



Rules for Water Service

ORDINANCE NO. 2014-11

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DEFINITIONS

1. Abandoned Service

"Abandoned Service" shall mean a Service Connection documented based on actual field conditions that the service lateral was cut, capped, and left in place. If the service classified as abandoned is actually removed, the service shall be reclassified as removed in City records. *See "Removed Service"*.

2. American Water Works Association (AWWA) Standards

"American Water Works Association (AWWA) Standards" shall mean the latest revision of the standards adopted by AWWA, Denver.

3. Applicant

"Applicant" shall mean a Person applying for new water service to a particular parcel within the City. The Applicant must be the tenant, Property Owner, or his Legally Designated Representative.

4. Automated Meter Reading (AMR)

"Automated Meter Reading" shall mean the equipment for the remote collection of consumption data from a Customer's water Meter.

5. Backflow Prevention Assembly

"Backflow Prevention Assembly" shall mean an assembly for the prevention of backflow from the Customer's water system to the City's water system and may include, but not be limited to, a backflow prevention device, isolation valves, test cocks, thrust restraints, a vault, connecting piping, an enclosure, and other appurtenances.

6. Backflow Prevention Assembly - Approved

"Approved Backflow Prevention Assembly" shall mean an assembly that has been investigated and approved by the City. The approval of backflow prevention devices by the City will be on the basis of a favorable report by an approved testing laboratory recommending such an approval, and acceptance through the City's approval process.

7. Billing Date

"Billing Date" shall be the date shown on the monthly water bill.

8. City

"City" shall mean the City of Washington, Utah, a governmental entity having authority to adopt and enforce ordinances.

9. City Code

“City Code” shall mean the City Code of Washington City, Utah.

10. City Council

“City Council” shall mean the governing body of Washington City, Utah.

11. City Standards

“City Standards” shall mean the most recent version of the Washington City Construction and Design Standards (WCCDS).

12. Combined Service

"Combined Service" shall mean a single Service Connection through which water is obtained for the dual purpose of Private Fire Service and Domestic Service.

13. Construction Water

"Construction Water" shall mean metered water delivered for construction purposes including, but not limited to, compaction and dust control.

14. Consumptive Use

"Consumptive Use" shall mean water that is not returned to an approved community sanitary sewer for treatment. Such water shall include, but not be limited to, septic tanks, Turf irrigation with Potable Water, and other, similar uses.

15. Cross-Connection

"Cross-Connection" shall mean any physical connection or arrangement of piping or fixtures between two (2) otherwise separate piping systems, or a private well, one of which contains Potable Water and the other Non-Potable Water or industrial fluids of questionable safety, through which, or because of which, backflow may occur into the Potable Water system. This would include but not be limited to any temporary connections, such as swing connections, removable sections, four-way plug valves, spools, dummy section of pipe, swivel or change-over devices or sliding multiport tube.

16. Customer

"Customer" shall mean a Person who is a recipient of water service from the City through an existing Service Connection, or a Person applying for water through an existing Service Connection.

17. Deserted Service

"Deserted Service" shall mean a Service Connection whose existence is documented in City records, but cannot be field located.

18. Developer
- "Developer" shall mean any Person engaged in or proposing development of Property.
19. Development Approval
- "Development Approval" is the notification to Washington City that all required permits and administrative processes have been successfully completed and approved for the division of Property or issuance of a building permit.
20. Disconnected Service
- "Disconnected Service" shall mean an active Service Connection which has been turned-off or terminated for non-payment of water bills or any other reason.
21. District
- "District" shall mean the Washington County Water Conservancy District (WCWCD).
22. Domestic Service
- "Domestic Service" shall mean a Service Connection through which water is obtained for all purposes permissible under law, including commercial and industrial uses exclusive of fire protection and construction service.
23. Emergency
- "Emergency" means a sudden or unexpected occurrence or need that requires immediate action to prevent an adverse impact upon life, health, Property or essential public services.
24. Emergency Service Connection
- "Emergency Service Connection" shall mean a City authorized Service Connection on an interim basis required to safeguard health and protect private or public Property.
25. Employee
- "Employee" shall mean any individual employed by the City, excluding independent contractors, consultants, and their Employees.
26. Equivalency - 5/8"
- "5/8 Equivalency" shall mean the comparable number of 5/8" Meters, which equates to the meter size under discussion primarily used for Fee and rate calculations. See the following table showing 5/8" Equivalency.

Meter Size	Typical 5/8" Equivalency
5/8" x 3/4"	1.0
3/4"	1.0
1"	1.8
1½"	4.0
2"	7.1
3"	16.0
4"	28.4
6"	64.0
8"	113.8
10"	177.8

27. Existing Landscape

"Existing Landscape" shall refer to landscape not meeting the definition of New Landscape.

28. Expansion or Addition

"Expansion or Addition" shall mean an increase in size of an existing building or other structure presently served by the City; or building or structure added to an existing parcel presently served by the City.

29. Fee

"Fee" shall mean a sum of money charged by the City for the carrying on of a business, profession or occupation or other activity subject to City regulation, authorization or limitation.

30. Fire Hydrant Service

"Fire Hydrant Service" shall mean a Service Connection for public fire hydrant(s) to be located within a public right-of-way or easement. The fire hydrant shall be of a type and manufacturer approved by the City.

31. Fixture Units

"Fixture Units" shall be defined as specified in the Uniform Plumbing Code, current edition.

32. Handwatering

"Handwatering" shall mean the application of water to outdoor vegetation with a hand-held hose or container.

33. Idler / Jumper

"Idler" shall mean a length of pipe installed in lieu of a Meter (use of an Idler is not allowed).

34. Illegal Service

"Illegal Service" shall mean a Service Connection which is located in the field, but whose installation was not authorized by the City or is in violation of the City's Rules for Water Service. Illegal Services include, but are not limited to, expansions of on-site systems to serve adjacent parcels.

35. Impact Fee

"Impact Fee" shall mean a payment of money imposed upon new development activity as a condition of Development Approval to mitigate the impact of the new development on public infrastructure.

36. Inactive Service

"Inactive Service" shall mean a Service Connection which is not in use, but is fully operational, installed in accordance with City Standards and documented in City records.

37. Inter-Connection

"Inter-Connection" shall mean any actual or potential unauthorized connection from Customer piping, which will provide water to other Property, or permit use of water for purposes other than that for which a Service Connection was authorized.

38. Irrigation of Commercial Nursery Stock

"Irrigation of Commercial Nursery Stock" shall mean the irrigation of vegetation intended for sale at a licensed commercial plant nursery.

39. Large Scale Turf and Landscape Irrigators

"Large Scale Turf and Landscape Irrigators" shall mean agents, entities, firms, and companies responsible for the development and/or operation, and/or maintenance of landscaped areas. Areas include, but are not limited to, parks, golf courses, schools, and land approved for Subdivision for Residential, industrial, or recreational complexes, and their related common areas.

40. Legally Designated Representative

"Legally Designated Representative" shall mean that Person to whom the Property Owner has given power of attorney or other documentation satisfactory to the City authorizing said Person to apply for new water service on behalf of the Property Owner. The documentation presented to the City must contain the Property Owner's signature, mailing address, and location of the Property, which is the subject of the application. The Property Owner shall become liable for all water service provided to the Property as a result of the application by the Legally Designated Representative, and any unpaid charges shall become a lien on said Property.

41. Main

See “Public Main”

42. Main Extension

"Main Extension" shall mean an adjacent, parallel, or extended addition to the City's distribution system, consisting of a pipeline which is a nominal six (6) inches in diameter or greater, for the purpose of providing an adequate water supply. The City may require an increase in the length of a Main Extension beyond that required to serve a particular development in order to provide for the orderly development of the City's distribution system, improve water quality, and/or improve system reliability.

43. Master Fee Schedule

“Master Fee Schedule” shall mean the non-exclusive compilation of charges, Fees, and deposits adopted by the City Council. The Master Fee Schedule at the time of the publication of this document is included herein as Appendix D; however, the most recent version shall apply.

44. Meter

"Meter" shall mean the City approved measuring device, installed for, but owned by the City, which is used for the purpose of accurately recording the consumption of water used by Customers.

45. Meter Maintenance

"Meter Maintenance" shall mean the routine testing, calibration, repair or replacement of City water Meters to ensure accuracy and compliance with the American Water Works Association Meter Standards.

46. New Landscape

"New Landscape" shall mean new vegetation planted as part of an initial landscape installation, replacement, or as part of a landscape conversion from Turf grass to Xeriscape.

47. Non-Potable Water

"Non-Potable Water" shall mean water that does not meet the State of Utah standards for Potable Water and that is made available for irrigation purposes for large scale Turf and landscaped areas including, but not limited to, golf courses, schools, and parks.

48. Non-Potable Water User

"Non-Potable Water User" shall mean the entity or Person responsible for Fees and charges assessed for using Non-Potable Water from a distribution system.

49. Non-Residential

"Non-Residential" shall mean all land uses not designated as Residential.

50. Non-Spray Irrigation

"Non-Spray Irrigation" shall mean any irrigation system that applies water without projecting droplets farther than one foot (such as drip or bubbler systems).

51. Non-Standard Service Connection

"Non-Standard Service Connection" shall mean a Service Connection from a Main to a parcel that is not contiguous to the Main to which the connection is made. A service will not be considered or classified as non-standard if the parcel to be served is not adjacent to a public right-of-way, and a permanent right of access with overlapping utility easement is provided for the on-site (private) lateral. The Applicant will be required to provide an easement for the onsite (private lateral) from the Owner of the Property upon which the Applicant's private lateral will cross to complete the Service Connection.

52. Overseeding

"Overseeding" shall mean the process of spreading seed over an Existing Landscape for the purposes of increasing vegetation, typically Turf grass.

53. Oversized Main Extension

"Oversized Main Extension" shall mean a Main larger in diameter than the minimum diameter necessary to provide a supply to a proposed development, which will be capable of meeting future demands on the City's distribution system. The City may increase the length of Main Extension beyond that required to serve a particular development, in order to provide for the orderly development of the City's distribution system, improve water quality and/or improve system reliability.

54. Owner

See "Property Owner"

55. Parallel Main

"Parallel Main" shall mean a distribution Main extension installed adjacent to a previously existing distribution Main or Transmission Main. Where used, frontage connection charges and refunds will be based on the Main providing the direct connection for service.

56. Person

"Person" shall mean any individual, firm, association, organization, partnership, trust, company, corporation or entity, and any municipal, political, or governmental corporation, District, body or agency other than the City.

57. Point of Delivery

"Point of Delivery" shall mean the location on User's Property, immediately downstream of the City's meter and control valve vault, and test port at the boundary of the permanent easement granted by the Non-Potable Water User.

58. Potable Water

"Potable Water" shall mean water that is treated pursuant to the Safe Drinking Water Act.

59. Primary Building Permit(s)

"Primary Building Permit(s)" shall mean the permit(s) issued by the City for a structure including but not limited to the foundation, shell, and other related building components.

60. Private Fire Service

"Private Fire Service" shall mean a Service Connection through which water is available on private Property for fire protection exclusively. Private Fire Service shall be equipped with a City approved double check detector assembly.

61. Private Main

"Private Main" shall mean a water pipeline and appurtenances not owned by the City after completion.

62. Property

"Property" shall mean any real Property owned, leased, rented, or otherwise controlled, utilized, or inhabited by any Person, including any corporation or partnership of any form holding a water account with the City.

63. Property Owner

"Property Owner" shall mean the Owner of record of a Property, which is or will be receiving water service from the City.

64. Public Health and Welfare

"Public Health and Welfare" shall mean any activity where the use of water is the most appropriate and practical method to abate a health or safety hazard, or where the use of water is required to reasonably meet the provisions of federal, state, or local law, or where a project approved by the City is planned, or underway.

65. Public Main

"Public Main" shall mean a water pipeline and appurtenances which is owned, operated and maintained by the City after completion and acceptance.

66. Regional Water Supply Agreement (RWSA)

“Regional Water Supply Agreement (RWSA)” shall mean the agreement, dated as of April 23, 2006, entered into by the Washington County Water Conservancy District and other governmental Customers (including Washington City) to provide water supplies and services to the municipal Customers and other entities located in Washington County, Utah.

67. Removed Service

"Removed Service" shall mean a Service Connection documented based on actual field conditions that the service lateral no longer exists. The service is classified as removed in City records. If field conditions later indicate that a service classified as removed was actually abandoned, the service shall be classified as abandoned in City records (See "Abandoned Service").

68. Residential

"Residential" shall mean a land use type that includes dwelling units constructed for regular, permanent occupancy as the major function of the structure.

69. Residential Car Washing

"Residential Car Washing" shall mean washing of personal vehicles.

70. Residential Fire Service Meter (RFS)

"Residential Fire Service Meter" (RFS) shall mean the City approved measuring device, installed for, but owned by the City, which is used for the purpose of accurately recording the consumption of water used by Customers, and that supports domestic water and fire suppression supply.

71. Rules

See “Rules for Water Service”

72. Rules for Water Service

“Rules for Water Service” shall mean this document including appendices as adopted by the City Council.

73. Service Adjustment

"Service Adjustment" shall mean the adjustment of an existing Service Connection to include the horizontal and/or vertical extension and/or adjustment of the Meter and meter box, while using the existing lateral or lateral alignment and tap, while maintaining the existing account. This adjustment will not require the payment of inspection Fee(s), unless as otherwise provided for in the Rules for Water Service.

74. Service Connection

"Service Connection" shall mean the connection to the Main and the lateral pipe to deliver the water, and may also include, but not be limited to, a Meter, or battery thereof, a meter box or vault, valves, thrust restraints, and other appurtenances from a City Main, to the point where the water being delivered leaves the piping owned by the City in accordance with WCCDS for new service installation.

75. Service Relocation

"Service Relocation" shall mean a change in location that will require tapping the existing Main or a new water Main at a new location, installing a new service lateral, establishing a new account, and removing an existing account. This service will require the payment of appropriate connection Fees, and other applicable Fees and charges.

76. Spacer

"Spacer" shall mean a length of perforated pipe temporarily installed in lieu of a Meter or Idler while facilities are under construction.

77. Spray Irrigation

"Spray Irrigation" shall mean the application of water by projecting droplets farther than one foot from the sprinkler head.

78. Subdivision

"Subdivision" shall be as defined in Subsection 10-1-2 of the City Code.

79. Supervised Testing

"Supervised Testing" shall mean supervised operation for testing, repair, adjustment, or efficiency assessment. The operator must be physically present.

