

**RULES AND REGULATIONS GOVERNING
WATER AND WASTEWATER SERVICE
FOR THE
FOUR CORNERS COUNTY WATER
AND SEWER DISTRICT**

Date: March 2019

Adopted: _____

Four Corners County Water and Sewer District
Water and Wastewater service Rules and Regulations

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DEFINITIONS

DEFINITIONS

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

“Approval Authority” means the regional administrator of the EPA.

“Appurtenances” refer to machinery, appliances, or auxiliary structures attached to the sewer to enable it to function, but not considered an integral part of it.

“Board of Directors” means the Board of Directors of the Four Corners County Water and Sewer District.

“Biochemical Oxygen Demand” (BOD) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in 5 days at 20 degrees Centigrade expressed in terms of weight and concentration (milligrams per liter).

“Building Drain” means that part of the lowest horizontal piping of a drainage system which receives the discharge from waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet outside the inner face of the building wall.

“Building Sewer” means the privately-owned extension of the building drain to the Wastewater System or other place of disposal.

“Bypassing” means any act, using any means, the purpose of which is to obtain District water and/or wastewater service without having such service pass through the meter that is provided for meaning or registering such service.

“Combined Sewer” shall mean a sewer receiving both surface runoff and sewage.

“Commercial Account” means a District water/wastewater account other than a domestic account.

“Cooling Water” means the water discharged from any use such as air conditioning, cooling, refrigeration, or to which the only pollutant added is heat.

“County” or “Gallatin County” means the County of Gallatin in the State of Montana.

“County Clerk and Recorder” means the County Clerk and Recorder of Gallatin County.

“County Commissioners” means the County Commissioners of Gallatin County.

“Customer” means any person, individual or entity, receiving District water and/or wastewater

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service either directly or indirectly from the District water supply system and/or wastewater system.

“Discharge” is the direct or indirect introduction of treated or untreated wastewater into the waters of the State of Montana, or where applicable into the Wastewater System.

“District” or “Four Corners County Water and Sewer District” means the Four Corners County Water and Sewer District in the County of Gallatin and State of Montana.

“District Attorney” means the Attorney for the Four Corners County Water and Sewer District.

“District Administrator” means the executive administrator of the Four Corners County Water and Sewer District.

“District Water Meter” means the meter, including the meter horn and remote read equipment, which is owned by the utility and which is used to measure the amount of water delivered by the utility to a customer’s water service line.

“Domestic Account” means a District water/wastewater account for a single-family residence.

“Domestic Wastes” means the liquid wastes (a) from the non-commercial preparation, cooking, and handling of food or (b) containing human excrement and similarly matter from the sanitary conveniences of dwellings, commercial buildings, industrial facilities, and institutions.

“Environmental Protection Agency” or “EPA” means the U.S. Environmental Protection Agency or where appropriate the terms may also be used as a designation for the administrator or other duly authorized official of EPA.

“Fire Hydrant Meter” means the meter and backflow prevention device which is owned by the District, water/wastewater utility and which is used to measure the amount of water delivered to a customer through a fire hydrant.

“Fireline” means all services, pipes, curb stops and/or valves, curbboxes and/or valve boxes, backflow prevention devices, check valves, inside piping, fitting, fixtures and any other apparatus on customers’ side of the point of delivery that is used for, and limited to, the providing of water to customers for fire suppression activities.

“Harmful Contributions” means an actual or threatened discharge or introduction of waste or wastes to the Wastewater System which (a) presents or may present an imminent or substantial endangerment to the health and welfare of persons or to the environment, (b) inhibits or interferes with the physical or lawful operations of the Wastewater System or (c) causes the violation of any condition the MPDES permit issued for the Wastewater System.

“Industrial” means of or pertaining to industry, manufacturing, agriculture, commerce, trade, or business.

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“Industrial User” means (a) any person or source that introduces or discharges wastewater from industrial processes into the Wastewater System or (b) any non-domestic user or source regulated under Sections 307(b), (c), or (d) of the Clean Water Act.

“Interceptors” are defined as equipment used as preliminary treatment devices for physical removal of undesirable substances prior to discharge into the sewage system.

“Interference” means the inhibition or disruption of the wastewater system processes or operations which causes (a) a violation of any requirement of any Ground Water Monitoring Agreement and/or (b) the violation of any requirements of any agency with jurisdiction over the discharges by the Wastewater System into the receiving waters. The term also includes contamination of the treatment plant sludge byproduct.

“Main” means the instrument, including any auxiliary equipment, which is used to measure the amount of water delivered to a customer from the Water System or the amount of wastewater contributed to the Wastewater System by a user.

“Meter” means the instrument, including any auxiliary equipment, which is used to measure the amount of water delivered to a customer from the Water System or the amount of wastewater contributed to the Wastewater System by a user.

“National Categorical Pretreatment Standards” or “Pretreatment Standard” means any calculation containing pollutant discharge limits promulgated by the State of Montana or the EPA in accordance with Section 307(b) and (c) of the Clean Water Act (33 U.S.C. Section 1317) that applies to a specific category of Primary Industrial Users.

“Organic Matter” refers to chemical substances of basically carbon structure. Comprising compounds consist primarily of hydrocarbons and their derivatives.

“Person” means any firm, company, partnership, public or private corporation, association, group or society, governmental agency, or other entity as well as a natural person.

“pH” refers to the negative logarithm of the hydrogen ion concentration in moles per liter of solution. pH is an indicator of the acid or base content of the solution.

“Point of Connection” means the point at which the Wastewater System connects physically to a user’s building sewer. The point of connection shall be located at and include the user’s service tee or wye fitting which, in turn, is normally attached to the sanitary sewer located in the public right-of-way that abuts and fronts the property to be served.

“Point of Delivery” means the point at which the Water System connects physically to a customer’s water service line. The point of delivery shall be located at and shall include the customer’s corporation stop, which, in turn, is normally attached to the water main located in the public right-of-way that abuts and fronts the property to be served.

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“Pollutant” means any dredged soil, solid waste, incinerator residue, sewage, garbage, septic waste, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, and industrial, District, and agricultural waste discharged into water.

“Pollution” means the alteration of the chemical, physical, biological, or radiological integrity of water by human activity.

“Polluted Waters” means water that contains objectionable wastes or suspended solids as a result of human activity.

“Pretreatment” or “Treatment” means the reduction of the amount of pollutants, the elimination of pollutants, the alteration of the rate of their introduction into the Wastewater System, or the alteration of the nature of pollutant properties in wastewater to a less harmful state, prior to or in lieu of discharging or otherwise introduction of such pollutants into the Wastewater System. The reduction or alteration can be achieved by physical, chemical, or biological processes, process changes, or by other means, except as prohibited by 40 CFR Section 403.6(d).

