

# #18a

## Kachess Community Association Water System Administrative and Operating Rules

Updated: 09/19/09

**Applicability:** The following rules are applicable to all customers receiving water from or have a water connection to the Kachess Community Association Water System (KCAWS) and have been developed to meet applicable regulations, provide standardization of service, inform the customers of their rights and limitations, identify fees rates and charges, identify prohibited activities, and most of all, to ensure a safe and reliable source of water.

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### Definitions:

Note: Unless otherwise defined, terms used in these rules have the same definitions as those contained in WAC 246-290-010 of the Washington State Drinking Water Regulations.

**Association.** The entity owning the KCAWS water system as represented by the Kachess Community Association (KCA) Board of Directors.

**Auxiliary Water Supply.** Any water supply connected to a premise, other than the approved KCAWS potable water supply.

**Backflow Prevention Assembly-Approved.** An assembly that has been listed by the Washington State Department of Health, Drinking Water Program, and so shown on their current listing of approved assemblies.

**Board.** Members of the KCA Board, or designated representatives or assignees, to include the Kachess Water Association Water Committee KCAWC.

**Customers or Consumers.** Customers, Consumers and/or members of the Kachess Community Association, as shown on Kittitas County Assessors tax statements shall be synonymous for the purposes of this document.

**Equivalent Residential Unit (ERU).** The amount of water the average residential home uses in a year: usually stated as a monthly average in metered systems. The term “unit”, “use” and “user” in this definition are synonymous.

**Living Document.** A living document shall be defined as a document that by intention and design, shall be amended from time to time, subject to proper authority and resolutions of the Board of Directors.

**Premises.** A parcel and/or contiguous parcels of land, and any other structures, buildings or improvements.

**Service Charge.** The monthly or annual service charge, often referred to as a “Base Rate”, is incurred by each customer regardless of the amount of water used. This is the primary source of revenue for the KCAWS, and is billed in conjunction with the annual dues assessment for the KCA.

**Water Service Area.** That defined area within which the KCA water system will supply water service.

**Water System.** All parts of the KCA water system owned in common, that supplies water to customers including wells, pumps, components and equipment, storage facilities, piping and all appurtenances, structures, treatment facilities, necessary vehicles and equipment and anything required to meet current regulations and standards of operation.

## **Operating Rules**

1. **Purpose.** These operating rules sets uniform requirements and guidelines which apply to the KCAWS, including all supply, storage or distribution facilities and all piping, equipment, appurtenances and back-flow assemblies.
2. **Administration.** Except as otherwise noted, the KCA Board of Directors, or their designee, shall administer, implement and enforce the provisions of these operating rules. Appeals of administrative decisions may be made to the Board as noted in Section 11.
3. **Authority.** The Revised Code of Washington and the Washington Administrative Code, most

notably WAC 246-290 (Group A Water Systems), RCW 64.38.020 and RCW 43.20.050, allow enforcement and implementation of these rules to provide reliable water service and ensure delivery of safe drinking water.

The rules set forth are adopted under chapter 43.20 RCW. Other statutes relating to this authority are:

- (a) RCW 43.20B.020, Fees for services--Department of health and department of social and health services;
- (b) Chapter 43.70 RCW, Department of health;
- (c) Chapter 70.05 RCW, Local health department, boards, officers--Regulations;
- (d) Chapter 70.116 RCW, Public Water System Coordination Act of 1977;
- (e) Chapter 70.119 RCW, Public water supply systems--Certification and regulation of operators;
- (f) Chapter 70.119A RCW, Public water systems--Penalties and compliance; and
- (g) Chapter 70.142 RCW, Chemical contaminants and water quality.

Additionally, the KCA by-laws section 12.1.1 allows the Board of directors to “*Adopt and publish rules and regulations consistent with the Articles of Incorporation, Declaration, and By-Laws, governing the use of the common area and properties, and the personal conduct of the members and their guests thereon, and to establish penalties for the infraction thereof.*”

#### **4. Duty to Serve -- Connection Allowed**

(a) Properties within the designated service area holding KCA membership which are not delinquent for payments or assessments of any kind, and having granted reasonable access, if appropriate, for operations and maintenance of piping and appurtenances in areas deemed the responsibility of the KCA, may connect to the water system.

