**ROUND MOUNTAIN WATER & SANITATION DISTRICT**

**RULES AND REGULATIONS**

**Amended 11/7/2022, 12/27/23**

**SECTION I**

**GENERAL - EXPLANATORY MATERIAL**

**1.1 POLICY AND PURPOSE.** It is hereby declared that the Rules and Regulations hereinafter set forth will serve a public use and are necessary to insure and protect the health, safety, prosperity, security, and general welfare of the inhabitants of the Round Mountain Water and Sanitation District. The purpose of the fees and regulations is to provide for the control, management, and operation of the water and sewage systems of the District including additions, extensions, and connections thereto.

**1.2 DEFINITIONS.** Unless the context specifically indicates otherwise, the meaning of terms used herein shall be as follows:

"Actual Cost" shall mean all direct costs applicable to the construction, engineering, inspection plan approval fees, "as-built" drawings, and other costs necessary for completion.

"Board" and "Board of Directors" shall mean the governing body of the Round Mountain Water and Sanitation District.

"Building" shall be defined to be an enclosed habitable structure with outside walls and a roof designed and constructed for permanent shelter of persons and inhabitable as a dwelling or business. This includes Mobile Homes, which have been either recorded as an improvement with the County or possess valid license plates.

"Building Drain" shall mean that part of the lowest horizontal piping of a building drainage system from the stack or horizontal branch, exclusive of storm sewer, extending to a point not less than five feet outside of the building wall.

"Contractor" shall mean any person, firm, or corporation approved by the District to perform work and to furnish materials therefore within the District.

"Customer" shall mean any person, company, corporation, or governmental authority or agency authorized to connect to District water or sewer systems under a permit issued by the Board.

"District" shall mean the Round Mountain Water and Sanitation District.

"Industrial Wastes" shall mean the liquid wastes from industrial processes, as distinct from sanitary sewage.

"Owner" shall mean the person owning the real property served by water and sewer service.

"Permit" shall mean written permission of the Board to connect to a public sewer or public water main of the Round Mountain Water and Sanitation District and pursuant to the Fees and Regulations of the District.

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

"Public Sewer" shall mean a sewer main which is owned and controlled by the District and which is located on public streets or public rights-of-way.

"Sewage" shall mean any liquid waste containing animal or vegetable matter in suspension or solution from residences, business buildings, institutions, and industrial establishments.

"Sewer" shall mean a pipe or conduit for carrying sewage.

"Sewer Service Line" shall mean the extension from the building drain to the public sewer.

"Shall" is mandatory.

"Stub-in" shall mean that part of the service line lying within the public right-of-way. When installed in the public right-of-way, curb valves, curb boxes, meters, meter boxes, and the line itself shall all be considered a part of the stub-in.

"Tap" or "Connection" shall mean the connecting of the service line to the water main or sewer main.

"User" shall mean any person to whom water and/or sewer service is supplied.

"Water Main" shall mean a District-owned water pipeline, carrying potable water only and shall be installed in a public street or right of way.

"Water Service Line" shall mean the water line extending from the water main to the customer's building. This shall not include the tap on the main or the corporation cock.

ANY OTHER TERM not herein defined shall be defined as presented in the "Glossary-Water and Sewage Control Engineering," A.P.H.A., A.S.C.E. and W.P.C.E., latest edition.

**SECTION 2**

**CONDITIONS OF USE OF WATER AND SEWER SYSTEMS**

**2.1 WHO MAY USE.** Water and sewage service can be furnished only to properties included within, and subject to taxation, by the District, except as otherwise provided herein and approved by the Board of Directors (Board).

No person shall connect to or use the District's water or sewer system without obtaining a written permit from the District and paying all applicable District fees (including without limitation tap fees and connection charges) and complying with all applicable District Regulations. No water or sewer service will be provided until all past charges are paid.

The District shall not provide stand-alone water or sewer service unless both services are not reasonably available to the subject property.

Unless specifically exempted by the Board, any structure in the District requiring water or sewer service under the applicable building or zoning regulations that is within 400 feet of a District service line and capable of being served by the District may be required to connect to District service upon notice by the District. If the owner of such structure or the property upon which it is located fails to connect pursuant to the District’s demand, the property shall be deemed to be utilizing District services and the property shall be subject to all applicable District fees, including any penalties, interest and late charges.

Except for those taps specifically provided or approved by the District for such purposes, water from the District's system shall not be used on property other than the property served by the subject tap. This prohibition applies to the sale, donation, deliver, or other conveyance of water to any location outside of District boundaries, to any location where water service has been terminated by the District, and to the delivery of water to neighboring properties by any means, including hoses, pipes or ditches. These prohibitions shall not apply to the use of water for their own personal consumption by persons residing on the property or to de minimis removal of water from a customer’s property by others in small vessels or containers that can be carried by a single person.

**2.2 RESPONSIBILITIES OF THE CUSTOMER AND OWNER**. No person shall discharge or cause to be discharged any water bleeding flows, storm water, surface water, ground water, roof runoff, sub-surface drainage, cooling water, or unpolluted industrial process waters to any sanitary sewer.

No person shall discharge, or cause to be discharged, to any public sewer, any harmful water or wastes, whether liquid, solid or gas, capable of causing obstructions to the flow in sewers, damage or hazard to structures, equipment and personnel of the sewage works, or other interference with the proper operation of the sewage works.

Leaks or breaks in the customer-owned portion of the service lines shall be repaired by the owner within 72 hours after the customer has been given notification of such condition by the District. If satisfactory progress toward repairing the leak has not been made by the time specified, the District shall have the authority to repair or have repaired the lines at the cost of the owner, and all such costs shall constitute a lien against the subject property until paid. The customer is financially responsible for all water and/or sewer usage caused by leaks or breaks in the customer-owned portion of the service lines.