“Pretreatment Requirement” means any substantive or procedural requirement related to pretreatment, including National Categorical Pretreatment Standards, imposed on an industrial user.

“Public Building” means any building held, used, or controlled exclusively for public purposes by any department or branch of government, federal, state, county, or District, without reference to the ownership of the building or of the realty upon which it is situated.

“Rate Schedule” means a resolution approved by the Board of Directors which sets forth the charges and conditions for a particular class or type of utility service.

“Rules and Regulations” means these rules, as amended, modified, or added from time to time, and all requirements, standards, or other obligations of the District by and under its contract with FCCWSD.

“Readily Accessible” means safely and easily reached and not being under lock and key, fenced in, covered up, or otherwise obstructed.

“Sanitary Sewer Service Line” or “Wastewater Service Line” means that portion of the privately-owned building sewer extending from the property served to the Wastewater System.

“Secondary Wastewater Meter” or “Secondary Meter” means a meter which is furnished, installed, and maintained by a user, and which is used to determine the amount of wastewater contributed by such user to the Wastewater System.

“Service Agreement” means the agreement or contract between the District and its customers pursuant to which water and or wastewater service is provided.

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“Shall” is mandatory; “May” is permissive.

“Significant Industrial User” means any user of the District wastewater service who:

Is subject to National Categorical Pretreatment Standards as defined herein;

Discharges an average of 25,000 gallons per day or more of process wastewater to the wastewater system, excluding sanitary, non-contract cooling, and boiler blowdown wastewater.

Contributes a process waste stream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the Wastewater System; or

Is designated as such by the District on the basis that the industrial user has a potential for adversely affecting the Wastewater System, or for violating any pretreatment standard or requirement.

“Significant Violator” means an industrial user who is in significant noncompliance by violating one or more of the following criteria;

Chronic violations of wastewater discharge limits, defined as those in which 66 percent or more of all of the measurements taken during a 6-month period exceed, by any magnitude, the daily maximum limit or the average limit for the same pollutant parameter.

Technical review criteria (TRC) violations, defined as those in 33 percent or more of all of the measurements for each pollutant parameter taken during a 6-month period equal or exceed the product of the daily maximum limit or the average limit times the applicable TRC (TRC 1.4 for BOD, TSS, fats, oil, grease, and 1.2 for all other pollutants except pH).

Any other violation of a pretreatment effluent limit (daily maximum or longer-term average) that the District Manager determines has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of District personnel or the general public;

Any discharge of a pollutant that has caused imminent endangerment to human health, welfare, or the environment or has resulted in the District’s exercise of its emergency authority to halt or prevent such a discharge;

Failure to meet, within 90 days after the scheduled date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance;

Failure to provide, within 30 days after the due date, required reports such as baseline monitoring reports, 90 day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules:

Failure to accurately report noncompliance; or

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Any other violation or group of violations which the District Manager determines will adversely affect the operation or implementation of the local pretreatment program.

“Source” means any building, structure, facility, or installation from which there may be discharge of pollutants.

“Sprinkling Meter” means a District water meter that is installed on a customer’s water service line for the purpose of measuring the water delivered by a utility to a customer exclusively for lawn and garden irrigation.

“State” means the State of Montana.

“Storm Sewer” or “Storm Drain” means a sewer which carried storm and surface waters and drainage, but excludes wastewater and polluted industrial wastes.

“Sub Meter” means a meter or meters which are furnished, installed, and maintained by a customer, and which are installed downstream of the District water meter by the customer for the purpose of proportioning District water/wastewater charges between various tenants.

“Suspended Solids” means solids that either float on the surface or are in suspension in water, wastewater, or other liquids, and which are removable by laboratory filtering.

“Tampering” means damaging, altering, adjusting, or in any manner interfering with or obstructing the operation or function of any metering device that is used for measuring or registering District water and/or wastewater service

“User” or “Customer” means any person receiving District water and/or wastewater service either directly or indirectly from the Water Distribution System/or Wastewater System.

“Utility” means FCCWSD-, or its successors and assigns.

“Wastewater” or “Sewage” means the liquid and water carrying industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with any ground water, surface water, and storm water that may be present, whether treated or untreated, which is discharged into or permitted to enter the Wastewater System.

“Wastewater Treatment Plant” or “Wastewater System” means the wastewater treatment plant, and all associated pipelines, pumps, and collection facilities used or useful for the collection, treatment, and discharge of wastewater, owned and controlled by Four Corners County Water & Sewer District .

“Water System” means the pumps, booster stations, pumps, and distribution facilities used or useful for the collection, treatment, and distribution of water owned and controlled by Four Corners County Water & Sewer District.

“Wastewater Meter” means a meter which is furnished, installed, and maintained by a user, and

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which is used to measure the amount of wastewater contributed by such user to the Wastewater System.

“Wastewater Service” or “District Wastewater Service” means the act of either directly or indirectly discharging wastewater into the Wastewater System from users’ building sewers for the purpose of collecting, transporting, treating, and disposing of users’ wastewater.

“Water Service” or “District Water Service” means the distribution of water directly or indirectly from the Water System, or the availability of water supplied either directly or indirectly from the Water System

“Water Service Line” means all privately owned facilities, including service pipe, corporation stop, curb stop, curb box, District water meter box or vault, backflow prevention device, expansion tanks, pressure reducing valve, inside piping, appliances, and other apparatus on the customer’s side of the point of delivery, except the District water meter and any other equipment owned by the District.

ABBREVIATIONS

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

BOD: Biochemical Oxygen Demand

CFR: Code of Federal Regulations

EPA: Environmental Protection Agency

MCA: Montana Code Annotated

mg/L: Milligrams per Liter

MPWSS: The current edition of the “Montana Public Works Standard Specifications.”

AUTHORITY

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

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INTENT AND PURPOSE

The intent and purpose of these rules and regulations is:

To promote the health, safety, and general welfare of the inhabitants of the District and its environs; and

To provide the inhabitants of the District and its environs with efficient and economical water and/or wastewater service.

JURISDICTION

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

APPLICATION

These rules and regulations are hereby made a part of the contract with every person provided with District water and/or wastewater service. Further, every person making application for initiation of such service, or accepting such service, shall be bound thereby.

NON-COMPLIANCE

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

REVIEW OF ADMINISTRATIVE ACTIONS

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

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within 30 days of the hearing on the questions.

OWNER'S DUTY TO USE DISTRICT WATER & WASTEWATER SERVICE

The owner of any house, building, or other property used for human occupancy, business, employment, or recreation, which is situated within the District limits, shall at the owner's expense, properly connect and use such facilities.

