

“EXHIBIT 1”

PALATINE HILL WATER DISTRICT

MULTNOMAH AND CLACKAMAS
COUNTIES, OREGON

RULES AND REGULATIONS

Effective June 8, 2018

RESOLUTION

Relating to Rules and Regulations of the Palatine Hill Water District, Multnomah and Clackamas Counties, Oregon; creating new provision:

Be it resolved by the Board of Commissioners of Palatine Hill Water District, Multnomah and Clackamas Counties, that the following be adopted as the Rules and Regulations of Palatine Hill Water District, effective June 8, 2018, and that the existing Rules and Regulations be cancelled and revoked as of that date.

RULES AND REGULATIONS

**PALATINE HILL WATER DISTRICT
P.O. BOX 1193
LAKE GROVE, OREGON 97035**

TO THE PUBLIC

The water system is the property of the people of the District and is managed and operated by the Board of Commissioners elected by the people and acting without pay. The Board asks the cooperation of all citizens to insure obedience to rules and prompt payment of all rates and charges, and in the protection of the system.

NOTIFY the District of any defective or dangerous condition in the mains or service connections.

SEC. I - DEFINITIONS

As used in these Rules and Regulations, the following terms shall have a meaning designated after each:

- A. **District** - The term "District" shall mean the Palatine Hill Water District, a municipal corporation.
- B. **User** - The term "User" shall include any person, firm or corporation receiving water service from the District and shall also include the owners of legal title to premises to which water service is furnished.
- C. **Service Connection** - The term "service connection" shall include water meters, meter boxes and the necessary pipes, valves, stops and fittings connected therewith through which water service shall be furnished by the District between its water main and the private service connection of the User.

SEC. II - JURISDICTION AND OPERATION

Legal title to the entire system, including all transmission and distribution mains, feeders, service connections, water meters, meter boxes, reservoirs, pumping stations, fire hydrants and all other property, is vested in the District, and the District has and shall at all times have the exclusive jurisdiction, possession and control thereof.

No person other than an employee or authorized agent of the District shall be permitted to install, move, change, tamper with or in any other manner interfere with a service connection

or water meter, or operate any valve, fire hydrant or any other property of the District; nor shall they connect or disconnect private service lines to the facilities of the District. Members of a regularly constituted fire department shall be permitted to use fire hydrants for the purpose of suppressing fires, and to operate hydrants periodically for flushing and testing.

SEC. III - COMPLIANCE

Except as otherwise provided by these Rules and Regulations, the District may refuse to supply water to any property or structure where the User fails, after sufficient notice, to comply with the Rules and Regulations of the District within the time specified in the notice.

Notice shall be sufficient if given by any one of the following:

1. Regular first-class U.S. mail, postage prepaid, sent to the User's address as shown in the District records. Notice shall be deemed delivered when deposited in the mail. The period for compliance shall be as set forth in the notice.
2. By hand delivery of a notice to the User's premises. The notice shall be deemed complete when delivered to the User's premises. The period for compliance shall be as set for in the notice.

SEC. IV – ENTRY UPON PREMISES

By making application for water service or by using water service supplied by the District, every applicant/User does thereby agree to abide by these Rules and Regulations and give and grant to the District, its agents and employees the right at all reasonable times to enter upon the premises to which water is furnished for the purposes of inspection for compliance with these Rules and Regulations.

SEC. V - SERVICE CONNECTIONS

- A. **LOCATION** - A service connection shall be located only on a public road, at least ten (10) feet from driveways and parking areas, and at such point as the District shall determine. Where the premises to be served do not abut a public road and are reached by private access, the meter shall be located on the public road and the service to the premises shall be the responsibility of the property owner.
- B. **RELOCATION OF SERVICE CONNECTIONS** - Any change in the location of a service connection requested by a User or required by the construction or change of a road, curbing or sidewalk shall be made by the District and the User shall pay to the

District such charge therefore as the District may determine. The District shall change the location of service connections at the User's expense where the construction of a driveway or parking area, or the growth of impediments to access have been permitted in violation of these regulations.

