

RULES AND REGULATIONS

These Rules are issued in compliance with Section 82a, 612 et seq., Kansas Statutes Annotated, as amended, and the Bylaws of the District and are designated to govern the supplying and taking of water service in a uniform manner for the benefit of the District and its members. They are subject to change from time to time. If a provision of the Rules conflict with a provision of the rate schedule, the provision of the rate schedule will prevail. If any portion of these Rules shall be declared invalid by competent authority, such voidance shall not affect the validity of the remaining portions.

DEFINITIONS

The following expressions when used herein will have the meaning stated below:

Applicant: Any individual, firm, partnership, corporation, or other agency owning land located within the District, applying for water service.

Benefit Unit: A right entitling the holder to one water service.

Board: The Board of Directors of Rural Water District No. 13, Jefferson County, Kansas.

Consumer: Any individual, firm, partnership, corporation, or other agency receiving water from the District's facilities and owning or occupying land located within the District in favor of which one or more Benefit Units have been subscribed and paid for.

Point of Delivery: The point of delivery shall be at the meter, unless otherwise specified in the Application for Water Service and Water Users' Agreement.

Service: The term service when used in connection with the supplying of water shall mean the availability for use by the consumers of water adequate to meet the consumer's requirements. Service shall be considered available when the District maintains a water supply at normal pressure in the main water line running to the property, or when said main adjoins, abuts or otherwise is located so as to provide access to a connection to the property, as determined by the District, in readiness for the consumer's use, regardless of whether or not the consumer makes use of it.

Application for Water Service and Water Users' Agreement: This agreement of contract between the consumer and the District is pursuant to which water service is supplied and accepted.

Water Service: A water service shall consist of facilities for supplying water to one primary residence, farm, or business establishment together with usual outbuildings located on land within the District. A landowner must purchase a Benefit Unit and accept a water service for each primary residence, farm, or business establishment together with usual outbuildings served.

GENERAL RULES

1. The supplying and taking of water will be in conformance with these Rules and the applicable rate schedule attached hereto, and filed with the Chief Engineer of the Division of Water Resources and the Secretary of the District: Provided, however, that such rate schedule is subject to change by action of the Board: Provided, further, that if at any time the Board of Directors determines that the total amount derived from the collection of charges is insufficient for payment of operating costs, emergency repairs, debt service, and a reasonable reserve, the Board shall increase the minimum water rate for the first month thereafter in an amount sufficient to pay such operating costs, emergency repairs, debt service, and to accumulate reasonable reserves.
2. Applicants for service shall make an application to the Office Manager. If the application for service is approved by the Board of Directors, the applicant will purchase a Benefit Unit for each water service desired, and sign the standard Application for Water Service and Water Users' Agreement for an indefinite period.
3. Minimum monthly charges, as established by the District, shall be charged to each water service from the time a Benefit Unit is purchased, a Benefit Unit number assigned and when service is made available by the District.

SERVICE IS FOR SOLE USE OF THE CONSUMER

A standard water service connection is for the sole use of the applicant or the consumer, and does not permit the extension of pipes to transfer water from one property to another, nor to share, resell, or sub-meter water to any other consumer. If an emergency of specific situation should make such an arrangement advisable, it shall be done only on specific written permission of the Board of Directors for the duration of the emergency.

AGREEMENTS WITH GOVERNMENTAL AND PUBLIC BODIES

The District, through its Board of Directors, may make specific water service contracts with governmental units, school districts, municipal corporations, multiple housing facilities including mobile home and trailer courts servicing residential users, and other commercial users. These commercial users will not include farms with family-size operations. Such commercial users will pay a hook-up charge, which shall be the cost of an increase in the capacity of a system to serve such users. Such commercial users may pay a special commercial rate for water used. This water rate will be based on the cost of the production of water and may differ from the water rate charged to regular water users.

RIGHT OF ACCESS

Representatives of the District shall have the right at all reasonable hours to enter upon consumers' premises to test meters, inspect piping, determine compliance with District policies and procedures and to perform other duties for the proper maintenance and operation of service, or to remove its service equipment and shut off water upon discontinuance of service by consumers. Denial of this right by a participating member, water subscriber or resident of the property is a violation of the Rules and Regulations subjecting the property to shutoff and/or forfeiture.

CONTINUITY OF SERVICE

The District will make all reasonable efforts to supply continuous, uninterrupted service. However, it shall have the right to interrupt service for the purpose of making repairs, connections, extension, or for other necessary work. Efforts will be made to notify consumers who may be affected by such interruptions, but the District will not accept responsibility for losses which might occur due

to such necessary interruptions. The District does not accept responsibility for losses which might

occur due to interruptions to service caused by storms, strikes, floods, or other causes beyond its control.