ACCESS TO CUSTOMER'S PREMISES

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

PERMIT REQUIRED FOR CONNECTION EXTENSION OR USE

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

MANDATORY CONNECTION REQUIREMENTS

The owner of any house, building, or other property which is used for human occupancy, business, employment or recreation, which property abuts on any street or public right-of-way in which there is or may be located a water main, shall, at the owner's expense, install a suitable water service facilities therein, and to connect such facilities directly to the water main within sixty (60) days after the date of official notice to do so, provided that a water main is located in the right-of-way within a distance of **three hundred (300) feet** from the owner's property line, weather conditions permit, and the water pressure provided is estimated at a minimum 40 psi that will not require boosting to increase pressure.

The owner of any house, building, or other property which is used for human occupancy, business, employment or recreation, which property abuts on any street or public right-of-way in which there is or may be located a sewer main, shall, at the owner's expense, install a suitable sewer service facilities therein, and to connect such facilities directly to the sewer main within sixty (60) days after the date of official notice to do so, provided that a sewer main is located in the right-of-way within a distance of **five hundred (500) feet** from the owner's property line, weather conditions permit, and the wastewater capacity is sufficient to serve the property.

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CONNECTION PERMIT APPROVAL

Permit applications and supplements required under these regulations shall be filed with the District Manager. The District Manager shall then have the authority to approve applications for water connection permits for all residential. For commercial projects the District Manager shall recommend approval or denial of the application for a connection permit to the Board at the next regularly scheduled meeting. The Board may continue process for 1 more board meeting.

WATER CONNECTION PERMIT DENIAL

A permit may be denied by the District Board or District Manager for any of one the following reasons:

The applicant's property is not within the District's boundaries;

The applicant's property is more than 300 feet from the nearest water main;

The applicant's property is more than 500 feet from the nearest sewer main;

The water system or wastewater system has reached its allowable capacity as determined by the District.

The District determines that the applicant's connection to the water system or wastewater system may have an adverse impact to existing water consumers by reducing water pressure, or may impair or jeopardize fire protection for existing customers or wastewater system users due to capacity issues;

The proposed connection fails to comply with local and/or state regulations;

The subdivision approval, or Sanitary Restriction removal letter stipulates that property is to be served by private well; or

Federal, state, local, or District action or policy specifically prohibits connection to the public water system.

NON-TRANSFER OF PERMITS

Permits may not be assigned, transferred, or in any other way conveyed to another owner or property.

UNAUTHORIZED ACTS

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

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MISCELLANEOUS DEVICES

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

CONDITIONS OF SERVICE

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

INTERRUPTIONS OF SERVICE

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

LIABILITY OF DISTRICT

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

INITIATION AND DISCONTINUANCE OF SERVICE

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SERVICE APPLICATIONS REQUIRED

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

WATER RIGHTS (Potable- Indoor use only)

All applicants must provide proof of existing potable water rights for the total buildout of the property.

Applicant must purchase water rights if none or not enough may exist for proposed project.

These Water Rights must be transferred to the District before any service is connected. The Water Rights will be permanently owned by the District.

The Proposed project must provide its own non-potable and irrigation water for the project.

SERVICE APPLICATION PROVISIONS

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

SERVICE APPLICANTS

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

INFORMATION TO BE PROVIDED

A person requesting to establish an account for District water and/or wastewater service shall, upon request by the District furnish proper identification, including but not limited to Driver's License Number, or birth date, together with any information necessary to verify identity of applicant and service address, including ownership, tenancy, or relationship of applicant to other present or former customers of the District at the service address in question. Accounts will only

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be established in the name of the owner of the real property. No tenants shall have their names on any account. In the event this information, or any other information required to be submitted under these rules and regulations is not furnished, service to the applicant or service address involved shall be denied or discontinued until such information is provided. In addition, prior to restoring any service, the applicant must first pay to District any applicable charges for discontinuance and reestablishment of service.

SERVICE APPLICATION PRE-REQUISITES

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

Is located within the District’s water and/or wastewater service area;

Has a water and/or wastewater service line stubbed to the property line of the property to be served; or has provided engineer prepared drawings detailing a new service installation from the existing mainline (water or sewer) that have been approved by the FCCWSD.

Has building and yard plumbing meeting the requirements of the latest edition of the Uniform Plumbing Code; and

Has paid to the District all applicable connection fees.

TRANSFER OF SERVICE ACCOUNT

A customer requesting to have customer’s District water and/or wastewater service account transferred to a new address may do so by telephone provided that the customer has an established account for District water and/or wastewater service.

DISCONTINUANCE OF SERVICE BY CUSTOMER

Once District water and/or wastewater service is initiated, a customer shall be responsible for payment to the District for any water and/or wastewater service is provided, including any minimum charges due, until such time as the customer requests the discontinuance of said service. A customer shall, under normal circumstances, contact the District in writing and provide a valid address, phone number and other contact information as well as the reason for cessation of service at least 48 hours in advance of the need to discontinue the customer’s District water and/or wastewater service, Saturdays, Sundays, and holidays, excluded. Customers are on notice that after cessation of service that the customer is responsible for and should bleed the lines to prevent freezing and cracking.

DISCONTINUANCE OF SERVICE BY DISTRICT

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

Without Notice:

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In the event of any condition determined to be hazardous to property and/or persons;

In the event a customer/user uses equipment in such a manner that adversely affects the Water System and/or Wastewater System or' that adversely affects District water and/or wastewater service to other customers/users;

In the event of any unauthorized use or diversion of District water and/or wastewater service or when any evidence of tampering with or bypassing of the District water meter is found;

Upon written receipt of orders from government authority to discontinue District water and/or wastewater service.

Upon Not Less Than 24 Hours Notice:

For violation and/or non-compliance with any applicable federal, state, or local laws, and rules and regulations contained herein;

For failure of a customer to permit representatives of the District reasonable access to the customer's premise.

For failure of a customer to fulfill his/her contractual obligations for service, including, but not limited to, nonpayment of his/her current water/wastewater bill;

Upon 10 Days Written Notice:

For failure of a customer to keep his/her water service line, meter box/vault, fixtures, and/or any other appurtenances in good repair and in a safe and operable condition;

For failure of a user to keep his/her building sewer and appurtenances in good repair and in a safe and operable condition.

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

TURN ON AND TURN OFF OF SERVICE

GENERAL

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

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OPERATION OF CURB VALVES

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

INSPECTION OF METER AND APPURTENANCES REQUIRED

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

TURN-OFF FOR NONPAYMENT AND/OR NONCOMPLIANCE

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

TURN-ON AND TURN—OFF LIABILITY DISCLAIMER

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

LANDLORD RESPONSIBILITY

The real property owner of a rental property shall be primarily responsible for the payment in full of all water and wastewater bills generated by the real property so billed for said water use.

Failure of the real property owner to pay the bill as and when rendered will subject the property to termination of service.

