

**RULES AND REGULATIONS
FOR WATER SERVICE
April 29, 2025**

ALLENSPARK WATER AND SANITATION DISTRICT

SECTION 1. GENERAL EXPLANATORY MATERIAL

- 1.1 Scope** These rules and regulations shall be treated and considered as new and comprehensive, governing the operations and functions of the Allenspark Water and Sanitation District, and shall supersede any previous regulations of the District, as contained in the minutes of the District, which are in conflict with the provisions hereof.
- 1.2 Policy and Purpose** It is hereby declared that the Rules and Regulations hereinafter set forth will serve a public use and are necessary to insure and protect the health, safety, prosperity, security and general welfare of the inhabitants of the Allenspark Water and Sanitation District.
- 1.3 Definitions** Unless the context specifically indicates otherwise, the meaning of terms used herein shall be as follows:
- 1.3.1 Board and Board of Directors shall mean the governing body of the Allenspark Water and Sanitation District.
- 1.3.2 District shall mean the Allenspark Water and Sanitation District.
- 1.3.3 Shall is mandatory; may is permissive.
- 1.3.4 Superintendent shall mean the Superintendent of the District, or in their absence, their duly authorized deputy as per written direction.
- 1.3.5 Inspector shall mean the person or persons duly authorized by the District to enforce these Rules and Regulations.
- 1.3.6 Person shall mean any individual, firm, company, association, society, corporation or group.

- 1.3.7 Contractor shall mean any properly licensed person, firm, or corporation contracted to perform work and to furnish materials therefore within the District.
- 1.3.8 Permit shall mean written permission of the Board of Directors to connect to a water main of the District pursuant to the Rules and Regulations of the District.
- 1.3.9 Customer shall mean any person, company, corporation, or governmental authority or agency authorized to use water or connect to a water main under a permit issued by the Board of Directors.
- 1.3.10 Water main shall mean any water pipe, line or portion thereof owned by the District.
- 1.3.11 Service lateral shall mean the pipe, line or conduit from the water main to the edge of the public right-of-way and/or easement.
- 1.3.12 Service line shall mean the pipe, line or conduit from the service lateral to an individual house or other structure.
- 1.3.13 Stub-in shall mean the connection of the service line to the service lateral from the district's water main to the customer's property line.
- 1.3.14 Water tap shall mean the act of connecting a service line to a service lateral.
- 1.3.15 Tap or connection shall mean the connecting of the service line to the structure which it is to serve.
- 1.3.16 User shall mean any person to whom water service is served, be it record owner, renter, corporation, company, individual, etc.
- 1.3.17 Licensed plumber or pipe layer shall mean the person provided authorization to work in the District.
- 1.3.18 Actual cost shall mean all direct costs applicable to the construction of a given transmission line, including construction, engineering, inspection, plan approval fees, etc., which have been paid by the constructor.

1.3.19 Constructor shall mean any person, corporation, partnership, association or firm desiring to construct an extension of or to the District's distribution system.

1.3.20 Vendor shall mean any seller of water other than the District.

1.3.21 Vendee shall mean a purchaser of water from a vendor.

1.3.22 ANY OTHER ITEM not herein defined shall be defined as present in the "Glossary – Water and Sewage Control Engineering," A.P.H.A., A.W.W.A., A.S.C.E., and F.W.S.A., latest editions.

SECTION 2. OWNERSHIP AND OPERATION OF FACILITIES

2.1 Policy Subject to the provisions of Section 4, the District is responsible for the distribution of water for domestic use to residents within the District and the maintenance, repair and replacement of all mains, hydrants, valves and service facilities owned by the District, but shall not be liable or responsible for inadequate pressure or interruption of service brought about by circumstances beyond its control.

The District is generally responsible for providing water storage and treatment facilities, and shall endeavor to plan for, capitalize and build adequate capital improvements as demand occurs; but the District shall not be liable or responsible for failure to provide additional service when capacity is exceeded by demand.

