

**RURAL WATER DISTRICT NO. 7
OSAGE COUNTY, KANSAS**

RULES AND REGULATIONS
(2021 edition)

These Rules are issued in compliance with Section 82a, 612 et seq., Kansas Statutes Annotated, as amended, and the By-Laws of the District and are designed to govern the supplying and taking of water service in a uniform manner for the benefit of the District and its members. They are subject to change from time to time. If a provision of the Rules conflict with a provision of the rate schedule, the provision of the rate schedule will prevail. If any portion of these Rules shall be declared invalid by competent authority, such voidance shall not affect the validity of the remaining portions.

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

APPLICANT: Any individual, firm, partnership, corporation or other agency owning land located within the District, applying for water service.

BENEFIT UNIT: A right entitling the holder to one water service. A right entitling the holder to one water service and one water supply unit

WATER SUPPLY UNIT: The holder of a benefit unit on a constant flow line may purchase such additional water supply units as the Board of Directors may approve.

BOARD: The Board of Directors of Rural Water District No. 7, Osage County, Kansas.

LANDOWNER: Any individual, firm, partnership, corporation or other agency receiving water from the District's facilities and owning or occupying land located within; the District in favor of which one or more benefit units have been subscribed and paid for.

POINT OF DELIVERY: The point of delivery shall be at the meter. Unless otherwise specified in the Application for Water Service and Water Users' Agreement.

SERVICE: The term service when used in connection with the supplying of water shall mean the availability for use by the Landowners of water adequate to meet the landowner's requirements. Service shall be considered as available when the District maintains the water supply at normal pressure at the point of delivery, in readiness for the landowner's use, regardless of whether or not the landowner makes use of it.

APPLICATION FOR WATER SERVICE AND WATER USERS' AGREEMENT: The agreement or contract between the landowner and District, pursuant to which water service is supplied and accepted.

WATER SERVICE: A water service shall consist of facilities for supplying water to one residence or business establishment located on land within the District. A landowner must purchase a benefit unit and accept a water service for each residence or business establishment served.

GENERAL RULES

1. A. The supplying and taking of water will be in conformance with these Rules and the applicable rate schedule attached hereto, and files with the District's Engineer of the Division of Water Resources and the Secretary of the District.

 B. Provided, however, the rate schedule is subject to change by action of the Board.

 C. Provided, further, if at any time the Board of Directors determines that the total amount derived from the collection of charges is insufficient for the payment of operating costs, emergency repairs, debt service, and a reasonable reserve, the Board shall increase the minimum water rate for the first month thereafter in an amount sufficient to pay such operating costs, emergency repairs, debt service and to accumulate reasonable reserves.
2. A. Applicants for service shall make application to the Business Manager of the District.

 B. Applicants/landowners shall designate the specific location of the benefit unit. If the application for service is approved by the District's Engineer and Board of Directors, the applicant will purchase a benefit unit for each water service desired, and sign the standard Application for Water Service and Water Users' Agreement within 90 days.

 C. In addition, the benefit unit shall be installed at the specific latitude and longitude approved within 120 days of its purchase.

 D. All landowners are responsible for Benefit Unit charges. The District does not recognize or take part in rental agreements.
3. Before installing a service extension and providing water available for use, the Board may require the applicant to pipe his home and be in readiness to accept service. The customer's service line shall connect to the benefit unit at least five feet (5') from the meter well.

SERVICE IS THE SOLE USE OF THE LANDOWNER

A standard water service connection is for the sole use of the landowner, and does not permit the extension of pipes to transfer water from one property to another, nor to share, resell, or sub-meter to any other landowner.

AGREEMENTS WITH GOVERNMENTAL AND PUBLIC BODIES

The District through its Board of Directors may make specific water service contracts with the Federal Government, the State of Kansas, or agencies thereof, school districts and municipal corporations, differing from stipulations set out in the rate schedule and Rules.

RIGHTS OF ACCESS

1. Easements granted to the Water District by the landowner are required for all properties on which the water line and benefit units are to be located.
2. Representatives of the District shall have the right at all times to enter upon the landowner's premises to perform duties for the proper maintenance and operation of service, or to remove its service equipment and shut off water upon discontinuance of service by landowner, or because of nonpayment.

CONTINUITY OF SERVICE

The District will make all reasonable efforts to supply continuous, uninterrupted service. It shall have the right to interrupt service for the purpose of making repairs, connections, extensions, or for other necessary work. Efforts will be made to notify landowners who may be affected by such interruptions, but the District will not accept responsibility for losses, which might occur due to such necessary interruptions.

The District does not accept responsibility for losses or damages which might occur due to interruptions to service caused by storms, strikes, floods, fire or other causes beyond its control.

CONTROL EQUIPMENT

Meters or flow control and float valves will be furnished, installed, owned, inspected, tested and kept in proper operating condition by the District, without cost to the landowner. A complete record of tests and histories of meters will be kept. The District will make meter tests according to methods of the American Waterworks Association, as often as deemed necessary by its Board of Directors.

METER OR FLOW CONTROL VALVE LOCATIONS

Meter or flow control valves will be set in meter wells at or near the user's property line which is adjacent to a public road. Float valves, when used, will be installed at the landowner's storage facility. Meters shall be set in an accessible place outside of buildings except where otherwise directed by the District. All meters shall be set horizontally and never connected into a vertical pipe. Meters set outside of a building shall be placed in a meter box furnished and installed by the District.

BILLS/FEES/RATES

The following rate/fee schedule shall apply to all patrons/benefit unit holders in the District.

