

**Wonderland Acres Domestic Water Improvement District**  
**PO Box 390**  
**Lakeside, Arizona 85929**

**RULES AND REGULATIONS**

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RESOLUTION NO. 11

WONDERLAND ACRES DOMESTIC WATER IMPROVEMENT DISTRICT

RESOLUTION ADOPTING RULES AND REGULATIONS

Whereas, the Wonderland Acres Domestic Water Improvement District has codified various rules and regulations governing the use of its water system and connections thereto; and

Whereas, the District desires that all the rules and regulations be collected and codified in one resolution.

Therefore, be it resolved that the District adopts the following Rules and Regulations governing the use of its water system and connection thereto:

RULES AND REGULATIONS

ARTICLE I

GENERAL CONDITIONS GOVERNING WATER CONNECTIONS, GUARANTEE DEPOSITS AND USE

Section 1 Functions of the Wonderland Acres Domestic Water Improvement District Board of Directors

It shall be the duty of Wonderland Acres Domestic Water Improvement District Board of Directors to control and manage all matters pertaining to the water system of the Wonderland Acres Domestic Water Improvement District in conformity with all applicable federal, state, county and local laws and regulations of this resolution, and any other resolutions of the Wonderland Acres Domestic Water Improvement District, Navajo County, Arizona. The Board shall have general supervision over the District's water system, all real and personal property connected thereto; and the employees thereof.

Section 2. Conditions for connections made to District water system

It shall be unlawful for any person to connect to the water line or lines of any portion of the District's water system unless said person has first made proper application to connect to said water system,, had paid all fees required by the District to accompany said application and said application has been approved by the proper District authorities. All connections to the District shall be made pursuant to any rules, regulations or resolutions pertaining to the payment of connection fees. Further, all connections shall be made in compliance with any specifications adopted by the District and the Uniform Plumbing Code and subject to inspection by the District, its agents or assignees, at the time of connection. A water connection shall be deemed to have occurred when there has been a connection to a water line to the District or tributary line thereto, regardless of the terminus of said connection.

Section 3. Consumer Application for Service

- A. The consumer will make application for service, in person or by first-class mail to the District at its office, and at the time make a guarantee deposit.

- B. The District may reject any application for service when, and so long as, the applicant is delinquent in the payment of bills incurred for service previously supplied by the District at any location or under a previous name.

Section 4. Guarantee Deposits

- A. A deposit not in excess of two months minimum charge may be required of a consumer; however, the District may require the consumer to increase the deposit twice the amount of any monthly bill rendered thereafter.
- B. The property owner in whose name the deposit is made shall be responsible for payment of all bills incurred in connection with the service furnished. Only the property owner may apply for services in their own name.
- C. The guarantee deposit receipt is not negotiable and can be redeemed only at the District's office.
- D. When services are discontinued and all bills are paid, the guarantee deposit, if made, will be refunded.
- E. Where the District finds that the request for a guarantee deposit refund is questionable, the District may require the applicant for refund to produce the deposit receipt properly endorsed.
- F. Upon discontinuance of service for the non-payment of bills, the guarantee deposit, if made, will be applied by the District toward the settlement of the account, however, the District does not waive the right to exert any claim it may have for a delinquency against any person or customer.
- G. Variations from the terms and conditions of these provisions shall be permitted only upon the verified application by an affected party to the Board of Directors of the District, setting forth the circumstances whereby the public interest requires such variation. The Board of Directors requires an application for such variation to be presented at a public meeting.

Section 5. Access to premises

- A. Duly authorized agents of the District shall have access at all reasonable hours to the premises of the consumer for the purpose of installing or removing the District's property, inspecting piping, or for any other purpose in connection with the District's service and facilities.

Section 6. Construction Specifications

- A. All mains and distribution lines to be constructed shall comply with and conform to the Uniform Plumbing Code in effect at the time of construction.
- B. All connections must install a stop and waste valve on the service connection to their property.

ARTICLE II

FEEES AND CHARGES, ACCOUNTING AND REPORTING

Section 1 Minimum charge

- A. The initial or minimum charge shall be provided in the rate schedule established by the District.
- B. Excess water will be billed at the District's authorized rates.
- C. If service is to be established at the same location for a consumer who has ordered a service disconnection within the preceding twelve month period, or for any member of such

consumer's household a non-refundable charge of \$180.00 may be required as a precondition to the establishment of such service.

