



Rules & Regulations Book 2019

FLORISSANT WATER AND SANITATION DISTRICT

RULES AND REGULATIONS

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ARTICLE 1

GENERAL

1-1 SCOPE:

These Rules and Regulations are promulgated pursuant to the authority granted in Section 32-1-001 (1) (m), C.R.S., as Rules and Regulations governing the operations of the District, and shall supersede and have priority over any and all informal practices or policies of the District, whether in written form or otherwise. These Rules and Regulations shall control all functions of the District except where in conflict with state and federal laws.

1-2 PURPOSE:

It is necessary for the health, safety and welfare of the residents and owners of property within the District to regulate the distribution of water and collection of wastewater. These Rules and Regulations set forth uniform requirements for direct and indirect users of the District system and enables the District to comply with all applicable state and federal laws.

1-3 USAGE AND TITLES:

All words and phrases shall be construed and understood according to the common and approved usage of the language. Any dispute as to the interpretation of these Rules and Regulations or as to their application in any given case shall be decided by the Board of Directors. Technical words and phrases and such others as may have acquired a particular and appropriate meaning in the law shall be construed and understood according to such particular and appropriate meaning. The title of any heading in these Rules and Regulations shall not be deemed in any way to restrict, qualify, or limit the effect of the provisions in the section or subsection set forth under each heading.

1-4 AMENDMENTS; REPEALS; ADDITIONS:

Additions and amendments to and repeals and reenactments of any of the provisions of these Rules and Regulations shall be made by Resolutions of the Board taking such action by specific reference to the Article, Part or Section number hereof. Upon the effective date of any such resolution, the District shall prepare new or reprinted pages incorporating herein the changes so enacted, and such new or reprinted pages shall be prima facie evidence of such action until such time as these Rules and Regulations, as subsequently amended, are readopted as a new set of Rules and Regulations.

1-5 PRIOR OFFENSES, CONTRACTS NOT AFFECTED:

Nothing in these Rules and Regulations shall affect any offense or act committed or done, or any obligation, penalty or forfeiture incurred by any person, or any contract or right established or accruing before the effective date of the Rules and Regulations.

1-6 SEVERABILITY:

Should any one or more sections or provisions of these Rules and Regulations be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of these Rules and Regulations, the intention being that the various sections and provisions hereof are severable.

1-7 INCORPORATION OF STANDARDS BY REFERENCE:

1-7-1 District System Specifications:

The System Specifications of the District, Section 10, are hereby incorporated into these Rules and Regulations by reference, in all particulars, and was made a part hereof as if set forth herein verbatim. Any reference herein to these Rules and Regulations shall be deemed to include all provisions of the System Specifications, Section 10, as well as the provisions of these Rules and Regulations. (Cross reference: Article 10 STANDARDS AND SPECIFICATIONS.)

1-7-2 Industrial Waste Control Regulations:
See Appendix H

1-7-3 Sanitary Sewer Regulations Appendix E:
See Appendix G

1-8 DISTRICT SYSTEM:

1-8-1 Ownership:

The District exercises the responsibilities of full ownership of the existing District system and, in the future shall only accept ownership responsibilities for additional facilities, which have been formally conveyed to and accepted by the District in accordance with Article 6 below.

1-8-2 Operation and Maintenance

The District operates, maintains, repairs and replaces the District system. Such services include, without limitation, regular inspections of private premises to insure compliance with these Rules and Regulations, in addition to periodic, systematic

inspection and maintenance of District facilities. All inspections, observations, testing and reviews performed by the District are for the sole and exclusive benefit of the District. No liability shall attach to the District by reason of any inspections, observations, testing, or reviews required or authorized by these Rules and Regulations or the System Specifications, or by reason of the issuance of any approval or permit for any work subject to the authority or jurisdiction of the District.

1-8-3 Interconnections; Cross connections: Revised 1-16-18
See Resolution 1-01-2018

No person shall connect any other water system , nor shall water from any other water system be introduced or permitted to enter the District system, except with the express written approval of the District under written agreement approved by the Board of Directors. The penalty for this will be an up charge of \$150.00 per month until the system has been hooked up to the Districts water delivery system. The District may immediately and without notice disconnect any unauthorized cross connection or interconnection and charge the actual costs thereof, as provided in 9-5 and 9-8, to any person responsible therefore.

(Cross reference: Appendix G CROSS CONNECTIONS)

1-8-4 Repair and Shut-offs:

The District may, without notice and without liability to anyone, modify water pressure, or shut off the water in its mains for the purpose of making repairs, extensions to the District system, or for other useful or necessary purposes.

1-9 SERVICE OUTSIDE THE DISTRICT:

The District has no obligation whatever to provide any service outside of its legal boundaries. (Cross reference: 5-12 EXTER-TERRITORIAL SERVICE)

1-10 CONNECTION REQUIRED:

1-10-1 Water:

Unless exempted by the Board for good cause and in conformity with applicable statues and regulations, all improvements requiring water service shall be connected to the District system if District facilities are within 400 feet of the boundary of the parcel of property on which such improvements are located. Such connection shall be made within 30 days after written notice to the property owner by the District, and any existing private water system shall thereupon be physically disconnected from the

improvements or otherwise be rendered inoperable. The drilling of any private water wells within the District is specifically prohibited.
Cross reference: Section 32-1-1006(1) (a), C.R.S.)

1-10-1a Future construction shall comply with Teller County Code.

1-10-2 Sanitary Sewer:

Unless exempted by the Board for good cause and in conformity with applicable statutes and regulations, all improvements requiring wastewater service shall be connected to the District system if District facilities are within 400 feet of the boundary of the parcel of property on which such improvements are located. Such connection shall be made within 60 days after written notice to the property owner by the District, and any existing private sanitary sewer and septic system shall thereupon be physically disconnected from the improvements or otherwise be rendered inoperable.

1-11 DUTY TO REPORT:

Any person (1) who destroys, damages or alters any District facility; or (2) who causes or permits any foreign materials to enter the District system; or (3) who causes any obstruction in the flow of water or wastewater in any District facility; or (4) who causes or permits any water to escape from the District system in such a way that such water is wasted or lost to beneficial use, and any person who discovers, observes, or has reasonable cause to believe that any of the foregoing has occurred, shall immediately report the same to the District.

(Cross reference: Section 8-1-18 FALSE OFFICIAL STATEMENT; 9-7-13 PENALTY CHARGES; Section 99-1.5-103 (5), C.R.S.)

1-12 NOTICE OF EXCAVATIONS:

Except in emergencies, any person who excavates in any area where District facilities are located shall give written, personal or telephone notice of the date, extent, and duration of such excavation to the District at least one business day before beginning any such work.

(Cross reference: Section 10 SYSTEM SPECIFICATIONS: 9-7-18 PENALTY CHARGES; Sections 99-1.5-103 (3), C.R.S.)

1-13 OTHER SYSTEMS PROHIBITED:

1-13-1 Supplies:

No person shall furnish or supply treated water from any water system within the district except from the District system.

1-13-2 Water Use:

No person shall take, use, or consume any treated water within the District for any purpose from any water system other than the District's system.

1-13-3 Sewer Use:

Except as herein provided, it shall be unlawful to construct or maintain or use any privy, privy vault, septic tank, cesspool, or other facility intended for disposal of sewage on any lot when that lot is served by sanitation facilities provided by the District except during the construction period. At any time the main line of a public sewer is extended along the property line, or within 400 lineal feet of the property line, the property owner shall be required to discontinue the use of a private sewer system.

ARTICLE 2

DEFINITIONS

As used in these Rules and Regulations, unless the context clearly indicated otherwise, the words defined below shall have the respective meanings set forth for them:

2-1 ACTUAL COSTS: All direct and indirect costs attributable to any project or undertaking. Actual costs to the District shall include but not be limited to, its engineering, legal, labor, material equipment administrative, and overhead expenses, calculated in accordance with the rates set forth in Appendix B of these Rules and Regulations and all direct payments to third parties, at cost.

2-2 BOARD OR BOARD OF DIRECTORS: The duly constituted Board of Directors of the District.

2-3 CONTRACTOR: Any person who performs any work, either for himself or another, on any water or wastewater facility public or private, within the District, including all subcontractors, agents, employees, officers and other representatives of such person.

2-4 DISTRICT: Florissant Water and Sanitation District, its employees, agents, officers, directors, insurers, and professional consultants.

2-5 DISTRICT SYSTEM: The plan facilities, systems, assets, and appurtenant property rights owned or directly controlled by the District.

2-6 FOREIGN MATERIALS:

2-6-1 WATER:

Any objects or substances other than treated portable water.

2-6-2 WASTEWATER:

Any objects or substances other than normal residential wastewater.

2-7 PERMITTED PREMISES: The land area and improvements thereto to which water service or wastewater services is limited under any particular permit.

2-8 WATER MAIN: Those pipes and appurtenant facilities used for distributing water along public streets or appropriate rights of way deeded or licensed to the District directly to various permitted premises.

2-9 SEWER MAIN: Those pipes and appurtenant facilities used for collection of wastewater along public streets or appropriate rights of way deeded or licensed to the District directly from various permitted premises.

2-10 MAIN EXTENSIONS: The construction of any facilities of any kind whatsoever, wherever located, or the facilities themselves, which are intended to become a part of the District system upon acceptance by the District in accordance with Article 6.

2-11 PERSON: Included associations, corporations, firms, partnerships and bodies politic and corporate, as well as individuals.

2-12 PROPERTY OWNER: Any person who, whether solely or with others, owns real property within the District. When property is owned by more than one person, the term includes all owners thereof. As used in these Rules and Regulations, the term shall apply to such person only in connection with his ownership of any specific matter governed by the Rules and Regulations. For purposes of clarity, the masculine singular pronoun is used in these Rules and Regulations to refer to property owner.

2-13 RECORD OR AS-BUILT DRAWINGS: A separate set of full-scale construction plans marked to indicate completely and accurately the field-installed condition of facility construction, as required by Article 10 System Specifications.

2-14 SERVICE LINES: All pipe, fittings, and appurtenances, owned by property owner, which convey water from the District system to the plumbing of the permitted premises. The dividing point between the District system and privately owned service lines is the plug on the corporation stop tapped into the main or at the tapping saddle for the discharge of wastewater into district sewer main.

2-15 STUB-IN: A tap made for the purpose of installing service lines prior to the paving of streets. Such connection shall include fittings necessary to extend the service line to the valve at the property line.

2-16 SYSTEM SPECIFICATIONS: The provisions of the Water and/or Wastewater System Specifications, as now or hereafter constituted, adopted by the Board of Directors, which prescribe the minimum technical standards and related requirements for the design, installation,

construction, operation, use, maintenance, repair and replacement of all water and wastewater facilities, public and private, within the District.

2-17 TAP OR SERVICE CONNECTION: The physical connection to a District main which, together with the permit for same, effects water and/or wastewater service to permitted premises.

ARTICLE 3

USER REQUIREMENTS

3-1 SERVICE LINES:

3-1-1 Construction:

Separate and independent service lines shall be designed, installed and constructed by the property owner at his sole cost and expense for every improvement requiring water service or wastewater service. Such service lines and any other water or wastewater facilities located on the property shall be designed in accordance with the System Specifications and shall be installed and constructed in accordance with plans and design approved by the District. (Cross reference: 5-7 MULTIPLE TAPS PROHIBITED)

3-1-2 District Relocation:

When proper management, operation or maintenance of the District system requires it, the District may relocate the service pipe and fittings through which a property owner receives water or wastewater service at District expense. All service pipes and fittings so relocated shall become the property of the property owner when installed.

3-1-3 Owner Maintenance:

The property owner shall be exclusively responsible for maintaining, repairing and replacing all plumbing fixtures, water-using appliances, and pipes, including the service line on his side of the inlet to the corporation stop. Property owner shall cause any and all leaks or other non-conformities in his privately owned facilities to be repaired promptly, in accordance with these Rules and Regulations and the System Specifications, at his sole expense. He shall further ensure that the stop box for the curb stop on his service line is free from any materials, which may obstruct or hinder access thereto by authorized personnel. (Cross reference: 9-5 CURE OF VIOLATIONS)

3-1-4 Responsibility for Damage:

The District is not responsible or liable for damage from any cause whatsoever to privately owned piping, fixtures, and water-using appliances, and no property owner is entitled to reimbursement for

damages or payment of refunds by reason of pressure changes or stoppage of the flow of water through the District system. The property owner shall be solely responsible for all damage to persons solely responsible for all damage to persons or property resulting from leaks on his service line or from any apparatus owned by him.

3-2 WATER METERS:

3-2-1 Requirement: **New Resolution Feb. 14, 2017**

Section 3-2 Water Meters,

Section 3-2-1 will now be as stated: Every permitted premise shall be required to have a water meter of a size, type, and quality approved by the District to be read for billing purposes. Such meter shall be owned by the District and installed by a licensed contractor that has been approved by the District at the expense of the property owner. Meter and Pit instillation will be subject to final inspection and approved by the District.(Cross Reference: Appendix A TAP PERMIT APPLICATION)

3-2-2 Location:

All meters shall be located as provided in the Florissant Water and Sanitation District Tap Permit Application. Appendix A.

3-2-3 Maintenance:

If any meter shall fail to register in any month, the customer shall be charged the average monthly consumption during the two preceding months as shown by the meter when in order. If the meter is defective, it is the customer's responsibility to have the meter repaired or replaced within 30 days. If the inoperative meter is not repaired or replaced by the customer, the work will be accomplished by the District and charged to the customer.

3-2-4 Damage:

The property owner shall be financially responsible for any damage to, or loss of the meter. When a meter has been damaged, the property owner shall bear the entire expense of removing, repairing, resetting and replacing his meter.

3-2-5 Relocation:

When required for the proper management, operation, or maintenance of the District system, the District may, at its expense relocate meter remotes or modify meter settings.

3-3 SERVICE TO PLANNED DEVELOPMENTS:

Water service shall be extended to and within planned development complexes only in accordance with Chapter 6 of these Rules and Regulations.

3-4 WATER CONSERVATION:

It shall be unlawful for any person to use water for outside purposes during any fire. When fire signals are heard all persons are required to cease using water for outdoor sprinkling or irrigation. The District may implement water restrictions during periods of shortage or hot weather or whenever the Board deems it to be necessary. Such restrictions may forbid the use of water for outdoor purposes on specified days or at specified times of the day. Restrictions may also be applied to specific uses such as car washing, as an example. Failure to abide by restrictions on water use may result after appropriate notice to the user, in the District shutting off water service to the property until the water shortage is over.

3-5 COSTS: Amended – Resolution 16-02

The property owner shall be responsible for all costs of material and labor for water and sewer lines installed from the collection or use point to the main line of the District. (where the tap/saddle is connected to the main). Subsequent to the tapping, the property owner shall be responsible for the maintenance of the sewer line and water line, from his point of collection or use to the main line of the District. The District shall repair the water line between the main line & shut off at owner's expense, as this is an emergency repair.

ARTICLE 4

INCLUSIONS

4.0 STATEMENT OF POLICY:

4-0-1 Water Inclusions:

Where water is to be provided, the District's policy concerning inclusions into the District is that any property brought into the District must be self-supporting. The property must come complete with water rights which are, in the judgment of the Board sufficient to serve the anticipated development of the property. In addition, all facilities to be constructed by the District in order to serve the property, as well as all improvements to or upgrades of the District's existing facilities required in order to serve the property must be financed solely by the developer of the property and by revenues from the included property. all line extensions, all new facilities and all existing facilities upgrades, including acquisition of necessary easements, required in order to provide water and/or sewer service to any property to be included in the District shall be paid for by the person or entity seeking such inclusion.

4-0-2 Wastewater Inclusions:

Where sanitary sewer is to be provided, the District's policy concerning inclusions into the district is that any property brought into the district must meet the Teller County Land Development Code, Subdivisions Regulations, and any applicable District Regulations or Standards governing development. In addition, all facilities to be constructed by the District to serve the property as well as improvements to or upgrades of the District's existing facilities required in order to serve the property, must be financed solely by the developer of the property and by revenues from the included property. All line extensions, all new facilities and all existing facilities upgrades, including acquisition of necessary easements, required in order to provide sewer service to any property to be included in the District shall be paid for by the person or entity seeking such inclusion. The District shall become the owner of that portion of the wastewater treated in the facility placed in the system by the included property. In connection with the ownership of return flow water, the District shall be entitled to dispose of the same in any manner it may so desire.

4-1 REQUIRED SUBMITTALS:

4-1-1 Petition:

Petitioner shall use the form furnished by the district and must provide all information required thereby. Appendix D. Petitioner must sign the petition exactly as his name appears on the instrument by which he took title to the property. The signatures of all petitioners must be acknowledged in the same manner as provided by Colorado law for acknowledgements on instruments conveying real property.

4-1-2 Survey Drawing:

The survey drawing should show the property's exact location, its location in relation to the boundaries of the district, and bear the signature and seal of a professional engineer or land surveyor registered in the State of Colorado.

4-1-3 Vicinity Map:

The vicinity map shall show the general location and the boundaries of the property in relation to existing streets or other prominent terrain features.

4-1-4 Evidence of Title and Authorization of Signatories:

Evidence of title sufficient to assure that the Petitioner has fee title to the property. If a corporation, partnership, or joint venture owns the property, the Petitioner shall furnish such additional information (i.e., partnership

agreement, joint adventure affidavit as provided by Section 38-30-166 C.R.S., etc.) as may be requested by the District in order to determine that the signatories have been authorized by that entity to execute such documents.

4-1-5 Narrative Description Including:

4-1-5-1 The proposed total population for the property, including a breakdown into single-family residences, condominiums, apartments, etc.

4-1-5-2 The proposed population density for each area of the property, including the number of acres to be used for single-family residences, condominiums, apartments, and commercial development, together with an indication of lot sizes.

4-1-5-3 The number of acres to be dedicated to open space, the anticipated location of each area to open space, and a description of the proposed ground cover.

4-1-5-4 The number of acres to be dedicated to green belts, the location of each green belt, and a description of the proposed ground cover.

4-1-5-5 The number of acres to be devoted to parks, the anticipated location of each park, and a description of the proposed ground cover in each park.

