

RULES AND REGULATIONS
for the
RIDGEWOOD WATER DISTRICT
1876 Spruce Rd.
Woodland Park, CO 80863

These Rules and Regulations are hereby established for the administration, control, and operation of the Ridgewood water system under powers granted to the Ridgewood Water District by Colorado Statutes. If any terms, terminology, phraseology or section contained herein conflicts with said statutes, the applicable State statute shall govern.

Any section of these regulations may be changed by consent of the majority of the members at any special or regular meeting of the Board of Directors of the Ridgewood Water District.

Whenever the following terms are used, they will be understood to have the meanings given below:

- a. "Board" shall mean the legally elected Board of Directors of Ridgewood Water District, Teller County, Colorado.
- b. "Treasurer" shall indicate the Treasurer of Ridgewood Water District.
- c. "Secretary" shall indicate the Secretary of Ridgewood Water District.
- d. "President" shall indicate the President and the Chairman of the Board of Directors of the Ridgewood Water District or a person acting in that capacity.
- e. "Vice-President" shall indicate the Vice-President of the Board of Directors of the Ridgewood Water District and will act as the President or Chairman of the Board of Directors in the absence of the President.
- f. "Employee" shall indicate any employee hired by the board but does not include any member of the Board.
- g. "RWD Operator" shall indicate the duly certified, Licensed Water Operator.
- h. "RWD" shall indicate Ridgewood Water District.
- i. "HOA" shall indicate the Ridgewood Homeowner's Association, which is not affiliated with the RWD.

1. WEBSITE:

The website for the RWD is <http://ridgewoodwater.org/>. A link to these Rules and Regulations can be found under the "Water District Info" section and can be downloaded from there. Patrons can also find news updates about RWD system status, activities and projects, along with newsletters and legal postings. The "**Bill Pay**" link will direct you to the State of Colorado bill pay portal to make payments online. Refer to **Section 30** for additional payment options.

2. RWD DIRECTORS:

The Board of the RWD shall be comprised of seven (7) members who are registered voters of Colorado and residents of the water district or owners of real property in the district. A quorum (4 members) is required at a meeting of the Board for a vote or approval of an official action. Board members may receive compensation for their work on the board not to exceed \$2400 per year or up to \$100 per meeting (HB17-1297).

Duties of the officers of the Board include:

PRESIDENT – The President of the Board shall conduct all meetings. As a representative of the District, the President is authorized to make civil or criminal complaints, or both, relative to any violation of these Rules and Regulations upon motion made, seconded and passed at a meeting of the Board where a quorum is in attendance

VICE PRESIDENT – The Vice President takes the place of the President whenever the President is

unable to perform their appointed duties.

SECRETARY – The Secretary shall be responsible for keeping records of minutes of all Board meetings and shall deliver a copy of the draft minutes from the previous Board meeting to each Board member no later than two days prior to the next Board meeting. It shall be each Board member’s responsibility to carefully review said minutes for a vote of approval, provide comments or recommend additions, or to discuss possible discrepancies that may need to be remedied. Changes or additions may be agreed upon by voice vote for approval at the current meeting. The Secretary is responsible for publication and/or posting of notices of regular and special Board meetings, Approved meeting minutes, and any other notice required by state or county law.

TREASURER – The Treasurer shall be responsible to ensure that all records are accurately and meticulously kept and audited. The Treasurer will oversee the sending of all water bills to the consumer and pay all RWD bills. The treasurer will present all bills and contracts over \$2000.00 to the Board for approval before issuing payment. In the event of nonpayment of a patron’s water bill, the Treasurer will inform the Board, and they will take necessary action for collection.

MEMBERS AT LARGE – All other members of the Board shall attend regular and special meetings, vote on issues/proposals, and engage in various activities and/or special projects as need arises.

3. RWD ATTORNEYS:

The RWD Board is authorized to retain an attorney or attorneys for RWD business. Attorney fees (to include the attorney’s retainer) shall be paid from the RWD operating budget.

4. PURCHASE OF SUPPLIES AND SERVICES, ETC:

The Board shall purchase all supplies and services required by the RWD. Except for emergency needs, no board member shall approve purchase of supplies or contract repairs over \$500.00 without a vote from the majority of the Board.

The Treasurer shall audit and approve all bills and accounts for payment. The Treasurer shall sign all checks and contracts of any nature. The treasurer will present all bills and contracts of \$2000.00 and over to the Board for approval before issuing payment.