2.2 Liability It is expressly stipulated that no claim for damage shall be made against the District by reason of the following: breaking of any service or supply line, pipe, cock or meter by any employee of the District; failure of the water supply; shutting off or turning on water in the water mains; the making of connections or extensions; damage caused by water running or escaping from open or defective faucets; burst service pipes or other facilities not owned by the District; damage to water heaters, boilers, or other appliances resulting from shutting water off, or for turning it on, or from inadequate or sporadic pressures; or for doing anything to the water system

of the District deemed necessary by the Board of Directors or its agents. The District hereby reserves the right to cut off the water supply at any time, for any reason deemed appropriate.

2.2.1 Notwithstanding the above liability provisions, all liability actions concerning the District shall be in conformance with C.R.S. 130-11-1, commonly called the Colorado Governmental Immunity Act.

2.3 Powers and Authority of Superintendent and/or Inspectors

2.3.1 The Superintendent, Inspector and other duly authorized employees of the District, bearing government issued picture identification, shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing, in accordance with the provisions of these Rules and Regulations, and shall have authority to shut off service if deemed necessary or appropriate in order to perform those functions.

2.3.2 The Superintendent shall be authorized to expend not in excess of \$500 without Board approval; and not in excess of \$1,500 in emergency situations. In each case, the Superintendent will attempt to notify the Board prior to making such expenditures and will fully account for such expenditures.

2.4 **Water System Access:** No Customer or other unauthorized person shall uncover, make any connection with, or open into, use, alter or disturb the Water Main or appurtenances without first obtaining a written authorization from the District. Customers and other unauthorized persons are prohibited from altering, disturbing, adjusting, connecting or otherwise making any changes to or accessing bleeders, curb stops, hydrants, valves or any plant equipment without obtaining prior written authorization from the District.

2.5 **Defective Meters** It shall be the duty of all consumers to notify the District office if their water meters are operating defectively. The District assumes no responsibility for the cost of water as shown by defective meters, or for any cost or expense relating to or caused by malfunctioning

water meters. Controversies concerning such items of cost and expense between the customer and the District shall be resolved by the Board of Directors.

SECTION 3. USE OF PUBLIC WATER SYSTEM

3.1 Responsibilities of the Customer Each customer shall be responsible for installing and maintaining the entire length of the water service line and the service lateral from the water main to the structure. Leaks or breaks in the service line shall be repaired by the property owner within a reasonable period from the time of discovery or notification of such condition by the District. If satisfactory progress toward making any necessary repairs has not been accomplished within the same time period, the Inspector shall shut off service until the necessary repairs have been completed. It shall be the duty of all those connected to the water system to keep advised of varying pressures and conditions of service so as to properly protect their persons and property from injury by water furnished through the District's facilities. They shall also take note that there shall be a waste way in the shut-off beyond the curb box, not at the main, and that any water standing in the pipes when water is turned off at the meter shut-off, if any, will remain there unless drained out by the user by means of this waste system.

3.2 Water Meters Customers shall install, pay for and maintain a water meter as specified by the District that will measure all water taken from the system. The District shall maintain the authority to direct what meter is installed for all service connections and when meters must be updated or exchanged to ensure accurate meter reading and billing. The District may provide options for customers to pay for new meters. Any default on payment will be handled the same as with defaults on monthly service charges as set forth in Appendix A. Meter will be located in a warm and serviceable location that allows wireless, remote reading. The District will require a specified timeframe to complete the meter installation, If a customer cannot complete the installation in the specified timeframe a written explanation and request for extension shall be submitted to the

District prior to the initial specified installation period. Installation is not complete until District personnel have inspected, accepted, and electronically configured the meter. Customer failure to comply with meter installation requirements will result in water service shut off.