80. Tampering

"Tampering" shall mean acts by Persons which cause damage to, or alteration of, City Property including, but not limited to, Service Connections, shut off valves, hydrants, Mains, Meters, registers, AMR equipment, and service locks, or seals by any willful or negligent act. Such Persons shall be responsible for payment of costs incurred and any and all penalties prescribed by these Rules for Water Service and by law.

81. Temporary Service Connection

"Temporary Service Connection" shall mean a City-authorized Service Connection installed at a location not adjacent to the parcel served, i.e. a non-standard location, and which is subject to removal or relocation at such time as a Main is constructed contiguous to the parcel.

82. Transmission Main

"Transmission Main" shall mean a Main extension that transports water from the Main supply or source to a distant area where the water is distributed through distribution lines. A Transmission Main is usually a larger diameter Main (generally greater than or equal to 16") with limited connections that ensure system reliability as well as recognize the nature of the materials used to construct large diameter pipelines.

83. Turf

"Turf" shall mean a densely planted grassy area characterized by frequent mowing and fertilization and/or watering, commonly used for lawns and playing fields. Plant species used in Turf areas may include, but are not limited to, varieties of Bermuda Grass, Fescue, Zoysia, Rye, St. Augustine, or Bentgrass.

84. Unusual Installation Conditions

"Unusual Installation Conditions" shall mean circumstances that include, but are not limited to, the length of the lateral, the type of pavement, anticipated soil or other underground conditions, and the width or travel conditions of the roadway or right-of-way and also those imposed as a result of governmental or Property Owner actions.

85. Utah Administrative Code (UAC)

The "Utah Administrative Code" is an official publication of the Division of Administrative Rules. It is Utah's equivalent to the Code of Federal Regulations. The UAC is "evidence of the administrative law of the state of Utah" and an "authorized compilation of the administrative law of Utah" (Section 63G-3-701). The UAC is published online at the following link as of the effective date of this document: <http://www.Rules.utah.gov/publicat/code.htm>.

86. Utility Deposit

"Utility Deposit" shall mean an amount deposited with the City to assure payment of utility bills or other applicable charges and Fees. The deposit must be a cash deposit. The Utility Deposit includes water service and utilities.

87. Washington City

See "City"

88. Water Commitment

"Water Commitment" shall mean a commitment from the City to provide water service to a specific development on a specific parcel of land.

89. Water Conservation

"Water Conservation" shall mean the controlled and systematic protection of water resources.

90. Washington City Construction and Design Standards (WCCDS)
- "Washington City Construction and Design Standards (WCCDS)" shall mean the minimum design and construction criteria for water distribution systems within the jurisdiction of the City.
91. Water Availability Charge
- "Water Availability Charge" shall mean the Impact Fee imposed by the District pursuant to Subsection 8.2.1 of the RWSA.
92. Water Development Surcharge
- "Water Development Surcharge" means the monthly charge payable by each municipal Customer to the District pursuant to Subsection 8.2.2 of the RWSA.
93. Water District
- "Water District" shall mean the Washington County Water Conservancy District (WCWCD).
94. Water Facilities
- "Water Facilities" shall mean, but not be limited to, water Mains, fire hydrants and laterals, Service Connections, backflow prevention assemblies and appurtenances, from the Main to the point where water being delivered leaves the piping owned by the City.
95. Water Waste
- "Water Waste" shall mean the use of City water in a manner described in Section 12.
96. WCWCD
- "WCWCD" shall mean the Washington County Water Conservancy District.
97. Wholesale Delivery Charge
- "Wholesale Delivery Charge" shall mean the charge paid by each municipal Customer pursuant to Subsection 8.3 of the RWSA for each unit of water delivered to the municipal Customer by the District.
98. Xeriscape
- "Xeriscape" shall mean desert-type landscaping requiring low-water demand as approved by the City.

SECTION 1 -WATER COMMITMENT

Before a new water Service Connection is authorized for installation, on-site addition or on-site expansion to an existing service, a Water Commitment must be obtained, Impact Fees must be paid to the City, and the Water Availability Charge must be paid to the District. This section identifies the process for obtaining a new Water Commitment. The Water Commitment process, outlined in this section, requires the Developer or end user to proceed at their own risk, with no assurances or guarantees that a Water Commitment will be made, until all steps in the applicable Water Commitment process are complete. Compliance with these Rules does not create a right to water service in favor of any Developer or builder unless water is available.

Notwithstanding any provision in these Rules, payment of Fee, or construction of Water Facilities at a Developer or City's expense, the District or City may deny any request for a Water Commitment or request for a water connection if the City has an inadequate supply of water, or there are physical limitations in the system capacity to serve the proposed Customer and simultaneously maintain an adequate level of service to other Customers, or if public health, welfare, or safety will be compromised.

1.1 Applicability

a. New Domestic Service Connections

All applications for new Domestic Service connections must have a Water Commitment before the City will provide water service.

b. Expansions or Additions

Any Expansion or Addition of buildings or structures on any parcel presently served by the City, which will add more than 24 Fixture Units (as defined in the Uniform Plumbing Code) or equivalent, will require a Water Commitment from the City for the increased use of water. Expansions or additions to single family residences are excluded from this requirement.

c. Increase in Meter Size for an Existing Service Connection

A new Water Commitment will be required for any existing Service Connection requiring an increase in meter size and additional water use before the City will provide the additional capacity.

1.2 Water Commitment Process

Recordation of a plat or other map does not provide a Water Commitment unless the required steps outlined in this section have been completed.

A Water Commitment will be issued according to the following process:

a. Development Approval

A new Water Commitment, except those provided for in Subsection 1.3, will require Development Approval from the City. The City will process Development Approvals on a first come, first served basis as the requirements of the Water Commitment process listed below are fulfilled as long as water is available to commit pursuant to these Rules.

- b. Mapping Process - Water Commitments for all new subdivisions will be made upon completion of all of the following items:
1. Final plat approval is obtained pursuant to Title 10 of the City Code plus any other approval required from the City.
 2. A financial commitment in the form of constructed improvements, bonds, other acceptable surety, or a combination thereof. The bonds or other acceptable surety must be certified to the City.

The following new improvements will be considered for satisfaction of financial commitments:

- Streets, roadways, water lines, drainage facilities, traffic improvements, sewers
- Construction of local and regional improvements
- Site grading
- Foundation or vertical construction of buildings
- Construction and dedication of recreational or community amenities
- Any other City approved physical improvements

The following improvements **will not** be considered for satisfaction of financial commitments:

- Land acquisition
- Legal Fees or representations
- Water, sewer or utility connection Fees
- Building or other permit Fees
- Dedication of right-of-ways or easements
- Engineering, architectural, surveying or other professional Fees

3. Development Approval by the City.
4. All Fees, charges and deposits required by the City are paid, all City agreements are executed, and appropriate water plan approval is obtained from the City.
5. Final plat with commitment certified by the City is recorded after completion of Items 1 through 4 above.

Water will be committed through the above process as follows:

- Single-family Residential lots/units (including associated common areas) will receive a Water Commitment for the intended use unless specifically stated otherwise on the plat.

- Non single-family Residential lots and multi-family Residential lots will receive a Water Commitment limited to one (1) acre-foot per lot, or one (1) acre-foot per acre, whichever is less. If additional Water Commitment is required to complete a project, the process in effect at the time will be followed (See Subsection 1.2.c below).
- Non-Residential lots will not receive a Water Commitment through the mapping process. They will obtain a commitment through the process identified in Subsection 1.2.c below or the process in effect at that time.

c. Permit Process - Water Commitments for All Projects Other than New Subdivisions

To obtain a Water Commitment pertaining to this section, the Applicant must first obtain a conditional Water Commitment. A conditional Water Commitment may be obtained when all of the following conditions are met:

1. Primary Building Permit(s) and plans for off-site improvements are approved by all required agencies.
2. All off-site improvements are constructed, or bonds or other acceptable surety are posted as required by the City.
3. Development Approval by the City.
4. All Fees, charges, and deposits required by the City are paid, all City agreements are executed, and water plan approval is obtained from the City. Fees may not be paid until items 1.2.c.1-3 are completed.

Once the requirements listed above (1-4) are met, a conditional commitment is issued by the City. The conditional commitment is tied to the Primary Building Permit(s). If the Primary Building Permit(s) expire, the conditional Water Commitment terminates immediately.

The conditional Water Commitment will become a final Water Commitment after the Water Facilities are constructed by the Applicant and accepted by the City, and the certificate of occupancy or certificate of completion is issued by the City.

If Development Approval is given by the City to a project which does not require a building permit to be issued in order for the project to be constructed, a conditional commitment may be issued based on offsite improvement plan approval, or other beginning action such as a Notice to Proceed issued by a public entity. The conditional Water Commitment will become a final commitment when all construction is accepted as complete by all approving public entities.

1.3 Public Entity Acquisition

A Person owning a parcel which is served by the City that is acquired by a public entity via purchase or condemnation, is entitled to a new Water Commitment to re-establish a personal residence or business similar to that existing on the acquired parcel, provided also that the

Person or acquiring entity submits a Service Connection removal request to the City for the acquired parcel. No additional Water Commitment or water capacity will be gained by this action should a Water Commitment already exist for the new parcel.

1.4 Water Commitment Limitations

Water Commitments cannot be traded, sold, or transferred.

1.5 Commitment Documentation

It is the Applicant's responsibility to provide proof to the City of a Water Commitment or Development Approval when required.

1.6 Unauthorized Expansion/Addition

In the event an increase in water consumption occurs due to an unauthorized Expansion or Addition to a Property as identified in Subsection 1.1.b, the City may terminate service to the Property in accordance with Section 5 of these Rules.

1.7 Water Plan Review

The City may review water plans for new development without Development Approval from the City or a Water Commitment, however such review does not in itself give any additional consideration toward a Water Commitment, or any Property right in water, to said new development or any other project.

1.8 Projected Water Usage

The projected water usage for any and all projects is determined solely and exclusively by the City including consideration of the density and uses of land permitted in the zoning District.

1.9 Removed Service Connection

Once a Service Connection is requested to be removed, a Water Commitment to the parcel via the Removed Service connection is automatically canceled.

1.10 Reversionary, Merger, and Resubdivision Maps

If a Subdivision or any portion thereof reverts to acreage or is merged and re-subdivided, the Water Commitment is automatically terminated for that portion of the Property which has so reverted, merged, or resubdivided. The retention or disposition of any Water Facilities constructed to serve said development shall be at the City's sole discretion.

SECTION 2 - CONDITIONS OF SERVICE

The City will endeavor to provide its Customers with a continuous and adequate supply of water within reasonable maximum and minimum pressures. However, pressure will vary throughout the distribution system.

The City will also act to conserve water resources in a manner that reflects the goal of achieving and maintaining a sustainable community within the desert environment of Southern Utah.

The City may reject, rescind, reduce, or terminate current or proposed uses of water where such use:

- a. Is contrary to the City's obligation to assure reasonable use including, but not limited to compliance with Rules for water efficiency, drought, conservation, and the use of Non-Potable Water for irrigation.
- b. May encumber or impair the City's ability to maintain an adequate level of service to other Customers.
- c. Compromises public health, welfare, or safety due to circumstances that limit the available water supply to the City.

The City, through its Rules, policies, and procedures makes a consistent effort to maximize its resources. The City is required under various statutes and federal codes to provide for beneficial use and avert the waste of water. The City will continue to use rates, education, regulation, and incentives to develop programs to reduce the waste of water and improve the efficiency of its use. Further, the City may conserve Potable Water by providing Customers with Non-Potable Water resources, when available, for use in an efficient, effective manner.

2.1 Water Pressure

Property Owners and/or Customers are responsible for installation and maintenance of privately owned pressure regulators, or other devices as required. In accordance with the Uniform Plumbing Code, individual pressure reducing valves are required to be installed and maintained by the Owner on all connections.

Where possible, the City maintains minimum pressures in compliance with the Utah Administrative Code (UAC) R309 (See R309-105-9) as follows:

- a. 20 psi during conditions of fire flow and fire demand experienced during peak day demand;
- b. 30 psi during peak instantaneous demand; and
- c. 40 psi during peak day demand.

The City may adjust pressures as the need arises.

In accordance with the Utah Administrative Code (UAC) R309 (See R309-105-9), individual home booster pumps are not allowed.

2.2 Interruption of Service

The City will endeavor to notify Customers in advance of any interruption in service due to repairs, or other causes. However, in Emergency conditions or when notification is not practical, service may be interrupted without warning for indefinite periods of time.

2.3 Parcel Location Adjacent to a Main

New applications for service will only be accepted if a minimum of twenty Feet of useable Main which meets the City's pressure, flow, and capacity Standards is located adjacent to the parcel to be served. Said Main must be within a dedicated right-of-way or easement grant to the City. Where these conditions are not met, an application for service will require a Main Extension.

2.4 Parcel Not Adjacent to a Main

In order to obtain service to a parcel not immediately adjacent to a Main as required by Subsection 2.3 above, the Applicant will be required to provide a Main Extension in accordance with the requirements of Section 10, or the Applicant may make application for a service if the Property meets the requirements of Section 6.

2.5 Damage to Property

The City will not be liable for damage to Property occasioned by water running from open or faulty piping or fixtures on the Customer's Property. Customers who request activation of a service shall be responsible for damage resulting from such activation due to open or faulty piping and/or fixtures on the Customer's Property. The City may, at its discretion, opt to return the water service to a shut off condition if there is indication of water running on the Customer's Property at the time of service activation. When this occurs, the City will endeavor to leave a notice of explanation for the Customer. In the event of request for after-hours service activation, the Reconnect – After Hours charge will remain applicable.

2.6 Access to City Facilities

Parcel Owners who permit landscaping, fencing, structures, or other fixed or movable obstructions to block, prevent, hamper, or restrict free and easy access to the City's facilities for work of any nature, including meter reading, shall be liable for costs incurred in removing such items. The City will mail either a fourteen (14) or a sixty (60) calendar day notice by certified mail, return receipt requested to the mailing address on file with the Washington County Recorder in order that the Property Owner may correct the condition. If the Property Owner fails to remove the moveable obstruction in fourteen (14) days or the fixed obstruction within the 60-day period, the City may complete the work at the sole cost of the Property Owner. However, in the event of an Emergency, the City has the right to cause the obstruction to be removed without notice to the Property Owner and all related costs are the Property Owner's responsibility. At the Property Owner's option, subject to City's prior approval, the City's facilities may be relocated by a Utah Licensed Contractor of the Property Owner's choice at the sole expense of said Property Owner but subject to the standards and procedures of the City; or the Property Owner may make application for relocation by the

City and at that time pay a deposit towards the actual total cost to be borne by said Property Owner.

