Beulah Water Works District Service Regulations



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I. General Provisions

A. Declaration of Purpose

The regulations specified herein describe the standards of operations for the installation of and billing for water service in the District.

B. General Definitions, Ownership, and Responsibilities

The following are definitions of words or terms as they are used in these Regulations along with any associated ownership and responsibilities.

1. Customer

A customer is the owner of the property using water from the District. Although water may be provided to the Lessee of property, the owner of the property is ultimately responsible for the charges incurred.

2. Property

Property is defined as being any structure, public or private, the use or occupancy of which requires water and water services.

3. Water Meter Set

Water meter set is defined as the complete unit required for measuring water delivered to the customer's property. This complete unit includes the material, casing and top, or vault, all valves, piping and special appurtenances inside the casing or vault. This complete unit is the property of the Water District.

4. Water Line Service

A water service line is the pipe carrying water from the District's water meter to a point of use on the property. All costs for installation, maintenance, and/or replacement of water service line shall be borne by the customer. Customer may petition the District Board for consideration of emergency assistance.

C. Agreement on Regulations

Every person using water from the District system shall thereby be deemed to have consented and agreed to the terms and provisions of these Service Regulations and any amendment/revision thereof, and they have acknowledged the right of the District to discontinue water service for nonpayment of fees and charges hereunder, or failure to otherwise comply with the terms and provisions of these Service Regulations. Every person using water from the District system shall execute the District's approved Water User's Agreement prior to commencement of such water service.

D. Water Service Shut-Off without Notice

The district may shut off water service to any customer, without notice, if such customer shall access or tamper with or in any way interfere with any meter, connection, valve, or other appurtenances belonging to the District or for any violation by the customer of the terms of these Service Regulations, or applicable statues of the State of Colorado.

E. Interruptions in Water Service

The District shall make every effort to maintain steady pressures and continuous water service and will attempt to notify customers of contemplated shutdowns and interruptions of water service. The District assumes no liability for accidents, interruptions of water service or water damage caused directly or indirectly by the shutdown or interruptions of water service. In instances where public health, safety, or welfare so requires, the District shall have the right to shut off the flow of water in its mains without notice, but will endeavor, where possible, to notify affected customers of the intention to interrupt the water service. Interruption of water service under such conditions shall not give rise to any claim on the part of the customer. In case of a drought or freeze, the customer is still responsible for the bill and water used for that time. In the event of a water line shutdown/interruption, all local emergency services must be notified immediately.

F. Refusal to Deliver Water When Contamination of Supply Will Result

The District may refuse to deliver water to any property where any condition exists which might lead to the contamination of the public water supply. The District may continue to refuse delivery of water to any such property until such condition is remedied by the customer.

G. District Access

The customer grants to the District an easement right which will provide access to the customer's premises at all reasonable times for authorized employees of the District for any purpose incidental to the supplying of water service.

H. Illegal Use and Diversion of Water

Attempts to take water from the District system without full and just payment, including the existence of water consuming devices installed ahead of the meter, or any tampering or interfering with pipes, devices or equipment connected to the District system, or damage to, alteration, or obstruction of any meter (including the breaking of meter seals) which will permit or make possible the use of water without its proper registration on the meter, and turning water on after it has been shut off by the District shall constitute prima facie evidence of diversion of water by the consumer in whose name service is being rendered or by the person benefiting from the use of such diverted water. If service has been discontinued for diversion of water, the District will not render service to customer or any other person for customer's use at the same or any other location until:

- 1. Customer has paid all applicable bills.
- 2. Customer has reimbursed the District for all costs incurred in making corrections necessary to prevent further diversion of water and any fees that may be specified by the Board of Directors.

I. Hardship Cases

The district reserves the right to take or proceed with special action in the event of a property owner hardship situation.

J. Low Water Source or Drought Watering Restrictions

The District shall make every effort to maintain steady pressures and continuous water service during drought or low water source situations. The District will when possible notify customers of any watering restrictions when there is a low water source.

Attempts to consume water against these restrictions, when a ban is in force, will result in an immediate \$250.00 fine and the water can be shut off, providing the District shall first deliver or mail a notice of violation, and providing further that not less than ten (10) days shall elapse after the date of said notice before service shall be discontinued. If the District had deemed it necessary to shut off the water based on this violation and the water service remains discontinued for one year without payment in full, the tap shall be considered abandoned.

