

## ARTICLE 1

### GENERAL

- 1-1 SCOPE: These Rules and Regulations are promulgated pursuant to the authority granted in Section 32-1-1001 (1)(m), C.R.S., as a comprehensive body of regulations governing the operations of the District, and shall supersede and have priority over any and all informal practices or policies of the District, whether in written form or otherwise.
- 1-2 PURPOSE: It is necessary for the health, safety and welfare of the residents and owners of property within the District and of the general public to regulate the collection and transmission of wastewater and to comply with all applicable state and federal laws.
- 1-3 USAGE AND TITLES: All words and phrases shall be construed and understood according to the common and approved usage of the language, but technical words and phrases and such others as may have acquired a particular and appropriate meaning in the law shall be construed and understood according to such particular and appropriate meaning. The title of any heading in these Rules and Regulations shall not be deemed in any way to restrict, qualify, or limit the effect of the provisions set forth in the section or subsection set forth under each heading.
- 1-4 AMENDMENTS; REPEALS; ADDITIONS: Additions and amendments to and repeals and reenactments of any of the provisions of these Rules and Regulations shall be made by Resolutions of the Board taking such action by specific reference to the Article, Part or Section number hereof. Upon the effective date of any such resolution, the District shall prepare new or reprinted pages incorporating herein the changes so enacted, and such new or reprinted pages shall be prima facie evidence of such action until such time as these Rules and Regulations, as subsequently amended, are readopted as a new set of Rules and Regulations.
- 1-5 PRIOR OFFENSES, CONTRACTS NOT AFFECTED: Nothing in these Rules and Regulations shall affect any offense or act committed or done, or any obligation, penalty or forfeiture incurred by any person, or any contract or right established or accruing before the effective date of these Rules and Regulations.
- 1-6 SEVERABILITY: Should any one or more sections or provisions of these Rules and Regulations be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of these Rules and Regulations, the intention being that the various sections and provisions hereof are severable.

1-7 INCORPORATION OF STANDARDS BY REFERENCE:

1-7-1 South Arapahoe and Englewood. The District utilizes certain transmission and wastewater treatment facilities owned and operated by Englewood under a Connectors Agreement with Englewood. All service furnished by the District is subject to the terms and provisions of the said contract and is also subject to the terms and provisions of Chapter 2 of Title 12 of the Englewood Municipal Code of 1985 (the "Wastewater Utility Ordinance"), as now or hereafter constituted. The provisions of said contract and said Ordinance are hereby incorporated into these Rules and Regulations by reference, in all particulars, and made a part hereof as if set forth herein verbatim to the extent that such provisions may apply to or affect the design, construction, installation, operation, maintenance, or use of the District System.

1-7-2 District System Specifications. The System Specifications of the District are hereby incorporated into these Rules and Regulations by reference, in all particulars, and made a part hereof as if set forth herein verbatim. Any reference herein to these Rules and Regulations shall be deemed to include all provisions of the System Specifications as well as the provisions of these Rules and Regulations.

1-8 DISTRICT SYSTEM:

1-8-1 Ownership. The District exercises the responsibilities of full ownership of the existing District System and, in the future, shall only accept ownership responsibilities for additional facilities which have been formally conveyed to and accepted by the District in accordance with Article 6 below.

1-8-2 Operation and Maintenance. The District operates, maintains, repairs, and replaces the District System. Such services include without limitation regular inspections of private premises to insure compliance with these Rules and Regulations, in addition to periodic, systematic inspection and maintenance of District facilities. All inspections, observations, testing and reviews performed by the District are for the sole and exclusive benefit of the District. No liability shall attach to the District by reason of any inspections, observations, testing, or reviews required or authorized by these Rules and Regulations or the System Specifications, or by reason of the issuance of any approval or permit for any work subject to the authority or jurisdiction of the District.

1-8-3 Repair Shut-offs. The District may, without notice and without liability to anyone, suspend service for the purpose of making repairs or extensions to the District system.

- 1-9 SERVICE OUTSIDE THE DISTRICT: The District has no obligation whatsoever to provide any service outside of its legal boundaries notwithstanding the legal authority of the Board to authorized southside service consistent with the District's contractual limitations.
- 1-10 CONNECTION REQUIRED:
- 1-10-1 Requirement. Unless exempted by the Board for good cause and in conformity with applicable statutes and regulations, all improvements requiring sewage disposal service within the District shall be connected to the District System if District facilities are within 400 feet of the boundary of the parcel of property on which such improvements are located. Such connection shall be commenced within 20 days after written notice to the Property Owner by the District is sent by registered mail, and any existing private wastewater disposal system shall thereupon be properly emptied, cleaned, chlorinated and filled with sand or dirt.
- 1-10-2 Exemptions. During the construction of any improvements, temporary toilet facilities may be used in accordance with the regulations of the Tri-County Health Department or of the State Board of Health, but as soon as such improvement is connected to District facilities, such use shall be abandoned and all evidence of such use properly covered or disposed of. Further, the Board may authorize a private wastewater disposal system upon approval thereof by the Tri-County Health Department and upon a determination by the Board that the construction and use of such system will not jeopardize public health.
- 1-11 DUTY TO REPORT: Any person (1) who destroys, damages or alters any District facility; or (2) who causes or permits any foreign materials to enter the District System; or (3) who causes any obstruction in the flow of wastewater in any District facility, and any person who discovers, observes, or has reasonable cause to believe that any of the foregoing has occurred, shall immediately report the same to the District.
- 1-12 NOTICE OF EXCAVATIONS: Any person who excavates in any area where District facilities are located shall give written, personal or telephone notice of the date, extent, and duration of such excavation to the District at least two business days before beginning any such work. The requirement for two days advance notice may be waived by the District in the event of an excavation required due to an emergency.
- 1-13 OTHER SYSTEMS PROHIBITED. No other sanitary sewer collection or treatment facilities within the District shall be allowed except with the express advanced consent of the Board of Directors.
- 1-14 PLUMBER'S LICENSE REQUIRED: No person who is not a licensed, bonded plumber or a licensed, bonded service contractor shall perform any work on sewage service lines

or appurtenances directly or indirectly connected or intended to be connected to the District system or to any privately or publicly owned extension or system attached thereto, except as expressly authorized by these Rules and Regulations or other District policies and procedures. This provision shall not apply to duly authorized District or Englewood personnel, or to minor repairs of plumbing within an improvement provided such repairs do not result in any unauthorized connection or attachment.

12/8/98