

Hanson Harbor Homeowners' Association Water Administrative and Operating Rules

Adopted: Summer 2008

Applicability: The following rules are applicable to all customers receiving water from the Hanson Harbor Homeowners' Association (HHH) and have been developed to meet applicable regulations, provide standardization of service, inform the customers of their rights and limitations, identify fees rates and charges, identify prohibited activities, and most of all, to ensure a safe and reliable source of water.

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Definitions:

Appurtenance: Any accessory or equipment of any kind which is attached to a pipe, pipeline or reservoir of the water system. Examples include service connections in their entirety to and including the meter, fire hydrants, backflow assemblies and valves.

Association: The entity owning the HHH water system as represented by the HHH Board of Directors.

Auxiliary Water Supply: Any water supply to the premises other than the approved public potable water supply.

Backflow Prevention Assembly-Approved: An assembly that has been listed by the Washington State Department of Health, Drinking Water Program, and so shown on their current listing of approved assemblies.

Board: Members of the HHH Association Board, or designated representatives or assignees, to include the water system operations personnel.

Equivalent Residential Unit (ERU): The amount of water the average residential home uses in a year: usually stated as a monthly average in metered systems. The term “unit”, “use” and “user” in this definition are synonymous.

Premises: A parcel of land and any structures, buildings or improvements.

Service Charge: The yearly service charge, often referred to as a “Base Rate”, is incurred by each customer regardless of the amount of water used. This is the primary source of revenue for the HHH Association.

Water Service Area: That defined area within which the HHH water system will supply water service. Those areas where planning has occurred but no service is available currently are *future* water service areas.

Water System: All parts of the HHH water system that supplies water to customers including wells, pumps, components and equipment, storage facilities, piping and all appurtenances, structures, treatment facilities, necessary vehicles and equipment and anything required to meet current regulations and standards of operation.

Operating Rules:

1. **Purpose:** These operating rules sets uniform requirements and guidelines which apply to the HHH water system, including all supply, storage or distribution facilities and all piping, equipment, appurtenances and back-flow assemblies.

2. **Administration:** Except as otherwise noted, the HHH Board, or their designee, shall administer, implement and enforce the provisions of these operating rules. Appeals of administrative decisions may be made to the Board as noted in Section 12.

3. **Authority:** The Revised Code of Washington and the Washington Administrative Code, most notably WAC 246-290 (Group A Water Systems) allow enforcement and implementation of these rules to provide reliable water service and ensure delivery of safe drinking water.

4. **Connection Allowed - -Connection Required:**

(a) Properties within the designated service area which are not delinquent for payments or assessments of any kind, and having granted reasonable easements, if appropriate for operations and maintenance of piping and appurtenances in areas deemed the responsibility of the Association, may connect to the water system.

(b) Properties outside the water service area may be connected if sufficient water system capacity exists, is allowed by the Washington State Department of Health, and the HHH Board approves the connection.

5. **Application for Water Connection—Procedures:** In the case of new construction, initial application for a building permit is made at the County Permit Services Division. Upon verification of a properly executed building permit for new construction and confirmation all fees, assessments and charges have been paid by the applicant, the HHH Board will authorize the connection to the water system.

6. Service Connections--General Requirements--Responsibilities: A pre-construction meeting on-site with the constructor and appropriate agent of the Board is required for new construction. Placement of lines, construction schedules, inspection criteria and construction standards shall be satisfactorily addressed with the project applicant.