CONTROL EQUIPMENT

Meters will be furnished, installed, owned, inspected, tested, and kept in proper operating condition by the District, without cost to the consumer. A complete record of tests and histories of meters will be kept. Meter tests will be made according to methods of the American Waterworks Association by the District, as often as deemed necessary by its Board of Directors.

METER ACCURACY

Meters will be checked periodically at the direction of the Board of Directors. Service meters whose errors do not exceed two percent (2%) fast or ten percent (10%) slow shall be considered as being within the allowable limits of accuracy for billing purposes. The percentage of error will be considered as that arrived at by taking the average of the error at full load and that at the ten percent (10%) load, unless a consumer's rate of usage is known to be practically constant in which case the error at such constant use will be used.

METER LOCATIONS

A meter will be set in meter wells at or near the user's property line. Meters shall be set in an accessible place outside of buildings except where otherwise directed by the District. All meters shall be set horizontally and never connected into a vertical pipe. Meters set outside of a building shall be placed in a meter box furnished and installed by the District.

BILLS

The District Board, at its discretion, may (1) require members to read their own meters or (2) have the meters read by a District representative.

BILLING DATES; CHARGES FOR PAST DUE BILLS

Water bills shall be mailed on approximately the 1st day of each month for the previous month's service. All water bills shall be due and payable IN FULL at the water District office no later than 5 p.m. on the 16th of the month. Payments received after 5 p.m. on the 16th will be considered delinquent and a late charge of 10% of the current bill will be added to the delinquent bill.

NONPAYMENT OF BILLS

A: A delinquent account notice shall be issued in writing on the 20th day of the month for all delinquent water bills. Notice will be sent by first class U.S. mail to the Benefit Unit owner and to the occupant of the land at issue (who will be referred to hereafter as customer) if the occupant is not the owner of the Benefit Unit.

B: The delinquent account notice shall provide the following information:

1. Name of customer and address where service is provided.
2. Amount past due, INCLUDING any and all service charges.
3. All past due amounts are to be paid immediately and in full. If customer fails to make such payments, customer will be subject to possible termination of water service following notice and a hearing as discussed below and pursuant to the "TERMINATION OF SERVICE" section set forth below; if physical disconnection of service is completed, a \$50.00 reconnection fee will be added to the customer's bill.
4. Notice that if the customer disputes any part of the bill, the customer has the right to

- appear and be heard at a hearing.
5. Notice that a hearing is only scheduled upon the request of the customer.

TERMINATION OF SERVICE

1. The District reserves the right to enter into a payment agreement on delinquent accounts, regardless of the hearing or shutoff status of the property. If a customer receives a payment agreement from the District and does not comply, there will be immediate disconnection of service and the bill will need to be paid in full before service will resume. If the payment agreement is issued after a termination or request for hearing, not hearing shall be required.
2. Any account that is delinquent, for any amount, for two (2) billing cycles will have their service terminated until the bill is paid in full, including any and all service fees.
3. A reconnect fee will be added to any account that physically has their service disconnected. This charge is separate and apart from any reinstatement fee from forfeiture.

FORFEITURE

House Bill 2080 taking effect July 1, 2017, requires reinstatement of a Benefit Unit forfeited for nonpayment of fees and charges upon payment of:

1. All fees and charges due at time of forfeiture.
2. All monthly minimum fees and late fees that would have accrued since the date of forfeiture; and
3. A reinstatement fee not to exceed 20% of a new Benefit Unit fee.

The District will not charge an additional reinstatement fee. A fee will be charged for installation of a meter upon reconnection. In addition, if current standards require improvement or replacement of any other facilities, all such costs shall be assessed to the account at the time of reinstatement.

WATER DROUGHT AND EMERGENCY WATER REDUCTION POLICY

Section 1: Purpose

The purpose of this resolution is to provide for the declaration of a water supply watch, warning or emergency and the implementation of voluntary and mandatory water conservation measures throughout the Jefferson County Rural Water District #13 distribution system in the event such a watch, warning, or emergency is declared.

Section 2: Definitions

- a. "Water," as a term is used in this policy, shall mean water available to Rural Water District #13 of Jefferson County for public distribution by virtue of its water rights or any treated water introduced by the District into its water distribution system, including water offered for sale at any coin-operated site.
- b. "Customer," as the term is used in this resolution, shall mean the customer of record using water for any purpose from the District's water distribution system and for which either a regular charge is made or, in the case of coin sales, a cash charge is made at the site of delivery.
- c. "Waste of water," as the term is used in this policy, includes, but is not limited to: (1) permitting water to escape down a gutter, ditch, or other surface drain; or (2) failure to repair a controllable leak of water due to defective plumbing.
- d. The following classes of uses of water are established:

CLASS 1

Water used for outdoor watering; either public or private, for gardens, lawns, trees, shrubs, plants, parks, golf courses, playing fields, swimming pools, or other recreational areas; or

the washing of motor vehicles, boats, trailers, or the exterior of any building or structure.