K. Winterization Requirements

A customer who leaves their properties vacant during the winter should have their water service shut off. To have water service shut off, the customer should contact the District. The customer should contact the District again to have the water turned back on. The customer should not turn the water on or off at the meter themselves.

Customers who are notified by the District to trickle their water and who are given a trickle allowance must follow the trickle procedures.

A customer who does not follow winterization requirements will be held financially responsible for the costs of repairing freezing in the District's water mains caused by freezing in the customer's water service line.

II. Water Rates

A. Metered Water Rates

Water rates shall be reviewed annually by the Board of Directors. Rates adopted by the Board shall become a part of these Service Regulations. Appendix A contains the current water rates.

B. Multiple Dwelling Units Served Through a Single Water Meter

For multiple dwelling units, served through a single water meter, existing as of January 1985, the charge shall be the minimum and metered rate for the size of meter serving the property. All multiple dwelling units built after January 1, 1985 shall require a separate meter per unit, and shall be charged at the applicable rate as a residential or commercial customer as appropriate.

C. Public Fire Protection

There shall be no charge to the Fire Protection Agencies for water used for firefighting or training purposes. Nor shall there be a charge to the customer whose property on fire shall be extinguished by Fire Protection Agencies.

D. Miscellaneous Sales

All uses of water from a fire hydrant, except for those uses for fire protection and the Water District, shall first be approved by the Board of Directors. The water shall be drawn under the supervision of a District Official and charged for in accordance with the rates set for in Appendix A. No transfer or re-sale of water by a customer of the district is permitted.

III. Water Rates – Outside the District

No authorization is given by the board to provide water outside of the district unless an approved payment for services has been acted upon or with an IGA with other governmental agencies.

IV. Payments

A. Application for Service

The District shall require each new applicant for water service to fully complete an application.

B. Application

A new applicant shall be any person or firm who applies for water service to a property not previously listed in that name.

- 1. All applications for service shall be given in the legal name of the person to be responsible for payment of monthly bills for water service to the property. The applicant shall provide a complete application.
- 2. The District reserves the right to refuse service to any property until all outstanding water billings to the property or any property for which the customer is responsible, have been paid in full.
- 3. The District reserves the right to refuse service to an applicant if the intended usage at the new property location is beyond the capacity of the District, when considering the consumption requirements of the existing customers.

C. Deposits for Special Use

All person or firms taking water from fire hydrants or other special connections for use in construction, back filling, demolition of buildings, paving or other use, in the Beulah Water Works District, or outside the Beulah Water Works District, shall make a deposit of \$1,000 for a temporary meter. All connections shall comply with District guidelines and Colorado Department of Health regulations on cross connection and back flow prevention.

D. Monthly Bills

All accounts are due and payable upon receipt.

Metered water service shall be billed on a monthly basis and the amount shall represent the difference in meter readings in gallon units. The term "month" for billing purposes means the reading from one month to the reading on the following month or the next possible to the same day of the month as permitted by the weather or other duties.

1. Should the District be unable to read the meter(s) because of inclement weather conditions or for any other unusual circumstances, the Board may authorize the estimation of meter readings. The basis for estimation will be the customer's consumption experience during the most recent like billing period. In the absence of a billing history, the customer shall be charged the minimum billing amount for the period estimated. Fees charged may be adjusted when the next reading is made (e.g. adjustments for overestimating, leaks discovered, etc).

2. Failure to receive a bill in no way exempts the customer from payment for service rendered. The District will invoice the customer via the preferred delivery method as established by the customer's account setup.

E. Delinquent Accounts

- 1. An account shall be deemed delinquent if not paid in full by the due date on the billing statement, and will incur a late charge as specified in Water Rates, Appendix A.
- 2. Once an account becomes delinquent a notice will be mailed to the customer explaining that if the customer's account is not paid in full by the due date on the next monthly billing the customer will receive a shut-off notice.
- 3. If an account is not paid in full after two (2) consecutive billing cycles, the customer will be mailed a shut-off notice explaining that to prevent the shut-off of water service, the account must be paid in full by 14 days after the most recent due date. The exact shut-off date will be specified in the notice.
 - a. If the account is not paid in full by the shut-off date then the water service will be shut-off the next day and a shut-off fee (as specified in Water Rates, Appendix A) added to the account. Regular monthly fees and applicable late fees will continue to accrue.
 - b. The account must be paid in full for water service to be resumed.
 - c. If the customer receives or attempts to receive District water while the account is shutoff, the customer will be subject to the "Illegal Use and Diversion of Water" provision in this document.
- 4. For customers who are renting, all delinquent and shut-off notices will be mailed to the property owner as well as the customer.
- 5. Failure to receive mailed notices does not relieve the customer from being delinquent or having their service shut-off.

