

***RULES, RATES AND
REGULATIONS***

for the

***DALLAS RURAL WATER
DISTRICT***

***Readopted: August 2016
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AN ORDINANCE CONSOLIDATING ORDINANCE NOS. 75 & 82 AND AMENDMENTS THERETO AS TO RULES, RATES AND REGULATIONS FOR THE OPERATION OF THE DALLAS RURAL WATER DISTRICT

BE IT RESOLVED, by the Board of Trustees of the Dallas Rural Water District, as follows:

SECTION 1. APPLICATION FOR SERVICES:

Water service shall be furnished only to District users upon filing of an application and water users agreement with the Secretary of the District upon a form to be supplied by the District. District shall mean the Dallas Rural Water District.

SECTION 2. INITIAL AND MINIMUM CHARGES WHETHER WATER USED OR NOT:

The rates shown in the rate schedule in Section 8 of this ordinance shall be paid by each User, who has signed a User's Contract, beginning at the time the District makes the services available to the User.

The "minimum rate" shall mean a charge levied on all Users with services available from the system irrespective of actual gallons used.

A "tap-on-fee" shall mean a charge levied on all Users for installation of service from the water main and including the shut off valve for the service. There shall be a \$310.00 tap-on-fee, for service to each property in which an application and water users agreement has been filed prior to the established cutoff date or completion of final plans, whichever comes first. Of the \$310.00 tap-on-fee, \$60.00 shall be considered a deposit and no additional monies shall be collected.

A \$60.00 deposit shall be collected from all services established after the cutoff date or completion of the final plans or when a new service is established. However, should the service be to a non-owner occupied residence or other establishment, an additional deposit of \$100.00 shall be made. The \$60.00 deposit and, if required, the \$100.00 deposit, shall be made within 15 days after the bill has been placed in the name of the owner or non-owner, as the case may be. If said deposit is not made within said time frame, the water shall be turned off until said deposit is made, along with any other applicable fees and penalties associated with turning the water back on as provided for by the Rules, Rates and Regulations. The deposit is designed to help guarantee payment of water bills. The deposit made by the owner of \$60.00 shall only be returned to the owner upon sale of the residence or other establishment. If, in fact, the owner rents out the property, the \$60.00 deposit shall remain in place in addition to the deposit required to be made by the non-owner.

The tap-on fee for service after the established cut-off date or completion of final plans, whichever comes first, shall be the actual cost of installing service.

Should the District install a pit setting for use by a User, and the User subsequently abandons the use of the water and ceases to pay the minimum monthly water bill in force at the time, then the District will, at its option, pull the meter and transponder, and should the User, or any subsequent owners of the property, desire to re-establish water service, the User or subsequent owner shall pay a re-establishment fee equal to the number of months abandoned multiplied by the monthly debt service charge in effect at the time of re-establishment up to a maximum of 60 months of said debt service charge.

SECTION 3. DISTRICT'S RESPONSIBILITY AND LIABILITY:

A. Ownership, Installation and Maintenance. The District shall install, own and maintain the complete water system, water mains, and service lines to the property lines or a mutually agreed upon point subject to the Board of Trustees determination that a particular service is economically feasible to install. The District shall furnish, install and maintain a meter and appurtenances including a shutoff valve. The shutoff valve shall be installed on the User's property line or such other point determined by a duly authorized representative of the District. The meter may be located near the shutoff valve or within the User's premises as determined by the District representative. The meter and shutoff valve must be located at a point where it is readily accessible.

- B. Refusal of Service. The District may at any time refuse additional services to any applicant if in the judgment of the Trustees the capacity of the system will not permit such use or the use is unreasonable.
- C. Liability. All water service supplied by the District shall be upon the express condition that the District shall not be liable nor shall any claim be made against it for damages or injury caused by reason of shutting off water for repair, relocation, or expansion of any part of the system, or failure of any part of the system or for concentration of water for such purposes as firefighting or restricted use of water.
- D. Use of Water on User's Premises. The District shall reserve the right to use the water from the Users facilities at any time deemed necessary, such as for testing purposes. No charge shall be made by the User for the use of his facilities and no charge shall be made by the District.

