



**ORDINANCE NO 99-03**

**REPEALED 2013**

**ADOPTING RULES AND REGULATIONS  
OF THE  
TERREBONNE DOMESTIC WATER DISTRICT**

WHEREAS, the Terrebonne Domestic Water District is a domestic water supply corporation organization pursuant to the laws of the State of Oregon; and

WHEREAS, the board of Commissioners for the Terrebonne Domestic Water District having approved the following regulations concerning the use of water and corporation property; and

WHEREAS, in order to safeguard water quality and to protect the health of the people in the community, a uniform ruling and regulation is essential for the operation and extension of said system:

NOW, THEREFORE, the Terrebonne Domestic Water District's Board of Commissioners ordains as follows:

**SECTION I - DEFINITIONS**

The following terms, when used in this Ordinance or in application or contract for water services, have the following meanings unless specifically indicated otherwise:

**Applicant:** The party of developer who owns the property to be served by a new water system extension.

**Billing Period:** An interval of approximately thirty days between consecutive meter reading dates - not necessarily a calendar month.

**Board:** The Board of Commissioners of the Terrebonne Domestic Water District, or its authorized agents or representatives.

**Customer:** Any individual, partnership, corporation, firm, governmental agency or legal Entity supplied with water service by the District at one location.

**Customer Line:** The pipes, valve and fittings leading from the point of delivery into the premises served.

- Customer Valve: A District-installed shut off valve on the downstream side of the meter, Intended for the use of the customer.
- District: The Terrebonne Domestic Water District.
- Meter: The instrument used for measuring the amount of water delivered to the customer; installed at the point of delivery.
- Point of Delivery: Unless otherwise designated in the service agreement, the point of delivery shall be the point of attachment of the District's service line to the customer's valve.
- Property Owner: The party who owns or is buying ( and is paying the taxes on) the subject property.
- Service Area: The area that is officially within the Terrebonne Domestic Water District's boundaries.
- Service Line: The pipe, valve and fittings lais from the water main to and including the meter and the meter box.
- Tampering: Any unauthorized use of the District's meter or shut off valve or destruction of the meter seal.
- Water Line or Main: The pipe laid in the street or utility easement for the distribution of water to customers. This pipe does not include the service line.

## **SECTION2 - AUTHORITY OF THE BOARD**

- a. Authority. The Board of Commissioners shall have charge and control of the water system for the District, including all properties , easements and facilities belonging to the District, and may exercise all powers in connection therewith.
- b. Fee Schedule. The Board shall have power and authority to establish a fee schedule, Setting forth all rates, deposits, fees, penalties and other charges for the use and Consumption of water from the District's water system, and to provide for payment of the same. The Board may revise and amend the fee schedule from time to time as necessary, after a hearing in the manner provided by law.

- c. The District's fee schedule shall be established by separate resolution without amending this Ordinance. The fee schedule in effect at the time the Ordinance is adopted shall continue in effect until changed. The Board shall have the authority to discontinue or disconnect any service where such charges are not duly paid within the time provided thereof, or when any of the rules or regulations of the District are disregarded or disobeyed. The Board may also set forth penalties for delinquency in payments as necessary to insure prompt payment of the water billings.
- d. Contracts and Agreements. The Board shall have power and authority to enter into Contracts and agreements.