CLASS 2

Water used for any commercial or industrial, including agricultural, purposes: except water actually necessary to maintain the health and personal hygiene of bona fide employees while such employees are engaged in the performance of their duties at their place of employment.

CLASS 3

Domestic usage, other than that which would be included in either classes 1 or 2.

CLASS 4

Water necessary only to sustain human life and the lives of domestic pets and maintain standards of hygiene and sanitation.

Section 3: Declaration of Water Watch

Whenever the governing body of the District finds that conditions indicate that the probability of a drought or some other condition causing a major water supply shortage is rising, it shall be empowered to declare, by resolution, that a water watch exists and that it shall take steps to inform the public and ask for voluntary reductions in water use. Such a watch shall be deemed to continue until it is declared by resolution of the governing body to have ended. The resolutions declaring the existence and end of a water watch shall be effective upon their publication in the official District newspaper or water billing statement.

Section 4: Declaration of Water Warning

Whenever the governing body of the District finds that drought conditions or some other condition causing a major water supply shortage are present and supplies are starting to decline, it shall be empowered to declare by resolution that a water warning exists and that it will recommend restrictions on nonessential uses during the period of warning. Such a warning shall be deemed to continue until it is declared by resolution of the governing body to have ended. The resolutions declaring the beginning and ending of the water warning shall be effective upon their publication in the official District newspaper or water billing statement.

Section 5: Declaration of Water Emergency

Whenever the governing body of the District finds that an emergency exists by reason of a shortage of water supply needed for essential uses, it shall be empowered to declare by resolution that a water supply emergency exists and that it will impose mandatory restrictions on water use during the period of the emergency. Such an emergency shall be deemed to continue until it is declared by resolution of the governing body to have ended. The resolutions declaring the existence and end of a water supply emergency shall be effective upon their publication in the official District newspaper or water billing statement.

Section 6: Voluntary Conservation Measures

Upon the declaration of a water watch or water warning as provided in Sections 3 and 4, the District Board Chairperson (or the District Manager) is authorized to call on all water consumers to employ voluntary water conservation measures to limit or eliminate nonessential water uses including, but not limited to, limitations on the following uses:

- a. Sprinkling of water on lawns, shrubs, or trees (including golf courses).
- b. Washing of automobiles.
- c. Use of water in swimming pools, fountains, and evaporative air conditioning systems.
- d. Waste of water.

Section 7: Mandatory Conservation Measures

Upon the declaration of a water supply emergency as provided in Section 5, the District Board Chairperson (or the District Manager) is also authorized to implement certain mandatory water conservation measures, including, but not limited to, the following:

- a. Suspension of new connections to the District's water distribution system, except connections of fire hydrants and those made pursuant to agreements entered into by the District prior to the effective date of the declaration of the emergency.
- b. Restrictions on the uses of water in one or more classes of water use, wholly or in part.
- c. Restrictions on the sales of water at coin-operated facilities or sites.
- d. The imposition of water rationing based on any reasonable formula including, but not limited to, the percentage of normal use and per capita or per consumer restrictions.
- e. Complete or partial bans on the waste of water.
- f. Any combination of the foregoing measures.

Section 8: Emergency Water Rates

Upon the declaration of a water supply emergency as provided in Section 5, the governing body of the District shall have the power to adopt emergency water rates by resolution designed to conserve water supplies. Such emergency rates may provide for, but are not limited to:

- a. Higher charges for increasing usage per unit of use (increasing block rates).
- b. Uniform charges for water usage per unit of use (uniform unit rate).
- c. Extra charges in excess of a specified level of water use (excess demand surcharge).

Section 9: Regulations

During the effective period of any water supply emergency as provided for in Section 5, the District Board Chairperson (or District Manager) is empowered to promulgate such regulations as may be necessary to carry out the provisions of this resolution, any water supply emergency resolution, or emergency water rate resolution. Such regulations shall be subject to the approval of the governing body at its next regular or special meeting.

Section 10: Violations, Disconnections, and Penalties

a. If the District Board Chairperson, District Manager, or other District official or officials charged with implementation and enforcement of this water supply emergency resolution learn of any violation of any water use restrictions imposed pursuant to Sections 7 or 9 of this policy, a written notice of the violation shall be affixed to the property where the violation occurred and the customer of record or any other person known to the District who is responsible for the violation or its correction shall be provided with either actual or mailed notice. Said notice shall describe the violation and order that it be corrected, cured, or abated immediately or within such specified time as the District determines is reasonable under the circumstances. If the order is not complied with, the District may terminate water service to the customer subject to the following procedures:

1. The District shall give the customer notice by mail or actual notice that water service will be discontinued within a specified time due to the violation and that the customer will have the opportunity to appeal the termination by requesting a hearing scheduled before the District governing body or a District official designated as a hearing officer by the governing body.
2. If such a hearing is requested by the customer charged with the violation, he or she shall be given a full opportunity to be heard before the termination is ordered.
3. The governing body or hearing officer shall make findings of fact and order whether

service should continue or be terminated.