(b) Connections are premised on connection per tax parcel, unless irrevocably joined and recorded, and filed with the Kittitas County Assessor’s office, upon which two parcels may be joined as one service connection, subject to lot combination rules and approval of the Board of Directors.

**5. Application for Water Connection--Procedures.** In the case of new construction, initial application for a building permit is made through Kittitas County. Upon verification of a properly executed building permit for new construction and confirmation all fees, assessments and charges have been paid by the applicant, the Board will authorize the connection to the water system. In the case of lot clearing only, the applicant must first receive approval from the KCA Architectural Control Committee (ACC) and present such approval to the Board requesting connection to the KCAWS.

(a) An “Availability of Water Service” letter may be requested from the Certified Water Operator, or ACC Chairman, which letter shall indicate that water service would be available if certain conditions are met. This is an interim procedure, typically shown to financial institutions, that in and by itself, does not authorize service.

**6. Service Connections--General Requirements--Responsibilities.** A pre-construction meeting on-site with the constructor and appropriate agent of the Board is required for new construction. Placement of lines, construction schedules, inspection criteria and construction standards shall be satisfactorily addressed with the project applicant.

(a) For new construction, each tax lot/parcel must have a separate service connection.

(b) Conveyance of water to another premises or lot is prohibited.

(c) The costs for construction of service connections including pipe, labor and fittings, shall be paid by the lot owner.

(d) As a condition of service, all service lines from the KCAWS to the building(s) shall be inspected by a representative of the Board, KCAWS committee, or the KCA Certified Water Operator, to ensure compliance with existing construction specifications and materials. No part of the water piping, valves, or water meter shall be covered or concealed until it has been tested, inspected and accepted.

(e) The ownership of all service connections in rights-of-way, up to and including water meters, shut-off valves and water meter boxes, shall be vested solely with the KCA. All water meters if installed, shall be maintained by authorized personnel only. Meters may be removed and replaced as necessary to test or repair. As a condition of service, access rights shall be granted to the KCAWS committee members or their agents, for the purposes of maintenance, repair, Department of Health inspection for compliance and/or KCAWS rule enforcement, should any meters or water shut off valves be located on private property.

(f) The ownership of the water connection beyond the quarter turn shut off valve on the customer side of the meter shall be vested in the consumer. The operation, maintenance, repair, of the water connection on the customer's side of the water meter, shall be the consumer's responsibility and liability. Owners shall maintain individual service lines in such a manner as to prevent water loss or contamination hazards. Should the consumer fail to properly maintain their service lines or connect to the KCAWS in an approved way, KCAWS shall have the option of accessing consumer's property, making needed repairs and/or disconnecting water service until satisfactory repairs are made. If the KCAWS makes the needed repairs, it shall present a bill for service performed by the KCAWS, payable to KCAWS. If the bills, for such services, are not paid in full within 10 days of receipt, the water to the consumer can be turned off until the bill is paid in full.

(g) Violation of the KCAWS Administrative and Operating Rules and procedures, shall be cause for immediate discontinuance of water service and/or fines imposed by the KCAWS as determined by the discretion of the Board.

(h) If the violation is determined to cause backflow or being the result of a cross connection into the KCAWS, the connection to the consumer shall be turned off immediately and not restored until the source of backflow or cross connection is removed and inspected by a member of KCAWS. A fine of \$400.00 can be imposed for a consumer causing a backflow or cross connection condition.

(i) If a leak is detected on the consumer side of the system the consumer will be notified and the service will be turned off immediately, without notification, until the consumer repairs the leak and has the repair inspected by a member of the KCAWS. The consumer shall be charged a \$200.00 reconnection fee.

#### 7. **Service Line Construction**

No service line connection may be made to the meter until that meter has been approved by the Board. The consumer, consumers contractor, agent or other person doing the work shall prevent any damage to the meter or public water system, and shall so conduct his trenching operations to prevent the possibility of damage from occurring. Digging under the public water system is prohibited. All service lines shall be tested for leakage in the presence of a representative of the Certified Water Operator before backfill. Services shall be tested by first flushing the line, then, by capping he end or ensuring all water taps are closed, checking fittings for leaks using system pressure while ensuring the meter is not turning.