3.3 Employee Work on Customer Property Employees of the District will provide up to two hours of work to do an easy meter swap which requires no plumbing or excavation, however working in a confined space will be strictly based on the judgment of the employee. After two hours the customer will be charged the hourly rate of the employee providing the work. Employees are expressly forbidden to do any plumbing work whatsoever. Plumbing or excavation required for a meter installation are the responsibility of the customer. It is expressly stipulated that the District will assume that every property is equipped with a stop and waste system, and failure of any property owner to so equip their property will, under no circumstances, alter the responsibility or liability of the District. All persons having boilers and/or other appliances on their premises dependent on pressures or water in pipes, or on a continual supply of water shall provide, at their own expense suitable safety appliances to protect themselves and their property against a stoppage of water supply or loss of pressure.

3.4 Cross Connection Control

Direct connection of the water supply to any potentially non-potable water is not allowed unless there is an approved method of controlling the backflow of non-potable water or contamination into the system lines. This backflow usually happens when there is a loss of water pressure in the distribution water or a higher pressure in the private line than in the distribution line. Potential sources of non-potable water that may be cross connected to the water supply include (but is not limited to): Private cisterns, water features, animal water troughs, fire suppression sprinkler pipes and/or tanks, boilers, outdoor water sprinklers, utility sinks (if there is a sprayer or hose that can dangle into the sink water), or water hoses that are connected to hose bibs without backflow prevention. Acceptable backflow prevention methods include airgaps that meet the plumbing code and backflow prevention devices that meet plumbing code (note that some backflow prevention devices will require an annual inspection by a certified backflow prevention technician at the expense of the customer).

As required by the State of Colorado, all identified potential cross connections identified by the system must be monitored by the water system and reported on each year. Customers shall allow inspection of all potential cross connections by district personnel. Additionally, non-single family water connection customers may be surveyed for potential cross connections. If an uncontrolled cross connection is identified, customers must remedy those cross connections. The water district has the authority to turn off water to any customer that has a potential uncontrolled cross connection issue.

3.5 Protection from Damage No unauthorized person shall maliciously, willfully or negligently, break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the water system, including fire hydrants. Any person violating this provision shall be reported to the authorities for disorderly conduct.

Any persons violating any of the provisions of these Rules and Regulations shall become liable to the Board for any expense, loss or damage occasioned by reason of such violation.

3.6 Confirmation of Available Service Requests for service to a major development shall be made prior to April 1 of any year. Requests shall include a sketch plan of the proposed development, a statement of the number of units proposed, scheduled completion dates, and any other information requested by the Board. All such requests shall be considered at the next meeting of the Board, and the decision of the Board shall be the final official response.

3.7 No Waste of Water Allowed The region surrounding and including the Allenspark Water and Sanitation District is extremely water short. The District cannot, therefore, allow the waste of water. Waste of water shall specifically include the “bleeding” or running of water simply to prevent the freezing of waterlines. Waterlines shall be buried and/or sufficiently insulated to prevent freezing. If the District becomes aware of the “bleeding of lines,” it shall give notice to the customer in writing at the customer’s billing address to cease the waste of water. If the waste of water continues seven days after notice, a second written notice shall be given to the customer at his or her billing address specifically stating that if the waste of water continues, service shall be revoked pursuant to this Section and Section 4.7 of the Rules and Regulations. If the waste of water continues, service may be revoked pursuant to Section 4.7 of the Rules and Regulations.

3.8 Use of Water Use of water provided by a tap on the District's water mains outside the boundaries of the property for which the tap is provided is prohibited. Violation of this prohibition shall be subject to penalty at the discretion of the Board of Directors.

3.9 Emergency Operations:

3.9.1 The District hereby reserves the right to cut off the water supply at any time for purposes of doing repair and/or maintenance on the water system. The District will endeavor to provide at least 48 hours' notice prior to shutting off the water supply for repair/maintenance purposes, except in case of emergency, whereby the District will have the right to turn off the water without prior notice if such action is deemed necessary by the District, in its sole discretion, in order to protect the water system or users of the system.