- C. **MAINTENANCE** - The service connection, including the meters and meter boxes, will be kept in repair and maintained by the District at its expense. Each User is required to use reasonable care and diligence to protect the water meter and meter box from loss or damage by freezing, hot water, traffic hazards and other causes, in default of which, the User shall pay to the District the full amount of the resulting damage. The Users shall not permit any impediments to the free access to such water meter to grow or to be placed around it.
- D. **SIZE** - Standard service connections shall consist of a tap at the main; a 3/4-inch, 1 inch, 1 1/2 inch or 2-inch meter as requested by the applicant, fittings and connections determined by the District to be necessary. Connection charges for the foregoing size services shall be set by the District and the current schedule shall at all times be on file in the District office for public examination during regular office hours.
- E. **SEPARATE CONNECTIONS** - A separate service connection will be required for each dwelling, place of business, institution and premises served. All outlying buildings and premises used as a part of such dwelling, place of business or institution may be served from such connection, as well as all buildings on such premises operated under the one management. No User shall furnish water to any family, business, institution or premises other than those occupied and operated by himself. Duplexes and other multi-family dwellings shall be individually metered.

Provided, however, that the Board may give written permission to a User to supply others through User's service connection, in which event such User will be charged an additional monthly minimum for each additional User so supplied. Such permit may be revoked and separate service connections required at any time upon thirty days written notice.

F. **APPLICATION FOR SERVICE**

- 1. **STANDARD SERVICE CONNECTION** - A service connection shall be made and water shall be supplied by the District only upon making and filing with the District of a written application thereof on the District's printed form by the owner of legal title to the premises to be served, or such owner's agent, and upon payment in advance of the prescribed charge thereof.
- 2. **CONNECTION CHARGE** - The connection charge shall consist of the cost of materials and installation as described in the foregoing subsection (D), plus a System Development Charge set by the District.

A schedule of System Development Charges for each size of service shall be on file in the District office for public examination during regular office hours.

- G. **SPECIAL REQUESTS** - Requests for other services such as main extensions, temporary service, standby service, fire protection service, addition of a fire hydrant, relocation of facilities or other matters shall be considered by the District upon written application therefor. Installation shall be made only upon payment in advance of the charge fixed by the District and conformance with all District requirements for such service.
- H. **DECISION OF DISTRICT FINAL** - Each case not clearly covered by these Rules and Regulations shall be decided at the discretion of the Board of Commissioners whose decision shall be final.

SEC. VI - PRIVATE SERVICE LINES

The User, at User's sole cost, shall construct User's private service line from the water meter location selected by the District to the premises to be served. Such private service line shall be of new, 3/4 inch or larger tubing or pipe in accordance with the plumbing code of the State of Oregon. All such private service lines must be constructed not less than 24 inches below the level of the ground and shall have installed thereon an approved, readily accessible shut-off valve, inside the property and ahead of all outlets. The User must keep this valve maintained in good working order. No one is permitted to use the District's valve inside the meter box. The District shall be consulted before the installation of a private service connection and shall approve the shut-off valve and its location. It will be the User's obligation to maintain and repair User's service line from the meter to the premises. No other water supply shall be connected to the private service line without written approval of the District.

SEC. VII - RATES AND CHARGES

- A. **RATE SCHEDULE** - The District shall prescribe a schedule of rates and charges for water service, a copy of which shall be at all times be on file in the office of the Water District for the examination, during regular office hours, by members of the public. The District shall prescribe a minimum charge for water service, which shall be payable irrespective of the fact that a lesser amount of water may have been used during the billing period.
- B. **METER READINGS** - All water meters will be read by the District at regular intervals and bills for water service will be issued to the User served unless other arrangements are made with the office.

- C. **OPENING AND CLOSING BILLS** - Opening bills, closing bills and bills rendered for a period of time lesser or greater than normal will be pro-rated as follows:

Residence of more than 15 days will be counted as a full month and 15 days or less will be counted as a 1/2 month.

