

# McDonald County Public Water Supply District #2

## Service to the Water User

### 1. Applications

All applications for water are to be in the name of the landowner 12/12/19. The applicant must agree to all stipulations spelled out in the water user's agreement. The user's application must be completed at the office. All persons listed on the Deed must sign the user's agreement.

### 2. Water User's Agreement

This agreement (see attached Rate Schedule) set forth the requirements for users to follow the Rules and Regulations and By-laws set forth by the District.

### 3. Readiness to Accept

Before installing a service and/or extension and providing water, the District may require the applicant to pipe his/her service line and be in readiness to accept the service.

In order for a new meter to be set the owner must have access ready for our employees within five business days of the signed user's agreement. Our employees will not cut, undo, or repair/put back together the fence. If you have to obtain access through your neighbor(s) you must let us know where we will be entering and exiting the property with written permission from the neighbor. You will be responsible for any fence maintenance for your neighbor.

If our employees go out to set your meter and they cannot perform their duties because the fence is not out of the way or neighbor access has not been arranged there will be a \$100.00 fee for the dry run.

Our office will make an attempt to call the number you give us to let you know approximately when they will be out to set the meter. Sometimes this may be the morning of. This is an approximate only not a set-in stone.  
Effective 6/10/2021

### 4. Service for the Sole Use of the Water User

The standard water service connection is for the sole use of the water user. It does not permit the extension of pipes to transfer water from one property to any other consumer nor will the user share, resell, or sub meter water to any other consumer. If any emergency or specific situation should make such an arrangement advisable, it shall be done only on/with specific written of the Board of Directors for the duration of the emergency. No more than one resident shall be served by one water service connection. A farm containing one resident and other buildings for use in the farming operations shall be considered as one resident and the water users may use water from one meter for all such buildings; provided that in the event that a farm contains two or more residences, a meter shall be required for each residence, unless the Board shall find such to be an unusual hardship upon the water user, in which case a special agreement may be made concerning such additional residence, and the rules for a multiple-unit dwelling as set forth in these Rules and Regulations shall be applied to determine the rate for such farm containing two residences.

## 5. Hardship Agreement

The District may enter into a special agreement whereby a right of entry is granted to the District to read a meter placed on private property for remotely located residences or remotely located water uses, where the location of the meter as provided in these Rules and Regulation would, in the District's opinion, cause undue hardship and expense on the water user. Such special agreement, but such agreements must be entered into solely at the discretion of the District. The District may in the Alternative apply the multiple-unit residence rule stated in these Rules and Regulations.

## 6. Point of delivery

Water is supplied to the user's meter. All piping, connections and installation for water delivery beyond that point is the obligation of the user.

## 7. 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, connection, extensions, or for the other necessary work. Efforts will be made to notify water user's whenever possible 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 and shall not be liable for losses, which might occur due to interruptions to service for any cause and does not accept responsibility for losses due to failure of the District to notify any water user of any such interruptions.

## 8. Service from Water Main

The District will install all water service pipes from its mains to the meters on property abutting the right-of-way along which the main is installed insofar as its current financial responsibilities, obligations and conditions will permit, and insofar as adequate water pressure is available at the point of delivery requested by the applicant or water user. The service pipe shall not be less than ¾ inch in size and the District will also install and pay for the District's main connection, meter and meter setting. The meter will be set at the point on the water user's premises designated by the District. The charge for services to be made by the District shall be that amount specified in these policies, or as otherwise provided by the Board. But in no event shall it be less than the cost to the District.

The landowner will be responsible from where the pipe exits the pit and the District will be responsible for leakage repair inside the water pit. Anyone repairing their water line causing damage to District Property will be responsible for the cost of all repairs.

If the leak is on the District's side, due to malfunction of our equipment, the District will do an average of the last six month's, from the time the leak was discovered. Upon coming to a Board meeting the amount can be a credit to the account if so approved.