- (a) Except as provided otherwise, no premises shall be connected to the HHH water supply unless there is an adjacent water main.
- (b) For new construction, each inhabited domicile must have a separate service connection that contains a meter. Service connections currently servicing more than one home may remain until circumstances make individual connections necessary. The Board may require individual buildings on any premises to be separately metered.
- (c) Conveyance of water to another premises or lot is prohibited. Violation of this provision will incur additional service charge(s) to the premises providing the water, for each month, or partial month of violation of this provision, in addition to any other penalties assigned.
- (d) The costs for construction of service connections including meters, meter setter, pipe, labor, fittings and the meter box shall be paid by the applicant. The Board may direct owners of un-metered connections to have meters installed.
- (e) As a condition of service, all service lines from the main to the building(s) shall be inspected by a representative of the Board to ensure compliance with existing construction specifications and materials. No part of the water piping, valves, or water meter shall be covered or concealed until it has been tested, inspected and accepted.
- (f) Unless otherwise approved by the Board, service lines shall run at right angles from the water main with location of the water meter immediately adjacent to the property line either on private property or within the road right of way. Appropriate utility easements for access shall be granted to the Board for those appurtenances under the responsibility of the Board for operations and maintenance.
- (g) The ownership of all service connections in rights-of-way and utility easements, up to and including water meters, shut-off valves and water meter boxes, shall be vested solely with the Board and the person responsible for the construction of such connections shall relinquish, as a condition of service, all interest in such ownership. All water meters shall be maintained by authorized personnel only. Meters may be removed and replaced as necessary to test or repair. Water meters shall be set properly as per Board recommendations, and of a type established under construction standards, and normally located within the street right-of way at the property line. If located on private property an easement shall be granted the HHH water system. Whenever possible, the meter shall be located in the vicinity of the common lot corner between the property being serviced and the adjoining property.
- (h) The ownership of the water system beyond the meter, or backflow assembly, if installed, shall be vested in the consumer and the operation, maintenance, repair, expansion, and renewal of the system shall be the consumer's responsibility. Owners shall maintain individual service lines in such a manner as to prevent water loss or contamination hazards. Should the consumer fail to properly maintain their service lines, they shall have the option of granting approval for access and having HHH repair the line and present a bill for such services.
- (i) Violation of the procedures required by these operating rules shall be cause for immediate discontinuance of water service by the HHH water system as determined by the discretion of the Board.

7. Service Line Construction:

- (a) Minimum cover for water lines shall be 30 inches generally, between the water main and the building.
- (b) All connections shall be made to the meter stub-out assigned at the time the permit is issued.
- (c) All service lines shall be minimum of (3/4) three-quarters of an inch inside diameter of pipe.
- (d) All new connections shall have a meter. No service line connection may be made to the meter until that meter has been approved by the Board.
- (e) The service line contractor or other person doing the work shall prevent any damage to the meter or public water system, and shall so conduct his trenching operations to prevent the possibility of damage from occurring. Digging under the public water system is prohibited.
- (f) The bottom of the trench for service lines must be smooth and free of large rocks which may injure the pipe. Where unsuitable bedding is found, as determined by the Board, the water service line trench shall be over-excavated and suitable bedding installed as follows:
 - (1) Soft Foundation: Over-excavate as directed by the Board and install two and one-half inch maximum rock, sand or gravel.
 - (2) Hard Foundation: Over-excavate a *minimum* of two inches and install a bedding of three-quarter inch maximum size rock, sand or gravel.
- (g) The person doing the work shall carefully remove the plug from the meter stub and shall prevent the entrance of any foreign material into the public water system. The type of joint to be used to connect to the stub will be described by the Board. Appropriate bedding, as described above, will be hand tamped in a damp condition, around the stub and connection so as to prevent any pressure on the stub. Joints shall be installed in strict compliance with the manufacture's recommendation.
- (h) Backfill of the trench shall be done in a manner to prevent damage to the stub, fittings and pipe.
- (i) Parallel water and sewer lines shall be laid at least (10) ten feet apart horizontally. Whenever sewer and water lines must cross, they will be laid at as close to 90 degrees as possible and the sewer line shall be located 18 inches below the water line.
- (j) The following pipe materials may be used between the meter and house connection: Polyethylene (PE) plastic pipe complying with AWWA C901, ASTM specification D-2239 or equivalent, 160 psi working pressure, iron pipe size and shall be NSF certified for use with potable water systems. All compression fittings shall have a stainless steel insert, be of commonly accepted manufacturer and NSF certified. No "barbed" connections are allowed.
- (k) All service lines shall be tested for leakage in the presence of a representative of the Board before backfill. Services shall be tested by first flushing the line, then, by capping the end or ensuring all water taps are closed, checking fittings for leaks using system pressure while ensuring the meter is not turning.

