



JEFFERSON COUNTY RURAL WATER DISTRICT # 13

1951 Wellman Road
Lawrence, KS 66044

(785) 842-1502
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RULES AND REGULATIONS

These Rules are issued in compliance with Section 82a, 612 et seq., Kansas Statutes Annotated, as amended, and the Bylaws of the District and are designated 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.

Board: The Board of Directors of Rural Water District No. 13, Jefferson County, Kansas.

Consumer: 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 consumers of water adequate to meet the consumer's requirements. Service shall be considered available when the District maintains a water supply at normal pressure in the main water line running to the property, or when said main adjoins, abuts or otherwise is located so as to provide access to a connection to the property, as determined by the District, in readiness for the consumer's use, regardless of whether or not the consumer makes use of it.

Application for Water Service and Water Users' Agreement: This agreement of contract between the consumer and the District is pursuant to which water service is supplied and accepted.

Water Service: A water service shall consist of facilities for supplying water to one primary residence, farm, or business establishment together with usual outbuildings located on land within the District. A landowner must purchase a Benefit Unit and accept a water service for each primary residence, farm, or business establishment together with usual outbuildings served.

GENERAL RULES

1. The supplying and taking of water will be in conformance with these Rules and the applicable rate schedule attached hereto, and filed with the Chief Engineer of the Division of Water Resources and the Secretary of the District: Provided, however, that such rate schedule is subject to change by action of the Board: Provided, further, that if at any time the Board of Directors determines that the total amount derived from the collection of charges is insufficient for 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. Applicants for service shall make an application to the Office Manager. If the application for service is approved by the 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 for an indefinite period.
3. Minimum monthly charges, as established by the District, shall be charged to each water service from the time a Benefit Unit is purchased, a Benefit Unit number assigned and when service is made available by the District.

SERVICE IS FOR SOLE USE OF THE CONSUMER

A standard water service connection is for the sole use of the applicant or the consumer, and does not permit the extension of pipes to transfer water from one property to another, nor to share, resell, or sub-meter water to any other consumer. If an emergency of specific situation should make such an arrangement advisable, it shall be done only on specific written permission of the Board of Directors for the duration of the emergency.

AGREEMENTS WITH GOVERNMENTAL AND PUBLIC BODIES

The District, through its Board of Directors, may make specific water service contracts with governmental units, school districts, municipal corporations, multiple housing facilities including mobile home and trailer courts servicing residential users, and other commercial users. These commercial users will not include farms with family-size operations. Such commercial users will pay a hook-up charge, which shall be the cost of an increase in the capacity of a system to serve such users. Such commercial users may pay a special commercial rate for water used. This water rate will be based on the cost of the production of water and may differ from the water rate charged to regular water users.

RIGHT OF ACCESS

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

CONTINUITY OF SERVICE

The District will make all reasonable efforts to supply continuous, uninterrupted service. However, it shall have the right to interrupt service for the purpose of making repairs, connections, extension, or for other necessary work. Efforts will be made to notify consumers 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 which might occur due to interruptions to service caused by storms, strikes, floods, or other causes beyond its

control.

CONTROL EQUIPMENT

Meters will be furnished, installed, owned, inspected, tested, and kept in proper operating condition by the District, without cost to the consumer. A complete record of tests and histories of meters will be kept. Meter tests will be made according to methods of the American Waterworks Association by the District, as often as deemed necessary by its Board of Directors.

METER ACCURACY

Meters will be checked periodically at the direction of the Board of Directors. Service meters whose errors do not exceed two percent (2%) fast or ten percent (10%) slow shall be considered as being within the allowable limits of accuracy for billing purposes. The percentage of error will be considered as that arrived at by taking the average of the error at full load and that at the ten percent (10%) load, unless a consumer's rate of usage is known to be practically constant in which case the error at such constant use will be used.