### **SECTION 3 - WATER DISTRICT FACILITIES AND SERVICE CONNECTIONS**

- a. Ownership. The District shall be sole owner of the facilities in the water system, including buildings, intake and treatment facilities, pumping stations, pressure-reducing stations, reservoirs, air relief assemblies, blow-off assemblies, fire hydrants, water mains, valves fittings, service lines and meters. It shall be unlawful for any person, without authority from the Board; to trespass upon, remove, injure, open, close or in any way tamper with any of the facilities belonging to the District.
- b. Tampering. If a customer tampers with his or her water service, the service may be discontinued at the main, or the meter may be removed. The cost thereof shall be charged to the customer as set forth in the fee schedule, and service shall not be restored until all charges are paid.
- c. Location of Service. The District may, when deemed in its best interest, make changes in the location of a water service meter on private property without the written consent of the property owner.
- d. Equipment. The District will furnish the saddle and tap, curb stop, meter, meter box, customer's control valve and the pipe necessary to the meter location. The customer will pay for the cost of furnishing the ditch required for the service connection.
- e. Customer Control Valve. The District shall install a suitable valve on the customers side of the meter, the operation of which will control the water supply to the customer's premises. The District's curb stop or control valve is the District's property. It shall be unlawful for any person or the agent of any person, other than those authorized by the District, to operate or tamper with any valve or chrb stop, for the purpose of turning water service on or off. The District shall hold the unauthorized person responsible for the cost of repairing any damage to its property caused by such tampering.

Any customer desiring interruption of service for plumbing repairs shall turn off the water supply at his or her own control valve, and the District will not be responsible or liable for any damages or injuries sustained through failure to properly drain the water from the premises.

#### **SECTION 4 - APPLICATIONS FOR SERVICE**

- a. General. All persons desiring water service are required to make certain advance arrangements for this service. Under usual circumstances, prospective customers will be required to sign the District's "Application for Service" form. A special contract may be required when customers have unusual water service conditions, when the application is for temporary service, or when service is outside the District's boundaries.
- b. New Service. Upon payment of the connection fee, the District shall install a service line from the main to the point of delivery, including curb stop, meter, customer valve and meter box. It shall be the duty of the District to maintain said service line.

The customer, at his or her own expense, shall install the customer service line, including a backflow device to the residence where required and pipe from the point of delivery, subject to the conditions of these Rules and Regulations and all applicable building codes.

- c. Separate Service. A separate service shall be required to each residence. Service to motels, trailer court, apartment homes, or multiple occupancy buildings shall be reviewed on a case-by-case basis.
- d. Extension of Service. It shall be unlawful for anyone to cause or permit the extension of water service from one dwelling unit, building or parcel of land to another without authority from the District. If such connection or extensions are made without proper applications and permits, such premises may be charged at double the rate for the time they are in use, and service may be disconnected by the District. The cost of disconnection shall be established in the fee schedule, and service shall not be restored to the premises until these charges have been paid in full.
- e. Service Deposit. At discretion of the Board, the customer may be required to make a deposit as a guarantee of payment for services. Deposits are automatically refunded or applied to the customer's account at time service is terminated.

## **SECTION 5 - BILLING POLICIES**

- a. Fees. Fees are based on the adopted rate schedule.
- b. Service Periods. All rate schedules contained herewith are based on one month;s service. Normally, meters will be read and bills rendered at intervals of one month. A month may be from 27 to32 consecutive days, and will not necessarily be a calendar month. The District deserves the right to read meters and render bills for longer or shorter periods, in which case the minimum charges and number of cubic feet will be adjusted proportionally.
- c. Meters. Meters on all service connections will be read on or about the 20th day of each month, and customers will be billed on or about the first day of each month for water used during the preceding month. Said bills shall be due and payable on or before the 15th day of each month.
- d. Delinquent Payments. In every case where a water bill has not been paid within thirty days of the due date , pr where any other violation of a provision of this Ordinance so warrants, the District shall give the occupant and property owner at least five days written notice. Said notice will be sent to the last known address, notifying the customer that water service will be discontinued at the end of the finv-day period. If the account is not paid by the end of the five-day period, the District may immediately disconnect said service without further notice. Said service shall remain disconnected until all delinquent bills and charges , as well as the reconnection fee, have been paid as provided in the fee schedule.
- e. Returned Checks. If the customer pays a water bill by check that is subsequently returned by the banking institution as not payable due to insufficient funds in the account, an additional handling fee will be charged to the customer.
- f. Owner/Occupant. It shall be the responsibility of the property owner of each premise serviced to pay all rates and charges for the water service imposed by the District which are not otherwise paid by the occupant of said premise.