4-1-5-6 The number of acres to be dedicated to schools.

4-1-5-7 Any other pertinent facts that will assist the District in planning for adequate water and sewer service.

4-1-5-8 The developer's proposed development schedule.

4-1-5-9 A complete description of all water rights associated with the property, including copies of all court decrees and well permits.

4-1-5-10 A full financial statement and balance sheet of the developer.

4-1-5-11 The names of the owners of the property.

4-2 PROCEDURE

Following submittal and District acceptance of the submittals required in 4-1 above, inclusion proceedings shall be conducted as follows:

4-2-1 Feasibility Study:

The district shall perform a feasibility study in order to determine whether and under what conditions the property proposed for inclusion can be served by the District system.

4-2-2 Notice of Public Hearing:

At the first regular meeting of the Board following approval of the submittals, the Board shall set the date of the public hearing on the inclusion and order notice thereof to be provided according to law.

4-2-3 Public Hearing:

The public hearing and the Board decision made pursuant thereto shall be held in accordance with applicable state law.

4-2-4 Conditions:

If the Board Order of Inclusion contains conditions which must be met before it is to become effective, the District will ensure that all such conditions have been met before filing the Board Order of Inclusion with the court and applying for a Court Order of Inclusion.

4-3 CONDITIONS OF INCLUSION:

The included property and its owners are subject to the following conditions, together with any and all such additional conditions and requirements as may be imposed by the Board.

4-3-1 Rules and Regulations:

With respect to all matters affecting or in any way touching upon the allocation or provision of service to the property, the property and its owners shall be bound by and subject to these Rules and Regulations and to the Technical Standards and Specifications, as now or hereafter constituted.

4-3-2 Easements and Rights-of-Way:

The property owner shall, at no cost to the District, grant and convey to the District any and all easements and rights of way within the included property required by the District to serve such property. In addition, the property owner shall be responsible for, and pay all cost and expenses of whatever kind associated with the acquisition and approval of all such easements and rights of way, whether located within the included property or outside of it. These expenses may include those associated with condemnation, but this shall not be construed as imposing any obligation

whatever upon the District to commence or prosecute and condemnation action.

4-3-3 Design and Construction:

The property owner shall, at his sole cost and expense, design, construct, and install all mains and any other facilities required by the District to serve the included property. All such mains shall be constructed according to these Rules and Regulations and the System Specifications, such design, construction and installation shall be subject to inspection and approval by the District.

4-3-4 Conveyance of Facilities:

Upon completion of the mains and any other facilities and approval thereof by the District, the property owner shall convey them to the District according to the terms and conditions set forth in Article 6 of these Rules and Regulations.

4-3-5 Service Not Guaranteed:

The allocation of taps for and the provision of service to the included property shall be governed at all times by these Rules and Regulations. The process of including property within the District does not guarantee service to the included property. The District may be limited in the number of new Taps that may be made to its system because of the allocation policy of the District and the provision-included property may further be limited or delayed indefinitely because of the location or capacity limitations of existing facilities. Accordingly, by including its property within the District, the property owner shall be deemed to waive any right, claim or cause of action of any kind, which it may assert against the District based upon the inability of the latter to provide service to the included property.

4-3-6 Enlargement of Structures:

No property owner may enlarge or extend any portion of his improvements receiving service (including buildings, parking and landscape areas, etc.) into an area outside the boundaries of the District without having the area included into the District prior to the commencement of construction.

4-3-7 Inclusion Agreement:

Upon district approval of the inclusion, the property owner and the District shall enter into an inclusion agreement setting forth substantially the terms

and conditions specified in this Article 4-3, together with any other or additional provisions relating to the particular circumstances of serving their property.

ARTICLE 5

SERVICE AND PERMITS

5-1 PERMIT REQUIRED; APPLICATION:

No person shall cause or permit any service connection to any District facility without first obtaining a District Application Permit, form therefore as provided in this Article 5. Any person who desires to obtain new service to property within the District shall make written application therefore at the office of the District upon such forms as may be prescribed and furnished by the District. (Cross reference: 7-2 SYSTEM TAP CHARGES; 8-1-3 UNAUTHORIZED SERVICE CONNECTION; 9-7-1 PENALTY CHARGES)

5-2 APPROVAL STANDARDS; REVOCATION:

5-2-1 Approval Standards:

Upon a determination that all of the following conditions exist or have been met with respect to the application, the District shall grant permission for the service requested:

5-2-1-1 The written application and information submitted therewith is accurate, complete, and proper as to form. (Cross reference: 8-1-17 FALSE OFFICIAL STATEMENT; REPORT)

5-2-1-2 The person making application has the authority or consent to do so from the property owner.

5-2-1-3 All applicable fees and charges imposed by or through the District are paid at the time of application. (Cross reference: 7-2 TAP FEE & APPLICATION CHARGE)

5-2-1-4 The main on which the tap will be made has been accepted by the District and approved for use by all other governmental entities and agencies having jurisdiction. (Cross reference: 6-9 CONDITIONAL ACCEPTANCE)

5-2-1-5 The District system is adequate to serve the proposed tap.

5-2-2 Conformity with District Standards:

Notwithstanding any other provision of these Rules and Regulations to the contrary, the District may withhold permits or approvals for service from any facilities, private or public, which do not conform to District Rules and Regulations, Standards and Specifications.

5-2-3 Revocation:

The District may revoke any permit, before or after the tap is activated, upon a determination that the application therefore contained false or inaccurate information. (Cross reference: 8-1-17 FALSE OFFICIAL STATEMENT REPORT; 9-4-1 IMMEDIATE TERMINATION)

5-3 TRANSFERABILITY OF TAPS:

Each permit applies only to the premises identified thereon and is not deemed in any sense to be personal property. No tap fees may be transferred from one premise to another, but a tap fee and permit application shall be deemed to follow any transfer or sale of the fee ownership of the approved premises.

5-4 EXPIRATION/CANCELLATION OF DISTRICT PERMITS:

5-4-1 After 180 Days:

A District Permit Application shall expire and become of no further force or effect 180 days after the date thereof.

5-4-2 By Imposition of Tap Allocation Policy:

Notwithstanding any other provision of this Article 5, no district tap permit will remain effective after the effective date of any tap moratorium or similar restriction upon the allocation, sale and authorization of permits by the District, with the exception of those permitted buildings under construction or when a building permit has previously been issued.

5-4-3 Cancellation by District:

The district may cancel the permit application for tap at any time it is deemed necessary by the District Board of Directors.

5-4-4 Effect:

Upon the cancellation or expiration of any district permit, such permit shall be deemed void and of no further force or effect. Any subsequent

application for service at the premises affected by the original permit shall be deemed an application for new service.

5-5 REISSUES:

An application for the reissue of any permit shall be subject to the same procedures as herein set forth for application for new permit.

5-6 TAP ALLOCATIONS:

Subject to Board Approval, the District may allocate and authorize taps for service within its area on any reasonable basis determined by the Board.

5-7 MULTIPLE TAPS PROHIBITED:

Each and every independent structure requiring water and sewer service shall be individually permitted whether or not under common ownership. For the purposes of this section, structures shall be considered to be independent if they do not have a common foundation, walls and roof. In the event of a subdivision, sale, or transfer of any part or parts of any permitted premises, the owner of that part of the permitted premises closest to the tap, following the route taken by their service line, shall be entitled to keep the original tap, and the owner of each other part shall be required at his sole expense to obtain a new and separate permit for his part of the property under this Article 5.

(Cross reference; 9-7 PENALTY CHARGES)

5-8 INSTALLATION STANDARDS:

Unless otherwise provided by contract, owner/contractor shall make all taps of 3" in size. Any person who makes a tap on any District main is subject to Chapter 10 System Specifications and to the following:

5-8-1 Inspection:

No tap shall be activated until it has been inspected and approved by the District. Property owner shall notify the District no less than 48 hours before a tap is to be made and shall arrange for the District's inspection thereof. (Cross reference: 1-12 NOTICE OF EXCAVATIONS; 7-5 OBSERVATION/INSPECTION FEE; SECTION 9-11.5-103(3) C.R.S.)

ARTICLE 10 SYSTEM SPECIFICATIONS)

5-8-2 Record Drawing:

The District may supply the property owner on request with a record drawing within two weeks after the house has been completed, showing the location of the tap and the service line.

(Cross reference: 2-14 RECORD DRAWINGS)

5-8-3 Cure of Defects:

The person who made the tap shall, at his sole cost, correct, repair or replace any part or parts of any work performed during installation of a tap which the District reasonable determines were not constructed in conformity with these Rules and Regulations, approved plans, construction notes or specifications, or which the District determines to be defective, of poor or unworkman like quality, or otherwise not in conformity with any applicable warranty. **(Cross reference: Article 10 SYSTEM SPECIFICATIONS)**

5-9 TAP SIZING; INCREASES:

5-9-1 Sizing:

The size of the tap shall be determined by the property owner, subject to the approval of the district. A standard residential tap is 3/4" for water and 4" for sanitary sewer. (Cross reference: 7-2 SYSTEM TAP CHARGE)

5-9-2 Demand Changes:

An application for an increase in the size of any existing tap shall be treated as an application for new service to the extent of the increase. The system tap charge to be paid in connection with such application shall be determined by subtracting the current amount of the system tap charge for the existing tap from the current amount of the system tap charge for the size of tap applied for. No refund of any system tap charge shall be made in connection with reduction in the size of any tap. If a property owner requests an increased service, which is large enough to impose a demand in excess of the capacity of the existing main, it may be necessary to replace the existing main with one of an appropriate size, and in such an event, the full cost thereof shall be paid by the property owner.

5-10 HYDRANT PERMITS:

5-10-1 Authorized Use:

The only use for which water may be taken from fire protection facilities without a permit is for the fighting of fires.

5-10-2 Permits for Authorized Use:

Water to be used for purposes other than fighting fires, such as construction water or temporary irrigation uses, may be withdrawn from fire hydrants only with permission from the District manager. Permits shall be valid only during the dates and only for the purposes specified therein. Load counts and/or meters are required. (Cross reference: 7-3 HYDRANT USER FEE; 9-7-2 PENALTY CHARGES)

5-11 FIRE PROTECTION:

The right to tap a district main for, or to take and use water from the District system for private fire protection service is granted only upon the following conditions:

5-11-1 Permit:

The property owner has secured a permit for such tap or service from the District and has paid a fee in connection therewith.
Appendix B: Rates and Charges Schedule

5-11-2 From Service Line:

If the water is to be supplied for fire protection through the same service line through which water is supplied for other purposes for the permitted premises the fire protection facilities shall be installed so as to prevent the use of water through such facilities for any purpose other than fighting fires.

5-11-3 Adequacy of Service:

Fire protection is provided by the Divide/Florissant Fire Protection District. The Florissant Water and Sanitation District assumes no obligation or responsibility for the adequacy of water pressure, water flow, or fire hydrants.

5-11-4 Limited Use:

The only use for which water may be taken from private fire protection facilities under permit is to extinguish fires. Any other use of water, except routine testing, from such facilities shall be deemed unauthorized use of water for which a permit for fire protection service may be suspended or revoked.

5-12 EXTRA-TERRITORIAL SERVICE:

Nothing in these Rules and Regulations shall limit the District's ability to provide service outside its legal boundaries under such terms and conditions as the Board may determine. Any such service shall be rendered only by written contract approved by the Board. No

such contract, however, or the services rendered pursuant thereto shall be construed to impose upon the District any obligation to provide other service outside of its legal boundaries, nor shall the existence of such contract or their services rendered in connection therewith constitute an offer by the District to serve outside of its boundaries generally except as may be agreed upon by the District.
(Cross reference: 1-9 SERVICE OUTSIDE THE DISTRICT)

ARTICLE 6

MAIN EXTENSIONS

6-1 APPROVAL REQUIRED; IMPROVEMENTS AGREEMENT:

No property owner shall commence any construction to extend a main within the jurisdiction of the district without the prior written approval of the District, following formal application therefore, and in compliance with these Rules and Regulations. If required by the District, property owner shall enter into a written Improvements Agreement with the District setting forth any or all terms and conditions applicable to any main extension. It is the District's policy to provide water and sewer service to within 400 feet of the property line of property within the District which is unplatted as of the date of this resolution. Such service shall be made available within the reasonable capability of the District.

6-1 A Amended to the Rules & Regulation June 2018

If a District customer desires to obtain enhanced fire protection in the form of a new fire hydrant, or a new fire hydrant is required by the local Fire District or Teller County in order for a customer to obtain development approval, the customer shall so notify the District in writing. The District shall conduct whatever investigation it deems appropriate to confirm whether the then existing water distribution system can accommodate the installation of an additional fire hydrant, the preferred location for same and the cost of equipment and installation. This information shall then be provided to the customer. Should the customer desire to proceed with the installation of a new fire hydrant, the customer shall deposit with the District sufficient funds to cover the purchase and installation of the new fire hydrant. All work shall be conducted by a contractor employed by the District, pursuant to plans and specifications approved by the District. In the event the final cost exceeds the amount deposited with the District, the customer shall pay any overage

6-2 LOCATION:

Main extensions shall be installed only in rights-of-ways or easements deed to the District, or in roads or streets which a city, county, state highway department, or other public agency has accepted for maintenance as a public right-of-way.

6-3 DEEDED RIGHTS-OF-WAY AND EASEMENTS:

Deeded rights-of-way or easements necessary to cover main extensions not located in public rights-of-way shall be granted at no cost by property owner to the District upon such terms as the District may reasonable require before construction of any such main extension begins. In addition to the requirements set forth in Section 10 of the System Specifications, property owner exempt any easements or right-of-way parcel from the lien of any mortgage or deed of trust. If so required, the District will not accept the main extensions or other facilities for maintenance until it receives all required releases. The District reserves the right to require additional or supplemental evidence of title when the release is recorded.

6-4 RIGHT-OF-WAY ACQUISITION COSTS:

Property owner shall be responsible for and pay all costs and expenses of whatever kind associated with the acquisition and approval of all easements and rights-of way necessary to extend service from existing District facilities to the boundary of property owner's property. These expenses may include those associated with condemnation, but this shall not be construed as imposing any obligation whatever upon the District to commence or prosecute any condemnation action.

6-5 DESIGN AND CONSTRUCTION:

Property owner shall at his sole cost and expense design, construct, and install all main extensions reasonable required by the District to serve his property. All such work shall be in conformity with and subject to applicable rules, standards, and specifications as described in Section 10, System Specifications. (Cross reference: 6-12 DISTRICT MAIN EXTENSIONS; 6-13 OVER SIZING; REIMBURSEMENT)

6-6 INFORMATION REQUIRED TO BE SUBMITTED:

The District will evaluate a request for new service within the District only after it has received all of the following information:

- 6-6-1 A legal description of the property to be served, setting forth total acreage.
- 6-6-2 A map of the property, showing its location within the District.
- 6-6-3 The existing zoning and proposed zoning for the property.
- 6-6-4 A description of the proposed uses of the property including:
 - 6-6-4-1 The proposed total population for the property, including a breakdown into single-family residences, condominiums, apartments, etc.

- 6-6-4-2 The proposed population density for each area of the property, including the number of acres to be used for single-family residences, condominiums, apartments, and commercial development, together with an indication of lot sizes.
- 6-6-4-3 The number of acres to be dedicated to open space, the anticipated location of each area of open space, and a description of the proposed ground cover.
- 6-6-4-4 The number of acres to be dedicated to green belts, the location of each green belt, and a description of the proposed ground cover.
- 6-6-4-5 The number of acres to be devoted to parks, the anticipated location of each park, and a description of the proposed ground cover in each park.
- 6-6-4-6 The number of acres to be dedicated to schools.
- 6-6-4-7 The number of acres to be used as a golf course, the location of the golf course, and number of acres to be irrigated on the golf course and the proposed ground cover.
- 6-6-4-8 Any other pertinent facts that will assist the District in planning for adequate water and sewer service.

6-6-5 The proposed development schedule.

6-6-6 The names of the owners of the property.

6-7 PLAN REVIEW AND APPROVAL:

No construction of any main extension shall begin until after the plans and design therefore have been reviewed and approved by the District as conforming to applicable standards, and a preconstruction meeting has been held. The District shall inform property owner in writing of the reasons for any disapproval. Upon approval of the plans and design, the District will schedule the preconstruction meeting. A letter of credit in an equal amount to the estimated cost of construction will be due to the District from the property owner before any line construction commences.

(Cross reference: 7-4 PLAN REVIEW FEES)

6-8 CONSTRUCTION OBSERVATION:

Property owner shall notify the District at least two business days before commencing construction and at any and all other times specified by the District in any plan approvals or otherwise for observation, inspection or testing. (Cross reference: 1-12 NOTICE OF

EXCAVATIONS; 7-5 OBSERVATION/INSPECTION FEES; Section 10 SYSTEM SPECIFICATIONS: 9-1.5-103 (3) C.R.S.)

6-9 CONDITIONAL ACCEPTANCE:

6-9-1 Standards:

Upon completion of construction, property owner shall initiate the dedication process by submitting a request to the District for a preliminary inspection of the main extension. The main extension will qualify for conditional acceptance by the District when all of the following conditions have been met:

6-9-1-1 District Review:

The District has determined that the main extension has been constructed and connected to District facilities in conformity with the District's Master Plan, these Rules and Regulations, approved plans construction notes and specifications, has passed all necessary tests, and has been approved for use by all other governmental entities and agencies having jurisdiction.

6-9-1-2 Property Owner Requirements:

Property owner has tendered and the District has approved the following:

- A. Record drawings and certified compaction tests results:
- B. Key map pages consistent in form and content with current District requirements as to key maps showing the location of all component parts of the main extension, or other arrangements approved in writing by the District have been made for the preparation thereof;
- C. A 12-month maintenance bond in an amount equal to 10% of the costs of constructing the main extension, or such greater amount as may be reasonably determined by the District on account of special circumstances particular main extension or any portion thereof;
- D. A duly executed written statement that all suppliers of labor and materials have been fully paid, with lien waivers attached:

(Cross reference: 8-1-17 FALSE OFFICIAL STATEMENT REPORT)

- E. A duly executed written assignment of all manufacturers' warranties on materials, if applicable.
- F. All releases of encumbrances required pursuant to 6-3 above; and
- G. Payment of all sums then due to the District in connection with the main extension.

