

SPRING CANYON WATER & SANITATION DISTRICT

RULES AND REGULATIONS

Table of Contents

ARTICLE 1. GENERAL PROVISION	2
ARTICLE 2. NOTICES	3
ARTICLE 3. APPLICATION FOR REGULAR WATER AND/OR SEWER SERVICE	4
ARTICLE 4. APPLICATION FOR REGULAR WATER SERVICE WHEN MAIN EXTENSION IS REQUIRED.....	4
ARTICLE 5. GENERAL USE REGULATIONS	5
ARTICLE 6. METERS	6
ARTICLE 7. BILLING AND DISCONTINUANCE OF SERVICE	6
ARTICLE 8. COLLECTION BY CERTIFICATION TO THE LARIMER COUNTY TREASUREROR BY FORECLOSURE OF LIEN	7
ARTICLE 9. COLLECTION BY SUIT	7
ARTICLE 10. TEMPORARY SERVICE	8
ARTICLE 11. CONNECTION CHARGES AND RATES.....	8
ARTICLE 12. DEFINITIONS	9
ARTICLE 13. INTERPRETATION	9
ARTICLE 14. AMENDMENT	9
ARTICLE 15. SEPARABILITY	9
ARTICLE 16. REPEALS	10
ARTICLE 17. BOARD OF DIRECTORS REGULAR MEETINGS	10
ARTICLE 18. OFFICE HOURS	10

ARTICLE 1. GENERAL PROVISION

1. The board of directors of the Spring Canyon Water and Sanitation District is organized and operates according to powers given by Title 32, of the Colorado Revised Statutes, but not limited thereto.
2. These rules and regulations are subject to change by the District without notice.
3. All installation, construction, connection, use and service of water or sanitary sewer works shall be under the control, supervision and planning of the Spring Canyon Water and Sanitation District and subject to applicable District policies and standards.
4. The District shall provide "Building Permit" approval for construction of any proposed new structure, within the District's service area, which is intended for human habitation, public use, or commerce, and which is located within four hundred feet of an available water and / or sewer main line, only after appropriate arrangement is made to connect the proposed facilities to the District's system in conformance with the District's then current "Industrial Pre-treatment Regulations", "Construction Standards and Specifications", and these "Rules and Regulations".
5. Water and sewer service is normally furnished only to persons whose property is located within the legal boundaries of the District and subject to taxation by the District. Any person or persons owning private property outside the District boundaries, to which District services are desired, shall petition the Board of Directors for inclusion of said private property into the District. The Board of Directors at its discretion may choose to provide services outside of the District boundaries on a contractual basis. However, a surcharge equal to the property taxes that would be owing the District, if the property were included within the District, shall be levied, and collected on an annual basis in the same or similar manner as Larimer County property taxes are collected.
6. A person owning land outside the boundaries of the District may petition the board of directors for service on a contractual basis or may petition for annexation of the property into the District.
7. All line extensions within the District shall be made by the District or under the supervision of the District "Construction Standards and Specifications", and these "Rules and Regulations".
8. No person shall uncover, make any connection with, or open into, use, alter, or disturb any District utility line, without first obtaining written permission from the manager.
9. All costs and expense incident to the installation and connection of the water and/or sewer service lines shall be borne by the owner. The owner shall indemnify the District for any loss or damage that may directly or indirectly be occasioned by the installation of the customer water service line.
10. Each individual owner shall be responsible for the on-going maintenance of the service line and all service equipment except the meter itself, from the mainline to the outlet. Said service line shall be constructed, maintained, repaired, and replaced in accordance with the District's standards at the sole expense of the User-Owner. Where customer's service lines

and equipment compromise the integrity of the system or are otherwise deficient the District may upon reasonable notice require customers to replace or repair service lines and equipment to meet District standards.