- 1) Monthly minimum: All benefit unit Landowners shall pay a monthly minimum sum of \$32.95, which shall include up to 1,000 gallons of water. This monthly charge shall apply to all benefit units, whether or not water is actually used during that month (i.e. "0" use meters).
- 2) Capital Improvement/Infrastructure Fund: All benefit unit Landowners shall also pay a monthly fee of \$5.00 which shall be earmarked and set aside in a separate account for District improvements and infrastructure needs.
- 3) Rate per 1,000 gallons: The rate per 1,000 gallons used for all benefit unit Landowners (excluding wholesale customers) is: \$8.95 per 1,000 gallons used. The \$8.95 per 1,000 gallons used rate shall only apply to benefit unit holders/patrons consuming over 1,000 gallons in a given month. In addition, the District shall bill the patron at the next highest 1,000 gallon rate. (For example, a patron that uses 2,990 gallons will be billed \$17.90 plus the monthly minimum and Capital Improvement/Infrastructure fee, while a patron consuming 3,010 gallons would be billed \$26.85 plus the minimum and Capital Improvement/Infrastructure fee.)
- 4) All patrons of former Rural Water District #1 will pay a monthly acquisition fee of \$25.00 for 20 years effective from the first month of obtaining water from Rural Water District #7.
- 5) Insufficient/Returned Check Charge: Any landowner who submits a check for payment of costs or fees that is returned or marked insufficient shall be assessed a \$30.00 fee by the District.

Meters will be read by a representative of the District on approximately the 20th day of the month and payment of the month's water bill shall be no later than the 16th day of the month following the month for which the bill is due as set forth in the water rate schedule. Constant flow users will pay their fixed payment by the same date. Bills

not paid on the 16th day of the month shall be assessed a twenty dollar (\$20.00) late charge. Failure to pay a bill in full by the first day of the month following the month in which the bill is rendered shall result in discontinuance of the service.

RECONNECTION CHARGES

The re-connection charge for restoration of service, if re-connection is authorized and approved under the provisions of the By-Laws of the District, after each suspension of service because of delinquent payment or for other infraction of the Rules, shall be the unpaid amount charges to date against the landowner's benefit unit, twenty dollar (\$20.00) late charge and a sum of \$200.00 to cover the reasonable cost of labor necessary to make such re-connection.

METER WELLS AFTER FORFEITURE

If any benefit unit is forfeited pursuant to Article 7 of Rural Water District No. 7's Bylaws, the District shall forthwith remove the benefit unit.

REINSTATEMENT OF BENEFIT UNIT AND RESTORATION OF SERVICE AFTER FORFEITURE

In the event any benefit unit is forfeited pursuant to Article 7 of Rural Water District No. 7's Bylaws and said customer or the landowner wants water services restored at said location, the District shall restore services upon the following being paid:

- 1) All fees and charges, including reconnection charges set forth above, due to the District in addition to any fees and charges that would have accrued since the date of forfeiture; and
- 2) A benefit unit reinstatement fee of one thousand dollars (\$1,000.00) which is 20% of the District's current new benefit unit fee.

REQUESTED METER OR CONTROL VALVE TESTS

Meter or control valve tests requested by landowner will be performed without cost to the landowner. Although if the meter or valve is found to be out of compliance with Master Meter design or operation the landowner for whom the requested test was made will be charged for the cost of making the test.

LANDOWNER'S RESPONSIBILITY

The landowner shall be responsible for any damage to service equipment installed by the District for his service, on account of any cause other than normal wear and tear. Unauthorized tampering, rerouting of water, if the lock is cut off or otherwise

illegally removed shall be just cause for forfeiture of the benefit unit. Meter well is never to be tampered with nor is water to be shut off unless approved by District's operator.

CHANGE OF OCCUPANCY/ TRANSFERS

- A. It shall be the landowner's responsibility to anticipate changes of ownership where the benefit unit is located, and to have his or her benefit unit and additional water supply unit(s) transferred to the new landowner as prescribed in the By-Laws.
- B. Until the benefit unit is formally transferred, the original holder shall be responsible for payment for service. All charges levied against a benefit unit must be paid, before the benefit unit can be transferred, or service resumed where there has been a suspension.

MAIN EXTENSIONS

If a water main extension is necessary to provide water to an applicant/landowner then the costs of said main extension shall be paid by the applicant/landowner unless otherwise approved in advance by the District's Board of Directors.

SERVICES

The District will install and pay for all water services piped (except for private fire protection) from its mains to the meter on pressure lines and to the float valve at the owner's reservoir for constant flow lines. The service line for meters shall not be less than 1½" in size. The District will also install and pay for the District dock, meter, meter setting for pressure lines and will pay for the flow control valve, strainer, float valve and insulated valve box on constant flow lines. The meter or constant flow valves will be set in front of the premises to be served or at the closest point on the landowner's premises designated by the District.

COST OF BENEFIT UNITS FOR DEMAND SYSTEM

Cost of the benefit unit shall be \$6,000.00 (six thousand dollars).

APPLICANTS HAVING EXCESSIVE REQUIREMENTS

In the event a landowner whose water requirements are found to exceed District's ability to supply it from existing plant without adversely affecting service to other landowners to an unreasonable extent, the District will not be obligated to render such service, unless and until suitable self-liquidating financing is arranged to cover necessary investment in additional plant.

CONNECTION WITH PRIVATE WATER SYSTEM

There shall be no physical connection between any private water system and the water system of the District. Representatives of the District shall have the right at all times to enter upon landowner's premises for the purpose of inspection and enforcement of this provision. Violation of this provision shall constitute cause for disconnection of a landowner's service.

Unanimously adopted by the Board of Directors at a meeting, May ,11 2021, held at its offices in Osage City, Kansas, with 8 members of the Board of Directors present.

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