If the customer can prove to the District that a service line leak was unintentional, the District, at its discretion, will bill the customer at the following amended rates.

Water – The minimum monthly service fee will be required, and all metered water usage will be billed at the lowest tier of water usage rates.

Wastewater – The minimum monthly service fee will be required, and sewer usage will be billed based upon a monthly average unless it is proven that water from the service line leak entered the District’s collection system. In that case, the customer will be charged the full amount of metered usage.

The District will allow charges incurred from a service line failure to be paid over a maximum period of 6 months, interest free.

**2.3 CONNECTION TO DISTRICT SYSTEM**. No new structure requiring water or sewer service under the applicable building or zoning regulations shall be constructed within the District unless connected to the District's water and sewer system. However, the Board may permit the owner to install temporary individual disposal facilities providing that all the following conditions are met:

1. Extension to the District's system would create an unreasonable financial burden,

2. A private disposal system is constructed to meet all State Health Department requirements, and

3. The owner provides written agreement to connect to the District system when a District service line is within 400 feet of the structure.

All existing buildings capable of being served by the District shall connect to the District's water and sewer system when a District line is available within 400 feet of the buildings. All extensions and connections shall be in accordance with the practices contained hereinafter. No septic tank systems or other private sewage disposal facilities shall be constructed or used within the limits of the District unless specifically approved by the Board.

Prior to requesting a connection permit for water and/or wastewater service, an "Availability of Service" letter must be obtained. This letter will contain information regarding the availability of service(s), under what conditions the service can be made available and any special circumstances that pertain to the property. This letter will guarantee permit fees and water and sewer services to the property, for a period of one year after the date of the letter. The property owner must obtain a permit for connection of services before beginning construction of a building. Changes to the original request for services may require adjustments to fees charged for the connection permits in accordance with the District ' s approved fee structure. If the "Availability of Service" letter expires prior to a connection permit being obtained, the letter is no longer valid. An application for a new "Availability of Service" letter will need to be submitted and reviewed and will be subject to the most current rules and availability of services.

Applicants requesting to purchase connection permits from the District must provide the District a valid excavation permit issued from the appropriate municipality or county (Westcliffe, Silver Cliff, Custer County) that governs the location of the tap installation before the purchase can be completed. Connection permits will not be sold without the issuance of a valid excavation permit.

All connection permits issued prior to August 2nd, 2018, shall continue to be administered in accordance with previous regulations until such time these connections are made to buildings, or connection permits are transferred to another property, or connection permits are abandoned in accordance with Section 3.42.

Water and/or wastewater connection permits issued after August 2nd, 2018, shall be valid for a period of four (4) years after the date of issuance. If construction has not begun or a contract for construction has not been issued by the end of the four (4) year period, the permit(s) will expire on the 1,461st day after the permit issuance date and the District will refund the current property owner any system development fees and connection charges previously paid to the District within thirty (30) days after the date of expiration.

Once expired, a new permit must be acquired before any connection may be made. No refund will be made for application fees, design related fees, or for other similar fees. Any expenses incurred by the District related to the extension of water or wastewater service lines shall not be refunded. Refunds will be sent by first class mail to the address on the permit unless the District has received a written request notarized and signed (by the person(s) having title to the property) that provides a different address or different delivery method. Refunds will be made only to the person(s) who currently have title to the property to be served.

Water and/or wastewater connection permits issued after January 1, 2024, shall not be subject to an expiration date, but will not be allowed to be returned to the District for a refund for any reason not approved by the District board, including Federal or State actions and mandates that would prohibit (for an unknown period of time) the connection to District water and sewer mains. Once a tap purchase agreement is signed, the tap purchaser acknowledges and accepts the risks associated with that tap purchase.

All permits shall be subject to the same minimum monthly water and/or wastewater service fees as though the service lines were connected and installed at that location. Minimum monthly fees shall start on the first day of the month following 90 days after a permit is issued or upon service line connection to a building, whichever occurs first. Minimum service fees charged after obtaining the permit and prior to connection of the building to the District' s system will not be refunded for any reason.

If tap fees are amended after the date of permit issuance, no adjustment shall be made by means of a rebate or by additional charges unless a request is made for a change in tap size or if any other adjustment would impact flow or pressure through a connection. All connection permits shall be designated for a specific location and shall not be transferred to any other location unless specifically approved by the District.

Unless otherwise specifically approved by the District Board of Directors or their authorized representative, each separately owned parcel to be served shall be adjacent to both water and sewer mains in a public street, alley, easement, or right-of-way. Private easements or extending service lines lengthwise down any public street, alley, easement, or right-of-way will be prohibited unless an exception is approved by the District.

**2.4 DAMAGE**. No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, obstruct, deface or tamper with any structure, appurtenance, or equipment that is a part of the water or sewage works.

**2.5 WATER SYSTEM.** The District's water system has been planned and constructed to provide potable water for conventional domestic and commercial uses and fire protection. Persons wanting to use the water system for an industrial water supply, which could be expected to require large quantities of water or unusual demand rates, shall be required to submit plans for the industry's water use before a permit will be issued; said permit may contain use limitations, as determined necessary by the Board.

**2.51 WATERING AND IRRIGATION HOURS.** The Board may from time to time find it necessary to control or restrict watering and irrigation (including limiting hours for watering and irrigation) within areas served by the District in order to maintain adequate water storage, water pressure and fire protection capabilities, or to cope with unusual supply limitations, pumping limitations or other emergency situations. At such times, the Board shall have full authority to adopt watering restrictions (including restrictions on hours for watering and irrigation) by separate resolution, subject to fines for violators, together with provisions for penalizing, disconnecting, and collecting fees and charges from customers who fail to pay the fines, fees, or charges, in the same manner as provided herein for nonpayment of fees and violations of these regulations.