METER LOCATIONS

A meter will be set in meter wells at or near the user's property line. 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

The District Board, at its discretion, may (1) require members to read their own meters or (2) have the meters read by a District representative.

BILLING DATES; CHARGES FOR PAST DUE BILLS

Water bills shall be mailed on approximately the 1st day of each month for the previous month's service. All water bills shall be due and payable IN FULL at the water District office no later than 5 p.m. on the 16th of the month. Payments received after 5 p.m. on the 16th will be considered delinquent and a late charge of 10% of the current bill will be added to the delinquent bill.

NONPAYMENT OF BILLS

A: A delinquent account notice shall be issued in writing on the 20th day of the month for all delinquent water bills. Notice will be sent by first class U.S. mail to the Benefit Unit owner and to the occupant of the land at issue (who will be referred to hereafter as customer), if the occupant is not the owner of the Benefit Unit.

B: The delinquent account notice shall provide the following information:

1. Name of customer and address where service is provided.
2. Amount past due, INCLUDING any and all service charges.
3. All past due amounts are to be paid immediately and in full. If customer fails to make such payments, customer will be subject to possible termination of water service following notice and a hearing as discussed below and pursuant to the "TERMINATION OF SERVICE" section set forth below; if physical disconnection of service is completed, a \$50.00 reconnection fee will be added to the customer's bill.
4. Notice that if the customer disputes any part of the bill, the customer has the right to appear and be heard at a hearing.
5. Notice that a hearing is only scheduled upon the request of the customer.

HEARINGS

If a hearing is requested by a customer within ten (10 days) of receiving the delinquent account notice named above, said hearing will be conducted within thirty (30) days of such request. A hearing officer will be appointed by the board. The customer and District has the right to be represented by counsel and may examine and cross-examine witnesses. Formal rules of evidence shall not apply. Evidence by both the customer and District that is pertinent to the issue shall be presented at the hearing. Immediately upon completion of the hearing, the hearing officer shall make his or her ruling. If a finding is made in favor of the customer, the hearing officer may adjust customer's bill accordingly, and will set a due date for the customer's payment to be made. If a finding is made in favor of the District, the hearing officer shall order disconnection of service, but such office shall also have the right to extend the date of disconnection to allow customer to make reasonable payment arrangements with the District.

TERMINATION OF SERVICE

1. If a customer receives a payment agreement from the District and does not comply, there will be immediate disconnection of service and the bill will need to be paid in full before service will resume.
2. Any account that is delinquent, for any amount, for two (2) billing cycles will have their service terminated until the bill is paid in full, including any and all service fees.
3. A reconnect fee will be added to any account that physically has their service disconnected.

FORFEITURE

House Bill 2080 taking effect July 1, 2017 requires reinstatement of a Benefit Unit forfeited for nonpayment of fees and charges upon payment of:

1. All fees and charges due at time of forfeiture;
2. All monthly minimum fees and late fees that would have accrued since the date of forfeiture; and
3. A reinstatement fee not to exceed 20% of a new Benefit Unit fee.
This fee includes a new meter to match current standards, cost to install, cost to bring existing meter pit to current standards, and any actual administrative fees associated with reinstating the Benefit Unit.

WATER DROUGHT AND EMERGENCY WATER REDUCTION POLICY

Section 1: Purpose

The purpose of this resolution is to provide for the declaration of a water supply watch, warning or emergency and the implementation of voluntary and mandatory water conservation measures throughout the Jefferson County Rural Water District #13 distribution system in the event such a watch, warning, or emergency is declared.