11. All construction of utility mains and service lines shall be governed by the District's "Standards and Specifications for Water and/or Sanitary Sewer Construction".
12. Any unauthorized person who shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the District's facilities shall be subject to prosecution.
13. A penalty charge (see current fee schedule) shall be made when a customer cuts, or otherwise removes a lock from the meter shut-off valve when it has been placed there by the District for any reason. Customer will also be liable for any damages caused when the lock is cutoff or removed without the consent of the District.
14. Upon 48 hour written notice, the District's authorized employees shall be permitted to enter upon any properties within the District boundaries or served by the District's utilities for the purpose of inspection, quality sampling, sampling, or testing for cross connection or unauthorized connection, testing measurement, observation, or repair of meter installations, and any other condition which might constitute a health or sanitary hazard.
15. Tap rights may be transferred within the District only by the approval of the board of directors.
16. A transfer fee (per current fee schedule) shall be required whenever a tap ownership change is made.
17. In the event a customer desires to sell or transfer his tap or taps, the District shall have first option to repurchase said tap or taps at the price originally paid to the District for said tap or taps.
18. Any owner of a tap right on an undeveloped lot may request that the District repurchase the tap right. Repurchase will be at the District's option with the price to be negotiated and without obligation to credit the owner of the tap right for active service payments.

ARTICLE 2. NOTICES

1. Notices from the District to a customer will normally be given in writing, and either delivered or mailed to him at his last known address. Where conditions warrant and in emergencies, the District may resort to notification either by telephone or messenger.
2. Notice from the customer to the District may be given by him or his authorized representative in writing at the District's office.
3. Public Notification on behalf of the District will be distributed in the manner listed below.
 - a. In accordance with legal requirements District Documents and Announcements are posted on the district website and the District will complete all necessary Public Notification requirements per the Colorado Department of Public Health and Environment's most current standards when applicable.
 - b. A formal Emergency Public Notification Procedure Manual must always be available to staff members of the District. This document must be kept in the District Office located at 4908 Shoreline Drive Fort Collins, CO 80526

ARTICLE 3. APPLICATION FOR REGULAR WATER AND/OR SEWER SERVICE

1. No water or sewer service shall be obtained until application is made at the office of the District and all fees owing to the District are brought current.
2. All building permit applications must be signed by the manager, but in no case shall a building permit be signed until tap fees have been paid in full and the account is in good standing. Whenever a main line extension is necessary, suitable arrangements for the design and construction of said extension must be accomplished prior to signature of the building permit.
3. The applicant for water service shall notify the District when the water service line is ready for connection to the meter, and the connection to said meter shall not be made until after inspection and approval by the District.
4. It shall be unlawful for any person to lay water or sewer line to be served by the District without first having made application to the District for approval.
5. A person taking possession of a property or premises shall make an application for service with the District's office before service can be put in their name.
6. The District will not directly bill renters, tenants, lessees etc. unless authorized to do so by the legal property owner's execution of a "Property Owner Designated Billing Instructions –Form B1-2". Upon receipt of a fully completed and notarized "Form B1-2" the billing shall be mailed to the property owners "designated representative" in such name and at such mailing address as is designated on the "Form B1-2". However, execution of a "Form B1-2" does not relieve the property owner of the ultimate responsibility for charges and penalties levied against the property. Per Title 32 of the Colorado Revised Statutes any unpaid bill shall constitute a lien on and against the property for which it is rendered.

ARTICLE 4. APPLICATION FOR REGULAR WATER SERVICE WHEN MAIN EXTENSION IS REQUIRED

1. Where water or sewer main must be extended to provide service no building permit shall be signed unless adequate written arrangements have been made for such extension and sufficient funds have been deposited with the District and/or a bond provided with sufficient sureties thereon guaranteeing faithful performance of the agreements for the extension.
2. Any owner(s) of one or more lots or parcels desiring the extension of one or more water and/or sewer mains to serve such property shall be responsible for all related expense for such extension and shall follow all procedures as set forth in the "Water and Wastewater Utility System Regulations".
3. Any person desiring to extend water and/or sewer mains within the District shall construct the lines and appurtenances according to the District's "Standards and Specifications" and shall furnish the District with preliminary plans and supplemental information for approval as required. After the work is completed, the District shall be supplied with completed "as built" plans as required.
4. Any person who desires service shall, in consultation with the District, secure or grant all required easements in which to construct the utility lines and shall submit plats, therefore.