**2.6 CUSTOMER PLUMBING.** No cross-connections between the District water system and any other water supply or waste line shall be permitted. All customers’ plumbing shall comply with the Colorado State Plumbing Code. The District authorized inspector shall have right of access to customers’ premises for the purpose of inspecting customer plumbing. Failure of a customer to grant access to District inspectors shall be grounds for suspension and disconnection of service by the District.

No residential customers shall have floor drains connected to the sewer system, installed in garages, or other uninhabited areas.

Service stations, garages, schools and other commercial or industrial customers may install floor drains only by the express permission of the District. Approved grease and grit traps shall be provided and maintained for all such drains. Grease and grit traps must meet all specifications and design standards as deemed adequate and necessary by the District and must comply with the Colorado State Plumbing Code.

**2.7 SWIMMING POOLS.** All pools (connected or not connected to District infrastructure) must be registered with the District, showing the location and size of the pool before construction begins. A permanent sign must be placed prominently at all pool filter installations, stating that pools are not to be drained without the District’s written permission and that pool draining shall be limited to the hours between 11 p.m. and 6 a.m. Pool backwash wastewater system design and operation are subject to the Colorado State Plumbing Code and to the approval of the District.

**SECTION 3**

**SERVICE CONNECTIONS**

**3.1 INDIVIDUAL SERVICE LINES.** Individual water and sewer taps are required for each individual residential or commercial structure. Separate service lines are required for each residential or commercial structure. Any requested variance from this requirement must be approved by the District.

Exceptions to this rule: Multi-unit buildings, building complexes or mobile home parks, including condominiums, apartments, shopping centers, motels, hotels, or any other improvement comprising two or more units shall be permitted to utilize a single water tap (and single water meter installed by the District), provided that the entire complex and/or improvement is owned by a single person.

Should it become necessary to terminate said services because of non-payment of fees and charges, said services shall be terminated to all units served by said single water and sewer taps (and water meter if applicable). In the event of such termination, the occupants, or owners of units within such multi-unit improvements, shall have no recourse against the District and shall seek recourse solely against the nonpaying owner.

In no case shall a single water tap, service line, or water meter serve separate parcels of property even if owned by a common owner. If a parcel of property is subdivided or otherwise divided into separate legal parcels or ownership units, separate taps, service lines and meters must be paid for and installed to serve the newly created parcels or ownership units so that each separate legal parcel or ownership unit has separate services.

For the purposes of this section, each non-contiguous lot, parcel, or property shall be considered a separate ownership, requiring separate service taps and separate service lines. Non-contiguous property is that which is separated by any public street, alley, right of way, lot line or by any other ownership.

**3.2 SPECIFICATIONS.** All materials and installation practices shall conform to the current Colorado State Plumbing Code, current Colorado Department of Public Health and Environment rules and regulations and shall be subject to the District’s Technical Specifications for the Installation of Water and Sewer lines (Appendix B). Installation of all taps, service lines and meters shall be inspected and approved by the District before back fill and use.

**3.3 COST AND MAINTENANCE RESPONSIBILITY.** All cost and expense of the installation and connection of water and service lines, including the stub-in, shall be borne by the customer (including excavation, backfill, sidewalk and road surface restoration). All excavation practices, parts and materials shall be in conformance with Appendix B: Technical Specifications for the Installation of Water and Sewer Lines and will be approved by the District before installation.

If required by the District, the customer shall install a Pressure Reducing Valve to reduce excess water line pressure before connecting building plumbing to the incoming water service line.

After acceptance of the initial service line construction,the District shall assume the ownership of the water service tap, stub-in and meter, and shall maintain the same at District expense. The customer shall retain the ownership of and maintenance responsibility for the entire sewer service line from the tap to the customer’s structure.

**3.4 WATER AND SEWER SERVICE TAPS.** The installation and maintenance of taps and stub-ins, including the exposure of mains, shall only be done by the District or by contractors approved by the District. The customer must confirm their installation contractor is approved by the District before construction begins. New tap and stub-in installations may be postponed by the District until ground conditions are frost free.

All taps are owned by the District. The payment of tap fees and the signed acceptance of a tap installation agreement affords the property owner a right to connect to and use the publicly owned water and/or sewer system. The property owner's interest in the tap is usufructuary rather than legal. Usufructuary means the right to use something that belongs to others. This right applies for a specific tap size at a specific location, pursuant to the fees and regulations of the District.

Once placed in service, the tap becomes an appurtenance or privilege that runs with the property, either to be used at that location or abandoned. The right to use a tap may not be marketed as personal property nor sold by the property owner for use elsewhere. Only the District, as owner and public custodian of the tap, has the right to permit its relocation.

**3.41 TRANSFER OF EXISTING TAPS.** The District, at its sole discretion, may approve the transfer of taps previously purchased but uninstalled from one property to another within the District. Transferred taps will be subject to the most current installation policy.

**3.42 ABANDONMENT OF SERVICE TAPS.** Owners whose properties are vacant or whose buildings do not require water or sewer service under the applicable building or zoning regulations may petition the Board of Directors in writing for abandonment of water and/or sewer service taps. The Board at its next regular meeting will consider such a petition, and if approved by majority vote, the Board shall declare the taps abandoned and shall provide the owner with a written certificate of abandonment.

Such abandonment will be made without refund of tap or connection fees. Upon abandonment of the taps, the property will cease to be subject to minimum service or availability fees.

Such property shall not be occupied until the service is renewed by means of a new permit and full payment of tap and connection fees in effect at the time of permit approval. At such a time, services will be made available, subject to all District rules and regulations then in effect.