Failure of the Property Owner to comply shall be just cause for terminating water service to the subject Property.

2.7 Efficient Water Use

Any Person(s) or association(s) is prohibited from imposing private covenants, conditions, restrictions, deed clauses or other agreements between the parties, which prevents Person(s) from utilizing water efficient landscaping including, but not limited to, Xeriscape, in the conservation of water.

As a condition of service, Customers of the City must use water delivered through the City's system in a manner that promotes efficiency and avoids waste.

2.8 Customers' Premises

City Employees shall have the right to access Customers' Property at all reasonable hours for any purpose related to the furnishing of service and protection of water quality. Except where specifically authorized for the purpose of conservation, Employees are prohibited from entering upon Customers' premises to engage in repair or alteration of Customer piping and fixtures.

2.9 Use of Non-Potable Water for Irrigation

It is the purpose and intent of the City to require all large-scale Turf and landscape irrigators and appropriate Non-Residential users to use Non-Potable Water when and where it is made available by the City. Irrigation plans may be evaluated as they are submitted subject to City goals, operational requirements, Rules for Water Service, and criteria for conservation, public health, safety, and welfare, and accessibility and availability of service. The use of Non-Potable Water for irrigation encourages conservation and allows the valuable and limited natural resources of Potable Water to be freed for other, higher uses. As the population in the Washington City area continues to increase, it will become increasingly important that large-scale Turf and landscape irrigators make use of Non-Potable Water where available.

The rate for Non-Potable Water charged to the Customers will be designed to recover all costs to make Non-Potable Water available to the Customers, including capital expenditures, treatment, cost paid to other entities for non-potable or recycled water, operations, capital replacement and any augmentation of supply or resource to meet demand. The sale of Non-Potable Water will not be used to subsidize or otherwise support the City's system for the delivery of Potable Water.

The Public Works Director has the authority to sign any Agreement on behalf of the City for the provision of Non-Potable Water to any entity if the Agreement in question is in a form substantively the same as any form of agreement for provision of Non-Potable Water that has been approved by the City.

All other sections of these Rules concerning billing, collections, disconnection, construction, installation, inspections, and approval shall also apply to Non-Potable Water.

SECTION 3 - BILLING OF POTABLE SERVICE

All potable Service Connection types shall be identified as domestic, private fire, combined, and/or construction purposes.

3.1 Domestic Service

Includes all Service Connections through which water is delivered for all purposes permissible under the law except Private Fire Service and construction service.

3.2 Private Fire Service

Includes all Service Connections through which water is delivered to private Property for fire protection exclusively.

3.3 Combined Service

Includes all Service Connections through which water is delivered for domestic use and for onsite private fire protection.

3.4 Construction Service

- a. Includes permanent or non-permanent connections for delivery of water for use during the construction of new development, additions to existing improvements, sand and gravel operations, and other construction uses, such as grading and compaction, paving, and dust control.
- b. Construction services may not be used to avoid installation of a permanent water Service Connection for permanent irrigation, long-term dust suppression, or Domestic Service, or Private Fire Service.

Water from construction sites is prohibited from flowing continuously into public streets, roadways and sidewalks.

SECTION 4 - REQUEST FOR SERVICE

There are four (4) categories of requests for service:

1. Request for service through an existing Service Connection.
2. Application for a new Service Connection.
3. Application for a Temporary Service Connection (See Section 6.9).
4. Application for a hydrant meter for construction purposes (See Section 7.31).

The City will require any Person requesting service to demonstrate that a Water Commitment exists, to sign appropriate application forms provided by the City, and to pay all required Fees, charges and deposits.

At the City's discretion, the City may provide service outside corporate boundaries as stipulated in Subsection 7-1-13 of the City Code.

Notwithstanding any provision in these Rules for Water Service, payment of Fee, or construction of Water Facilities at a Developer's or City's expense, the City may deny any request for a Water Commitment or request for a water connection if the City has an inadequate amount of water, or there are physical limitations in the system capacity to serve the proposed Customer and simultaneously maintain an adequate level of service to Customers, or compromises public health and safety.

4.1 Existing Service Connection

Customers requesting service through existing Service Connections must provide information as required by the City. Such information shall include, but not be limited to, full name and valid identification information. The Customer shall provide any other information, which will assist the City in properly locating the Service Connection, including a description of the development, documentation of installation approval, and the use of water and plumbing plans of the private facilities if required.

Any costs incurred by the City to bring a Service Connection to City Standards are the responsibility of the Property Owner. Physical evidence of a service, including the installation of an approved backflow prevention assembly, if required, adjacent to Property does not necessarily mean the service is available for use without additional Fees or charges.

The City may permit Persons to conduct business with the City, including requests for water service turn-on and shut-off, provided that the Person has established credit with the City, is the Property Owner, or is indicated in City records as authorized by the Customer to transact business on their behalf. The City may also permit Persons to conduct business with the City, including requests for water service turn on and shut off, via facsimile transmission, e-mail, or through other electronic transmittal methods.

4.2 New Service Connection

A Service Connection shall be made to a Main only after evidence of a Water Commitment is presented to the City and a proper application has been made by the Property Owner or his Legally Designated Representative on forms provided by the City, and the application is

acceptable to the City. The application for a new Service Connection must conform to the requirements listed in Sections 1, 6, and 10 of these Rules.

4.3 Relocation of Service Connection

A Service Connection may be relocated on an existing parcel; however it may not be moved to a new parcel. The construction of a Service Connection relocation is subject to the requirements of these Rules.

4.4 Inaccurate/Insufficient Information

In the event information provided by the Applicant is found to be inaccurate or insufficient after work has commenced or service has been turned on, the Applicant will pay any and all costs and/or Fees, charges and deposits necessary to effect corrective action and service rule compliance. The above will also apply in instances of onsite changes necessitating corrective action or modification to the Service Connection.

4.5 Refusal of Service

Service through existing or new Service Connections may be refused if:

- a. There is no Water Commitment to the parcel.
- b. The account of the Applicant at the same or other location is delinquent.
- c. The purpose of the Applicant, in the opinion of the City, is to circumvent discontinuance of service in another name because of non-payment of bills or other infraction of these Rules.
- d. Other requirements of these Rules are not fulfilled.

4.6 Re-application for Disconnected Service

The Customer shall be required to pay all past due charges and costs before service shall be reinstated, including, but not limited to, disconnection and reconnection charges, late Fees, returned check Fee, deposits due, service charge, and consumption Fees unpaid. The City may, at its option, require payment of additional deposits before service is reconnected.

It shall be the responsibility of the Customer to inform the utility clerk that the service has been disconnected for "delinquent status" and that reconnection is desired.

In the event a service is disconnected for illegal or unauthorized use or connection, the Property Owner or Customer will be responsible for reestablishing service and shall be required to pay all applicable Fees, charges and deposits.

4.7 Deserted Service Connection

Applicants who apply for activation of a service that has been classified as deserted will be required to make application for a new Service Connection. The Water Commitment for the service shall not expire, but the Property Owner is required to pay all installation charges, including the Water Connection Fee, to replace the service. In the event a Property Owner or Applicant, at his expense, can locate a service classified as deserted, the service must be

brought to City Standards at the Applicant's expense, and a New Account Reconnect Fee paid, before it is reactivated.

SECTION 5 - TERMINATION OF SERVICE

5.1 Customer's Request

Customers desiring to terminate service shall notify the City in writing and provide a mailing address to which the closing bill will be mailed or forwarded. Failure to notify the City in writing of termination of water service shall not relieve the Customer of responsibility for payment of any existing billings, or any charges prior to notifying the City.

5.2 Cause

Service may be terminated for any of the following causes which include, but are not limited to:

- a. Non-payment of bills or any other outstanding charges, Fees or deposits;
- b. Non-compliance with these Rules for Water Service;
- c. Inter-Connection;
- d. Actual or potential Cross-Connection;
- e. Illegal connection;
- f. Waste of water;
- g. Damage to Property;
- h. Obstructing access to City facilities;
- i. Tampering with Meters, seals, or equipment;

5.3 Notice of Termination

- a. The City shall endeavor to notify the Customer prior to terminating or discontinuing a service. In the event the service termination may result in a financial impact to the Owner to reestablish service, the City will endeavor to also notify the Property Owner prior to the service termination or disconnection.
- b. The City, however, reserves the right to terminate or discontinue a service without notice for Tampering, or if continuing the service represents a health hazard, or will result in Property damage.

5.4 Bankruptcy Actions

In bankruptcy proceedings, the City will make demand for adequate assurance of payment as authorized pursuant to Chapter 11 of the United States Code Section 366.

SECTION 6 - SERVICE CONNECTIONS

6.1 General Provisions and Conditions

It is the intention of these Rules that all water delivered through a Service Connection will be metered and billed. The use of Idlers and Spacers to deliver water is prohibited. Connection charges and payment for all water used from the time of initial service installation shall be the responsibility of the Applicant. In addition, the installation of a backflow prevention assembly may be required.

The City reserves the right to determine the size and type of the Service Connection to be installed. The minimum lateral size shall be 3/4". For new Service Connections 3/4" and greater, the lateral pipe shall be the same size as the Meter. No Service Connection shall be approved of a size larger than can be supplied by the Main without adversely affecting service to other Customers. All Service Connections shall be iron pipe size outside diameter (IPS).

In the event an existing Main is determined to be inadequate to meet the requirements of an application for service and a Main Extension will provide for those requirements, provisions of these Rules applying to Main Extensions will be followed.

Whenever two (2) Mains are available from which service can be provided, the City shall, at its option, determine the Main to which the Service Connection will be made.

Plans acceptable to the City are required for all Service Connections except individual Residential Service Connections under one and one quarter (1-1/4) inches in diameter. Water plans shall be prepared by a Utah Registered Professional Engineer or Architect for review by the City for conformance to City Standards, as stipulated in Section 10. However the review is not an indication that a Property right in water is or will be granted, nor shall evidence of review be construed as a preference for obtaining a Water Commitment. It is the Applicant's responsibility to obtain Development Approval along with other Water Commitment requirements specified in these Rules.

6.2 Location

Service Connections shall be installed at nominal right angles to a Main in accordance with City Standards. The point of connection shall not be within a street intersection from curb return to curb return, nor shall any portion of the Service Connection be within the intersection. The Meter location shall be directly adjacent to the parcel being served within the public right-of-way. In the event street right-of-way is not available, the City may approve installation within an easement or alley adjacent to or on the parcel to be served. In alleys or easements, Meters shall be located at a point as close as practicable to the Property line within which the Main is located. No Meters shall be located within driveways and other areas where access by City personnel for operation and maintenance may be restricted. The meter vault shall be located outside of travel lanes and driveways and shall be protected from vehicular traffic, as determined by the City. If the Applicant Feels extraordinary conditions exist that would prevent compliance with this requirement, Applicant may submit to the City Public Works Department a written request for a waiver of this requirement at the time the water plan is submitted for review.

6.3 Composition

Specifications for materials, appurtenances, and construction techniques for Service Connections are determined and approved solely by the City.

6.4 Ownership

Service Connections, including laterals, Meters, boxes, shut-off valves, and other appurtenances, shall be and remain the Property of the City. Upon acceptance of the installation by the City, the City shall be responsible for the maintenance and repair of such facilities. All pipe and fittings on the Customer's side of the Meter, or all facilities within the Customer's Property shall be installed by and owned and maintained by the Property Owner. Any entry into, or work, including but not limited to operation, maintenance, repair, or relocation of City Property by any unauthorized Person is expressly prohibited.

6.5 Installation of Service Connection

The Property Owner shall be responsible for payment to the City of all applicable Fees, Impact Fees, charges and deposits in effect at the time the application is made. All Service Connections installed shall comply with the requirements of these Rules.

6.6 Emergency Service Connection

In addition to the installation requirements for a standard Service Connection, the following shall apply:

Emergency service shall be authorized for limited periods of time when the usual source of supply fails. Connections may be provided, at the discretion of the City, to a fire hydrant or any acceptable City facility and shall conform to the requirements of these Rules. The Applicant shall pay all installation costs and applicable Fees, charges and deposits and shall make application for a Main extension in accordance with Section 10 if applicable.

All Emergency services shall conform to the requirements of these Rules and shall be limited to a maximum of thirty (30) calendar days. Should the need for the Emergency service extend beyond thirty (30) calendar days, the Applicant shall apply to the City for a time extension.

6.7 Non-Standard Service Connection

A non-standard service may be approved when the City determines that a Main extension will not be necessary for orderly development of the system, fire protection, service to other Property, or other reasons. Onsite piping from the Meter to the Property served shall not be located within a public thoroughfare.

A copy of the recorded easement for the onsite piping shall be provided to the City. Only the Property Owner, or duly authorized designee, may execute a Service Connection agreement with the City.

6.8 Meter Maintenance

City water Meters are routinely serviced and maintained during normal business hours. This procedure may cause a total shut down of the services located on a site.

6.9 Temporary Service Connection

A temporary service may be authorized by the City when the Applicant provides a guarantee for the construction of any required Main extensions and a standard Service Connection to the parcel. The Applicant is required to pay applicable Fees, charges and deposits in accordance with the provisions of these Rules.

6.10 Metering Requirements for New Developments

- a. It is the intent of the City to separately meter all services for each dwelling unit; public, quasi-public, commercial, and/or industrial occupancy. Inter-Connection(s) are not allowed which include, but are not limited to, expansion of on-site systems to serve adjacent parcels. However, the City retains the right to determine the quality, quantity, type, size and location of all such metered services and appurtenances.
- b. Each lot or parcel shall have a minimum of one metered service.
- c. In the event a parcel is divided into more than one (1) lot after water service is obtained from the City, it is the Property Owner's responsibility to obtain additional water services for the additional lots from the City. Inter-Connection(s) which include, but are not limited to, the expansion of on-site systems to serve adjacent parcels, are not allowed.

6.11 Metering Requirements for Conversion of Developments

All existing developments which were developed in accordance with the provisions of any applicable zoning ordinance enacted pursuant to law that are to be converted from rental occupancies to occupancies for the transfer of titles in an occupancy and open space may retain the existing metered service without modification except when such service is required to be modified in the interest of the public health, safety and welfare. The City may authorize the retention of the existing metered services, with or without modifications, for cause.