5. When line extensions are made, it shall be the responsibility of the property owner to extend the main line to the opposite end of his property.
6. No line extension for water mains will be permitted less than six inches (6") in diameter, except in certain areas where a smaller diameter could serve the proposed development. But in no event shall the District permit smaller than four-inch (4") diameter pipe at any location within the District.
7. No sewer main extension will be permitted less than eight-inch (8") diameter.
8. All installations shall meet and be subject to all provisions of the District's "Standards and Specifications" and shall be inspected and approved by the District before acceptance by the District.
9. New taps shall be subject to the full tap purchase price regardless of whether a main line extension has been required.

ARTICLE 5. GENERAL USE REGULATIONS

1. All customers in the District may have control of their water by a shut-off valve. Meter and meter pits shall not be tampered with by the customer. The District's office is to be notified when service is to be discontinued.
2. The property owner shall be responsible for all water registered through the meter, and for all water or sewer charges, fees and penalties levied against the property. It is the property owner's responsibility to notify the District in the event of a property sale.
3. In the event a customer doubts his consumption, a written request for a meter test may be made. Should the meter test to within allowable standards, plus or minus 2%, a service fee shall be assessed (per current fee schedule). Should the meter test outside allowable standards a corresponding adjustment will be made on the questionable billing.
4. The District assumes no responsibility for loss or damage due to lack of water or pressure, either high or low, and merely agrees to furnish such quantities and pressures as are available in the general distribution system. The service is subject to shutdowns and variations required by the operation of the system.
5. The District shall have the right to restrict use of and apportion its available water supply during any emergency caused by drought, or other threatened or existing water shortage, and to prohibit wastage of water or the use of District water during such period, for any purpose other than household uses or such other restricted uses as may be determined to be necessary the District, and may prohibit use of such water during such periods for specific uses which the District may from time to time find to be nonessential. Failure to adhere to imposed restrictions may result in a penalty or termination of service as prescribed by the board of directors.
6. No customer shall knowingly permit leaks or waste of water. Where water is wastefully or negligently used on a customer's premises, seriously affecting the general service, the District may discontinue service if such conditions are not corrected within three (3) days after giving the customer written notice.
7. No water service shall be available until all back charges are paid.
8. No water service shall be provided until all tap fees and other charges are paid.

ARTICLE 6. METERS

1. Every water service shall be metered.
2. Any person found to be tampering with their meter shall be subject to a \$100.00 fine and possible prosecution.

ARTICLE 7. BILLING AND DISCONTINUANCE OF SERVICE

1. Billing for active status water service shall be made on the first working day of the month following the service period and shall be based on actual consumption. Estimated billing may be made when severe weather or other unusual circumstances do not allow the meters to be read. Estimates will be based on previous consumption.
2. Billing for active status sewer service shall be made on the first working day of each month and shall be the current flat rate charge in advance.
3. Availability of service charges for sewer system availability shall be assessed against any property which has a sewer main available within one hundred (100) feet of the property line. These charges are in accordance with Colorado Revised Statutes 1973, Title 32, and are billed on a quarterly basis in advance.
4. All bills are due on or before the 15th of the month rendered. User charges are considered delinquent if payment has not been received in the District office by the 15th of the month. If payment has not been received by the 20th of the month the bill is rendered, a delinquent penalty (per current fee schedule) shall be added to the bill. If payment in full of current charges, arrears and penalty are not received prior to the 15th of the following month, a disconnect notice shall be given by delivery to the premises by a District employee two (2) days prior to disconnection and an administrative charge (per current fee schedule) shall be assessed for handling. If water service is terminated for failure to pay a bill, a re-connection fee (per current fee schedule) shall be required, in addition to payment of all charges prior to reconnection by the District. If a reconnection is requested outside of normal business hours, the current after hours service call fee will apply.
5. Availability of service bills are due on or before the 15th of the month rendered and shall be assessed interest (per current fee schedule) on all unpaid balances.
6. Any person wishing to dispute any billing made by the District may request in writing to be placed on the agenda of the next regular meeting of the board and shall be heard by the board of directors.
7. When service has been temporarily discontinued for any reason, the monthly minimum charges will remain in effect.
8. Even though a renter or other party may actually be using the water, the primary responsibility for payment of all charges shall be upon the legal owner of the property. (see Colorado Revised Statutes 1973, Title 32).
9. Any customer who presents a non-sufficient funds check to the District shall be assessed an administrative handling charge (per current fee schedule). In addition, the District may refuse to accept another personal check in payment of a non-sufficient funds check and may require payment in cash or certified funds.