**3.5 WATER AND WASTEWATER DISCONNECT/RECONNECT.** Water turn on/off service may be requested with prior notice. Wastewater service may not be turned off at any time unless by permit abandonment or lawful disconnection due to payment delinquency. The water service will not be turned on or off by the District at the request of the owner unless he, his agent, or his representative is present.

A customer is entitled to one water disconnect and one water reconnect per year per account. Any additional disconnect or reconnect request will be charged for each occurrence as described in Appendix A. Water disconnect/reconnect will take place at the curb valve or water meter by the District only during normal working hours and only when at least twenty-four (24) hours advance notice has been given to the District. Although not obligated to do so, the on-call technician may turn service on or off outside of normal working hours or without advance notice. An additional fee will be charged each time the service is performed outside of business hours and will be included as a special fee on the next monthly billing.

**SECTION 4**

**CRITERIA FOR WATER AND SEWER MAIN EXTENSIONS**

**SERVICE AVAILABILITY.** Water and sewer service extensions can be furnished only to properties included within the District and subject to taxation by the District, except as otherwise approved by the Board.

**WATER SUPPLY.** As a condition of serving a parcel of property, the District shall require an owner to convey by special warranty deed to the District all water and water rights historically used to irrigate the portion of the property to be developed or, in the District’s sole discretion, a lesser amount as the District deems necessary for the provision of water services to the owner’s property. In no event shall the amount of water dedicated to the District be less than the amount necessary to serve the proposed development. All water rights must be accompanied by a confirmed yield and/or demand report proving sufficiency to meet the expected demand of the new development. The District may require other documentation or information related to the water rights and the proposed development prior to extending service to the property. All water rights conveyances shall be free of all liens and encumbrances and in a form acceptable to the District.

**SCOPE**

The procedures, regulations and limitations of this policy apply to all requests for water and sewer main extensions in all areas, inside or outside of the District. Any variance from this policy requires Board approval.

###### **SECTION 4.10 – GENERAL PROVISIONS**

**41.1 ENGINEERED DESIGN**

A Registered Professional Engineer licensed to practice in the State of Colorado shall design all water and sewer public infrastructure extensions and any system modifications within the District.

* + 1. PLAN SUBMISSION

All water and sewer designs shall be submitted to the District on either 11 x 17 inch or 24 x 36-inch sheets and electronic PDFs for review and approval prior to construction.

* + 1. DISTRICT APPROVAL

All designs must be approved by the District before any construction begins. District approval will be given when, in the District’s opinion, the proposed plans conform to District specifications and otherwise meet the needs of the District and applicable engineering standards.

* + 1. AS-BUILT DRAWINGS

When construction has been completed to the satisfaction of the District, the project engineer shall submit As-Built Drawings of the project to the District.

* + 1. CERTIFICATE OF COMPLETION

Upon approval and acceptance of the As-Built Drawings, the District will issue a Certificate of Completion for the project. The system may then be placed in service.

* + 1. NOTICE OF ACCEPTANCE

Upon request by the Contractor after completion of the warranty period, and after correction of any deficiencies, the District will issue a Notice of Acceptance, relieving the Contractor of any further responsibility for the work.

* 1. **AS-BUILT DRAWINGS**

Before the District issues a Certificate of Completion of improvements, the Developer or Contractor shall provide the District with two sets of “AS-BUILT” drawings, one on 24 x 36-inch sheets, the other in digital form. These drawings shall have been prepared and signed by the Project Engineer and shall show in sufficient detail all actual “as-constructed” station numbers, elevations, dimensions, offsets and details needed to locate, maintain and connect to the facilities. Manholes, valve boxes, buried tees, wyes, ells and services shall be located by station number and offset from centerline. Additionally, water and sewer line appurtenances shall be surveyed by a licensed surveyor. The basis shall be the District control points with northing and easting and elevation of the appurtenance. These data point shall be provided to the District in an electronic format.

Satisfactory “AS-BUILT” drawings must be delivered to the District before the District will accept the work and issue a Certificate of Completion. Failure to submit AS-BUILT drawings acceptable to the District may result in termination of District water and sewer service.

**41.3 LOCATIONS OF WATER AND SEWER MAIN EXTENSIONS**

Unless otherwise approved by the District, water distribution and sewer mains shall be installed in public rights-of way or easements over which the Town of Westcliffe, the Town of Silver Cliff, Custer County, or the State Highway Department has jurisdiction. Any easement shall be in a form and of a duration acceptable to the District. The costs for preparing and acquiring any such easement shall be borne by the Developer unless otherwise agreed upon by the District.

**41.4 IMPROVEMENTS AGREEMENT AND FINANCIAL GUARANTEE**

Prior to commencement of construction of any such line or addition, the Developer shall deposit with the District security in the form of cash or a Letter of Credit in a form acceptable to the District in the amount of 120% of the estimated cost of the proposed construction. The purpose of such security is to enable the District to undertake or complete such construction utilizing the District’s own forces or contractors in the event the Developer fails to complete the construction.

If cash is used as security, amounts shall be released by the District on the schedule pursuant to the District’s cash in Lieu of Letter of Credit Financial Guarantee Agreement.

If a Letter of Credit is provided as security, at the time of 100% completion of construction and upon inspection and probationary acceptance of the construction by the District, presentation of evidence of full payment therefore by the Developer through canceled checks, lien waivers, or other evidence satisfactory to the Manager of the District, the District shall cause to be refunded to the Developer 100% of the cost of actual construction, with the District retaining 20% of the cost of construction until the expiration of the two-year warranty period applicable to such construction. At the completion of the two-year warranty period, the District shall return to the Developer all amounts remaining in possession of the District which have not been required to be expended by the District in repair of maintenance of said construction. No permission to connect to the water or sewer systems of the District shall be granted unless and until the provisions of this Section have been complied with.

