACT

Any unauthorized person is prohibited from extending or causing to be extended, either directly or indirectly, any portion of the water and/or wastewater systems without first obtaining in writing the necessary approvals and paying the appropriate fees and charges as required and set forth herein.

15-3 APPLICATION AND FEE

A prospective customer, or a group of prospective customers, desiring water and/or wastewater service to serve property which is situated within the water and/or wastewater service area, and which does not front or abut a right-of-way containing a public water main or sanitary sewer, shall make application in writing to the District on a special form furnished for this specific purpose by the District. Said extension application shall be supplemented by engineered plans, reports, or other information considered pertinent.

The appropriate application fee adopted under Section 8-9(2), or as such may be lawfully changed from time to time, shall be paid by the prospective customer, or group of prospective customers, to the District at the time the water and/or wastewater extension application is filed. All such extension application shall be signed by the owners of record of the property to be served by the extension involved, or their legally designated representative, and shall be properly witnessed by a notary public.

15-4 WATER AND WASTEWATER SERVICE AREAS

The Board of Directors shall not accept for consideration a water and/or wastewater extension application which is intended to provide district service to property, or any portion thereof, which is situated outside the service area. Prior to acceptance for consideration of an extension application for such property, the property shall be included in its entirety within the service area in accordance with the provisions set forth in Chapter 14.

15-5 APPROVAL OF EXTENSIONS

Subject to all the requirements and conditions set forth in this chapter, the District is hereby authorized to grant approval of water and/or wastewater extension applications submitted to the District Manager under the provisions of Section 15-3. All such approvals granted by the District shall be in writing. The District shall be responsible for maintaining a permanent file of all such extension application so approved.

The District shall grant approvals of water and/or wastewater extension applications in a nondiscriminatory manner. In addition, all such extensions so granted by the District shall be non-assignable to other property. Further, if the construction of the extension has not commenced within 2 years from the date of the Board of Directors's written approval of the extension application involved, the Board of Directors's approval shall automatically be deemed void and no longer in force and effect. No refund of fees will be made to the applicant if construction has not commenced within 2 years of the approval.

15-6 WATER AND WASTEWATER SYSTEM DISTRICT WAIVERS

First and before an extension application is approved by the District, 100 percent of the owners of record of the property included in said extension application shall have legally waived their right to protest any water or sewer special improvement districts which may be created in the future for the purpose of providing district water and/or wastewater service to such property.

15-7 CHARGES AND REGULATIONS

A prospective customer, or group of prospective customers, granted permission to extend the district water and/or wastewater system in accordance with the provisions set forth in this chapter shall be deemed to have contracted with the District for the service of the district water supply and/or District's regulations in regard to said service, or as such may be lawfully changed from time to time.

15-8 SYSTEM CONSTRUCTION FEES AND CHARGES

Any applicable district water and/or wastewater system construction fees and charges to be assessed against the property included with an extension application pursuant to provisions of ordinances and/or resolutions approved by the Board of Directors shall be paid to the District at the time the extension application is filed. If the extension application is subsequently denied, then in that event the construction fees and charges so collected from the applicant shall be refunded without interest.

15-9 INTRODUCTION OF DISTRICT SERVICE APPLICATION

Applications for introduction of water and/or wastewater service to serve previously unserved property which fronts and abuts a right-of-way containing a public water main or sanitary sewer, but which has

never assessed for the cost of constructing an extension of the system, shall be subject to all applicable provisions, requirements and conditions stated in this chapter for extensions. The application fee to be paid to the District at the time an application for introduction of service for such type property is filed with the District shall be that adopted under Sections 8 and 9, or as same may be lawfully changed from time to time. In addition, any special system construction or development fees and charges to be assessed against the property involved shall be paid in full to the District Clerk at the time the application for introduction of service is filed. Subject to all applicable requirements and conditions set forth in this chapter, the District is hereby authorized to approved in writing such type applications. The District shall be responsible for maintaining a permanent file of all such applications so approved.

15-10 METHODS AND FINANCING OF EXTENSIONS

Extensions of the district water and/or wastewater system shall be accomplished as provided for by law or by private contract. Prospective applicants desiring to extend the district water and/or wastewater system shall first, and prior to creation of such a district or entering into such a contract, have made application to the District for extension of the system and have obtained the approvals and have paid the fees and charges required.

All costs of extending the system shall be borne by the owners of the property to be served from the extension in question, except as may be otherwise set forth in this chapter. The District shall not grant and/or construct free extensions to serve any property with district water or wastewater service.

15-11 OWNERSHIP OF EXTENSIONS

The ownership of all extensions of the district water and/or wastewater system constructed within the corporate District limits shall be vested in the District whether same are constructed by bonding or by private contract. The ownership of public water and/or wastewater system facilities installed outside the District for the purpose of providing water and/or wastewater service to properties situated outside the boundaries of the District shall be vested in the party or parties that constructed the extension. The ownership of all extensions constructed by the District at its expense shall be vested in the District regardless of whether of not such facilities are located within or outside the boundaries of the District.

An applicant constructing an extension within the corporate District limits by means of a private contract or special improvement district shall be deemed to have conveyed the ownership of such an extension to the District upon acceptance of the extension by the District. In addition, the District shall at that time have assumed complete control over the facilities so extended, including the right to connect additional customers to the extended facilities as well as the right to further extend said facilities.

15-12 MAINTENANCE OF EXTENSIONS

The District shall be responsible for the maintenance of extensions only when the ownership and control of said extensions are vested in the District. The responsibility for installation, operation, maintenance, repair, enlargement, or replacement of facilities that are privately owned and/or controlled by persons

other than the District shall rest solely with owners of said facilities.

15-13 WATER SERVICE LINES AND FIRELINES

During the course of constructing an extension to the district water supply system, a water service line and/or a fireline, whatever is deemed appropriate, shall be stubbed to the property line of each lot and/or parcel of property included in the extension application. All water service lines and firelines so installed shall be subject to and fully comply with the provisions set forth in Chapter 16. The cost of installing each such water service line and fireline shall be borne by the owner of property benefitted by said water pipes. The District Manager shall be notified of the date construction is to commence so as to facilitate inspection of construction activities.

All water service lines and firelines installed during the course of constructing extensions of the district water supply shall be individually and appropriately marked in the field in a manner acceptable to the District Manager. Also, the location of each such water service line and fireline so installed shall be accurately depicted on the as-built drawings for the extension involve, with the appropriate offset distances measured from respective property lines set forth and shown for each such water service line and fireline. In addition, the invert elevation at the end of each such stubbed water service line and fireline shall be legibly noted on the as-built drawings.

15-14 FIRE HYDRANTS, VALVES, AND OTHER APPURTENANCES

Fire hydrants, valves, and other appurtenances shall be designed and installed as a necessary and basic part of an extension to the district water supply system, and the cost of same shall be borne by the prospective customer, or group of prospective customers, to be provided district water service from the water extension involved. The operation, maintenance, repair, enlargement, and replacement responsibilities for such type facilities shall be vested in the persons having ownership and control of the facilities so extended.

15-15 WASTEWATER SERVICE LINES

During the course of constructing an extension to the wastewater system, a wastewater service line shall be stubbed to the property line of each lot and/or parcel of property included in the extension application. All wastewater lines so installed shall be subject to and fully comply with the provisions set forth in Chapter 16. The cost of installing each such wastewater service line shall be borne by the owner of the property benefitted by the wastewater service line involved. The District Manager shall be notified of the date construction is to commence so as to facilitate inspection of construction activities.

All wastewater service lines installed during the course of constructing extensions to the district wastewater system shall be individually and appropriately marked in the field in a manner acceptable to the District Manager. Also, the specific location of each such wastewater line so installed shall be

accurately depicted on the as-built drawings for the extension involved, with the appropriate off-set distances measured from respective property lines set forth and shown for each such wastewater service line. In addition, the invert elevation at the end of each such stubbed wastewater service line shall be legibly noted on the as-built drawings.