8. Service Connections—Wholesale Consumers—Requirements: The Board may authorize wholesale water service, to a community or number of individual users, to be furnished through a common meter, upon finding that service through individual meters is not practical.

- (a) Where such service is provided through a common meter, the costs of installation, including the meter, shall be at the expense of the applicant(s).

- (b) Where water service is supplied through a common meter, an association, or other entity or person, who is acceptable to the Board, shall be responsible for the rates and charges set forth by the Board.

9. Rates, Charges and Fees: Charges and fees to connect to the water system and yearly service and use rates are as follows.

- (a) **Connection Fees:** The water connection fee consists of two components.
- (1) The connection fee is **\$750.00**, which includes a water meter. Installation is the responsibility of the contractor.
 - (2) The second component consists of the actual costs for services rendered by HHH during the installation, inspection and testing of the connection. The connection fee for services rendered is \$25.00 per hour not to exceed \$100.00 for an average connection. Unusual conditions will be negotiated with the Board.
- (b) **Backflow Assembly Administration Fee:** Those premises with backflow assemblies shall be assessed an annual fee of \$0 dollars to recover administrative costs associated with notification of required testing and maintenance of records.
- (c) **Cross-Connection Hazard Inspection Fee:** Commercial and industrial establishments containing potential health hazards and not having premises isolation may be inspected annually, as determined by the Board, to assess cross-connection hazards. The fee for such inspection shall be \$0 dollars. Follow up inspections and other work will be charged at a "time and materials" rate
- (d) **Reconnection Charge:** A charge of \$50.00 dollars shall be made to reconnect water service during the normal workday, if the service was disconnected because of nonpayment. A charge of \$75.00 dollars will be made to reconnect water service after normal workday hours.
- (e) **Service Charge:** There shall be a \$300.00 annual service charge, per each service connection, regardless of the amount and type of use. Connections serving residential domiciles are constructed homes.

10. Payment for Water Services--Responsibility--Due Date--Nonpayment Penalties--Liens: The owner of the premises which is provided with water service shall be responsible for all water charges, fees and penalties accrued until the Board is notified in writing by the that owner, or new owner, that a change of ownership has occurred.

- (a) Customers will be billed yearly, unless an alternate form of payment has been authorized by the Board. (January)
- (b) Bills will become delinquent 30 days after the due date. A \$0 penalty shall be imposed on any delinquent account. The HHH will mail a notice notifying the customer of delinquency in payment and identifying the date of discontinuance of water service.
- (c) Delinquency and nonpayment of one or more water service charges for (60) sixty days after when due, shall be sufficient cause for discontinuance of water service. An additional penalty of \$50.00 shall be imposed on delinquent accounts at this time. In such case, service shall not be resumed until all charges, penalties and service fees have been paid. If a trip was made by service personnel to the premises of a customer for the purpose of shutting off water service due to delinquency, and the customer wishes to pay the delinquent bill and delinquency penalty at that time, a service fee for said trip shall also be assessed.
- (d) Should the owner or occupant of the premises where the water has been shut off due to

delinquent payments turn on the water, or cause the water to be turned on by other parties, it shall be turned off again by authorized personnel and a service charge, and an additional penalty of \$100.00 dollars, assessed. Further violations shall be assessed a penalty of \$200.00 dollars per violation.

- (e) Willful destruction of any property of the HHH water system, including damaging service connections and cutting off locks, shall incur a penalty of \$500.00 in addition to all other penalties, charges and fees assigned or outstanding.
- (f) Customers committing administrative violations during a calendar year, such as watering at prohibited times or other non-criminal or health-hazard related prohibited acts, will be notified verbally for the first violation, notified in writing for the second violation, and will accrue a \$100.00 penalty for each subsequent violation. Failure to pay the penalties when billed will trigger the shut-off procedures described above.
- (g) Customers experiencing financial hardship may ask the Board to negotiate a payment schedule, satisfactory to the Board, for repayment of past due charges, penalties and fees.
- (h) Checks returned due to insufficient funds will incur a \$25.00 processing fee.
- (i) The HHH water system may cause a lien against the premises for which service was provided, for unpaid charges, fees and/or penalties that become more than ninety (90) days delinquent, plus interest and penalties.