The terms water main and sewer main shall be deemed to include any other facility related thereto including, without limitation, pumps pumping stations, wells, lift stations, metering devices and any other special structure which once constructed and/or installed will become a part of the District’s water and/or sewer system.

**SECTION 42.00 – WATER DISTRIBUTION SYSTEM MATERIAL AND INSTALLATION**

**42.1 SCOPE**

Water distribution systems in the District shall be designed and constructed in accordance with the standards of the American Water Works Association (AWWA), the Ductile Iron Pipe Research Association (DIPRA), the pipe manufacturer's recommendations, and comply with the District’s technical specifications. All applicable ANSI/AWWA standards apply including but not limited to: C150/A21.50, C150A21.51, C600, C651, AWWA C900 and AWWA C905. The latest editions are applicable.

**American Water Works Association**

**Handbook of Ductile Iron Pipe, Sixth Edition**

Ductile Iron Pipe Research Association 245 Riverchase Parkway East Birmingham, Alabama 35244

* 1. **GENERAL**
     1. Materials used must comply with the District’s Technical Specifications.
     2. Piping for water transmission, distribution and service lines to be installed in easements or public right-of-way under the jurisdiction of the towns of Westcliffe or Silver Cliff shall be designed, fabricated and installed per engineered plans as approved by the District and as hereinafter specified. The specific requirements for excavation and resurfacing over pipelines are detailed in the District’s technical specifications. Selecting fill and bedding for water line installations shall be strictly adhered to and followed. The District will inspect all installations prior to backfill. **Failure to comply with inspection requirements will result in mandatory re-excavation of the pipeline before approval.**
     3. Private unmetered water mains and private hydrants shall be prohibited. Private mains constructed solely for fire line service to buildings may be reviewed and approved on a case-by-case basis.
     4. PVC main line and plastic service line piping shall include tracer wire.
     5. Water main line valves, tees and appurtenances shall be survey located and the coordinates provided to the District via the record drawings.
  2. **DESIGN CRITERIA**
     1. The District will designate connection points for new pipeline extensions and will provide the project engineer with available information on existing pipe size and system pressure at those connection points. The project engineer shall size the water main extensions to provide adequate flow rates to properly serve the population of the proposed development. New distribution lines shall be no less than 8-inch diameter. All design calculations and design criteria shall be submitted to the District for review and approval by the District Manager.
     2. All offsite improvements necessary to accommodate new improvements shall be the responsibility of the developer/applicant.
        + 1. Water mains shall generally be placed on street centerlines or as determined by the District. Water mains shall be installed to maintain 5 feet of cover from the top of the pipe to the final finished street or landscaped area grade.
          2. Water main extensions for developments of 20 units or more shall be designed to make continuous loops, connecting to the District water system in at least two points to provide redundancy of supply.
          3. In Residential Areas, fire hydrants shall be installed a maximum of 500 linear feet apart, measured along the street, generally at each intersection, with a travel distance of no more than 250 linear feet from any point on the street to the nearest hydrant. In Business, Commercial, Industrial, and High-Density Residential Areas, hydrants will be installed in conformance with the Uniform Fire Protection Code. Where practical, hydrants shall be set on the side of the street closest to an inbound fire truck. Hydrant locations must be approved by District and by the Fire Chief. The Project Engineer will stake the location and elevation for all hydrants. In general, hydrants should be centered between the curb and the sidewalk, with the bottom of the hydrant base flange set 1" to 3" above top back of curb.
     3. Service line and meter sizing shall be in accordance with the District’s technical specifications.

**SECTION 43.00 – SANITARY SEWER SYSTEM MATERIALS AND INSTALLATION**

**43.1 SCOPE**

Sewage collections systems in or for RMWSD shall be designed and constructed in accordance with the standards promulgated by the Water Quality Control Division of the Colorado Department of Public Health, by the Uni-Bell PVC Pipe Association, and by this specification.

###### Design Criteria Considered in the Review of Wastewater Treatment Facilities Policy 96-1

Colorado Department of Public Health & Environment Water Quality Control Division

**Handbook of PVC Pipe, Current Edition**

Uni-Bell PVC Pipe Association 2711 LBJ Freeway, Suite 1000

Dallas, Texas 75234

* 1. **GENERAL**
     1. Materials shall be in accordance with the District’s Technical Specifications.
     2. Mains and public facilities to be installed in easements or public right-of-way under the jurisdiction of the City of Westcliffe or the City of Silver Cliff shall be designed, fabricated and installed per engineered plans as approved by the District and as hereinafter specified. The specific requirements for excavation and resurfacing over pipelines are detailed in the District’s technical specifications. Select fill and bedding for water line installations shall be strictly adhered to and followed. The District will inspect all installations before back-fill.
     3. All offsite improvements necessary to accommodate new improvements shall be the responsibility of the developer/applicant.
     4. Low-pressure sanitary sewer systems shall be approved on a case-by-case basis.
     5. Contractors and developers shall provide as-built record drawings for all public main installations. Mains, manholes, and appurtenances shall be survey located and the coordinates provided to the District via the record drawings.
  2. **DESIGN CRITERIA**

The main collection system for all developments shall be designed and constructed by the developer. Design of the system shall be the responsibility of the developer (or owner) with all plans and design calculations subject to review and approval by RMWSD.