15-16 MANHOLES, WASTEWATER PUMPING STATIONS, FORCE MAINS, AND OTHER APPURTENANCES

Manholes, wastewater pumping stations, force mains, and other appurtenances shall be designed and installed as a necessary and basic part of an extension to the district wastewater system, and the cost of same shall be borne by the prospective customer, or group of prospective customers, to be provided wastewater service from the wastewater extension involved. The operation, maintenance, repair, enlargement, and replacement responsibilities for such type facilities shall be vested in the persons having ownership and control of the facilities so extended.

15-17 RIGHTS-OF-WAY, LICENSES, AND PERMITS

An applicant requesting an extension of the district water and/or wastewater system shall at applicant's expense be responsible for securing all right-of-way, licenses, and permits that may be required in order to construct, operate, maintain, repair, and replace the facilities to be extended.

Whenever possible extensions of the district water and/or wastewater system shall be installed entirely within public rights-of-way. However, if proven to be impractical to do so, and if the Board of Directors's approval is first obtained, extensions may be installed within District easements granted to the District by the owners of record of the property involved.

Public rights-of-way and easements shall be brought to official and final grade prior to or immediately after construction of extensions and shall be a minimum of 30 feet in width. The District may require additional widths where unusual maintenance problems exist.

All District rights-of-way and easements shall remain open and unobstructed to permit ready access of any vehicles and other equipment needed to operate, maintain, repair, enlarge, and replace facilities situated within said right-of-way and easements. Installation of surface obstructions within such rights-of-way and easements shall be at the risk of the owners of said obstructions. Replacement of such obstructions that are removed to permit access to District water and wastewater system facilities shall not be the responsibility of the District.

All dedicated rights-of-way and district easements within a subdivision shall be shown and identified on the dedicated plat and on the extension contract drawing. All district easement agreements shall be subject to the District Attorney's approval, shall meet the District's standards for such type agreements and be in legal form, shall be recorded with the County Clerk and Recorder's office, and shall run with the land. A copy of the final recorded district easement agreement shall be provided to the Board of Directors prior to granting approval of the plans and specifications or extensions involved.

15-18 FACILITY PLAN

15-19 EXTENSIONS OUTSIDE DISTRICT LIMITS

All extensions of public facilities which are intended to provide water and/or wastewater service to properties situated outside the boundaries of the District limits shall be approved in advance by the Board of Directors and shall be subject to and comply with all the provisions set forth in this chapter for extensions within the District limits if said public facilities are to be either directly or indirectly connected with the District's system.

15-20 SUBDIVISION EXTENSIONS OF WATER SUPPLY FACILITIES

All public water supply system facilities required to serve a subdivision, including connecting and cross-tie water mains, as well as the water mains in, to, around, and through said subdivision, shall be installed by and at the expense of the applicants requesting an extension of the district water supply system to serve the subdivision in question. Said applicants shall also extend the district water supply system to the farthest point or points of their subdivision at their expense.

15-21 SUBDIVISION EXTENSION OF WASTEWATER FACILITIES

All public wastewater system facilities required to serve a subdivision, including necessary off-site public sanitary sewers, as well as the public sanitary sewers, in, to, around, and through said subdivision, shall be installed by and at the expense of the applicants requesting an extension of the wastewater system to serve the subdivision in question. Said applicants shall also extend the wastewater system to the farthest point or points of their subdivision at their expense.

15-22 INDIVIDUAL EXTENSIONS

Extensions of the district water and wastewater supply system to serve a single customer shall be subject to all conditions and requirements set forth in this chapter. However, in unusual and exceptional cases where the property line of the customer requesting service is determined by the District Manager to be an excessive distance from the existing district water supply system, and the cost to be borne by the prospective customer under the provisions of this chapter is determined by the District Manager to be prohibitive, and there is no reasonable prospect of further growth and development in the area, and no water main is needed to provide fire suppression water to the area in question, or for any one of the above reasons, the District Manager, with the written concurrence of the Board of Directors, may serve the customer by installing a meter in the public right-of-way at the public water main nearest to the customer's property, and connecting the meter to the customer's privately-owned water service line.

The customer shall comply with all provisions set forth in Chapter 16 when installing the privately-owned

water service line to the public water main and constructing the appropriate meter box. In addition, the customer shall not permit others to connect their water lines or receive water service from said customer's privately-owned water service line. Further, in the event the district water supply system is later extended to the customer's property, the customer shall at the customer's expense discontinue the use of said customer's privately-owned water service line and shall pay all costs and charges for district water from such extension, the same as if the customer had not previously laid and received district water service through a privately-owned water service line. The District Manager shall require the customer to waive said customer's right to protest the creation of any future special improvement district which may be created for the purpose of constructing a public water main to serve the area in question, first and before the District Manager grants his/her permission to serve the customer's property by means of a privately owned water service line.

15-23 OVERSIZING EXTENSIONS

The District reserves the right to direct a prospective customer, or a group of prospective customers, requesting an extension to the water and/or wastewater system to install larger system facilities than that required to serve the area included in said customer's extension application and/or agreement. Any increase in pipe size up to and including 12-inch pipe shall be borne by the customer. If sufficient funds are available at that time, and the oversized facilities to be constructed qualify as general benefit facilities, the District may, at the District's sole discretion, pay the additional material cost generated by an increase in pipe size over and above 12 inches or the size actually required for the extension. In the event sufficient funds are not available for participation in the extension project by the District, or in the event the oversized facilities fail to qualify as general benefit facilities, then the customer shall at his/her expense install all such water and/or wastewater system facilities required under the provisions set forth in this chapter regarding extensions, including by not limited to Section 15-18. However, the customer may be eligible for reimbursement of a portion of the costs of constructing the oversized facilities.

15-24 STAGED CONSTRUCTION OF EXTENSIONS

Whenever public streets and extensions to the district water and wastewater system are proposed to be constructed in stages to serve a new subdivision or other type development, the public sanitary sewers, water mains, fire hydrants, and other district and wastewater system facilities shall be extended and installed beyond the proposed paving limits of the public street in question so as to preclude unnecessary excavations in said paved public streets when a future extension is to be constructed. The cost of designing and installing said stubbed-out facilities shall be borne by the prospective customers initiating the extension involved, and said facilities shall be made a part of and constructed with the extension project in question.

15-25 UNDERGROUND DISTRICT INFORMATION

MCA 69-4-501- through MCA 69-4-506 set forth certain procedures for obtaining information concerning underground utilities prior to making or beginning any excavation in any public street, alley, District easement, or right-of-way dedicated to public use. Said sections also forth penalties for failure to

comply with the provisions set forth therein. The engineer designing an extension of the District water and wastewater systems and any person contracting to construct such an extension, whether said extension is within or outside the boundaries of the corporate District limits, shall comply with these State statutes as required by law. A plan of all utilities in the area to be extended shall be submitted to the District by the customer requesting an extension during the application process.

15-26 EXCAVATIONS

Persons opening up, digging into, excavating, or tunneling in any public right-of-way or District easement for the purpose of constructing extensions or making connections with the water and/or wastewater systems, whether same be situated within or outside the boundaries of the District limits, shall, prior to performing such work, obtain in writing at their expense all necessary approvals, permits, licenses, surety bonds, and/or public liability insurance certificate that may be required by the agency or person having jurisdiction and control over such public right-of-way and District easements.

Permits for excavating within public rights-of-way under the jurisdiction and control of the District may be obtained from the District. Information concerning permits for excavating within public rights-of-way under the jurisdiction and control of the county or the state may be obtained by contacting the county surveyor's office or the highway department, respectively. In any case, streets, sidewalks, parkways, alleys, and other public property disturbed in the course of the work by a person contracting to construct an extension to the District water and/or wastewater systems, or a connection therewith, shall be restored at said person's expense in a manner satisfactory to the public authority having jurisdiction and control over such public property.

Any privately-owned property which may be disturbed and/or damaged by a person contracting to construct extensions to the district water and/or wastewater systems or a connection therewith, shall be restored at said person's expense to a condition equal to or better than the condition existing prior to such construction.

15-27 TRAFFIC CONTROL AND CONSTRUCTION SIGNING

When working within public rights-of-way or district easements, persons constructing extensions or making connection with the District water and/or wastewater systems, whether same be situated within or outside the boundaries of the District limits, shall comply with the traffic control and construction signing standards of the agency having control over the right-of-way or district easements involved. In any case, all excavations for the construction of extensions or making connections with the water and/or wastewater system shall be adequately guarded with barricades and lights on a continuous basis so as to protect the public from hazard.