F. Payment for Service Rendered

All accounts must be paid in United States Dollars, whether by cash, check, money order, bank transfer or credit card. Accounts paid by check are subject to collection prior to final credit to a customer's account.

- 1. Accounts paid by check which is returned marked "not paid", "account closed", "insufficient funds", etc, are subjected to discontinuation of service upon reasonable notice to the customer by the District. A service charge is applicable for processing returned checks. The service charge is outlined in Appendix A. The District may refuse to accept payment by check from a customer having a history of two (2) returned checks within a prior twelve (12) month period.
- 2. If the District should refuse payment by personal check due to prior returned checks, the customer must pay by an approved alternative method.

G. Purchasing and Leasing

It is the responsibility of the purchaser of property to ascertain that the water account is paid to the date of sale. Property owners who lease a property should ascertain whether the water account is paid to date when a tenant vacates. Delinquent bills are the responsibility of the property owner.

H. Service Line Leak

In the event of a service line leak, the adjustment of the customer account shall be as follows:

- 1. A billing adjustment for a customer service line leak may be given if the leak is outside the structure and below ground level. In this case, the non-detectability of the leak is the determining factor in the adjustment allowance. The adjustment must be approved by the District's Board of Directors and documented in the minutes of its regular meeting. The Board may, but is not required to, authorize an adjustment to all charges for a single month in excess of \$250.00. Once a portion on a monthly bill is waived, continued leaks in subsequent months cannot be waived unless the customer produces a paid receipt from a contractor attesting that the leak had been repaired. A customer must prove the effort to stop the leak to obtain relief.
- 2. Relief for a detectable leak is possible but not likely. A leaking outside faucet and a broken pipe inside a structure are examples of detectable leaks. It is the property owners' responsibility to monitor their own property. Easily detected leaks that remain undetected for over one week because of owner failure to make a reasonable effort to monitor the property or failure to turn off outside faucets in wintertime are examples of negligence that will not warrant an adjustment of a water bill. The Board recognizes that large amounts of water can leak in a short period of time. Large leaks of short duration may qualify for relief if the customer has demonstrated responsible efforts to monitor a property. In this case the Board of Directors may limit a customer's liability for a single billing month to \$750.00. Such relief must be documented in the minutes to a regular scheduled meeting. The Board may grant an adjustment but is not required to do so.

V. Water Treatment and Distribution Investment Fee

A. Water Treatment and Investment Fee

This investment fee will be charged to all customers seeking water service from this District by means of a new, additional, or increased size of tap, meter or connection to a District water main or system.

B. Amount of Fees

The water treatment and distribution investment fee will be reviewed periodically and approved by the District. Fees adopted by the District will become a part of these Service Regulations. See Appendix B.

C. When Fee is Due

The water treatment and distribution investment fee will be due and payable when application is made to the District for the new or additional water service and prior to the installation of a water meter. In establishing the date for determining the applicable water treatment and distribution investment fee, the applicant, at the time of making application, must have either a structure in place which is ready for water service or a valid building permit.

D. Application for Service

The District will accept an application for water service to an existing property when there is an existing water main fronting the property to be served.

E. Exemption from Fee

The following water services shall be exempt from the payment of a water treatment and distribution investment fee:

- 1. Connections used exclusively for emergency services
- 2. Such other connections as approved by the Board of Directors

F. Increase or Change in Water Service

A customer's request for a change in water meter size will be granted upon payment of the difference in cost described in Appendix B, provided the customer receives Board approval for the conversion.

If a single meter serves multiple dwelling units as allowed prior to January 1, 1985, and the number of residential units is increased a separate meter per unit being served must be installed

No refund shall be made to any customer for a decrease in size of water meter or abandonment of water service.