Anyone repairing their water line causing damage to District property will be responsible for the cost of all repairs.

## 9. Right to Inspect

Representatives of the District shall have the right at all reasonable hours to enter upon the water user's premises to read and test meters, inspect piping, and to perform other duties for the maintenance and operation of service, or to remove its meters and equipment upon discontinuance of service by the water user.

## 10. Piping Work to be Inspected

All piping work done in connection with pipe and services connected with the District's main shall be submitted to the inspection of the District before such underground work is covered up. Whenever the District determines that a job of plumbing is obviously defective, although not in direct violation, the District may require that it be corrected before the water will be turned on. The Board may prescribe the type of materials and the standard of workmanship to be followed in enforcing this section.

## 11. Water Requirements for Large Users

Service pipes shall not be connected to the suction side of pumps. The supply for use of a character requiring a large quantity of water within a short period will not be permitted except through intercepting or intermediate storage tanks.

## 12. Check Valves, Flush Valves and Vacuum Breakers

Water users having boilers or hot water systems connected with lines of the District must have a check valve in the supply pipe to the boilers and hot water heating system, together with a release valve at some point between the check valve and the heating system. All water users should be cautioned against danger of collapse of boilers since it is sometimes necessary to shut off the supply of water without notice, and for this reason, a vacuum valve should be installed in the stream lines to prevent collapse in case the water supply is interrupted. The District, however, will not be responsible for accidents or damages resulting from the imperfect action or failure of said valves.

## 13. Cross-Connections and Interconnections

The District will not allow to be made any physical connection in its water supply system to that of any other pipe system or equipment, where such other pipe system or equipment in any manner receives all or any part of its supply of water directly or indirectly from wells, streams, or any source other than that of the water system of the District.

No interconnection or cross-connection, as defined below, shall be permitted without Backflow Prevention. The making, causing or permitting of the installation or existence of any interconnection or cross-connection shall constitute a violation of the Rules and Regulations of the District and such prohibited connection shall be removed forthwith in a manner acceptable to the District and the duly constituted public health officials.

Failure to do so within two (2) days from and after date of notification by the District may result in discontinuance of water service without further notice.

When used in these Rules and Regulations, the following words and phrases shall have meaning herein provided.

- (1) Cross-Connection: A cross-connection is any pipe, valve, or other arrangement or device, connecting the pipe lines of the District or facilities directly or indirectly connected therewith to and with pipes or fixtures supplies with water from any source other than the lines of the District directly connected.

- (2) Interconnections: An interconnection is a plumbing arrangement, other than a cross-connection, by which contamination might be admitted or drawn into the distribution of the District, or into lines therewith, which are used for the conveyance of potable water.

The District shall have the right at all hours to enter upon water user's premises for the purpose of inspection and enforcement of this provision.

#### 14. Applicants Having Excessive Requirements

In the event of an applicant whose water requirements are bound to exceed the District's ability to supply it from existing physical assets without adversely affecting service to other water users, the District will not be obligated to render such service, unless and until suitable financing is provided by the applicant to cover the additional physical assets. The District has no obligation to reimburse the applicant for any physical assets provided.

#### 15. Customer's Duty Regarding Service Lines

The water user's service pipe and all connections and fixtures attached thereto shall be subject to the inspection of the District before the water will be turned on, if the District so elects, and all properties receiving a supply of water and all service pipes, meters and fixtures, including any and all fixtures within any improvements or buildings on said properties, shall at all reasonable hours be subject to inspection by any duly authorized employee or agent of the District.

All service pipes shall be laid at all points at least forty-two (42) inches below the surface of the ground and shall be placed on firm and continuous earth so as to give unyielding and permanent support. They shall not be laid in sewer ditches. It shall be installed in the trench at least 18 inches in horizontal direction, in undisturbed earth, from any other trench wherein are laid gas, sewer pipe, or for other facility public or private. Such service line shall not pass through premises other than that to be supplied unless the District shall so agree in writing.