- D. **PAYMENT OF BILLS AND DELINQUENCY** - All charges for water service are due and payable on the date specified on the bill and shall be delinquent thereafter. A late charge shall be imposed on the delinquent charges in addition to the amount billed. The District may turn off the water supply to the premises for which payment is delinquent. The water service shall not be restored until all past-due charges, plus any additional amounts assessed by the District, are paid. All bills for water service may be paid to the District either by mail or at the office of the District.

For leased premises where the User is a tenant and the User/tenant account has become delinquent and the User/tenant vacates the premises without satisfying water service charges previously incurred, before the premises are provided future water service, the property owner shall satisfy the outstanding water service or usage charges, including any past due charges and costs assessed by the District.

A User shall continue to be responsible for a delinquent amount owing until paid regardless of relocation outside the District or to a District premises different from the premises at which the delinquent charges were accrued. The District may refuse to provide service to such User at any new address within the District, may add the delinquent charge to the User's new premises bill, and may terminate water service at the User's new premises, until the delinquent amount owing is paid.

An account that remains unpaid is subject to a legal collection action, in which event the account shall be charged with all costs and fees incurred by the District.

- E. **METER TESTS** - All meters will be sealed by the District at the time of installation and no seal shall be broken except by the District. The District shall maintain and periodically test water meters. A User may request that User's water meter be tested by making application therefor to the District and upon paying in advance the sum necessary to cover the cost of the test. If the test shows that the water meter registers more than 5% above the actual volume, the meter shall be repaired, the deposit returned to the User and an adjustment of the charges paid for water service shall be made, retroactive for a period not to exceed one year. If the test shows that the meter registers less than the actual flow, the deposit shall be retained by the District. The District may estimate the charge for water service furnished through a meter which does not register.

SEC. VIII - TERMINATION AND RESTORATION

- A. **TERMINATION AT REQUEST OF USER** - A User occupying premises served with water may have service to such premises temporarily or indefinitely terminated by giving the District written notice four (4) days in advance of the effective termination date. Such User shall pay charges for service to the date of such termination.
- B. **RESTORATION OF SERVICE AT REQUEST OF USER** - Where water service has been discontinued at the request of the User and full charge paid, such service may be restored at the request of the User without any additional charge.
- C. **TERMINATION OF SERVICE BY DISTRICT** - The District shall terminate water service to premises served by it upon the occurrence of any of the following:
1. **NON-PAYMENT OF CHARGES.** The District shall terminate water service upon the delinquency of charges for water furnished to premises. The procedure is as follows:
 - a. A Past Due Notice is issued if the bill is not paid by the date specified on the bill. A late charge is added to the bill.
 - b. If payment including late charge is not received within 10 days following issuance of the Past Due Notice, a Notice of Pending Shut Off door hanger is delivered to the premises and a Pending Shut Off notice is sent to the premises by First-Class Mail. A pending shut off charge is added to the bill.
 - c. If the bill has not been paid within 5 days after the Notice of Pending Shut Off door hanger is delivered to the premises, water service is terminated. A shut off charge is added to the bill. To have water service restored, all past due bills, plus any charges and costs assessed by the District, must be paid.
 2. **EXCESSIVE DEMANDS FOR WATER.** The District may terminate water service to any premises where the demand is greatly in excess of past average or seasonal use, and where such excessive demand results in inadequate service to others.
 3. **VIOLATION OF RULES AND REGULATIONS.** Where the premises served are found to be in violation of any portion of these Rules and Regulations, the District may terminate water service 5 days after notice of such violation has been sent to the premises by First-Class Mail and a Notice of Pending Shut Off door hanger is delivered to the premises.

- D. **PENALTY** - The District shall charge each User for discontinuing water service plus an additional charge for restoring water service in all cases except where such discontinuation is at the request of the User in accordance with Paragraph A of this section.
- E. **ABANDONMENT** - Where a service connection to any premises is abandoned or no longer used, the District may cut out or remove such service. Should a service be required at a later date, the cost of a new service must be paid by the applicant.
- F. **LIMITATION OF LIABILITY** - The District shall not be liable or responsible for any economic, non-economic, consequential, or punitive damages, or other damages of any kind, in any way arising out of or related to the District's provision or termination of water service.