DEPOSITS

WHEN REQUIRED AND AMOUNT OF DEPOSIT

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

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APPLICATION OF DEPOSITS

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

TRANSFER OF DEPOSITS

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

FAILURE TO MAKE DEPOSITS

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

REFUND OF DEPOSITS

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

RECORD OF DEPOSITS

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

RECEIPT OF DEPOSITS

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

TEMPORARY AND CONSTRUCTION SERVICE

TEMPORARY WATER AND/OR WASTEWATER SERVICE

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

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CONSTRUCTION WATER PERMIT REQUIRED

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

SERVICE FOR BUILDING CONSTRUCTION

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

FIRE SUPPRESSION SERVICE

Water provided or made available to a customer for fire suppression through a sprinkler system shall be billed to such a customer at least monthly. Such bills shall be due and payable to the District when rendered. Failure to pay the bill within 30 days after mailing shall be deemed sufficient cause to immediately disconnect the sprinkler interconnection.

BILLING

BILLING PERIOD

The operation and maintenance charges for District water and wastewater services together shall be billed at least monthly. To meet unusual conditions, such as discontinuances, the District may render bills for service at other than the aforementioned intervals. Nothing in this paragraph modifies or limits the authority of the Board of Directors to charge, assess, or otherwise cause the levy of such taxes as the Board may deem appropriate to pay when due the full amount required under its contract with Utility Solutions, LLC, plus reasonable reserves.

BILLS DUE

All bills must be paid at the District office (or other designated location) promptly when due. Bills are due upon receipt but shall become delinquent 30 days from the date the billing is mailed. Users shall be notified of any delinquency at 60 days after the payment is due and shall be notified that the service will be disconnected by the District ten (10) days from the date of the

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second months' bill, by attaching a notification to said bill. Upon failure to pay in cash or certified funds the delinquent account in full within such notification period, the District shall post a 24-hour notice of disconnection on the door of the service address prior to disconnection and the service will be disconnected and the delinquent account may be charged off against any deposit.

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

INFORMATION ON BILLS

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

REFUSAL OF SERVICE

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

MULTIPLE OWNERS

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

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

PAYMENT TRANSFERS

Where a customer is liable to the District for District water and/or wastewater service at one

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

BILL PAYMENT STUB

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

ESTIMATES

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

ADJUSTMENTS OF WASTE WATER BILLS

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

The character of the wastewater from any manufacturing, industrial, or other plant, building, or premises is such that the wastewater rates provided are unfair, inequitable, unreasonable, or inadequate to pay the cost of wastewater service to such premises;

The entire amount of water delivered through the metered line, such as a line with a sprinkling meter, to any premises is used for such a purpose and in such a manner as to establish beyond reasonable doubt that such water does enter the Wastewater System;

The entire amount of water delivered through a secondary meter on any premises is used for such a purpose and in such a manner as to establish beyond reasonable doubt that water so delivered does not enter the Wastewater System. Secondary wastewater meters shall be furnished at the customer's expense and shall be of a type, size, and make and set at such place as shall be designated by the District Manager.

Any person who considers the wastewater rates, charges, and fees applicable to his/her premises unfair, inequitable, or unreasonable may present his/her complaints to the Board of Directors, stating the facts and grounds of complaint. The Board of Directors shall advise the District Manager of any need for investigation and a report of the investigation shall be made to the District. The Board of Directors, or a District appointed complaint committee, shall consider each and all of such complaints and reports and coordinate its recommendations with the District Manager. Where the entire amount of water or any metered portion thereof delivered to any premises does not enter the Wastewater System, this fact shall be part of the report. When the Board of Directors or appointed complaint committee finds that the wastewater rates, charges, and fees applicable to any premises are unfair, inequitable, unreasonable, or inadequate, the board shall have the right to order a public hearing as to any such matter, and if convinced that an adjustment of the

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wastewater rates, charges, and fees for such premises is necessary to provide equality with those charged to others, it shall so provide, either by amendatory ordinance, or by resolutions, special wastewater rates and charges for individual premises during the period of continuance of special circumstances which make the standard rates and charges unfair, inequitable, unreasonable, or inadequate.

RATES, CHARGES, AND FEES

GENERAL

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

MONTHLY METERED WATER CHARGES

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

The monthly metered water charge shall be based upon those standards set forth in here in hereof. Monthly metered water charges are due and payable as set forth.

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

MINIMUM MONTHLY WATER CHARGES

Should the District adopt a minimum monthly water charge, it will be disclosed on Exhibit A to these Rules and Regulations. Minimum monthly water charges are due and payable a set forth in here in.

MONTHLY VOLUME WASTEWATER CHARGES

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

Monthly volume wastewater charges are due and payable as set forth herein.

MINIMUM MONTHLY WASTEWATER CHARGES

Any minimum monthly Wastewater charges adopted by the Board of Directors, or as such may be lawfully changed from time to time shall apply to all users that have building sewers connected to the Wastewater System. Minimum monthly wastewater charges are due and

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payable as set forth herein.

CHARGES FOR REESTABLISHMENT OF WATER AND/OR WASTEWATER SERVICE

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

WASTEWATER EXTRA STRENGTH SURCHARGES

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

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

Wastewater extra strength surcharges are due and payable as set forth herein.

CONNECTION CHARGES FOR WATER AND/OR WASTEWATER SERVICE

Any charges for connection of service lines to the Water System and/or Wastewater System adopted by the Board of Directors, or as such may be lawfully changed from time to time, shall apply to those desiring to make connections to the existing Water System and/or Wastewater System. This fee shall include costs of inspecting.

There will be no waiver of connection fees. The District may choose, when it is so deemed to be in the District’s best interest to provide payment of a connection fee from the General Fund rather than assess a particular non-profit group.

MISCELLANEOUS WATER & WASTEWATER FEES AND CHARGES

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

Connection Charges

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The connection fee for introduction of water service or wastewater service to a previously un-served tract or parcel of land shall apply to any person submitting such type of application to the District for processing. The purpose of the connection fee is to compensate the District for its expense in processing an application for introduction of service, as well as inspection and the procurement, installation, and calibration of appropriate meters. Any leftover portion of the fee will be retained in a reserve account to cover expenses over and above the inspection and tapping fee for future taps. The Board of Directors may annually roll over any excess funds from this account into other District accounts or into the account for capital improvement costs. The fees shall be due and payable at the time the introduction of service application is filed with the District.

Fee for Performing a Special Meter Accuracy Test

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

Fee for Setting/Removing a Fire Hydrant Meter

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

Fee for Performing Fireflow Test

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

Fee for Flushing, Testing, and Chlorinating Water Mains

The fee for flushing, testing, and chlorinating water mains shall apply to all persons who request the District to perform such work. The purpose of the fee is to compensate the District for its expense in flushing a water main and performing a bacteriological test and a chlorine residual test on the water contained therein. The fee shall be due and payable to the District at the time the request for such work is filed

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with the District. The amount of the fee shall be dependent upon the extent of the work involved.