Section 2: Definitions

- a. "Water," as a term is used in this policy, shall mean water available to Rural Water District #13 of Jefferson County for public distribution by virtue of its water rights or any treated water introduced by the District into its water distribution system, including water offered for sale at any coin-operated site.
- b. "Customer," as the term is used in this resolution, shall mean the customer of record using water for any purpose from the District's water distribution system and for which either a regular charge is made or, in the case of coin sales, a cash charge is made at the site

of delivery.

c. "Waste of water," as the term is used in this policy, includes, but is not limited to: (1) permitting water to escape down a gutter, ditch, or other surface drain; or (2) failure to repair a controllable leak of water due to defective plumbing.

d. The following classes of uses of water are established:

CLASS 1

Water used for outdoor watering; either public or private, for gardens, lawns, trees, shrubs, plants, parks, golf courses, playing fields, swimming pools, or other recreational areas; or the washing of motor vehicles, boats, trailers, or the exterior of any building or structure.

CLASS 2

Water used for any commercial or industrial, including agricultural, purposes: except water actually necessary to maintain the health and personal hygiene of bona fide employees while such employees are engaged in the performance of their duties at their place of employment.

CLASS 3

Domestic usage, other than that which would be included in either classes 1 or 2.

CLASS 4

Water necessary only to sustain human life and the lives of domestic pets and maintain standards of hygiene and sanitation.

Section 3: Declaration of Water Watch

Whenever the governing body of the District finds that conditions indicate that the probability of a drought or some other condition causing a major water supply shortage is rising, it shall be empowered to declare, by resolution, that a water watch exists and that it shall take steps to inform the public and ask for voluntary reductions in water use. Such a watch shall be deemed to continue until it is declared by resolution of the governing body to have ended. The resolutions declaring the existence and end of a water watch shall be effective upon their publication in the official District newspaper or water billing statement.

Section 4: Declaration of Water Warning

Whenever the governing body of the District finds that drought conditions or some other condition causing a major water supply shortage are present and supplies are starting to decline, it shall be empowered to declare by resolution that a water warning exists and that it will recommend restrictions on nonessential uses during the period of warning. Such a warning shall be deemed to continue until it is declared by resolution of the governing body to have ended. The resolutions declaring the beginning and ending of the water warning shall be effective upon their publication in the official District newspaper or water billing statement.

Section 5: Declaration of Water Emergency

Whenever the governing body of the District finds that an emergency exists by reason of a shortage of water supply needed for essential uses, it shall be empowered to declare by resolution that a water supply emergency exists and that it will impose mandatory restrictions on water use during the period of the emergency. Such an emergency shall be deemed to continue until it is declared by resolution of the governing body to have ended. The resolutions declaring the existence and end of a water supply emergency shall be effective upon their publication in the official District newspaper or water billing statement.

Section 6: Voluntary Conservation Measures

Upon the declaration of a water watch or water warning as provided in Sections 3 and 4, the District Board Chairperson (or the District Manager) is authorized to call on all water consumers to employ voluntary water conservation measures to limit or eliminate nonessential

water uses including, but not limited to, limitations on the following uses:

- a. Sprinkling of water on lawns, shrubs or trees (including golf courses).
- b. Washing of automobiles.
- c. Use of water in swimming pools, fountains and evaporative air conditioning systems.
- d. Waste of water.

Section 7: Mandatory Conservation Measures

Upon the declaration of a water supply emergency as provided in Section 5, the District Board Chairperson (or the District Manager) is also authorized to implement certain mandatory water conservation measures, including, but not limited to, the following:

- a. Suspension of new connections to the District's water distribution system, except connections of fire hydrants and those made pursuant to agreements entered into by the District prior to the effective date of the declaration of the emergency.
- b. Restrictions on the uses of water in one or more classes of water use, wholly or in part.
- c. Restrictions on the sales of water at coin-operated facilities or sites.
- d. The imposition of water rationing based on any reasonable formula including, but not limited to, the percentage of normal use and per capita or per consumer restrictions.
- e. Complete or partial bans on the waste of water.
- f. Any combination of the foregoing measures.