SEC. IX - EXTENSION OF MAINS

Mains may be extended in private streets or within a new residential subdivision provided that the plans and specifications are approved in writing by the District's Engineer and that all costs of the installation, including the plan review and inspection by the District are borne by the applicant or developer.

Connection to the District's system will be permitted upon satisfactory completion, acceptance, transfer of ownership to the District, and furnishing to the District of a one (1) year maintenance bond in the amount of 35% of the verified construction cost.

The District reserves the right to specify the size, type of pipe, location, fittings, valves, fire hydrants and other appurtenances.

SEC. X - FIRE HYDRANTS

Additional fire hydrants may be installed by the District upon written application therefore and upon payment in advance of the established cost thereof. The size, type, location and other factors involved shall be governed generally by the regulations set forth in Section VIII above.

- A. **USE AND DAMAGE TO FIRE HYDRANTS** - No person other than an agent of the District or of the fire department shall operate or attempt to operate any fire hydrant or attempt to draw water from it or in any manner tamper with it. Violation of this regulation is a crime and the person responsible shall pay any costs of repair or replacement.

- B. **MOVING A HYDRANT** - If a person desires to change the size, type or location of an existing fire hydrant, that person shall pay all costs of such change if the District approves the change requested.

- C. **TEMPORARY WATER SUPPLY** - The District may authorize the use of a fire hydrant for temporary water supply. The User shall pay all rates, fees and charges for such service and shall conform to all District requirements for hydrant use including but not limited to compliance with applicable backflow prevention requirements.

SEC. XI - SUBJECT TO CONTROL AT SOURCE

The supply of water available to the District originates from the facilities of the City of Portland which has promulgated certain rules and regulations governing the use of water and the facilities for the supply thereof. To the extent that they are applicable, said rules and regulations of the City of Portland shall be binding upon the users of the Water District. Should the District purchase water from a source other than the City of Portland, the rules and regulations of said other source shall be binding upon the users of this Water District.

SEC. XII - RESPONSIBILITY FOR EQUIPMENT

The District shall not be responsible for any damage such as the bursting of equipment or appliances, the breaking of any pipes or fixtures, stoppage or interruption of water supply or any other damage resulting from the providing or shutting off of water, or damage caused when water is released into the system at the time that it becomes operational. This includes damage to property caused by faucets, valves and other equipment that are open when the water is turned on at the meter, either when the water is turned on originally or when turned on after a temporary shutdown.

SEC. XIII - DAMAGE TO DISTRICT'S PROPERTY

The User shall be liable for any damage to a meter or other equipment or property owned by the District which is caused by an act of the User or User's tenants, agents, employees, contractors, licensees, or permittees, including the breaking or destruction of locks by the User or others on or near a meter, and any damage to a meter that may result from hot water or steam from a boiler or heater on the User's premises. The District shall be reimbursed by the User for any such damage promptly upon presentation of a bill.

SEC. XIV – MAINTAINING METER ACCESSIBILITY

- A. User shall not permit any impediment to free access, at all times, to their water meter for reading and maintenance. Impediments include but are not limited to plants, trees, fences, locked gates, vehicles and structures. District will not make any special arrangements with User to unlock or remove any impediment to obtain free access.
- B. Upon notification from the District by regular mail, User shall permanently remove all impediments in a timely manner, not to exceed 45 days from notification.
- C. District may relocate water meter at User's request and cost to obtain free access. User shall pay a deposit prior to the meter relocation based on an estimate of material and installation costs, including any service line relocations, prepared by the District. Upon completion of the meter relocation, the actual cost of materials and installation will be calculated. If the actual cost is less than the deposit, the difference will be refunded to the User. If the actual cost is greater than the deposit, the difference will be billed to the User. Water shall be supplied by the District only upon payment of the final calculated meter relocation fee.
- D. If User fails to permanently remove all impediments to meter access in a timely manner after notification by the District of such impediments, District may terminate water service five days after notice of such termination is sent by regular mail. Water service shall not be restored until all impediments have been removed by the User and all charges for discontinuing and restoring water service have been paid.
- E. If District cannot access meter for reading, User shall be charged 150 percent of the normal usage fee for water consumption by the User during the same time period of the preceding year. If User has not been a customer of the District for 12 months, User shall be charged 150 percent of the average usage fee for water consumption during the same time period of District water services of an equivalent meter size. If in the District's opinion water consumption during the same time period of the preceding year is unusually high or low, District charge shall be based on the average consumption during the same time period over the last three years.
- F. If User permanently removes impediment to meter reading by the next normal meter reading time, the additional 50 percent usage fee shall be credited to the User's account, with any excess over the amount due in the next billing cycle refunded, and User shall be charged the normal usage fee for total water consumption obtained by the meter read.