6-9-2 Approval; Tap Permits:

The District shall evaluate the request and give written notice to the property owner of its action, stating any special conditions attached to the conditional acceptance, or the reasons for denial of the request, if applicable. No taps or service connections to the main extension will be permitted, nor will the District accept applications for such taps, until the District has conditionally accepted the main extension as herein provided.

6-9-3 Effective Date:

Conditional acceptance shall be effective as of the date the District executes written documentation thereof. As of such date, the main extension shall be deemed operational, and any person may apply to the District for authorization for taps or service connections thereto. The District's acceptance of the main extension, whether conditional or final, does not, however, guarantee that taps will be available. Availability of taps is governed at all times by the provisions of Article 5, and such availability is determined in accordance therewith at the time proper application for service is made.

6-10 MAINTENANCE AND REPAIR:

Until final acceptance of the main extension, property owner shall be solely responsible for all routine maintenance and for correction of any and all defects in the main extension, as set forth below:

6-10-1 Routine Maintenance:

Property owner shall, at his sole cost, protect the main extension and perform all routine maintenance thereon so as to keep it in good repair and operating condition. Such obligations shall include the repair or replacement of any part of parts thereof damaged as a result of street construction, paving, other utility installation or vehicular traffic. In addition, property owner shall, at his sole cost, correct any soil subsidence

or erosion, which the District determines, occurred in connection with, or as a result of, construction of the main extension.

6-10-2 Cure of Defects:

Property owner shall, at his sole cost, correct, repair or replace any part or parts of the main extension which the District reasonably determines where not constructed in conformity with these Rules and Regulations, approved plans, construction notes or specifications, or which the District determines to be defective, or poor or unworkman like quality, or otherwise not in conformity with any applicable warranty. Cure of defects by property owner shall be administered and enforced under the rules set forth in 7-10 below.

6-11 ACCEPTANCE FOR MAINTENANCE (FINAL ACCEPTANCE):

6-11-1 Standards:

At the expiration of one year from the date of conditional acceptance, or any longer period of time reasonably determined by the District on account of the particular circumstances of the main extension or any portion thereof, property owner may request the District to perform a final inspection and accept the main extension and shall accept the same for maintenance when all of the following conditions are met:

A. District Review:

The District determines that the main extension has been constructed and connected to District facilities in conformity with these Rules and Regulations, approved plans, construction notes and specifications, has passed all necessary tests, and has been approved for use by all other governmental entities and agencies having jurisdiction.

B. Maintenance and Repair:

Property owner has fully performed all maintenance and repair obligations imposed upon it by 6-10 above during the period of conditional acceptance.

C. Property owner Requirements:

Property owner has tendered and the District has approved all of the following:

- (1) A verified statement of actual costs of the main extension, itemized as the District may require; Cross reference: 8-1-17 FALSE OFFICIAL STATEMENT)
- (2) Any and all deeds, bills of sale, or other conveyance instruments necessary to vest title to all component parts of the main extension in the District with warranties of title as provided in 6-11-2:
- (3) All drawings, maps and construction notes pertaining to any changes in the main extension made during the period of conditional acceptance:
- (4) Payment of all sums due to the District from property owner on account of the main extension.

6-11-2 Effective Date:

The District's acceptance of the main extension for the maintenance shall be effective as of the date the District executes written documentation thereof. As of such date, all of property owner's right, title and interest in and to the constructed main extension, including all mains, pipelines, valves, manholes, and related parts and materials which comprise the constructed main extension, shall be deemed immediately to pass to and vest in the District, free and clear of all liens and encumbrances, and property owner shall warrant and defend the conveyance of such main extensions to the District, its successors and assigns against all and every person or persons whomsoever. As of the date of final acceptance, the District shall operate and maintain the main extension at its expense. Nothing contained herein, however, shall be construed to relieve property owner from his warranty obligations set forth in Section 10, System Specifications. Notwithstanding final acceptance, property owner, his successors and assigns shall remain responsible for all service lines and private water facilities as provided in Article 3 above.

6-12 DISTRICT MAIN EXTENSIONS:

Notwithstanding any of the foregoing, the District reserves the right to extend mains in situations, which it deems, may be in the best interests of the District and its constituents, upon such terms and conditions as the District may reasonably determine.

6-13 OVER SIZING; REIMBURSEMENT:

These Rules and Regulations may require property owners to design, construct and install main extensions necessary to serve their property at their sole cost and expense. Under certain circumstances, when these Rules and Regulations require such main extensions to be designed and constructed with a capacity in excess of that needed solely to serve the

property of such property owners, it may be fair and equitable for the property owner to recover a portion of the costs of such main extensions. The purpose of this Section 6-13 is to set forth standards and procedures for the consideration, administration and enforcement of reimbursement plans.

6-13-1 Applications:

At any time before or during the process of obtaining District approval for the design of any main extension, property owner may file with the Board of Directors a written application for reimbursement of some portion of the costs of constructing such main extension. Such application shall contain the following:

- A. A statement that property owner is a tax paying elector of an area located within or without the District, or of an area, regardless of size, immediately contiguous to the District.
- B. A statement explaining why reimbursement is appropriate under the circumstances, and a detailed plan or formula consistent with the provisions of this Section for determining the sources and amounts shall include a map clearly showing the property subject to proposed reimbursement charges.
- C. A statement committing the property owner to reimburse the District for its actual costs incurred in evaluating, processing and considering the application, regardless of whether the same is ultimately approved.

6-13-2 Threshold Conditions:

Reimbursement will be considered only when one or more of the following conditions exist:

- A. At the District's request, the main extension constructed by property owner is of greater capacity than needed to serve his property; or
- B. The main extension being constructed by property owner is capable by its capacity or size of serving property owned by person not participating as the owners of such property in the construction thereof.

6-13-3 Procedure:

Any reimbursement plan shall include at a minimum the following:

- A. Upon conditional acceptance, the property owner shall determine and certify to the Board the total costs of construction for the main extension, including without limitation design and engineering cost, District inspection and approval fees, and easement and right-of-way

acquisition costs. Property owner shall further submit evidence that all such costs have been paid in full.

- B. The District staff shall review the total costs of construction as determined and certified by property owner to evaluate the reasonableness of such costs and whether and to what extent the certified costs should be subject to reimbursement.
- C. Before approving any reimbursement plan, the Board shall conduct a public hearing, following notice to the applicant and to the owners of all property within the area proposed to be subject to reimbursement charges, whereat all such parties in interest may appear and be heard.

6-13-4 Board Discretion:

Because of the serious and adverse impact which unforeseen development patterns can have upon the administration and enforcement of any reimbursement plan, the Board of Directors may deny any application for reimbursement when, in its sole judgment, future development of property affected by the proposed plan is sufficiently uncertain or predictable as to create a risk that unacceptable or unwarranted administrative or legal burdens may be imposed upon the District in connection with the administration or enforcement of such plan. It is the intent of this provision to reserve to the Board absolute discretion in making such determination.

6-13-5 Minimum Plan Requirements; Agreement:

Reimbursement will be approved only under the terms of a written agreement between the District and the property owner. Although the specific terms of each reimbursement agreement will vary according to the particular main extension to be constructed, each reimbursement agreement shall contain all of the following provisions, which shall be deemed to be minimum requirements of any reimbursement plan:

- A. The property owner shall notify the District of any connection made or about to be made to the main extension.
- B. The obligation of the District with respect to collecting the reimbursement charges shall be to exercise reasonable care that such charge will be collected in full at the time application is made for taps for new service within the benefit area, and to remit the full amount of any charges so collected to property owner within 30 days thereof. In no case shall the District be liable to property owner for any reimbursement charges not actually collected by the District.

- C. The property owner shall identify and hold harmless the District, its officers, agents and employees, from any and all claims, expenses and demands arising out of or in any way involving the District's collection or attempted collection of reimbursement charges.
- D. The District and property owner will cooperate fully with each other in responding to any challenge to or refusal to pay the reimbursement charges, but property owner will reimburse the District all of its costs and expenses associated therewith.
- E. Notwithstanding any other provision of the reimbursement plan or agreement, the District will have no liability to property owner in any case, in which the reimbursement charge is or has been determined by a court of competent jurisdiction for any reason to be invalid or unenforceable.
- F. The reimbursement charges to be imposed by the District shall terminate on a date specified in the agreement and plan, which date shall in no event be later than ten (10) years from the date of conditional acceptance of the main extension.
- G. The total reimbursement charges to be imposed by the District shall not exceed the total costs of constructing the main extension and no reimbursement charges shall include any allowance for interest on the costs of constructing the main extension.
- H. If the district determines that property owner has violated any provisions of the System Specifications or these Rules and Regulations in connection with its construction of the main extension and has failed after notice and a reasonable opportunity to cure such violation, the District may terminate the reimbursement plan and agreement, and thereupon any right of the property owner to collect reimbursement pursuant thereto shall terminate and be of no further force or effect.
- I. To the extent the District incurs any expenses in administering the reimbursement plan; it shall be allowed to deduct an amount equal to the actual costs thereof from the sums remitted to the property owner.

ARTICLE 7

RATES, TOLLS, AND CHARGES

7-1-1 Purpose:

The purpose of the rates, tolls, and charges provided in this Article is to provide for the payment of all costs of operating, maintaining, repairing, replacing, and expanding the District system, such costs including, without limitation, a reasonable contingency fund. All such rates, tolls, and charges will be determined by the Board of Directors, as it deems necessary and may be changed at any time in Appendix B.

7-1-2 Liability:

The fees and charges provided below are hereby imposed and assessed by the District for the purposes set forth in 7-1-1 and as more specifically set forth below. Such fees and charges are the personal, joint and several obligation of the owners of the property for which the applicable service is furnished, but the full amount of any such fees and charges shall also be a perpetual lien against any such property, as provided by Section 32-1-1001(1) (j) , C.R.S. The District assumes no responsibility for any agreement made between property owners and tenants, regardless of whether the District has notice thereof. Notwithstanding the foregoing, however, any plan review, inspection, or disconnection/ reconnection charges shall also be the personal obligation of any person who orders or requests the District to perform such work, even though such person may have acted in a representative capacity when doing so.

7-2 SYSTEM TAP CHARGES:

7-2-1 District Charge:

A. Water Tap Fee:

There is hereby imposed a system water tap fee which shall be due and payable in full at the time application for a permit is made. The amount of the tap charge shall vary with the size of the tap applied for. Appendix B Rates and Charges Schedule.

B. Sewer Tap Fee:

There is hereby imposed a system sewer tap charge which shall be due and payable in full at the time application for a permit is made. The amount of the tap charge for a residence shall be the amount charged for a 4" tap and the amount charged for a commercial and/or industrial tap fee will be calculated by fixture unit. Appendix B Rates and Charges Schedule. Appendix C Fixture Unit Charge

C. Refunds:

The District will not refund a system tap fee or any portion thereof upon cancellation or expiration of a permit or for any other reason once they are paid. All sums collected by the District, as a system tap fee for any tap shall be credited to the lot for which it was paid.

D. Administrative Fees:

In order to defray the costs and expenses incurred in processing applications, issuing permits and maintaining accurate records in connection with tap sales, there is hereby imposed an administrative and inspection fee per tap regardless of size and regardless of whether the tap is new or a reissue. Such fee is in addition to any and all other fees and charges imposed by the District, and shall be paid in full at the time application for the tap is made. A deposit will also be collected at the same time. Said deposit will be refunded upon the District's determination that all required materials have been correctly installed. (Cross reference: Appendix A APPLICATION FOR PERMIT; Appendix B RATES AND CHARGES SCHEDULE)

7-3 Hydrant Use Fee:

There is hereby imposed a fee for each hydrant permit by the District, which shall be payable in full upon application for the permit. (Cross Reference: 5-10 HYDRANT USE; 9-7-2 PENALTY CHARGES); Appendix F HYDRANT USE PERMIT

7-4 Plan Review Fee:

Whenever any provision of these Rules and Requisitions requires a review of plans and design by the District, the person liable therefore shall pay a fee per hour for review, when the same are submitted for review. Plans or any portion thereof requiring revision are subject to a subsequent fee when resubmitted. (Cross Reference: 7-13 WITHHOLDING APPROVALS AND PERMITS); Appendix B RATES AND CHARGES SCHEDULE

7-5 Observation/Inspection Fee:

7-5-1 Main Extensions:

Any person extending a water and/or sewer main shall be obligated to pay a construction observation fee as outlined in the rates and charges schedule. Such fee shall be paid upon District approval of the construction plans submitted for review. (Appendix B RATES AND CHARGES SCHEDULE)

7-5-2 Other Observation/Inspections:

Whenever any provision of the system specifications or these Rules and Regulations not applicable to main extensions requires or provides for

observation or inspection of any kind by the District, the person liable therefore shall reimburse the actual costs incurred by the District for such observation or inspection. If required by the District, the person requesting or needing the observation shall deposit an amount reasonably estimated by the District to cover the fee for such observation when the request for or notice of the needed observation is made. Any unused portion of the deposit will be refunded, and any deficit will be invoiced to the person liable therefore within 30 days after the observation.

(Cross Reference: 7-13 WITHHOLDING APPROVALS AND PERMITS)

7-6 Service Charges:

7-6-1 Service Charge:

All persons making water or sewer taps shall be charged at the time the water tap is made. See Appendix B for full information on service fees. If the District is requested by a homeowner or their agent to disconnect water service to prevent freeze-up, a disconnect/reconnect fee plus all monthly service fees, including the period disconnected, must be paid in full before service is resumed.

7-6-2 Availability of Service Charge:

The Availability of Service Charge will be assessed against all lots where water, sewer, or both water and sewer lines are installed and ready for connection within 400 feet of the property line of such lot, but this does not apply to lots where a house exists and is connected to existing water, sewer or both water and sewer lines. In the event two or more lots are combined into one lot, the Availability of Service Charge will continue only on the replatted lot if that lot continues to be subject to the Availability of Service Charge on each individual lot back to the date the lots were combined. If the combined lot is, at some future date, replatted back into individual lots, the current owner(owners) will be subject to the Availability of Service Charge on each individual lot back to the date the lots were combined. (Cross Reference: Appendix B)

7-7 Inclusion Fees:

Any person who petitions for inclusion of his property into the District pursuant to Section 32-1-401 (1), C.R.S. and Article 4 above shall pay the following fees and charges in connection therewith:

7-7-1 Acreage Fee:

The District board of directors may assess an Acreage Fee per acre of property actually included, prorated by square footage if less than whole acres are included. (Cross Reference: Appendix B Rates and Charges Schedule).

7-7-2 Costs:

All costs (2-1) incurred by the District in processing the Petition for Inclusion, calculated in accordance with the rates set forth in Appendix B hereto, payable regardless of whether the property is actually included. Petitioner shall deposit monies for such costs when the Petition for Inclusion is filed in the amount set forth in the Appendix B Rates and Charges Schedule. Any unused portion of the deposit will be refunded, and any deficit will be invoiced to petitioner, and must be paid by petitioner, before recordation of the Inclusion Order of the District Court. (Cross Reference: Appendix B RATES AND CHARGES SCHEDULE).

7-8 Special Service/Reimbursement Fees:

Fees and charges are imposed and assessed for the purposes set forth below pursuant to contractual or other obligations of the District:

7-8-1 Water and Sewer Service Rates:

(Cross Reference: Appendix B RATES AND CHARGES SCHEDULE)

7-9 Disconnection/Reconnection Charges:

When water is once turned on to any premises and thereafter turned off for any reason, except for repair, to the customer shall be subject to a Disconnection/reconnection, Turn-off/Turn-on Charge, which must be paid prior to resumption of service.

Cross Reference: Appendix B RATES AND CHARGES SCHEDULE

7-10 Cure Charges:

Whenever the District cures any defect, deficiency, nonconformity or violation as provided in these Rules and Regulations, any person who is responsible under these Rules and Regulations to cure such condition, or whose act or omission resulted in the necessity for the curative action, shall be liable and obligated to reimburse the actual costs (2-1) incurred by the District for such undertaking, calculated in accordance with the rates set forth in Appendix B hereto. Nonpayment of costs may result in a lien against the property and any balance due will bear interest at the maximum rate set by the State Statues. (Cross Reference: Section 10 SYSTEM SPECIFICATIONS; 9-5 CURE OF VIOLATION)

7-11 Civil Fines Pass-through:

Any person who, by act or omission, causes the District to incur any fine or penalty assessment imposed by any governmental authority having jurisdiction, shall be fully liable to the District for the total amount of the fine so assessed.

7-12 Delinquency Charges; Collection costs; Lien: Amended 6-11-2019 Resolution 1-02 Series 2019

All service charges commence from and after the time the property owner taps the main line of the district, unless contractual arrangements call for an earlier service fee payment time. All service charges shall be payable by the last day of the current month. There will be a penalty if service charges are not paid by the last day of the current month. In the event said payment has not been made within 15 days following the last day of each month, water service will be cut off after 10 days written notice. Water shall not be turned on again until all rates are paid, together along with the disconnect and reconnect charges. There will be a charge for the ten day written notice. During this period of time of said disconnection, all persons shall continue to pay their service charge as previously required. Until paid, all rates, tolls, fees, charges, interest, penalties, and costs of collection shall constitute a perpetual lie on or against the property served. (Reference: Section 32-1-1001(1) (j); 32-1-1006 (1) (d); 31-35-402 (1) (f) C.R.S.)

7-13 Withholding approvals and Permits:

Notwithstanding any provision of these Rules and Regulations to the contrary, the District may withhold permits, approvals, or other authorizations from any person until all sums then due to the District from such person are paid in full.

ARTICLE 8

PROHIBITIONS

8-1 General:

It shall be unlawful for any person to cause or to attempt to cause, or to permit, solicit, aid or abet any other person to cause or attempt to cause, by act or omission, any of the following:

8-1-1 Failure to Comply with Rules and Regulations:

Failure or refusal to comply with and requirement imposed in these Rules and Regulations.

8-1-2 Unauthorized Connection of Drains:

Make any connection to district sewer mains with footing drains or roof drains.