Section 8: Emergency Water Rates

Upon the declaration of a water supply emergency as provided in Section 5, the governing body of the District shall have the power to adopt emergency water rates by resolution designed to conserve water supplies. Such emergency rates may provide for, but are not limited to:

- a. Higher charges for increasing usage per unit of use (increasing block rates).
- b. Uniform charges for water usage per unit of use (uniform unit rate).
- c. Extra charges in excess of a specified level of water use (excess demand surcharge).

Section 9: Regulations

During the effective period of any water supply emergency as provided for in Section 5, the District Board Chairperson (or District Manager) is empowered to promulgate such regulations as may be necessary to carry out the provisions of this resolution, any water supply emergency resolution, or emergency water rate resolution. Such regulations shall be subject to the approval of the governing body at its next regular or special meeting.

Section 10: Violations, Disconnections, and Penalties

a. If the District Board Chairperson, District Manager, or other District official or officials charged with implementation and enforcement of this water supply emergency resolution learn of any violation of any water use restrictions imposed pursuant to Sections 7 or 9 of this policy, a written notice of the violation shall be affixed to the property where the violation occurred and the customer of record or any other person known to the District who is responsible for the violation or its correction shall be provided with either actual or mailed notice. Said notice shall describe the violation and order that it be corrected, cured, or abated immediately or within such specified time as the District determines is reasonable under the circumstances. If the order is not complied with, the District may terminate water service to the customer subject to the following procedures:

1. The District shall give the customer notice by mail or actual notice that water service

will be discontinued within a specified time due to the violation and that the customer will have the opportunity to appeal the termination by requesting a hearing scheduled before the District governing body or a District official designated as a hearing officer by the governing body.

2. If such a hearing is requested by the customer charged with the violation, he or she shall be given a full opportunity to be heard before the termination is ordered.

3. The governing body or hearing officer shall make findings of fact and order whether service should continue or be terminated.

b. A fee of \$50.00 shall be paid for the reconnection of any water service terminated pursuant to subsection (a). In the event of subsequent violations, the reconnection fee shall be \$200.00 for the second reconnection and \$300.00 for any additional reconnections.

c. Violations of this resolution shall be an offense of the District's Rules and Regulations and may result in termination of service.

Section 11: Emergency Termination

Nothing in this policy shall limit the ability of any properly authorized District official from terminating the supply of water to any or all customers upon the determination of such District official that emergency termination of water service is required to protect the health and safety of the public.

Section 12: Severability

If any provision of this policy is declared unconstitutional, or the application thereof to any person or circumstances is held invalid, the constitutionality of the remainder of the policy and its applicability to other persons and circumstances shall not be affected thereby.

REQUESTED METER TESTS

Meter tests requested by consumers will be performed. Charges will be the most recent cost of a new meter PLUS \$20.00 to cover time and shipping. The charges will be added to the customers' bill immediately following installation of the new meter. If the meter is found to be in excess of ten percent (10%) slow or in excess of two percent (2%) fast, it is faulty and the customers' account will be credited accordingly.

CONSUMER'S RESPONSIBILITY

Purchase and ownership of any Benefit Unit located in the boundaries of R.W.D. #13 Jefferson County does not give authority to any water patron to conduct work (repairs, replacement, etc.) in the water meter pit. Such work is the sole responsibility of R.W.D. #13 Jefferson County. The water patron will be financially responsible for any and all damage to the equipment caused by the water patron or any representative for the water patron. This bill will be added to the patron's usual monthly water bill which will make it subject to any and all late charges. Dispute of this bill falls under the same terms and conditions set forth in the rules and regulations as the usual monthly water bill.

CHANGE OF OCCUPANCY

It shall be the consumer's responsibility to anticipate changes of occupancy, and to have his Benefit Unit and additional water supply unit(s) transferred to the new consumer as prescribed in the Bylaws. 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 suspension.

MAIN EXTENSIONS

In extending a water main to serve an applicant, the applicant must deposit in addition to the price of a Benefit Unit, an amount which equals the entire cost of the extension. The extension cost is to be paid to the District prior to accepting the money for the Benefit Unit and before construction begins.