3.9.2 In addition to the emergency procedures set forth in 3.5.1 above, in the event the total water supply shall be insufficient meet all the needs of the Customers, including but not limited to a shortage caused by drought conditions (as may be declared by the State, County of Boulder or the Board in its sole discretion), the District may allocate the water available among the various Customers on such basis as is deemed equitable by the Board, in its sole discretion. Such allocation may include some or all of, but are not limited to, such actions as the following: (i) prescribing a schedule of hours covering use of water (whether it be for irrigation or Domestic Use), (ii) prohibiting use of water for irrigation purposes, (iii) limiting the total number of gallons of water used per quarter per Customer, (iv) prioritizing water usage by Customers for Domestic Use and/or livestock purposes before irrigation purposes, and (v) such other actions as the Board determines are appropriate to maintain an equitable distribution of water supply to the Customers with a prioritization for domestic uses before irrigation uses.

SECTION 4. APPLICATION FOR SERVICE

4.1 Inclusions Water service will be furnished only to persons whose property is included in the District and who have agreed to abide by the rules, regulations and rates promulgated by the District.

4.1.1 It shall be incumbent upon the applicant to furnish satisfactory evidence of inclusion whenever such evidence is requested by the District. Satisfactory evidence shall consist of tax receipt, or certificate in lieu thereof, issued by and signed by the County Treasurer.

4.1.2 A person owning land within or without the exterior boundaries of the District who desires service must include all of their land contiguous to the parcel upon which service is desired into the District unless the District permits otherwise.

4.2 Application for Service Application for service must be filed with the District, on the District's standard form, and be accompanied by appropriate fees and Water Users Agreement, prior to action by the Board.

4.3 Cancellation of Application The District reserves the right to revoke any application previously granted before service has been provided. Application for water service does not bind the applicant to "use the service". Such applications shall be retained, along with fees paid, by the District, for a period of twelve (12) months. If the applicant has not then requested service, the Board, at its discretion, may cancel the application and refund fees paid, minus costs, without interest.

4.4 Denial of Application The District reserves the right to deny application for service on any of the following grounds:

4.4.1 That connection of the system to applicant's existing system would constitute cross-connection to an unsafe water supply;

4.4.2 That the service applied for would create an excessive seasonal, or other, demand on the facilities;

4.4.3 For misrepresentation in the application as to the property and fixtures contained in the property, or the use to be made of the water supply; or

4.4.4 That the area to be served is situated in a pressure zone which the District lacks capacity to serve as shown on District maps.

4.5 Change in Customer's Equipment or Service Prior to making any change in water service or meter installation, a customer shall file an amended application with the District at least forty-eight (48) hours prior to making the proposed change.

4.5.1 No change in the customer's equipment or service shall be made without the prior approval of the District being first obtained in writing.

4.6 Unauthorized Connection Fees An unauthorized connection fee equal to twice the normal tap fee due shall be payable by persons tapping onto the District's line without prior payment of connection fees, approval of application, or adequate inspection of lines. The District, at its election, may require disconnection of any unauthorized connection.

4.7 Revocation/Suspension of Water Service Water service shall be revocable by the District upon non-payment of valid fees owing to the District or violation of these Rules and Regulations. In the event of either of the above, the customer shall be given due notice of a hearing to revoke service. Said hearing shall be held by the District at the regular or special meeting of the Board of Directors, at which time the customer shall have the opportunity to present testimony in evidence to the Board. Following said hearing, the Board decision shall be final and service to the property shall be revoked by disconnecting appropriate line, either public or private, serving the property, or not, as the Board decides. A \$50.00 disconnect and a \$50 reconnect fee must be paid before water service will be restored.