15-28 PROFESSIONAL ENGINEER

Pursuant to and in accordance with MCA 18-2-121, all extensions of the water and/or wastewater systems shall be under the direct charge and supervision of a professional engineer licensed in the State of

Montana. The District is prohibited under the provisions of MCA 18-2-122 from accepting any plans and specifications for extensions of the water or wastewater systems unless they bear the seal and signature of such a professional engineer.

15-29 CONTRACT PLANS AND SPECIFICATIONS

The contract plans and specifications for an extension of the water and/or wastewater system shall be approved in writing by the Board of Directors and the State Department of Environmental Quality prior to commencement of any construction of a water and/or wastewater extension. MCA 75-6-112(3) specifically prohibits the construction, alteration, or extension of any system of water supply, water distribution, sewer, drainage, wastewater, or sewage disposal without first submitting necessary maps and plans and specifications to the State Department of Environmental Quality for their advice and approval. All such submittals shall be sent to the State Department of Environmental Quality. It shall be the responsibility of the professional engineer designing the water and/or wastewater extension in question to obtain the State Department of Environmental Quality approval of the contract plans and specifications for the extension involved.

Final construction plans for extensions of the water and/or wastewater system shall be engineering design drawings on standard plan-profile sheets to a scale of not less than 1" = 100' in plan and 1" = 10' in profile. All elevations depicted on the plans shall be based upon United State Geological Survey (USGS) datum.

Contract specifications shall be in a format suitable to the District Attorney, and as a minimum, said specifications shall be in a similar format and contain the required provisions recommended by the American Society of Civil Engineers, the American Consulting Engineers Council and/or the National Society of Professional Engineers for such type specifications, with appropriate modifications to reflect State and local laws and conditions.

15-30 DESIGN STANDARDS

All extensions of the water and/or wastewater systems shall be designed in compliance with the standards for such work that may be adopted from time to time by the District and the State Department of Environmental Quality.

15-31 MATERIALS AND METHODS OF CONSTRUCTION

The materials and methods of construction used in the installation of extension to the water and/or wastewater systems, or the making of connections to these systems, shall conform to the requirements of

the latest version of the Montana Public Works Standard Specifications.

15-32 CONSTRUCTION AND FINAL INSPECTION

The professional engineer having direct charge of and supervision over a water and/or wastewater extension project shall provide at his/her expense adequate, on-site inspection during the construction of the extension project so as to ensure that such construction work is being performed in accordance with the approved contract plans and specifications for the project. It shall be said engineer's responsibility to furnish at his/her expense a qualified construction inspector for monitoring all construction work performed during the installation of the extension.

Upon completion of the installation of a water and/or wastewater extension project, and after the extended facilities have passed the required testing set forth in the contract documents, the professional engineer in charge of the extension project shall notify the District in writing that the project is ready for final inspection. In turn, once the final inspection has passed the District's approval, the District shall notify in writing the professional engineer that the facilities have so passed said final inspection.

15-33 MINIMUM SIZE AND SPACING CRITERIA FOR WATER SYSTEMS

The following minimum size and spacing criteria shall govern the design of extensions to the district water supply system:

- (1) **Main Size.** In a high value area a 12 inch diameter water main shall be the minimum standard diameter of public water main installed. An 8-inch diameter water main may be used in a high-value area only where it completes a closed gridiron and where the water main is of short distance and closely interconnected with other mains.

In a residential area a 6-inch diameter water main shall be the minimum standard diameter of public water main installed.

Certain public water mains that are not required to provide water for fire suppression, and which may never be extended, may be reduced in size to meet customer demands provided the written approval of the District is first obtained. If larger public water mains are required to serve a new development, then the prospective customer, or group of prospective customers, requesting the water extension involved shall install such larger water mains at their expense.

- (2) **Water Main Valve.** Valves shall be situated on public water mains so that the maximum shut-off lengths do not exceed 500 feet in high-value areas and one block, or 800 feet, whichever is less, in residential areas. All such valves so required shall be or the same diameter as the public, water mains they are appended to.
- (3) **Fire Hydrants and Branches.** Whenever possible, gridironing of public water main shall be

planned so that not more than one fire hydrant will be installed on a 6-inch diameter water main between intersecting mains, and not more than 2 fire hydrants installed on an 8-inch diameter water main between intersecting mains.

In industrial, warehouse, institutional, shopping center, or other high-value areas within or outside the principal business district, there shall be 1 or 2 fire hydrants at each street intersection, depending upon the character of the area, with intermediate fire hydrants placed so that they are not over 300 feet apart. In general, depending upon the area's characteristics, the average area to be served by each fire hydrant shall be made from 80,000 to 90,000 square feet.

In residential areas there shall be 1 fire hydrant installed at each street intersection with intermediate fire hydrants located so that said fire hydrants are spaced not over 300 feet apart. In general, depending upon the area's characteristics, the average area to be served by each fire hydrant shall not exceed 110,000 square feet.

Fire hydrant branches shall have a minimum diameter of 6 inches. In all cases a valve shall be installed on each fire hydrant branch and in no case shall the valve be of smaller diameter than the fire hydrant branch. Branch valves shall be situated not less than 18 inches or more than 24 inches from the branch feeder main.

- (4) Dead-ends. Dead-end water main shall be avoided by looping of all water mains whenever practical.
- (5) Blowoffs. A standard fire hydrant shall be installed at the end of each dead-end public water main to facilitate flushing the water main and to release any air entrapped in the water main during installation, maintenance, and repair operations.
- (6) Metallic Pipe Fittings. All metallic pipe fittings installed underground during the installation of water extensions shall, whenever possible, be of the mechanical joint type.
- (7) Protection of Buried Metallic Pipes and Fittings. All metallic public water mains, fittings, and appurtenances installed underground during the construction of water extensions shall be totally wrapped or encased in polyethylene film meeting the specifications of the MPWSS.
- (8) Water Main Trench Widths. During the construction of public water mains and water service lines, trench widths at and below the crown of the water pipes shall be held to a minimum and shall in all cases meet the requirements concerning same set forth in the contract documents for the water extension involved.
- (9) Reaction Blocking. All tees, bends, plugs, hydrants, and valves (if appropriate) shall be

provided with reaction blocking or joints designed to prevent movement. Tie rods may be used only with the prior approval of the District.

15-34 DEPTH OF WATER MAINS AND APPURTENANCES

Public water mains and appurtenances shall be installed in rights-of-way at a depth to prevent freezing during the winter months. The minimum depth of bury for public water mains and appurtenances shall be 6.5 feet, as measured perpendicularly from the right-of-way surface, or a design grade approved in writing by the District Manager, to the top of the public water main. The Public Works Department may permit installation of public water mains and appurtenances at a lesser depth provided special construction methods are utilized to prevent freezing.

15-35 MINIMUM CAPACITY, SIZE, ARRANGEMENT, AND SPACING CRITERIA FOR WASTEWATER SYSTEMS

The following minimum capacity, size, arrangement, and spacing criteria shall govern the design of extensions to the district wastewater system:

- (1) Capacity of Sewers. Public sanitary sewers and appurtenances shall be designed to accommodate peak hourly flows, including an allowance for infiltration, when flowing ½ full.
- (2) Per capita Wastewater Contributions. Per capita wastewater contributions used in the design of new public sanitary sewers and appurtenance shall be as follows:

(a)	Average Daily Flow	100 gpcd*
(b)	Peak Hourly flow	400 gpcd
(c)	Minimum Daily flow	30 gpcd

*gpcd = gallons per capita per day

- (3) Minimum Size of Sewers. No public sanitary sewers having gravity flow shall be less than 8 inches in diameter.
- (4) Minimum Slope of Sewers. Public sanitary sewers shall be designed and constructed with slopes that produce mean wastewater velocities at ½ flow depth of not less than 2 feet per second, based on Kutter’s formula using and “n” of 0.13.

Slopes greater than the minimum set forth herein shall be used in the design of public sanitary sewers whenever possible. Where wastewater velocities greater than the maximum set forth herein are necessary, special provisions shall be made to protect against internal sewer erosion, sewer displacement, downstream surcharging, and washout of trench

backfill materials. All public sanitary sewers shall be installed with uniform slopes between manholes.