- b. A fee of \$50.00 shall be paid for the reconnection of any water service terminated pursuant to subsection (a). In the event of subsequent violations, the reconnection fee shall be \$200.00 for the second reconnection and \$300.00 for any additional reconnections.
- c. Violations of this resolution shall be an offense of the District's Rules and Regulations and may result in termination of service.

Section 11: Emergency Termination

Nothing in this policy shall limit the ability of any properly authorized District official from terminating the supply of water to any or all customers upon the determination of such District official that emergency termination of water service is required to protect the health and safety of the public.

Section 12: Severability

If any provision of this policy is declared unconstitutional, or the application thereof to any person or circumstances is held invalid, the constitutionality of the remainder of the policy and its applicability to other persons and circumstances shall not be affected thereby.

REQUESTED METER TESTS

Meter tests requested by consumers will be performed. Charges will be the most recent cost of a new meter PLUS \$20.00 to cover time and shipping. The charges will be added to the customers' bill immediately following installation of the new meter. If the meter is found to be in excess of ten percent (10%) slow or in excess of two percent (2%) fast, it is faulty and the customers' account will be credited accordingly.

CONSUMER'S RESPONSIBILITY

Purchase and ownership of any Benefit Unit located in the boundaries of R.W.D. #13 Jefferson County does not give authority to any water patron to conduct work (repairs, replacement, etc.) in the water meter pit. Such work is the sole responsibility of R.W.D. #13 Jefferson County. The water patron will be financially responsible for any and all damage to the equipment caused by the water patron or any representative for the water patron. This bill will be added to the patron's usual monthly water bill which will make it subject to any and all late charges. Dispute of this bill falls under the same terms and conditions set forth in the rules and regulations as the usual monthly water bill.

CHANGE OF OCCUPANCY

It shall be the consumer's responsibility to anticipate changes of occupancy, and to have his Benefit Unit and additional water supply unit(s) transferred to the new consumer as prescribed in the Bylaws. Until the Benefit Unit is formally transferred, the original holder shall be responsible for payment for service. All charges levied against a Benefit Unit must be paid, before the Benefit Unit can be transferred, or service resumed where there has been suspension.

MAIN EXTENSIONS

In extending a water main to serve an applicant, the applicant must deposit in addition to the price of a Benefit Unit, an amount which equals the entire cost of the extension. The extension cost is to be paid to the District prior to accepting the money for the Benefit Unit and before construction begins.

The consideration paid for an extension shall be considered donations to the District and shall in no event and under no circumstances be refunded to the subscriber.

ALL ROAD AND DRIVEWAY CROSSINGS - TYPE B COMPACTING

All road and driveway crossings with gravel surfacing shall be backfilled in loose layers of approximately 12 inches deep and mechanically compacted to a density equal or greater to that of the trench wall. Backfill will be free of rock, large clods, and debris.

SERVICES

The District will install and pay for all water services piped (except for private fire protection) from its mains to the meter on pressure lines. The service line for meters shall not be less than 3/4 inch in size. The District will also install and pay for the District dock, meter, meter setting for pressure lines. The meter will be set in front of the premises to be served or at the closest point on the consumer's premises designated by the District.

COST OF BENEFIT UNITS FOR DEMAND SYSTEM

Benefit Unit cost is set annually by the Board of Directors based on size of service.

ADDITIONAL COSTS

May include but are not limited to Easements, Road Crossings, Rock Clause, and Extensions on a case-by-case basis.

APPLICANTS HAVING EXCESSIVE REQUIREMENTS

In the event an applicant whose water requirements are found to exceed the District's ability to supply it from existing plant without adversely affecting service to other consumers to an unreasonable extent, the District will not be obligated to render such service, unless and until suitable self-liquidating financing is arranged to cover necessary investment in additional plant.

CROSS CONNECTION REGULATION

There shall be no physical connection between any private water system and the water system of the District. Representatives of the District shall have the right at all reasonable hours to enter upon consumer's premises for the purpose of inspection and enforcement of this provision. Violation of this provision shall constitute cause for immediate disconnection of a consumer's service. SEE EXHIBIT A FOR THE FULL CROSS CONNECTION REGULATION.