CHARGES FOR MISCELLANEOUS WORK/SERVICE

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

LATE PAYMENT INTEREST CHARGE

The District shall require delinquent customers to pay a late-payment interest charge on any monthly account balances that are not paid in full before the next billing period, which is approximately 30 days. The late payment interest charge in the amount of 12% per annum shall be applied on the full past due amount, including any special fees or charges.

CURRENT RATES, CHARGES AND FEES

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

METERING

MANDATORY WATER METERS

Except for fire lines, all water service lines to single family dwellings, multi-family buildings including apartments and/or condominium units, and commercial business, whether single occupancy, multi-unit occupancy or condominium units building shall be metered by the District. The District shall normally read all District water meters for all accounts monthly to determine customer usage and/or customer wastewater contributions for billing purposes. In months when the District water meter cannot be read, the District may estimate the meter reading and use the calculated water usage wastewater contribution to render the bill for the customer involved. The District shall not estimate a meter reading for a customer more than four consecutive months

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without first making every effort to read the meter in question.

Individual Water Meters for Multiple Units:

Unless allowed by the District Board, all single family homes are required to have a water meter. Condominium commercial buildings, residential condominiums buildings, town houses, and apartments are required to have individual water meters for each unit that has plumbing.

Exceptions:

The District recognizes that certain situations may make metering a large commercial, or condominium building with multiple meters not practical, or feasible. Owners may request common meter(s) for larger projects for good cause shown. The Board at its discretion may approve or deny such a request.

DISTRICT’S RESPONSIBILITY

It shall be the District’s responsibility to:

Determine the size of the District water meter to be installed on any water service line connected with the District water supply system:

Inspect and test all District water meters prior to installation on water service lines to ensure that such meters meet or exceed the standards of the American Water Works Association for such type meters;

Replace all 5/8-inch through 1-1/2 inch District water meters as required.

All 2-inch District water meters will be replaced as needed.

All 3- inch and larger District water will be replaced as needed;

Ensure that all District water meters are properly sealed prior to installation on water service lines and before changing any customer account to a new party; and

Periodically check all District water meters that are in service for tampering, bypassing, or any other acts of water theft.

CUSTOMER’S RESPONSIBILITY

It shall be the customer’s responsibility to:

Furnish, install, and maintain a District water meter, and any required remote-reading equipment on every water service line connected with the Water System;

Provide a location for installation of the District water meter that is readily accessible and that is properly protected from damage due to freezing or other adverse conditions;

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Furnish, install, and maintain an approved outside meter box/vault, when required by the District Manager, as well as any pipe, fittings, meter loops, valves, expansion tanks, backflow prevention devices and surge protection devices on all accounts, pressure reducing devices, telephone lines/jacks, and other appurtenances required to meet the standards of the District for the type metering facility involved;

Obtain the written approval of the District in advance of installing the plumbing for a large District water meter (1½" and larger), whether it be set inside or outside the building to be served; and

Protect the District water meter from tampering, bypassing, or any other acts of water theft.

INSIDE METERING FACILITIES

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

The District water meter and backflow prevention device shall be installed in a readily accessible position, not over 2 feet above the floor, and shall be located as close as possible to the point where the water service line enters the building;

The District water meter shall be located near a floor drain if at all possible;

A valve shall be installed just before and one just after the District water meter to allow removal and replacement of the meter without first draining the entire service line and building plumbing; and

A District water meter having the size of 1½" or larger shall have a lockable valve bypass installed around the meter to provide continuous service when the meter is out for repair.

OUTSIDE METERING FACILITIES

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

The meter box/vault shall be located on private property at or near the point where the water service line enters the property to be served and outside any driveway or roadway;

The meter box/vault shall be located near a driveway or turnout and shall be readily accessible to District vehicles without causing damage to public or private property or endangering the public or District personnel;

The meter box/vault shall be waterproof and shall be large enough to safely and easily install, maintain, and replace the District water meter, backflow prevention device, if required, and other appurtenances;

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The District water meter and backflow prevention device shall be installed within the meter box/vault in a horizontal position, not over 2 feet above the floor;

A valve shall be located before and one after the District water meter to allow removal of the meter without first draining the water service line and the yard and building plumbing;

A District water meter having a size of 1½ inches or larger shall have a lockable valve bypass installed around the meter to provide continuous Service when the meter is out for repair; and

The remote-read encoder, when needed, shall be installed on a post or supported by other means at or near the customer’s front property line.

USE OF INSIDE/OUTSIDE METERING

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

PERMANENT AND TEMPORARY METER INSTALLATIONS

When a District water meter is installed at the request of a customer, its installation is deemed to be permanent unless the customer discontinues service entirely. Service on a District water meter for a shorter period than 6 months shall be considered temporary. The customer shall be required to reimburse the District for the cost of installing and removing a temporary District water meter.

SUB METERS

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

STANDARD METER AND SERVICE LINE SIZES

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

SERVICE LINE DIAMETER-INCHES MINIMUM SIZE OF METER-INCHES

LINE SIZE	METER SIZE
3/4	3/4

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1	3/4
1½	1
2	1½
4	3
6	4
8	6

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

SINGLE METER PER SERVICE LINE

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

INTERCONNECTED WATER SERVICE LINES

A customer served by two or more water service lines which are interconnected shall have a check valve located on each water service line at its metering facility to prevent circulation of the water through the customer’s meter and water service lines and back into the District water supply system.

SPECIAL METER ACCURACY TESTS

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

REPLACEMENT OF METERS

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

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STANDARD OF METER ACCURACY

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

NON-REGISTERING METER

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

TESTING AND REPAIRING METERS

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

DAMAGED METERS AND EQUIPMENT

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

PROHIBITED TAPS/CONNECTIONS

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

METER TAMPERING/BYPASSING

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

RELOCATION OF METERS

A customer requesting relocation of the District water meter after its initial installation will bear

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all of the costs associated with relocating the meter.

MAINTENANCE OF OUTSIDE METER BOXES/VAULTS

A customer shall at his/her expense keep his/her outside meter box/vault and appurtenances in good repair, readily accessible, and in a safe and useable condition at all times. Failure to do so shall be deemed just cause to discontinue District water and/or wastewater service to the customer involved as provided herein.

FIRE HYDRANT METERS

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

Only fire hydrants owned by the District shall be used for this purpose. Privately owned hydrants and those fire hydrants situated outside the District shall not be used for this purpose. The District reserves the right in all cases to determine upon which particular fire hydrant a District fire hydrant meter shall be installed.

The applicant for a meter shall sign the application for such service, shall be responsible for the payment of all fees and charges for such service, shall submit a deposit for anticipated water use, and shall be responsible for the protection and care of the meter while it is in use. In addition, any damages to public or private property, including the District fire hydrant meter and the District water supply system, caused by the applicant's use of the District fire hydrant meter shall be immediately repaired by the applicant at the applicant's expense. Further, it shall be the applicant's responsibility to secure the operating valve on the District fire hydrant meter whenever the applicant is not using the meter so as to preclude unauthorized use of water through the meter.