11. Notice of Violation- Hearings - Right to Appeal- Emergency Action:

- (a) **Notice of Violation:** Whenever the Board determines there are reasonable grounds to believe that a violation of any of these operating rules has occurred, the Board shall give notice to such alleged violation to the person in question. Such notice shall (1) be in writing, (2) include a statement of the reason for its issuance, (3) allow a reasonable time for the performance of any act it requires, (4) be served upon the owner, lessee, or his agent as the case requires, provided that such order is deemed to have been properly served upon such individual when sent by registered mail to his last known address, and (5) contains an outline of remedial action which, if taken, will effect compliance with the provisions of these operating rules.
- (b) **Hearings:** A person to whom a penalty or other administrative action has been issued or directed may request a review hearing to the Board by submitting a written notice of such request within ten calendar days of the date of penalty or administrative action. The Board shall establish a hearing date and give written notice of the hearing to the appellant at least ten calendar days before such hearing. Such notice shall include the date, time and location and shall be served by registered or certified mail.
- (c) **Emergency Requiring Immediate Action:** Whenever the Board finds that an emergency exists which requires immediate action to protect the public health and welfare, the Board may, without notice or hearing, issue an order reciting the existence of such emergency and requiring that action be taken as necessary to meet the emergency and protect the public health, including the termination of water service.

12. Water Use-Water Conservation Program-Limitations: No person shall use water for purposes other than those stated as beneficial use under the laws of the State of Washington.

- (a) The Board recognizes that water is a valuable commodity and the wise and beneficial use of water is in the best interests of our customers. Further, the Board will determine where water is used or lost, and reduce water loss to below industry standards. To

achieve these goals, the Board has adopted the following measures to encourage wise use of water:

- (1) From time to time, the Board will provide educational materials to customers suggesting ways to efficiently use water, ways to conserve water, and showing the true value of water conservation efforts. The latter include:
 - (a) Ensuring system capacity to meet the water needs of all customers
 - (b) Saving of Operations and Maintenance costs
 - (c) Reduction of peak demand which will ensure proper system pressure and may eliminate the need for additional facilities and engineering
 - (d) Delay capital expenditures for additional storage reservoirs, piping and equipment
 - (e) Protect public health by eliminating the potential contamination from areas of leaks
 - (f) Ensuring that water is not wasted
- (2) The Board, as part of its normal monthly reporting, will review the use of water as determined from source meters and service meters, as applicable. This data will provide information on the effectiveness of the plan, ensure that water withdrawal is in accordance with approved water rights, and will allow identification of trends in water use as well as the possibility of new leaks.
- (3) The Board has reviewed the annual water utility budget and has set rates to recover the necessary revenues to provide for the proper and safe supply of water. The rates reflect the cost of producing water and it may be readily seen that customers who use more than the average water user will pay proportionally for that use.
- (4) Water reduction or curtailment may become mandatory upon a finding by the Board that a probable water shortage problem exists. When it can be anticipated that there is a distinct possibility of a water distribution shortfall, the following plans will be implemented until it can be determined that the emergency no longer exists. Depending on the expected severity of the problem it is possible that stage Two might be implemented immediately. Requests for public cooperation will be made through the news media or other means as appropriate.

Stage One (voluntary):

Request voluntary conservation and compliance with the following restrictions:

- A. Minimum use of water requested
- B. No washing of sidewalks, driveways, parking areas, patios, or other paved areas.
- C. No refilling of swimming pools or hot tubs with water furnished by the water system.
- D. No washing of cars, other motor vehicles, trailers, or boats.
- E. No water to be used for dust control.
- F. No flushing of mains, except to alleviate specific complaints.

If, after the initiation of Stage One, weather conditions, expected trends in demand, or other factors indicate that the threat of a shortage will continue, the additional provisions of Stage Two will be implemented.