8-1-3 Unauthorized Service Connection:

Make any connection to any District facility to secure water or wastewater service without all district permits or permits required therefore. (Cross reference: Article 5 SERVICE AND PERMITS, 9-7-1 PENALTY CHARGES)

8-1-4 Unauthorized Use of Water:

It shall be unlawful without specific approval of the District for any person to take, receive and use any water from the District waterworks or mains in any buildings or any lot for any purpose whatsoever, except water used and measured through a meter. The District will read meters each month during a period designated by the District.

8-1-5 Violation of Permit:

Take or use water from the District system in violation of the terms of any permit, including the supplying of water from permitted premises for service to any other premises not covered by the permit.

Cross reference: 5-10 HYDRANT PERMITS; 5-11 FIRE PROTECTION; 9-7-3 PENALTY CHARGES.

8-1-6 Unauthorized Supply:

Supply, take or use treated water within the District from any water system other than the District System. (Cross reference: 9-7-6 PENALTY CHARGES)

8-1-7 Escape or Waste of Water:

The escape of water from the District system in such a way that such water is wasted or lost to beneficial use. (Cross reference: 9-7-5 PENALTY CHARGES)

8-1-8 Violation of Conservation or Curtailment Order:

Take or use water from the District System in violation of any order of the District relating to the curtailment of conservation of water. (Cross reference: 9-7-7 PENALTY CHARGES)

8-1-9 Unauthorized entry:

Open or enter any District facility or property without District authorization. (Cross reference: 9-7-12 PENALTY CHARGES)

- 8-1-10 Foreign Materials:
- The entry of any foreign materials into any water or wastewater facility, public or private. (Cross reference: 9-7-12 PENALTY CHARGES)
- 8-1-11 Interconnection; Cross connections:
- Any physical connection between the District system and any other water system, without the written approval of the District. (Cross reference: 9-7-4 PENALTY CHARGES; Section 11 CROSS CONNECTIONS)
- 8-1-12 Right of Way/Easement Violations:
- Constructing, installing, or placing any structures or improvements of any kind, surface temporary or permanent, or planting any tree, woody plant or nursery stock of any kind within the boundaries of any District right of way or easement in violation of the terms or conditions of such violation of the terms or conditions of such right of way or easement, without express written authorization from the District. For the purposes of this provision, the term "structures" includes but is not necessarily limited to improved walkways, roads, curbs gutters, sprinkling systems, other utility facilities, including those for cable TV, fences, walls, pools, ponds, water features, athletic playing fields or courts, and any and all earthen improvements such as berms and grades providing lateral support to any building or other structure, whether or not such structure is itself within the boundaries of the right of way or easement. (Cross reference: 9-7-10 PENALTY CHARGES)
- 8-1-13 Interference:
- Any interference with employs or agents of the District in the performance of their duties. (Cross Reference: 9-7-8 PENALTY CHARGES)
- 8-1-14 Tampering:
- Bypassing, breaking, damaging, destroying, removing, uncovering, altering, defacing, or otherwise tampering with any portion of the District system. (Cross Reference: 9-7-9 PENALTY CHARGES; Section 40-7.5-102 C.R.S.)
- 8-1-15 Obstructing Flow:

Any act that obstructs or is reasonably likely to obstruct the flow of water or wastewater in the District system. (Cross Reference: 9-7-9 PENALTY CHARGES)

8-1-16 Violation of Termination/Suspension Order:

Take, use or consume any water from the District system in violation of a suspension or termination order under 9-4.
(Cross Reference: 9-7-15 PENALTY CHARGES)

8-1-17 False Official Statement; Report:

The making or filing with the District of any statement, report or application which he knows or has reasonable cause to know is false or substantially inaccurate, or the omission of any material fact in connection with such statement, report or application when the omission leaves the remainder of the information given misleading or substantially inaccurate. (Cross Reference: 1-11 DUTY TO REPORT; 5-1 PERMIT REQUIRED; APPLICATIONS; 5-2-3 REVOCATIONS; 5-9 TAP SIZING; INCREASES, 6-8 b. (4) CONDITIONAL ACCEPTANCE; 6-1 c. (1) FINAL ACCEPTANCE; 9-7-17 PENALTY CHARGES.)

8-2 Separate Violations:

For the purposes of this Article 8, a separate and distance, violation shall be deemed committed upon each day or portion thereof that any such violation shall occur or continue.

NOTE: The following State Statutes are potentially applicable. Any suspected violation may be reported to the Teller County Sheriff and prosecuted in State Courts:

- 18-4-401 Theft
- 18-4-501 Criminal Mischief (Damages or destruction of property)
- 18-4-503 & 504 Trespasses
- 18-5-505 & 506 Tampering (Interruption of Service; unauthorized connection)
- 18-8-102 Obstructing Government Operation
- 18-8-106 Refusing Inspection
- 18-8-111 False Reporting
- 18-8-113 Impersonating Public Servant
- 18-8-114 Abuse of Public Records

ARTICLE 9

ENFORCEMENT AND ADMINISTRATION

9-1 District Agents and Representatives:

The District and any employees or agent of the District designated by the District shall have full authority to act for and on behalf of the District in any matter affecting the administration or enforcement of these Rules and Regulations.

9-2 Liability:

Upon being issued a permit to tap a public sewer or public water line, a property owner shall assume the responsibility for all damages, costs, expenses, outlays and claims of every nature and kind arising out of the unskillfulness or negligence on the part of himself or the part of his agents in connection with plumbing or excavating in preparation for making a sewer or water tap. The owner shall further be responsible for obtaining, and costs associated with, any permits required from other agencies.

9-3 Right of Entry for Inspections:

Duly authorized representatives of the District, bearing proper credentials and identification, shall be permitted to enter upon all property at reasonable times for the purpose of inspecting, observing, measuring, sampling, and testing in connection with the enforcement and administration of these Rules and Regulations.

9-4 Suspension or Termination of Service:

In addition to and without waiving any other available remedy, the District shall have and may exercise the right to suspend or terminate service to any property where a violation of these Rules and Regulations occurs or continues in accordance with the following:

9-4-1 Immediate Suspension/Termination:

The District may immediately terminate service upon revocation of any permit, or suspend service when such suspension is necessary in order to stop or prevent any use or escape of water from the district system which presents or may present a risk of substantial loss of water or an imminent and substantial endangerment to the property, health or welfare of any person.

9-4-2 Notice and Opportunity for Hearing:

A. When it appears that any fees or charges imposed under the Rules and Regulations have become delinquent, or that any private water facilities in the District, or any use being made of private or District water facilities, are not in conformity with these Rules and Regulations, any permit or approved plans, or any applicable agreement or contract, the District may mail or deliver to the owner of the property where or as to which the deficiency occurs, at the service address or a known current

mailing address for the property owner of the affected property, a notice advising him of the following: (1) the alleged deficiency; (2) that water service to the property will be suspended or terminated on account of such deficiency on a date not less than 10 days from the date of the notice unless the stated deficiency is sooner cured; (3) that he has the right to a hearing at which he may be heard concerning the alleged deficiency; and (4) that he must request the hearing in writing before the suspension or termination date specified in the notice if he desires the hearing to be held.

B. If the property owner does not cure the stated deficiency or request a hearing within the time provided, the District shall for with order the service to be suspended or terminated, as appropriate.

9-4-3 Execution of Order:

Any person notified of suspension or termination of service shall immediately stop or eliminate the taking of any and all water from the District system at the property affected by such order. The District may take such steps as deemed necessary, including a physical interruption or disconnection of service, in order to enforce the suspension or termination order. (Cross Reference: 9-7-16 PENALTY CHARGES)

9-4-4 Ground for Termination; Effect:

Service shall be terminated and not merely suspended if (1) the permit therefore is revoked; or (2) the connection providing such service was not authorized when made; or (3) the service was suspended at least two times within the preceding five years as a consequence of the acts or omissions of the same property owner. Any service terminated under this Section 9-4 may not be reinstated. The owner of any property served by a service, which has been so terminated, may apply for new service for such property as provided in Article 5.

9-4-5 Reinstatement of Suspended Service:

Any suspension order shall be rescinded by the District upon a determination that the deficiency forming the basis for such suspension order has been cured and that no further or other nonconforming conditions or uses of the District system are evident on the property affected by the suspension order. The District shall not reinstate service until the person requesting reinstatement has paid the full amount of any applicable disconnection charge and the District's reasonable estimate of any applicable reconnection charge imposed under 7-9, and any and all other amounts then due to the District from such person.

9-5 Cure of Violations:

9-5-1 Order to Cure:

If the District determines that any water facilities are not in conformity with these Rules and Regulations or that the terms of any right of way, easement or other agreement between the District and a property owner are being violated, it may give written notice thereof to the property owner at the service address or any other address for such person known to the District. Such notice shall specify the non-conformity, direct the property owner at his cost to perform specified curative work, and specify the period of time determined by the District to be reasonable necessary for completion of the curative work.
(Cross Reference: 10 SYSTEM SPECIFICATIONS)

9-5-2 District Cure at Owner Cost:

If the property owner fails within the specified time following such notice to cure the non-conformity stated therein, the District may, in addition to and without waiving any other remedy, perform the work and charge the property owner for its actual costs (2-1) incurred in connection therewith, calculated in accordance with the rates set forth in Appendix B to Article 7. Those provisions of Article 7 applicable to invoicing and collection of fees and charges shall apply to any charges assessed to the property owner under this section.
(Cross-Reference: 7-10 CURE CHARGES; 7-13 WITHHOLDING APPROVALS AND PERMITS; 10 SYSTEM SPECIFICATIONS)

9-6 Appeals:

Any order, directives or decisions of the District relating to the administration or enforcement of these Rules and Regulations may be appealed in writing, to the Board of Directors within ten days of the effective date of the order, directive or decision.

9-7 Penalty Charges:

For the purposes of defraying the District's costs and expenses incurred in discovering, investigating, curing,, and repairing the consequences of violations of applicable requirements, and in order additionally to deter persons from committing such violations, there is here imposed upon any person who the District finds and determines causes, or attempts to cause, or who permits, solicits, aids or abets any other person to cause or attempt to cause, by act or omission, any of the violations set forth below the penalty charge set forth for such violation. For the purposes of this section, it shall be rebuttaably presumed that the owner of the property served by any private water and/or wastewater facilities where or upon which such violation exists, or of property which directly

benefits from such violation, is the person who caused or permitted the same to occur. A separate and distinct violation shall be deemed committed upon each day or portion thereof that any such violation shall occur or continue. Those provisions of Article 7 applicable to invoicing and collection of fees and charges shall apply to any an all charges imposed under this section 9-7.

9-7-1 Unauthorized Service Connection:

Any service connection made to the District system without a proper permit therefore. A connection to the private plumbing system of the permitted premises supply water or water service to any premises not covered by the permit shall also subject the owner of the non-permitted premises to the following penalty: An amount equal to twice the system development charge for the connection made, calculated as provided in 7-2 above, in addition to any system development charge imposed or paid pursuant to said section for the connection when made in conformity with these Rules and Regulations.

(Cross Reference: 8-1-3 UNAUTHORIZED SERVICE CONNECTION)

9-7-2 Unauthorized Use of Water:

Taking or using water from the District system without a valid permit therefore. Taking or using water from a permitted premises for service on any other premises not covered by the permit shall also subject the violator to the following penalty: \$50.00

(Cross Reference: 8-4-1 UNAUTHORIZED USE OF WATER)

9-7-3 Violation of Permit:

Taking or using water from the District system in violation of the terms of any permit provided by these Rules and Regulations: \$50.00

(Cross Reference: 8-1-5 VIOLATION OF PERMIT)

9-7-4 Interconnection; Cross Connection:

Making any physical connection between the District system any other water system without the written approval of the District: \$1,000.00.

(Cross Reference: 8-1-11 INTERCONNECTIONS; CROSS CONNECTIONS)

9-7-5 Escape or Waste of Water:

Causing or permitting the escape of water from the District system in such a way that water is wasted or lost to beneficial use: \$100.00

(Cross Reference: 8-1-7 ESCAPE OR WASTE OF WATER)

- 9-7-6 Unauthorized Supply:
- Supplying, taking or using treated water within the District from any water system other than the District system: for supplying, \$500.00, for taking or using, \$500.00. (Cross Reference: 8-1-6 UNAUTHORIZED SUPPLY)
- 9-7-7 Violation of Conservation or Curtailment Order:
- Take or use water from the District system in violation of any order of the District relating to the curtailment or conservation of water: \$100.00
(Cross Reference: 8-1-8 VIOLATION OF CONSERVATION OR CURTAILMENT ORDER)
- 9-7-8 Interference; Failure to Permit Inspection:
- Interfering with the employees or agents of the District in the performance of their duties or refusing to permit District employees or agents to inspect the premises: \$150.00. (Cross Reference: 8-1-13 INTERFERENCE: 9-3 RIGHT OF ENTRY FOR INSPECTION)
- 9-7-9 Tampering:
- Bypassing, breaking, damaging, dumping, destroying, removing, uncovering, altering, defacing, or otherwise tampering with any portion of the District system, obstructing the flow of water or wastewater in the District system, or obstructing access to District facilities; \$2,000.00
Cross Reference: 8-1-14 TAMPERING; 8-1-15 OBSTRUCTING FLOW
- 9-7-10 Easement Violations:
- Placing any prohibited plant or structure within the boundaries of any District right of way or easement, in violation of 8-10: \$150.00
(Cross Reference: 8-1-12 EASEMENT VIOLATIONS)
- 9-7-11 Unauthorized Entry:
- Opening or entering any district property or facility without authorization: \$150.00. (Cross Reference: 8-1-9 UNAUTHORIZED ENTRY)
- 9-7-12 Foreign Materials:
- Causing or permitting the entry of any foreign materials into any water or wastewater facility, public or private: \$100.00.
(Cross Reference: 7-11 CIVIL FINES PASS THROUGH; 8-1-10 FOREIGN MATERIALS; 9-8 CIVIL DAMAGES)

9-7-13 Failure to Report:

Failing to report damage to or alteration of any District facility, or any foreign materials or obstruction in the flow of water and/or wastewater in any District facility: \$100.00. (Cross Reference: 1-11 DUTY TO REPORT)

9-7-14 Violation of Stop Work Order:

Performing or continuing to perform any work in violation of a stop work order: \$500.00. (Cross Reference: 10 SYSTEM SPECIFICATIONS)

9-7-15 Violation of Suspension/Termination Order:

Failure to stop or eliminate the discharge of wastewater from property affected by an order suspending or terminating service to such property: \$100.00. (Cross Reference: 9-4-3 TERMINATION/SUSPENSION ORDER)

9-7-16 False Official Statement:

Making or filing with the District any statement, report or application which the person making or filing same knows or has reasonable cause to know is false or substantially inaccurate, or omitting any material fact in connection with such statement, report or application when the omission thereof leaves the remainder of the information given misleading or substantially inaccurate: \$100.00

(Cross Reference: 1-11 DUTY TO REPORT; 5-1 PERMITS REQUIRED; APPLICATIONS; 5-2-3 REVOCATION; 5-9 TAP SIZING, INCREASES; 6-11 c. (1) FINAL ACCEPTANCE; 8-1-17 FALSE OFFICIAL STATEMENT.)

9-7-17 Failure to Notify of Excavation:

Failing to notify the District of excavations in the area of subsurface District facilities at least two business days before beginning such excavation: \$25.00

(Cross Reference: 1-12 NOTICE OF EXCAVATIONS; SECTION 9-11.5-103 (3) C.R.S.)

9-8 Civil Damages:

In addition to and without waiving any other available remedy, the District may recover civil damages from any person liable under the laws of the United States or the State of Colorado to the District as a result of any violation of these Rules and Regulations or other unlawful act or omission. Such damages shall include the cost of any water taken in violation of any provision of these Rules and Regulations, plus the District's actual

costs of discovering, investigating, curing, mitigating and repairing the consequences of any violation or other unlawful acts or omissions, calculated according to the rates set forth in Appendix 1 to Article 7. The District shall further be entitled to recover three times its actual damages in cases covered by the provisions of Article 7.5, Title 40, C.R.S., which provisions are incorporated herein by reference.

9-9 Injunctive Relief:

In addition to and without waiving any other available remedy, the District may seek injunctive relief from any act or omission, which violates these Rules and Regulations, or which otherwise, jeopardizes the property or health of any person, including the District.

9-10 Remedies Cumulative:

The remedies available to the District under these Rules and Regulations, and under the laws of the State of Colorado shall be deemed cumulative, and the utilization by the District of any single such remedy or combination thereof shall not preclude the District from utilizing any other remedy or combination thereof.

Article 10
Under Revision

FLORISSANT WATER AND SANITATION DISTRICT

APPLICATION FOR PERMIT
(Nontransferable)
(Appendix A - Rules and Regulations)

1. The undersigned applicant requests the authority to tap the water and sewer lines of the Florissant Water and Sanitation District for a _____ located at _____
_____ Lot # _____
Blk # _____, Subdivision _____ which is within the boundaries of the District. The undersigned certifies that he has read the Rules and Regulations of the District and proposed contract for line construction and will construct all facilities to conform with the Rules and, the contract and this application.
2. With the application, there will be an additional \$25.00 inspection fee retained. If construction is not commenced, within six (6) months after the date of approval by the Board of Directors this permit shall expire and applicant must reapply and have a permit approved before construction can commence. Upon application to and in their sole discretion based upon the then existing circumstance, the District shall have authority to extend the permit for a period of thirty (30) days. Neither this application nor the permit granted hereunder shall be transferable.
3. Upon the approval of this application, applicant further agrees:
 - a. Pay the tap fee in effect at the time of this application.
 - b. After tapping, pay the current minimum monthly use fees during construction, and full minimum and overage water and sewer use fees upon occupancy.
 - c. Notify the District of the proposed date of occupancy at least ten (10) days prior to occupying the dwelling.
4. Any policy of the Board of Directors with respect to expenditures to line construction shall be the policy in effect at the time of approval of this application. The District reserves the right to cancel, lower or increase the amount expended for line construction without notice, provided that any change will not affect permits previously approved. Applicant understands that any such policy is subject to change at any time, and no act by the applicant in reliance on a policy shall bind the District.
5. The District will schedule installation of utility lines based upon its knowledge of the applicant's actual state of construction. While not establishing limiting dates, the District reserves the right to delay or advance construction schedules depending upon the weather, frost in ground, excess surface or underground water, or any other reason, if excessive cost to the District is a factor.
6. In the event the District extends lines into the area of applicant's property for service, i.e. within 400 feet of a property line or corner, and applicant thereafter fails to complete construction or fails to tap District lines, then all tap fees and full service charges

provided herein shall nevertheless be fully due and payable six (6) months from approval date of this application.