SECTION 5. CONSTRUCTION OF SERVICE LINES

- 5.1** Construction and maintenance of all service lines and curb stop valves shall be done at owners expense, or by plumbers licensed by the appropriate governmental agency in accordance with the applicable plumbing codes of the State of Colorado and the County of Boulder to meet all the requirements of these Rules and Regulations.
- 5.2** Existing water lines may be used in connection with new buildings only when found, on examination by the Superintendent, to meet all the requirements of these Rules and Regulations.
- 5.3** The type of Service Line and curb stop valves and location thereof must be approved by the District Superintendent.
- 5.4** A curbstop valve shall be located as close as practical to the district main typically between the road and the property line. The curb valve shall have an easy to locate and service curb stop box (typically a buffalo box style tube).
- 5.5** The Service Line shall be brought to a depth of at least seven (7) feet of cover as quickly as possible from the Stub-in on the Water Main and continue at this depth to the curb stop. The depth and construction of the Service Line from the curb stop to the home is up to the customer in accordance with the applicable building codes. However, customer is advised that in the experience of the District, seven (7) feet of cover is required to prevent the Service Line from freezing in our area of service.
- 5.6** All excavations required for the installation of water service shall be open-trench work, unless otherwise approved by the Superintendent. Pipe laying and backfill shall be performed in accordance with the Board's standard specifications.
- 5.7** The applicant for the building water service permit shall notify the Superintendent when the service is ready for inspection and connection to the public water main.
- 5.8** Revocation of Plumber's Licenses, or Owner's Permit: The violation of any of these Rules and Regulations, or the District's installation specifications, shall constitute sufficient grounds for

revocation of the permit. Whenever it appears a violation has been committed, the plumber and/or owner shall be sent a written notice.

- 5.9** Plumber's Licenses Not Transferable: No licensed plumber shall permit their license to be used by any other plumber, but plumbing work contracted for by a licensed plumber may be performed by them through journeymen plumbers or apprentices, under their direct supervision. Work performed through journeymen plumbers or apprentices shall not relieve the licensed plumber from any responsibility.
- 5.10** All water lines installed within the area under jurisdiction of the Board shall be done only by contractors licensed to do work within the area.
- 5.11** Prior to commencement of work, the Member or its Contractor shall provide to the District the following: (i) a copy of the construction permit issued by Boulder County, (ii) a letter of permission from the County Commissioners to work in the County streets and roads, (iii) a performance bond in an amount set by the Plant Manager and, (iv) an insurance certificate to include the following:
- (a) the District as a named insured
 - (b) Minimum of \$300,000.00 of personal liability and \$300,000.00 of property damage coverage
 - (c) Workmen's Compensation insurance carried in accordance with the provisions of the Workmen's Compensation Act, as amended, of the State of Colorado..
 - (d) Builder's risk insurance in an amount equal to the completed value of the construction project.
- 5.12** All contractors, plumbers and others doing work on any water main, service laterals, service lines, or structures in the District, shall comply with Boulder County or State Highway Department regulations on excavation, backfill, compaction and restoration of surfacing unless such requirements shall have been waived by the District in writing. Notwithstanding the foregoing, all streets shall be restored to the condition prior to excavation. The District may impose conditions and restrictions appropriate to assure compliance by contractors and plumbers.

- 5.13** All construction work and materials shall meet the standards and specifications of the Allenspark Water and Sanitation District.
- 5.14** All permits, fees and licenses shall be paid for by the owner, contractor, plumber, or others doing work in the District, prior to the start of construction.
- 5.15** All excavations for water service installations shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public or private property disturbed in the course of the work shall be restored in a manner satisfactory to the Superintendent and/or governing jurisdictions.
- 5.16** All daily inspection fees on water construction required by Boulder County or the State Highway Department shall be paid by the owner, plumber, contractor, or others doing work in the District.
- 5.17** Inspection Charges: There shall be no inspection charges for inspections by the Inspector or Superintendent of the District in connection with water mains and lines.
- 5.18** The Superintendent of the District is the sole individual authorized to supervise, or make taps on to the District water mains.

SECTION 6. WATER MAIN EXTENSIONS

- 6.1** Requirements in Section 5 of these Rules and Regulations are also applicable to this Section. The term “water mains” shall include tanks, pumps and related facilities, when applicable.
- 6.2** It shall be unlawful for any person to construct a water main within the jurisdiction of the Board without having first made formal application to the Board for approval, and having complied with the regulations of the Board.
- 6.3** All water main extensions within the jurisdiction of the District must have the prior approval of the Board of Directors. Plans for such extensions shall be submitted to the District’s engineer, along with the application for a line extension. The staff shall then submit the recommended plans, with appropriate documentation, to the Board for final approval. Said plans shall be reviewed for

compliance with the District's specification and with other specifications and requirements appropriate to the situation, and such study for compliance shall be at the owner's expense.