FIRE HYDRANT POSITION STATEMENT AND FIRE DEPARTMENT USE POLICY

The District has worked with the local fire departments to install hydrants as the distribution capability has expanded, but the overall system design was not engineered for direct fire suppression support.

Some hydrants have been placed on the system by local building codes mandates and are placed where there is inadequate flow for fire suppression activities. With this in mind the District cannot guarantee sufficient water flow for fire suppression activities within the water District.

RWD#13 supports the use of its reserve water capacity to assist local fire departments during fire suppression and fire suppression training operations. The water District also has an obligation to its members to ensure that adequate precautions are taken to prevent damage to the District equipment and assets.

RWD#13 will allow local fire departments the use of District water from its hydrants at no charge under the following conditions:

- The water is used for fire suppression, fire suppression training, emergency, or safety reasons
- The water District is notified of water use in a reasonable time frame
- A slow acting screw type fire department hydrant gate valve is connected at the hydrant
- Only soft fire hose is connected to the gate valve
- No more than one hydrant on the same distribution line is used at one time
- The preferred use is using system pressure to fill fire apparatus
- Direct pumping from District hydrants is prohibited

HISTORY OF CHANGES

Unanimously adopted at a meeting of the Board of Directors, held January 4, 1974, at Oskaloosa, Kansas, with five members of the Board of Directors present.

Revised Rules and Regulations unanimously adopted at a meeting of the Board of Directors, held May 21st, 1998, at the District's office, 1951 Wellman Road, Lawrence, Kansas 66044, with six members of the Board of Directors present.

Second revised Rules and Regulations unanimously adopted at a meeting of the Board of Directors, held April 20th, 2000, at the District's office, 1951 Wellman Road, Lawrence, Kansas 66044, with five members of the Board of Directors present.

Third revised Rules and Regulations unanimously adopted at a meeting of the Board of Directors, held January 18th, 2001, at the District's office, 1951 Wellman Road, Lawrence, Kansas 66044, with six members of the Board of Directors present.

Fourth revised Rules and Regulations unanimously adopted at a meeting of the Board of Directors, held September 20th, 2001, at the District's office, 1951 Wellman Road, Lawrence, Kansas 66044, with five members of the Board of Directors present.

Fifth revised Rules and Regulations unanimously adopted at a meeting of the Board of Directors held December 15, 2009, at the District's office, 1951 Wellman Road, Lawrence, Kansas 66044, with six members of the Board of Directors present.

Sixth revised Rules and Regulations unanimously adopted at a meeting of the Board of Directors held July 20, 2010, at the District's office, 1951 Wellman Road, Lawrence, Kansas 66044, with six members of the Board of Directors present.

Seventh revised Rules and Regulations unanimously adopted at a meeting of the Board of Directors held July 19, 2012, at the District's office, 1951 Wellman Road, Lawrence, Kansas 66044, with five members of the Board of Directors present.

Eighth revised Rules and Regulations adopted with a vote of 5-1 at a meeting of the Board of Directors held August 16, 2012, at the District's office, 1951 Wellman Road, Lawrence, Kansas 66044, with six members of the Board of Directors present.

Ninth revised Rules and Regulations adopted with a vote of 6-0 at a meeting of the Board of Directors held December 19, 2013, at the District's office, 1951 Wellman Road, Lawrence, Kansas 66044, with six members of the Board of Directors present.

Tenth revised Rules and Regulations adopted with a vote of 6-0 at a meeting of the Board of Directors held July 17, 2014, at the District's office, 1951 Wellman Road, Lawrence, Kansas 66044, with six members of the Board of Directors present.

Eleventh revised Rules and Regulations adopted with a vote of 7-0 at a meeting of the Board of Directors held October 16, 2014, at the District's office, 1951 Wellman Road, Lawrence, Kansas 66044, with seven members of the Board of Directors present.

Twelfth revised Rules and Regulations adopted with a vote of 6-0 at a meeting of the Board of Directors held December 18, 2014, at the District's office, 1951 Wellman Road, Lawrence, Kansas 66044, with six members of the Board of Directors present.

Thirteenth revised Rules and Regulations adopted with a vote of 6-0 at a meeting of the Board of Directors held September 17, 2015, at the District's office, 1951 Wellman Road, Lawrence, Kansas 66044, with six members of the Board of Directors present.

Fourteenth revised Rules and Regulations adopted with a vote of 5-1 at a meeting of the Board of Directors held April 20, 2017, at the District's office, 1951 Wellman Road, Lawrence, Kansas 66044, with seven members of the Board of Directors present.

Fifteenth revised Rules and Regulations adopted with a vote of 4-0 at a meeting of the Board of Directors held July 20, 2017, at the District's office, 1951 Wellman Road, Lawrence, Kansas 66044, with five members of the Board of Directors present.