8. **Rates, Charges and Fees** Charges and fees to connect to the water system user rates are as follows:

(a) **Connection Fees.** The current water connection fee for new services is \$200.00.

(b) **Backflow Assembly Administration Fee.** Those premises with backflow assemblies shall be assessed an annual fee of \$50.00 dollars to recover administrative costs associated with notification of required testing and maintenance of records.

(d) **Reconnection Charge.** A charge of \$200.00 dollars shall be made to reconnect water service during the normal workday, if the service was disconnected because of nonpayment. An additional charge of \$100.00 dollars will be made to reconnect water service after normal workday hours, weekends or holidays.

(e) **Service Charge.** The current annual service charge, as of September 1, 2009 is \$194.75 dollars annually per each service connection, regardless of the amount and type of use. Additionally, there is a commodity rate for the amount of water used. There shall be two classes of customers, as described below:

**Residential** Connections serving residential domiciles which are typically constructed homes.

**Community** Community customers are described as community owned connections (for the Clubhouse and Fire Station) and will be assessed on a case-by-case basis, as determined by the Board.

(f) The service charge and the commodity rates shall be adjusted at a rate set as determined by the Board.

#### 10. **Payment for Water Services--Responsibility--Due Date--Nonpayment Penalties-**

**Administrative penalties-Liens.** The owner of the premises which is provided with water service shall be responsible for all water charges, fees and penalties accrued until the Board is notified in writing by the that owner, or new owner, that a change of ownership has occurred.

(a) Customers will be billed annually along with their annual dues, unless an alternate form of payment has been authorized by the Board. If an initial service connection is made after the fifteenth of the month, that month's service charge shall be one half the normal pro-rata monthly charge rate.

(b) KCAWS Billings will become delinquent 30 days after the designated due date. The KCA will notify the customer of delinquency in payment, and give the customer an additional 90 (ninety) days to make full payment, along with interest charges on the outstanding amount owed, after which the water service will be discontinued. A reconnection fee will be charged, per item 8 (d) above.

(c) Should the owner or occupant of the premises where the water has been shut off due to delinquent payments turn on the water, or cause the water to be turned on by other parties, it shall be turned off again by authorized personnel and an additional penalty of \$200.00 shall be assessed for thief of services. In addition to a fine, violations of this type shall be referred to the Kittitas County District Attorney's office for criminal prosecution.

(d) Willful destruction or vandalism of any property of the KCA water system, such damaging service connections or meters, cutting off locks, shall incur a penalty of \$1,000.00 in addition to costs to correct damage or replace equipment damaged as a result of such actions and will be assigned in addition to all other penalties, charges and fees assigned or outstanding. Theft of water and destruction of Water System Facilities and Property are criminal offenses under Federal, State, and County laws. Federal Violations fall under the authority of the Homeland Security Act. Violations of this type shall be referred to the Kittitas County District Attorney's office for criminal prosecution.

(e) Customers committing administrative violations during a calendar year, such as watering at prohibited times or other non-criminal or health-hazard related prohibited acts, will be notified verbally for the first violation, notified in writing for the second violation, and will accrue a \$100.00 penalty for each subsequent violation. Failure to pay the penalties when billed will trigger the "discontinuance of water" shut-off procedures described above.

(f) Customers interfering with the lawful duties of the KCAWS staff, including harassment, conveying threats, preventing meter readings, parking cars over meter boxes, filling meter boxes with debris of any kind and other such acts, will be notified once to correct the action, and then assessed an administrative penalty of \$100.00 per subsequent violation. Threats and intimidation will be forwarded to the appropriate policing agency for prosecution. Administrative penalties will be in addition to any court legal findings or decisions and will trigger the shut-off procedure for non-payment.

(g) Checks returned due to insufficient funds will incur a thirty-five (\$35.00) processing fee.

(h) The KCA Board of Directors may cause a lien against the premises for which service was

provided, for unpaid charges, fees and/or penalties that become more than ninety (90) days delinquent, plus interest and penalties.