7. I (we) understand that water will not be turned on until the following items have been complied with:
 - a. All taps of the District mains will be inspected as well as water and sewer service lines from the point of tap to the entrance into the served building.
 - b. The Florissant Water and Sanitation District is not responsible for any costs of installation, operation, or maintenance of any private water or sewer mains.
 - c. If water or sewer main line construction costs should exceed the District's expenditure policy in effect at the time of approval of this application, I (we) am required to reimburse the District for any difference.
 - d. There must be installed a double check valve assembly for backflow prevention. This assembly is required for all residential units and must be installed according to the attached diagram. The assembly and installation must be in accordance with the District's Regulations regarding cross connection control. All commercial units must be installed according to the District's Rules and Regulations and as required by the District to prevent backflow.
8. Only the following materials are authorized for use in water and sewer service lines:
 - a. See District's systems specifications.
 - b. This District is regulated by the State of Colorado. If you have any questions regarding those regulations, please contact this District.
9. Once a water tap is made, the District will charge the current minimum monthly water and sewer use fees as contractor use only. Should large amounts of water be used for such purposes as lawns and other plantings, full rates plus overage will be charged.
10. A meter reading will be taken by the District as of occupancy date and the District will continue to read the meter and provide the occupant this reading on the monthly bill.
11. The District has penalty rates to discourage excessive water use.
12. Complete copies of the District Rules and Regulations are available for my (our) use at the District office, and I (we) are responsible for compliance with these regulations as well as payment of any costs arising from noncompliance.
13. This is a Special District, taxpayer owned, and, as such, our bills follow the property rather than the person. As the owner, I (we) understand that if I (we) lease this property to someone, the District will bill the property owner.
14. SIZE OF TAPS: Water 3/4" or _____ Sewer 4" or _____ Residential taps shall be 3/4" water and 4" sewer unless the District Board of Directors approve applications for larger taps.

15. The Rules and Regulations of the District and the proposed construction contract are incorporated herein and made a part hereof.

DATED this _____ day of _____, 20__.

Name of Prime Contractor

Name of Owner

Address

Address

Telephone

Telephone

Signature

Signature

PERMIT

APPROVED this _____ day of _____, 20__.

FLORISSANT WATER AND SANITATION DISTRICT

By: _____
For Secretary

Tap Fees: Water \$ _____

 Sewer \$ _____

 Total \$ _____

This application for Permit Form is effective the _____ day of _____, 20__. It supersedes all previous Application for Permit Forms issued by this District.

FLORISSANT WATER AND SANITATION DISTRICT

RATES AND CHARGES SCHEDULE
(Appendix B - Rules and Regulations)

1. WATER TAP FEE:

Residential 3/4" tap fee = \$6,000.00.

A schedule of tap fees for customers with larger than 3/4 inch meters is shown in the following table. The second column shows the ratios of tap fee charges for meter. Application of these ratios to the currently indicated tap fee for a single-family residential customer with a 3/4 inch meter results in the schedule of charges shown in the second column.

Meter Size (in inches)	Current Ratio of Tap Fee Relative to 3/4" Charge	Actual Tap Fee
.75	1.0	\$6,000.00

Any other size = current quote

2. SEWER TAP FEE:

Residential Sewer Tap fee = \$6,000.00

Commercial and/or industrial sewer tap fee will be calculated by fixture unit according to Appendix C FIXTURE UNIT CHARGE.

3. WATER AND/OR SEWER ADMINISTRATIVE AND INSPECTION FEE:

\$25.00 Non-refundable

4. HYDRANT USE FEE:

\$20.00 per use up to 7 days plus the per 1,000 gallon rate in effect at the time.

5. PLAN REVIEW FEE:

Engineering Plan Review - \$85.00 per hour.

6. OBSERVATION/INSPECTION FEE:

\$25.00 Minimum Charge.

7. SERVICE FEES:

- A. Water:
 - \$79.70 minimum charge
 - \$3.50 Water capital improvement charge
- B. Sewer:
 - Residential:
 - \$60.00 Base Sewer Charge **See Resolution 1-03 Series 2019**
 - \$3.50 Sewer capital replacement fee

8. DISCONNECT/RECONNECT FEE: **See Resolution 1-01 Series 2019**

\$75.00 Disconnect Fee and, in addition, Owner will be responsible for all costs associated with the mandatory disconnection of service.

\$75.00 Reconnect Fee.

9. AVAILABILITY OF SERVICE CHARGE:

\$12.95 per month.

10. INCLUSION FEES:

- A. Acreage fee:

As determined by the Board of Directors.

- B. Actual Costs:

Deposit of \$2000- Any unused portion of deposit will be refunded, and any deficit will be invoiced to petitioner.

11. DELINQUENCY CHARGE; COLLECTION & LIEN COSTS:

A.	Late Payment Penalty	\$ 10.00
B.	Disconnect Notice Letter	\$ 10.00
C.	Disconnect Charge	\$ 75.00*
D.	Reconnect Charge	\$75.00*
E.	Lien Fee	\$35.00
F.	Return Check Charge	\$10.00

*In addition to the disconnect charge, Owner will be responsible for all costs associated with the mandatory disconnection of service.

FLORISSANT WATER AND SANITATION DISTRICT

WORKSHEET FOR SEWER SERVICE FOR COMMERCIAL BUILDINGS
(Appendix C - Rules and Regulations)

Date _____ Prepared by _____ Phone No. _____

Owner _____ Property Address _____

Type of Facility to be Served _____ Wksheet Review _____

The following indicated fixtures will be connected to the proposed building sewer:

TYPE OF FIXTURE	FIXTURE UNITS	X	NO. OF UNITS =	TOTAL FIXTURE UNITS
Bathtub	2	X		
Floor Drain	2	X		
Interceptors for grease, oil, etc.	3	X		
Interceptors for sand, auto wash, etc.	6	X		
Laundry Tubs	2	X		
Shower, single stalls	2	X		
Sink, bar, private (1.5" min. waste)	1	X		
Sink, commercial, including dishwashers, wash-up sinks and wash fountains	3	X		
Wash basin (lavatory) single	1	X		
Water closet, tank type	4	X		
Trailer park trap (1 for each	6	X		

trailer)		
Drinking Fountain	1	X
Garbage Disposal	1	X
Clothes Washer	2	X
Sink service	3	X
Urinal, wall (2" min waste)	2	X
Sink and/or dishwashers (residential) (2" min waste)	2	X
Wash basin, in sets	2	X
Water Closet, flush valve type	6	X
Others:		X
		X

Total Number of Fixture Units (FU)

Tap Fee:

First 15 FU (Minimum)	=	\$ _____
Additional FU = _____ FU	=	\$ _____
Total Tap Fee Due	=	\$ _____
(Wastewater service)		
X 1.05 (potable water service)	=	\$ _____

*In accordance with Uniform Plumbing Code, Latest Edition, by International Association of Plumbing & Mechanical Officials.

FLORISSANT WATER AND SANITATION DISTRICT

REGULATION OF USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE
SEWAGE DISPOSAL AND
INSTALLATION AND CONNECTION OF BUILDING SEWERS
(Appendix E - Rules and Regulations)

SECTION I

GENERAL

1. DEFINITIONS:

Unless the context specifically indicates otherwise, the meaning of terms used in this article shall be as follows:

A. B.O.D.:

(Denoting biochemical oxygen demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees C., expressed in parts per million by weight.

B. BUILDING DRAIN:

Building drain shall mean that part of the lowest horizontal piping of a drainage system, which receives the discharge from soil, waste, and other drainage pipes inside the walls of the buildings and conveys it to the building sewer, beginning five feet outside the outer face of the building wall.

C. BUILDING SEWER:

Building sewer shall mean the extension from the building drain to the public sewer or other place of disposal.

D. MANAGER:

Manager shall mean the manager of the Florissant Water and Sanitation District.

E. GARBAGE:

Garbage shall mean a waste, vegetable, animal and other matter tending or resulting from the preparation, cooking, handling, consumption, dealing in or the storage of meat, fish, fowl, fruit, foods, or vegetables.

F. INDUSTRIAL WASTES:

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

G. NATURAL OUTLET:

Natural outlet shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

H. PERSON:

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

I. pH:

pH shall mean the logarithm of the reciprocal of the weight of the hydrogen ions in grams per liter of solution.

J. PROPERLY SHREDDED GARBAGE:

Properly shredded garbage shall mean the waste from the preparation, cooking, and dispensing of food that has been shredded to such degree that all such particles will have an operational characteristic that at least forty percent of all materials discharged from it shall pass a number three sieve, and one hundred percent shall pass a one-half inch screen.

K. SEWAGE:

Sewage shall mean a combination of the water carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.

L. SEWAGE TREATMENT PLANT:

Sewage treatment plant shall mean any arrangement of devices and structures used for treating sewage.

M. SEWAGE WORKS:

Sewage works shall mean all facilities for collection, pumping, treating, and disposing of sewage.

N. SEWER:

Sewer shall mean a pipe or conduit for carrying sewage.

O. SEWER COMBINED:

Sewer, combined shall mean a sewer receiving both surface runoff and sewage.

P. SEWER, PUBLIC:

Sewer, public shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

Q. SEWER, SANITARY:

Sewer, sanitary shall mean a sewer which carried sewage and to which storm and surface waters and ground waters are not intentionally admitted.

R. SEWER, STORM, OR STORM DRAIN:

Sewer, storm, or storm drain shall mean a sewer, which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.

S. SUSPENDED SOLIDS:

Suspended solids shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

T. WATERCOURSE:

Watercourse shall mean a channel in which a flow of water occurs, either continuously or intermittently.

2. DEPOSITS OF HUMAN OR ANIMAL EXCREMENT, GARBAGE OR OBJECTIONABLE WASTE UPON PUBLIC OR PRIVATE PROPERTY:

It shall be unlawful for any person to place, deposit or permit to be deposited in any insanitary manner upon public or private property within the District, any human or animal excrement, garbage, or other objectionable waste.

3. DISCHARGE OF SANITARY SEWAGE, INDUSTRIAL WASTE OR POLLUTED WATERS INTO NATURAL OUTLET PROHIBITED; EXCEPTION:

It shall be unlawful to discharge to any natural outlet within the District, or in any area under the jurisdiction of the District, any sanitary sewage, industrial treatment has been provided in accordance with subsequent provisions of the article.

4. CONSTRUCTING AND MAINTAINING PRIVIES, PRIVY VAULTS, SEPTIC TANKS, AND CESSPOOLS PROHIBITED; EXCEPTION:

Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

5. INSTALLATION OF TOILET FACILITIES AND CONNECTION WITH PUBLIC SEWER REQUIRED:

The owner of all houses, buildings or properties used for human occupancy, employment, recreation, or other purpose, situated with the District and abutting on any street, alley, or right of way in which there is now located or may in the future be located a public sanitary or combined sewer of the District is hereby required, at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this article, within one hundred twenty days after date of official notice to do so, provided, that such public sewer is within four hundred feet of the property line.

6. DISCHARGE OF STORM WATER, SURFACE WATER, GROUND WATER, ETC., INTO SANITARY SEWER:

No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff subsurface drainage, cooling water, or unpolluted industrial process waters into any sanitary sewer.

7. GREASE, OIL AND SAND INTERCEPTORS - REQUIRED WHEN NECESSARY BY DIRECTOR; EXCEPTION:

Grease, oil, and sand interceptors shall be provided when, in the opinion of the District, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any inflammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units.

8. CONSTRUCTION SPECIFICATIONS:

Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with easily removable covers which, when bolted in place, shall be gastight and watertight. All interceptors shall be of a type and capacity

approved by the manager, and shall be located so as to readily and easily be accessible for cleaning and inspection.

9. MAINTENANCE BY OWNER:

Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

10. AGREEMENT BETWEEN DISTRICT AND INDUSTRIAL CONCERN FOR ACCEPTANCE OF INDUSTRIAL WASTES OF UNUSUAL STRENGTH OR CHARACTER; PAYMENT THEREFORE BY INDUSTRIAL CONCERN:

No statement contained in this article shall be construed as preventing any special agreement or arrangement between the District and any industrial concern, whereby and industrial waste of unusual strength or character may be accepted by the District for treatment, subject to payment therefore by the industrial concern.

11. DEFACING, TAMPERING WITH, ETC., SEWAGE WORKS BY UNAUTHORIZED PERSONS:

No unauthorized persons shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment, which is a part of the District sewage works.

12. PENALTY FOR VIOLATION:

Any person found to be violating any provision of this article shall be served by the District with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Any person violating any of the provisions of this article shall become liable to the District for any expense, loss, or damage occasioned by District by reason of such violation.

SECTION II

PRIVATE SEWAGE DISPOSAL

1. CONNECTION OF BUILDING SEWER TO PRIVATE SEWAGE DISPOSAL SYSTEM WHERE PUBLIC SANITARY OR COMBINED SEWER NOT AVAILABLE:

Where a public sanitary or combined sewer is not available under the provisions of Section I, Paragraph 5, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this division.

2. PERMIT - REQUIRED BEFORE COMMENCEMENT OF CONSTRUCTION OF PRIVATE SEWAGE DISPOSAL SYSTEM:

Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the District. The application for this permit must be accompanied by evidence of approval of the installation by City/County Health Department.

3. APPLICATION; PERMIT AND INSPECTION FEE:

The application for the permit required by the preceding section shall be made on a form furnished by the District, which the applicant shall supplement by any plans specifications and other information as is deemed necessary by the District. A permit and inspection fee of \$100.00 shall be paid to the District at the time the application is filed.

4. WHEN EFFECTIVE:

A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the District.

5. INSPECTION OF CONSTRUCTION BY DISTRICT:

The District shall be allowed to inspect the work under this division at any stage of construction; and, in any event, the applicant for the permit shall notify the District when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within forty-eight hours, excluding Saturday, Sunday, or legal holidays, of the receipt of notice by the District.

6. TYPE, CAPACITIES, LOCATION ETC. TO COMPLY WITH RECOMMENDATIONS OF DEPARTMENT OF PUBLIC HEALTH:

The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the Department of Public Health of the State and County.

7. DISCHARGE OF SEPTIC TANK OR CESSPOOL INTO PUBLIC SEWER OR NATURAL OUTLET PROHIBITED:

No septic tank or cesspool shall be permitted to discharge to any public sewer or natural outlet.

8. ABANDONMENT OF SEPTIC TANKS, CESSPOOLS, ETC., AND DIRECT CONNECTION TO PUBLIC SEWER REQUIRED WHEN PUBLIC SEWER BECOMES AVAILABLE:

At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section I, paragraph 5, a direct connection shall

be made to the public sewer in compliance with this Article, and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned and filled with suitable material.

9. MAINTENANCE BY OWNER IN SANITARY MANNER:

The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the District.

10. DIVISION NOT CONSTRUED TO INTERFERE WITH ADDITIONAL REQUIREMENTS IMPOSED BY HEALTH OFFICER:

No statement contained in this division shall be construed to interfere with any additional requirements that may be imposed by the County Officer or his authorized agent.

SECTION III

PUBLIC SEWERS

1. MAKING CONNECTIONS WITH OR OPENINGS INTO, ETC., PUBLIC SEWER BY UNAUTHORIZED PERSONS PROHIBITED:

No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the manager.

2. PROHIBITED DISCHARGES INTO PUBLIC SEWER:

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

- A. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit.
- B. Any water or waste which may contain more than one hundred parts per million, by weight, of fat, oil, or grease.
- C. Any gasoline, benzene, naphtha, fuel, oil or other flammable or explosive liquid, solid, or gas.
- D. Any garbage that has not been properly shredded.
- E. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or viscous substance capable of causing obstruction to the flow in the sewers or other interference with the proper operation of the sewage works.

- F. Any waters or wastes having a pH lower than 4.5 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- G. Any waters or wastes containing toxic or poisonous substances in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.
- H. Any waters or wastes containing suspended solids or such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.
- I. Any noxious or malodorous gas or substance capable of creating a public nuisance.

3. ADMISSION OF WATERS OR WASTES HAVING CERTAIN CHARACTERISTICS INTO PUBLIC SEWER SUBJECT TO REVIEW AND APPROVAL BY THE BOARD OF DIRECTORS:

The admission into the public sewers of any waters or wastes having:

- A. A five day biochemical oxygen demand greater than three hundred parts per million by weight; or,
- B. Containing more than three hundred fifty parts per million by weight of suspended solids; or
- C. Containing any quantity or substances having the characteristic described in paragraph 2; or
- D. Having an average daily flow greater than two percent of the average daily sewage flow of the District,

Shall be subject to the review and approval of the District. Where necessary in the opinion of the Directors, the owner shall provide, at his expense, such preliminary treatment as may be necessary to:

- A. Reduce the biochemical oxygen demand to three hundred parts per million and the suspended solids to three hundred fifty parts per million by weight; or
- B. Reduce objectionable characteristics of constituents to within the maximum limits provided for in Paragraph 2; or
- C. Control the quantities and rates of discharge of such waters or wastes.

4. SAME MEASUREMENTS, TESTS, ETC., TO DETERMINE CHARACTERISTICS TO BE DETERMINED IN ACCORDANCE WITH "STANDARD METHODS FOR THE EXAMINATION OF WATER AND SEWAGE":

All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in Paragraphs 2 and 3 shall be determined in accordance with "Standard Methods for the Examination of Water and Sewage", and shall be determined

at the control manhole provided for in Paragraph 7, or upon suitable samples taken at the control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

5. PRELIMINARY TREATMENT FACILITIES - MAINTENANCE BY OWNER:

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

6. SAME - PLANS, SPECIFICATIONS, ETC., SUBJECT TO APPROVAL OF MANAGER:

Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval for the manager and of the State Board of Health and no construction of such facilities shall be commenced until such approvals are obtained in writing.