## Section 2 Billing and collecting

- A. Bills will be rendered monthly, the District may, however, vary the dates or lengths of the billing period.
- B. Bills for water use will be computed in accordance with the District's authorized rate schedule.
- C. Charge for service commences when the connection is made, whether water is used or not.
- D. Bills are due when rendered and delinquent ten days thereafter. After the delinquent date, the District may, upon ten days notice, discontinue service to the customer whose bill is delinquent.
- E. Failure to receive bills or notices shall not prevent such bills from becoming delinquent nor relieve the consumer of his obligation therein.
- F. If the consumer believes his bill to be in error, he shall present his claim to the District before the bill becomes delinquent.
- G. Service discontinued for delinquency of bills will be restored only after all due bills are paid in full, redeposit made, if required, and a service charge of \$90.00 paid for each service re-established.

## Section 3 Change of occupancy

- A. Not less than three days notice must be given in writing, to the District, to discontinue service or the change occupancy.
- B. The outgoing party shall be responsible for all water consumed up to the time of actual departure or the time specified for departure, whichever is the longest.

## ARTICLE III

### THE DISTRICT'S RESPONSIBILITIES AND LIABILITIES; CONSUMER RESPONSIBILITIES

#### Section 1. The District's Responsibilities and Liabilities

- A. The District does not assume the responsibility of inspecting the consumer's piping or apparatus and will not be responsible therefore.
- B. The District reserves the right to refuse service unless the consumer's lines or piping are installed in such a manner as to prevent cross connections or backflow.
- C. Under normal conditions, the consumer will be notified of any anticipated interruption of service.
- D. The District shall not be responsible for negligence of third persons or forces beyond the control of the District resulting in any interruption of service.

#### Section 2. Consumer's Responsibilities

- A. Piping on the consumer's premises must be so arranged that the connections are conveniently located with respect to the District's lines or main.
- B. If the consumer's piping on the consumer's premises is so arranged that the District is called upon to provide extra services, each additional service to the consumer's property will be considered as a separate and individual account.

- C. The consumer's piping and apparatus shall be installed and maintained by the consumer, at the consumer's expense, in a safe and efficient manner and in accordance with the District's Rules and Regulations and in full compliance with the regulations of the State Department of Health and the Uniform Plumbing Code.
- D. The consumer shall safeguard the District's property placed on the consumer's premises and shall permit access to it only by the authorized representatives of the District.
- E. In the event that any loss or damage to the property of the District or any accident or injury to persons or property is caused by or results from the negligence or wrongful act of the consumer, his agents, or employees, the cost of necessary repairs or replacements shall be paid by the consumer to the District and any liability otherwise resulting shall be assumed by the consumer.
- F. The amount of such loss or damage or the cost of repairs may be added to the consumer's bill and if not paid, service may be discontinued by the District.
- G. Water furnished by the District shall be used by the consumer, members of his household, guests, tenants and employees only. The consumer shall not sell water to any other person or permit any other person to use the water. During a critical water condition, as determined by the District or a public agency, consumers shall use water only for those purposes specified by the District. Disregard for this rule shall be sufficient cause for refusal or discontinuance of service.
- H. The District may discontinue its service without notice for the following additional reasons:
  - 1) To prevent fraud or abuse.
  - 2) The consumer's willful disregard of or refusal to comply with these Rules and Regulations or such special rules as may be adopted by the District with the approval of the Board of Directors.
  - 3) Emergency repairs
  - 4) Insufficiency of supply due to circumstances beyond the District' controls.
  - 5) Legal processes
  - 6) Direction of public authorities
  - 7) Strike, riot, fire, flood, accident or any unavoidable cause.
  - 8) Unauthorized turn-ons.
  - 9) The District may suspend the service of, or refuse service to, any consumer who tampers with the property of the District.

## EASEMENTS

All property owners requesting to connect improvements on their property to the District's water system or any developer of more than one lot seeking a connection of a subdivision or other non-residential improvement to the water system shall grant to the District all easements required by the District to provide water service to, across or on the property for which the connection is being sought. Any party not granting such required easements shall not be granted a connection by the District.

## ARTICLE V

### GENERAL

#### Section 1.

Variation from the terms and conditions of these rules and regulations shall be permitted only upon the verified application of an affected party to the Board of Directors of the District, setting forth the

circumstances whereby the public interest requires such variation, and upon the issuance of a special order of the District. The District may require an application for such variation to be presented in a public hearing.

Section 2

If any section, paragraph, subdivision, sentence, clause or phrase of these Rules and Regulations shall for any reason be held illegal or unenforceable, such decision shall not affect the validity of the remaining portions of these Rules and Regulations. The Board of Directors of the Wonderland Acres Domestic Water Improvement District hereby declares that each and every section, paragraph, subdivision, sentence, clause or phrase of these Rules and Regulations may be held illegal, invalid, or unenforceable.

Section 3.

The District hereby authorized its attorneys, agents, and employees to take all steps as are necessary to enforce the Rules and Regulations.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 198\_

Wonderland Acres Domestic Water Improvement District