Sixteenth revised Rules and Regulations adopted with a vote of 5-0 at a meeting of the Board of Directors held July 15, 2021, at the District's office, 1951 Wellman Road, Lawrence, Kansas 66044, with five members of the Board of Directors present.

Seventeenth revised Rules and Regulations adopted with a vote of 5-1 at a meeting of the Board of Directors held August 19, 2021, at the District's office, 1951 Wellman Road, Lawrence, KS 66044, with six members of the Board of Directors present.

Original Copy
Signed by
Ruby Wiggins, Secretary

Revised Copy
Signed by
Arnie Morgison, Chairman
George Swisher, Secretary

Second Revised Copy
Signed by
Larry Means, Chairman
Anne Bracker, Secretary

Third Revised Copy
Signed by
Larry Means, Chairman
Anne Bracker, Secretary

Fourth Revised Copy

Fifth Revised Copy

Signed by
Ken Albrecht, Chairman
Anne Bracker, Secretary

Signed by
George Pogge, Chairman
Ronald Schneider, Secretary

Sixth Revised Copy
Signed by
John Fales, Vice-Chairman
Debby Smith, Secretary

Seventh Revised Copy
Signed by
Debby Smith, Acting Chairperson

Eighth Revised Copy
Signed by
Mike Stieben, Chairman
Debby Smith, Secretary

Ninth Revised Copy
Signed by
John Fales, Vice-Chairman
Debby Smith, Secretary

Tenth Revised Copy
Signed by
John Fales, Chairman
Debby Smith, Secretary

Eleventh Revised Copy
Signed by
John Fales, Chairman
Debby Smith, Secretary

Twelfth Revised Copy
Signed by
John Fales, Chairman
Debby Smith, Secretary

Thirteenth Revised Copy
Signed by
Gordon A. Brest, Chairman
Debby Smith, Secretary

Fourteenth Revised Copy
Signed by
Gordon A. Brest, Chairman
Debby Smith, Secretary

Fifteenth Revised Copy
Signed by
Gordon A. Brest, Chairman

Sixteenth Revised Copy
Signed by
Gordon A. Brest, Chairman
George Pogge, Secretary

Seventeenth Revised Copy
Signed by
Andrew Breuer, Vice Chairman
George Pogge, Secretary

Eighteenth Revised Copy
Signed by
Gordon A. Brest, Chairman
George Pogge, Secretary

Cross Connection Regulation

Rural Water District No. 13, Jefferson County, Kansas

This regulation was adopted by Jefferson County Rural Water District #13, hereafter referred to as the "water utility", in order to protect the water supplied to its patrons and in conformity with Kansas Administrative Regulation 28-15-18. This public water supply system is operated by the district in compliance with the policies and regulations of the Kansas Department of Health & Environment, hereafter referred to as the "KDHE". The purpose of this Cross Connection Regulation is to prevent the contamination of the water supply by potential cross connection sources.

Section I. Definitions. The following definitions shall apply in the interpretation and enforcement of this regulation:

1. Air gap separation means the unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device and the overflow level rim of the receptacle, and shall be at least double the diameter of the supply pipe measured vertically above the flood level rim of the vessel, but in no case less than one inch.
2. Approved tester means a person qualified to make inspections; to test and repair backflow prevention/cross connection control devices; and who is approved by the district.
3. Authorized representative means any person designated by the district to administer this cross connection control regulation.
4. Auxiliary water supply means any water source or system, other than the district, that may be available in the building or premises. This does not include other KDHE permitted public water supply systems.
5. Backflow means the flow other than the intended direction of flow, of any foreign liquids, gases, used water or substances into the distribution system of a public water supply system.
6. Backflow prevention device means any device, method, or type of construction intended to prevent backflow into the public water supply system.
7. Consumer means any individual, firm, partnership, corporation, or agency or their authorized agent receiving water from the district.
8. Contamination means an introduction of any sewage, process fluids, chemicals, wastes or any other substance that would be objectionable. Contamination may be a threat to life or health, or may cause an esthetic deterioration, color, taste or odor.
9. Cross connection means any physical connection or arrangement between two (2) otherwise separate piping systems; one of which contains potable water of the public water supply system, and the second, water of unknown or questionable safety, or steam, gases, chemicals, or substances whereby there may be backflow from the second system to the public water supply system. No physical cross connection shall be permitted between a public water supply system and an auxiliary water supply system.

10. Degree of hazard means an evaluation of the potential risk to public health and the adverse effect of the hazard upon anyone using the water.
11. Health hazard means any condition, device, or practice in the public water supply system that could create or may create a danger to the health and well-being of anyone using the water or allow contamination of the water.
12. Public water system means the water supply source, distribution system and appurtenances to the service meter operated as a public utility that supplies potable water to the consumers' water systems.
13. Public water supply system means the public water system and the consumers' water systems.
14. Consumer's water system means all service pipes, all distribution piping and all appurtenances beyond the service meter of the public water system.
15. Service connection means the terminal end of the service line from the public water system. If a meter is installed at the end of the service, then the service connection means the downstream end of the meter.