6.12 Cross-Connection Control (Backflow Prevention)

The City's Cross-Connection Control (Backflow Prevention) program for service protection is conducted pursuant to Utah Administrative Code (UAC) R309. Refer to Title 7 Chapter 2 of the City Code for Backflow and Cross Connections requirements.

The City may require access to properties of Customers currently receiving water service to conduct a Cross-Connection control survey. The purpose of this survey is to establish the extent of protection required for the City's water system based on an evaluation of how a Customer uses water on a site. Examples of on-site uses requiring protection include, but are not limited to, laundries, businesses that mix and process chemicals and water, potable and/or non-potable irrigation systems, and fire services. Water from a Customer's service, under certain conditions, may be drawn into the public water supply through the Meter (through a backflow condition such as backsiphonage or backpressure). If there are existing or potential

Cross-Connections with non-potable fluids on a Customer's Property, the water drawn into the public water supply may be contaminated and therefore compromise the City's supply. The installation of a City approved Backflow Prevention Assembly adjacent to the Meter may be required based on the results of the survey and the identification of existing or potential Cross-Connections within the Property.

A City approved backflow prevention assembly adjacent to the Meter will be required at Applicant's expense for all new services to commercial and industrial facilities, all new fire services, all new potable and/or non-potable irrigation services, all services for parcels with multiple services, for the relocation or upgrade of existing services, or when on-site work occurs to any facility which would otherwise qualify for installation of a backflow prevention assembly.

The backflow prevention assembly may be installed by a properly licensed contractor, however, the installation shall be approved, inspected, and the assembly tested to City Standards before the service is activated.

An approved backflow prevention assembly appropriate to the degree of hazard shall be installed at the Point of Delivery to an existing Customer's water system as a prerequisite of continued service:

- a. Whenever entry to all portions of the premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not Cross-Connections exist, or as required by UAC R309.
- b. Whenever an Emergency turn off is necessary, as determined by the degree of hazard.

Customers will be notified by mail when a survey or other action (such as a City project related to existing service removal and relocation, or Service Adjustment) has revealed that an existing service has been identified as requiring installation of a new or upgraded backflow prevention assembly. The Customer shall be required to have the Backflow Prevention Assembly installed in a manner acceptable to the City within 120 days from the date of the notification. If, after the 120 day period elapses should the Backflow Prevention Assembly not be installed, the City shall notify the Customer of their failure to meet these requirements. If the Customer has not completed the installation of the Backflow Prevention Assembly nor responded to the City 30 days following the notification (150 days elapsed time from initial notification) a second notification shall be made to the Customer. If, after 30 days have elapsed (180 days elapsed time from the date of first notification), and the Backflow Prevention Assembly is not installed, the service to the Customer's account may be terminated. The City may elect to install the appropriate assembly at the expense of the Customer. Upon completion of installation of the backflow prevention assembly, the City may restore service.

Once a Customer requests installation by the City, the 120-day installation period shall be considered as having been satisfied. The City may make arrangements for the installation by a contractor, or may do the installation using City work forces. The application shall be considered to have been received by the City when the Customer presents an appropriate application for installation along with a properly executed easement and/or license document and delivers payment in the amount estimated by the City as set forth in Subsection 7.6 for

the installation work. Following completion of the work, the City shall either refund to the Customer overpayments or shall invoice the Customer for the monies required.

SECTION 7 – RATES, CHARGES, FEES, AND DEPOSITS

7.1 Rates, Charges, Fees, and Deposits

Rates, charges, Fees, and deposits for areas managed or served by the City may be established and approved by the City Council. These charges, Fees, and deposits may be compiled into a Master Fee Schedule.

7.2 Charges for Installing Service Connections

Charges, Fees and deposits for installing Service Connections shall be payable in advance in accordance with the approved Master Fee Schedule in effect at the time of water plan approval or at the time the City's water service application form (See Appendix E) is signed and returned to the City. Any and all required or outstanding bills, charges, Fees, and deposits for any service or project must be paid to the City prior to approval of water plans for construction, or prior to commencement of any scheduling or construction activity for services to be installed by the City.

7.3 Water Connection Fee

- a. A connection is defined as a Service Connection or Main extension connected to an existing Main. A connection shall not include an Emergency Service Connection, interim/construction water service or Temporary Service Connection. Any connection charges based on a meter size will be based on the domestic Meter for Combined Services.
- b. "Water Connection Fee" shall mean the charge required of all Applicants for service to Property where a Service Connection does not exist or where a service is to be enlarged or added. The charge is to be paid based on meter size.

The Water Connection Fee does not apply to adjustments to or relocation of Water Facilities completed in conjunction with public road improvement projects.

For Meters 6" and larger, contact the Public Works Department at 435-656-6317.

If Unusual Installation Conditions exist, the Applicant will be advised of the terms and conditions that must be met before an application for service will be accepted. In circumstances under which the City anticipates Unusual Installation Conditions, the Applicant shall pay a deposit established by the City. A refund or billing will be made when the job is completed and actual cost determined by the City. Unusual Installation Conditions shall exist when, in the opinion of the City, the installation is to be made under conditions that would result in unusual or significant departure from the basic installation charges set forth in the Master Fee Schedule.

7.4 Impact Fee Charge

"Impact Fee" shall be as previously defined herein (See Definition #35 Impact Fee). Impact Fees may be charged by the City to cover expenses incurred by growth in accordance with applicable laws including the Impact Fee Act.

Title 8, Chapter 6, Article H (8-6H) of the City Code shall apply regarding Impact Fee charges.

7.5 Water Availability Charge (WCWCD Impact Fee Charge)

"Water Availability Charge" shall mean the charge required of all Applicants for service to Property where a service does not exist or where a service is to be enlarged or added. The charge is based on the demand for water that development places on the capacity of the system. The charge is used to acquire and develop resources and to fund regional facilities constructed by WCWCD to support the demand created by a service. Funds shall be collected by the WCWCD to acquire and develop resources and to fund regional facilities constructed and operated by the WCWCD.

The RWSA authorizes imposing Water Availability Charges payable to the WCWCD on development activity to the extent permitted by the Impact Fee Act. No development activity will be approved and no building permit will be issued until the applicable charge has been paid to the District.

7.6 Deposits - Based on Projected Costs

When the City is requested to perform work and where there are no fixed charges, the Applicant shall deposit an amount established by the City, in addition to connection charges and other applicable Fees, prior to commencement of work. A refund or billing will be made when the job is completed and actual cost determined. When requested by the Applicant, the City may establish a "not to exceed" upper limit.

7.7 Security Deposits to Assure Payment of Bills

The City requires security deposits from new Customers who have not established credit with the City, or from Customers whose accounts are consistently delinquent, or in any situation where the City has cause to believe that a deposit is required to assure payment. The City may establish standard deposits for various services sizes and types.

At least half of the deposit amount must be paid prior to the requested service date, or service may not be activated or restored on the date requested. The amount of the deposit not paid up front will be billed to the Customer's account. The City may, at its sole and exclusive discretion, make arrangements to extend this payment deadline and/or allow the Customer to pay the required deposit amount in installments. Failure to remit valid payment in compliance with arrangements made may result in service discontinuance without notice. Only a cash deposit is acceptable (surety bonds will not be accepted).

Deposits will be applied as a credit on the Customer account at such date as the Customer has established credit to the satisfaction of the City, or refunded to the Customer at the City's discretion, or applied to the closing bill upon discontinuance of service.

7.8 Interest on Deposits

Any cash deposit(s) or other payment(s) paid to the City will not accrue interest.

7.9 Water Rates

Washington City charges for water use on a monthly basis in order to provide for the operation and maintenance of the water system, fund the renewal and replacement of facilities already constructed or new facilities not covered by Impact Fees, pay for the WCWCD Wholesale Delivery Charge, and provide reliable service to the Customer.

Water rates include a base rate meant to cover fixed costs and usage rates which charge based on usage. Water rates may or may not include a specified amount of water with the base rate. Usage rates may be tiered to encourage conservation. Base rates shall be pro-rated based on the number of days the service is active during a given month.

Charges for water may be affected by water budgeting Rules provided in Section 12.

Additional WCWCD Fees also apply, including the WCWCD Water Development Surcharge as shown in Subsection 7.10.

7.10 WCWCD Water Development Surcharge

The WCWCD may impose a water rate to fund regional facilities. The rate is passed on to City Customers for all billed water consumption. The RWSA sets forth that a Water Development Surcharge will be charged on a monthly basis “in order to obtain the availability and use of the Capital Facilities developed and operated....”

7.11 New Account Setup Fee

A Fee will be charged when a new account is set up as defined in the Master Fee Schedule (See Appendix D).

7.12 Delinquent Accounts

A service may be processed for shut-off for non-payment of bills, payment arrangements, deposits, or other violation of these Rules. Before the service will be reactivated, the Customer must pay the total past due amount including any assessed security deposits, and related restoration Fees. The City may, at its sole and exclusive discretion, make arrangements for other than full payment. Should the Customer reactivate or tamper with the service without consent of the City, an additional charge will be made for each such occurrence. Service shall be considered processed for shut off as of fifteen (15) days following the due date of the bill or payment arrangement.

7.13 Late Fees - Delinquent Accounts

If payment of a bill is not received by the City prior to the due date as stated on the bill, said date being between fifteen (15) and twenty-five (25) days after the statement is mailed, a late charge will be assessed according to the Master Fee Schedule (See Appendix D). The late charge shall be due and payable with all other unpaid charges. This charge is subject to change, and is set forth in the Master Fee Schedule (See Appendix D). The most recent version of the Master Fee Schedule shall apply.

7.14 Collection Fees

Fees will be charged when a delinquent account is sent to collections.

7.15 Shutoff Notice Fee

Fees will be charged when a Notice of Termination (See Subsection 5.3) is issued to a Customer indicating that their water service may be terminated or discontinued.

7.16 Return Check Fee

Fees will be charged due to a check or electronic presentment not honored and returned by a financial institution. See Subsection 9.5 for additional policies regarding returned checks or electronic presentments.

7.17 Reconnect Fee

Customers or Property Owners will be charged a Fee per incident for services that have been locked for non-payment, Tampering, illegal use and/or prevention of further damage to City facilities. When service is shut off at the Main, or restricted from use by the City by means other than locking the service, the Property Owner or the Property Owner's representative possessing an appropriate power of attorney must pay a deposit to the City in the form of cash, cashier's check, money order, or credit card to cover the actual cost of damage incurred by the City in addition to any other applicable Fees, charges or deposits before a turn-on will be scheduled. Once actual costs are determined, the Property Owner will be billed or refunded the difference between the deposit and the actual cost.

If it can be demonstrated to the City that neither the Property Owner nor a Legally Designated Representative is available to meet the above-mentioned requirements for turn-on, a resident of the Property may have water service reinstated by securing and delivering to the City a one year irrevocable letter of credit or a bond in a form approved by the City, in an amount equal to two and one half (2.5) times the highest monthly bill as assessed during a twelve-month period, in addition to posting a cash deposit in the amount of \$1,800 to cover the actual cost of damage incurred by the City. Should the cash deposit exceed the damages incurred by the City, a refund of the excess will be made. Should the cash deposit not exceed the damages incurred by the City, the balance will be due from the Owner, or representative, prior to restoring service.

7.18 Turn-on/Shut-off Water Service

- a. An existing water service that is not associated with a delinquent account will be turned on without charge, provided that the requested effective date for service activation or restoration is at least one business day after an application is accepted or, in the case of service interrupted for delinquency, sufficient payment has been received as required by the City.
- b. An existing water service will be shut off without charge, provided that the requested effective date for service shut off is at least one business day after the request for discontinuance of service is received.

7.19 Reconnect - After Hours Charge

A request to turn on water for an existing water service or reconnect a locked water service as described in Subsection 7.17 that is requested to be completed after normal business hours, on weekends, or on holidays, shall pay a Reconnect - After Hours Charge.

7.20 Unauthorized Use of Private Fire Protection Service

When it is found that a Private Fire Service is being used for purposes other than standby fire protection, the City will bill the Customer for all private fire protection water consumption measured by the detector check assembly times an applicable service size multiple, as shown in Section 8. Failure to discontinue unauthorized use will be cause for shutoff and/or prosecution as prescribed by law.

7.21 Damage to, or Tampering with, City Property

Persons causing damage to, or Tampering with, City Property by any willful or negligent act shall be responsible for payment of costs incurred, and any and all penalties as prescribed by the Rules for Water Service, or by law.

7.22 Automated Meter Reading Equipment Replacement Fee

The Customer or Owner of record will be charged for replacement of a damaged Automated Meter Reading device at the Connection Fee rate.

7.23 Reactivation of Deserted or Inactive Services

Upon receipt of application, a deserted or Inactive Service may be activated provided the Applicant pays any costs required to locate the service and upgrade it to current City Standards. If the service cannot be located, it will be classified as abandoned, or removed. If a service is located but found to be non-functional, the service may be classified as abandoned, or removed. Also, see Section 4.

7.24 Illegal Service Connection

A Service Connection which is located in the field, but whose installation is not authorized in City records will be considered as a new service. All Fees, charges, and deposits required by the City must be paid before the account is established in the City's system. In the event an Illegal Service is discovered and a Water Commitment is required by the City and is not obtained or the Fees, charges, and deposits are not paid, the City may physically remove the Service Connection at the Property Owner's expense. Any Service Connection which is in violation of these Rules will be considered an Illegal Service Connection and be subject to all of the conditions and restrictions as listed above.

7.25 Relocation of Service Connection

An existing Service Connection may be relocated on the same parcel, with the approval of the City; however it may not be moved to a new parcel. A relocated Service Connection shall be installed pursuant to the same Rules and applicable rate schedules as a new Service Connection, except that no Impact Fee or Water Availability Charges shall be applied.

7.26 Change in Meter Size

Meters in place, which are of a size less than the diameter of the lateral pipe, may be replaced with a larger size not to exceed the size of the lateral pipe.

Meters may be replaced with a smaller size Meter upon request of the Property Owner and with City approval. The cost to reduce the meter size shall be the cost of the new Meter plus all other applicable Fees and charges.

The City may replace a battery of Meters with a single Meter, replace a single Meter with a battery of Meters, or install an appropriately sized Meter, service, and backflow prevention assembly to meet a current demand, providing such replacement does not impair service to the Customer. The Owner/Applicant shall be responsible for all applicable Fees and charges.