- (5) Arrangement of Sewers. Public sanitary sewers shall be arranged in such a manner and in such a way so as to serve by gravity flow the total tributary area of the wastewater extension project in question. The use of wastewater pumping stations to provide wastewater service for said area, or portions thereof, shall be avoided whenever it can be feasibly accomplished.

District wastewater system facilities shall be arranged so that all such facilities are readily accessible for maintenance and repair. In addition, such facilities shall be situated so as to preclude the entrance of surface water into said facilities.

- (6) Alignment of Sewers. Public sanitary sewers shall be installed with a straight alignment between manholes.
- (7) Sewer Trench Widths. During the construction of public sanitary sewers and wastewater service lines, trench widths at and below the crown of the sewers shall be held to a minimum and shall in all cases meet the requirements concerning same set forth in the contract documents for the wastewater extension project involved.
- (8) Sewer Embedment Material. Crushed stoned or gravel with not less than 95 percent passing a 3/4-inch sieve and not less than 95 percent retained on a #4 sieve shall be used for bedding, haunching, and initial backfill during the construction of public sanitary sewers and wastewater service lines. The use of natural materials excavated from the trenches for such purposes shall be permitted by the District only where appropriate soil tests have shown that said natural materials are suitable for these purposes.
- (9) Manhole Location. Unless otherwise approved in advance, manholes shall be installed at the end of each public sanitary sewer; at all changes in grade, size or alignment; at all intersections; and at distances not greater than 400 feet for sewer sizes 15 inches or less, and not greater than 500 feet for sewer sizes 18 inches or larger. Clean outs shall not be substituted for manholes nor installed at the end of public sanitary sewers.
- (10) Drop Manholes. Drop manholes shall be avoided whenever possible during the design and construction of wastewater extensions. They shall only be used when it is proven impractical to steepen the incoming sewer. Drop manholes permitted by the District shall be constructed with an outside drop connection whenever possible. Inside drop connections (when necessary) shall be installed only in over-sized manholes, shall be secured to the interior wall of the manhole, and shall be provided with an access for cleaning.

- (11) Manhole Dimensions and Slopes. Manholes used for 24 inch or smaller public sanitary sewers shall have a minimum diameter of 48 inches. Manhole diameters for larger public sanitary sewers shall be as specified by the District. All manholes shall be cylindrical in shape and shall be installed with eccentric reducing cones unless otherwise permitted by the District.
- (12) Manhole Channels and Branches. The completed channel cross-section installed in manholes on public sanitary sewers shall be U-shaped. They shall have a height equal to not less than ½ nor more than ¾ the diameter of connecting sewers having a size 15 inches or less and equal to ¾ the diameter of connecting sewers having a size greater than 15 inches.

Completed manhole benches installed in manholes on public sanitary sewers shall have slopes not greater than 1 in 12 and not less than 1 in 24.

- (13) Water Tightness of Manholes. Manhole installed on public sanitary sewers shall be of the pre-cast concrete or poured-in-place concrete type. All manholes shall be waterproofed on the exterior when such are to be installed in areas known to have high groundwater tables. Inlet and outlet sewers shall be joined to the manhole with a gasketed, flexible, and watertight connection or any watertight connection arrangement that allows differential settlement of the pipe and manhole wall to take place.
- (14) Manhole Adjusting Rings. Adjusting rings installed in manholes on public sanitary sewers shall have a total height of not less than 2 inches and not more than 12 inches. All such adjusting rings shall be properly sealed or grouted in place and shall be water tight.
- (15) Manhole Frames and Covers. Frames and covers used on manholes for public sewers shall be made of cast iron or ductile iron, shall have a clear opening on less than 24 inches, shall have a total weight of not less than 410 pounds, and shall have machined surfaces to ensure a tight fit between cover and frame.

Watertight manhole covers shall be used wherever the manhole tops may be flooded by surface runoff or high water. Locked manhole covers shall be installed in isolated district easement locations or where vandalism may be a problem. Manhole covers in other locations shall be limited to side notches and/or two pick holes for removal and replacement of the cover.

- (16) Manhole Steps. All manholes used for public sanitary sewers shall be equipped with steps of the polypropylene-coated steel type meeting applicable OSHA requirements for fixed ladders. The steps shall withstand a single concentrated load of 400 pounds, have minimum width of 12 inches, and shall have ribbed, skid-resistant treads with drop fronts to prevent side slip. All manhole steps shall be installed with the center of the rung a minimum of 7 inches from the manhole wall.

- (17) Sewer Joints. Joints for public sanitary sewers and wastewater service lines shall be designed to minimize infiltration and to prevent the entrance of roots throughout the life of such sewers.
- (18) Leakage Tests. Leakage tests shall be as specified by the District. This may include appropriate water or low pressure air testing. The leakage outward or inward (exfiltration or infiltration) shall not exceed 100 gallon per inch of pipe diameter per mile per day for any section of the system, including public sanitary sewers, manholes, and wastewater service lines.
- (19) Wastewater Pumping Stations and Force Mains. Wastewater pumping stations and force main installed during the construction of wastewater extensions shall be as specified by the District.

15-36 DEPTH OF PUBLIC SANITARY SEWERS AND APPURTENANCES

Public sanitary sewers and appurtenances shall be installed at such depths that they can receive by gravity the contributed wastewater flow from the entire tributary are of the wastewater extension involved. Sufficient depth shall also be provided to prevent freezing and backflow of wastewater through building sewers. In addition, consideration must be given to the prevention of undue interference with other underground structures and utilities when determining the depth of public sanitary sewers.

15-37 STANDARD DISTRICT SITING

Whenever possible and practical public water supply systems and sanitary sewers constructed in public rights-of-way in new subdivisions shall be situated and installed in such a manner and in such a way so as to conform the latest Standard District Location Plan adopted by the District for such types of right-of-way. Non-standard location of water and sewer lines in public rights-of-way in new subdivision must be approved in writing by the District prior to their construction.

15-38 POINT OF CONNECTION OF EXTENSION

The location of the point of connection of water and wastewater extensions to the district systems shall be as determined by the District. Such determination shall be based upon findings that reasonable District standards are followed in fixing the point of connection and that no substantial deterioration of the overall quality of service to existing customers will result from permitting such a connection. In addition, fire suppression water in sufficient quantities, pressure, and reliability to serve the water extension in question shall be considered in determining the location of the point of connection of water extensions to the district water supply system.

15-39 CONNECTION TO WATER SUPPLY SYSTEM

During the course of constructing water extensions and/or making connections to the District water supply system, 12 inch or smaller taps to public water mains that are presently in service shall be made only by authorized representatives of the District. All expenses associated with the making of such taps by District shall be borne by the person requesting the water extension in question.

Any payment to be made to the District for work performed in making connections to public water mains shall be in accordance with the provisions of Section 8 or as same may be lawfully changed from time to time. All other work such as, but not limited to, any traffic control and construction signing work, any excavating work, and any surface restoration work shall be performed by and at the expense of the person installing the water extension in question. Fittings for tapping public water mains and any other materials needed to tap the public water main shall be provided by and at the expense of the person installing the water extension and/or connection in question.

The person installing the water extension shall be responsible for providing safe trench conditions at all times when the employees of the District are making a tap to the public water main. Failure to provide such safe trench conditions shall be cause for immediate refusal by the District to perform any such tapping work. Persons desiring a tap made to a public water main shall notify the District at least 48 hours in advance of when the tap is needed. No taps to a public water main will be made after regular working hours, or on Saturday, Sundays, or holidays. Persons requesting such taps shall have the public water main uncovered, have the tapping sleeve installed and pressure tested, and be ready for the tap to be made at the time designated by the District.

15-40 PROJECT NOTICES AND OTHER CORRESPONDENCE

The professional engineer in charge of a water or wastewater extension project shall submit on a timely basis to the District a copy of the advertisement for bids for the extension project, a copy of the bid summary, a copy of the executed contract documents, a copy of all notices to the installing contractor, a copy of all shop drawings submittals for the project, a copy of all change orders for the project, and a copy of any other pertinent project correspondence between the engineer and the installing contractor. Upon completion of the construction of an extension project, the professional engineer shall submit to the District a typewritten schedule listing the location, type, size, class, and manufacturer's name of all materials installed during the course of the project. A final, certified project cost summary, which shall include all engineering, legal, administrative, and construction costs for the installation of all the facilities so extended under the project, shall also be submitted by the professional engineer to the District upon completion of the construction of the extension project.