Only District personnel shall install and/or relocate a District fire hydrant meter. Unless approved in writing by an authorized District Representative. Further, such a meter shall not be installed on a fire hydrant in a manner which will interfere with the fire department's use of the 4-inch pumper nozzle.

District shall issue a fire hydrant meter for an applicant without the applicant's first having obtained a written agreement and having paid to the District the appropriate fire hydrant meter setting/removal fee and usage deposit. District fire hydrant meters shall normally be set on the basis of permit dates, with the earliest date having first priority.

Applicants shall give the District water/wastewater District at least 48 hours notice of their need to have a District fire hydrant meter installed.

A fire hydrant meter shall not be installed during months when the weather may subject it to freezing. Further, since service from a District fire hydrant meter is considered temporary, such a meter shall not be installed at any one location for a period greater than 6 months nor less than one day.

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

Contractor may supply their own meter and backflow prevention device once inspected and approved in writing.

Any person tampering with or bypassing a District fire hydrant meter shall be punished as provided herein.

SECONDARY WASTEWATER METERS

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

SPRINKLING METERS

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

IRRIGATION RESTRICTIONS AND REGULATIONS

WATER WELL PROHIBITION

No new wells may be drilled within the District boundary for the purpose of supplying water for domestic or commercial use including but not limited to drinking water, irrigation, manufacturing, or industrial uses without the written permission of the District Board of Directors.

USE OF WATER SERVICE

WASTE OF WATER

Waste of water is prohibited. Customers shall keep all waterways closed when not in use.

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Further, customers must keep their water service lines, valves, fixtures, appliances, and other equipment in good order at all times and at their own expense. Leaking water service lines, valves, fixtures, appliances, and other equipment shall be repaired at once by the customer without waiting for notice from the District.

CROSS CONNECTIONS

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

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

RESALE OF WATER

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

WATER USE RESTRICTIONS

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

UNLAWFUL SPRINKLING OF LAWNS AND GARDENS

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

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USE OF WASTEWATER SERVICE

DISCHARGING CERTAIN MATTER INTO SEWERS PROHIBITED

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

Any liquid or vapor having a temperature higher than

140 degrees Fahrenheit, or

that which, alone or in conjunction with other discharges, causes the influent at the wastewater treatment plant to exceed 104 degrees Fahrenheit.

Any water or waste which may contain more than 100 milligrams per liter of fat, oil or grease;

Any gasoline, benzene, naphtha, fuel oil, or other pollutants which create a fire or explosion hazard in the wastewater system, including, but not limited to, wastewaters with a closed cup flash-point of less than 140 degrees Fahrenheit or 60 degrees Centigrade, using the test methods specified in 40 CFR 261.21;

Any garbage that has not been properly shredded;

Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, or any other solid or viscous substance capable of causing obstruction to the flow in the public sanitary sewers or otherwise interferes with the proper operation of the Wastewater System;

Any waters or wastes having a pH lower than 5.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, personnel or biological life of the District;

Any waters or wastes containing a toxic, poisonous, or infectious substance in sufficient quantity to:

injure or interfere with any wastewater treatment process;

constitute a hazard to humans or animals;

cause the presence of toxic gasses, vapors, or fumes within the Wastewater System in a quantity that may result in worker health and safety problems; or

create any hazard in the receiving waters of the District wastewater treatment plant;

Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the District wastewater treatment plant;

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Any noxious or malodorous gas or substance capable of creating a public nuisance;

Any pollutant, including oxygen demanding pollutants (BOD, etc.), released in a discharge of such volume or strength as to cause interference in the Wastewater System unless such discharge is first approved by the District;

Any petroleum oil, solvents, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through;

Any trucked or hauled pollutants, except for septage which is permitted to be discharged at the approved manhole location; and

Any storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water, or unpolluted industrial process waters. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the District Manager. Industrial cooling water or unpolluted process waters may be discharged, upon approval of the District Manager, to a storm sewer, combined sewer or natural outlet.

GREASE, OIL AND SAND INTERCEPTORS

Grease, oil, and sand interceptors shall be provided when, in the opinion of the District Manager, they are necessary for the proper handling of liquid wastes containing

Fats, Oils and Grease in excessive amounts;

any flammable wastes;

sand; or

any other harmful materials that may cause pass through or blockage.

Such interceptors shall not be required for private living quarters or dwelling units. All Food Services establishments are required to install grease traps and interceptors.

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

For, more information on grease trap/ interceptor requirements, maintenance and construction please refer to appendix A.

MAINTENANCE OF INTERCEPTORS

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

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APPROVAL REQUIRED FOR DISCHARGE OF CERTAIN WATERS

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

A five-day biochemical oxygen demand greater than 250 milligrams per liter;

More than 250 milligrams per liter of total suspended solids;

Containing any quantity of substances described in herein this document; and/or

Having an average daily flow greater than two percent of the average daily wastewater flow entering the Wastewater System.

PRELIMINARY TREATMENT FACILITIES

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

Reduce the 5-day biochemical oxygen demand in such waters or wastes to at least 250 milligrams per liter;

Reduce the total suspended solids in such waters or wastes to at least 250 milligrams per liter;

Reduce objectionable characteristics or constituents in such waters or wastes to within the maximum limits provided by this chapter; and/or

Control the quantities and rates of discharge of such waters or wastes.

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

MAINTENANCE OF PRELIMINARY TREATMENT FACILITIES

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

CONTROL MANHOLES AND TEST LOCATIONS

When required by the District Manager, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole or other suitable sampling point, with measuring and sampling devices included, in the building sewer to facilitate observation, sampling, and measurement of the waters or wastes. Such sampling point and appurtenances, when required, shall be readily accessible and safely located and shall be constructed in accordance with plans engineered and stamped by a licensed Montana Professional Engineer and approved by the District Manager. The sampling point and

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appurtenances shall be installed by the owner at his/her expense and shall be maintained by him/her so as to be readily and safely accessible at all times, with all equipment maintained in continuously satisfactory and accurate operational condition.

WASTE WATER TESTING AND ANALYSES

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

PRETREATMENT OF INDUSTRIAL WASTES

METHODOLOGY

Unless otherwise specified, all measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this section shall be determined in accordance with either:

The latest edition of the “Standard Methods for the Examination of Water and Wastewater” as published by the American Public Health Association;

The ASTM Annual Book of Standards; or

The “Methods for Chemicals Analysis of Waters and Wastes,” as published by the EPA.

ACTIONS OF THE DISTRICT MANAGER

Whenever the District Manager determines that a significant industrial user is contributing to the Wastewater System any of the substances referred to herein, in such amounts as to interfere with the operation of the Wastewater System or to constitute a harmful contribution to the Wastewater System. The District Manager shall:

Notify or cite the significant industrial user in accordance herein and develop and apply specific effluent limitations and pretreatment requirements for the significant industrial user to correct the interference with or harm to the Wastewater System.