The Board may execute contracts with independent contractors for the positions of Meter Reader, RWD Operator, and others as needed for the operation of the RWD, and negotiate compensation, duties, and hours.

The Board may suspend or remove any employee or independent contractor for RWD whenever in its judgment, the public interests demand or will be better served thereby.

5. MEMBERSHIP IN THE DISTRICT:

All properties within the boundaries of the RWD are automatically members of the district and are responsible for paying the tap fee upon connection to the district’s system. Property owners desirous of leaving the RWD must obtain approval from the State of Colorado (e.g. a valid well permit) and the RWD Board. No services will be extended beyond the boundaries of the RWD except as provided by Colorado Revised Statutes.

6. PATRON WATER USAGE AGREEMENT:

For homes connecting to RWD system (with tap fee already paid), within at least four working days advance notice to the Board, a RWD Patron’s Water Usage Agreement shall be signed by the applicant (both patron and property owner if property is being leased) to abide by and accept all provisions of these Rules and Regulations and conditions governing the use of water pursuant to District policies, directives, or

agreements. Patrons and property owners must have a current Patron Water Usage Agreement on file with the RWD.

No water from the RWD system shall be turned on for services into any premises by any person other than a Board member, the RWD Operator, or their designee. Inspection or testing for leaks may be required prior to turning on water service.

7. WATER TRANSFER FEE:

When a property transfers ownership, there will be a \$25.00 Water Transfer Fee. This fee is typically paid during closing with the mortgage company or transaction broker. If this fee is not paid for at the time of closing, there is a 10-day grace period to pay this fee directly to the District. A new Patron Water Usage Agreement is also required when a property transfer occurs. Refer to **Section 6**.

8. RESALE PROHIBITED:

No water shall be resold or distributed by the recipient thereof from the RWD to any other premises other than that for which application has been made and a meter installed.

9. WATER IS FOR INDOOR PERSONAL USE ONLY:

The District's water is limited to household use only by the well permit issued to the District by the Colorado Division of Water Resources. No patron shall be permitted to waste or misuse water. This includes, but not limited to uses such as:

- Landscaping or gardens which would require irrigation, watering, or sprinkling
- Any water use for commercial purposes
- Washing of motor vehicles
- Filling of swimming pools

There may be other outdoor uses not listed that would be considered the wasting of water and contrary to these Rules and Regulations.

10. MAXIMUM USAGE PER MONTH:

Each patron of the District is limited to 12,000 gallons of maximum usage per month (MUPM). If there is an extenuating circumstance where the patron needs to exceed this limit, a request can be made for consideration by the Board, either in a regular meeting or special meeting. If a patron exceeds the MUPM **without requesting** consideration and approval by the Board, the service shall be turned off per **Section 25**. See **Section 32** for Catastrophic Water Loss.

11. INSPECTIONS:

All properties or premises upon which RWD water is used may be open to inspection by the RWD to inspect for leaks, investigate water theft, or for any other reason to maintain the integrity of the water system.

12. SIZE OF SERVICE:

In order to assure proper pressures and flows to patrons and to protect patrons against inadequate service, the minimum size of the service line shall be $\frac{3}{4}$ inch with a maximum size of 1" and shall be "K" copper (or alternative material as approved by the RWD Operator), and shall be installed at a minimum of not less than seven feet below ground level. The service line shall be equipped with a water meter/service valve as outlined in **Section 18**.

The owner is encouraged to have an engineer, plumber, or architect size the service line based on the water fixture unit count of the residence. The RWD will not provide this service.

13. FEES FOR TAPS:

Fees shall be charged for permission to tap a service line into a water main in conformance with the following schedule:

1" or ¾ inch diameter service = \$5,000

Inspection/connection fee = \$200.00

Any and all additional costs incurred to tie into the main distribution line.

The patron shall be required to pay the tap fee in advance of service installation.

Tap fees may not be paid by any property owner prior to the submission of their building plans to the HOA Architectural Control Committee and approved by the HOA body. The property owner shall submit evidence of this approval to the Board once obtained, and prior to payment of the tap fees. The RWD has no authority to enforce the Ridgewood HOA rules and regulations. Therefore, a variance from this rule and obligation may be applied for by the owner and could possibly be granted by the RWD Board. If a variance is granted by the RWD Board, it does not absolve the property owner from complying with the Ridgewood HOA rules and regulations, as contracted when the property owner purchased their property. The Board shall honor all previously paid tap fees at the rate that was in effect at the time the tap fee was paid.

