

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 to regulate the distribution of water. These Rules and Regulations set forth uniform requirements for direct and indirect users of the District System and enables the District 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 Resolution 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 Denver. All water distributed within the District is supplied by Denver under a Water Service Agreement dated December 20, 1994. Service furnished by the District is subject to the terms and provisions of the said Agreement and is also subject to the terms and provisions of the Denver Water Department's Engineering Standards and Operating Rules, as now or hereafter constituted. The provisions of said Agreement, Engineering Standards and Operating Rules 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 Interconnections; Crossconnections. No person shall connect any other water system to any component part of the District System, nor shall water from any other water system be introduced or permitted to enter the District System, except with the express written approval of the District under written agreement approved by the Board of Directors. The District may immediately and without

notice disconnect any unauthorized crossconnection or interconnection and charge the actual costs thereof, as provided in 9-5 and 9-8, to any person responsible therefor.

- 1-8-4 Repair Shut-offs. The District may, without notice and without liability to anyone, modify water pressure, or shut off the water in its mains for the purpose of making repairs, extensions to the District system, or for other useful or necessary purposes.
- 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 authorize outside service consistent with the District's contractual limitations.
- 1-10 CONNECTION REQUIRED: Unless exempted by the Board for good cause and in conformity with applicable statutes and regulations, all improvements requiring water 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 water system shall thereupon be physically disconnected from the improvements or otherwise be rendered inoperable.
- 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 water in any District facility; or (4) who causes or permits any water to escape from the District System in such a way that such water is wasted or lost to beneficial use, 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:
- 1-13-1 Supplies. No person shall furnish or supply treated water from any water system within the District except from the District System.

1-13-2 Use. No person shall take, use, or consume any treated water within the District for any purpose from any water system other than the District System without the express prior 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 water service contractor as defined in Chapter 7 of the Denver Operating Rules shall perform any work on water 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 Denver personnel, or to minor repairs of plumbing within an improvement provided such repairs do not result in any unauthorized cross connection or attachment.

12/8/98