- 6.4** Locations of Water Extensions and Additions: Water mains shall be installed in roads or streets which the County, State Highway Department, or other public agency, has accepted for maintenance as a public right-of-way, as well as in easements granted to the District.
- 6.5** Procedure for Water Main Extension Construction: If the land owner(s), developer or subdivider has agreed to the engineering layout or design and preliminary cost estimated for the work, they shall enter into a standard line extension contract with the District, covering standard regulations on line extensions and rebates for transmission lines, and at the option of the District, they shall either:
- (a) Deposit in advance with the District an amount equal to the cost of the contract to be let, so that the District can construct the line extension under its own authority, or he shall
 - (b) Obtain reasonably competitive bids directly from contractors for the work, and furnish the District with a performance bond guaranteeing the performance of the work, holding the District harmless for the payment to the contractor, and one (1) year's maintenance bond, and let the contract to the lowest responsible bidder. All such bids are subject to the approval of the District.

If (a) above is elected, and the cost of the work shall increase through change order, the land owner(s), subdivider, or developer shall be so notified, and no change order shall be approved until the deficiency is added to the deposit. Upon completion of the work, the final cost shall be certified by the engineers and any overage refunded to, or deficiency made up by, the land owner(s), subdivider or developer.

- 6.6** All water main extensions which are approved and are to be constructed by the District shall be contracted for by the Board, with the contractor installing the mains being responsible to the

Board. Construction of these lines, and consulting engineering fees as established herein, shall be paid by the Board, and subject to the reimbursement provisions of this Section.

- 6.7** A performance and maintenance bond equal to one hundred percent (100%) of contract (or construction cost) shall be furnished to the District on all water main construction contracted for by the District.
- 6.8** All daily inspection fees on water mains required by the County of Boulder, the State Highway Department, or local governments, shall be paid by the plumber, contractor, or others doing work in the District.
- 6.9** Special structures such as pumping stations, etc., required to insure proper operation of the water extensions, shall be constructed from designs of the Board's engineers or such other engineers as may be approved by the Board.
- 6.10** Land owner(s), subdividers or developers who have completed construction of water mains shall, before these lines are accepted by the District for taps, deed these lines and appurtenances to the District, free and clear of all liens and encumbrances, and the bond furnished in Paragraph 6.7 shall cover all maintenance for one (1) year from the date of acceptance of the lines by the District.

 - 6.10.1 Prior to the construction of and acceptance of the lines by the District, all easements necessarily accompanying these lines shall be duly recorded and provided for.
 - 6.10.2 Prior to the District's acceptance of the lines, "as built" drawings shall be provided by the constructor or reasonable provision for such drawings made.
- 6.11** Each land owner(s), subdivider, or developer who desires water service will, in consultation with and approval of the District, plat and grant to the District appropriate easements and right-of-ways in which to construct the same, where such facilities be required to cross land not being subdivided, or under the subdivider's control for granting public right-of-way.
- 6.12** The developer shall be responsible for oversizing main line extensions where required by the Board.

6.13 Notwithstanding any provision of this Section, the District may, in its discretion, extend water mains under such conditions as the Board deems appropriate.

SECTION 7. RATES AND CHARGES

7.1 **General** The information contained in this Section is pertinent to all charges of whatever nature to be levied for the provision of water service. Said rates and charges as herein established are in existence and effect at this time, and shall remain in effect until modified by the Board of Directors under the provisions of these Rules and Regulations, and under the applicable statutes of the State of Colorado. Nothing contained herein shall limit the Board from properly modifying rates and charges, from modifying any classification, or from modifying the # of water taps.

7.2 **Application of this Section** The rates, charges, and other information shown herein shall apply only to customers inside the District, and shall in no way obligate the District to provisions outside the District under any of the conditions contained in this Section.