14. CODE COMPLIANCE AND QUALIFIED INSTALLATION REQUIRED:

No water shall be turned on for service in a premises in which the plumbing does not comply with the plumbing code that was adopted and in effect by the ruling jurisdiction (the Teller County Building Department), and other such plumbing codes, rules, regulations and by-laws that were in force in the District at the time the plumbing was installed, upgraded or modified. Water may be turned on for construction work in unfinished residences, subject to potential rate changes as outlined in **Section 29**.

15. SERVICE LINE INSTALLATIONS:

Only a qualified excavator or installer approved by the RWD shall install the water service line. This installation shall be made under the supervision of the Board or the RWD Operator. No connections shall be covered (buried) until the work has passed inspection by the Board or the RWD Operator. Service line connections from the water main, including the water meter/curb stop, service meter pit, and remote readout shall be supervised by the RWD. The initial connection (i.e., new service line) will be done at the expense of the homeowner, except that the RWD will supply the meter pit, water meter, and remote readout. These same components shall be repaired and upgraded as warranted and determined by the RWD. The connection from the residence to the water meter/curb stop shall be installed and/or repaired at the expense of the property owner. Any work performed within the service meter pit itself shall be supervised by the RWD and may be performed by the RWD or its contractors.

16. EXCAVATIONS:

Excavations for installing service lines or repairing of the same, when within the road right-of way of a dedicated county road, shall comply with the Teller County Department of Transportation.

17. EASEMENTS:

If any installation is required on property not within an established right of way, and not on the service customer's property, the customer shall be responsible for the installation, and shall be solely responsible for securing and assigning to the District all necessary easement rights to ensure perpetual access for installation, repairs, updates, and maintenance of the that water infrastructure.

18. SERVICE VALVES WITH WATER METER AND METER PIT REQUIRED:

A RWD-approved service valve (aka "water meter/curb stop") shall be placed on every new service line inside a 7-foot deep water meter pit at or near the patron property line, or at a suitable location as determined by the

RWD. Adjacent to the pit will be a 4"x4" post set in the ground. It will have a remote readout attached, which is where subsequent water meter reading will be taken electronically.

Any routine maintenance to the service valve, meter pit, or remote readout shall be the responsibility of the RWD. If the meter pit, water meter/service valve, remote readout, or 4"x4" post is damaged by the homeowner (for example from a vehicle or from snow removal), the cost of repairs will be charged to the homeowner.

19. LANDSCAPING AND VEGETATION AROUND METER PITS:

Landscaping and planting of vegetation around the meter pit is discouraged. Only native growth, xeriscaping and/or slow growing, low maintenance plants shall be allowed. Easy access to the meter pit shall be maintained at all times. The RWD at its discretion can remove any vegetative growth and/or landscaping around the meter if needed for maintenance or repairs, or if it is deemed to be detrimental to the access or performance of the meter pit or water service. The RWD will not reimburse any patron for such removal.

20. BACKFLOW PREVENTION:

"Backflow" is the flow of water or other liquids into the distribution mains of the District's water system, and is a potential source for district-wide water system contamination. Where a potential for backflow is present from a property's connection, a protective device(s) or system(s), as may be prescribed by the District and/or State Regulation, and shall be installed to prevent its occurrence at the property owner's expense. The District retains the right to enter onto any property within the District to determine whether a backflow prevention device is installed or necessary, if the District suspects that backflow may be occurring.

21. CROSS CONNECTIONS:

Piping of water from sources not controlled by the RWD, such as private wells and water tanks, shall not be permitted to be connected to the District's water system.

22. REPAIRS AND LEAKS:

Repairs from the water main up to and including the water meter/service valve, meter pit, shall be repaired at the expense of the RWD, providing that the repair is not the result of the property owner's actions. If emergency repairs are required to remedy any leaks from the water meter/service valve to the residence (on the "service" side of the meter/service valve), the owner of the premises shall repay all costs of such work to RWD. Any repairs to leaking service lines as outlined above must be completed within 30 days of the discovery of the leak unless extenuating circumstances are presented to the Board. MUPM applies per **Section 10**. RWD may, in the case of an unresolved leak, turn off the water to the premises until the leak is repaired to preserve the integrity of the water delivery system. Water service shall be restored only when required repair charges, fees or arrears are paid in-full.