SECTION 4. USER RESPONSIBILITY FOR:

- A. Installing and Maintaining Service Lines. "Curb stop" shall mean a shutoff valve attached to a water service pipe from a water main to a building, installed near the property line or such point as determined by the District, which may be operated by a valve key to start or stop flow in the water supply line of a building. The User shall be responsible for installation and maintenance of service lines between the curb stop and the residence or business. Such service lines must be at least 1" in diameter, and must be installed at a minimum depth of four (4) feet. Service lines must have a minimum working pressure rating of 160 psi at 73.4 F, and must be constructed of one of the following types of materials: Copper (Type K), polyvinyl chloride (PVC), or polyethylene. User must allow an authorized District representative onto their property to inspect for cross connections at all reasonable times. The User will not connect any service line to any other water source. The service line must meet any requirements of the State of Illinois, Department of Public Health, Environmental Protection Agency, and ASTM or AWWA Standards.

(1) Any person or entity desiring to run a water service line through property of another in order to get to their property shall sign an agreement acknowledging that they have proper easement from the other property owner to run the service line, providing a copy of the same to the Dallas Rural Water District. Further, they will acknowledge that they will not allow any other person or entity to hook onto the water service line, including the person or entity who owns the property that the water service line is running through. Said agreement must be signed by all owners of the water service line and must be signed prior to the water service line being hooked onto the Dallas Rural Water District main.

(2) Should a water User violate this provision and allow a person or entity to hook onto the water service line, water service shall be discontinued until the water User is in compliance.

- B. Provisions for Location of Meter. The User shall permit the meter to be located upon their property.
- C. Easements. "Easement" shall mean an acquired legal right for the specific use of land owned by others. The User shall give such easements and rights-of-way as necessary to the District and allow access for the purposes of construction, repair, maintenance, meter reading, relocation or expansion of the water system. The necessity shall be determined by the Board of Trustees.
- D. Damage to District Property. No User shall tamper, adjust, damage, or in any manner interfere with the components or operation of the water system owned by the District. The shutoff valve shall be opened only by a duly authorized representative of the District. Penalty for tampering, damaging, adjusting, or in any manner interfering with the components or operation of the system shall be up to \$500.00, payable to the District. If the penalty is not paid within 30 days after the amount is determined, the District shall shut off the water service. The amount of the penalty shall be determined by the Board of Trustees.

In addition to the penalty, the User responsible shall reimburse the District for the actual cost of repairing any damage arising from the users act. Users shall report any known evidence of tampering, adjusting, damaging, or interference with operation of the system, owned by the District, to the Chairman of the Board of Trustees. Any malicious act or damage to the system that is not appropriately punishable by the foregoing shall be prosecuted through a court of law.

- E. Specified Uses of Water. Water purchased from the District may be used for ordinary domestic, industrial or farm use upon the premises of the User provided:

(1) No User shall resell or permit the resale of water purchased from the District.

(2) Each dwelling, apartment, business, and farm located outside and separate from a single family living unit is a separate unit. The User must make application for service for each unit, and each unit shall have a separate cut-off valve, meter and service line, and User shall pay the minimum monthly rate and other rates and fees herein established for each unit.

For purposes of this section the following definitions apply:

Dwelling: Single family living unit.

Apartment: Single family living unit that may be an individual living unit or part of a multiple family living complex.

Business: Business outside and separate from a single family living unit.

Farm. Consists of one single family dwelling and all related farm enterprises served by that meter and service line.

F. Cross Connections.

(1) Definitions. For the purpose of this subsection the following definitions shall apply:

(a) "Backflow" shall mean water of questionable quality, wastes or other contaminants entering a public water supply system due to a reversal of flow.

(b) "Cross-Connection" shall mean a connection or arrangement of piping or appurtenance through which a backflow could occur.

(c) "Safe air gap" shall mean the minimum distance of a water inlet or opening above the maximum high water level or overflow rim in a fixture, device or container to which public water is furnished which shall be at least two times the inside diameter of the water inlet pipe; but shall not be less than one inch and need not be more than 12 inches or as determined by the Illinois Department of Public Health or Illinois Environmental Agency.