## **SECTION 6 - ACCESS, MAINTENANCE, INTERRUPTIONS, SHORTAGES AND INSPECTIONS**

- a. Delivery of Water. The Terrebonne Domestic Water District will exercise reasonable diligence and care in furnishing and delivering a continuous and sufficient supply of portable water to its customers and to avoid any shortages

or interruptions of service. The District will not be held liable for high or low pressure conditions, chemical, bacteriological or physical conditions, interruptions of insufficient supply, or any loss or damage occasioned thereby. The use of water by the customer shall be at the risk of the customer, and responsibility of the District shall cease at the point of delivery of water.

- b. Interruptions of Service. The District, whenever it finds it necessary or convenient for the purpose of making repairs or improvements to its system, shall have the right to suspend temporary delivery of water. Repairs and improvements will be completed as rapidly as practicable and, as fast as possible, at such times that will cause the least inconvenience to the customer.

Whenever possible and as time and circumstances permit, all customers affected by interruptions in service will be notified prior to such interruption. The District shall not be liable for any damages or loss caused by the temporary interruption of service or by the failure to notify the customer of such discontinuance

- c. Water Shortage. In the event a water shortage should occur and it becomes necessary for water to be conserved or water use restriction, the Board, by resolution, may place such restrictions and promulgate such regulations in connection therewith as may be necessary until said water shortage is over.
- d. Owners Repairs. When requested by the customer, the District shall turn off the water at the meter to allow for repairs or revisions of the customer's system, and water will subsequently be turned back on by the District.
- e. Access. Officers, agents and employees of the District shall at all reasonable times have access to any premises served by the District for the purpose of inspection, repair, or enforcement of any of the provisions of this Ordinance. In the event that inspection discloses excessive leaks or undue waste of water, the District shall have the right to discontinue water service to such premises until satisfactory repair has been made.
- f. Inspection. Inspection of piping and/or equipment for compliance with codes or regulations other than those of the District is the responsibility of the appropriate governmental body having jurisdiction. Appropriate approvals and permits must be obtained by the customer prior to connection to the District's service lines.

The District shall have the right, but shall not be obligated to inspect the customer's piping or equipment before service is supplied and at the future time as determined by the Board. However, nothing in this provision shall be construed as placing upon the District any responsibility for the inspection.

condition, or maintenance of the customer's plumbing, piping, water-using devices or other equipment.

The District shall not be liable for any leaks, loss or damage , or the delivery of water thereto. The District's liability for personal or property damage shall not extend beyond the point of delivery to the customer.

## **SECTION 7 - CUSTOMER'S INSTALLATION**

- a. Equipment Ownership. The customer shall install, own and maintain all piping, valves, fittings, pressure reducer (if necessary) and equipment beyond the point of delivery.

All meters, piping or other facilities furnished and installed by the District within or on the customer's premises shall be and remain the property of the District, and may be removed by the District upon discontinuance of service. The customer shall provide space for and exercise proper care to protect the District's property on the customer's premises. In the event of loss or damage to the District's property on the customer's premises arising from neglect, carelessness or misuse by the customer, the cost of necessary repairs or replacement will be billed to the customer.

- b. Control and/or Protective Devices. The customer shall be required to install suitable protective and/or control devices as specified in the Ordinance regulating cross-connections.
- c. Special Equipment. Customers may install special equipment necessary to meet individual requirements, provided said installation does not adversely affect service to other customers or to other customer's properties. The customer is advised to consider installing a pressure reducer on his or her service line in areas where the water pressure is high.
- d. Discontinuation of Service. If the customer desires the discontinuation of service, either on a temporary or permanent basis, notification shall be given to the District so the service will be appropriately discontinued. Unless such notification is given, the applicable minimum usage charge will continue.

## **SECTION 8 - WATER SYSTEM EXTENSIONS**

- a. Policy. It is the policy of the District to accept for ownership and maintenance , as part of the Districts water distribution system, new water system extensions to serve properties not currently served, or new subdivision extensions to the system. Such extensions shall be applied for, planned, constructed and paid for in accordance with procedures and standards set forth herein, and approved by the Board.
  