23. TAMPERING PROHIBITED AND UNLAWFUL:

It is unlawful for any person not authorized by the Board to tamper with, alter or damage any part of the waterworks, supply system, or established water service lines or appurtenances. Such actions shall be referred to the appropriate legal authority for further investigation, and may result in criminal charges being filed.

24. PROPERTY DAMAGE:

Any person who digs up, cuts, breaks, or in any manner damages or disturbs the pipeline or any of the pipes through which the RWD supplies water, or performs unauthorized taps on any of the pipes without authority and license to do so from the Board, may be liable for prosecution to the full extent of the law and shall reimburse RWD the full costs of corrective action, along with all costs of collection, including but not limited to reasonable attorney's fees.

25. SHUTTING OFF WATER SERVICE BY RWD:

The RWD reserves the right to shut off water from the mains when it deems necessary for repairs to any portion of the system, for necessary maintenance, to make connections or extensions, if the MUPM is exceeded per **Section 10**, or to clean the system, and it shall not be held liable to any person for failure to supply water for these or other causes related to the integrity of the system, nor on that account shall make any refund or reductions in the water bills. When possible, patrons affected by a water outage will be notified in advance.

The RWD can shut off and turn on water service if voluntarily requested by the patron. There will be a service fee of \$25.00 for each request to either turn on or turn off the water service. A \$75.00 fee will be assessed if the water service request is urgent and must be made between the hours of 5:00PM and 9:00AM and weekends. Fees will be waived if the shut off request is due to a water leak.

26. UNAUTHORIZED SERVICE:

If the water is turned off from any premises and the owner or occupant unlawfully turns the water on or causes the water to be turned on without permission of the Board, the Board may permanently disconnect water service to the residence from the water main and pursue appropriate legal action, including all fees based on the use of the water when a meter reading is possible. A connection fee will be charged to the homeowner upon resumption of water service per **Section 13**.

27. METER READING:

The RWD shall read every water meter used in the RWD for billing purposes. If it is found that the service meter or external remote readout is malfunctioning, for billing purposes the RWD may use the patron's monthly average from the previous three months for that month's bill.

28. UNCONTROLLED ANIMALS:

For the safety of the Meter Reader and others who may be on or near a property, it is advised that animal owners become familiar with Teller County Animal Control Ordinance #14 regarding statutory authority over animal control. Teller County Animal Control is a division of the Teller County Sheriff's Office. This ordinance and other relevant information are posted on their website and is available at their offices. Teller County ordinances can be found at: <https://www.tellercountysheriff.com/county-ordinances>

29. ESTABLISHING RATES AND FEES:

The Board at any regular or special meeting may review and set rates for water usage as necessary from time to time consistent with the procedure set forth in Colorado statutes. Fees may be added to patron's bills as needed to cover current and future capital projects and emergency water purchases and emergency repairs exceeding the annual budget. Due to the 1999 election approval of patrons, the RWD can accumulate unspent service income and fees (often called "de-Brucing"). With a majority approval of patrons voting at a scheduled election, assessments to repay loans, bonds, or indebtedness may be added to patron bills, or to the mill levy collected by Teller County, according to Colorado State Laws.

30. BILLING:

Water meters will be read by the RWD Meter Reader or designee on or near the first of the month. The RWD shall make every reasonable attempt to send the bills as quickly as they can, with the goal of the patron receiving the bill no later than the 10th of each month, if at all possible, so that the bills are promptly received, with the payment terms as outlined on the billing:

Payable on Receipt

If payment for current water services has not been RECEIVED by the 25th of the month in which it was issued,

such payment will be deemed “Past Due” and the water patron will be assessed a \$15.00 late fee. Please ensure that payments are mailed to the above listed post office box. [in the upper left-hand corner of the bill] Failure to do so may result in your payment being delayed and subject to the late fee.

Reminder: The PO Box address is for payments only. Payments can also be made at the online payment website. Any and all other correspondence should be addressed to: Ridgewood Water District, 1876 Spruce Road, Woodland Park, CO 80863, or email to ridgewoodh2o@gmail.com

Refer to **Section 1** for the **online payment option** available from the RWD website.