7. INSTALLATION OF MANHOLE IN BUILDING SEWER WHEN REQUIRED BY MANAGER; PURPOSE, LOCATION, AND CONSTRUCTION:

When required by the manager, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling, and measurement or wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the manager. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

FLORISSANT WATER AND SANITATION DISTRICT

HYDRANT USE PERMIT
(Appendix F - Rules and Regulations)

Applicant's Name: _____

Billing Address: _____

Telephone #: _____

Location of Hydrant: _____

Using Water at: _____

Date(s) of Use: _____

Dated this _____ day of _____, 20 _____.

Signature of Applicant

PERMIT

APPROVED this _____ day of _____, 20 _____.

FLORISSANT WATER AND SANITATION DISTRICT

By: _____

Permit fee of \$ _____ paid. (In addition to this permit fee, applicant will be required to pay for water usage at the current per 1,000-gallon rate.)

Beginning Meter Reading: _____

Ending Meter Reading: _____

USAGE: _____

FLORISSANT WATER AND SANITATION DISTRICT

CROSS CONNECTION CONTROL REGULATIONS

(Appendix G - Rules and Regulations)

This document is adopted by Florissant Water & Sanitation District to promote and sustain the high quality of drinking water furnished to the District's water customers; to protect the District's public potable water supply system flow, back-siphonage or back pressure; to promote the elimination of control of existing cross connections, actual or potential; and to provide for the maintenance of a continuing program or cross connection control.

I. The authority to implement and maintain this program or cross connection control is contained in the following legislative actions:

1. Colorado Department of Health Law C.R.S. 1973 Title 25-1-114.
2. Colorado Primary Drinking Water Regulations Section 11.1.2 (Hazardous Cross Connection).
3. Cross Connection Control, Colorado Department of Health, latest edition.
4. Occupational Safety and Health Administration Federal Register #202. Part 2, Page 22234, Subpart J.
5. U. S. Environmental Protection Agency, Cross Connection Control Manual (1973) E.P.A. - 43070-73-002 Section 3.
6. Pikes Peak Regional Building code, Article 2, Part 4, Section 16-2-401.
7. Uniform Plumbing Code of the International Plumbing and mechanical officials, Chapter 10, Section 1001, 1002, 1003.2.0, as adopted by the Pikes Peak Regional Building Department.
8. Uniform Pool and Spa Code.
9. Uniform Solar Code

II. Reference manuals adopted for guidelines on cross connection control:

1. Manual of Cross Connection control, Foundation for Cross Connection Control and Hydraulic Research (FCCC and HR), University of California.
2. Cross Connection Control, Colorado Department of Health.
3. Cross Connection Control Committee, Pacific Northwest Section AWWA Manual of Accepted Procedures and Practices.

4. Recommended Practice for Backflow Prevention and Cross Connection Control AWWA Manual M-14.
5. Definitions of terms used in the regulation are those contained in "Colorado Department of Health Cross Connection Control Manual", available for review at Florissant Water and Sanitation District office.

III. General Requirements

1. Building plans submitted to the Teller County Building Department will be reviewed and approved prior to issuance of a building permit. Building plans must show:
 - A. Water service size and location.
 - B. Meter location and size.
 - C. Backflow prevention device, size, type and location.
 - D. Fire sprinkling system(s) service line, size and type of backflow prevention device.
2. Backflow prevention devices are to be installed in an accessible location to facilitate maintenance, testing and repair.
3. All backflow devices shall be installed immediately downstream of the water meter.
4. Before installing the backflow prevention device, pipelines should be thoroughly flushed to remove foreign material.
5. In no case will it be permissible to have connections or ties between the meter and service line backflow prevention device.
6. In no case is it permissible to connect the relief valve discharge on reduced pressure devices into a sump, sewer, drainage ditch, etc.
7. Backflow prevention valves are not to be used as the inlet or outlet valve of the water meter. Backflow preventer test cocks should never be used as supply connections and should be plugged except when being tested.
8. In order to ensure the backflow prevention devices continue to operate satisfactorily, it will be necessary that they be tested at the time of installation and on an annual basis thereafter. Such tests will be conducted in accordance with FCCC and HR performance standards and field test procedures as directed by the Colorado Department of Health.

9. Final inspections on new or retrofit installations will be performed only after the backflow device has been tested. The test results, plumbing permit, and test permit number will be supplied at the time and inspection is scheduled or to the inspector on the job site. Inspection may be scheduled by phone 24 hours prior to the time requested. Access arrangements shall be made by the technician.
10. Florissant Water & Sanitation District shall inspect all installations.
11. All costs for design, installation, maintenance, repair and testing are to be borne by the customer.
12. No grandfather clause exists. All laws and regulations apply regardless of the age of the facility.
13. All fire-sprinkling lines shall have a minimum protection of an approved double check valve for containment of the system.
14. All glycol or antifreeze solar heating systems shall have an approved Reduced Pressure Zone device for containment.
15. Dry fire systems shall have an approved double check valve installed upstream of the air pressure valve.
16. Single-family residences shall have a double check valve.
17. All underground fire sprinkler systems shall conform to the following sections of the National Fire Protection Association pamphlets no. 13, sections 1-11.2 hydrostatic testing and sections 1-1.2.2 allowable leakage; pamphlet no. 24, "Private Fire Service Mains and Their Appurtenances," section 8.4, 8.5, 8.6, 8.7 and 8.8. These regulations are available for review at Florissant Water and Sanitation District Office.

IV. Standards for Backflow Prevention Devices.

1. Any backflow prevention device required herein shall be of a model and size approved by Florissant Water & Sanitation District. The term "Approved Backflow Prevention Device" shall mean a device that has been manufactured in full conformance with the standards established by the Colorado Department of Health Cross Connection Manual and by Florissant Water & Sanitation District.

Final approval shall be evidenced by a "Certificate of Approval" issued by and approved testing laboratory certifying full compliance with Colorado Department of Health standards and FCCC and HR Specifications. The following testing laboratory is qualified to test and certify backflow prevention devices:

Foundation for Cross Connection Control and Hydraulic Research
University of Southern California
OHE 430-D University Park - MC 1453
Los Angeles, California 90089-1453

2. Only approved backflow prevention devices shall be used. See latest Colorado Department of Health Cross connection Manual available at Florissant Water and Sanitation District office.
3. Exception: Residential containment may be accomplished with a device not approved by the Foundation for Cross Connection Control and Hydraulic Research, but approved by the American Society of Sanitary and Mechanical Engineers and designated by the Water District Manager.
4. Backflow preventers currently installed, which are not approved, shall be replaced with an approved device within three (3) years of adoption of this regulation unless the backflow preventer fails an annual operational test. If the device fails any such test, it shall be replaced immediately with an approved device.
5. Backflow devices used on fire lines shall have O.S. & Y. valves and be listed by the National Fire Protection Association.

V. Installation

1. Backflow prevention devices shall be installed in accordance with drawings and standards contained in the Colorado Department of Health Cross Connection Manual.
2. Backflow prevention device installations shall be inspected and approved for use by Florissant Water and Sanitation District. Inspections can be scheduled by calling 719-748-3565 at least 24 hours in advance of the desired inspection time. Section 3.8.
3. All backflow devices shall be installed in the horizontal position. Variance by review only on retrofit fire systems.
4. A pressure vacuum breaker shall only be used where the device is never subjected to backpressure and installed a minimum of 12 inches above the highest piping or outlet downstream of the device in a manner to preclude backpressure.
5. An atmospheric vacuum breaker shall be used only where the device is:
 - A. never subjected to continuous pressure (more than 12 hours continuous), and
 - B. installed on the discharge side of the last control valve and above the point of usage, and

- C. installed with the air inlet in a level position and a minimum of six inches above the highest piping on outlet it is protecting.
- 6. No valves shall be permitted downstream of the device.
- 7. The single check valve is not considered a backflow prevention device.
- 8. Double check valve assemblies may be installed in below grade vaults when these vaults are properly constructed in accordance with the Colorado Department of Health Cross Connection Manual.
- 9. Reduced pressure backflow preventers will be installed above ground. The unit should be placed at least twelve (12) inches above the finish grade to allow clearance for the repair work. A concrete slab at finish grade is recommended. Proper drainage should be provided for the relief valve and may be piped away from the location, provided it is readily visible from above grade and the relief valve is separated from the drain line by a minimum of double the diameter of the supply line. A modified vault installation may be used if constructed with ample side clearances. Freezing is a major problem in this area. Precautions should be taken to protect above ground installations.
- 10. Reduced pressure zone backflow preventer may be installed in a basement provided with an adequate drain with an effective opening of twice the diameter of the device.

IV. Testing and Maintenance

- 1. It will be the duty of the customer/user at any premises where the backflow prevention devices are installed to have certified inspections and operational tests made of the devices at least once per year. In those specific instances where Florissant Water and Sanitation District deems the hazard great enough, it will require certified inspections at more frequent intervals. These inspections and tests shall be at the expense of the water user (CONSUMER?) and shall be performed by water utility personnel or by a certified technician approved by the Colorado Department of Health and Water District Manager or Water Distribution and Wastewater Collection Systems Certification Council. An inspection of the device may be performed at any time complying with Section 7.0 of this document.
- 2. As necessary, the device(s) shall be repaired or replaced at the expense of the customer/user (CONSUMER?) whenever the device(s) are found to be defective. Records or copies of all such tests, repairs or replacements shall be kept with a copy sent to the Cross Connection Control Office, Florissant Water and Sanitation District Office.

3. The technician who will perform the test shall call the Cross Connection Control office for a test permit number, which must appear on all forms.
4. Existing devices shall be sealed by the technician performing the test at the completion of the test.
5. All testing gauges shall be checked yearly for accuracy, or more often in the event of questionable readings, and be kept in good operating condition.
6. Florissant Water and Sanitation District retains the right to test or otherwise check the installation and operation of any containment device.

VII. Right of Entry

The Water District representative assigned to inspect premises relative to possible hazards shall carry proper credentials of his/her office, upon exhibit of which he or she shall have the right of entry during usual business hours to inspect any and all building and premises for cross connections in the performance of his or her duties.

This right of entry shall be a condition of water service in order to provide assurance that the continuation of service to the premises will not constitute a menace to health, safety and welfare of the people throughout Florissant Water and Sanitation District's potable water system. Where building security is required, the backflow device(s) should be located in an area not subject to security.

VIII. Violations

1. Failure of the customer to cooperate in the installation, maintenance, testing or inspection of backflow prevention devices required by this regulation shall be grounds for the discontinuance of water service to the premises or the requirement for an air-gap separation from the public potable water system.
2. Service of water to any premises may be discontinued by Florissant Water and Sanitation District after written notification if unprotected cross connections exist on the premises or if any defect is found in an installed backflow prevention device has been removed or bypassed. Service shall not be restored until such conditions or defects are corrected.
3. Discontinuance of service may be summary, immediate and without written notice whenever, in the judgment of Florissant Water and Sanitation District, such action is necessary to protect the purity of the public potable water supply or the safety of the water system.

IX. Implementation

On or before the dates listed below, each type of customer shall notify the District of their compliance with this regulation:

<u>Customer Category</u>	<u>Date</u>
All new construction	January 1, 1992
Commercial/Industrial/Residential Incorporating the following: Fire Sprinklers Solar Systems Spas/Hot Tubs Swimming Pools	January 1, 1992
Residential incorporating irrigation systems	January 1, 1992
All customers	January 1, 1992

Notification shall include type, brand, serial number and location of the appropriate device, together with the date of installation.

Adopted this _____, day of _____, 20 .

FLORISSANT WATER AND
SANITATION DISTRICT

By: _____
PRESIDENT
BOARD OF DIRECTORS

ATTEST:

SECRETARY

FLORISSANT WATER AND SANITATION DISTRICT
PRETREATMENT/INDUSTRIAL WASTE CONTROL REGULATION

(FEDERAL PRETREATMENT PROGRAM)
(Appendix H - Rules and Regulations)

SECTIONS:

- 1.1 PURPOSE
- 1.2 DEFINITION AND ABBREVIATIONS
- 1.3 PROHIBITED AND ACCIDENTAL DISCHARGES
- 1.4 WASTEWATER DISCHARGE PERMITS
- 1.5 PERMIT FEE REQUIREMENTS
- 1.6 PERMIT FEES AND CHARGES
- 1.7 CATEGORIZATION OF, AND REQUIREMENTS FOR, INDUSTRIAL USERS
- 1.8 ENFORCEMENT
- 1.9 PENALTIES AND REMEDIES
- 1.10 SEVERABILITY
- 1.11 AUTHENTICATION

1.1 PURPOSE

It is necessary for the health, safety, and welfare of the District to regulate the collection of wastewater and treatment thereof to provide for maximum public benefit. This regulation sets forth uniform requirements for users of the District's Publicly Owned Treatment Works (POTW) (Ref: Par. 1.2, JJ) and facilitates the District's compliance with applicable State and Federal laws and regulations. The objectives of these regulations are:

- A. To prevent the introduction of pollutants into the POTW which would interfere with the operation of the system or contaminate the resulting sludge.
- B. To prevent the introduction of pollutants into the POTW wastewater system, which will pass through the system, inadequately treated, into receiving waters or the atmosphere or otherwise, be incompatible with the system.

- C. To improve the opportunity to recycle and reclaim wastewater and sludge from the system.
- D. To provide for the equitable distribution of the costs for operating and maintaining the POTW among the users of the facility; and
- E. To provide for and promote the general health, safety, and welfare of the citizens residing within the District.

This regulation provides for the regulation of users of the PTOW through the issuance of wastewater discharge permits to certain non-domestic users and through enforcement of general requirements for other users, authorizes monitoring and enforcement activities, requires user reporting and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

This regulation shall apply to persons in the District and to persons outside the District who are, by contract of agreement with the District, users of the POTW. Except as otherwise provided herein, the Chairman of the District Board of Directors shall administer, implement, and enforce the provisions of this regulation.

1.2 DEFINITION AND ABBREVIATIONS

Words and phrases used in this regulation shall be as defined in this section, unless the context clearly indicates otherwise.

- A. "Act" or "The Act" shall mean the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. Section 1251, et seq.
- B. "Approval Authority" shall mean the Director of the Colorado Department of Health at such time as Colorado has an approved State Pretreatment Program and the Regional Administrator of the EPA until such time.
- C. "Authorized Representative of Industrial User" shall mean:
 - 1. A principal executive officer of at least the level of vice president, if the industrial user is a corporation; or
 - 2. A general partner or proprietor if the industrial user is a partnership or proprietorship, respectively; or
 - 3. A duly authorized representative of the individual designated above, if such representative is responsible for the overall operation of the facilities from which any direct or indirect discharge originates.
- D. "Biochemical Oxygen Demand (BOD)" shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures (five days at 20 degrees centigrade) expressed in terms of weight and concentration (mg/l).

- E. "Building Sewer" shall mean a sewer conveying wastewater from the premises of a user to the POTW.
- F. "Chemical Oxygen Demand (COD)" shall mean the oxygen equivalent of that portion of organic matter in a wastewater sample that is susceptible to oxidation by a strong chemical oxidant, expressed in terms of weight and concentration (mg/l).
- G. "Categorical Industry" shall mean one of the industries for which the EPA established, or is in the process of establishing, (Federal) categorical pretreatment standards.
- H. "Colorado Discharge Permit System (CDPS)" shall mean the State of Colorado Program formulating the issuance of wastewater discharge permits, the wastewater conditioning requirements, and/or the denial of the discharges of the pollutants from point sources into navigable waters of the contiguous zone and the oceans pursuant to Section 24-4-184 C.R.S. 1973.
- I. "Composite Sample" shall mean a representative flow-proportioned, or time-proportioned, sample collected within a twenty-four hour period and composed of a minimum of four individual samples collected at equally spaced intervals and combined according to flow or time.
- J. "Cooling Water" shall mean water to which the only pollutant added is heat.
- K. "Critical Industry" shall mean a user which is a categorical industry, or which is required to report the storage of hazardous materials, pursuant to the requirements of this regulation. This includes both Actual and Potential contributors.
- L. "Direct Discharge" shall mean the discharge of treated or untreated wastewater directly to the waters of the State of Colorado.
- M. "District" is the Florissant Water and Sanitation District; or the Board of Directors of the Florissant Water and Sanitation district; or, if so designated by the Board of directors to act as an authorized agent, the Manager of the Florissant Water and Sanitation District.
- N. "Domestic or Sanitary Waters" shall mean liquid wastes (1) from the noncommercial preparation, cooking, and handling of food, or (2) containing only human excrement and similar matter from the sanitary conveniences of dwellings, commercial buildings, industrial facilities, and institutions.
- O. "Environmental Protection Agency (EPA)" shall mean the U.S. Environmental Protection Agency, or where appropriate, the term may also be used as a designation for the Administrator, or other duly authorized official of said agency.

P. "Existing Industrial User" shall mean a nondomestic activity, or any other user, determined to be generating wastewater at the time of the promulgation of categorical pretreatment standards (Ref: Paragraph. V and W).

Q. "Fats, oil grease (FOG)" shall mean hydrocarbons, fatty acids, soaps, fats, waxes oils, and any other material that is extracted by Freon solvent, and specified in "Standard Methods".

R. "Garbage" shall mean solid wastes from domestic and commercial preparation, cooking, and dispensing of food and from handling, storage, and sale of produce. "Properly Ground Garbage" shall mean the wastes from the preparation, cooking and dispensing of foods that have been ground to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particles greater than one-half (1/2) inch in any dimension.

S. "Grab Sample" shall mean a sample which is taken from a waste stream on a one-time basis with no regard to the flow or time.

T. "Harmful Wastes" shall mean a any solid, liquid, or gaseous substances which would violate the prohibitions contained in Section 1.3 of these regulations.

U. "Indirect Discharge" shall mean the discharge, or the introduction of non-domestic pollutants from any source, regulated under Section 387 (b) or (c) of the Act, [33 U.S.C. Section 1317 9b) or (c)] into the POTW.