The consideration paid for an extension shall be considered donations to the District and shall in no event and under no circumstances be refunded to the subscriber.

ALL ROAD AND DRIVEWAY CROSSINGS - TYPE B COMPACTING

All road and driveway crossings with gravel surfacing shall be backfilled in loose layers of approximately 12 inches deep and mechanically compacted to a density equal or greater to that of the trench wall. Backfill will be free of rock, large clods, and debris.

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. The service line for meters shall not be less than 3/4 inch in size. The District will also install and pay for the District dock, meter, meter setting for pressure lines. The meter will be set in front of the premises to be served or at the closest point on the consumer's premises designated by the District.

COST OF BENEFIT UNITS FOR DEMAND SYSTEM

Benefit Unit cost at the time of these revised regulations: \$6,000.00 (effective October 1, 2014)

ADDITIONAL COSTS

May include but are not limited to Easements, Road Crossings, Rock Clause, and Extensions on a case by case basis.

APPLICANTS HAVING EXCESSIVE REQUIREMENTS

In the event an applicant whose water requirements are found to exceed the District's ability to supply it from existing plant without adversely affecting service to other consumers 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 reasonable hours to enter upon consumer's premises for the purpose of inspection and enforcement of this provision. Violation of this provision shall constitute cause for immediate disconnection of a consumer's service.

FIRE HYDRANT POSITION STATEMENT AND FIRE DEPARTMENT USE POLICY

The District has worked with the local fire departments to install hydrants as the distribution capability has expanded, but the overall system design was not engineered for direct fire suppression support.

Some hydrants have been placed on the system by local building codes mandates and are placed where there is inadequate flow for fire suppression activities. With this in mind the District cannot guarantee sufficient water flow for fire suppression activities within the water District.

RWD#13 supports the use of its reserve water capacity to assist local fire departments during fire suppression and fire suppression training operations. The water District also has an obligation to its members to ensure that adequate precautions are taken to prevent damage to the District equipment and assets.

RWD#13 will allow local fire departments the use of District water from its hydrants at no charge under the following conditions:

- The water is used for fire suppression, fire suppression training, emergency or safety reasons
- The water District is notified of water use in a reasonable time frame
- A slow acting screw type fire department hydrant gate valve is connected at the hydrant
- Only soft fire hose is connected to the gate valve
- No more than one hydrant on the same distribution line is used at one time
- The preferred use is using system pressure to fill fire apparatus
- Direct pumping from District hydrants is prohibited

HISTORY OF CHANGES

Unanimously adopted at a meeting of the Board of Directors, held January 4, 1974, at Oskaloosa, Kansas, with five members of the Board of Directors present.

Revised Rules and Regulations unanimously adopted at a meeting of the Board of Directors, held May 21st, 1998, at the District's office, 1951 Wellman Road, Lawrence, Kansas 66044, with six members of the Board of Directors present.

Second revised Rules and Regulations unanimously adopted at a meeting of the Board of Directors, held April 20th, 2000, at the District's office, 1951 Wellman Road, Lawrence, Kansas 66044, with five members of the Board of Directors present.

Third revised Rules and Regulations unanimously adopted at a meeting of the Board of Directors, held January 18th, 2001, at the District's office, 1951 Wellman Road, Lawrence, Kansas 66044, with six members of the Board of Directors present.

Fourth revised Rules and Regulations unanimously adopted at a meeting of the Board of Directors, held September 20th, 2001, at the District's office, 1951 Wellman Road, Lawrence, Kansas 66044, with five members of the Board of Directors present.

Fifth revised Rules and Regulations unanimously adopted at a meeting of the Board of Directors held December 15, 2009, at the District's office, 1951 Wellman Road, Lawrence, Kansas 66044, with six members of the Board of Directors present.