Water user shall, at this own cost and expense, make all changes in the service pipe required or rendered necessary on account of changes in the street grade, relocation of mains, or other causes.

No fixture shall be attached to, or any branch made in, the service pipe between the main of the District and the meter. Any repairs or maintenance necessary to the service pipe or any pipe or fixture in or upon the water user's premises shall be performed by the water user at his sole expense and risk.

Service pipes must be kept and maintained in good condition and free from all leaks, and for failure to do so the water supply may be discontinued.

The District shall in no event be liable for any damage done or inconvenience caused by reason of any break, leak or defect in, or by water escaping from service pipes, or from fixtures on the premises of the District or water user. The water user shall be billed in the usual manner for the cost of all such water according to the rate schedule of the District as provided for in these Rules and Regulations.

#### 16. No One But District's Employee May Turn Water Off or On

No one but an employee or a person authorized by the District shall turn on water or shut off water to any water user or to any property, except in the case of escaping water.

#### 17. Water Users Requiring Uninterrupted Supply

The District will endeavor to give reasonable service, but does not guarantee a sufficient or uniform pressure, or an uninterrupted supply of water, the water users are cautioned to provide sufficient storage of water where

and absolutely uninterrupted supply must be assured, such as for steam boiler, hot water heating systems, gas engines, etc.

## 18. Fire hydrant

Private fire hydrants may be installed by a written agreement with the District, provided that the District shall take into account all possible cost to the District and charge an equitable price therefore, all cost factors considered. Public fire hydrants may be installed by special agreement with the state, a municipality, political subdivision or political corporation and the District shall take into consideration the same factors when entering such a contract.

In the event that the District undertakes to furnish fire hydrants as part of the service to the water users of the District then all water users of the District shall be furnished with substantially the same degree of benefit from such hydrants and in the event that this is impossible, then those receiving a higher degree of benefit shall pay an additional charge above the rates for water herein provided for, which shall be for such additional benefit. Such rates shall be equitable to all water users and shall depend upon cost studies made by the District's employees or consultants.

The District will not allow fire hydrants in the District due to the system not being able to handle the volume or pressure. **The District is not a Fire Protection District.**

## 19. Meters

Meters Furnished by District: Meters will be furnished, installed, owned, inspected, tested and kept in proper operating condition by the District, without cost to the water user, except that such water user shall pay a connection fee as set forth in these Rules and Regulations, which shall not be refundable. The complete record of tests and histories of meters will be kept if deemed necessary by the District. Meter tests will be made according to methods of the American Waterworks Association by the District as often as deemed necessary by the District..

Meter Accuracy: Service meter errors which do not exceed two per cent (2%) fast or 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 ten per cent (10%) load, unless a water user's rate of usage is known to be practically constant, in which case the error at such constant use will used.

Meter Location: Meters shall be set in an accessible place on the outside of buildings, except where otherwise directed by the District. All meters shall be set horizontally and never connected into a vertical pipe. Meters outside of the buildings shall be placed in meter boxes furnished and installed by the District.

Requested Meter Tests: Meter tests requested by water users shall be performed without cost to the water user if the meter is found to be in excess of two percent (2%) fast. Otherwise, the water user for whom the requested test was made will be charged for the cost of making the test.

Water User's Responsibility: The water user shall be responsible for any damage to the meter installed for his service, for any cause other than normal wear and tear.