Pollutants are not discharged under normal operations, but could be under certain plausible conditions. This includes anyone storing hazardous materials.

EE. "Pretreatment" or "Treatment" shall mean the reduction of the amount of pollutants, the limitation of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to, or in lieu of, discharging or otherwise introducing such pollutants into the POTW. The reduction or alteration can be obtained by physical, chemical, or biological processes, or other means, except that dilution shall not constitute treatment or pretreatment.

FF. "Pretreatment Standards" shall mean all applicable Federal Rules and Regulations implementing Section 307 of the Act (33 U.S.C. Section 1317), as well as any non-conflicting State of District standards. In cases of differing standards or regulations, the more stringent shall apply.

GG. "Priority Pollutants" shall mean any of the various toxic compounds that can reasonably be expected in the discharges from industries as determined by the EPA, pursuant to Section 307 (a) of the Act [33 U.S.C. Section 1317 (a)].

HH. "Private Sewage Disposal System" shall mean any sewage disposal system other than public facilities, such as privies, privy vaults, septic tanks, soil absorption systems,

cesspools, chemical toilets package treatment plants, or similar facilities which receive, or are intended to receive wastewater, and which are not connected to the POTW; but this term shall not include any treatment plant which has valid CDPS or NPDES permit (Ref: Paragraph CCC.5. and 9.).

II. "Publicly Owned Treatment works (POTW)" shall mean a treatment works as defined by Section 212 of the Act (33 U.S.C. Section 1292) which is owned in this instance by Florissant Water and Sanitation District. This definition includes any sewers that convey wastewater to the POTW treatment plan, but does not include pipes, sewers or other conveyances not connected to a facility providing treatment. For the purpose of this ordinance, "POTW" shall also include any sewers that convey wastewater to the POTW treatment plan, but does not include pipes, sewers or other conveyances not connected to a facility providing treatment. For the purpose of this ordinance, "POTW" shall also include any sewers that convey wastewaters to the POTW from persons outside the District who are, by contract or agreement with the District, users of the District's POTW.

JJ. "POTW Treatment Plant" shall mean that portion of the POTW designated to provide treatment to wastewater.

KK. "Receiving Waters" shall mean lakes, rivers, streams, or other surface or subsurface water courses which receive treated or untreated wastewater.

LL. "Receiving Water Quality Requirements" shall mean requirements for the POTW's treatment plan effluent established by applicable State or Federal statues, or regulations for the protection of receiving water quality. Such requirements shall include effluent limitations, and waste discharge standards, requirements, limitations, or prohibitions which may be established or adopted from time to time.

MM. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted, including the pipe or conduit system and appurtenances, for the collection, transportation, pumping, and treatment of sewage. This definition shall also include the terms "public sewer", "sewer system", "POTW sewer", and "sewer".

NN. "Service Connection" shall mean a sewer line intended for discharging wastewater into the District's POTW and commencing at a structure or a facility and termination at a sewer main.

OO. "Sewer Main" shall mean that portion of the District's POTW used for the collection and transportation of wastewater to treatment facilities and which has been installed for the express purpose of allowing service connections to be made thereto.

PP. "Shall" and "Will" are equally mandatory.

QQ. "Significant Contributor" shall mean a non-domestic user, which is classified as an industrial user, and due to the nature of its wastewater discharge, is governed by categorical pretreatment standards.

RR. "Slug Load" shall mean any discharge of wastewater which, in concentration of any given constituent or in quantity of flow, exceeds for any period longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flow during normal operation.

SS. "Standard Industrial Classification (SIC)" shall mean a classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the Presidential Office of Management and Budget (OMB) as it may be revised from time to time.

TT. "Standards Methods" shall mean procedures described in the current edition of Standard Methods for the Examination of Water and Wastewater as published by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation.

UU. "Storm Sewer" shall mean a sewer that carries only storm, surface and ground water drainage.

VV. "Total Suspended Solids (TSS)" shall mean the total suspended matter that floats on the surface of or is suspended in, water, wastewater or other liquids, and which is removable by laboratory filtration and referred to in Standard Methods for the Examination of Water and Wastewater as Suspended Residue.

WW. "Toxic Pollutant" shall mean any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administration of the EPA under the provisions of Section 387 (a) of the Act [33 U.S.C. Section 1317 (a)] and/or Colorado Water Quality Control Commission Pretreatment Regulation 4.3.0.

XX. "User" shall mean any person who contributes or causes or permits the contribution of wastewater into the District's POTW. (Ref: Paragraph. P, W, and X).

YY. "Wastewater" or "Sewage" shall mean the combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, including cooling water.

ZZ. "Wastewater Discharge Permit" shall mean the permit provided for in Section 1.4, 1.5 and 1.7 of this Regulation.

AAA. Terms not otherwise defined herein shall have the meanings adopted in the latest edition of Standard Methods for the Examination of Waste and Wastewater published by the American Public Health Association; the American Water works Association, and the water Pollution Control Federation.

BBB. Acronyms: The following acronyms shall have the designated meanings:

1. BOD shall mean biochemical oxygen demand.

2. C.F.R. shall mean the Code of Federal Regulation.
3. COD shall mean chemical oxygen demand.
4. EPA shall mean the Environmental Protection Agency.
5. C.R.S. shall mean the Colorado Revised Statutes.

D-3. OTHER REQUIREMENTS. State requirements and limitations on discharges shall apply in any case where they are more stringent than Federal requirements and limitations or those of the District contained herein. The District's limitations or requirements on discharges shall, however, apply in any case where they are more stringent than State or Federal requirements or limitations.

E-3. DISTRICT RIGHT OF REVISION. The district reserves the right to establish more stringent limitations or requirements on discharges to the POTW if deemed necessary to comply with the objectives presented in Section 1.1 herein.

F-3. DILUTION. No user shall ever increase the use of water, or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the Categorical Pretreatment Standards, or in any other specific pollutant limitation established by District, State, or Federal requirements.

G-3. ACCIDENTAL DISCHARGE. Each industrial user must provide protection from accidental discharge of materials or substances regulated herein. The facilities required to prevent accidental discharge of such materials, or substances, such as holding tanks, shall be specified for higher hazard industrial users via a District letter - "Notification of Evaluation Results". Detailed plans for installation, maintenance, and operation of the required facilities will be submitted to the District for review and approval prior to construction or installation. All industrial users shall submit the above plan, complete the approved facilities, and initiate the process involved according to the timetable provided in the "Notification of Evaluation Results" letter. No industrial user shall introduce wastewater into the system until the operative facilities and procedures have been approved by the District. Review and approval of such plans, facilities, and procedures will not relieve the industrial user of the responsibility to subsequently modify the facility and procedures as necessary to assure continuing satisfaction of the requirements herein. The required facilities will be provided, maintained and operated at the industrial user's cost and expense.

1. In the case of an accidental discharge, it is the responsibility of the industrial user to immediately notify the District of the incident in the most expeditious manner possible. The notification shall include, date, time, and location of discharge; type of waste; concentration and volume; and corrective actions taken.
2. Within five (5) days following an accidental discharge, the industrial user shall submit to the District a detailed written report describing the cause of the

discharge and the measure to be taken by the industrial user to prevent similar future occurrences. Such notification shall not relieve the industrial user of any expenses, loss, damage, or liability which may be incurred as a result of damage to the POTW, fish kills, or any other damage to persons or property, nor shall such notification relieve the industrial user of any fines, civil penalties, or other liability which may be imposed by this regulation or other applicable law.

3. A notice shall be permanently posted on the industrial user's bulletin board or other prominent place-advising employees to immediately report any accidental discharge. Employers shall insure that all employees who may observe or may cause or suffer such accidental discharge to occur are advised of the emergency notification procedure.

1.4 WASTEWATER DISCHARGE PERMIT

A. **NONCRITICAL WASTEWATER DISCHARGES.** No person shall cause or allow the discharge of wastewater into the POTW without a wastewater discharge permit except as follows:

1. Domestic users who have received a District service connection permit; or
2. Industrial users who are noncritical industrial users, as determined by the District and have received a District service connection permit.

B. **CRITICAL WASTEWATER DISCHARGES.** No person shall cause or allow a critical industry to connect to the POTW unless such industry shall have obtained a wastewater discharge permit before connection to or discharging into the POTW. Each critical industry connected to the POTW on the effective date of this regulation shall obtain a wastewater discharge permit in accordance with a prioritized schedule developed by the District and available at the District office.

C. **PERMIT APPLICATION.** Users required to obtain a wastewater discharge permit shall complete and file with the District an application in manner and form prescribed by the District in an Implementation Process Supplement attached hereto. Each critical industry connected to the POTW on the effective date of this regulation shall apply for a wastewater discharge permit in accordance with a prioritized District schedule. Proposed new critical industries shall apply at least one hundred and twenty (120) days prior to the proposed connection to, or contribution to, the POTW.

To initiate the application process, the user shall complete and submit questionnaires provided by the District, which will provide the following types of information in units and terms appropriate for evaluation by the District:

1. Name, address, and location of the property owner, the wastewater generating facility/business, and the discharge point:
2. Standard industrial classification.

3. Wastewater quality and quantity. Quality characteristics include, but are not limited to, those mentioned in Section 1.3 of this regulation as determined by a reliable analytical laboratory;
4. Time(s) and duration of discharge(s);
5. Average daily and peak wastewater flow rates, including daily, monthly and seasonal variations, if any;
6. Site plans, floor plans, mechanical and plumbing plans, and details to show all sewer, sewer connections and appurtenances by size, location, and elevation. If deemed necessary by the District, such plans shall provide for separate system for handling sanitary wastes and industrial wastes;
7. Description of activities, facilities, and plan processes on the premises, including all materials which are to be, or could be, discharged;
8. Where know, the quantity and specific nature of any pollutants in the discharge which are limited by and District, State or Federal standards or requirements;
9. If additional pretreatment or O & M will be required to meet the District, State or Federal standards, a schedule will be provided by the user noting when the user will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable standards and requirements. The following conditions shall apply to this schedule:
 - a. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable standards and requirements;
 - b. No increment referred to in paragraph "A", shall exceed ninety (90) days from the date of the District Letter of Notification unless a request for waiver is submitted to, and approved by the District.
 - c. Not later than fifteen (15) days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the District including, as a minimum, whether or not the user complied with the increment of progress to be met on such date, and, if not, the date on which the user expects to comply with this increment of progress, the reason for the delay, and steps taken by the user to return the construction to the schedule established.

10. Any other information, including on-site inspection, as required by the District to evaluate the permit application. After evaluation and categorization of the data furnished, the District may issue a wastewater discharge permit.

D. PERMIT MODIFICATION. Upon promulgation of a categorical pretreatment standard and within the time prescribed thereby, the wastewater discharge permit of users subject to such standards shall be deemed revised to require compliance with any part thereof which is stricter than existing standards or conditions of the permit. Where a user, subject to categorical pretreatment standards, has not previously submitted an application for a wastewater discharge permit, the District shall initiate the wastewater discharge permit process within thirty (30) days after promulgation of the applicable categorical pretreatment standard. Any user with an existing wastewater discharge permit shall submit to the District within thirty (30) days after such promulgation the information required in questionnaires provided by the District. In addition to the foregoing, the terms and conditions of the permit shall be subject to modification by the District during the term of the permit as limitations or requirements are modified or other just cause exists. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance, as determined by the District.

E. PERMIT CONDITIONS. Wastewater discharge permits shall be expressly subject to all provisions of this regulation and all other applicable regulations, user charges, and fees established by the District. Permits may be conditioned upon the following:

1. Limits on the average and maximum wastewater constituents and characteristics;
2. Limits on average and maximum rate and time of discharge or requirements for flow regulation and equalization;
3. Requirements for installation and maintenance of inspection and sampling facilities;
4. Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types and standards for tests and reporting schedules;
5. Compliance schedules;
6. Requirements for submission of a typical incident or discharge reports;
7. Requirements for maintaining and retaining records relating to wastewater discharge as specified by the District and affording District access thereto;
8. Requirements for notification of the District of any new introduction of wastewater constituents or any change in character of the wastewater constituents or average volume being introduced into the wastewater treatment system;

9. Requirements for notification of slug loads;

10. Requirements for separate systems to handle sanitary and industrial wastewater, such that in the event that the user's industrial wastewater is, or could cause an interference or a potential interference with the POTW, that the industrial wastewater could be severed, preventing discharge into the POTW and still allowing the user's sanitary wastewater to discharge into the POTW;

11. Other conditions as deemed necessary by the District in order to enforce the provisions of this regulation.

F. **PERMIT DURATION.** A wastewater discharge permit shall be issued for a period of one (1) year from the date of issue. The renewal process shall be initiated by the District ninety (90) days prior to the expiration of the user's existing permit. Any permit may be suspended or revoked for failure to comply with the requirements of this regulation.

G. **PERMIT TRANSFER PROHIBITED.** A wastewater discharge permit shall not be sold, traded, assigned, transferred, or sublet. Any new industrial user must obtain a wastewater discharge permit regardless of whether a permit previously existed for the same premises or industrial activity.

1.5 PERMIT FEE REQUIREMENTS

A. **COMPLIANCE DATE REPORT.** Within ninety (90) days following the date for final compliance with applicable standards or requirements, any industrial user subject to Federal, State or District standards and requirements shall submit to the District a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by Federal, State, or District standards and requirements and the average minimum, and maximum daily flow and times for wastewater limited by such standards and requirements. The report shall state whether the applicable standards or requirements are being met on a consistent basis and, if not, what additional O & M or pretreatment is necessary to bring a user into compliance with the applicable standards or requirements. This statement shall be signed by an authorized representative of the industrial user and certified to by a professional engineer registered in the State, unless a waiver is submitted to, and approved by, the District.

B. **PERIODIC COMPLIANCE REPORTS.**

1. Any industrial user subject to a Federal, State, or District standard or requirement after the compliance date of such standard or requirements shall submit to the District during the ninth (9th) month of the permit year, unless required more frequently by the District, a report indicating the nature and concentration of pollutants report indicating the nature and concentration of pollutants in the wastewater which are limited by such standards or requirements.

In addition, this report shall include a record of all daily flow which during the reporting period exceeded the average daily flow reported in Paragraph A.

2. The District may impose mass limitations on industrial users which are using flow equalization to meet applicable Federal, State or District standards or requirements or in other cases where the imposition of mass limitations are appropriate. In such cases, the report required by paragraph B.1 above shall also indicate the mass of limited pollutants in the wastewater of the user. These analysis of the discharge, including production and mass of pollutants contained therein which are limited by the applicable standards and requirements.

C. Monitoring Facilities (Ref: par B.1, Sect 1.7)

1. Where required pursuant to this regulation or pursuant to terms and conditions of the wastewater discharge permit, the user shall provide and operate at the user's expense, monitoring equipment and facilities sufficient to allow inspection, sampling and flow measurement of the building sewer systems. The monitoring equipment and facilities shall be situated on the user's premises or such other location as approve by the District.

2. There shall be ample room in or near such monitoring manhole or facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the user.

3. Whether constructed on public or private property, the sampling and monitoring equipment and facilities shall be provided in accordance with the District's requirements and all applicable local construction standards and specifications. Construction shall be completed within ninety (90) days following written notification of the requirements by the District unless another date is specified in the wastewater discharge permit

D. INSPECTIONS (Ref: Par. B.1, Sect. 1.7). The District may inspect the equipment and facilities of any user at any time during normal business hours to ascertain whether they are in compliance with applicable ordinances, Rules, and Regulations. Occupants of premises where wastewater is created or discharged shall allow the District or its representative entry for purpose of inspection, sampling, records examination, or the performance of any rights or responsibilities under this regulation. The District, State, and EPA shall have the right to install, on the user's property, such devices as are necessary to conduct sampling, inspection, compliance monitoring, or metering operations. Where a user has security measures in for which would require proper identification and clearance before entry into their premises, the user shall make necessary arrangements with their security personnel so that upon presentation of suitable identification, personnel from the District, State and EOA will be permitted to enter without undue delay, for the purposes of performing their specified responsibilities.

E. FAILURE TO PERMIT INSPECTION. In the event a duly authorized officer or agent of the District is refused admission for any purpose, the District may cause sewer service to the premises in question to be discontinued until the District's officer or agent has been afforded reasonable access to the premises and sewer system to accomplish the inspection or sampling.

F. SAMPLING (Ref: Par. B. 3, Sect. 17). All measurements, tests and analyses of the characteristics of wastewater to which reference is made herein shall be determined in accordance with "Standard Methods" or, where not addressed in "Standard Methods", in accordance with procedures established by the EPA pursuant to Section (h) of the Act [33 U.S.C. Section 1314(h)], or with any other test procedures approved by the EPA for the analysis of wastewater. In the event that no special treatment or access facility has been required, the point of inspection shall be the downstream manhole in the POTW sewer nearest to the point at which the building sewer is connected to the public sewer.

G. PRETREATMENT. Users shall provide necessary wastewater treatment as required to comply herewith. Any equipment and facilities required to pre-treat wastewater to a level in compliance with these regulations shall be provided, operated, and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the District for review and approval before construction of the facility. The review of such plans and operating procedures will in no way relieve the user from the responsibility of subsequently modifying the facility as necessary to produce wastewater in compliance with the provision of the regulation. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to the District for approval prior to the user's initiation of the changes.

H. PUBLICATION OF LIST OF NON-COMPLYING USERS. The district may annually publish in one or more local newspapers a list of users which were not in compliance with any applicable requirements or standards at least once during the twelve (12) previous months. Such notification shall also summarize any enforcement actions taken against such during the same twelve (12) months. All records relating to compliance with applicable standards or requirements shall be made available to officials of the EPA or other Approval Authority upon request, subject to any limitations contained in State statutes.

I. CONFIDENTIAL INFORMATION.

1. Information and data on a user obtained from reports, questionnaires, permit application, permits, monitoring programs, and from inspection, shall be available to the public or other governmental agencies without restriction unless the user specifically requests and is able to demonstrate to the satisfaction of the District that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the user.