SEC. XV - CONTROL OF BACKFLOW AND CROSS-CONNECTIONS

A. PURPOSE

1. To protect the public potable water supply of the Palatine Hill Water District from the possibility of contamination or pollution by isolating within the User's private water systems such contaminants or pollutants which could backflow or back siphon into the public water system.
2. To provide the elimination or control of existing or potential cross-connections between the User's private potable water system and any non-potable systems, plumbing fixtures and piping systems.
3. To provide for the maintenance of a continuing Program of Cross-Connection Control that will systematically and effectively prevent the contamination or pollution of all potable water systems by cross-connection.

B. AUTHORITY

1. Pursuant to the Federal Safe Drinking Water Act of 1974 and the Oregon Administrative Rules, Chapter 333, the water purveyor has the primary responsibility for preventing water from unapproved sources, or any other substances, from entering the public potable water system.
2. The Rules and Regulations of the Palatine Hill Water District, adopted.

C. RESPONSIBILITY

The Board of Commissioners, through their designated agent, shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to the backflow of contaminant or pollutants through the User's water service connections. If in the judgment of the District's agent, an approved backflow prevention assembly is required (at the service connection to *any* User's premises; or within the User's private water system) for the safety of the public water system, the District's agent shall give notice in writing to said User to install such approved backflow prevention assembly(s) at a specific location(s) on User's premises. The User shall immediately install such an approved assembly(s) at User's own expense; and failure, refusal, or inability on the part of the User to install, have tested and maintained said assembly(s) shall constitute grounds for discontinuing water service to the premises until such requirements have been satisfactorily met.

D. DEFINITIONS

1. **DESIGNATED AGENT.** The person delegated by the Board of Commissioners and invested with the authority and responsibility for the

implementation of a cross-connection control program and for the enforcement of the provisions of this regulation.

2. **APPROVED.** The term “approved” as herein used in reference to a backflow prevention assembly or method shall mean an approval by the Oregon Health Authority - Drinking Water Services.
3. **AUXILIARY WATER SUPPLY.** Any water supply on or available to the premises other than the District's supply system.
4. **BACKFLOW.** The undesirable flow of water or mixtures of water and other liquids, gases or other substances into the distribution pipes of the potable supply of water from any source other than its intended source.
5. **BACK PRESSURE.** A condition in which the User's system pressure Is greater than the District's supply pressure.
6. **BACK SIPHONAGE.** A form of backflow due to a negative or reduced pressure in the supply piping.
7. **BACKFLOW PREVENTION.** An assembly or means designed to prevent backflow or back siphonage.
 - a. ***AIR GAP.*** The physical vertical separation between the free-flowing discharge end of a potable water system pipeline and an open, or non-pressures, receiving vessel. Physically defined as a distance equal to twice the diameter of the supply pipe, but in no case less than 1 inch (2.54 cm).
 - b. ***ATMOSPHERIC VACUUM BREAKER.*** A device which prevents backsiphonage by creating an atmospheric vent when there is either a negative pressure or sub-atmospheric pressure in a water system.
 - c. ***PRESSURE VACUUM BREAKER.*** A device containing one or two independently operated, spring-loaded check valves and an independently operated, spring-loaded air inlet valve located on the discharge side of the check valve(s). Device includes tightly closing shut-off valves on each side of the check valve(s) and property located test cocks for the testing of the check valves.
 - d. ***DOUBLE CHECK VALVE ASSEMBLY.*** An assembly of two (2) independently operating spring-loaded check valves with tightly closing, resilient-seated shut-off valves at each end of the assembly, plus properly located resilient-seated test cocks. This assembly shall be used only to protect against a non-health hazard (i.e. pollutant).

