

**PECAN VALLEY RURAL WATER DISTRICT
COMANCHE COUNTY RWD # 5
RULES AND REGULATIONS**

These Rules are issued in compliance with provisions of the Rural Water Districts Act of Oklahoma (82 O.S. § 1301-1321), and the By Laws of the District and are designed to govern the supplying and taking of water service in a uniform manner for the benefit of the District and its members. They are subject to change from time to time. However, all such changes must be approved by the Board of Directors. If a provision of the Rules conflict with a provision of the rate schedule, the provision of the rate schedule will prevail. If any portion of these Rules shall be declared invalid by competent authority, such violation shall not affect the validity of the remaining portions.

Definitions: The following expressions when used herein will have the meaning stated below.

Applicant: Any individual, firm, partnership, corporation, or other agency, owning land located within the service area, applying for water service and applies for membership as required by the District ByLaws.

Membership Certificate: A right entitling the holder to one service connection.

Board: The Board of Directors of Comanche County Rural Water District No. 5.

Consumer: Any individual, firm, partnership, corporation, or other agency receiving water service from the District.

Point of Delivery: The point of delivery shall be at the meter, unless otherwise approved by the Board of Directors of the District.

Service: The District's water supply is available at the point of delivery at the minimum regulatory pressure, to one benefit unit.

Application for Water Service: Written document relating membership requirements for service or requirements for tenants occupying a member's property.

Benefit Unit: Legal right to one service connection to the District's facilities and to participate in the affairs of the district.

GENERAL RULES

1. The supplying and taking of water service will be in conformance with these rules and the applicable rate schedule attached hereto and filed with the Secretary of the District; provided, that such rate schedule is subject to change by action of the Board.

2. Applicants desiring service shall make application, furnish required legal documents, and pay all related fees to the District. When all requirements for application are met, the application for membership shall be placed on the next available agenda in accordance with applicable statutes. The Board shall vote on the application and if a majority of the Board approves, the membership shall be granted, and service provided in accordance with applicable District ByLaws. Applicants desiring service as tenants of a member's property, shall pay the fees designated for establishing such accounts and service shall be provided according to the Statement of Services for tenants.

3. Upon approval of membership by the Board, the meter shall be installed. Monthly charges for services shall begin upon the meter installation and minimum monthly fees due regardless of water usage.

Service is for Sole Use of the Consumer: A standard water service connection is for the sole use of the applicant or the consumer and does not permit the extension of pipes to transfer water from one property to another, nor to share, resell, or to sub-meter water to any other consumer or allow another user to connect to the line. If an emergency or specific situation should make such an arrangement advisable; it shall be done only on specific written permission of the Board of Directors for a time specified by the Board

Agreements with Governmental and Public Bodies: The District through its Board of Directors may make specific water service contracts with the Federal Government, the State of Oklahoma, or agencies thereof, school districts, municipal corporations and non-profit corporations, differing from stipulations set out in the rate schedule and rules.

Right of Access: Representatives of the District shall have the right at all reasonable hours to enter upon consumer's premises to read and test meters, inspect piping and to perform other duties for the proper maintenance and operation of service, or to remove its meters and equipment upon discontinuance of service by consumers.

Easements: A perpetual easement is reserved for maintenance of utilities and/or drainage purposes as indicated on the plat. The Rural Water District is specifically granted an easement within each and every easement shown on the plat map, for the purpose of operating, maintaining, and repairing water lines, meters, property, lagoon equipment and sewer collection lines.

Continuity of Service: The District will make all reasonable efforts to supply continuous, uninterrupted service. However, it shall have the right to interrupt service for the purpose of making repairs, connections, extensions, or for other necessary work. Reasonable efforts will be made to notify consumers who may be affected by such interruptions.

The District shall not be liable for losses, which might occur due to interruptions of water service caused by natural or man-made disasters or occurrences beyond the District's control.

Meters: Meters will be furnished, installed, owned, inspected, tested and kept in proper operating condition by the District. A complete record of tests and histories of meters will be kept. Meter tests, as deemed necessary by the Board, shall be in accordance with the American Waterworks Association Standards.