Sixth revised Rules and Regulations unanimously adopted at a meeting of the Board of Directors held July 20, 2010, at the District's office, 1951 Wellman Road, Lawrence, Kansas 66044, with six members of the Board of Directors present.

Seventh revised Rules and Regulations unanimously adopted at a meeting of the Board of Directors held July 19, 2012, at the District's office, 1951 Wellman Road, Lawrence, Kansas 66044, with five members of the Board of Directors present.

Eighth revised Rules and Regulations adopted with a vote of 5-1 at a meeting of the Board of Directors held August 16, 2012, at the District's office, 1951 Wellman Road, Lawrence, Kansas 66044, with six members of the Board of Directors present.

Ninth revised Rules and Regulations adopted with a vote of 6-0 at a meeting of the Board of Directors held December 19, 2013, at the District's office, 1951 Wellman Road, Lawrence, Kansas 66044, with six members of the Board of Directors present.

Tenth revised Rules and Regulations adopted with a vote of 6-0 at a meeting of the Board of Directors held July 17, 2014, at the District's office, 1951 Wellman Road, Lawrence, Kansas 66044, with six members of the Board of Directors present.

Eleventh revised Rules and Regulations adopted with a vote of 7-0 at a meeting of the Board of Directors held October 16, 2014, at the District's office, 1951 Wellman Road, Lawrence, Kansas 66044, with seven members of the Board of Directors present.

Twelfth revised Rules and Regulations adopted with a vote of 6-0 at a meeting of the Board of Directors held December 18, 2014, at the District's office, 1951 Wellman Road, Lawrence, Kansas 66044, with six members of the Board of Directors present.

Thirteenth revised Rules and Regulations adopted with a vote of 6-0 at a meeting of the Board of Directors held September 17, 2015, at the District's office, 1951 Wellman Road, Lawrence, Kansas 66044, with six members of the Board of Directors present.

Fourteenth revised Rules and Regulations adopted with a vote of 5-1 at a meeting of the Board of Directors held April 20, 2017, at the District's office, 1951 Wellman Road, Lawrence, Kansas 66044, with seven members of the Board of Directors present.

Fifteenth revised Rules and Regulations adopted with a vote of 4-0 at a meeting of the Board of Directors held July 20, 2017, at the District's office, 1951 Wellman Road, Lawrence, Kansas 66044, with five members of the Board of Directors present.

Original Copy
Signed by
Ruby Wiggins, Secretary

Revised Copy
Signed by
Arnie Morgison, Chairman
George Swisher, Secretary

Second Revised Copy
Signed by
Larry Means, Chairman
Anne Bracker, Secretary

Third Revised Copy
Signed by
Larry Means, Chairman
Anne Bracker, Secretary

Fourth Revised Copy
Signed by
Ken Albrecht, Chairman
Anne Bracker, Secretary

Fifth Revised Copy
Signed by
George Pogge, Chairman
Ronald Schneider, Secretary

Sixth Revised Copy
Signed by
John Fales, Vice-Chairman
Debby Smith, Secretary

Seventh Revised Copy
Signed by
Debby Smith, Acting Chairperson

Eighth Revised Copy
Signed by
Mike Stieben, Chairman
Debby Smith, Secretary

Ninth Revised Copy
Signed by
John Fales, Vice-Chairman
Debby Smith, Secretary

Tenth Revised Copy
Signed by
John Fales, Chairman
Debby Smith, Secretary

Eleventh Revised Copy
Signed by
John Fales, Chairman
Debby Smith, Secretary

Twelfth Revised Copy
Signed by
John Fales, Chairman
Debby Smith, Secretary

Thirteenth Revised Copy
Signed by
Gordon A. Brest, Chairman
Debby Smith, Secretary

Fourteenth Revised Copy
Signed by
Gordon A. Brest, Chairman
Debby Smith, Secretary

Fifteenth Revised Copy
Signed by
Gordon A. Brest, Chairman
Greg Hazen, Director