VI. Water Taps

A. General Requirements for Water Taps

Application shall be made on the approved form and shall include the legal description and street address of the property to be served.

- 1. The tap or other connection to the water main shall be made only by District personnel after any applicable charges have been paid to the District.
- 2. Tapping without application and payment of the tap and meter fee is a violation of these Rules and Regulations and the violator will be prosecuted.
- 3. Taps shall be on the water main nearest the property to be served where feasible and comply with the Pueblo County Plumbing Code.
- 4. Property to be served must be adjacent to a District water distribution main and must be serviced directly there from. Tap shall be located within the boundaries (projected) of the property to be served.

B. Schedule of Tap Fees

Tap fees shall be reviewed periodically and approved by the Board. Tap fees adopted by the Board shall become a part of the Service Regulations. See Appendix B for specific rates.

C. Transfer of Taps

1. If an owner has an approved tap on the District Water main not adjacent to the property to be served, and a District water main is installed adjacent to the property to be served, the District will relocate the number and size of tap to the water main adjacent to the property served upon payment of the cost of materials for the relocated tap and satisfactory arrangement for abandonment of the old tap at the water main. If the District initiates a water main installation for replacement of a District water distribution main, the District shall bear the cost of transferring taps and connecting the customer's water service line.

- 2. If there is more than one residence served by a single tap to be transferred, the property sold or transferred will be considered as a multi-dwelling unit and serviced as such.
- 3. A tap on the District water main is the property of the District. Only the District has the right to sell a tap.

D. Abandonment

No refund of tap fees shall be made for a decrease in size or abandonment of tap. An abandoned tap that once served a property may be reconnected, by paying a new tap fee as outlined in Appendix B.

VII. Water Service Lines

A. Ownership and Maintenance

All water service lines, valves and appurtenant fixtures, with the exception of the meter set, are owned by the property owner. It is responsibility of the customer to maintain the service lines as needed to avoid freezing. The District will announce special trickling allowances as needed. The trickling allowance will normally be announced as a note to the monthly statement. Water service lines shall be installed as close as possible to the main and approved by the District.

B. Abandonment

When water service is abandoned and/or building being served is demolished, the property owner's service line may be disconnected from the water main and the tap connection closed. This cost shall be borne by the property owner. If a property owner intends to rebuild and/or continues to pay the monthly water charges as determined by usage, the service line and tap may remain and be used until the owner terminates or abandons the service line.

C. Locating Water Service Lines

Where possible, the District will assist in location of water service lines, mains, valves, and meter sets at no charge. The District, however, accepts no responsibility for lost time or expense incurred if the location is missed.

D. Cross-Connection Control, Inspection, Testing and Repair

1. Right of Entry

All water connections served by the District shall be subject to a cross-connection inspection or survey. A properly credentialed representative of the District shall have the right of entry to survey any and all buildings and premises for the presence of cross-connections for possible contamination risk to and for determining compliance with this section. This right of entry shall be a condition of water service in order to protect the health, safety and welfare of customers throughout the public water system's distribution system.

2. Compliance

A. Customers shall cooperate with the installation, inspection, testing, maintenance, and as needed repair and replacement of backflow prevention assemblies and with the survey process. For any identified uncontrolled cross-connections, the public water system shall complete one of the following actions within 120 days of its discovery:

- 1. Control the cross-connection
- 2. Remove the cross-connection
- 3. Suspend service to the cross-connection
- B. The District shall give notice in writing to any owner whose plumbing system has been found to present a risk to the District's distribution system through an uncontrolled cross connection. The notice and order shall state that the owner must install a backflow prevention assembly or method at each service connection to the owner's premises to contain the water service. The notice and order will give a date by which the owner must comply with the order.
 - In instances where a backflow prevention assembly or method cannot be installed, the owner must install approved backflow prevention devices or methods at all cross-connections within the owner's water supply system. The notice and order will give a date by which the owner must comply with the order.
- 3. Inspection, Testing and Repair
- A. Backflow prevention devices or methods shall be tested by a Certified Cross-Connection Control Technician upon installation and tested at least annually, thereafter. The tests shall be made at the expense of the customer.
- B. Any backflow prevention devices or methods that are non-testable, shall be inspected at least once annually by a certified cross-connection control technician. The inspections shall be made at the expense of the customer.
- C. As necessary, backflow prevention devices shall be repaired and retested or replaced and tested at the expense of the customer whenever the devices are found to be defective.
- D. Testing gauges shall be tested and calibrated for accuracy at least once annually.
- 4. Reporting and Recordkeeping
- A. Copies of records of test reports, repairs and retests, or replacements shall be kept by the customer for a minimum of three (3) years.
- B. Copies of records of test reports, repairs and retests shall be submitted to the District by mail, facsimile or e-mail by the testing company or testing technician.
- C. Information on test reports shall include, but may not be limited to,
 - 1. Assembly or method type
 - 2. Assembly or method location
 - 3. Assembly make, model and serial number
 - 4. Assembly size
 - 5. Test date: and
 - 6. Test results including all results that would justify a pass or fail outcome
 - 7. Certified cross-connection control technician certification agency
 - 8. Technician's certification number
 - 9. Technician's certification expiration date