10. Upon receiving three (3) or more insufficient funds checks from a customer the District may refuse additional personal checks and may require payment to be made in cash and / or certified funds.
11. Presentation of a non-sufficient funds check shall not constitute payment on an account and the account shall be subject to the delinquent and disconnect policies as stated herein.
12. Billing for services provided to private property located outside of the District's boundaries shall include a surcharge in lieu of taxes. Said charge is to be calculated, billed, and collected in the same or similar manner as Larimer County property taxes. Nonpayment of said surcharge shall constitute reason for discontinuance of service and a one percent (1.0%) per month simple interest charge shall be assessed on the delinquent amount. If service is terminated for failure to pay the surcharge the District's standard reconnection fee shall be applied and payment of all charges due must be paid in full prior to reconnection of service by the District.

ARTICLE 8. COLLECTION BY CERTIFICATION TO THE LARIMER COUNTY TREASURER BY FORECLOSURE OF LIEN

1. In addition to or as an alternative to the other remedies provided in these Rules and Regulations, a lien shall be recorded against the property for all unpaid fees, rates, tolls, penalties, charges, or assessments and then shall be either, certified to the Larimer County Treasurer, to be collected and paid over to the District in the manner prescribed by the State of Colorado or shall be foreclosed in the manner prescribed by the State of Colorado. All accounts considered for certifying shall be reviewed and approved by the Board of Directors at a public meeting prior to certifying to the Larimer County Treasurer. At the time of certifying to the Larimer County Treasurer the District shall add, in lieu of any other future penalty against the unpaid balance, a penalty of twelve percent (12%) of the total amount of such unpaid fees, rates, tolls, penalties, charges, or assessments owing to the District at that time. In addition, the Larimer County Treasurer, in accordance with Colorado Statutes, shall add to the amount so certified an additional thirty percent (30%) penalty to defray the County's cost of collection.
2. Once a lien has been recorded with Larimer County a charge for administration and filing costs (per current fee schedule) will be assessed and all amounts due must be paid in full prior to release of the lien.

ARTICLE 9. COLLECTION BY SUIT

1. As an alternative to any of the other procedures herein provided, all unpaid rates, charges, and penalties may be collected by suit.
2. Defendant shall pay all costs of suit in any judgment rendered in favor of the District.

ARTICLE 10. TEMPORARY SERVICE

1. Applications for temporary service connections shall be presented to the Board of Directors in writing and shall be considered on a case-by-case basis. Billing for temporary service shall be at a rate determined to be equitable by the Directors.
2. Temporary service connections shall be discontinued and terminated within six (6) months after installation unless an extension of time is granted by the District.
3. Purchase of small volumes of bulk water from fire hydrants or other facilities shall be subject to approval of the Manager and shall be billed at a rate deemed by the Manager to be sufficient to recover all costs of the water itself as well as labor costs incurred by the District. Delivery of small volumes will be at such location and times as approved by the Manager in writing.
4. Any use of fire hydrants for water service without consent will not be permitted. Tampering with any fire hydrant for the unauthorized use of water therefrom or for any other purpose is a misdemeanor, punishable by law.