- e. **REDUCED PRESSURE PRINCIPLE BACKFLOW PREVENTION ASSEMBLY.** An assembly consisting of two (2) independently acting approved check valves with a hydraulically operating, mechanically independent, pressure differential relief valve located between the check valves and below the first check valve. The assembly shall include tightly closing resilient-seated shut-off valves at each end and property located resilient seated test cocks. This device is designed to protect against both non-health (i.e. pollutant) or health (i.e. contaminant) hazards; but shall not be used for backflow protection of sewage or reclaimed water.

- 8. **CONTAMINATION.** An impairment of the quality of the water which creates an actual hazard to the public health through poisoning or through the spread of disease by sewage, industrial fluids, waste, etc. Defined as high hazard.

- 9. **CROSS-CONNECTION.** Any unprotected actual or potential physical connection between a public or a User's potable water system and any other source or system through which it is possible to introduce into the potable system any contamination or pollution.
 - a. A "**DIRECT CROSS-CONNECTION**" is a connection which is subject to both back siphonage and back pressure.

 - b. An "**INDIRECT CROSS-CONNECTION**" is a connection which is subject to back siphonage only.

 - c. **CROSS-CONNECTION - CONTROLLED.** A connection between a potable water system and a non-potable water system with an approved backflow prevention device, properly Installed and maintained so that it will continuously provide protection commensurate with the degree of hazard.

 - d. **CROSS-CONNECTION CONTROL BY CONTAINMENT.** A method of backflow prevention which requires the appropriate type or method of backflow protection at the water service entrance; generally the downstream or User's end of the water meter.

- 10. **HAZARD, "DEGREE OF".** Either a pollutional (non-health) or contamination (health) hazard and the "degree" Is derived from the evaluation of conditions within a system.

- a. ***HAZARD-HEALTH.*** An actual or potential threat of contamination of a physical or toxic nature, to the public potable water system or the User's potable water system that would be a danger to health.
 - b. ***HAZARD-PLUMBING.*** An internal or plumbing type cross-connection in a User's potable water system that may be either a polluttional or a contamination type hazard. This includes, but is not limited to, cross-connections to toilets, sinks, lavatories, wash trays and lawn sprinkling systems.
 - c. ***HAZARD-POLLUTIONAL.*** An actual or potential threat to the physical properties of the water system or the potability of the public or Users' potable water system, but which would not constitute a health or system hazard, as defined. Under this definition, the maximum degree of pollution to which the potable water system could be degraded would cause a nuisance, be aesthetically objectionable, or cause minor damage to the system or its appurtenances.
 - d. ***HAZARD-SYSTEM.*** An actual or potential threat of severe danger to the physical properties of the public or Users' potable water system, or of a pollution or contamination which would have a protracted effect on the quality of the water in the system(s).
- 11. **INDUSTRIAL FLUIDS.** Any fluid or solution which may be chemically, biologically, or otherwise contaminated or polluted in a form or concentration which would constitute a health, system polluttional or plumbing hazard if introduced into an approved water supply.
 - 12. **POLLUTION.** An Impairment of the quality of the water to a degree which does not create a hazard to the public health but which does adversely and unreasonably affect the aesthetic qualities of the water for domestic use.
 - 13. **WATER - POTABLE.** Any public water supply which has been investigated and approved by the Oregon Health Authority for human consumption.
 - 14. **WATER - SERVICE CONNECTION.** The point in the User's water system beyond the sanitary control of the District, generally considered to be the outlet end of the water meter.
 - 15. **WATER - USED.** Any water supplied by the District after it has passed through the service connection.