1. PIPELINE MATERIALS
   1. All public sewerage collection pipelines shall be constructed of Polyvinyl Chloride (PVC) pipe manufactured in conformance with ASTM D-3034 (SDR 35), having a nominal inside diameter not less than 8 inches.
2. PIPELINE SIZES
   1. Sewer collection pipelines shall be sized to carry the Design Flows based upon service area population estimates by the design engineer. Should the District conclude, a proposed new pipeline will ultimately serve a larger area and population than is included in an individual project, the District may direct the design engineer to design a larger pipeline.
   2. The project engineer shall design all sewer pipelines. In the absence of defensible design criteria to the contrary, the design shall be based upon the following sewage-flow criteria:
      1. **Average flow** shall be determined by the following:
         1. Residential - on a basis of 3.5 people per residence and 100 gallons per day per person
         2. Multi-family Areas - on a basis of 300 gallons per day per living unit.
         3. Commercial Areas - on a basis of 4600 gallons per day per acre or actual usage, whichever is greater. Design criteria for commercial areas shall meet International Plumbing Code requirements.
         4. Industrial Areas - on a basis of 5040 gallons per day per acre or actual usage, whichever is greater. Design criteria for industrial areas shall meet International Plumbing Code requirements.
      2. **Peak Flow**: The average flow shall be multiplied by a peaking factor to obtain the peak design flow. The project engineer shall submit his peaking factor calculations and assumptions to the District with the plans.
      3. **Infiltration** shall be estimated using the following method. The larger result obtained using these calculations shall be added to the peak flow to determine the design flow.
         1. A factor of 75 gallons per inch diameter of pipe per day multiplied by the total length of pipe in miles and the diameter in inches.
         2. Engineering estimate based on soils report(s) and proximity of sewer lines to seasonal ground water table.
      4. **Design Flow:** The sum of the peak flow and the infiltration allowance shall be used to calculate pipeline size.
3. CALCULATIONS

The design engineer shall provide RMWSD with copies of his estimates and calculations.

1. GREASE TRAP REQUIREMENTS
   1. For all commercial developments concerning the preparation of food, all fats, oils, and grease (FOG) shall be directed through an appropriately designed interceptor or trap. Said device shall be designed and constructed according to the latest edition of the International Plumbing Code and subject to the rules, regulations and limitations of the District’s Fats Oils and Grease Policy (Appendix C).
   2. **LOCATION, COVER AND SEPARATION**
      1. Sewer mains shall generally be located under streets, south and west of street centerlines, or on centerlines of alleys. Sewer mains shall not be designed or installed in easements outside of public rights of way unless written permission is obtained from the District and an easement is provided to the District for all appurtenances that may require District maintenance.
      2. Sewer mains shall be located a minimum of 10 feet horizontally from existing or proposed water mains.
      3. Sewer mains shall be designed deep enough to serve basements and lower-level bathroom facilities wherever possible. The design engineer shall endeavor to place all sewers at least 7 feet below finished street grade. At a minimum, all sewers shall be at least 3-1/2 feet deep, measured from the top of the pipe to the proposed finish street grade. Where possible, sewers shall be installed deep enough to accommodate all foreseeable future extensions and connections.
   3. **ALIGNMENT AND SLOPE**
      1. Sewer mains shall be designed so the full flowing velocity is not less than 2 feet per second, or greater than 10 feet per second. Sewer mains shall be designed so the pipeline between any two adjacent manholes is on a straight line.

**MINIMUM SEWER SLOPE**

Minimum Slope in Feet

|  |  |
| --- | --- |
| Sewer Size | per 100 Feet |
| 8-inch | 0.40 |
| 10-inch | 0.30 |
| 12-inch | 0.28 |
| 14-inch | 0.25 |

* + 1. The minimum slope of the sewer line shall be 0.5% within 200 linear feet both upstream and downstream of all manholes angled greater than 45 degrees.

**4.4 WATER AND SEWER LINE EXTENSION REBATE POLICY**

It shall be the policy of the District that developers extending water and sewer main lines 400 feet or farther, which meet the District’s specifications for acceptance as a public line, will be allowed to collect a partial reimbursement for installation costs from persons connecting to the main that the developer has laid for a period of ten (10) years after the completion of the line. The District will collect this fee at the time of connection and will forward payment to the developer’s last known address.

Only those owning property adjacent to a main will be required to pay this fee before connecting to the main.

Anyone extending a main from the endpoint of a developer’s previous work will not be required to pay this fee. This exemption does not apply to an extension that serves any form of development that would prevent further extension of the main, limiting the new line to serve only one development (example: a cul-de-sac). Before construction begins, developers of such properties must pay their line installation reimbursement, based on the linear frontage of the development adjacent to the existing main.

**The amount of fee to be charged will be calculated using the following method:**

**Step 1. Total Price per Foot =** Total line construction cost ÷ Total linear feet of constructed line

**Step 2. Price per Foot of Frontage =** Total price per foot ÷ 2

**Step 3. Contractor Capital Rebate Fee =** Price per foot of frontage **X** Total linear feet of property to be served

**Example:**

**Step 1.** $10,000 ÷ 500 ft = **$20 total price per foot**

**Step 2.** $20 ÷ 2 = **$10 Per foot of frontage**

**Step 3.** $10 X 100 ft of property frontage = **$1000 Contractor Capital Rebate Fee**

In calculating the construction cost, the developer may use all costs associated with the installation of the permanent structure of pipe and appurtenances, including engineering costs and permit fees. Expenses such as equipment depreciation, interest on borrowed money or overtime for laborers will not be reimbursed. All costs must be verified and approved by the District before calculation of the total construction cost. Any developer wanting to make use of this policy must approach the District and enter into an agreement with the District before completing the construction of the line.

Once an agreement is entered, it will be recorded against those adjacent parcels of property.

Each development and line extension are unique. As such, each agreement will be unique and may contain elements not within this general policy, but which are, in the District’s sole opinion, appropriate for the development in question.