7.3 **Classification of Customers** For the purpose of levying fair, reasonable, uniform and equitable charges, the following classifications and appropriate definitions are provided.

7.3.1 **Single Family Dwelling** A single-family dwelling shall be construed as a living unit suitable for occupancy of one or more individuals of a family, and forming a separate and unattached structure from any other dwelling unit.

7.3.2 **Multiple Family Dwelling** A multiple-family dwelling shall consist of a single structure or structures otherwise unattached to any other dwelling unit, and wherein more than one family unit exists.

7.3.3 **Hotel, Motel or Lodge** A hotel, motel or lodge shall be defined as a unit or series of units providing overnight facilities for transient usage. Charges shown in the Schedule of Fees and Charges maintained by the Board of Directors, based on the accommodations provided, shall apply.

- 7.3.4 Mobile Homes Mobile homes shall be classified as any unit capable of being transported on wheels behind a standard power unit, and which can be moved on normal streets, roads, and highways. Said unit must be suitable for living quarters, and provide for normal domestic sanitary conveniences.
- 7.3.5 Retail Business Outlet A retail business outlet shall be any structure providing for normal commerce or business services except for those business services otherwise defined herein, and where said outlet is provided only with the required sanitary conveniences for the personnel employed at that business outlet. Where more than one business outlet is used in one structure, the Board, at its sole discretion, shall determine the number of equivalent business outlets used therein.
- 7.3.6 Cafes, Restaurants, Bars, and Private Clubs This classification shall include any establishment providing food or beverage service to the general public or to private membership, and whereby charges for such service of food and beverages are secured. Such units shall be classified by the seating capacity of up to twenty-five (25) individual seats for one tap and increments of each five (5) additional individual seats prorated.
- 7.3.7 Filling Stations and Garages Filling stations and garages shall be defined as service outlets providing for the servicing of vehicular units. Under the basic definition of filling stations and garages, no provision is made for automatic washing or wash rack facilities. The charges established therefore are for filling stations and garages without washing facilities.
- A separate charge is provided herein for facilities providing wash rack or manual washing facilities, and said charges are provided on the basis of each wash rack or manual washing facility.

The definitions shown herein and the charges provided for filling stations and garages do not apply to automatic washing facilities for which special charges shall be determined by the District.

7.3.8 Public Laundries Public laundries, as used herein, shall refer to coin operated laundries and drying facilities for clothing and textile usage.

7.3.9 Schools Schools shall be defined as any private or public institution established and utilized for the instruction of any individuals, and where said units are to be operational for a period of six (6) months or longer on a normal five (5) day week. Charges will be based on student enrollment as determined from the school records and representing the average enrollment during the last full school year, or projected annually if a new school. Average enrollment during said last school year shall be the basis for establishing the charge for service.

7.3.10 Hospitals Hospitals shall be defined as either private or public institutions with overnight facilities provided for serving of patients. Charges shall be based on a per bed basis.

7.3.11 Any disagreement concerning the classification shall be resolved by the Board of Directors of the District whose judgment shall be final.

7.4 **Tap Fee** A tap fee shall be charged to all customers of the District. Such fee shall represent a “privilege to serve” fee, assessed and paid before the permit for service is issued.

Tap fees shall be assessed as provided for in the Schedule of Fees and Charges maintained by the Board of Directors.

In order to preserve the revenue base of the District from decrease in income in the event that multiple existing lots with water taps are consolidated into single lots, existing water taps shall not be reduced in number due to property consolidations in order that the rate to be paid by the property owner for water service shall not be reduced even though a physical tap or taps may be abandoned.

7.5 Monthly Service Charge Upon signing a Water Users Agreement and paying the tap fee, the water service charge shall commence providing the Directors or the District Superintendent determine(s) that water service is available at the curb stop.

If a condominium or town homes association exists for a number of units receiving service from the Allenspark Water and Sanitation District, said association shall receive an invoice for all units serviced by the association. In no instance shall the District bill individual owners who are members of an association unless each unit billed has a separate service line or shut-off valve.