Meter Accuracy: Meter accuracy shall be in accordance with the American Waterworks Association standards.

Meter Location: Meters shall be installed horizontally and located in a meter box, furnished by the District, in an accessible location adjacent to the member's property line unless otherwise directed by the Board.

Billing: Consumers shall receive a billing statement for each water account on or about the 1st of each month. Payment for water service shall be due by the 20th of the month. Accounts paid after the 20th shall incur an \$8.00 late fee on the balance due. Delinquent notices shall be mailed by the 20th day of the month. Accounts delinquent after the 28th day of the month are subject to disconnection for non-payment. Failing to receive a billing statement or delinquent notice does not relinquish consumers responsibility for monthly payment.

Reconnection Charge: The reconnection of service due to non-payment or for other infraction of the District's ByLaws and Rules and Regulations, shall be made after payment is received for any unpaid balance charged to date against the consumer's account plus a reconnection charge of: \$50.00 for the first occurrence, \$100.00 for the second occurrence, and \$200.00 for the third occurrence, the reconnection charge will remain at \$200.00 per occurrence for 1 year, if no further violations occur during the year, the reconnection charge shall reduce back to the first occurrence charge of \$50.00.

Billing Adjustment: All water that passes through a member's water meter will be billed to the member. Members who have excessive water use regardless of the circumstances, may request in writing to the Board of Directors for an adjustment to the amount billed. The Board of Directors may consider adjusting said bill, to a rate per 1000 gallons, no less than the total water cost of the district in the month of the water loss.

Requested Meter Tests: Members questioning the accuracy of a meter may request the meter be tested. The accuracy testing shall be performed in accordance with the American Waterworks Association standards. If the meter in question is outside AWWA standards, there shall be no cost to the member for the testing and billing adjustments recommended to the Board for consideration. However, if the meter in questions is within AWWA acceptable standards, the member shall pay for the testing as set forth in the fee schedule.

Consumer's Responsibility: The consumer shall be responsible for any damage to the meter installed for service, or to the meter box for any cause other than normal wear.

Change of Occupancy: The owner of a membership involved in the change of property ownership shall have the responsibility and duty to inform the District of the transaction as soon as possible. It shall also be the responsibility of the owner to pay all charges levied by the District prior to the transfer of the membership. All transfers shall be in accordance with the District's ByLaws.

Main Extensions: In extending a water main to serve an applicant, any extension must have the approval of the District Engineer, Board of Directors, and comply with State and Federal regulations.

- a) Any extension shall not be less than two inches (2") in size. The applicant must provide to the District an easement(s) and right(s)-of-way for all extensions.
- b) The Board may require the applicant to deposit in cash all cost of the extension(s), and the membership or memberships. No interest shall be paid on the deposit. The extension shall become the sole property of the District.
- c) Meter location shall be in accordance with District ByLaws and Rules and Regulations.
- d) The Board shall not issue any bonds, notes, indentures, obligations, or other form of indebtedness in connection with the extension of lines to a private individual or developer.

Applicants Having Excessive Requirements: The District shall not be obligated to provide service to any applicant whose service requirement is greater than what the District can supply and maintain compliance with applicable State and Federal regulations. No business or enterprise may be connected to the District without prior Board approval of the nature of the business including volume of consumption projected.

Cross Connections: There shall be no cross-connections made or maintained between the water system of the District or any other system, (private or otherwise) and that all new structures constructed within the District shall, prior to service connections, comply with the plumbing standards of the State of Oklahoma.

Representatives of the District or the Oklahoma Department of Environmental Quality shall have the right at all reasonable hours to enter upon the consumer's premises for the purpose of inspection and enforcement of this provision.

Violation of this provision shall constitute cause for immediate disconnection of consumer's service. Disconnection shall continue until cross connection or plumbing violation is removed in accordance with applicable regulations and is inspected by the District and/or other regulatory officials. Reconnection and other appropriate fees shall be paid prior to reconnection and service to the consumer. Second infraction of this section shall result in the immediate meter removal and the meter reclaimed by the District.

Approved by Board of Directors: January 11, 2022

Board President:

Josh Powers