- b. Applicant's Responsibilities. It shall be the responsibility of the applicant to install and pay for an approved extension before it can be accepted by the District.

Where partial installation of lines and appurtenances is approved, the applicant shall post bond to cover completion of the extension

- c. Procedure.
  - 1) Initial Discussion with the District. When any person contemplates a water line extension or a subdivision of land within the District's boundaries , it is advisable that he or she discuss the matter of water service with a member of the District Board, and secure a copy of all applicable rules and regulations.
  
  - 2) Submission of Plans. Two sets of prints need to be submitted for review by the District Board's engineer. The District shall then analyze the plans and materials as submitted and will prepare and furnish a copy of comments along with a marked-up set of plans to the developer. Any necessary, revised plans shall be prepared and submitted to the District.
  
  - 3) Engineer's Certification. Construction of all water lines and appurtenances shall be done under the supervision of a registered professional engineer. The engineer will certify in writing to the District that all work was inspected under his or her direct supervision, and that all work was completed, sterilized and tested in accordance with plans and standard specification.
  
  - 4) Construction Inspection by the District. The District shall have the right, but will in no way obligate, to make its own inspection of the work from time to time as construction progresses. Any errors, omissions, discrepancies or work deviations from the plans discovered during these

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inspections will be reported without delay to the contractor and engineer  
immediate correction or compliance. Failure to correct the work to the  
satisfaction of the Board may be grounds for rejection of the new system.

- 5) Security Bond. Prior to the District's acceptance of the new extension of the water system for ownership and maintenance, the applicant shall furnish the District a surly bond that is satisfactory to the District. Said surety bond will guarantee all materials and workmanship for the period of at least one year following the date of acceptance of the new extension of the water system by the District.
  - 6) Indemnity. The applicant shall indemnify the save harmless the District and its officers and agents from and against all losses and all claims, demands, payments, suits, actions, recoveries and judgments of every nature and description made, brought or recovered against the District by reason of any act or omission of the applicant, the applicant's agents or employees, in the execution of the water system extension work or in guarding the same.
  - 7) As-Built Plans. After the construction of the water system extension has been completed and as a condition to its final acceptance by the District, the applicant shall submit two sets of "as-built" plans, together with one set of "as-built" sepiia reproducibles. The applicant shall also submit evidence of compliance with all requirements of the State Board of Health. After formal acceptance by the Board, the new water extension will be connected to the District's water system, and will henceforth become a part of the District's water system.
- d. Connection to the District's Water System. The District shall make all connections to the District's water system, and the applicant will pay the cost of such connection. It shall be unlawful for anyone to operate any valve, or make any such connection, without authority from the Board.

## **SECTION 9 - WATER SYSTEM EXTENSIONS**

- a. No Warranty. The District does not warrant its present or future water supply, or make any representation as to the water that may now or hereafter is available to its or to customers of the District.

- b. Water Quality and Source. The District shall have the right to change the quality and/or source of its water supply and, in its sole discretion, to treat its water supply with fluorides, chlorine and otherwise, according to the Safe Drinking Water Act, PL 93-523.

## **SECTION 10 - REPEAL**

The Rules and Regulations of the Terrebonne Domestic Water District as the Bylaws of the Terrebonne Domestic Water, both previously adopted on August 1, 19989, are hereby repealed.

**ADOPTED** this 13th day of October, 1999 by the Board of Commissioners of the Terrebonne Domestic Water District.

## **BOARD OF COMMISSIONERS OF THE TERREBONNE DOMESTIC WATER DISTRICT:**

\_\_\_\_\_  
Bill Tittle, Chair

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W. T. Clark Commissioner

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Buzz Foley, Commissioner

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Kimberly J. Tittle, Commissioner

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Sharon Struck, Commissioner

\*It should be noted that the original number of this Ordinance was changed from 99-02 to 99-03 to adjust for a incorrect numbering of Cross Connection Ordinance No. 99-01