Take any actions as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the Wastewater System and/or endangerment to any individuals.

PREEMPTION BY NATIONAL CATEGORICAL PRETREATMENT STANDARDS

Upon the promulgation of the National Categorical Pretreatment Standards for a particular

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

MODIFICATION OF NATIONAL CATEGORICAL PRETREATMENT STANDARDS

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

STATE REQUIREMENTS

State requirements and limitations on discharges shall apply in any case where they are more stringent than federal requirements and limitations or those herein.

INDUSTRIAL DISCHARGE PERMITS

Permit Application.

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

Issuance

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

Permit Conditions

Industrial Discharge Permits and significant industrial user permittees shall be subject to all applicable District Rules and Regulations, user charges, and fees. Permits shall

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contain, but shall not be limited to, the following requirements or terms and conditions:

Notice of the general and specific prohibitions required.

Prohibitions on discharge of any specific materials.

Notice of applicable National Categorical Pretreatment Standards.

Limits equal to or more stringent than the Specific Pollutant Limitations as established pursuant herein, concerning average and maximum wastewater constituents, and on characteristics of either the individual industrial process wastes or combined industrial wastewater discharge.

Limits on average and maximum rate and time of discharge. or requirements for flow regulations and equalization.

Monitoring facilities.

Monitoring programs, which may include sampling locations; frequency of sampling, number, types, and standards for tests, reporting schedules, and pollutants to be monitored.

Installation, maintenance, and cleaning of any pretreatment facilities that are necessary to achieve compliance with the requirements including filtration; chemical treatment: grease, oil, and sand traps, and other necessary equipment.

Compliance schedules and any periodic progress or compliance reports required by federal pretreatment regulation, including 40 CFR 103.12.

Submission of technical reports or discharge reports as provided for herein.

Maintenance and retention of plant records relating to wastewater discharge for a minimum of 3 years or as specified by the District Manager.

Notification of any discharge or new wastewater constituents or of any substantial change in the volume or character of the wastewater constituents being introduced into the Wastewater System.

Notification of any slug or accidental discharge.

Agreement of the industrial user to:

Allow reasonable access by the District to ensure compliance with permit conditions;

Agree to perform and comply with all permit conditions; and

Submit to the remedy of specific performance for breach of contract.

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Permit duration and conditions of transfer.

Penalties for violations.

Other appropriate conditions, in the judgment of the District Manager, necessary to ensure compliance with regulations.

Permit Duration

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

Permit Modifications

The terms and conditions of any permit may be subject to modification

By the District Manager during the term of the permit;

By the modification of Rules and Regulations set forth herein; or

As other just cause exists.

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

Permit Transfer

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

REPORTING REQUIREMENTS

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

The District Manager may impose mass limitations in addition to concentration limitations on significant industrial users which are expressly authorized by an applicable categorical pretreatment standard to use dilution to meet applicable pretreatment standards or requirements

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or upon other significant industrial users when deemed necessary. In such cases, the records and reports shall also indicate the mass of pollutants regulated by pretreatment standards in the effluent of the significant industrial user. These reports shall contain the results of sampling and analysis of the discharge including the flow, nature, concentration, production, and mass of pollutants which are limited by the applicable pretreatment standards. The frequency of monitoring shall be prescribed in the Industrial Discharge Permit.

AVAILABILITY OF RECORDS

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

NOTIFICATION OF VIOLATION

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

APPLICATIONS AND FEES

Persons desiring to obtain a permit under this section shall make application to the District on a special form furnished for this purpose by the District. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent. The appropriate permit and inspection fees adopted herein shall be paid by the applicant to the District Administrator at the time the application is filed with the District.

WATER AND WASTEWATER SERVICE LINES, FIRE LINES AND CONNECTIONS

PERMIT REQUIRED

No unauthorized persons shall uncover, make any connection with or opening into, use, alter, repair, extend, or otherwise disturb any water or wastewater service line, fire line, any connection of a water service line, fire line, or combination thereof with the Water System or the Wastewater System, or any appurtenances thereto without first:

Having on file at the District office a valid plumbing contractor's license or a public contractor s license; only persons with a plumbing contractor's license may perform the above work on

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private property, including connection at the curb stop or property line.

Having on file in the office of the District a good and sufficient surety bond and certificate of public liability insurance;

Obtaining any required excavation permits for excavating in public rights-of-way;

Paying to the District Administrator any applicable connection charges, construction fees, and/or system development fees;

Obtaining a written service line installation permit and paying to the District Administrator the appropriate permit fees adopted herein;

Complying with all other local, State or federal laws pertaining to:

The installation of water or Wastewater service lines, fire lines and appurtenances;

The making of connections to public water mains or sanitary sewers;

The making of repairs, alterations, or extensions to such facilities; or

When appropriate, any work involved in making excavations in public rights-of-way or District casements.

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

All drawings, plans for connection to a Water or Wastewater service line, **MUST** be submitted to the District for approval **PRIOR** to submission to DEQ.

Engineering and Legal fees maybe charged as necessary for review.

CONNECTION, CONSTRUCTION, AND DEVELOPMENT CHARGES

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

APPLICATIONS AND FEES

Persons desiring to obtain a service line installation permit shall make application to the District on a special form furnished for this purpose by the District. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent. The

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appropriate permit and inspection fees adopted herein shall be paid by the applicant to the District Administrator at the time the application for a service line installation permit is filed with the District.

PREFORMANCE SURETY, INSURANCE AND WARRANTY

PREFORMANCE SURETY

The Developer shall provide the District with a performance guarantee for all construction work. The performance guarantee shall be in an amount equal to at least one hundred (100%) percent of the total construction costs, as certified by an Engineer. The guarantee shall remain in full force for at least six months after the project warranty period has expired. Bonds may be in the form of performance bond, or in the form of a Certificate of Deposit (CD), Certified Check or irrevocable Letter of Credit issued by a Montana State- chartered and FDIC insured bank.

INSURANCE

The Developer shall carry at its expense Commercial General Liability insurance in the amount no less than \$1,000,000.00 for each occurrence and Automobile Liability in the amount of \$1,000,000.00 combined single limit. The Developer shall disclose insurance provisions of its policies related to toxic substances or waste. The District may require an additional policy covering toxic substances or waste. The District shall be named as an additional insured for ingoing operations and complete operations. All insurance policies shall be primary and noncontributory and shall be maintained for a period of time equal to the warranty period. The Developer shall require all consultants and subcontractors to meet the same insurance coverage. Certificates of Insurance Evidencing Four Corners County Water and Sewer District as additional insured and endorsements thereof must be supplied prior to the commencement of work. Such certificate shall require no less them fifteen (15) day notice of cancellation to the District. The Developer shall put the District on immediate notice of cancellation in coverage during the warranty period. Insurance shall be purchased form companies licensed to do business in Montana (with an “A” rated or better classification).