11. **Notice of Violation- Hearings - Right to Appeal- Emergency Action**

- (a) **Notice of Violation.** Whenever the Board determines there are reasonable grounds to believe that a violation of any of these operating rules has occurred, the Board shall give notice to such alleged violation to the person in question. Such notice shall (a) be in writing, (b) include a statement of the reason for its issuance, (c) allow a reasonable time for the performance of any act it requires, (d) be served upon the owner, lessee, or his agent as the case requires, provided that such order is deemed to have been properly served upon such individual when sent by registered mail to his last known address, and (e) contains an outline of remedial action which, if taken, will effect compliance with the provisions of these operating rules.
- (b) **Hearings and Right to Appeal:** A person to whom a penalty or other administrative action has been issued or directed may request a review hearing to the Board by submitting a written notice of such request within ten calendar days of the date of penalty or administrative action. The Board shall establish a hearing date and give written notice of the hearing to the appellant at least ten calendar days before such hearing. Such notice shall include the date, time and location and shall be served by registered or certified mail.
- (c) **Emergency Requiring Immediate Action:** Whenever the Board finds that an emergency exists which requires immediate action to protect the public health and welfare, the Board may, without notice or hearing, issue an order reciting the existence of such emergency and requiring that action be taken as necessary to meet the emergency and protect the public health, including the termination of water service.

12. **Water Conservation Plan:** The KCAWS has the responsibility to develop and implement a water conservation plan under several Washington State rules but principally under RCW 70.119A.180 (*Water Use Efficiency Requirements*) and WAC 246-290-Part 8 (*Group A Public Water Systems, Water Use Efficiency*).

During the writing of this plan, the Washington State Department of Health (DOH) has just adopted the administrative rules required by RCW 70.119A.180. WAC 246-290-810 allows water system planning documents submitted during the first year of implementation of the Water Use Efficiency Rules to describe existing levels of water use efficiency while implementing the new requirements.

Existing levels of water use efficiency: KCAWS has an informal water conservation program at this time. The community connections are small when compared to surrounding municipalities, and the climate is cool thereby reducing seasonal water use peaking factors. The system is source metered and changes in water consumption (or loss) are observed via source water meter readings. The community has located leaks from time-to-time and promptly repairs them. The effort to conserve is ongoing. The suggestion to limit unnecessary use has also been mentioned at an annual board meeting. The board is aware of the new rules and has adopted the following program:

## **B. Plan Objectives**

The objectives of this conservation plan are to describe the Rules and Procedures to ensure water use efficiency. In doing so, the plan will:

- Meet regulatory requirements
- Protect public health
- Save operating and maintenance costs
- Educate our customers on the value of our water
- Ensure our water is not wasted

## **C. Required Elements of Plan**

Achieving water use efficiency requires 3 plan components described as general conservation planning, meeting water distribution leakage standards and reporting. This plan is also a required component of our overall water system planning.

### **1. General Conservation Planning**

**a. Legal Authority:** In addition to the legal authority implied in the Washington State Revised Codes and Washington Department of Health's Administrative Codes, the KCA Board will establish operating rules to meet the new requirements.

**b. Conservation Goals:** At this writing, KCA has not had sufficient time to implement water use efficiency goals through the public process, however, the board has met to discuss this issue. The board recognizes that water is a valuable commodity and the wise and efficient use of water is a goal that is in the best interests of our customers. KCA also understands that once implemented, the goals must be reviewed at least every 6 years. The following goals are under discussion:

- **Review the rate structure:** The current rate structure does not provide a substantive price signal for higher than average water use. A program to install meters is being developed and a rate structure establishing a clear price signal for increased water use will be adopted upon meter installation.
- **Conduct water use analysis:** The board will review production data at all routine meetings. Availability of data has been irregular and will now be collected routinely. Service meter readings, flushing water volumes, other water such as fire department use, and service meter readings will be compared to establish water loss.
- **Educate customers:** The board will include information on this program and encourage conservation at the annual meeting and periodically using informational flyers included in normal mailings.
- **Water Use Reduction:** Review existing source meter readings to determine where maximum use occurs and the peaking factor against "average" use. Determine if this use may be reduced with an education program until the system is metered.
- **Implementation Schedule:** Once our goals are set, KCA will develop a schedule to implement the goals.