7.27 Increase in Size of Service Connection

An existing Service Connection may be enlarged with the approval of the City provided a Water Commitment for the additional capacity requested is obtained in accordance with Section 1 of these Rules. An enlarged Service Connection shall be installed pursuant to the existing Rules and applicable rate schedules. Water Connection Fees, Water Availability Charges, and Impact Fees shall apply to increases in meter sizes. The amount of the charge will be the difference between the Water Connection Fees in addition to the Water Availability Charges, and Impact Fees for the new Service Connection and the Water Availability Charges, and Impact Fees applicable to the existing Service Connection at the rates in effect at the time of application.

7.28 Service Connection Removal

In the event that a Service Connection is to be permanently deactivated, the Owner of the Property must sign a service removal form (See Appendix F) provided by the City. The Meter and other salvageable materials may be removed by the City without credit to the Property Owner or by a private contractor in accordance with the requirements of Section 10. In the event a service will be relocated or the size of service changed, the service removal may be done either by the City on an actual cost basis or by a private contractor in accordance with the requirements of Section 10. Any Water Commitment associated with a Removed Service shall terminate, except as provided in Subsection 1.3.

7.29 Service Guarantee Program

At the City's sole discretion, the City will apply a \$10 credit to a current Customer's active account in the following situations:

- a. If the City turns off the Customer's water service in error.
- b. If the City does not activate the Customer's service on the date requested, provided the date requested complies with these Rules.
- c. If the City does not respond to a billing inquiry within seven (7) business days.
- d. If the City validates receipt of payment, but does not process the payment correctly.

Additionally, if City personnel, while in the course and scope of City duties, physically damage a ratepayer's Property that is not improperly located within, above or near a City

easement or City Property, the City will repair or pay to have repaired the ratepayer's Property.

The City, in its sole discretion, may determine if this credit is warranted due to actions of the City's staff. Credit will not be applied for cases in which water is shut off temporarily for repair, if the Customer is given advanced notice, or for Emergency circumstances (even without notification).

7.30 Meter Testing Fee

If a Customer submits a written request to test said Customer's water Meter, the City may, if under the circumstances it deems it advisable and in its discretion, order a test of the Meter measuring the water delivered to such Customer. If such request is made within twelve (12) months after the date of the last previous test, the Customer may be required to pay the cost of such test. If the Meter is found in such test to record from ninety seven percent (97%) to one hundred three percent (103%) of accuracy under methods of testing satisfactory to the governing body, the Meter shall be deemed to accurately measure the use of water. In the event a Meter is found to be recording less than ninety seven percent (97%) or more than one hundred three percent (103%) of accuracy, the City shall make such adjustments in the Customer's previous bills as are just and fair under the circumstances.

7.31 Private Use of Public Fire Hydrants (Metered Construction Water)

Connections to public fire hydrants (those which have been dedicated for public use) are prohibited unless a Temporary Water Request/Agreement form is completed, a City owned hydrant valve and meter are utilized, and all other procedures outlined in the latest Hydrant Meter Policy and Procedures (See Appendix C) are followed. Water taken through public fire hydrants except for firefighting purposes shall be metered.

The Applicant shall designate the period of time and purpose for which water is to be used. The City may discontinue the service and remove its equipment at the expiration of the period so designated, if the water is used for any purpose other than that designated by the Applicant, or if any part of the fire hydrant is operated. The City may establish limitations on the rate of flow and time of use. Except for Emergency Service Connections, which may be established by the City for a limited time as described in Section 6, water service from a fire hydrant for domestic purposes is prohibited.

In the event that an unauthorized connection is made to a fire hydrant, the user shall be required to pay appropriate charges as determined by the City, and may be subject to other penalties as established by law.

In lieu of a fire hydrant meter for taking construction water, the Construction Water may be taken through the Service Connection which is intended to serve the parcel, or it may be taken through any other metered method approved by the City which assures that all water utilized during the construction period is metered.

The construction period shall be considered to have ended for the Applicant (Developer) upon notification to the City by the Applicant and after the City has made a final Meter reading for billing purposes. The City will then discontinue (shut-off) the service unless it has

received an application for service to that location. Water used through the Service Connection(s) on a parcel prior to notification to the City that the construction period has ended will remain the responsibility of the Applicant. The City reserves the right to audit all development to ensure all parcels are properly metered and consumption is measured and assessed for billing purposes.

The Developer responsible for the contract agreement may transfer, for the purposes of construction water billing only, all or part of a development to a subsequent Developer following the installation, inspection, and acceptance of facilities as shown on the approved water plans. The agreement Developer shall notify the City of the transfer by letter, specifying by lot and block and supplemented by an annotated map of approved Water Facilities plans, the portions(s) of the development transferred by written, executed agreement to the subsequent Developer. A subsequent Developer shall be responsible for the billing for Construction Water, any outstanding Water Facilities remaining to be completed, and any damages caused by Developer's actions to City facilities within this approved transferred area.

The City's hydrant meter policy and procedures and definitions of applicable rates and Fees are outlined in Appendix C. The Master Fee Schedule in Appendix D includes rates and Fee amounts.

SECTION 8 – RATES, CHARGES, FEES, AND DEPOSIT AMOUNTS

8.1 Washington City Rates, Charges, Fees, and Deposit Amounts

Washington City sets the amounts charged for rates, charges, Fees, and deposits in their Master Fee Schedule. The Master Fee Schedule as of the effect date of these Rules is shown in Appendix D; however, the amounts are subject to change and the most recent version of the Master Fee Schedule shall apply.

See Section 7 for a description of the rates, charges, Fees, and deposits charged by the City.

8.2 WCWCD Water Development Surcharge

The WCWCD monthly surcharge rates are listed in the Master Fee Schedule (See Appendix D). These rates are subject to change. The Master Fee Schedule may not show the most recent changes to the rates charged by the WCWCD.

See Subsection 7.10 for a description of the WCWCD Water Development Surcharge.

8.3 Water Availability Charge (WCWCD Impact Fee Charges)

The Water Availability Charges as set forth in the WCWCD Capital Facilities Plan are shown in Appendix A. These charges are subject to change. The charges shown in Appendix A may not reflect the most recent changes to those charged by the WCWCD.

See Subsection 7.5 for a description of the Water Availability Charge.

8.4 Private Use of Public Fire Hydrants (Metered Construction Water)

Rates and Fees for hydrant meters are set forth in the City's hydrant meter policy and procedures (Appendix C) and the Fee and deposit amounts are set forth in the Master Fee Schedule (See Appendix D).

8.5 Security Deposits to Assure Payment of Bills

Deposits for water service are combined with the deposits of other utilities. The Utility Deposit amounts are as outlined in the Master Fee Schedule (See Appendix D).

SECTION 9 - TIME AND MANNER OF PAYMENT

9.1 Bills Due When Presented

Meters will be read or estimated monthly. The City will, as soon after the meter reading date as practical, issue a bill to the Customer for each connection to City facilities, for usage and related Fees and charges. All bills shall be due and payable upon receipt. Failure to receive a bill does not relieve a Customer of liability. Customers are responsible for payment of all water recorded as having passed through the Meter, regardless of whether such water was put to beneficial use. When current bills are not paid within fifteen (15) to twenty-five (25) days from the Billing Date as shown on the bill, they are subject to the assessment of late Fees (See Subsection 7.13, and will be considered delinquent. Service may then be discontinued if not paid by the disconnection date as identified in the succeeding bill statement. The City may, at its sole and exclusive discretion, make arrangements to extend this payment deadline or allow the Customer to pay the unpaid balance amount in installments. Failure to remit valid payment in compliance with arrangements made may result in service discontinuance without notice.

9.2 Proration of Service Charges

All service charges shall be calculated on a daily basis.

9.3 Non-Individual Meters

In the event a commercial Subdivision or Residential development does not have individual Meters to each parcel, the City is not responsible for dividing water use among the occupants. If there is a need for individual Meters to each parcel, it is the Owner/Applicant's responsibility to obtain approval for installation of additional Water Facilities and pay all Fees in accordance with these Rules.

9.4 Estimated Bills

- a. If a Meter cannot be read because of obstructions or other causes, an estimate shall be made of the quantity of water used and a bill rendered for the estimated quantity. The City reserves the right to estimate any meter readings periodically. The next succeeding bill that is based upon actual meter readings will reflect the difference between prior estimates and actual consumption.
- b. If a meter reading is obtained which indicates a meter malfunction, an estimate shall be made of the quantity of water used and a bill rendered for the estimated quantity.
- c. Estimates shall be based first on account history and/or comparable services within the area. If there is no comparable service within the area, then estimates shall be based on comparable service within the City.
- d. Customer shall only be back-billed for the previous three month period.

9.5 Payments Not Honored by Financial Institutions

Remittance(s) presented in payment of bills which are not honored and are returned by any financial institution shall be treated as though no payment had been made and service may be discontinued without notice.

Accounts with the City that are paid by checks or electronic presentment which are not honored by any financial institution shall be charged a “Return Check Fee” (See Subsection 7.16) as set forth in the Master Fee Schedule (See Appendix D) in addition to any other applicable Fees and charges. Redemption of returned payments, as well as any additional Fees and/or charges assessed, may be required to be by cash or equivalent at the discretion of the City.

Remittance for amounts due on accounts with the City which have recorded three (3) payments not honored and returned by any financial institution within a twelve (12) month period shall be required to be by cash or equivalent, at the discretion of the City, for six (6) consecutive months.

Customers who submit a payment not honored by any financial institution for a water account in a shut-off status must pay the total amount due plus any assessed security deposits, related delinquent processing or restoration Fees in cash.

9.6 Billing Errors

Correction of billing errors shall be made on the next regular bill, but in no case will the City make corrections retroactively for a period of more than three (3) months.

9.7 Billing Adjustments

The City at its discretion and for purposes of account dispute resolution, offers to a Customer a one-time partial consumption adjustment for unexplained non-beneficial usage. This adjustment will be based on recorded average daily usage for historically comparable usage periods and will be applied only when a thorough investigation conducted by the City has concluded no reasonable or viable explanation for the usage. Adjustment shall be reviewed by utility billing department and the water department representative.

SECTION 10 - INSTALLATION OF WATER FACILITIES

10.1 General Conditions for Installation of Water Facilities

a. Applicability

Any work on City facilities, including, but not limited to the installation of new Service Connections, water Main, backflow prevention devices and associated appurtenances (Water Facilities), relocation or removal of existing facilities, not contracted for directly by the City, shall comply with the requirements of this section. All work shall be submitted for review, required Fees and charges paid and approved in writing by the City prior to the time the work is started.

A Main extension may be required along the entire length of at least one Property line frontage of the Property to be developed whenever future line extension is possible, or when the adjacent Main cannot meet the needs of the proposed development.

b. Construction Plans

All water plans submitted for review shall conform to the Washington City Construction and Design Standards (WCCDS), (latest edition, as amended).

c. Compliance with Specifications

Main extensions, Service Connections, and appurtenances shall be constructed by a contractor properly licensed by the State of Utah to conform to all City specifications, standards, and procedures which are in effect at the time the water plans receive City approval. In addition to all such specifications, standards, and procedures, the following requirements shall be met:

1. All new Water Facilities shall be disinfected and tested to the satisfaction of the City before connecting the new Mains to existing Mains, unless otherwise permitted by the City.
2. Connections to existing Mains shall be made only when authorized by the City and then only in the presence of an authorized representative of the City, at times specified by the City.
3. Existing Mains shall not be taken out of service for the purpose of making new connections when other options are feasible. Mains may only be taken out of service with the specific approval of the City.

d. Construction Inspection

The City shall inspect the installation of Water Facilities including assemblies, from construction commencement through final water project acceptance. The City reserves the right to terminate service if the work does not comply with City requirements. The City will not provide domestic water service to an identified permanent structure(s) until

all Water Facilities related to that structure(s), as shown on the approved water plans, have been accepted by the City.

e. Meter Installation

For Meters 2" and smaller, the City will supply and install the Meter. For Meters larger than 2", the Applicant shall provide a Meter which meets City specifications and City will install.

No Meter shall be installed until a successful pressure test and water sample has been verified by the City.

f. Payment for Water

Payment for all water used from the time of initial Meter installation shall be the responsibility of the Applicant and will be charged and billed monthly at the Metered Construction Water rate referenced in Section 8. The City reserves the right to audit Meter installation. The City reserves the right to start service at its discretion upon verification of Meter installation, occupancy, or irrigation. Upon verification, monthly billing will be based on the rate for Metered Construction Water.

The Applicant (Developer) shall remain responsible for correction of all deficiencies and shall remain liable for the monthly bill payment for all metered water used and associated deficiency Fees, regardless of whether subject facilities are in use by a subsequent Developer, domestic, or commercial Customer, until said defects are corrected by the Applicant and are accepted by the City.

Following acceptance of all facilities by the City for Ownership and maintenance, the Applicant (Developer) is responsible for ensuring that services accepted by the City are removed from the Developer's account. Until that notification to the City occurs by the Developer, billing for all consumption through all Meters at the rate for Metered Construction Water remains the responsibility of the Developer.

g. Guarantee

Installation, materials, and workmanship shall be guaranteed complete and free of defects as indicated in the City Standards. Upon receipt of notice of incomplete work or defect from the City, the Developer shall immediately correct the situation, or shall reimburse the City for the cost of correction.

h. Location

1. Main extensions and appurtenances shall be located within right-of-way or private streets dedicated for utility purposes.
2. If the right-of-way or private streets dedicated for utility purposes is not available, the Applicant may petition the City and upon City approval, a Main extension and appurtenances may be located within utility easements granted to the City (which may include right-of-way or private streets) for a total thirty (30) foot public utility/drainage dedication .

3. All right-of-way, private streets and/or easements shall be shown on the water plans and shall be provided to the City prior to the approval of water plans and must provide adequate clearances for the safe operation, maintenance, and repair of the Water Facilities. The City reserves the right to determine the location of a Main extension and appurtenances.

i. Easements

1. No buildings, structures or trees will be placed upon, over or under any City easement, now or hereafter, except that an easement can be improved and used for street, road or driveway purposes and for other utilities, insofar as such use does not interfere with the operation and maintenance of the City's facilities within the easement.
2. Should the City act to repair any of its facilities within the easement, the City is not responsible for repair or reconstruction of any Property located within the easement.
3. Should any of the City's facilities within an easement be required to be relocated or repaired as a result of changes in grade or other construction within the easement, the Property Owner will bear the full cost of such relocation or repair.

j. Size of Mains

A Main Extension shall be of sufficient size to provide an adequate water supply to the development (Subdivision, commercial, industrial, or single Residential Property. The minimum water Main size will be 8 inches or as determined by the City.