E. REQUIREMENTS

1. WATER SYSTEMS

- a. ***DISTRICT'S SYSTEM.*** The source facilities and the distribution system, including all those facilities under the complete control of the District up to the point where the User's system begins.
- b. ***SOURCE.*** The connection to the supply main of the City of Portland Water Bureau, beginning at the downstream end of the Bureau's master meter with the District.
- c. ***DISTRIBUTION SYSTEM.*** The pumping station, storage reservoirs and the network of piping used for the delivery of water from the source to the User's service connections.
- d. ***USER'S SYSTEM.*** Those parts of the facilities beyond the downstream end of the Users' water meter.

2. POLICY

- a. No service connection to any premises shall be installed or maintained by the District unless the supply is protected as required by the Oregon Health Authority Rules and these Rules and Regulations. Service to any premises by the District shall be discontinued if a backflow prevention device required by these Rules and Regulations is not installed, tested and maintained; if it is found that a backflow prevention device has been removed or bypassed; or if an unprotected cross-connection exists on the premises. Service will not be restored until such conditions or defects are corrected.
- b. The User's system shall be open at all reasonable times to authorized representatives of the District to determine whether unprotected cross-connections, sanitary hazards, or other violations of these regulations exist. When such a condition becomes known, the District's authorized representative shall deny or immediately terminate service to the premises until the User has corrected the condition(s) in conformance with Oregon Health Authority Rules relating to plumbing and water supplies.
- c. An approved backflow prevention device shall also be installed on each service line to a User's water system at the outlet end of the water meter wherever any of the following conditions is found to exist:

- (1). In case of a premises having an auxiliary water supply which is not approved as an additional source by the Oregon Health Authority, the District system shall be protected against backflow by the installation of an approved backflow prevention device immediately downstream of the meter, commensurate with the degree of hazard.
- (2). In the case of premises on which any industrial fluids or other objectionable substances are handled in such a manner as to create an actual or potential hazard to the public water system, the District system shall be protected against backflow by the installation of an approved backflow prevention device at the service connection. This requirement shall also include waters originating from the District system which have been subject to deterioration in quality.
- (3). In the case of premises having (a) internal cross-connections which cannot be permanently corrected or protected against, or (b) intricate plumbing and piping arrangements; or where entry to all portions of the premises is not readily accessible for inspection purposes, making it impractical or impossible to ascertain whether or not dangerous cross-connections exist, an approved backflow prevention device shall be installed at the service connection.
- (4). The type of protective device required under subsections 2.c (1), (2) and (3) shall depend upon the degree of hazard which exists, as follows:
 - (a). In the case of any premises where there is an auxiliary water supply, as stated in Subsection 2c (1) of this section, the District water system shall be protected by an approved reduced pressure principle backflow prevention assembly.
 - (b). In the case of any premises where there is water or a substance that would be objectionable, but not hazardous to health, if introduced into the public water system, the District system shall be protected by an approved double check valve backflow prevention assembly.
 - (c). In the case of any premises where there is any material dangerous to health which is handled in a manner as to create an actual or potential hazard to the public water

system, the District system shall be protected by an approved reduced pressure backflow assembly.

- (d). In the case of any premises where there are unprotected cross-connections either actual or potential, the District system shall be protected by an approved reduced pressure principle backflow prevention assembly at the service's connection.
- (e). In the case of any premises where, because of security requirements or other restrictions, it is impossible to make a complete cross-connection survey, the District system shall be protected by an approved reduced pressure principle backflow prevention assembly on each service connection.

- d. Any backflow prevention assembly required herein shall be of make, model, and size approved by the Oregon Health Authority. The term "Approved Backflow Prevention Assembly" shall mean an assembly that has been manufactured in full conformance with the standards established by the American Water Works Association, entitled AWWA/ANSI C510, Standard for Double Check Valve Principle Backflow Prevention Assemblies, or AWWA/ANSI C511, Standard for Reduced Pressure Principle Backflow Prevention Assemblies; and have met completely the laboratory and field performance specifications of the Foundation for Cross-Connection Control and Hydraulic Research of the University of Southern California (USCFCCCHR) established in Specifications of Backflow Prevention Assemblies, Section 10 of the most current edition of the "Manual of Cross-Connection Control".