15-41 TESTING, FLUSHING, AND DISINFECTING EXTENSIONS OF WATER SYSTEMS

An extension of the district water supply shall be properly and satisfactorily pressure tested, flushed, and disinfected by the person constructing such an extension in accordance with the approved contract documents for said extension prior to acceptance of the extension in question by the District. All costs of performing such testing, flushing, and disinfecting shall be borne by and at the expense of the person constructing the extension involved. The professional engineer in charge of a water extension project

shall provide for the inspection and supervision of all flushing, testing, and disinfection operations of the person constructing the extension in question.

An authorized representative of the District shall witness the performance of all pressure testing operations of the person constructing an extension to the district water supply system. In addition, said authorized representative shall operate all valves on the existing water supply system during the testing, flushing, and disinfection operations of newly extended water system facilities.

The costs incurred by the District in witnessing pressure tests and in operating existing water supply system valves during the testing, flushing, and disinfection operation of newly extended water system facilities shall be borne by and at the expense of the person constructing the water extension involved.

Any bacteriological sample collecting and testing required in conjunction with the disinfection of newly extended water system facilities shall be conducted only by authorized employees of the District. The cost incurred in collecting such samples and in conducting such tests shall be borne by and at the expense of the person installing the water extension involved.

15-42 TESTING AND INSPECTION OF WASTEWATER EXTENSIONS

An extension of the wastewater system shall be properly and satisfactorily tested for infiltration/exfiltration and shall be internally inspected for installation deficiencies and cleanliness utilizing a closed-circuit television camera in accordance with the approved contract documents for said extension prior to acceptance of the extension in question by the District. All costs of performing such testing and inspection shall be borne by and at the expense of the person constructing the extension involved. The professional engineer in charge of a wastewater project shall provide for the inspection and supervision of all infiltration/exfiltration testing and closed-circuit television monitoring operations of the person constructing the extension involved.

An authorized representative of the District shall witness the performance of all testing and inspection operations of the person constructing an extension to the district wastewater system.

The costs incurred by the District in witnessing infiltration/exfiltration tests and in reviewing television tapes/records of newly extended wastewater system facilities shall be borne by and at the expense of the person constructing the wastewater extension involved.

15-43 AS-BUILT DRAWING

Upon completion of construction of an extension to the water or wastewater system, the professional engineer for the project shall submit 2 sets of as-built drawings for said project to the District within 90 days of the completion of construction of the project. One set of said drawings shall be mylar. The as-built drawings so submitted shall accurately depict all field changes accomplished during the course of construction and shall be certified by the professional engineer as to being an accurate depiction of the location of all facilities, including service lines, installed during the construction phase of the project.

Offset distances measured from the centerline of the rights-of-way to all water supply lines, public

sanitary sewers, and appurtenances shall be individually and legibly shown on the as-built drawings. Invert elevations shall be shown on the as-built drawings for each manhole, structure, and each connection thereto as well as at the end of each stubbed public water main, water service line, fireline, sanitary sewer and/or wastewater service line. In addition, elevations showing the depth of bury of all public water mains and sanitary sewers shall be shown on the as-built drawings at such intervals along the public sanitary sewer as may be deemed appropriate by the District.

15-44 ACCEPTANCE OF EXTENSIONS BY DISTRICT

After an extension project has been completed and has satisfactorily passed the District's final inspection, the professional engineer in charge of the extension project shall certify in writing that the project has been constructed and completed in conformance with the approved contract documents and is now ready for acceptance by the District. The date of official acceptance shall be established in writing by the Board of Directors and shall be used as it may apply for maintenance guarantees and other extension contract purposes. No service lines connected to the extended facilities shall be activated for customer use nor shall any building construction start until such time as the extension project has been accepted in writing by the District.

15-45 PUBLIC CONTRACTORS LICENSE REQUIRED

Persons contracting to construct extensions of the district water and wastewater systems shall possess and have on file with the District a valid public contractor's license pursuant to and in accordance with the provisions of MCA Title 11, Chapter 50, Part 2.

15-46 WARRANTY AND GUARANTEE

Persons who contract to construct extensions to the district water and wastewater systems shall, by appropriate performance bond filed with the District, guarantee all materials and equipment furnished and work performed for a period of not less than one year from the date of acceptance of the work by the District. Said persons shall warrant and guarantee for a period of not less than one year from the date of acceptance of the work that said work is free from all defects due to faulty materials or workmanship, and said persons shall promptly make such corrections as may be necessary to reason of such defects. In the event the persons performing such work fail to make such repairs, adjustments or other work that may be made necessary by such defects, the District may make arrangements for the performance of such work by others, and charge said persons the cost thereby incurred. This express warranty and guarantee shall not be construed to deny District or any other affected person the right to make claim on any applicable warranty implied by law.

15-47 OPERATING EXISTING VALVES, HYDRANTS AND APPURTENANCES

Existing water supply system valves, fire hydrants, and other appurtenances shall be operated only by authorized District employees during the course of constructing extensions to the district water supply system or making connections to the water supply system. It is prohibited for unauthorized persons to operate said valves, fire hydrants, and other appurtenances on the district water supply system.

15-48 PROTECTION OF EXISTING WASTEWATER SYSTEM

Extended sewers that are connected to existing wastewater system facilities during the construction of wastewater extensions shall be securely plugged until the extended sewers have satisfactorily passed the required tests and inspections set forth in this chapter and those set forth in the contract specifications for the extension involved. Under no circumstances shall any groundwater, surface water, mud, sand, rock, or other foreign material be allowed to enter the existing wastewater system during the course of constructing extensions or making connections to the existing district wastewater system. Persons installing wastewater extensions, or making connections to the existing district wastewater system, shall become liable to the District for any expense, loss or damage occasioned to the District by reason of their failure to prevent any foreign material from entering the existing district wastewater system.

15-49 PROTECTION OF EXISTING WATER SYSTEM

Extended waterlines that are to be connected to existing water system facilities during the construction of water extensions shall not be connected to the existing water system until the extended water lines have satisfactorily passed the required tests and inspections set forth in this chapter and those set forth in the contract specifications for the extension involved. Under no circumstances shall any groundwater, surface water, mud, sand, rock, or other foreign material be allowed to enter the existing water system during the course of constructing extensions or making connections to be existing district water system. Persons installing water extensions, or making connections to the existing district water system, shall become liable to the District for any expense, loss or damage occasioned to the District by reason of their failure to prevent any foreign material from entering the existing district water system.

15-50 INTERRUPTIONS OF SERVICE

A person constructing an extension to the district water or wastewater systems, or making a connection therewith, shall be responsible for notifying existing customers of any interruptions in their service which may result from said person's operations. The specific method of notifying such customers shall be approved by the District first and before the interruptions take place. Any such interruptions shall be held to the shortest possible duration and shall be approved by the District first and before such interruptions are effected.

15-51 FEES AND CHARGES

All fees and charges for work performed by the District in conjunction with extensions to the water and/or wastewater systems shall be paid to the District in accordance with the provisions set forth in Chapter 8. Any person who considers such fees and/or charges of the District to be unfair, inequitable, or unreasonable may appeal payment of such fees and/or charges as provided for in Section 2-6.

15-52 DAMAGES TO EXISTING SYSTEMS

Persons constructing extensions to the water or wastewater systems, or making connections to said

system, shall be liable for any damages to existing system facilities or other public or private property occasioned by their operations.