Water Mains in cul-de-sacs, internal streets within subdivisions, and other areas where water Mains will not be extended in the future may be 6" in diameter if that size of water Main meets the water demand requirement of the development including fire flow . The City reserves the right to establish the size of all Mains and appurtenances.

k. Fire Hydrants

Fire hydrant installations shall conform to the Washington City Construction and Design Standards and the International Fire Code.

l. Use of Facilities

A Main extension constructed for a development shall not be considered as reserved for service to that development exclusively. Extensions of and connections to a Main Extension for other development may be permitted when, in the opinion of the City, such connections will not substantially affect service to the original development.

m. Conveyance of Title

Upon satisfactory completion of construction and acceptance of the facilities by the City, the Developer shall deliver to the City a valid bill of sale conveying unencumbered title to the facilities to the City.

10.2 Service Connections Installed by Private Contractor

If Service Connections are installed by private contractor, the provisions of Section 10 shall apply.

10.3 Standard Main Extensions

a. Applicability

A standard Main extension shall apply if the City chooses not to oversize the Main.

b. Responsibility for Cost

The cost of a Main extension, including service laterals, fire hydrants, and all other appurtenances, shall be borne by the Applicant.

10.4 Oversized Main Extensions

a. Applicability

An oversized Main Extension is a Main larger in diameter than the minimum diameter necessary to provide a supply to a proposed development, which will be capable of meeting future demands on the City's distribution system. The City may increase the length of an Oversized Main Extension beyond that required to serve a particular development, in order to provide for the orderly development of the City's distribution system, improve water quality and/or improve system reliability.

b. Approval by the City

A proposal for oversizing of a Main extension shall be submitted to the City for those projects with City participation. If the oversizing of the Main Extension is approved by the City, the Developer must initiate construction within one (1) year from the date of water plan approval, unless specified otherwise in the agreement, or the City's action shall be void.

c. Refunding for Oversizing

The City shall refund, without interest, to the Developer for the cost of oversizing the Main extension, within forty-five (45) calendar days following acceptance by the City and delivery of an unencumbered bill of sale.

SECTION 11 - INSTALLATIONS OF NON-POTABLE WATER FACILITIES

11.1 This section is not used at this time.

SECTION 12 – CONSERVATION

12.1 Introduction

Groundwater and Virgin River water are two physical resources used to meet water demands in Washington City, but there is a third, tangible resource that is critical to managing and extending those physical resources over time - conservation. Conservation involves no real infrastructure challenges or significant capital costs, yet it effectively provides an additional resource by freeing up water that was previously consumed inefficiently or wasted. In this sense, it is the cheapest source of water available to the community. It is also a resource over which we have complete control, because future availability depends more on our own efforts and less on influences outside the community. Refer to the City's latest Water Management & Conservation Plan for more details.

Washington City is committed to an ongoing conservation strategic planning process that will result in the implementation of a conservation goal to reduce water usage by 10% within 20 years (2005 to 2025) to 153 gallons per capita per day (gpcd). The goal focuses on reductions in Consumptive Use of water. Consumptive Use is the net amount of water used each year and not returned through return-flow credit to use again to extend the use of the water. Washington City must focus on changing the outdoor water use habits of all Customers. Outdoor use accounts for the greatest consumption of water and therefore has the greatest potential of Water Conservation.

12.2 Water Waste Enforcement

As a condition of service, Customers of the City must use water delivered through the City's system in a manner that promotes efficiency and avoids waste.

In the event of a conflict between the City Rules and other applicable ordinances or regulations, the most stringent shall govern.

12.3 Water Waste Prohibited

A. Users of water from the City water system shall not permit water to continue to run wastefully and without due efforts to conserve water. If, in the judgment of the water superintendent or of any of the officers of the City, a user of City water engages in practices which result in the needless waste of water and continues so to do after reasonable notice to discontinue wastefulness has been given, the superintendent or any officer may refer the matter to the governing body.

B. Water Waste shall include:

1. Allowing water to be wasted by stops, taps, valves, leaky joints or pipes, or to allow tanks or watering troughs to leak or overflow.
2. Wastefully running water from hydrants, faucets or stops, or through basins, water closets, urinals, sinks or other apparatus.
3. Use the water for purposes other than for those which have been applied, or to use water in violation of the Rules and regulations for controlling the water supply.

4. Allowing water provided by the City to flow or spray off the Property.
5. Failure to correct a malfunctioning device or supply line, where the Customer or their agent has known of the problem for more than 48 hours.
6. Non-compliance with regulations regarding washing of vehicles, equipment, driveways, parking lots, sidewalks, streets or other surfaces or objects.
7. Discharging swimming pool or spa water drainage off the Property where discharge into a public sanitary sewer is available.
8. Using Spray Irrigation (sprinklers) between the hours of ten o'clock (10:00) a.m. and eight o'clock (8:00) p.m from the first Sunday of April each year to the last Sunday of October of each year.

Exemptions to specific provisions are outlined in Subsection 12.4.

C. Violations

Upon the first observation of waste, the Customer will be notified and allowed a prescribed time period to take corrective action. Subsequent violations will result in a Fee assessment. If a Customer refuses to correct the problem, the governing body may thereupon consider terminating the right of the individual to use culinary water in accordance with Subsection 5.3 of these Rules. In addition, the City may issue misdemeanor citations.

A City representative shall observe and document the Water Waste.

The Customer shall receive notification explaining the City's policy prior to Fee assessment. The City may allow a Customer to receive additional time to pursue corrective action.

In the event a Fee is assessed, the Customer may protest the Fee assessment.

D. Administrative Fees

Customers issued a violation notice as defined by the City shall be assessed a Fee according to the listed schedules. Violation levels shall be based upon violation history for the preceding 18 months. Administrative Fees are assessed in accordance with the following schedule:

Water Waste Fee Schedule			
Meter Size	1st Violation	2nd Violation	3rd Violation
1" and Less	\$ 80.00	\$ 160.00	\$ 320.00
Over 1" but less than 3"	\$ 160.00	\$ 320.00	\$ 640.00
3" and over	\$ 320.00	\$ 640.00	\$ 1,280.00

12.4 Exemptions

Exemptions to various provisions of this section are outlined in the Water Use Exemptions table. The following exemptions shall apply.

Water Use Exemptions					
<u>Handwatering</u>	Time of Day	Exempt	<u>Non-Spray Irrigation</u>	Time of Day	Exempt
	Flow or Spray Off Property	Not Exempt		Flow or Spray Off Property	Not Exempt
<u>New Landscape</u>	Time of Day	Exempt 30 days	<u>Irrigation of Commercial Nursery Stock</u>	Time of Day	Exempt
	Flow or Spray Off Property	Not Exempt		Flow or Spray Off Property	Not Exempt
<u>Supervised Testing</u>	Time of Day	Exempt	<u>Water Budgeted Facilities</u>	Time of Day	Exempt
	Flow or Spray Off Property	Exempt		Flow or Spray Off Property	Not Exempt
<u>Public Health and Welfare</u>	Time of Day	Exempt	<u>Private Wells, Non-Potable Water</u>	Time of Day	Exempt
	Flow or Spray Off Property	Exempt		Flow or Spray Off Property	Not Exempt
<u>Residential Car Washing</u>	Time of Day	Exempt	<u>Overseeding</u>	Time of Day	Exempt 30 Days
	Flow or Spray Off Property	Exempt for 5 Minutes		Flow or Spray Off Property	Not Exempt

12.5 Hearing

If the City elects to consider the matter of termination due to a Water Waste violation, it shall give notice to the Customer of the intention to terminate the Customer's water connection at least five (5) days prior to the meeting of the governing body at which termination of water service is to be considered. The notice shall inform him of the time and place of the meeting and of the charges which lead to the consideration of the termination.

A Customer whose right to utilize City water is being reviewed shall have opportunity to appear with or without counsel and present his reasons why his water service should not be discontinued.

After due hearing, the governing body may arrive at a determination. If the determination is to discontinue the wasteful Customer's Service Connection, it shall notify him of the decision and of the period during which the service will remain discontinued.

12.6 Compliance with Water Efficiency and Conservation Codes

All Customers of the City are required to comply with all applicable water efficiency and landscape codes. The City may reject the application for, rescind, or terminate water service to any Property or use determined to be in violation of applicable codes or standards which are directly or indirectly intended to conserve or protect the waters of the City.

SECTION 13 - MISCELLANEOUS

13.1 Interpretation and Application

The Public Works Director/Water Superintendent shall have discretion in the interpretation and application of these Rules. This discretion shall be exercised to maintain equity among users with full documentation, which will accomplish the intent of the Rules, policies, and procedures of the City, and protect the public health, safety, and welfare.

These Rules in no way replace City Code as existed prior to adoption of these Rules. In the event of a conflict with City Code, the more stringent shall govern.

13.2 Water Use Limitations

In the event of water shortages, Emergency conditions, or inability of the delivery system to provide adequate volumes of water, the Public Works Director/Water Superintendent shall have the authority to limit water usage. The City's water supply/shortage and drought management plan, as included in Appendix B, shall apply in these situations. Any actions taken by the Public Works Director/Water Superintendent pursuant to this section shall be reviewed by the City Council at its next regularly scheduled meeting. The City may enforce any action taken under these sections by any legal means, including disconnection of a Customer's water service.

13.3 Expansion of Facilities

As the need arises, as determined solely by the City, the City will construct major facilities required to provide an adequate water supply, including Transmission Mains, reservoirs, and pumping stations, in general conformity with its Master Plan.

13.4 Special Conditions

In the event that conditions arise which are not specifically covered by these Rules, the City Council may take whatever action, including establishing rates and charges, which, in its discretion, is warranted.

13.5 Effective Date

These Rules shall become effective on the date specified by the City Council in its motion for adoption.

13.6 Continuity

Adoption of these Rules shall not be construed as a waiver of any right or obligation under any prior agreement, contract, or commitment.

13.7 Administrative Appeal

a. Administrative Appeal Process

An Applicant or Customer who is aggrieved by a denial of any water service request may appeal that decision within ten (10) days from written notice of the denial by the City. Written notice of appeal shall be served upon the City Manager, who shall conduct a review of the grounds alleged for appeal. Upon delivery of the City Manager's decision, the aggrieved party may, within ten (10) days, appeal that decision to the City Council.

b. Rules of Administrative Appeal

1. Any notice given in accordance with Subsection 13.7.a shall commence to run on the day following the mailing of the decision addressed to the Applicant or Customer at the address used by such Person on his application.
2. The burden of proof is on the party appealing the decision.
3. All notices of appeal shall clearly identify the matter appealed and as concisely as possible, state the argument for reversal of the decision appealed from.
4. Review by the City Manager shall be conducted and completed within thirty (30) days of the receipt of the written notice of appeal.
5. Not later than thirty (30) days from the date of notice of appeal from the action of the City Manager, the City Council shall set the date for the public hearing at a regular meeting of the City Council, within not less than thirty (30) days.
6. The City Council may reverse the final decision of the City Manager if it is:
 - a. In violation of constitutional, statutory or Rules for Water Service rights.
 - b. Clearly erroneous in view of the reliable probative and substantial evidence of the hearing; or
 - c. Arbitrary or capricious or characterized by abuse of direction.

c. Hearing Procedure

The following procedures shall apply to Administrative Appeals heard before the City Council:

1. The proceedings shall be reported either stenographically or by a phonographic reporter;
2. Oral evidence shall be taken only upon oath or affirmation.
3. Every party to a hearing shall have the right:
 - a. To call and examine witnesses.
 - b. To introduce exhibits relevant to the issues of the case.
 - c. To cross-examine opposing witnesses on any matter relevant to the case, even though the matter was not covered in a direct examination.
 - d. To offer rebuttal evidence.

4. The hearing is not conducted according to technical Rules relating to evidence and witnesses. Any relevant evidence may be admitted and may be sufficient in itself to support a finding if it is the sort of evidence on which responsible Persons are accustomed to rely in the conduct of serious affairs, regardless of common law or statutory rule which might make improper the admission of such evidence over objection in an action in a court of law.

The City Council may take official notice of any generally accepted information or technical or scientific matter, any other fact which may be judicially noticed by the courts of this state and the content of any Washington City Water Department record or official report. Parties shall be informed of any information, matters or facts so noticed, and shall be given a reasonable opportunity to refute such information, matters or facts.

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APPENDIX A

WCWCD IMPACT FEES

*Note: These fees are subject to change. Contact WCWCD for current fee amounts.

Regional Water Availability Charge

Table 1: Residential Culinary Water Impact Fees

Lot Size (Sf)	ERUs	2006 Impact Fee	2007 Impact Fee	2008 Impact Fee	2009 Impact Fee	2010 Impact Fee	2011 Impact Fee	2012 Impact Fee	2013 Impact Fee	2014 Impact Fee	2015 Impact Fee
Annual Impact Fee per ERU		\$ 4,337	\$ 4,554	\$ 4,781	\$ 5,021	\$ 5,272	\$ 5,535	\$ 5,812	\$ 6,102	\$ 6,408	\$ 6,728
3/4" Meter - 10k Sf or less irrigable area	1.00	\$ 4,337	\$ 4,554	\$ 4,781	\$ 5,021	\$ 5,272	\$ 5,535	\$ 5,812	\$ 6,102	\$ 6,408	\$ 6,728
1.00" Meter	2.16	9,381	9,850	10,343	10,860	11,403	11,973	12,571	13,200	13,860	14,553
1.50" Meter	7.17	31,097	32,652	34,285	35,999	37,799	39,689	41,674	43,757	45,945	48,242
2.00" Meter	11.54	50,062	52,565	55,193	57,953	60,851	63,893	67,088	70,442	73,964	77,663
3/4"Meter - per 1,000 Sf above 10,000 Sf*	0.10	434	455	478	502	527	554	581	610	641	673

* If a restrictive covenant has been recorded for a subdivision limiting irrigated area to 5,000 Sf or less per lot and a water conservation easement is signed by the lot owner, or other provision satisfactory to the District is made to reliably limit water use and recover capital costs for use over one ERU (0.89 Af) in one year, the impact fee may be capped at 1 ERU

Table 2: Non-Residential Culinary Water Impact Fees

Lot Size (Sf)	ERUs	2006 Impact Fee	2007 Impact Fee	2008 Impact Fee	2009 Impact Fee	2010 Impact Fee	2011 Impact Fee	2012 Impact Fee	2013 Impact Fee	2014 Impact Fee	2015 Impact Fee
Annual Impact Fee per ERU		\$ 4,337	\$ 4,554	\$ 4,781	\$ 5,021	\$ 5,272	\$ 5,535	\$ 5,812	\$ 6,102	\$ 6,408	\$ 6,728
3/4" Meter - 10k Sf or less irrigable area	1.00	\$ 4,337	\$ 4,554	\$ 4,781	\$ 5,021	\$ 5,272	\$ 5,535	\$ 5,812	\$ 6,102	\$ 6,408	\$ 6,728
1.00" Meter	2.16	9,381	9,850	10,343	10,860	11,403	11,973	12,571	13,200	13,860	14,553
1.50" Meter	7.17	31,097	32,652	34,285	35,999	37,799	39,689	41,674	43,757	45,945	48,242
2.00" Meter	11.54	50,062	52,565	55,193	57,953	60,851	63,893	67,088	70,442	73,964	77,663
3/4"Meter - per 1,000 Sf above 10,000 Sf*	0.10	434	455	478	502	527	554	581	610	641	673

* Meters of 3" or larger will be independently assessed and calculated according to the non-standard use formula included in the impact fee resolution.