WARRANTY

The Developer shall warranty the following:

- Installed services extensions free of defects due to faulty materials or workmanship for a period of 2 years after completion.
- All Installed pipelines are to be pressured checked per applicable MPWSS and sewer lines must be tv'd with copies of documentation delivered to the District for review and approval.
- The Developer will be required to provide as-built drawings after completion.
- Lift & Booster Stations new or modification of existing are to be free of defects due to faulty materials or workmanship for a period of 3 years after completion.

BILL OF SALE

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Upon completion of District infrastructure elements, a transfer to the District of these elements will result in a Bill of Sale by the Developer to the District for 1 (one) dollar. At that time the District will become responsible for the maintenance, subject to any warranty issues.

INSTALLATION, OWNERSHIP AND MAINTENANCE

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

UNDERGROUND DISTRICT INFORMATION

MCA Section 69-4-501 through 6-94-506, as amended, sets forth certain procedures for obtaining information concerning underground utilities prior to making or beginning any excavation in any public street, alley, District easement, or right-of-way dedicated to the public use. Said sections also set forth penalties for failure to comply with the provisions of statutes when making connections to the Water System or the Wastewater or installing service lines, appurtenances, fire lines or making repairs, alterations, or extensions to such facilities. All persons who contract to make connections to the Water System or the Wastewater System, or install service lines, fire lines, appurtenances, or combination thereof, or to make repairs, alterations or extensions to sewer facilities shall comply with these statutes.

EXCAVATIONS

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

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

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TRAFFIC CONTROL AND CONSTRUCTION SIGNING

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

ARRANGEMENT AND LOCATION

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

MULTIPLE BUILDING SERVICE AGREEMENTS

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

MINIMUM DIAMETER OF WATER SERVICE LINES

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

SIZE AND SLOPE OF SEWER SERVICES

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

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DEPTH OF WATER LINES

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

DEPTH OF SEWER SERVICES

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to within three feet (3') of a weight bearing wall. In all buildings in which any building drain is too low to permit gravity flow to the public sanitary sewer, wastewater carried by such building drain shall be lifted by an approved means and discharge to the building sewer. Person installing basements with floor drains must contact the District for information concerning the depth of the public sanitary sewer prior to commencing construction of such basements floor drains shall not be connected to sewer. In addition, it is recommended that users install, as well as periodically inspect and maintain, a one-way valve in their building drain for the purpose of preventing the backing-up of wastewater into their buildings in the event a stoppage occurs in the building sewer and/or the public sanitary sewer serving the user's property.

MATERIALS AND METHODS OF CONSTRUCTION

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

CURB VALVE

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

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POINT OF CONNECTION TO WATER SYSTEM

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

POINT OF CONNECTION TO WASTEWATER SYSTEM

The connection of the wastewater service line with the Wastewater System shall be made at the wye or tee branch installed to serve the property involved. In the event there is no record on file at the District of a wye or tee branch for the property to be served, or if there is no wye or tee branch available within five (5) feet from either side of the location given by the District for said wye or tee branch, the person installing the wastewater service line may be permitted by the District to tap the public sanitary sewer and install an approved sewer pipe saddle. The tapping of the public sanitary sewer and the installation of the sewer pipe saddle, as well as any work appurtenant thereto, shall be subject to the approval of the District Manager and shall be at the expense of the installing contractor. The tapping of a public sanitary sewer having a diameter greater than 12 inches shall be installed only after receiving special written permission from the District Manager to do so, and then only in full compliance with such methods and procedures the District Manager may prescribe. In no case shall wastewater service lines having a diameter or less than 8 inches be connected to any manholes located on the public sanitary sewer.

INSPECTION AND TAPPING NOTIFICATION

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

DAMAGE TO WATER SYSTEM AND/OR WASTEWATER SYSTEM

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

KEEPING SEWERS CLEAN

During the course of his/her operation, a person installing wastewater service lines and

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

PROTECTIVE DEVICES FOR WATER SYSTEM

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

FIRE LINES

Fire lines shall be applied for and installed in compliance with the appropriate requirements of this Chapter, and, in addition, they shall comply with the District's standards of design and construction for fire lines.

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

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

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

INADMISSIBLE WASTES

It is unlawful to discharge or cause to be discharged into the wastewater system any industrial wastes; radioactive wastes; corrosive wastes; explosive mixtures; unpolluted waters; petroleum oils; mineral oils; non-biodegradable cutting oils; chemical wastes; toxic or poisonous

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substances; floatable fats, wax and grease; solid or viscous wastes, such as but not limited to mud, sand or gravel; or any other wastes or substances prohibited from being discharged into the Wastewater System by existing District ordinances and regulations, or as same may be lawfully amended from time to time by the Board of Directors.

FIRE HYDRANTS

PUBLIC FIRE HYDRANTS

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

OPERATION OF PUBLIC FIRE HYDRANTS

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

RELOCATION OF PUBLIC FIRE HYDRANTS

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

OBSTRUCTING PUBLIC FIRE HYDRANTS

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

DAMAGES TO PUBLIC FIRE HYDRANTS

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

PAINTING OF PUBLIC FIRE HYDRANTS

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

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PRIVATE FIRE HYDRANTS

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

REFERENCES

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

Annual Book ASTM Standards. Published by ASTM, 1916 Race Street, Philadelphia, PA 19103-1187. Telephone (215) 299-5400.

CFR: Code of Federal Regulations Published by the Office of the Federal Register. National Archives and Records Administration as a Special Edition of the Federal Register. For sale by the U.S. Government Printing Office, Superintendent of Documents, Mail Stop: SSOP, Washington, D.C. 20402-9328. Also available on the Internet.

MCA: Montana Code Annotated.. Published by the Montana Legislative Services Division, Room 138, State Capitol Building, Helena, Montana 59620. Telephone (406) 444-3064. Also available on the Internet.

Methods for Chemical Analysis of Water and Wastes. Published by the U.S. Environmental Protection Agency. Also available on the Internet.

MPWSS- Montana Public Works Standard Specifications Most Recent Edition. January 1996. Distributed by: Montana Contractors' Association, Inc., 1717 11th Avenue. P.O. Box 4519, Helena, MT 59604. Telephone (406) 442-4162. fax (406)449-3199.

Standard Methods for the Examination of Water and Wastewater. Published by American Public Health Association, 1015 Fifteenth Street, NW, Washington, D.C. 20005.

UPC; Uniform Plumbing Code; Most Recent Edition, Published by the International Association of Plumbing and Mechanical Officials, 20001 Walnut Drive South. Walnut, CA 91789-2825.