31. NON-PAYMENT OF BILL:

If payment for current water services has not been received by the 25th of the month in which it was issued, such payment will be deemed “Past Due” and the water patron will be assessed a \$15.00 late fee, as set forth by State statute. Failure to bring an account current will result in subsequent \$15.00 late fees for every additional month the billing remains delinquent, which will be added to the patron’s monthly billing until payments are fully paid by the monthly due date of the most recent month’s billing period.

If the amount considered “Past Due” has not been received within sixty (60) days from the date the Patrons account became “Past Due”, or the “Past Due” balance exceeds \$1000, the Patron and the property owner (if the property is rented/leased) will be given written notice of a hearing before the Board. The notice will contain the name(s) of the person(s) responsible, the amount that is “Past Due”, and the date of the hearing. Such notice will either be hand delivered or sent by regular or certified mail to the last known address of record. At that hearing, the Board will determine, by a majority vote, if the water service will be shut off. This will be an official meeting of the Board and minutes will be recorded. If the Patron or the property owner is not present at the hearing the water service may be shut off without notification. Service will only be reconnected after the payment of the following:

1. The total “Past Due” amount,
2. A \$200 reconnect fee, and
3. Any miscellaneous contractor fees required for reconnection.

The RWD Treasurer may file a lien upon the premises as provided by Colorado law. In all cases the property owner shall ultimately be held responsible for all outstanding fees, penalties, or charges.

In addition, any delinquent account which is in excess of \$150 and which is at least six months delinquent may be collected in accordance with Section 32-1-1101 (1) (e), C.R.S., by certification to the county treasurer for collection in the same manner as taxes. Such certification shall be made by the Board of Directors to the Treasurer only after notice has been given to the affected parties as set forth in the statute.

32. CATASTROPHIC WATER LOSS:

If a patron exceeds the MUPM per **Section 10** due to an unforeseen plumbing leak or failure of the service line, and not as a direct result of abuse per **Section 9**, the patron may be eligible for a Water Leak Rate Adjustment (WLRA). The WLRA request and documentation of repairs and testing must be received within 30 days of the due date per **Section 30** for the billing period in which the leak occurred. The patron shall continue to pay their monthly water bill per **Section 30** while preparing documentation for the WRLA request, and while the request is being considered by the Board. Submission of a WLRA request **does not** guarantee the WLRA will be made to the account.

The patron must submit proof of repairs and leak testing results. If proof of repair or testing cannot be provided, water consumption must have returned to normal use the following month, and a written statement detailing the steps taken as proof of leak investigation must be provided and attested to by the account holder or agent. Adjustments are limited to two consecutive months and a maximum of three adjustments per

property in a ten year period under the same patron account.

If a WLRA is justified and approved by the Board, the RWD will bill for the MUPM of 10,000 gallons (Tier 10 as set forth in the established rates), and will bill for the excess usage at a Tier 6 rate. A repayment plan may be requested for consideration by the Board.

33. PERSONAL CHECKS:

Personal checks will be accepted for payment of bills. However, if any consumer pays their water bill by personal check and the check is returned for insufficient funds, there will be a service charge of \$65 added to the account of the patron. After the second occasion of a consumer's check being returned due to insufficient funds, future payment must be made by Certified Bank Check, Money Order, through the online bill pay system at www.ridgewoodwater.org, through their financial institution's online bill pay system, or cash.

34. FORECLOSURE OF LIENS:

Pursuant to Colorado statute, until paid, all District fees, rates, tolls, penalties, or charges shall constitute a perpetual lien on and against the property served, and any such lien may be foreclosed in the same manner as provided by the laws of Colorado for the foreclosure of mechanics' liens. Costs shall include not only court costs and expenses but include reasonable attorney's fees as may be set by the court for foreclosure of the lien. Such foreclosure shall be by a civil action in the name of the District.

The attorney for the District is hereby authorized to institute such proceedings, in the name of the RWD, in any court jurisdiction over such matters, as directed by the District Board.

35. VIOLATIONS OF THESE RULES & REGULATIONS:

Any customer who commits a violation of any of these Rules and Regulations or other District policies, directives, or agreements shall be subject to all applicable fees, penalties, and charges for correcting the action and may be subject to water shut-off including all applicable fees for shut-off and resumption of water service. The District retains all legal rights granted by Colorado law and reserves the right to refer any possible criminal matter to the appropriate legal authority for further investigation.