**SECTION 5**

**RATES AND CHARGES**

**5.1 BASIS OF CHARGES**

**Sewer service charges for all customers shall be based on an equivalent residential unit (ERU) basis as shown below. Water service charges for customers subject to metered rates shall be based on gallons consumed, subject to a minimum fee**. **See Appendix A for the current rates and fees referenced herein.**

**CLASSIFICATION AND EQUIVALENT UNITS**

CLASSIFICATION ERU

1. Single-family residence, permanent trailer, town home, condominium unit, if

billed individually (not to have more than one kitchen): 1.0

1. Multi-family residential units, duplexes, apartments, condominiums, when in one building and billed collectively (subject to a minimum of 1.0 ERU per tap):

|  |  |
| --- | --- |
| 1. Buffet apartment | 0.6 |
| 2. Up to and including 2 bedrooms and no more than 1 bathroom | 0.8 |
| 3. Three bedrooms and over; or 2 or more baths | 1.0 |
| 4. Each coin-operated washing machine or its equivalent | 0.25 |
| 5. Mobile home (trailer) in court | 0.8 |

1. Transient rental units, hotels, motels, or rental units in residence. Basic fee

|  |  |
| --- | --- |
| including manager's quarters: | 1.0 |
| 1. Each additional rental room without cooking facilities | 0.3 |
| 2. Each additional rental room with cooking facilities | 0.4 |
| 3. Each coin-operated washing machine. D. Recreational vehicle (RV) parks: | 0.25 |
| 1. Manager’s unit | 1.0 |
| 2. Any space with water and or wastewater hookups | 0.5 |
| 3. All other spaces | 0.25 |
| 4. Dump Station  E. Bars, restaurants | 1.0 |
| 1. For business with less than 25 seating capacity | 1.0 |
| 2. For the second 25 seating capacity or part thereof | 0.8 |
| 3. For each additional 25 seating capacity (after the first 50) | 0.6 |
| F. Service stations without wash rack: | 1.0 |
| 1. Each additional wash rack | 1.0 |

1. Commercial or public buildings such as stores, offices, warehouses and similar, having no process water or waste loads:
   1. Minimum for each building or customer up to 4,000 square feet per building area 1.0
   2. For each additional 1,000 square feet building area or part thereof 0.2
   3. Additional for each pair of public restrooms 0.4
2. Churches, non-profit organization halls (no residence or regular eating

facilities): 1.0

1. Schools, public or private:

|  |  |
| --- | --- |
| 1. Basic rate, per pupil capacity 0-40 students and less | 2.0 |
| 2. Each additional (40) students or fraction thereof | 1.0 |
| 3. Additional for gymnasium and showers | 1.0 |
| 4. Additional for cafeteria | 1.0 |

1. Outside customers: for customers outside the District limits, multiply all applicable in-District rates by 1.5.
2. Swimming pools-for each 25,000 gallons or fraction thereof of swimming pool

capacity: 1.0

1. Public restrooms, showers, or laundromats not otherwise classified (subject to a minimum of 1.0 ERU per water tap):

|  |  |
| --- | --- |
| 1. Each public restroom | 0.2 |
| 2. Each shower unit | 0.25 |
| 3. Each washing machine | 0.25 |

If the property use should change at any time, fees will be adjusted to coincide with the change in use.

## 5.2 WATER AND SEWER TAP FEES AND CONNECTION CHARGES

Tap fees, including system development fees and tap installation fees, for water and sewer service shall be computed as listed in Appendix A.

Additions or size increases to an existing water tap or increased pollutant loadings to the sewer system shall require payment of additional appropriate System Development Fees for both water and sewer.

Water and/or sewer tap fees may be set by the Board in the case of any unusual-type customer.

**5.3 WATER AND SEWER SERVICE CHARGES**

# 5.31 WATER SERVICE CHARGES

## 5.31.1 RESIDENTIAL SINGLE-FAMILY WATER SERVICE CHARGES

A minimum monthly water fee per tap shall apply whether the water is on or off. No gallons are included in the minimum fee. A tiered-usage charge shall be added for each 1,000 gallons of water, as measured by the water meter serving the property.

## 5.31.2 RESIDENTIAL MULTI-FAMILY WATER SERVICE CHARGES

A minimum monthly water fee per metered account shall apply whether the water is on or off. No gallons are included in the minimum fee. A tiered-usage charge shall be added for each 1,000 gallons of water, as measured by the water meter serving the property.

## 5.31.3 COMMERCIAL WATER SERVICE CHARGES

A minimum monthly water fee per metered account shall apply whether the water is on or off. No gallons are included in the minimum fee. A tiered usage charge shall be added for each 1,000 gallons of water, as measured by the water meter serving the property.

# 5.32 WASTEWATER SERVICE CHARGES

## 5.32.1 RESIDENTIAL SINGLE-FAMILY WASTEWATER SERVICE CHARGES

A minimum monthly wastewater fee per tap shall apply whether the water service is on or off. No gallons are included in the minimum fee. A usage charge shall be added for each 1,000 gallons of water, as measured by the water meter serving the property. Charges for metered water usage shall be capped at 5,000 gallons per month of water multiplied by the number of ERUs assigned by the District in accordance with Section 5.1 Basis of Charges.

**5.32.2 RESIDENTIAL MULTI-FAMILY WASTEWATER SERVICE CHARGES**

A minimum monthly wastewater fee per metered account shall apply whether the water service is on or off multiplied by the number of ERUs assigned to the account by the District in accordance with Section 5.1 Basis of Charges of these regulations. No gallons are included in the minimum fee. A usage charge shall be added for each 1,000 gallons of water used per month as measured by the water meter serving the property. Charges for metered water usage shall be capped at 5,000 gallons of water multiplied by the number of ERUs assigned by the District in accordance with Section 5.1 Basis of Charges.