ARTICLE 11. CONNECTION CHARGES AND RATES

1. Tapping charges together with monthly service charges are on file at the office of the District, but under law (see Colorado Revised Statutes 1973, Title 32) may be changed at any time. Special or unusual services may be charged for at a rate to be set by the Board of Directors.
2. Tap sizes not specified herein, special, or unusual services shall be charged at a rate to be determined by the Directors.
3. Mobile Home Parks, Motels, Apartments & other Multi-Unit dwellings will be billed for the number of units equivalently per Section III- Water Use and Section IV- Sewer Use of the most current District Schedule of Fees, Rates, Charges, and Miscellaneous Policies. These Taps are subject to be re-surveyed and re-appropriated by the District if overall units attached to tap have increased or decreased. Any re-survey or re-appropriation requires Board approval at a Public Hearing.
4. Existing Taps are subject to be re-surveyed by the District to determine an accurate existing Water Surface Fixture Unit (WSFU) calculation demand. If determined the existing tap size cannot sufficiently meet peak water demands, the District reserves the right to reassess the necessary tap size requirements of that service following review and consideration of such assessment at a Public Hearing.
5. Listed in Section IV of the District's Schedule of Fees, Rates, Charges, and Miscellaneous Policies are the District guidelines for service line and meter capacities. The Spring Canyon WSD Residential Water Fixture Unit Calculation spreadsheet overview District procedure on those guidelines. These mechanisms will be used to determine appropriate pipe size for new and existing water taps.
6. The District's Schedule of Fees, Rates, Charges, and Miscellaneous Policies is formally adopted through Resolution yearly and is subject to change.

ARTICLE 12. DEFINITIONS

1. "District" shall mean the Spring Canyon Water and Sanitation District.
2. "Manager" shall mean the manager of the District and his duly authorized agent.
3. "Customer" shall mean the person using the water and/or sewer service.
4. "Owner" shall mean the person who has deed to the property or is purchasing the property on contract and who is responsible for the payment of all District bills.
5. "Person" shall mean any individual, firm, company, association, corporation, or group.
6. "Customer service line" shall mean the lines constructed from the main lines to the tap outlet.
7. "Shall" is mandatory; "May" is permissive.
8. "Board of Directors" shall mean the governing body of the Spring Canyon Water and Sanitation District.

ARTICLE 13. INTERPRETATION

1. Whenever both a provision of this resolution and any other law, ordinance, resolution, rule or regulation of any kind, contain any restrictions which are more restrictive or impose higher standards, the higher standards shall govern.
2. This resolution is not intended to abrogate or annul any permits or agreements issued before the effective date of this resolution.

ARTICLE 14. AMENDMENT

1. The board of directors may amend the policies set forth in this resolution at any legally conducted business meeting of the District.

ARTICLE 15. SEPARABILITY

1. It is hereby declared to be the intent that the provisions of this resolution shall be severable in accordance with the provisions set forth below:
 - If any provision is declared to be invalid by a decision of any court of competent jurisdiction, it is hereby declared to be the intent that:
 - The effect of such decision shall be limited to that provision or provisions which are expressly stated in the decision to be invalid; and
 - Such a decision shall not affect, impair, or nullify this resolution as a whole or any part thereof, but the rest of this resolution shall continue in full force and effect.
 - If the application of any provision of this resolution to any tract of land is declared to be invalid by a decision of any court of competent jurisdiction, it is hereby declared to be the intent that:
2. The effect of such decision shall be limited to that tract of land immediately involved in the controversy, action, or proceeding in which the judgment or decree or invalidity was rendered; and

3. Such a decision shall not affect, impair, or nullify this resolution as a whole or the application of any provision thereof to any other tract of land.

ARTICLE 16. REPEALS

1. All resolutions of the District inconsistent herewith to the extent of such inconsistency are hereby repealed.

ARTICLE 17. BOARD OF DIRECTORS REGULAR MEETINGS

1. A schedule of the regular meetings of the board of directors shall be on file and posted at the District Administration Building, 4908 Shoreline Drive, Fort Collins, Colorado.

ARTICLE 18. OFFICE HOURS

1. A schedule of the regular business hours of the district shall be on file and posted at the District office at 4908 Shoreline Drive, Fort Collins, Colorado.
 - Amended to include and incorporate “JOINT RULES AND REGULATIONS REGARDING THE OPERATION OF JOINT TREATMENT FACILITIES” adopted by and between Spring Canyon Water and Sanitation District and South Ft. Collins Sanitation District on April 11, 2007.
 - Amended at the June 17, 2009, Regular Meeting of the Board of Directors.
 - Amended at the February 24, 2021, Regular Meeting of the Board of Directors

Posted February 25th, 2021.