Water service charges shall be as reflected in the Schedule of Fees and Charges maintained by the Board of Directors.

7.6 Amended Tap Fees In those situations where a prospective user applies for a permit for water service for a structure not defined in the preceding article, or where, in the Board's opinion, said structure represents a classification not contemplated in the establishment of the previously defined tap fees, the Board shall, at its sole discretion, establish a fair, reasonable and equitable tap fee for said structure.

7.7 Amended Monthly Service Charge In those situations where, in the Board's sole discretion, the monthly service charges shown in the previous articles do not represent a fair, reasonable, and equitable charge for the intended use, the Board, at its sole discretion, may adjust said rates.

7.8 Payment of Monthly Service Charges It shall be the policy of the District to bill all monthly service charges in arrears. Likewise, all monthly service charges shall be paid as herein set forth.

7.8.1 The service charges shall be mailed to each customer once every month.

7.8.2 The customer shall pay to the District, within ten (10) days after the postmarked date shown on the envelope for said statement, the full amount of that statement, except where the customer feels said statement is in error, the customer must file, in writing, a notice to the District of the presumed error, and request a clarification from the Superintendent.

Upon review by the Superintendent, and resubmittal and/or revision of the statement, payment shall be due no later than ten (10) days from the postmarked date of the statement.

7.9 Penalty for Late Payment At any time the customer is one (1) month late in payment of any charges due the District, the District shall have the right to assess a 1.5%/month fee on past due balances. The District shall further have the right, at its sole discretion, to terminate service to any customer who becomes two (2) months or more late in payment for scheduled water services, following the opportunity for hearing as outlined herein.

The District shall have the right to assess to any customer who is late in payment of their account, all legal, court, and other costs necessary to or incidental to the collection of said account.

Termination of service due to late payment as outlined above does not relieve user from payment due. Delinquent accounts left unpaid will be certified to Boulder County for collection in the same manner as delinquent property taxes.

7.10 Charge for Operating Curb Stop - The district will provide one (1) shutoff and one (1) turn on curb stop service per year for those customers wishing to winterize their properties for the winter and for prearranged plumbing requirements providing the curb stop is easy to find, service, and operate. Any curb stop service that takes more than ½ hour to perform will be billed at a rate of \$50 per hour.

7.11 Leak Policy

Metered Water Loss – All leaks which are recorded by volume on the customer’s water meter shall be billed at the normal rate. This rate is currently \$10.00 per 1,000 gallons over the 6,000 gallon monthly maximum. However, no customer will be charged more than a total of \$200.00 for any one water loss.

Unmetered Water Loss – Any property having a water loss which is not accurately recorded on the water meter shall be charged according to the following scale:

Amount of water loss	Charge
----------------------	--------

Less than 10,000 gallons	\$10.00
Not more than 50,000 gallons	\$50.00
Over 50,000 but less than 100,000	\$100.00
Over 100,000 gallons	\$200.00

The volume of water lost as a result of an unmetered leak shall be determined by two or more of the following methods: 1. Current daily average water use recorded at the treatment plant, 2. Historic use and consumption for specific property. 3. Leak flow measurement and estimate by water dept personnel on location. 4. Physical evidence. 5. Testimony by witnesses.

Emergency Shut-off Fee – Any property which has a water loss (metered or unmetered) shall be charged an additional \$50.00 fee for the emergency shutoff of the water. If the curb stop is not easily locatable or easily operatable, customers will be charged at a rate of \$50 per man-hour over the initial 30 minutes. Water shut-off is automatic and will stay in effect until necessary repairs have been made to the property. The water department will make reasonable effort to notify property owners of any water leak and subsequent shut off.

Repeat Offenders – Any property which has two or more water losses in a twenty four (24) month period may be subject to additional penalty by determination of the water board. This may include turning off water supply until corrective actions (to the board’s satisfaction) are taken to prevent future repeat issues.

Water Service Inspection – Upon request, water department personnel will inspect a customer’s property to determine potential problems with water service and recommend methods to prevent damage and water loss. There is no charge for this service.