CHAPTER 16 - WATER AND WASTEWATER SERVICE LINES, FIRELINES AND CONNECTIONS

16-1 PERMIT REQUIRED

No unauthorized persons shall uncover, make any connection with or opening into, use, alter, repair, extend, or otherwise disturb any water or wastewater service line, fireline, any connection of a water service line, fireline, or combination thereof with a public water main, any connection of a wastewater service line with a public sanitary sewer; or any appurtenances thereto without first:

- (1) Having on file at the District office a valid plumbing contractor's license or a public contractor's license; only persons with a plumbing contractor's license may perform the above work on private property, including connection at the curb stop or property line.
- (2) Having on file in the office of the District a good and sufficient surety bond and certificate of public liability insurance;
- (3) Obtaining any required excavation permits for excavating in public rights-of-way;
- (4) Paying to the clerk any applicable connection charges, construction fees, and/or system development fees;
- (5) Obtaining a written service line installation permit and paying to the clerk the appropriate permit fees adopted under Sections 8 and 9.
- (6) Complying with all other local, State or federal laws pertaining to:
 - (a) The installation of water or wastewater service lines, firelines and appurtenances;
 - (b) The making of connections to public water mains or sanitary sewers;
 - (c) The making of repairs, alterations, or extensions to such facilities, or
 - (d) When appropriate, any work involved in making excavations in public rights-of-way or District easements.

Public contractors will not be subject to the permit requirements set forth in this section when stubbing-out service lines, firelines, or combinations thereof in conjunction with public construction projects which have been previously approved in writing for construction by the District,

16-2 APPLICATIONS AND FEES

Persons desiring to obtain a service line installation permit shall make application to the District on a special form furnished for this purpose by the District. The permit application shall be supplemented by

any plans, specifications, or other information considered pertinent. The appropriate permit and inspection fees adopted under Section 8 shall be paid by the applicant to the clerk at the time the application for a service line installation permit is filed with the District.

16-3 CONNECTION, CONSTRUCTION, AND DEVELOPMENT CHARGES

Any applicable connection charges, connection fees, and/or system development fees assessed against the property to be served pursuant to provisions of ordinances and/or resolutions approved by the Board of Directors shall be paid to the District at the time the service line installation permit application is filed with the District.

16-4 BOND AND LIABILITY INSURANCE

Persons who contract to make connections to public water mains and sanitary sewers, or to install service lines, firelines, appurtenances, or combinations thereof, or to make repairs, alterations, or extensions to such facilities, shall file with the District a bond in such amount as deemed appropriate by the District. Said bond shall be in a form approved by the District Attorney and shall indemnify and hold the District harmless from any loss or damage that may directly or indirectly be occasioned by the installation, repair, alteration, or extension of such service lines, appurtenances, firelines, or the connection of same with public utilities; and that he/she will restore the streets, sidewalks and pavements over pipe he/she may lay, and fill all excavations made by him/her so as to leave such streets, sidewalks and pavements in as good condition as he/she found them. In addition, said persons shall file with the District a certificate of public liability insurance in an amount acceptable to the District. Said certificate shall be in a form approved by the District Attorney and shall be conditioned to hold the District harmless from any damage or injury whatsoever to any person or property of any description, however owned, by reasons of any work performed in making connections with public water mains and sanitary sewers, installing service lines, appurtenances, or firelines, or making repairs, alterations, or extensions to such facilities. Said persons may furnish a yearly bond and insurance certificate conditioned as herein above set forth.

16-5 GUARANTEE

Persons who contract to make connections to public water mains and sanitary sewers or to install service lines, firelines, appurtenances, or combinations thereof, or to make repairs, alterations, or extensions to such facilities, shall guarantee all materials and equipment furnished and work performed for a period of one year from the date of completion of said work. Said persons warrant and guarantee for a period of one year from the date of completion of the work that said completed work is free from all defects due to faulty materials or workmanship and such persons shall promptly make such corrections as may be necessary by reason of such defects, including the repairs of any damages to the public utilities resulting from such defects. The District shall give notice of observed defects with reasonable promptness. In the event the persons performing such work should fail to make such repairs, adjustments or other work that may be made necessary by such defects, the District may make arrangements for the performance of such work by others and charge such persons the cost thereby incurred. This express warranty and guarantee shall not be construed to deny the District or any other affected person the right to make claim on any

applicable warranty implied by law.

16-6 INSTALLATION, OWNERSHIP, AND MAINTENANCE

Water and wastewater service lines, appurtenances, and firelines are owned by the owner of the property served. Said owner shall keep their service lines, firelines, and appurtenances in good repair and condition at all times and, in addition to any other penalties, if not repaired within 10 days after receipt of notice by the District to do so, service to the property involved may be discontinued. Except as otherwise provided herein this ordinance, all costs and expenses incidental to the installation of service lines, appurtenances, firelines, or making connections of same with the public utilities, or making repairs, alterations, or extensions to such facilities, shall be borne by the owners of said facilities. Service lines, firelines, and appurtenances are non-transferable and shall run with the property originally served by said facilities.

16-7 UNDERGROUND DISTRICT INFORMATION

MCA Section 69-4-501 through 69-4-506, as amended, sets forth certain procedures for obtaining information concerning underground utilities prior to making or beginning any excavation in any public street, alley, District easement, or right-of-way dedicated to the public use. Said sections also set forth penalties for failure to comply with the provisions of statutes when making connections to public water mains and sanitary sewers or installing service lines, appurtenances, firelines or making repairs, alterations, or extensions to such facilities. All persons who contract to make connections to public water mains and sanitary sewers, or to install service lines, fire lines, appurtenances, or combination thereof, or to make repairs, alterations or extensions to sewer facilities shall comply with these statutes.

16-8 EXCAVATIONS

Persons opening up, digging into, excavating, or tunneling in any public right-of-way or district easement for the purpose of making connections to public utilities or to install service lines, firelines, or appurtenances, or to make repairs, alterations, or extensions to such facilities shall prior to performing such work obtain in writing at their expense all necessary approvals, permits, licenses, surety bonds, and/or public liability insurance certificates that may be required by the agency or person having jurisdiction and control over such public rights-of-way or district easements.

Permits for excavating within public rights-of-way under the jurisdiction and control of the District may be obtained from the District. Information concerning permits for excavating withing public rights-of-way under the jurisdiction and control of County and the State may be obtained by contacting the County Road Department and the Montana Department of Transportation, respectively. In any case, streets, sidewalks, parkways, and any other public property disturbed in the course of the work shall be restored in a manner satisfactory to the public authority having jurisdiction and control over such public property.

16-9 TRAFFIC CONTROL AND CONSTRUCTION SIGNING

When working within public rights-of-way or district easements, persons making connections to public utilities, or installing service lines, firelines, or appurtenances, or making repairs, alterations, or extensions to such facilities shall comply with the traffic control and construction signing standards of the agency having jurisdiction and control over the rights-of-way and district easements involved. In any case, all excavations shall be adequately guarded with barricades and lights so as to protect the public from hazard.

16-10 ARRANGEMENT AND LOCATION

Separate and independent water and sewer service lines shall be provided for each individual building or living unit under separate ownership. Water and wastewater service lines shall be connected to the public district main located within the public right-of-way abutting and fronting the property to be served and within the limits of said property's frontage on the right-of-way involved. In addition, whenever possible, the service lines shall be installed perpendicular to the public right-of-way containing the public district main to be connected with. In any case, the location and arrangement of all service lines shall be approved by the District prior to construction of such facilities.

If a parcel of land does not front a public water main, and/or sanitary sewer then prior to the District's granting a service line installation permit to the owner of such property, said property owner shall at his/her expense extend the public district to be connected to the required distance in accordance with the provisions of Chapter 15.

Water wells will be allowed within the District or on property served by the District water system for the purposes and under the conditions set forth below.

- A. Irrigation purposes.
- B. Potable water if all the following conditions set forth are met.

CONDITIONS

1. The property is not presently served by the District water system.
2. District water service is more than 300 feet from the nearest property line of the property owner requesting a well or legal access is denied across any property between the District water system and the property belonging to the owner requesting a well along all reasonable service line routes.
3. The property owner agrees in writing to connect to the District water system within 60 days when service is extended to within 300 feet of his/her nearest property line or when sufficient legal access to construct a service line is granted across property between the District water system and the property belonging to the owner requesting a well.
4. Written permission has been obtained from the District Manager.

All water wells within the District and on such property served by the district water system shall be completely disconnected from the district water system. Any such disconnection shall be under the

supervision of and subject to inspection by the District

Septic systems will be allowed within the District on property not served by the District wastewater system under the conditions set forth below.