- 10. Test kit manufacturer, model and serial number
- 11. Test kit calibration date
- D. As a result of such inspection the customer shall comply with the following:
 - 1. Physically disconnect alternative water sources from the water service lines receiving water from the District system.
 - 2. Eliminate all hazardous cross-connections and back siphonage conditions such as sprinkler systems, boilers, and water heaters which could cause back flow contamination of system main should the water pressure suddenly decrease.
 - 3. Install, test, and maintain a backflow prevention device required by the Colorado Health Department to protect the District's water customers and system from contamination.
 - 4. Agree to allow regular tests by a certified back flow technician to provide the district assurance that such devices are in operational condition.
 - 5. Agree to meet all requirements of the County of Pueblo and/or State of Colorado regulations concerning cross-connections.

F. Unmetered Water Service Lines

For all unmetered water service lines, which are discovered, the property owner will be required to pay back water charges upon such terms and conditions as the Board of Directors determine. Additionally, a meter set fee will be required, as well as the plant water investment fee, in the case of flagrant violation of these Service Regulations.

VIII. Metering of Water

A. Water Meter Required

Each property shall be served by a separate water meter and all water furnished by the District shall be metered. After January of 1985, one water meter servicing two (2) or more properties is prohibited, and any violation shall be just cause for discontinuance of water service to any property whether violating this requirement or permitting it to be violated. Where water was supplied through one meter to one or more properties prior to January 1, 1985, such water service may be continued. A property may be served by more than one water meter, provided all applicable tap, meter, and plant water investment fees were paid.

B. Ownership and Maintenance

All water meter sets shall be owned and maintained by the District.

C. Location and Installation

1. All water meter sets shall be installed by the District in an approved location and in conformance with District specifications. Where feasible, all water meter sets shall be located outside of buildings, driveways, sidewalks, parking areas, or any other obstructions. All appropriate fees and assessments shall be paid prior to installation of the meter set, unless arrangements approved by the Board of Directors have been made in writing for payment of said fee. Customer is responsible for all necessary excavation, back fill, and resurfacing.

- 2. Where changes in existing property layout alter the accessibility of any existing water set, the set may be relocated outside the customer's property to avoid driveways, sidewalks, parking areas, or any other obstructions. Likewise, on a new installation, if a water service stub and/or water meter set exists and the customer wishes to install a driveway, sidewalk, parking area or any other obstruction over the set, the set shall be relocated to avoid the installation. The final location of the water meter set must be approved by the District. In cases of relocation of water meter sets, all water service line changes as well as necessary excavating, back fill, and resurfacing shall be provided by the customer.
- 3. All customers, plumbers, and excavators must notify the District when renewing an existing water service line which involves connecting to the water meter set. This will allow the District to make any necessary changes to the water meter set to bring it up to District specifications. If the water meter set is located inside of buildings, driveways, sidewalks, parking areas, or any other obstructions, the customer shall relocate the water meter set in a location acceptable to the District.

D. Inside Water Sets

Failure by the customer to protect a water meter set located inside a building from damage by cold, heat, or other causes, shall result in the District charging the customer for the actual cost of repair. The property owner shall hold the District harmless from damages arising out of leaks from the water meter sets installed in buildings. The customer must provide access that is convenient for the purpose of reading, maintenance, and testing. Failure to provide access or protection is just cause for the District to discontinue water service to the property or relocate the water meter set at the customer's expense.