Section II. Cross Connection Control General Regulation

A. Purpose. The purpose of this regulation is:

1. To protect the public water supply system from contamination.
2. To promote the elimination, containment, isolation, or control of cross connection between the public water supply system and non-potable water systems, plumbing fixtures, and industrial process systems or other systems which introduce or may introduce contaminants into the public water system or the consumer's water system.
3. To provide for the maintenance of a continuing program of cross connection control which will prevent the contamination of the public water supply system.

B. Application. This regulation shall apply to all consumers' water systems. The district may also require cross connection control devices at the service connections of other KDHE permitted public water supply systems served by the district.

C. Intent. This regulation will be reasonably interpreted by the district. It is the intent of the district to recognize the varying degrees of hazard and to apply the principle that the degree of protection shall be commensurate with the degree of hazard.

If, in the judgment of the district or its authorized representative, cross connection protection is required through either piping modification or installation of an approved backflow prevention device, due notice shall be given to the consumer. The consumers shall immediately comply by providing the required protection at their personal expense. Failure or refusal or inability on the part of the consumer to provide such protection shall constitute grounds for the discontinuation of water service to the premises until such protection has been provided.

Section III. Cross Connections Prohibited

- A. No water service connection shall be installed or maintained to any premises where actual or potential cross connections to the public water supply system may exist unless such actual or potential cross connections are abated or controlled to the satisfaction of the district or its authorized representative.
- B. No connection shall be installed or maintained whereby an auxiliary water supply may enter a public water supply system.

Section IV. Survey and Investigations

- A. The consumer's premises shall be open at all reasonable times to the district or its authorized representative, for the conduction of surveys and investigations of water use practices within the consumer's premises to determine whether there are actual or potential cross connections in the consumer's water system.
- B. On request by the district or its authorized representative, the consumer shall furnish requested information on water use practices within his premises and in the consumer's water system.
- C. On request by the district or its authorized representative, the consumer shall conduct periodic surveys of water use practices on the premises of the consumer's water system to determine whether there are actual or potential cross connections. The consumer shall provide the survey results to the district or its authorized representative.

Section V. Where Protection is Required

- A. An approved backflow prevention device shall be installed on each service line to a consumer's water system serving premises where, in the judgment of the district or its authorized representative or the KDHE, actual or potential cross connections exist. The type and degree of protection required shall be commensurate with the degree of hazard and/or type of contamination that may enter the public water supply system.
- B. An approved air gap separation or reduced pressure principle backflow prevention device shall be installed at the service connection or within any premises where, in the judgment of the district or its authorized representative or the KDHE, the nature and extent of activities on the premises, or the materials used in connection with the activities, or materials stored on the premises, would present a health hazard or contamination of the public water supply system from a cross connection. This includes but is not limited to the following situations:
 - 1. Premises having an auxiliary water supply, unless the quality of the auxiliary supply is acceptable to the district or its authorized representative and the KDHE.
 - 2. Premises having internal plumbing arrangements, which make it impractical to ascertain whether or not, cross connections exist.
 - 3. Premises where entry is restricted so that inspections for cross connections cannot be made with sufficient frequency or at sufficiently short notice to assure the cross connections do not exist.
 - 4. Premises having a repeated history of cross connections being established or re-established.

5. Premises, which due to the nature of the enterprise therein, are subject to recurring modification or expansion.
 6. Premises on which any substance is handled under pressure so as to permit entry into the public water supply system, or where a cross connection could reasonably be expected to occur. This shall include the handling of process waters and cooling waters.
 7. Premises where toxic or hazardous materials are handled.
- C. The following types of facilities fall into one or more of the categories or premises where an approved air gap separation or reduced pressure principle backflow prevention device may be required by the district or its authorized representative or the KDHE to protect the public water supply and must be installed at these facilities unless all hazardous or potentially hazardous conditions have been eliminated or corrected by other methods to the satisfaction of the district or its authorized representative and the KDHE:
1. Agricultural chemical facilities
 2. Auxiliary water systems, wells
 3. Boilers
 4. Bulk water loading facilities
 5. Car washing facilities
 6. Chemical manufacturing, processing, compounding or treatment plants
 7. Chill water systems
 8. Cooling towers
 9. Feedlots
 10. Fire protection systems
 11. Hazardous waste storage and disposal sites
 12. Hospitals, mortuaries, clinics or others as discovered by sanitary surveys
 13. Irrigation and sprinkler systems
 14. Laundries and dry cleaning
 15. Meat processing facilities
 16. Metal manufacturing, cleaning, processing and fabricating plants
 17. Oil and gas production, refining, storage or transmission properties
 18. Plating plants
 19. Power plants
 20. Research and analytical laboratories
 21. Sewage and storm drainage facilities--pumping stations and treatment plants
 22. Veterinary clinics

Section VI. Backflow Prevention Devices

Any backflow prevention device required by this regulation shall be of a model or construction approved by the district or its authorized representative and the KDHE.