## 20. Water User's Bills

The Water District will read the water meters. Billing for water used shall be rendered by the District no later than the 13th day of each month, and the undersigned agrees to pay said bill on or before the last day of the month, or shall be subject to a late charge of \$10.00 or 10% whichever is greater. If the amount previous balance is not paid **before** 3:00 pm on the Monday before the third Tuesday of the month the prev. balance and

the current months bill must be paid in full or is eligible for shut off. If you come in at 9:00 a.m. on the 3<sup>rd</sup> Tuesday the total bill plus a \$75.00 fee must be paid. If you come in to pay and they are there to shut it off or have shut it off you will owe the total bill plus a \$100.00 fee in order to get it back on. **Failure of the Water District to submit a service bill shall not excuse the undersigned from his obligation to pay for the water used when the bill is submitted.** (effective 8/1/2017)

In the event that meters cannot be read at the close of the period for which billing is made because of inclement weather or at the condition of the earth around the meters, which in the opinion of the District makes reading unusually difficult, costly or impossible, then the bills may be estimated by using, at the discretion of the District, either the amount of water used by the water user in the previous billing period, or in the same billing period in the previous year, and the bill for such period shall be based upon such amount of water used. The meter reading and the bill rendered for any period subsequent to a period for which the bill of any water user shall be based upon such amount of water used. The meter reading and the bill rendered for any period subsequent to a period for which the bill of any water user shall be based upon such estimates shall take into account such estimates and such estimates shall be considered the actual amount of water consumed for the period or periods estimated. Estimates may be made in the case of one or more water users or for all water users of the District at the discretion of the District and it shall not be required that all bills be estimated in the event any one (1) or more water users' bill are estimated as herein set forth.

Bills may be submitted on a monthly, bimonthly or quarterly basis as the District may provide and direct in its actions establishing a rate schedule.

If weeds and brush grow up to and or around your meter and we do not have clear access for our employees to do their job you will receive a letter stating what has to be done. If it is not taken care of in a timely manner the following month an additional 10,000 gallon of water plus your average usage will be billed until it is cleaned up and you notify the office. Effective 9/16/2021.

## 21. Discontinuance of Water Service/Reconnect Charges

Water service will be discontinued to any water user or property on account of temporary vacancy of such property upon written request of the water user, without in any way affecting the agreement in force, and upon payment of all charges due as provided in the policies of the District.

In the event that water service is discontinued for any reason other than the temporary vacancy of the property, or in the event that it is discontinued and another source of water supply is used for the property, then reconnection shall be made only in the event that the minimum bill for the period of disconnection shall be paid by the water user or owner of the property. In addition, all previously unpaid bills, plus six percent (6%) interest thereon, shall be paid before reconnection shall be allowed for such water user or property.

In the event that an applicant for water services has purchased or otherwise acquired the property and holds title thereto and the previous landowner had discontinued water service other than because of the temporary vacancy thereof, said applicant shall not be required to pay the above reconnection charges as a result of the conduct or actions of the previous landowner but shall be required to pay only a connection charge of \$25.00 Dollars.

In the case of a water user who had discontinued from the system for a reason other than the vacancy of the property, or in the case of a landowner of such property desiring to restore service, then such water user or landowner shall pay, in addition to the charges above set forth, a reconnection charge of \$25.00 Dollars for reconnecting said property to the system of the District..

Except in the case of failure of the water user to pay the bill owed the District for water service, as set forth in these Rules and Regulation, the District will not discontinue the service of any water user for violation of any

Rule and Regulation of the District,, without written notice of at least two (2) days, mailed to such customer at his address as shown upon the District's records, or personally delivered to the water user or a member of the household, advising the water user what Rule has been violated for which service will be discontinued if the violation is permitted to continue. Provided, however, that where misrepresentation of use of water is detected, or where the District's regulation or measuring equipment has been tampered with, or where a dangerous condition is found to exist on the water user's premises, services may be shut off without notice in advance. **Subject to the foregoing provisions, service rendered under any application, contract or agreement may be discontinued by the District for any of the following reasons:**