(d) "Secondary water supply" shall mean a water supply system maintained in addition to a public water supply, including but not limited to, water systems from ground or surface sources not meeting the requirements of Act No 98 of the Public Acts of 1913, as amended being Sections 325.201 to 325.214 of the Compiled Laws of 1948, or water from a public water supply which in any way has been treated, processed or exposed to any possible contaminant or stored in other than an approved storage facility.

(e) "Submerged inlet" shall mean a water pipe or extension thereto from a public water supply terminating in a tank, vessel, fixture or appliance which may contain water of questionable quality, waste or other contaminant and which is unprotected against backflow.

(f) "Water Utility" shall mean the District.

(2) Cross-Connections Prohibited. Cross-connections of public water supply systems and any other water supply system or source including, but not limited to, the following are prohibited:

(a) Between a public water supply and a secondary water supply.

(b) By submerged inlet.

(c) Between a lawn sprinkling system and the public water supply system.

(d) Between a public water supply and piping which contain sanitary waste or a chemical contaminant.

(e) Between a public water supply system and piping immersed in a tank or vessel which may contain a contaminant.

(3) Cross-Connection Control Program. The water utility shall develop a comprehensive control program for the elimination and prevention of all cross-connections, and removal of all existing cross-connections and prevention of all future cross-connections.

(4) Corrections and Protection Devices. Any User of the water utility water shall obtain written approval from the water utility of any proposed corrective action or protective device before using or installing it. The total time allowed for completion of the necessary corrections shall be contingent upon the degree of hazard involved and include the

time required to obtain and install equipment. If the cross-connection has not been removed within the time as hereinafter specified, the water utility shall physically separate the water system from the on-site piping system in such manner that the two systems cannot be connected by any unauthorized person.

(5) Piping Identification. When a secondary water source is used in addition to the water supply, exposed water utility water and secondary water piping shall be identified by distinguishing colors or tags and so maintained that each pipe may be traced readily in its entirety, it will be necessary to protect the water utility water supply at the service connection in a manner acceptable to the water utility.

(6) Private Water Storage Tanks. A private water storage tank supplied from the water utility water supply system shall be deemed a secondary water supply unless it is designed and approved for potable water usage.

(7) Elimination of Existing Cross-Connections. Within one year from the effective date of this Section all existing cross-connections to the water utility water supply systems shall be eliminated. The expenses of such elimination shall be that of the owner of the property on which such cross-connection exists.

(8) Inspection. The water utility or any representative thereof shall have the authority to inspect any premises to determine the presence of any existing cross-connection and to order the elimination of such cross-connection.

(9) Discontinuance of Water Service. The water utility shall discontinue water service after reasonable notice to any person owning any property where a cross-connection in violation of this Code exists or where the User refuses to allow an inspection to determine the presence of a cross-connection. The water utility may take such other precautionary measures as necessary to eliminate any danger of the contamination of the water utility water supply system. Water service to such property shall not be restored until such cross-connection has been eliminated.

SECTION 5. EXTENSION OF MAINS:

A. Determination of Who Pays Expense of Extension. The Board of Trustees shall first determine if an extension of water mains is economically feasible based on the estimated cost of the extension and the number of existing potential users that will use water along the extension. If the extension is economically feasible then the District may install and pay the cost of the extension at the discretion of the Board of Trustees. If the District elects not to pay the cost of extending the water main then the person or persons desiring water service shall install the extension at their own personal expense upon written consent by the Board of Trustees. The District shall not pay for any extensions to an undeveloped area such as a subdivision being developed unless there are sufficient existing residents or businesses to make the extension economically feasible.

B. Requirements if Extension is Installed by Someone Other than the District.

(1) The District must approve all plans and specifications for any extensions and observe construction and testing of the mains.

(2) Before any extensions are installed, the plans and specifications must be reviewed and approved by the State of Illinois, Environmental Protection Agency.

(3) Ownership, rights-of-way, and title must be conveyed to the District for all extensions installed by anyone other than the District. The District will maintain the mains thereafter.

(4) No extension will be permitted if in the opinion of the Board of Trustees, the system does not have the necessary capacity to serve the proposed extension.

SECTION 6. CHANGE IN OCCUPANCY:

A. Notice to District. Any User requesting a termination of service shall give written notice to the District ten (10) days prior to the time such termination of service is desired. The meter shall be read by the District and the User will be billed.