Stage Two (mandatory):

Stage One restrictions shall become mandatory plus the following:

- A. External water use may be prohibited or be restricted to times (Example: odd or even days, morning or evening hours) as determined by the Board. Watering of any lawn, garden, trees, or other plants may be prohibited, except from a hand-held container.
- B. No use of water from a fire hydrant except for fighting fires.
- C. Any person who shall violate any of the mandatory provisions of the plan, who fails to submit a conservation plan acceptable to the Board within 120 days after water service is provided, shall be subject monetary penalties as stated in Section 11, and to termination of service.

13. Damage to Water System--Unlawful Acts: Violations of provisions in this Section shall be cause for charges as described in Section 9, immediate discontinuance of water service and may lead to action in a civil or criminal court.

- A. It is prohibited by any person to willfully or recklessly disturb, break, deface or damage any fire hydrant, water meter, valve, water pipe or any appurtenances, together with the buildings, grounds and improvements thereon or in any manner interfere with the proper operation of the water system.
- B. It is unlawful for any person who has a water connection to add any water connections or let water off the premises for which connection has been made or supply water for any purpose whatsoever to any other premises.
- C. It is unlawful for any person to prevent, by any means, the direct and unannounced access for the purposes of repair, reading, and inspection of any water meter, fire hydrant or any part of the HHH water system.
- D. It is unlawful for any un-authorized person to open or tamper with in any way, fire hydrants.

14. Access to Premises for Inspection--Procedures: As a condition of service, owners of premises serviced by the HHH water system, agree to allow entry by the Board or designee, upon request and at a reasonable time, to discuss possible hazards to public health, and inspect or perform any duty to ensure compliance with provisions of these operating rules.

- A. If the premises are occupied, the Board shall first contact the current resident or owner if the current resident is unavailable, and request entry.
- B. If the premises are unoccupied, the Board shall first make a reasonable effort to locate the owner or other persons having control of the premises and request entry.
- C. If entry is refused, the Board shall have every remedy provided by law to secure entry and, in the interim, may terminate water service.

15. Interruption of Service--Notification Procedures: Reasonable attempts to notify all premises affected by interruptions of water service shall be made and such interruptions shall be kept to a minimum.

- A. Water service may be interrupted without notification to make emergency repairs, to protect the public health, or for safety considerations.
- B. Interruptions for routine maintenance or repairs, line extensions or service connections shall be scheduled to provide a minimum of one working day's notice to all affected premises and at such time to minimize inconvenience to customers.
- C. If a water billing is at least thirty days delinquent, notice of interruption of water service shall be mailed to the owner and posted at the premises. Seven days after notification by

Cross-Connection: An actual or potential physical arrangement connecting a public water system, directly or indirectly, with anything other than another potable water system, and capable of contaminating the public water system.

Double Check Valve Assembly (DCVA): An assembly with two independently acting approved check valves, including tightly closing shut-off valves at each end of the assembly and fitted with properly located test cocks. This assembly may only be used to protect against non-health hazards and must be purchased as a complete assembly.

Hansen Harbor Homeowners' Association Board: Shall mean the managerial, clerical or operational personnel concerned with the day-to-day direction or operation of the HHH Water system.

Owner: Any person who has legal title to, or license to operate a property which is served by the water system.

Premises: A parcel of land and any structures, buildings or improvements thereon.

Premises Isolation: The practice of protecting the potable water supply by installing appropriate approved backflow assemblies at or near the point water enters the premises. This type of protection does not provide protection to personnel on the premises.

Pressure Vacuum Breaker Assembly (PVB): An approved assembly consisting of a spring loaded check valve loaded to the closed position with an independently operating air inlet valve loaded to the open position, and installed as a unit between two shut off valves with suitable test cocks. Unit must be used for non-health hazards and only protects against back siphonage.

Reduced Pressure Backflow Assembly (RPBA): An approved assembly consisting of two independently operating check-valves with an automatically operating pressure differential relief valve installed between the two. Unit shall be purchased as a complete assembly with two shut off valves and suitable test cocks. This assembly may be used to protect a potable water source against health hazards.