- A. For willful or indifferent waste of water due to any cause.
- B. For failure to protect from injury or damage the meter and connections, or for failure to protect and maintain the service pipe, or fixtures on the property of the water user (or the property occupied by the water user) in a condition satisfactory to the District.
- C. For molesting or tampering by the water user, or others with the knowledge of the water user, with any meter, connections, service pipe, curb cock, seal, valve or any other appliance of the District's controlling or regulating the water user's water supply.
- D. For failure to provide the District's employees free and reasonable access to the property supplied, or for obstructing the way of ingress to the meter or other appliances controlling or regulating the water user's water supply.
- E. For non-payment of any account for water supplied, for water service, or for meter or service maintenance, or for any other fee or charge accruing under these Rules and Regulations, the rate schedule of the District.
- F. In case of vacancy of the premises.
- G. For violation of any Rules and Regulations of the District.
- H. For any practice or act prohibited by the Missouri Division of Health.
- I. For failure to allow any District's employee, officer, agent, or representative the right to inspect the water user's premises for any purpose set forth in these Rules and Regulations.
- J. For repetitious conduct the owner has the right to terminate existing service for current and/or future residents. (4/14/2022)

The discontinuance of the supply of water to a property for any reason shall not prevent the District from pursuing any lawful remedy by action at law or otherwise for the collection of monies due from the water user or property owner.

Water will not be turned on to any property unless there is at least one adult person therein at such time to see that all water outlets in the premises are closed to prevent damage by escaping water.

Only an employee, officer or agent of the District may turn on water and all applicants and water users are expressly forbidden to do so. Except in the case of escaping water (leak).

## 22. Agreements with Governmental and Public Bodies

See Clerk for Rules and Regulations # 10

### 23. Change of Occupancy

It shall be the water user's and or the landowner(s) responsibility to anticipate any change of occupancy and pay the balance due to the District. The original water user shall be responsible for payment for services.

### 24. Sale of Property

When a water user sells property with a set meter, said meter shall remain with property and no money shall be refunded. If customer has a credit balance on their account and the final bill has been paid in full a refund check will be mailed.

### 25. Customer with Balance and Moving within the District

Any customer moving from one location to another within the District being landowner or tenant must pay the balance due on the account in full.

If the customer has moved into a rental location and has not paid their previous balance at their previous location the current landowners of the rental property are not held responsible for the balance that was transferred. This balance will be put back onto the original account and a lien will be put on the property.

Any customer with a previous balance and owning more than one location within the District and having a balance on one or more accounts will have the unpaid balance transferred to an active account. If this balance is not paid according to the Disconnection Policy this account will be disconnected and a lien put on the property.

### 26. New Connections

In making a future connection to an applicant for after service after the completion of the original system of the District, the District shall charge a fee at least equal to the cost to the District for said connection and such fee may be adjusted, taking into consideration the average cost for the entire system to each water user, at the discretion of the District, but said fee shall in no event be less than \$1500.00. (4/5/2007). See resolution for commercial meters and road crossings.

We must have access, we will not cut or repair fence, property owner must be ready for us to access site within 5 business days unless unforeseen circumstances arise, we will make an attempt to contact landowner before leaving to set the meter. The owner must make arrangements with the neighbor(s) to gain access to their property if it's a road crossing. If we make a dry run because the owner is not ready there will be a \$100.00 fee. (5/13/21)

### 27. Main Extensions

Extensions of water mains and lines shall be made by the District upon written application on a form approved by the District. If said application is approved, the main or line shall be extended provided that:

- A. Applicant pays all construction, engineering and legal expense of such extension. Said payment shall be made in advance to the District or at the discretion of the District may be placed in a special escrow amount. If the cost and expense of such construction is not ascertainable, the cost thereof shall be estimated and said amount shall be paid the District or put in a special escrow account and applicant shall agree to pay any additional costs incurred for such extension.
- B. Before granting to an applicant the right to make such extension, or before entering into an agreement therefore, the District shall first determine that the extension will not materially affect in an adverse



manner the service rendered to any existing customers of the District. In the event the District determines, based upon information furnished by its employees and consultants, that such extension would have a material adverse affect upon existing water users of the District, then the District shall not permit such extension.