B. Responsibility for Payment of Services Already Consumed. Responsibility for payment for water consumed prior to the date of termination shall be with the property owners as well as the User.

C. Charges for Change. There shall be no charge for transferring the water service to the subsequent User, other than the guarantee deposit.

SECTION 7. PAYMENT OF BILLS AND TREASURER RESPONSIBILITIES:

A. Date Due. The meters will be read by the District on or about the 25th of each month. If weather conditions or other circumstances prevent the reading of meters, then each water bill will be estimated by the District. Bills will be mailed by the first day of each month and will be due by the 15th of each month. After the 15th, the bill will be considered delinquent. Bills will be paid to the Treasurer of the District or a designated representative.

B. Penalties for Late Payment. There will be a ten percent (10%) penalty added to each bill that is unpaid after the 15th of each month. If any bills remain unpaid 30 days after the 15th of each month, then the water supply to the property affected will be shut off by the District and the service will not be restored until the delinquency and the penalty is paid in full. In addition, a \$25.00 per trip service fee will be added to cover the cost of collecting the water bill along with any and all penalties and service fees, shutting off the water or restoring service. Bills remaining unpaid 30 days after rendition shall constitute a lien upon the real estate to which the service has been rendered. The Secretary is hereby authorized and directed to file a notice of such lien in the Office of the Recorder of Deeds, Hancock County, Illinois, and to pursue such legal action as is necessary to collect the delinquent charges. If after 60 days from the date of mailing the account remains unpaid, all services under that membership shall be shut off and the membership canceled.

C. Revenues: All revenues and moneys derived from the operation of the water system shall be deposited in the water account of the water fund. All such revenues and moneys shall be held by the Water District Treasurer separate and apart from his private funds and separate and apart from all other funds of the Water District.

D. Accounts. The Water District Treasurer shall establish a proper system of accounts and shall keep proper books, records, and accounts in which complete and correct entries shall be made of all transactions relative to the water system, and at regular annual intervals he shall cause to be made an audit by an independent auditing concern of the books to show the receipts and disbursements of the water system.

In addition to the customary operating statements, the annual audit report shall also reflect the revenues and operating expenses of the water facilities, including a replacement cost. The financial information to be shown in the audit report shall include the following:

1. Flow date showing total gallons received at the water plant for the current fiscal year.
2. Billing data to show total number of gallons billed per fiscal year.
3. Debt service for the next succeeding fiscal year.
4. Number of users connected to the system.
5. Number of non-metered users.

SECTION 8. RATE SCHEDULE:

The following shall be the rates for water supplied by the District:

Base Rate (0 gallons)	\$30.00
Rate per 1,000 gallons up to 10,000 gallons (prorated per 100 gallons)	\$ 5.25
Rate per 1,000 gallons over 10,000 gallons (prorated per 100 gallons)	\$ 4.25
Bulk water per 1,000 gallons	\$ 5.00
Municipal Rate per 1,000 gallons	\$ 2.50

The minimum monthly bill (base rate) will be payable irrespective of use.

The adequacy of the water service charge shall be reviewed, not less often than annually, by Certified Public Accountants for the Water District in their annual audit report. The water service charge shall be revised periodically to reflect a change in local capital costs or O, M & R costs.

In addition to the rates as provided for herein, the following are rates for special Users/Developers in relation to multiple dwelling units and/or special requests by any User:

Fire line rate	\$40.00/mo
2" compound meters/or multiple unit facility	\$65.00/mo

Additional fire hydrant rate \$15.00/mo

Set up fee for bulk water from hydrant shall be \$50.00 for set up and take down to meter the water through the hydrant. The bulk water rate shall be applicable for all gallons used.

SECTION 9. MISCELLANEOUS:

Access to Records: The IEPA or its authorized representative shall have access to any books, documents, papers and records of the Water District which are applicable to the Water District system of User charges for the purpose of making audit, examination, excerpts and transcriptions thereof to insure compliance with the terms of the (Special and General Conditions to any State Grant). (Loan Agreement and Rules or any State Loan).

Passed by the Board of Trustees this 4th day of August, 2016.

George Salrin

President

Carol Helenthal

Secretary/Treasurer

Dallas Rural Water District is an equal
opportunity provider.