Said AWWA and USCFCCCHR standards and specifications have been adopted by the Oregon Health Authority. Final approval shall be evidenced by the "Certificate of Compliance" for the said AWWA Standards; and "Certificate of Approval" for the said USCFCCCHR Specifications; issued by an approved testing laboratory.

- e. It shall be the responsibility of the User at any premises where a backflow prevention assembly is installed, to have the device tested by a certified tester upon installation and at least once per year thereafter. In those instances where the District's agent deems the hazard to be great enough, field tests of more frequent intervals may be required. All tests shall be at the expense of the water User and shall be performed by a tester certified by the Oregon Health Authority. It shall be the duty of the District's agent to ensure that these tests are made in a timely manner and the User shall notify the District in advance when the tests

are to be undertaken so that an official representative may be present, if so desired. Backflow prevention assemblies shall be repaired or replaced at the expense of the water User whenever they are found to be defective. Records of such tests, repairs or replacements shall be kept and made available to the District.

- f. All existing backflow prevention assemblies which do not meet the requirements of this section but were approved devices for the purpose described herein at the time of installation, and which have been properly maintained, shall be excluded from the requirements of these Rules and Regulations, except for the testing and maintenance requirements under subsection C 2.e, provided that the District's agent is assured that they will satisfactorily protect the District system. Whenever the existing device is moved from its present location, requires more than minimum maintenance, or when the District's agent finds that it constitutes a hazard to health, the unit shall be replaced by an approved backflow prevention assembly meeting the requirements of this section.
- g. The Board of Commissioners is authorized to make all necessary and reasonable rules and policies with respect to the enforcement of the requirements of this Rule.

SEC. XVI - LEAKAGE AND WASTE OF WATER

Water furnished by the District shall not be permitted to run to waste and water shall not be allowed to run to prevent the freezing of pipes. A leak in a private service line shall be repaired as soon as detected. The User is responsible for the cost of, and any damage resulting from, any water lost through waste, leakage, frozen pipes or other causes. The District may adopt policies to allow a reduction in the cost of water billed to a User due to an undetectable leak in the User's service. Violation of this Section is punishable by a fine not to exceed \$250.00 Each day that the violation is allowed to exist shall constitute a separate and distinct violation.

SEC. XVII - INTERRUPTION OF SERVICE, CHANGE OF PRESSURE

The District may shut off water supply at any time without prior notice when such is necessary for repairs of the system. The District shall give the User advance notice whenever it is known that service is to be interrupted for any appreciable length of time, if such notice can reasonably be given. Although the Water District shall endeavor to maintain a standard and uniform pressure, variations in such pressure may occur. The District shall not be liable for any loss or damage caused by or arising out of any interruption of water service or change in water pressure.

SEC. XVIII - PENALTIES

Water service will be discontinued for non-payment of water service charges and for other violations of these Rules and Regulations. Water services will not thereafter be restored until payment in full of charges for such violations in the amount determined by the District has been made.

SEC. XIX - COMPLAINTS AND SPECIAL REQUESTS

All complaints and special requests for service and all other matters upon which action by the Water District is requested or sought shall be presented to the District only in writing. No oral request or complaint will receive consideration.

SEC. XX - USE OF WATER

The Water District reserves the right to control, limit and forbid the use of water for purposes of irrigation or any purpose other than domestic use, when, in the opinion of the Water District, there is a shortage of water.

SEC. XXI - CONSTITUTIONALITY, SAVING CLAUSE

If any clause, sentence, paragraph, section, or portion of these Rules and Regulations for any reason shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not affect, impair or invalidate the remainder of these Rules and Regulations, but shall be confined in its operation to the clause, sentence, paragraph, section or portion of these Rules and Regulations directly involved in the controversy in which the judgment is rendered.

SEC. XXII - AMENDMENTS - SPECIAL RULES - CONTRACTS

The Board may at any time amend, change or modify any rule, rate or charge, or make any special rule, rate or contract, and all water service is subject to such power.

SEC. XXIII - EFFECTIVE DATE

The Rules and Regulations contained herein shall be effective June 8, 2018, and all other Rules and Regulations shall terminate as of that date.