- c. Review and modification of Operating Rules: KCA has developed and adopted operating rules that encourage the efficient use of water and allow for curtailment of water use which may be reviewed and modified from time to time by the Board.

Water Use Restrictions: Water reduction or curtailment may become mandatory upon a finding by KCA that conservation measure should be implemented. Depending on the expected severity of the problem it is possible that stage two might be implemented immediately. Requests for public cooperation will be made through the KCA website, Public notice at the Club House, Yahoo Groups, email notice and/or other means as appropriate. The following new rules are under consideration at this time.

#### Stage One (voluntary)

Request voluntary conservation and compliance with the following restrictions:

- Minimum use of water requested
- No washing of sidewalks, driveways, parking areas, patios, or other paved areas.
- No refilling of swimming pools with water furnished by the water system.
- No washing of cars, other motor vehicles, trailers, or boats.
- No water to be used for dust control.
- No flushing of mains, except to alleviate specific complaints.
- Commercial and industrial users to conserve water as much as possible.
- If, after the initiation of Stage One, weather conditions, expected trends in demand, or other factors indicate that the threat of a shortage will continue, the additional provisions of Stage Two will be implemented.

#### Stage Two (mandatory)

Stage One restrictions become mandatory and the following restrictions may be added:

- External water use may be prohibited or be restricted to times (Example: odd or even days, morning or evening hours) as determined by KCA.
- Watering of any lawn, garden, trees, or other plants may be prohibited, except from a hand-held container.
- No use of water from a fire hydrant except for fighting fires.

#### Stage Three ( Emergent Leaks)

Stage Three restrictions occur when the KCAWS members or their agents are required to shut down the water system, as required when attempting to find leaks within the system.

## **2. Distribution Leakage**

a. Leak Standard: The DOH unaccounted water standard is 10% of water produced. This is water that has been pumped from our wells that has not been metered to customers. It is calculated by comparing the volume of water pumped from our wells to the water that has been sold plus water having been used to flush the system and used by authorized personnel such as filling fire trucks. The difference is “unaccounted” water, is usually the results of undetected of leaks, un-

authorized use and theft, or inaccurate service meters (if installed). To meet and exceed this standard, KCA will:

- Goal to have all existing customers metered by the end of 2009.
- New construction will be required to install meters.
- Source meters will be checked for proper installation and will be calibrated as necessary, along with Remote Reading.
- Customers will be notified of known or suspected leaks on private property.
- Once data has been obtained and analyzed, if the 10% standard has been exceeded, KCA will begin a leak detection effort and repair the leaks.

### 3. Reporting

a. Annual Reports: KCA will collect data report to DOH the following as requested:

- Monthly total source production.
- The annual Average Daily Demand (ADD) which is derived by dividing the annual production water by 365 days.
- Unaccounted water by percent and volume.
- The annual use by residential and non-residential customers.
- Progress made in achieving the goals that have been set

13. **Damage to Water System--Unlawful Acts.** Violations of provisions in this Section shall be cause for charges as described in Section 10, immediate discontinuance of water service and may lead to action in a civil or criminal court.

(a) It is prohibited by any person to willfully or recklessly disturb, break, deface or damage any fire hydrant, water meter, valve, water pipe or any appurtenances, together with the buildings, grounds and improvements thereon or in any manner interfere with the proper operation of the water system.

(b) It is prohibited for any person who has a water connection to add any water connections or let water off the premises for which connection has been made or supply water for any purpose whatsoever to any other premises.

(c) It is prohibited for any person to prevent, by any means, the direct and unannounced access for the purposes of repair, reading, and inspection of any water meter, fire hydrant or any part of the KCA water system.

(d) It is prohibited for any un-authorized person to open or tamper with in any way, fire hydrants.

14. **Access to Premises for Inspection--Procedures.** As a condition of service, owners of premises serviced by the KCAWS, agree to allow entry by the Board or designee, upon request and at a reasonable time, to discuss possible hazards to public health, and inspect or perform any duty to ensure compliance with provisions of these operating rules.