1. Air gap separation to be approved shall be at least twice the diameter of the supply pipe, measured vertically above the top rim of the vessel, but in no case less than one inch.
2. Double check valve assemblies or reduced pressure principle backflow prevention devices shall appear on the current list of approved backflow prevention devices established by the KDHE, unless the device was installed at the time this regulation was passed and complies with required inspection and maintenance.

Section VII. Installation

- A. Backflow prevention devices required by this regulation shall be installed at a location and in a manner approved by the district or its authorized agent. All devices shall be installed at the expense of the water consumer, unless the district or its authorized representative agrees otherwise.
- B. Backflow prevention devices installed at the service connection shall be located on the consumer's side of the water meter, as close to the meter as is reasonably practical, and prior to any other connection.
- C. Backflow prevention devices shall be conveniently accessible for maintenance and testing, protected from freezing, and where no part of the device will be submerged or subject to flooding by any fluid. All devices shall be installed according to manufacturers' recommendations.

Section VIII. Inspection and Maintenance

- A. The consumer is required by this regulation to inspect, test, and overhaul backflow prevention devices in accordance with the following schedule or more often as determined by the district or its authorized representative.
 - 1. Air gap separations shall be inspected at the time of installation and at least monthly.
 - 2. Double check valve assemblies shall be inspected and tested for tightness at the time of installation and at least every twelve months thereafter. They shall be dismantled, inspected internally, cleaned, and repaired whenever needed and at least every thirty months.
 - 3. Reduced pressure principle backflow prevention devices shall be inspected and tested for tightness at the time of installation and at least every twelve months thereafter. They shall be dismantled, inspected internally, cleaned, and repaired whenever needed and at least every five years.
- B. Inspections, tests, and overhauls of backflow prevention devices shall be made at the expense of the consumer and shall be performed by an approved tester.
- C. Whenever backflow prevention devices required by this regulation are found to be defective, they shall be repaired or replaced without delay at the expense of the consumer.
- D. The consumer must maintain a complete record of each backflow prevention device from purchase to retirement. This shall include a comprehensive listing that includes a record of all tests, inspections, and repairs. All records of inspections, tests, repairs, and overhauls shall be provided within 30 days to the district or its authorized representative.
- E. All backflow prevention devices shall have a tag showing the date of the last inspection, test, or overhaul or other maintenance.
- F. Backflow prevention devices shall not be bypassed, made inoperative, removed, or otherwise made ineffective without specific authorization by the district or its authorized representative.

Section IX. Violation and Penalties

- A. The district or its authorized representative shall deny or discontinue the water service to any premises or any consumer wherein any backflow prevention device required by this regulation is not installed, tested, and maintained in a manner acceptable to the district or its authorized representative, or if it is found that the backflow prevention device has been removed or bypassed, or if an unprotected cross connection exists.
- B. Water service to such premises shall not be restored until the consumer is in compliance with this cross connection regulation to the satisfaction of the district or its authorized representative.

Section X. Devices

The following devices are recognized for cross connection control and backflow prevention by the KDHE.

Air Gap

Gap must be two pipe diameters (in no instance less than one inch). Must be inspected annually. Satisfactory for any material. Whenever practical, this is the control method of choice.

Reduced Pressure Principle Backflow Preventer

Contains two specifically designed, soft seated, independently acting check valves with a reduced pressure zone (with relief valve) between the two checks. Shut off valves before and after the device. Satisfactory for most toxic materials. Significant pressure loss. (10 psi or more) Must be tested and inspected annually. Repaired as necessary.

Double Check Valve Assembly

Contains two soft-seated independently acting check valves in series. Shut off valves before and after device. Adequate for non-toxic applications only. Minor pressure loss. Must be inspected and tested annually. Repaired as necessary.

Pressure Vacuum Breaker

Must be installed a minimum of 12 inches above highest point of usage. No backpressure, only back siphonage. Can operate under constant pressure. Shut off valve can be located beyond the vacuum breaker. Must be inspected and tested annually. Repaired as necessary.

Atmospheric Vacuum Breaker

Must be installed a minimum of 6 inches above highest point of usage. No backpressure, only back siphonage. Not for use under constant pressure. Shut off valves must be located ahead of vacuum breaker. Must be inspected annually and repaired as necessary.