## 5.32.3 COMMERCIAL WASTEWATER SERVICE CHARGES

A minimum monthly wastewater fee per metered account shall apply whether the water service is on or off multiplied by the number of Equivalent Residential Users assigned to the account by the district in accordance with Section 5.1 Basis of Charges of these regulations. No gallons are included in the minimum fee. A usage charge shall be added for each 1,000 gallons of water used per month, as measured by the water meter serving the property.

### 5.4 BILLING AND PAYMENT

### Statements for all charges shall be prepared monthly in arrears. Printed statements, unless electronic statements by email are requested and authorized by the property owner, shall be sent by First Class mail the first full week of every month. All statements, whether mailed or emailed, are due on the dates they are sent to the customer and will be considered delinquent after close of business on the last business day of the month. A delinquency fee will be assessed to the unpaid charges and added to the next billing statement.

1. When an account has an unpaid balance after a new billing cycle, the first collection letter stating that a monthly payment is necessary is mailed that includes the date of customer’s last payment and that the past due balance is due within 10 business days from date of first letter. The letter will also state the current billing amount is delinquent at close of business on the last business day of the month to avoid any additional late charges. In landlord/tenant situations, the property owner also receives a statement and/or letter that indicates the past-due balance.
2. If payment is still not received, a second letter is sent two to three days after due date specified in first collection letter. This letter states we did not receive a payment or phone call as requested in the first letter, and therefore the total balance of the account is due by the last business day of the month. This second letter additionally states that if a payment is not received, the District will initiate steps to disconnect service. This letter also states that base water and sewer services will continue to accrue. This letter gives the option to contact the District to set up a payment plan if entire amount cannot be paid. When a landlord/tenant account is not paid by the tenant after the due date specified in this second collection letter, the account will be transferred to the property owner’s name.
3. If no response or payment is received and a new billing cycle has occurred, a third letter is sent immediately after the new billing is processed. This is marked as “FINAL NOTICE” and instructs the minimum payment due within 10 business days. The letter will state the exact date service will be disconnected for non-payment and reiterates that base water and sewer charges will continue to accrue even though service has been disconnected. This letter states a reconnect fee will be charged, and service will not be restored until the account is paid in full when disconnection of service has occurred.
4. “FINAL NOTICE” will state that the District will proceed with certifying the amount due to the County Treasurer’s Office in accordance with C.R.S. 32-11101. (Statute requires that an account balance must exceed $150 and shall be at least six months delinquent.) Therefore, if no payment is received after “FINAL NOTICE” is mailed, the District must wait to file a lien until statute requirements are met.
5. At any point during the collection process, the property owner may request a payment plan. Any payment plan request must:
   * 1. Provide for the payment of all current charges each month.
     2. Include a minimum monthly payment or the amount past due incorporating any delinquent charges previously assessed, divided by twelve (12) months, whichever is greater.
     3. Be signed by the property owner and an authorized District representative.

Once a payment plan has been approved, no further delinquent charges (late fees) shall be assessed.

If the property owner fails to make a payment as provided for in the payment plan agreement, the agreement shall be deemed null and void and the collection process shall be resumed at the point it was paused or the District may proceed to certify the past due amount without further notification.

**5.5 SPECIAL BILLINGS**

Flat rates or metered rates may be individually set by the Board for any unusual-type customer, for business and industries using process water or producing industrial wastes, and for the prevention of customer wastage.

**SECTION 6**

**PENALTIES AND SEVERANCE**

**6.1 APPLICABILITY**

These fees and regulations shall apply to all property owners within the boundaries of the District, and shall, in addition, apply to all property owners outside the District who are furnished water or sewer service by the District.

**6.2 LIABILITY**

Any person violating any of the provisions of these regulations shall be liable to the District for any expenses, loss or damage occasioned by reason of such violation.

**6.3 VIOLATION NOTICE**

a. Any person found to be in violation of the provisions of these regulations shall be served with written notice by the District. Such notice shall state the nature of the violation, the compliance required, and provide a reasonable time within which to comply. The time for compliance shall not exceed 30 days unless the circumstances justify a longer period in the District’s sole judgement. The notice may be mailed by certified or registered mail to the owner or served upon the persons in possession of the premises cited or posted conspicuously upon the premises for a period of 10 days.

b. In the event of failure to comply with the requirements set forth in the notice, the District may take any lawful action deemed appropriate in their sole discretion to prevent or abate actual or anticipated damage or danger to the system and such costs shall be properly charged against the property served and constitute a lien thereon.

c. It shall be a violation of these regulations for any person to fail to comply with any notice given pursuant to this Section. Each and every day or portion thereof during which any such failure is committed, continued or permitted, shall constitute a separate violation.

**6.4 DISCONNECTION**

In addition to, and notwithstanding, any other provisions and regulations, the District may at its option, disconnect the water or sewer line from any property owned by any person violating any of the provisions of these regulations from the facilities of the District. The costs of the disconnection and severance shall be charged against the property formerly served by the District and, until paid, shall constitute a lien which shall be collected in the same manner as provided for herein for the collection of rates, tolls, fees and charges, or as otherwise provided by law.

**6.5 SEVERABILITY**

If any provisions of these Rules and Regulations or the application thereof to any person, situation or circumstance be held invalid, such invalidity shall not affect other provisions or applications of these Rules and Regulations which can be given effect without the invalid provisions or applications and the provisions of this Resolution are declared to be severable, the Board of Directors expressly declaring that it would have passed this Resolution and every paragraph, sub-paragraph, sentence, clause, phrase and word thereof irrespective of the fact that any one or more of the other paragraphs, sub-paragraphs, sentences, clauses, phrases, or words thereof may be declared invalid.