- C. In the event the applicant desires to perform the construction, the applicant shall pay all engineering, legal and administrative costs incurred by the District incident to the approval of the plans and specifications for construction of the improvements, the perfecting of all rights of way, and other costs incident to the construction.

The construction and materials shall be inspected by a qualified inspector, furnished by the District. The cost of this inspector shall be borne by the applicant.

Upon satisfactory completion and testing, the improvements shall be dedicated, free and clear of all encumbrances, to the District.

All plans and specifications for main extensions or improvements will be approved by the District and the appropriate agency of the State of Missouri.

## 28. Multiple-Unit Dwellings

In the event that service is desired by a landowner of multiple-unit residence, said multiple-unit residence being herein defined as a dwelling unit housing more than one family, and such definition shall include duplexes, triplexes, four lexes, apartments and all similar structures and residences, then the land-owner shall be required to acquire a water meter for each unit

The District shall be the sole judge and shall have full authority to determine how many units are contained in a residence and such determination shall be final and binding upon the landowner of any such residence and upon any water user therein.

## 29. Rate for Tank Sales

The Board has the exclusive power to authorize tank sale or sales in bulk of water from such supply heads as it may designate at the rates to be determined by the District. The District may prohibit the sale of water in bulk to any user or non-user when water service is available from the District.

## 30. Liability of the District

The District shall not in any way or under any circumstances be held liable or responsible to any person or persons for any loss or damage from any excess or deficiency in the pressure, volume, or supply of water due to any cause whatsoever. The District will undertake to use reasonable care and diligence in order to prevent and avoid interruptions and fluctuation in service, but it cannot and does not guarantee that such will not occur.

The District shall not be held responsible for any claim made against it by reason of the breaking of any mains or service pipes, or by reason of any interruption of the supply of water caused by the breaking of machinery or stoppage for necessary repairs, and no persons shall be entitled to damages nor have any portion of a payment refunded for any interruption of service.

### 31. Persons Stealing Water

Anyone caught stealing water: example (lock has been removed, jumper, tap found in a setter or the District equipment has been tampered with, etc.) a \$100.00 dollar fine will be applied to the current landowner to be paid before the next shut off day. If lock was removed and meter was in place, all water, reconnection fee and the fine must be paid in full before water is reconnected.

### 32. Persons Reporting District Water Leaks

Any person (the first person) that is a customer of the McDonald County P.W.S.D. #2, reporting a leak on the District's side will receive a fifty-dollar (\$50.00) credit. It will be credited to only one account and only one time per year. All current Board of Directors and employees are excluded.

The credit will be applied to the next month's bill after an employee of the District has inspected where the leak is and has confirmed that it is a leak of the District. (09/14/2017)

### 33. General

No person shall turn the water on or off at any street, valve, corporation cock, curb cock or other street connection, or disconnect or remove any meter without the consent of the District.

No employee or agent of the District shall have the right or authority to bind it by any promise, agreement or representation contrary to the letter of intent of these Rules and Regulations or the laws of the State of Missouri.

Any complaint against the service or employees of the District should be made at the office of the District in writing.

In the event the total water supply shall be insufficient to meet all of the needs of the water users, or in the event there is a shortage of water, the District may pro-rate the water available among the various users on such basis as is deemed equitable by the District and may also prescribe a schedule of hours, covering the use of water for purpose specified and require adherence thereto, or prohibit the use of water for certain specified purposes if at any time the total water supply shall be insufficient to meet all of the needs of all the water users for domestic, livestock, garden and other purposes, and the District must first satisfy the needs of all the water users for domestic and livestock purposes before supplying water for other purposes.

### 34. Customer Responsibility

Clean up around customers water meter(s). If they don't keep it cleaned up and we can't find them or get to them, after written notice and a time limit we will add an additional 10,000 gallon of water a month above your average usage until it gets cleaned up. (9/16/2021)

### 35. Amendments of Rules and Regulations

The Rules and Regulations may be amended at any regular meeting of the District or at any special meeting thereof called for such purpose.