Water System: All parts of a system that supplies water to customers including wells, pumps, components and equipment, storage facilities, piping and all appurtenances, structures, treatment facilities, necessary vehicles and equipment and anything required to meet current regulations and standards of operation.

Purpose and References: This program is adopted by Resolution of the Board and provides requirements to prevent actual or potential cross-connections, and defines the degree of protection necessary when such cross-connections cannot be eliminated. The following references are the basis for this program:

Washington Administrative Code 246-290-490: establishes requirement for cross-connection control program for Group A water systems and allows disconnection of service.

Revised Code of Washington, Chapter 70.54: establishes failure to furnish pure water as a criminal misdemeanor.

International Plumbing Code: describes water distribution systems and cross-connection control provisions.

General Rules: No cross-connections or potential cross-connections shall be created, used or maintained within the HHH water system unless protected by an approved backflow assembly commensurate with the hazard.

The HHH water system, under direction of the Board, is the water purveyor and has legal rights to protect the public health. Water service shall be terminated immediately, if the Board determines at any time a threat exists to the public health.

As a condition of water service, and after reasonable notice, owners shall allow all properties to be inspected for potential cross-connections and shall follow the requirements of this program if a cross-connection or potential cross-connection is found.

Approved backflow assemblies, if required, shall be installed, at the expense of the owner, at the service connection (premises isolation) or, in limited cases, within the premises as determined by the Board.

A Reduced Pressure Zone Backflow Assembly (RPBA) shall be installed at the service connection to the premises, at the expense of the owner, in an approved installation, if the owner wishes to preclude inspections.

The most common sources of cross-connections in residential settings are on-site wells, water troughs, swimming pools, ponds, fountains, and lawn irrigation systems.

Leaving a hose pressurized or using a hose bib to provide water to trailers/campers or to fill any kind of tank, also allows for potential contamination. These types of activities must be isolated from the potable water system, either by air-gap (ensuring the end of the hose is not submerged in any tank or vessel), or approved backflow assembly.

All irrigation and lawn sprinkler systems shall have, as a minimum, Air Vacuum Breaker (AVB) protection. Increased protection may be required for unusual or complex systems.

On-Site Wells: Costs to properly abandon wells will be borne by the property owner. On-site wells constructed under permit stating they must be abandoned when water service is available, shall be abandoned as specified in the permit.

Wells that are identified by the County or the Board as being a health hazard due to previous sampling history, improper setback from septic drain fields or other obvious health risks will be abandoned.

On-site wells that meet current standards, are deemed useable, and the owner does not wish to abandon, will be allowed. The premises will be isolated by an approved backflow assembly (RPBA), enclosed in an approved vault or housing to allow discharge to daylight and preventing freezing, at the owners expense. Additional expenses to maintain records of the assembly will be charged as stated in the rate schedule in Section 9.

The Board shall ensure that plans for all new construction are reviewed, and cross-connection hazard inspections are performed prior to water system connection, and will inform the owner of

required corrections for the prevention of cross-connections. The homeowner or business owner shall pay inspection costs, which are included in the connection fee.

The Board will develop an information flyer, which will provide information on cross connections. This will be given to new customers and will be included in the annual Consumer Confidence Report mailing.

The Board will utilize a Cross Connection Control Specialist (CCS) to implement this program and provide technical assistance, as necessary. The CCS will coordinate with Local Administrative Authority (ies) (LAA), such as building or fire code officials, as necessary; to ensure water system policy and rules compliments the Uniform Plumbing Code, and other local requirements. The LAA will be notified prior to disconnecting water service to a customer's premises for failure to perform "corrective action" for hazards inside property buildings, except in the event of an emergency.

Backflow assemblies will be inspected and tested annually in accordance with current practice by a certified Backflow Assembly Tester (BAT). Records indicating the location, type, serial number, and hazard protected, and all required Backflow Assembly Tester (BAT) inspection data will be maintained.

Should a backflow incident occur, the Board will take immediate action to prevent further hazard to public health, and will notify the community, local authorities as appropriate, and the CCS, immediately.

The Board will re-evaluate potential cross-connection hazards and conduct a system assessment from time to time, but not less than every two years, based upon new connections or change of use of water.