Table 3: Secondary Water Impact Fees

Lot Size (Sf)	ERUs	2006 Impact Fee	2007 Impact Fee	2008 Impact Fee	2009 Impact Fee	2010 Impact Fee	2011 Impact Fee	2012 Impact Fee	2013 Impact Fee	2014 Impact Fee	2015 Impact Fee
Annual Secondary Water Impact Fee per ERU		\$ 3,412	\$ 3,583	\$ 3,762	\$ 3,950	\$ 4,148	\$ 4,355	\$ 4,573	\$ 4,802	\$ 5,042	\$ 5,294
per 1,000 Sf of Irrigable Area	0.10	\$ 341	\$ 358	\$ 376	\$ 395	\$ 415	\$ 436	\$ 457	\$ 480	\$ 504	\$ 529

Table 4: Annual Culinary and Secondary Water Availability Charge per ERU

Year	Proposed Fee
2006	\$ 4,337
2007	4,554
2008	4,781
2009	5,021
2010	5,272
2011	5,535
2012	5,812
2013	6,102
2014	6,408
2015	6,728

Proposed Secondary Water Impact Fee per ERU	
Year	Proposed Fee
2006	\$ 3,412
2007	3,583
2008	3,762
2009	3,950
2010	4,148
2011	4,355
2012	4,573
2013	4,802
2014	5,042
2015	5,294

The impact fees shown in Table 1 apply to residential units and to the culinary irrigation component of residential units which is applied according to the amount of irrigated area.

Table 2 shows the non-residential impact fees that are assessed to non-residential units and will pay for indoor and outdoor water demands.

Table 3 shows the fee to be assessed per 1,000 square feet of irrigable area for secondary water service.

Residential Users: Residence with outside irrigation

1. Determine lot size
2. Pay impact fee for 10,000Sf or less lot - Table 1
3. Pay fee per 1,000 Sf for lot size above 10,000 Sf - Table 1

Non-Residential Users

1. Find applicable meter size if the meter is 2" or smaller.
2. Meters above 2" will be independently evaluated and charged according to the non-standard impact fee calculation.
2. Determine amount of potentially irrigated area and pay the fee per 1,000 irrigated Sf- Table 1

APPENDIX B

**WATER SUPPLY/SHORTAGE AND DROUGHT
MANAGEMENT PLAN**

*Note: This is not the official copy of the plan.

WATER SUPPLY/SHORTAGE AND DROUGHT MANAGEMENT PLAN

1. Plan Implementation

- A. If a culinary water shortage or drought is expected, the city will implement the following four (4) stage shortage of culinary water conservation management plan. The implementation will be under the approval and direction of the city council and city manager. The city staff (city department heads and city manager) shall meet on a regular basis to discuss the drought conditions and ensure all city departments are doing their part to comply, enforce and encourage the outlined water conservation measures.
- B. The following shortage or drought indicators will be used to decide what stage or level should be implemented:
 - 1. Stage 1:
 - a. If total culinary supply exceeds the total daily demand by only two percent (2%) to three percent (3%) (i.e., water tanks cannot recover).
 - b. Water resources are reduced by two percent (2%) to three percent (3%) due to equipment failure or lack of supply.
 - 2. Stage 2:
 - a. Total culinary water resources are reduced by five percent (5%) of peak capacity due to equipment failure or any other loss.
 - b. Total culinary demand exceeds supply by one percent (1%) to three percent (3%) and stage 1 restrictions fail to meet goal.
 - 3. Stage 3:
 - a. Total culinary water resources are reduced by ten percent (10%) of peak capacity due to equipment failure or any other loss.
 - b. Total culinary water demand exceeds supply by five percent (5%) and stage 2 restrictions fail to meet goal.
 - 4. Stage 4:
 - a. Total culinary water resources are reduced by twenty five percent (25%) of peak capacity due to equipment failure or any other loss.
 - b. Total culinary water demand exceeds supply by ten percent (10%) and stage 3 restrictions fail to meet goal. (Ord. 2002-09, 4-24-2002)

2. Stage 1 Voluntary Restrictions On Nonessential Water Use:

- A. Goal: Estimated reduction goal is two percent (2%) to three percent (3%) of peak use.
- B. Procedure: Publish following news release in local newspaper, on the web site and have radio stations announce the release.

News Release: The city of Washington is currently experiencing a shortage of water supply. The supply cannot meet the current demands. The city adopted a water shortage drought management plan on April 24, 2002. This plan involves four (4) stages of water conservation/reduction. Due to the current conditions, the city has decided to implement stage 1 of this plan. Stage 1 involves voluntary restrictions on nonessential water use. This stage requests that all city, county, state and federal organizations also follow these criteria. All citizens are to conserve water wherever possible (inside and outside) and suggest the following as guidelines for water conservation efforts:

Inside:

Fix dripping and leaking faucets and toilets. A leak in the toilet can waste more than 100 gallons of water a day.

Don't let the water run while shaving. Filling the sink basin when shaving uses 1 gallon of water, letting the water run uses 5-10 gallons.

Don't flush the toilet unnecessarily. Water saving toilets use 1.6 gallons of water, standard toilets use 5 to 7 gallons of water each time it's flushed.

Take shorter showers or fill bathtub only part way. Long showers waste 5 to 10 gallons of water every minute.

Don't run the water while brushing teeth. Turning the water off while brushing your teeth can save 1.5 to 3.5 gallons of water.

Don't run the tap to make water hot or cold.

Keep a bottle of drinking water in the refrigerator so you don't have to run the tap to get a cool drink of water.

Wash only full loads of dishes and laundry. A dishwasher uses approximately 25 gallons of water, a washing machine uses 30-35 gallons of water per cycle.

Install water saving plumbing fixtures. A water saving showerhead can save 1.5 gallons of water per minute.

Wash fruits and vegetables in a basin instead of under running water.

Outside:

Raise your lawn mower cutting height. Longer grass needs less water.

Don't plant any new grass or sod.

Don't fill swimming pools. If possible, cover the swimming pool. An uncovered pool will lose 900-3,000 gallons of water a month to evaporation, a covered pool loses 300-1,000 gallons a month.

Use mulch around shrubs and garden plants to save soil moisture.

Don't wash cars, or wash at a facility that recycles water. Washing the car with the hose running uses 100-200 gallons of water.

Sweep sidewalks and steps rather than hosing.

Water lawns and gardens every 3 or 4 days, to 1 inch deep. Deep watering encourages deep root growth. If the water is running off, turn off the sprinkler, let the water soak in and start watering again. A typical sprinkler system uses 20 gallons of water every minute.

Avoid watering on windy days or midday when the evaporation rate is the highest. Water after 7:00 P.M.

Keep fire hydrants closed.

Adjust sprinklers to not spray road or sidewalk.

Repair leaks in hoses, pipes, faucets and connections.

If the implementation of these voluntary restrictions does not reduce the water demand enough to meet the supply, the city will have to go to stage 2, 3 or 4 of the drought shortage of culinary water and drought management plan, which involves mandatory restrictions.

3. Stage 2 Mandatory Restrictions On Nonessential Water Use:

- A. Goal: Estimated reduction goal is five percent (5%) to ten percent (10%) of peak use.
- B. Procedure: By authority of the city manager and the city council, the following water conservation measures, along with those of stage 1, will be implemented:
 - 1. All parks currently on culinary water will be allowed to water every three (3) days at a reduced level of demand.
 - 2. Residential and commercial users will be allowed to water outside areas based on odd/even concept. (If the address is even or odd will determine the day of watering.)
 - 3. Use of water for noncommercial car washing, street washing or driveway washing will not be allowed.
 - 4. Use of water for ornamental fountains, waterfalls or reflection pools will not be allowed.
 - 5. During this stage, the approval of any new developments will be delayed until the

conservation restrictions are lifted.

- C. Enforcement: If any person or entity violates these restrictions, citations could be issued, or the city may elect to remove the water service from the property.

4. Stage 3 Mandatory Restrictions On All Culinary Water Uses:

- A. Goal: Estimated reduction goal is ten percent (10%) to twenty five percent (25%) of peak use.
- B. Procedure: By authority of the city manager and the city council, the following water conservation measures, along with those of stage 1 and 2, will be implemented:
 - 1. The use of fire hydrants for purposes other than fire protection will not be allowed, or for use by municipal departments, contractors and all others.
 - 2. Water use for the following nonessential uses will not be allowed:
 - a. Noncommercial washing of automobiles and trucks.
 - b. The washing of streets, driveways and sidewalks.
 - c. Ornamental water use, including, but not limited to, fountains, artificial waterfalls and reflecting pools.
 - d. The use of water to fill and top off swimming pools, hot tubs, etc.
 - 3. Users will be allowed seventy five percent (75%) of use levels for the same month of the preceding year. All users will reduce demand by twenty five percent (25%).

A. Enforcement:

- 1. If any person or entity violates these restrictions, citations could be issued, or the city may elect to remove the water service from the property.
- 2. The utility billing department will monitor usage by using triggers and computer alarms for notification.

B. Exemptions Or Variance:

- 1. If compliance with the nonessential use of water restrictions would result in extraordinary hardship upon a water user, the water user may apply for an exemption or variance. For purposes of this section, "extraordinary hardship" means a permanent damage to property or other personal or economic loss, which is substantially more severe than the sacrifices borne by other water users subject to the nonessential use of water restrictions.
- 2. A person or business entity believing he suffers an extraordinary hardship and desiring to be wholly or partially exempt from the restrictions on the nonessential

use of water shall submit a written request with full documentation supporting the need for the requested relief to the city. The application shall contain information specifying:

- a. The nature of the hardship claimed and reasons for the requested exemption or variance.
 - b. The efforts taken by the applicant to conserve water and the extent to which the applicant, without extraordinary hardship, may reduce water use.
 3. The city shall advise the applicant of its decision regarding the application. An exemption or variance will be granted only to the extent necessary to relieve extraordinary hardship.
5. Stage 4 Water Rationing Plan For All Available Culinary Water Resources:
- A. Goal: Estimated reduction goal is twenty five percent (25%) to sixty percent (60%) of peak use.
 - B. Procedure: By the authority of the city manager and city council, the following water rationing plan will be implemented, along with those of stages 1, 2 and 3:
 1. General:
 - a. It is imperative that water customers within the city area achieve an immediate and further reduction in the water use in order to extend existing water supplies and, at the same time, assure that sufficient water is available to preserve the public health and sanitation, and provide fire protection service.
 - b. The objective of this local water rationing plan is to effect an immediate twenty five percent (25%) reduction in water usage. Should drought conditions continue, further reductions in usage may be required. If it is necessary to implement further reductions, this plan will be modified to reduce the levels more. It is the water department responsibility to continually monitor on hand quantities to determine if amendments are required.
 - c. The plan provides for equitable reductions in water usage on the part of each water customer. The success of this plan depends on the cooperation of all water customers.
 - d. During this stage, the approval of any new building permits will be delayed until the conservation restrictions are lifted.
 2. Prohibited Nonessential Water Uses: The following water uses are declared nonessential and will not be allowed within the city:
 - a. The watering of lawns.

- b. The watering of outdoor gardens, landscaped areas, trees, shrubs and other outdoor plants, except by means of a bucket, pail or handheld hose equipped with an automatic shutoff nozzle between the hours of five o'clock (5:00) P.M. and nine o'clock (9:00) A.M.
 - c. The watering of golf course fairways with culinary water.
 - d. The noncommercial washing of automobiles and trucks.
 - e. The washing of streets, driveways and sidewalks.
 - f. The serving of water in restaurants, clubs or eating places unless specifically requested by the individual.
 - g. Ornamental water use, including, but not limited to, fountains, artificial waterfalls and reflecting pools.
 - h. The use of water for flushing sewers or hydrants by municipalities or any public or private individual or entity, except as deemed necessary and approved in the interest of public health or safety by the city.
 - i. The use of fire hydrants by the fire department for testing fire apparatus and for fire department drills, except as deemed necessary in the interest of public safety and specifically approved by the city.
 - j. The use of fire hydrants by the street department, contractors and all others, except as necessary for firefighting or protection purposes.
 - k. The use of water to fill and top off swimming pools, hot tubs, etc.
3. Water Use Restrictions For All Water Customers: Customers include residential, commercial, industrial, institutional, public and all other users, with the exception of hospitals and healthcare facilities.
- a. Water customers shall reduce their water usage by a minimum of twenty five percent (25%) of use levels for the same quarter of the preceding year.
 - b. It is the primary responsibility of each water customer to meet its mandated water use reduction goal in whatever manner possible.
 - c. The city will establish a water allotment for each water customer, based upon a required twenty five percent (25%) reduction of water usage from the rate of water used by the customer in the same quarter of the preceding year or the last recorded use level if no meter readings record the rate of the customer's use in the same quarter of the preceding year.
 - d. Each water user shall provide access to the city personnel for purposes of meter reading and monitoring of compliance with this plan. The city shall make all reasonable efforts to contact customers to arrange for access.

4. Water Use Restrictions For Hospital And Healthcare Facilities:

- a. Hospitals and healthcare facilities shall comply with all restrictions imposed on water customers as may be applicable to each individual institution, to the extent compliance will not endanger the health of the patients or residents of the institution.
- b. Each hospital and healthcare facility shall survey its water usage patterns and requirements and implement such additional conservation measures as may be possible without endangering the health of patients or residents to achieve a twenty five percent (25%) reduction in the institution's water usage. The level of conservation arrived at will be recommended to the city for billing and record. The established level that does not endanger the health of the patients will be provided to the city for record.