- A. The property is not presently served by the District wastewater system.
- B. District wastewater service is more than 300 feet from the nearest property line of the property owner requesting a septic system or legal access is denied across any property between the District wastewater system and the property belonging to the owner requesting a septic system along all reasonable service line routes.
- C. The applicant has received a septic tank permit from the county sanitarian and the District meeting State, County, and District standards.
- D. The applicant has posted with the District a non revocable letter of credit for 150% of the cost of a sewer connection fee and the estimated cost of extending a service line from the served building to the potential location of a District sewer line within 300 feet of the property line.
- E. The property owner agrees in writing to connect to the District water system within 30 days when service is extended to within 300 feet of his/her nearest property line or when sufficient legal access to construct a service line is granted across property between the District wastewater system and the property belonging to the owner requesting a septic system. If the applicant fails to make this connection within 30 days the District may use the letter of credit to connect such facility to the sewer line.

16-11 MULTIPLE BUILDING SERVICE AGREEMENTS

In the event it is determined by the District that it is impractical to construct an independent and separate service line, or fireline to serve each building or a group of buildings, such as mobile home courts, planned unit developments, and large commercial or industrial establishments, which are located on a single parcel of land under ownership by a single entity, then in that event the District may allow more than one separate building to be served by a single service line.

16-12 ABANDONED WATER SERVICE LINES

Property owners desiring to abandon water service lines, firelines, or combinations thereof shall cause same to be disconnected at their expense at the point of delivery or connection with the public water main. The corporation stop, tapping valve, or service valve at the public water main shall be sealed when same is exposed and the person disconnecting the water service line, fireline, or combination thereof involved has disconnected same. Old water service lines, firelines, or combinations thereof may be used in connection with new buildings only when they are found on examination and/or test to meet all requirements of this chapter.

16-13 ABANDONED SEWERS

Property owners desiring to abandon wastewater service lines and appurtenances shall at their expense have such facilities discontinued at or near the property line and shall have same properly plugged or capped in a manner approved by the District. Old wastewater service line may be used in connection with new buildings only when they found on examination and/or test by the District Manager to meet all requirements of this chapter.

16-14 MINIMUM DIAMETER OF WATER SERVICE LINES

The minimum diameter of water service lines to be installed to serve any property shall be 3/4 inch and the minimum diameter of firelines shall be 1-1/4 inch. In new subdivision extensions, however, the minimum diameter for water service lines shall be one inch. Water service lines shall be installed with a minimum number of joints and be of uniform diameter from the public water main in the public right-of-way to the district water meter. Firelines shall be of uniform diameter from the public water main in the public right-of-way to the property line of the property to be saved. In any case, the diameter of water service lines, firelines, or combinations thereof shall be subject to the approval of the District Manager and shall be based on the criteria stated in Appendix A of the Uniform Plumbing Code.

16-15 SIZE AND SLOPE OF SEWER SERVICES

The size and slope of the wastewater service lines shall be subject to the approval of the District but in no event shall the diameter be less than 6 inches. The slope of the wastewater service line shall not be less than 1/8 inch per foot and, whenever possible, 1/4 inch per foot.

16-16 DEPTH OF WATER LINES

To prevent freezing, water service lines, firelines, or combinations thereof shall be laid 7 feet below the street surface or top of grade. Where existing conditions do not allow minimum cover requirements, engineered insulation may be placed above the waterline to prevent freezing.

16-17 DEPTH OF SEWER SERVICES

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to within three feet (3') of a weight bearing wall. In all buildings in which any building drain is too low to permit gravity flow to the public sanitary sewer, wastewater carried by such building drain shall be lifted by an approved means and discharge to the building sewer. Person installing basements with floor drains must contact the District for information concerning the depth of the public sanitary sewer prior to commencing construction of such basements. In addition, it is recommended that users install, as well as periodically inspect and maintain, a one-way valve in their building drain for the purpose of preventing the backing-up of wastewater into their buildings in the event a stoppage occurs in the building sewer and/or the public sanitary sewer serving the

user's property.

16-18 MATERIALS AND METHODS OF CONSTRUCTION

The materials and methods of construction used in the installation of water and wastewater service lines, firelines, and appurtenances, their connection with the public water main or sanitary sewer; and the repair, alteration, or extension of such facilities shall all conform to the requirements of the MPWSS with the exception that no PVC or polyethylene pipe shall be used on waterlines. In addition, all joints and connections of the water service line or fireline, including their connection with the public water main, shall be watertight and sustain a pressure of not less than two hundred (200) pounds. All joints and connections of the wastewater service line must be gas tight and watertight. Traffic control and construction signing, trench excavation, backfilling, compaction, and surface restoration shall all comply with the requirements of the MPWSS and the agency having jurisdiction and control over the rights-of-way and district easements affected by such work.

16-19 CURB VALVE

A separate and easily accessible curb valve and cast iron curb box meeting the requirements of the MPWSS shall be installed at or near the property line on each water service line, or combination thereof at the expense of the customer requesting such water service line, fireline, or combination thereof. The specific location and arrangement of the curb valve and curb box on the water service line, fireline, or combination thereof shall be as designated and approved by the District. Customer shall keep their curb valves and curb boxes in good repair and condition at all times, and failure to do so shall be just cause to discontinue water service to the property involved, as provided for under Section 3-8. Furthermore, if the customer fails to repair the curb valve or curb box after being given 30 days written notice of its disrepair, the District may repair the curb valve and curb box at the customer's expense.

16-20 POINT OF CONNECTION TO PUBLIC WATER MAIN

The point of connection of a water service line, fireline, or combination thereof with the public water main shall be determined and approved by the District prior to making such connection. In the event a water service line, fireline, or combination thereof has previously been stubbed to the property line of the property to be served, then in that case the connection shall be made to the stubbed-out water service line, fireline, or combination thereof in order to provide the required service to said property.

16-21 POINT OF CONNECTION TO PUBLIC SANITARY SEWER

The connection of the wastewater service line with the public sanitary sewer shall be made at the wye or tee branch installed to serve the property involved. In the event there is no record on file at the District of a wye or tee branch for the property to be served, or if there is no wye or tee branch available within five (5) feet from either side of the location given by the District for said wye or tee branch, the person installing the wastewater service line may be permitted by the District to tap the public sanitary sewer and install an approved sewer pipe saddle. The tapping of the public sanitary sewer and the installation of

the sewer pipe saddle, as well as any work appurtenant thereto, shall be subject to the approval of the District Manager and shall be at the expense of the installing contractor. The tapping of a public sanitary sewer having a diameter greater than 12 inches shall be installed only after receiving special written permission from the District Manager to do so and then only in full compliance with such methods and procedures the District Manager may prescribe. In no case shall wastewater service lines having a diameter or less than 8 inches be connected to any manholes located on the public sanitary sewer.

16-22 CONNECTIONS TO PUBLIC WATER MAINS

In any situation requiring the connection of a water service line, fireline, or combination thereof directly to a public water main that is presently in service and connected with the water supply system, the tapping of the public water main shall be performed only by authorized employees of the district or tappers having a special permit from the District. The kind and size of the connection with the main shall be specified in the permit.

All expenses associated with the making of taps to all water mains presently connected with the water supply system shall be borne by the customer involved, including such water mains installed by means of special improvement districts or by private contracts to serve property located within or without the corporate District limits. Extra capacity or special taps for firelines, lawn sprinkling systems, etc. shall also be made at the customer's sole expense. Any payment to be made to the District for work performed in making a connection to the public water main shall be in accordance with the provisions of Section 8. All other work such as, but not limited to, any traffic control and construction signing, any excavation work, any trench backfilling and compaction work, and any surface restoration work shall be performed by and at the expense of the person installing the water service line, fireline, or combination thereof, in question. The person installing a water service line, fireline, or combination thereof, shall be responsible for providing safe trench conditions for the employees making a tap to the public water main. Failure to provide safe trench conditions shall be cause for immediate refusal by the district to perform any such tapping work.

In any event, every water service line shall have an approved corporation stop or gate valve installed on the service line at or near its connection with the public water main. The corporation stop or gate valve shall be provided at the customer's expense. Water mains should be tapped on the top, unless the water main is shallow in which case tapping on the side is acceptable if approved by the District Manager, and in no case at or within six inches (6") from the hub.