E. Water Meter Set Fee

The customer shall bear the cost for installation of all water meter sets. The cost shall include complete installation. These costs shall be reviewed and approved by the Board periodically. Water meter set fees adopted by the Board shall become part of these Service Regulations. See Appendix B for fee amounts.

F. Water Meter Set Change Requested by Customer

Any request by a property owner to either increase or decrease the size and/or number of water meter sets servicing a property shall be governed by the following:

- 1. Replacement of an existing water meter set with a smaller water meter set shall be subject to Board approval.
- 2. For a property owner who has water service with the District through an existing water meter set, a request approved by the Board for an increase in size may be granted with the customer reimbursing the District for the actual cost of material, meter, labor, equipment, and other costs necessary for a complete installation. There may also be a water treatment and distribution investment fee as provided in Section V. Credit will be allowed for the existing size, based on current fees. See Appendix B for fee amounts.

G. Tampering with Water Sets is Prohibited

It is a violation for any person to open, interfere with, damage, or deface, or in any way impair the working of any water meter set. It is a violation for any person, other than a duly authorized representative of the District to remove any water meter from its setting.

H. Access

It is a violation for any customer to obstruct access to the water meter set by planting shrubbery, trees, or any other type of physical obstruction. Existing shrubbery, trees or other type plants must be kept trimmed so as not to obstruct the water meter set. Failure to provide proper access upon notice is just cause for the District to discontinue service to the property or relocate the water meter set at customer expense.

I. Interconnection of Premises Prohibited

After January 1985, a water service line or a hose cannot be extended from one property to another without written permission of the Board of Directors. If a water service line is extended without written permission, water service to the property having prior services will be discontinued by the District.

IX. Fire Hydrants

A. Approved Fire Hydrants

The Board shall install and maintain those fire hydrants as determined by regulatory codes.

B. Use of Fire Hydrants

Any use of fire hydrants other than for fire protection shall have prior approval of the Board of Directors. This use shall conform to the Board guidelines for Fire Hydrant use.

X. Water System Improvements

A. General Statement

The District shall make or cause to be made such improvements to the water transmission and distribution system of the District as it deems necessary and feasible to serve any property situated within the boundaries of the Beulah Water Works District and its environs. The District shall assume the cost of replacing existing undersized and/or deteriorated District water mains, which the District deems have served their useful purpose. The purpose of the provision contained herein is to provide sound engineering and long-range planning in the improvement of the water system, promote the orderly development of the water system, and to provide equitable distribution of the cost of the water system.

B. Financing of Water Main Improvements

The District shall have sole discretion in making the improvements of water mains and construction of pertinent facilities both inside and outside the Beulah Water Works District. Nothing contained herein shall prevent the District from installing or causing to be installed transmission mains, distribution feeder mains, booster stations, and storage facilities either inside or outside the Beulah Water Works District, as it deems desirable and necessary for the orderly operation of the District's water system. Financing of improvements will be accomplished via grants, loans, bond issues, user assessments, or rate increases or any combination thereof.

C. Water Service Outside Beulah Water

The District is not obligated to provide water services to properties outside of the Beulah Water Works District.

Appendix A – Water Service Rates

A. Minimum Water Service Rates

For all meter sizes: \$96.00 fixed plus \$0.025 per gallon above 500 gallons

B. Operations, Maintenance, and Reserve Fee \$20 per month, per tap.

C. Late Fees

The late fee is \$20.00.

D. Return Payment Fees

Any returned form of payment for NSF will be assessed the bank fees associated with that returned payment plus the late fee as noted above.

E. Notice and Turn Off Fee

The shut-off fee is \$100.

Appendix B – Investment, Tap, and Meter Set Fees

A. Investment Fees

The investment fee for a new, additional, or increased size tap size is \$15,000 for a %" meter. Larger tap sizes will be adjusted accordingly.

B. Tap Fees

Meter Size Fee \$750.00 2" \$2,000.000

C. Meter Set Fees

Meter Size Fee \$750.00 2" \$2,000.000

XI. Appendix X – Revision History

December 30, 2020

Initial version created from the December 2019 version. All service regulations were maintained, but superfluous information was removed and the document reformatted.

December 31, 2021

Increased the base service rate by \$4/month to \$96/month

September 19, 2023

Addition of Winterization Requirements

February 20, 2024

Modification of payment policies and some typo corrections.