C. Enforcement:

1. If any person or entity violates these restrictions, citations could be issued or the city may elect to remove the water service from the property.
2. The utility billing department will monitor usage by using triggers and computer alarms for notification.

D. Exemptions Or Variance:

1. If compliance with the nonessential use of water restrictions would result in extraordinary hardship upon a water user, the water user may apply for an exemption or variance. For purposes of this section, "extraordinary hardship" means a permanent damage to property or other personal or economic loss, which is substantially more severe than the sacrifices borne by other water users subject to the nonessential use of water restrictions.
2. A person or business entity believing he suffers an extraordinary hardship and desiring to be wholly or partially exempt from the restrictions on the nonessential use of water shall submit a written request with full documentation supporting the need for the requested relief to the city.
3. The application shall contain information specifying:
 - a. The nature of the hardship claimed and reason for the requested exemption or variance.
 - b. The efforts taken by the applicant to conserve water and extent to which water use may be reduced by the applicant without extraordinary hardship.
4. The city shall advise the applicant of its decision regarding the application. An exemption or variance will be granted only to the extent necessary to relieve extraordinary hardship.

APPENDIX C

HYDRANT METER POLICY & PROCEDURES

*Note: This is not the official copy of the plan.

HYDRANT METER POLICY & PROCEDURES

POLICY:

It will be the policy of Washington City to provide temporary water for construction and other related projects that is metered and controlled by Washington City to ensure abuse is minimized and conservation encouraged. Purposes other than construction or temporary uses will not apply to this policy.

PROCEDURES:

1. Customer/contractor requesting temporary water for construction will complete a Temporary Water Request/Agreement form and turn it into the City Public Works Department along with a \$1,500.00 deposit for a 2-1/2" hydrant meter or a \$750.00 deposit for a 3/4" meter to initiate the meter assignment. The deposit will be held until the temporary meter is returned in good working order.
2. The City Billing Department will set up a temporary water meter billing account based on the information provided on the request form
3. The customer/contractor will be responsible for returning the meter to the Public Works Department each month for inspection and reading. Customers will be required to check the meter in on or before the 15th of each month (NO EXCEPTIONS). After the 15th of each month, a \$50.00 penalty will be billed on all accounts with no read for that month. The customer is responsible for any damages to the meter and will be billed for any repairs that are needed. After the meter is recorded the meter will be reissued to the customer.
4. The usage charge shall be based upon the City's Drought Management Plan Stages as found in the Drought Management Plan Ordinance 2002-09.
5. The City Billing Department will prepare a monthly bill according to the usage and other applicable fees related to temporary meters:
 - \$75.00/Monthly Customer Charge for 3/4" meter
 - \$150.00/Monthly Customer Charge for 2 1/2" hydrant meter
 - \$1.85/1,000 Gallons usage charge during stage 1
 - \$2.04/1,000 Gallons usage charge during stage 2
 - No usage allowed during stage 3
 - No usage allowed during stage 4
6. If customer/contractor does not return the temporary meter for inspection and reading during the time specified the City Water Department will find and impound the meter and the deposit will be offset to pay any outstanding bills. The customer can obtain the temporary meter once all outstanding bills are paid and a \$150.00 reissue fee is paid. For three or more infractions, the privilege to use a temporary meter will be revoked for one year

and the deposit forfeited. After a one year period, a new temporary meter can be issued upon receipt of a new deposit and new request filled out.

7. The customer/contractor will have until the 20th of the following month from receipt of the bill to make payment. If payment is not made within this time period the City Water Department will locate and impound the meter. The customer will be reissued the temporary meter once the bill is paid and a \$150.00 reissue fee is paid. If the customer acquires three non-payments, the privilege to use the meter will be revoked for one year and deposit forfeited.
8. All temporary meters issued will have a colored tag and meter painted in order to distinguish them between other temporary meters. Any other meters found without a tag or painted, will be impounded by the City. No meters other than Washington City meters will be issued.
9. In the event of a water shortage or pressure problem within the City water system the customer will be advised of the problem areas and directed not to pull or use temporary meters within these areas.

A violation of any of the above guidelines may result in a refusal by the City to issue temporary water meters for one year and forfeiture of deposit.

A copy of this policy will be provided to all customers/contractors requesting temporary water meters or known to be using water under circumstances where one is required. The City will make every attempt to advise the public of the requirement of this policy. However, noncompliance with the provisions of this policy shall not be excuse for lack of knowledge, in as much as the use of unmetered water is unlawful, and the City does not in any way waive its right to enforce the law as it currently exists.

APPENDIX D

MASTER FEE SCHEDULE

*Note: this Master Fee Schedule is subject to change and may not be the most recent version of the Master Fee Schedule; the most recent version of the Master Fee Schedule shall apply even if not shown here.

APPENDIX E

APPLICATION FOR UTILITY SERVICE

*Note: this application is subject to change. Contact Washington City for most recent application.

APPLICATION FOR UTILITY SERVICE



Washington City

Where Dixie Begins

111 North 100 East Washington, Utah 84780
(435) 656-6301
washingtoncity.org/utilities

OFFICE USE ONLY

ACCOUNT NO _____

WORK ORDER NO _____

DEPOSIT \$ _____ RECEIPT NO _____

DATE PAID _____ CITY REP _____

- ☐ NEW ACCOUNT ☐ TRANSFER ACCOUNT ☐ REALTOR ☐ OWNER/LANDLORD
☐ RENT/LEASE ☐ RESIDENTIAL ☐ COMMERCIAL ☐ NEW CONSTRUCTION

APPLICANT / BUSINESS INFORMATION

LAST NAME/ BUSINESS NAME:	FIRST NAME:	SSN/TAX ID:
DRIVERS LICENSE # OR BUSINESS LICENSE#	DATE OF BIRTH:	EMAIL:
HOME / CELL PHONE::	WORK PHONE:	EMPLOYER:

CO-APPLICANT / OWNER INFORMATION [Co-Applicant Must Sign Below]

ACCOUNT INFORMATION WILL ONLY BE DISCLOSED TO INDIVIDUALS LISTED ON THIS APPLICATION. YOUR SPOUSE IS **NOT** PRESUMED TO BE A CO-APPLICANT

LAST NAME:	FIRST NAME	RELATION:
DRIVERS LICENSE # OR BUSINESS LICENSE#	DATE OF BIRTH	EMAIL:
LAST NAME/ BUSINESS NAME:	SOCIAL SECURITY NUMBER:	PHONE NUMBER:

SERVICE CONNECTION INFORMATION

SERVICE ADDRESS:	CONNECTION DATE (AT LEAST 1 BUSINESS DAY FROM APPLICATION:
MAILING ADDRESS (IF DIFFERENT FROM SERVICE ADDRESS)	CITY & ZIP CODE
UTILITY CONTACT PERSON AND PHONE NUMBER IF DIFFERENT FROM APPLICANT OR CO-APPLICANT?	IF LANDLORD ACCOUNT DO YOU WANT TO AUTOMATICALLY ASSUME RESPONSIBILITY FOR UTILITY SERVICE AFTER TENANT ACCOUNT IS TERMINATED?
HAVE YOU HAD UTILITY SERVICES WITH WASHINGTON CITY BEFORE? UNDER WHAT NAME?	IF TRANSFERRING SERVICES, WHAT IS THE CURRENT SERVICE ADDRESS? WHAT DATE WOULD YOU LIKE TO TERMINATE YOUR CURRENT ACCOUNT? (24 to 48 hrs.)

SERVICE AGREEMENT

I (applicant/co--applicant) hereby request Washington City to provide applicable utility services which may include but not limited to water, sewer, power, storm water, garbage, and irrigation services at the above service location. I (applicant/co--applicant) agree to pay all charges for services rendered as a result of this request. I (applicant/co--applicant) understand and agree that failure to pay any amount due to the City can result in services not being connected/reconnected until such payment has been received. I have read and accept the terms of the Applicant/Co--Applicant Responsibilities as noted on the back of this form.

X Applicant Signature	Date	X Co-Applicant Signature	Date
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APPLICANT / CO-APPLICANT DISCLOSURE AGREEMENT (PLEASE INITIAL TO ACKNOWLEDGE STATEMENTS BELOW)

_____ ACCOUNT SET UP/CONNECTION CHARGES: Applicant/Co--Applicant acknowledges that they are subject to a **New Account Setup Fee (amount as indicated in the most current Master Fee Schedule)** as a result of this request for utility services. The Applicant/Co--Applicant also acknowledges they are subject to an additional **New Account Reconnect Fee (amount as indicated in the most current Master Fee Schedule)** if the water or power services are not turned on, on the date utility services are requested to be connected.

_____ PAYMENT: Applicant/Co--Applicant agrees to pay monthly for utility services rendered by Washington City which could include but is not limited to water, sewer, power, storm water, garbage, and irrigation services. Charges for service will be made at the regular established rates for the class of service applicable to the service address. It is the Applicant/Co--Applicants responsibility to review the monthly bills for accuracy and notify the Utility Billing Office of any concerns prior to the payment due date.

_____ DELINQUENCY: Payment for service is due immediately upon billing and shall become delinquent if not paid by Due Date reflected on billing statement. **A late charge of 5% per month (or as indicated in the most current Master Fee Schedule) of the unpaid balance will be added to delinquent accounts.** The applicant agrees to pay reasonable expenses of collection including attorney's fees and court costs should it become necessary to use such measures to collect the charges made to Applicant/Co--Applicant's account.

_____ DISCONNECTION: Delinquent accounts are subject to disconnection of services on the fourth Tuesday of the month following the payment due date. Disconnected services may not be reconnected until all outstanding late charges and delinquent charges for services are paid along with a \$50.00 reconnection fee. Disconnect accounts not reconnected within five (5) business days from the day of disconnect are subject to termination.

_____ SECURITY DEPOSIT: **A one hundred and fifty dollar (\$150.00) deposit is required for residential accounts with only water services. A three hundred dollar (\$300.00) security deposit is required on all residential accounts with power and water services. For small commercial accounts with only water service will be charged a (\$300.00) deposit and a five hundred dollar (\$500.00) security deposit is required on all large commercial accounts. In all cases, the amount of the deposit shall be as indicated on the most current Master Fee Schedule.** The deposit shall be waived if the customer is, at that time, a customer of the city's utility service and has an account that has been in good standing for a period of twelve (12) consecutive months. (Ord. 2008--15, 4--23--2008) The Security Deposit shall in no way be construed to preclude Washington City from disconnecting any and all utility services to the service location in the event of default on payment of any indebtedness for utility services rendered to the premises regardless of whether or not the amount of the deposit is sufficient to cover the delinquent amount.

Security Deposits may be refunded to the Applicant/Co--Applicant under the following circumstances (Residential Customers Only):

1. At the request of the customer, the Utility Billing Supervisor may authorize a customer's deposit be applied to their account when they have had service for a minimum of 12 consecutive months with no penalties or disconnects.
2. Upon termination of the utility account the City will refund the deposit less any amount owed to the City. The refund will be issued by check within two (2) to four (4) weeks of the final billing. The Applicant/Co--Applicant is responsible for providing the City with a valid forwarding address.

_____ REASONABLE ACCESS: The Applicant/Co--Applicant shall permit the City's authorized representatives to enter onto the customer's premises at all reasonable times for purposes connected with rendering, billing, or disconnecting utility services. Service may be terminated if reasonable access is not permitted.

_____ TERMINATION OF SERVICE: The Applicant/Co--Applicant agrees to be responsible for the payment of utility charges incurred at these premises until their responsibility is terminated in one of the following ways:

1. By mutual agreement evidenced in writing and signed by the City and the applicant.
2. **By a two day written notice from the customer to have services disconnected and the City physically terminating the service.**
3. By proper assumption of the payment responsibility by a party acceptable to the City and upon completion of an application for service by the other party.

_____ IMPORTANT STATEMENT DATES: **Statements are available by the 1st of each month and arrive by mail between the 1st and the 4th of each month.** The billing due date for ALL Washington City utility statements is the 20th of each month. **Customers are subject to penalties after the 20th of each month on any outstanding balance.**

_____ LANDLORD ROLLOVER (**HOMEOWNERS ONLY**): If Applicant/Co--Applicant marked yes to automatically assume responsibility for utility service after tenant account is terminated, Applicant/Co--Applicant is agreeing to allow Washington City to automatically establish service in landlord name and agrees to pay monthly for utility services rendered by Washington City along with applicable Account Set Up/ Connection Charges as noted above. The landlord rollover agreement will remain in effect until the Applicant/Co--Applicant notifies the City in writing that they are no longer the owner or responsible party of said property and wish to terminate the landlord rollover status.

_____ SERVICE RULES: Applicant/Co-Applicant agrees to all stipulations in the latest version of Washington City's Service Rules.

CUSTOMER SERVICE SURVEY: <http://wcut.us/ucss>

APPENDIX F

APPLICATION FOR SERVICE CONNECTION REMOVAL

*Note: this application is subject to change. Contact Washington City for most recent application.

APPLICATION FOR WATER SERVICE CONNECTION REMOVAL



111 North 100 East, Washington, Utah 84780
(435) 656-6301
washingtoncity.org/utilities

OFFICE USE ONLY

ACCOUNT NO _____

DEPOSIT \$ RETURNED _____

☐ RESIDENTIAL

☐ COMMERCIAL

☐ REALTOR

☐ OWNER/LANDLORD

CUSTOMER INFORMATION

LAST NAME/BUSINESS NAME:	FIRST NAME:	SSN/TAX ID:
DRIVERS LICENSE# OR BUSINESS LICENSE#:	DATE OF BIRTH:	EMAIL:
HOME/CELL PHONE:	WORK PHONE:	EMPLOYER:

SERVICE CONNECTION INFORMATION

SERVICE ADDRESS:	SERVICE REMOVAL DATE (AT LEAST 2 BUSINESS DAYS FROM APPLICATION):
MAILING ADDRESS (IF DIFFERENT FROM SERVICE ADDRESS):	REASON FOR SERVICE REMOVAL:
<input type="checkbox"/> CULINARY WATER CONNECTION <input type="checkbox"/> SECONDARY WATER CONNECTION	ADDITIONAL NOTES:

WATER SERVICE REMOVAL AGREEMENT

I (applicant/customer) hereby request Washington City to permanently remove water service at the above service location. I (applicant/customer) agree to pay all charges for service connection removal and all additional outstanding charges on my account. I understand that the meter and other salvageable materials will be removed by the City without credit to me. I understand that my water commitment will be terminated except as stipulated in Washington City's Service Rules. I agree to all other stipulations in Washington City's Service Rules.

X Applicant/Customer Signature

Date