2. When so requested by the user furnishing a report with privileged information, and such report is approved by the District, the portion of a report which might

disclose trade secrets shall not be made available for inspection by the public, but shall be made available upon written request to governmental agencies for uses related hereto, the CDPS or other applicable standards or requirements. Moreover, such portions of the report shall be available for use by District or State Agencies in judicial review or enforcement proceedings involving the user furnishing the report.

3. Information accepted by the District as confidential, shall not be transmitted to any government agency by the district until and unless a ten-day written notification is given to the user by certified mail or personal service.

1.6 FEES AND CHARGES

In addition to the sewer use, fees, and charges provided for in other District Regulations, additional fees and charges for conduct of this program may be made as set forth in this Section.

A. DAMAGE TO FACILITIES. When a user's wastewater causes obstruction or damage, or, because of the nature of the wastewater, increases the costs for managing the effluent or the sludge of the POTW, the user shall pay for such increased cost.

B. PERMIT FEE. The Wastewater Discharge Permit fee is an annual fee and a factor of the industrial user evaluation and categorization process (Ref: Par. D). The permit fee schedule by industrial user category is provided in Table 2 which is incorporated herein by referenced.

C. REVIEW OF WASTEWATER PERMIT FEES. The district may periodically review the total cost of operation and maintenance of the POTW, reconsider individual's user's discharge, re-evaluate the cost of conducting this program, and revise fees as necessary to assure equity with sufficient funds to adequately operate and maintain the POTW. If an industrial user has completed in-plant modifications which change that user's wastewater discharge, the user can present to the District such factual information, and the District shall determine if the evidence justifies a change of user's category and/or permit fee.

D. CATEGORIZATION OF INDUSTRIAL USERS. Critical industries may be divided into various categories, including but not limited to, Actual Contributors and Potential Contributors, and fees within such categories will reflect the differing hazards to the POTW and related program costs to the District.

E. WASTEWATER ANALYSIS FEES. Industrial users shall be subject to wastewater analysis fees as exemplified in Table 3.

1.7 CATEGORIZATION OF AND REQUIREMENTS FOR INDUSTRIAL USERS

A. CATEGORIZATION OF INDUSTRIAL USERS. All non-domestic activities (Ref: Par. V. Section 1.2) will be subject to categorization and must, as a minimum,

complete and submit a General Information Questionnaire, provided by the District for evaluation. The District will categorize each of the non-domestic activities into one of four major categories of industrial users as defined below. While completing the critical categorization process, the district may consider general knowledge of the candidate user, information submitted via the District provided questionnaire(s), on-site inspection, and periodic samplings as deemed necessary for accurate categorization. The District will provide a user appeal process; but assigned categories may only be reduced by District action. (Ref: Par. C, Sect. 1.8).

1. Category I - Minimal Waste Producers. This category of non-domestic user is defined as being an activity that has calculated monthly water usage for industrial purposes of less than fifteen thousand (15,000) gallons and a BOD and/of TSS loading of less than 220 mg/1.
2. Category II - Medium Waste Producers. This category of non-domestic users is defined as being an activity that has a calculated monthly average of water usage for industrial purposes of more than fifteen thousand (15,000) gallons and a BOD and/or TSS loading of less than 220 mg/1. In addition, the user must meter all water input, whether purchased or from a well, through a water flow meter acceptable to the District and accessible to the District during normal business/operating hours.
 - a. Actual - An industrial user currently meeting the criteria.
 - b. Potential - An industrial user with the potential for reaching and/or exceeding the above criteria within the next twelve (12) months.
3. Category III - Medium Waste Producers with Heavy Loading. This category of non-domestic user is defined as being an activity that has a calculated monthly average of water usage for industrial purposes of less than fifteen thousand (15,000) gallons but a BOD and /or TSS loading greater than 22 mg/1. In addition, the user must meter all water input, whether purchased or from a well, through a water flow meter acceptable to the District and accessible to the District during normal business/operating hours.
 - a. Actual - An industrial user currently meeting the criteria.
 - b. Potential - An industrial user with the potential for reaching and/or exceeding the above criteria within the next twelve months.
4. Category IV - Large Waste Producers. This category of non-domestic user is defined as being and activity that has calculated monthly average of water usage greater than fifteen thousand (15,000) gallons and a BOD and/or TSS loading greater than 220 mg/1. In addition, the user must meter all water input, whether purchased or from a well, through a water flow meter acceptable to the District during normal business/operation hours.

- a. Actual - An industrial user currently meeting above the criteria.
 - b. Potential - An industrial user with the potential for reaching the above criteria within the next twelve (12) months.
5. The definition of BOD (Biochemical Oxygen Demand) and TSS (Total Suspended Solids) and the methods of analyzing samples shall be in general conformance with the definitions in "Standard Methods."

B. MONITORING, INSPECTING, METERING, SAMPLING, AND ANALYZING. (Ref: Par. C, D and F, Sec. 1.5)

1. Monitoring and inspecting shall be interrelated. Monitoring of Actual and Potential industrial users will be a continuing process conducted primarily by the District and other pertinent data supplemented by periodic on-site operation of the facility (ref: Par. G, section 1.3 and Par. C, Sect. 1.5) must include an internal monitoring and inspection program.
2. Depending upon the category assigned and the related wastewater discharge permit criteria, metering requirements can consist of one or more of the following:
 - a. Water flow meter that meters all water input, whether purchased or drawn from a well.
 - b. Waste flow meter with indicator and totalizer.
 - c. Waste flow meter with continuous totalizer indicator and recorder.
 - d. If all water is disposed to waste, and if all water is passed through a flow meter, than that particular industrial user can petition the District to waive any requirement for a waste flow meter and to use the water flow meter for determining volume.
3. Sampling will consist of the physical collection of wastewater produced by each industrial user. Depending upon the category assigned and the related wastewater discharge permit criteria, the minimum sampling frequencies are as shown in Table 4, which is incorporated herein by this reference. When abnormalities are detected, the District may require additional samplings and on-site inspections, either on a scheduled or random basis.
 - a. Samples will be collected from the mains or service lines.
 - b. Sampling points will be downstream of all waste sources of each industrial user so that the sample will represent a composite mixture of the wastes produced.

- c. Unless otherwise dictated by the category and related wastewater discharge permit criteria, sampling points must be accessible for either periodic or continuous testing as required. Nominally, the sampling points may consist of manholes or four (4) inch (minimum) clean-out ports.
- d. A refrigerator must be reasonably available to provide for temperature control of the sample prior to analysis.
- e. For the most critical categories of industrial users, samples will be of the proportional composite type, and the monthly rate shall be based on the recorded flow and sample analysis results.
- f. "Composite sample" shall mean a representative flow-proportioned or time-proportioned sample collected within a twenty-four individual samples collected at equally spaced intervals and combined according to flow or time.

4. Analysis will consist of qualified laboratory breakdown of the discharge, pollutant properties contained in the sample described in Par. 3 above. Limits for possible pollutant/pollutant property are listed in Table 1. The depth of analysis required will be governed by the category assigned and the related wastewater discharge permit criteria as indicated in Table 5, which is incorporated herein by this reference.

- a. The original copy of the analysis results will be maintained at the industrial user's facility and a copy will be provided the District within five (5) days of the analysis.
- b. Any abnormalities will be reported to the District as soon as possible (Ref: Par. G, Sect. 1.3).

5. Specific requirements for the above functions will be provided in writing by the District upon completion of the evaluation process. Prior to implementation, all equipment, e.g. sampling points, and procedures, e. g. sampling and analysis, must be reviewed and approved by the District. Should the user fail to properly utilize and/or maintain the approved equipment, facilities, and/or procedures, the user shall be in violation of this regulation.

6. The cost of the required equipment, facilities, and user-conducted sampling and analysis will be borne by the industrial user.

1.8 ENFORCEMENT

A. ADMINISTRATIVE REMEDIES. If any person, i.e. industrial user, violates any of the provisions of this regulation or any of the terms and conditions of any wastewater discharge permit, the District is authorized to take one or more of the following actions, as the District deems necessary and appropriate in the circumstances:

1. Suspension. The District may order wastewater treatment service, service connection permits, and wastewater discharge permits suspended if actual or potential discharge endangers, or may reasonably endanger, individual health, safety, or welfare, or the environment, or may cause interference in or to the POTW; or may cause the District to violate any condition or terms of the CDPS. Any such suspension order shall become effective the day after the next regularly scheduled meeting of the Board of Directors, which is at least five (5) days after the date the suspension order is mailed, unless the Board of Directors, on appeal by the affected industrial user, shall reverse the suspension order or stay its effect.

2. Emergency suspension. The District may, without prior notice or hearing, order wastewater treatment service, service connection permits, and wastewater discharge permits immediately suspended if actual or potential discharge immediately substantially endangers individual health, safety, or welfare, or the environment, or may cause imminent and substantial interference in or to the POTW; or may cause Florissant Water and Sanitation District to violate any condition of the CDPS. Any such emergency suspension order shall become effective immediately stop or eliminate all discharge of industrial waste. The District is also authorized, in such circumstance, to take steps as deemed necessary, including severance of the sewer connection, to prevent or minimize danger or property damage.

3. Reinstatement. Any suspended service or permit shall be reinstated upon proof of elimination of the violation, payment of all costs and expenses incurred by the District in connection with the suspension, and approval by the District of a satisfactory plan to prevent future such violations.

4. Revocation. The district may order wastewater treatment service permanently terminated and wastewater discharge permits revoked, if it is necessary to make a suspension order or emergency suspension order more than three times in an twelve month period. Any such revocation shall become effective the day after the next regularly scheduled meeting of the Board of Directors which is a least five 95) days after the date the revocation order is mailed, unless the Board of Directors, on appeal by the affected industrial user, shall reverse the revocation order or stay its effect.

5. Other. If deemed necessary to prevent danger, property damage, or interference with the POTW, the District may order a user to provide treatment; flow rate control; suitable access facilities, such as a manhole or vault; and periodic sampling, testing, and reporting of the quality and quantity of wastewater being discharged. Any such order shall become effective at the time specified therein,

unless the Board of Directors, on appeal by the affected industrial users, shall reverse the order or stay its effect.

6. Falsifying Information and Tampering. No person shall knowingly make any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to the terms of this regulation or wastewater discharge permit, or shall falsify, tamper with or knowingly render inaccurate any monitoring device or method required hereunder.

B. NOTIFICATION. Any notice or order issued under this section shall be served personally or by registered or certified mail, return receipt requested to the billing or street address of the property owner/industrial user.

C. APPEAL.

1. Any person desiring to appeal any order or determination of the District shall file a written notice of appeal with the Secretary of the Board within fifteen (15) days of such order or determination. Such notice or appeal shall set forth the nature of the order or determination being appealed, the date of such order or determination, the reason for the appeal, and shall request a hearing before the full Board of Directors.

2. Date of Hearing. On receipt of a notice of appeal, the Secretary of the Board of Directors shall refer it to a Board (Ref: The Implementation Process Supplement hereto) for review and set it for hearing at the next regularly scheduled Board meeting, if such meeting is at least fourteen (14) calendar days following receipt of the notice of appeal; otherwise for the next meeting thereafter. Notice of the time, date, and place for the hearing shall be mailed to the party filing the notice of appeal. The Board of Directors may continue the hearing from time to time thereafter, as it deems necessary, without further notice.

3. Conduct of Hearing. The full Board of Directors shall act as the quasi-judicial body in the conduct of the hearing. The party appealing and cognizant member of the Board shall each have the opportunity to present evidence and arguments in support of their positions, and shall have the right to be represented by an attorney, if they so desire. The Board of Directors shall make findings of fact and may affirm, reverse, or modify the order or the basis of its determination. The findings and decision of the Board of Directors shall be mailed to the appealing party, in the manner provided in Subsection B of this Section.

1.9 PENALTIES AND REMEDIES

A. CIVIL LIABILITY FOR EXPENSES. Any person, i.e. industrial user, violating the provisions of this regulation or any applicable State or Federal Regulations or any terms and conditions of the user's wastewater discharge permit, shall be liable for any expense, loss or damage caused by the POTW by reason of such violation, including the

increased costs, if any, for managing effluent or sludge when such increases are the results of the user's discharge of toxic pollutants.

B. PENALTIES. Any person, i.e. industrial user, violating any of the provisions of these Rules and Regulations shall be subject to a penalty charge imposed by the Board not to exceed \$1,000.00 per day for each violation. Additionally, any person who shall be in violation of this provision may be subject to disconnection of sewer service, penalty charges under the Rules and Regulations of the District and criminal prosecution under the appropriate laws of the State of Colorado of the United States or any combination thereof. Any person determined to be in violation of these Rules and Regulations shall be sent a notice stating the nature of the violation, describing the satisfactory correction, and setting forth a time within which the correction must be completed, but in no event to exceed 30 days of the date of mailing or service of said notice. Notice shall be mailed to the last known address of the property owner as shown in the record of the District. Service of notice is complete upon mailing.

C. LIQUIDATED DAMAGES. Any industrial user who is found to have violated the Rules and Regulations of the District, willfully or negligently failed to comply with the provisions of the District Rules and Regulations, wastewater discharge permit or order issued thereunder, shall be subject to an assessment of liquidated damages in addition to any penalties, expenses, or pass through fines of \$1,000.00 for each breach, as determined by the Board. Each day on which a breach will occur or continue shall be deemed a separate and distinct breach of violation.

D. INJUNCTIVE RELIEF. The District may petition the District Court for injunctive relief restraining any person from the continued violation of these regulations.

E. CIVIL FINE PASS THROUGH. In the event that an industrial user discharges such pollutants, which cause the POTW to violate any condition of CDPS and the District is fined by EOA or the State for such violation, such user shall be fully liable for the total amount of the fine assessed against the District by the EPA or the State.

F. ADDITIONAL LIABILITIES. In addition to the penalties and damages provided herein, the District may recover reasonable attorney's fees, engineer's and other consultants' fees, court costs and other expenses of litigation from any person found to have violated any provisions.

1.10 SEVERABILITY

If any section, subsection, paragraph, or other provision of these Rules and Regulations shall for any reason be held to be invalid or unenforceable, the validity or unenforceability of such section, subsection, paragraph, clause, or other provision shall not affect any of the remaining provisions.

1.11 AUTHENTICATION

This regulation is hereby incorporated into the General Rules and Regulations of the Florissant Water and Sanitation District.

DATED THIS _____ DAY OF _____ 2014

FLORISSANT WATER & SANITATION DISTRICT

BY: _____

ATTEST:

SECRETARY

LIST OF TABLES

TABLE 1.....LIMITATION ON DISCHARGES
TABLE 2.....PERMIT FEE SCHEDULE
TABLE 3.....TYPICAL ANALYSIS FEES
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TABLE 1
LIMITATIONS ON DISCHARGE
(SPECIFIC POLLUTANT LIMITATIONS)
MAXIMUM CONCENTRATION IN MG/L*

POLLUTANT/POLLUTANT PROPERTY	GRAB SAMPLE	COMPOSITE SAMPLE
Ammonia-Nitrogen (as N)	30.000	30.000
Arsenic	0.650	0.250
Boron	2.500	1.000
Cadmium	0.250	0.100
Calcium	20,000.000	8,000.000
Chlorinated Organic Compounds	2.500	1.000
Chlorine demand	30.000	30.000
Chromium (Hexavalent)	15.000	5.000
Chromium (Trivalent)	10.000	4.000
Copper	9.000	3.000
Cyanide (Amenable to Chlorination)	0.650	0.250
Iron	45.000	15.000
Lead	1.500	2,000.000
Magnesium	5,000.000	0.250
Manganese	0.650	0.025
Mercury	0.060	1.000
Nickel	2.500	100.000
Oil and Grease	100.000	5.000
Phenols	12.500	0.010
Selenium	0.025	0.100
Silver	0.250	0.100
Sodium	10,000.000	4,000.000
Sodium Chloride	12,500.000	5,000.000
Sulfates (as S)	1,250.000	500.000
Sulfides (as S)	65.000	25.000
Zinc	6.000	2.000

** All concentrations are totals for the listed pollutant or pollutant property, except where otherwise indicated.

TABLE 2

PERMIT FEE SCHEDULE

	<u>CATEGORY</u>	<u>ANNUAL FEE</u>
I	N/A	\$ N/A
II	ACTUAL	\$125.00
	POTENTIAL	\$ 75.00
III	ACTUAL	\$225.00
	POTENTIAL	\$125.00
IV	ACTUAL	\$625.00
	POTENTIAL	\$225.00

TABLE 3

TYPICAL ANALYSIS FEES*

	<u>ONE-TIME FEE</u>
FUNCTION:	
Sample Collection/Pickup, Proportion And Report Generation	\$55.00
ANALYSIS BREAKDOWN:	
Alkalinity	\$15.00
Ammonia-Nitrogen	\$19.00
BOD	\$25.00
Chromium (Hexavalent)	\$12.50
COD	\$30.00
Cyanide (Amenable to Chlorination)	\$35.00
Metal (Any four)	\$35.00
Oil and Grease	\$10.00
pH	\$ 2.50
TSS	\$10.00

For pollutants/pollutant, properties other than the ten listed above, additional fees will normally be charged at a rate of approximately \$18.00 per person-hour required.

* Subject to change dependent upon laboratory, timing, frequency, and other cost related factors.

TABLE 4

MINIMUM SAMPLING REQUIREMENTS

<u>CATEGORY</u>		<u>USER CONDUCTED</u>	<u>DISTRICT CONDUCTED</u>
I		None	None
II	Actual	None	Semiannually
	Potential	None	Annually
III	Actual	Quarterly	Semiannually
	Potential	Semiannually	Annually
IV	Actual	Every 15 Days	Monthly
	Potential	Every 30 Days	Quarterly

TABLE 5
Minimum Analysis Requirements
(User Conducted)*

Category	Pollutant/Pollutant Property
I	NA
II Actual and Potential	Alkalinity BOD Oil and Grease pH TSS
III Actual and Potential	Alkalinity BOD Oil and Grease pH TSS
IV Actual and Potential	Alkalinity Ammonia-Nitrogen BOD Chromium (Hexavalent) COD Cyanide Metal Oil and Grease pH TSS

* All District conducted analysis will, as a minimum, include each of the ten pollutants listed above foCategory IV plus any other possible pollutants/pollutant property if conditions warrant.

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