16-23 INSPECTION AND TAPPING NOTIFICATION

Applicants for water and wastewater service line installation permits shall notify the District forth eight (48) hours in advance of when the facilities authorized to be installed by the permit are ready for inspection and/or connection to the district systems. Upon such notification, the District shall, whenever possible, schedule the inspection and, if necessary, the tapping of the district system on or before the next regular working day for the District immediately following such notification. No inspections or taps will be made after regular working hours, on Saturdays, Sundays, or District holidays. Persons requesting an

inspection shall be ready to have the inspection at the time designated by the District.

16-24 DAMAGE TO PUBLIC WATER AND SEWER MAINS

The person installing water or wastewater service lines, firelines, or appurtenances, or making connections to district mains, or making repairs, alterations, or extensions to such facilities shall cause to be immediately repaired at his/her expense any damage to the public water main occasioned by his/her operations.

16-25 KEEPING SEWERS CLEAN

During the course of his/her operation, a person installing wastewater service lines and appurtenances, or making connections to the public sanitary sewer, or making repairs, alterations or extensions to such facilities shall not allow any ground water, surface water, mud, gravel, sand, rock, septage, or other similar type materials to enter the public sanitary sewer. Any foreign material which accidentally enters the public sanitary sewer shall be immediately removed by such person at his/her expense. In addition, said persons shall become liable to the District for any expense, loss or damage occasioned to the District by reason of his/her failure to prevent foreign material from entering the public sanitary sewer.

16-26 SERVICE LINE STUB-OUTS

The Board of Directors hereby requires that connections from the public water main and sanitary sewer to the property line of the adjacent property shall be made prior to the permanent improvement of the streets whereon they are located. The making of such connection on streets already improved, or on unimproved streets, shall be in accordance with all applicable provisions of ordinances regulating same. In case the owners of the property on such streets fail to make such connections prior to commencement of such street improvements, the District Manager may cause such connections are made, and shall assess against the property in front of which said connections are made the entire cost and expense thereof. All assessments levied under the provisions of this section shall be enforced and collected in the same manner as other special assessments provided for in Title 7, Chapter 13, Part 22 and 23, MCA.

16-27 PROTECTIVE DEVICES FOR WATER SYSTEM

When it is deemed by the District Manager that such protective devices are necessary to protect another customer's facilities and/or the District water supply system, the District may require a customer to install, as a condition of continued water service and at the customer's expense, an approved expansion tank, pressure reducing valve, backflow prevention device, pressure relief valve, or any other similar type device on customer's water service line at a location designated by the water superintendent. Customer shall be responsible for keeping such protective devices in good repair and effective operating condition at all times, and failure to do so shall be just cause to discontinue water service to the property involved.

16-28 FIRELINES

Firelines shall be applied for and installed in compliance with the appropriate requirements of this chapter, and, in addition, they shall comply with the district's standards of design and construction for firelines.

A fireline shall not be interconnected with domestic service pipes downstream of the curb valve, and each fireline shall have its own independent curb valve, which be located at or near the water main in the street at a point designated by the district.

Water shall be drawn by a customer from firelines for fire protection purposes only. Customer's found by the district to be using water from firelines for other than fire protection purposes may have all their water service immediately discontinued by the district until such time as the customer, at his/her expense, installs metering equipment meeting the district's specifications on said firelines. In the event the district turns off a customer's fireline because of non-payment of water bills or non-compliance with these regulations, the district shall immediately notify the appropriate Fire Department of said turnoff.

All firelines which connect to the district water supply system shall have approved backflow prevention devices installed on same to prevent backflow into such system. In addition, fireline loops connecting with the district water supply system at more than one location shall have approved check valves installed on the fireline loops to prevent circulation of water through customer's firelines into the district water supply system.

CHAPTER 17 - FIRE HYDRANTS

17-1 PUBLIC FIRE HYDRANTS

All public fire hydrants installed in the water service area and within the corporate limits of the District, and which are connected directly to public water mains, shall be under the ownership of the District. Such fire hydrants shall be installed at the expense of the property benefitted by such hydrants by means of either special improvement districts or private contracts, as required under Section 15-14. Location of all hydrants shall be directed by the District. They shall be kept in reasonable repair by the district and every such public fire hydrant shall be periodically tested for proper operation by the district.

All water use from fire hydrants for purposes other than fighting fires or training of fire fighting personnel shall be metered and all costs associated with said use shall be paid for in accordance with Chapter 8 and 9 of this ordinance.

17-2 OPERATION OF PUBLIC FIRE HYDRANTS

No person, other than a member of the Fire Department or authorized District employees, shall open or operate any public fire hydrant without permission of the District.

17-3 INSTALLATION OF BLOW-OFF HYDRANTS

Blow-off hydrants, including the hydrant branch pipe and valve, shall be installed at the expense of the property benefitted by such facilities. The type, size, and materials of construction of said hydrants and appurtenances shall be subject to the District water district's specifications and approval. Installation of blow-off hydrants and appurtenances shall be in accordance with district standards of design and construction.

17-4 RELOCATION OF PUBLIC FIRE HYDRANTS

Fire hydrant installations shall be deemed permanent after they are once installed. Requests for the district to relocate fire hydrants shall be considered only in the event the expenses of relocating the fire hydrants will be borne by the individual or entity requesting the relocation.

17-5 OBSTRUCTING PUBLIC FIRE HYDRANTS

No person shall obstruct access to public fire hydrants by constructing fences or other structures or by piling snow within fifteen (15) feet of a hydrant in such a manner as to prevent ready access to the public fire hydrants. In addition, no person shall plant trees, shrubs, bushes, or other plantings in such a manner as to prevent ready access to the public fire hydrants. Further, no person shall change the ground surface level in and around a public fire hydrant so as to render the hydrant inaccessible and/or inoperable. Any person found in violation of this particular regulation shall be given written notice to remove such obstruction at his/her expense and if such violation is not corrected by the person involved within 10 days from receipt of written notice, the water supply to said person's property shall be turned off by the

District.

17-6 DAMAGES TO PUBLIC FIRE HYDRANTS

Any person damaging or defacing a public fire hydrant shall be responsible to the district for the repair of such damage.

17-7 PAINTING OF PUBLIC FIRE HYDRANTS

The painting of public fire hydrants shall be accomplished only by employees of the District or individuals authorized to do so by the District. All public fire hydrants shall be painted using the District's standard color scheme.

17-8 PRIVATE FIRE HYDRANTS

Private fire hydrants are owned by the customer. The costs of installing, operating, maintaining, and replacing such hydrants shall be at the expense of the customer. Customer shall pay to the District the rates in accordance with the District's approved rate schedules.

CHAPTER 18 - REFERENCES

The following are code References used throughout these Rules and Regulations.

1. Annual Book ASTM Standards, Published by ASTM, 1916 Race Street, Philadelphia, PA 19103-1187. Telephone (215) 299-5400.
2. CFR; Code of Federal Regulations, Published by the Office of the Federal Register, National Archives and Records Administration as a Special Edition of the Federal Register. For sale by the U.S. Government Printing Office, Superintendent of Documents, Mail Stop: SSOP, Washington, D.C. 20402-9328. Also available on the Internet.
3. MCA; Montana Code Annotated, Published by the Montana Legislative Services Division, Room 138, State Capitol Building, Helena, Montana 59620. Telephone (406) 444-3064. Also available on the Internet.
4. Methods for Chemical Analysis of Water and Wastes, Published by the U.S. Environmental Protection Agency. Also available on the Internet.
5. MPWSS; Montana Public Works Standard Specifications, Most Recent Edition, January 1996. Distributed by: Montana Contractors' Association, Inc., 1717 11th Avenue, P.O. Box 4519, Helena, MT 59604. Telephone (406) 442-4162, fax (406) 449-3199.
6. Standard Methods for the Examination of Water and Wastewater. Published by American Public Health Association, 1015 Fifteenth Street, NW, Washington, D.C. 20005.
7. UPC; Uniform Plumbing Code; Most Recent Edition, Published by the International Association of Plumbing and Mechanical Officials, 20001 Walnut Drive South, Walnut, CA 91789-2825.