- (b) If the premises are occupied, the Board shall first contact the current resident or owner if the current resident is unavailable, and request entry.
- (c) If the premises are unoccupied, the Board shall first make a reasonable effort to locate the owner or other persons having control of the premises and request entry.
- (d) If entry is refused, the Board shall have every remedy provided by law to secure entry and, in the interim, may terminate water service.

15. **Interruption of Service--Notification Procedures.** Reasonable attempts to notify all premises affected by interruptions of water service shall be made and such interruptions shall be kept to a minimum.

- (a) Water service may be interrupted without notification to make emergency repairs, to protect the public health, or for safety considerations.
- (b) Interruptions for routine maintenance or repairs, line extensions or service connections shall be scheduled to provide a minimum of one working day's notice to all affected premises and at such time to minimize inconvenience to customers.
- (c) If a water billing is at least thirty days delinquent, notice of interruption of water service shall be mailed to the owner. Seven days after notification by registered mail, service shall be discontinued.

16. **Cross Connection and Backflow Prevention.**

(a) **Definitions.**

ACRONYMS:

<u>AG</u>	Air Gap
<u>AVB</u>	Air Vacuum Breaker
<u>DCVA</u>	Double Check-Valve Assembly
<u>PVB</u>	Pressure Vacuum Breaker
<u>RPBA</u>	Reduced Pressure Zone Backflow Assembly

(1) Air Gap (AG). A physical separation, sufficient to prevent backflow between the free-flowing discharge end of the potable water system and any other surface. Physically defined as, a distance from the overflow rim of a receiving vessel to the discharge pipe of at least twice the diameter of the discharge pipe, but never less than one inch.

(2) Approved. Accepted by KCA, as meeting all applicable specifications cited by program references, and current industry standards and practices.

(3) Atmosphere Vacuum Breaker (AVB). A device that only prevents back-siphonage, by creating an atmospheric vent when there is negative pressure in the water distribution system.

(4) Auxiliary Water Supply. Any water supply to the premises other than the water system's approved public potable water supply. (Example: Trucked in Potable Water)

(5) Backflow. The flow of water, mixtures, substances, or gas, into the distribution system of the potable water supply from any source other than the original water source.

(6) Back Pressure. Any increase in pressure above supply pressure, at a given point in the water distribution system (caused by pump, elevation of piping, heat expansion, and/or air pressure) which would cause or tend to cause backflow.

(7) Backflow Prevention Assembly-Approved. An assembly that has been listed by the Washington State Department of Health, Drinking Water Program, and so shown on their current listing of approved assemblies.

(8) Back Siphonage. The flow of water, mixtures, substances, or gases, into the potable water distribution system resulting from a partial vacuum (reduced pressure) within the system itself.

(9) Contaminant. A substance, that will impair the quality of water to a degree that it will create a health hazard to the public leading to poisoning, the spread of disease or violation of water quality standards.

(10) Cross-Connection. An actual or potential physical arrangement, connecting a public water system, directly or indirectly, with anything other than another potable water system, and capable of contaminating the public water system.

(11) Double Check Valve Assembly (DCVA). An assembly with two independently acting approved check valves, including tightly closing shut-off valves at each end of the assembly and fitted with properly located test cocks. This assembly may only be used to protect against non-health hazards and must be purchased as a complete assembly.

(12) KCA. Shall mean the managerial, clerical or operational personnel concerned with the day-today direction or operation of the KCAWS.

(13) Owner. Any person who has legal title to, or license to operate a property which is served by the water system.

(14) Premises. A parcel of land and any structures, buildings or improvements thereon.

(15) Premises Isolation. The practice of protecting the potable water supply by installing appropriate approved backflow assemblies at or near the point water enters the premises. This type of protection does not provide protection to personnel on the premises.

(16) Pressure Vacuum Breaker Assembly (PVB). An approved assembly consisting of a spring loaded check valve loaded to the closed position with an independently operating air inlet valve loaded to the open position, and installed as a unit between two shut off valves with

suitable test cocks. Unit must be used for non-health hazards and only protects against back siphonage.

(17) **Reduced Pressure Backflow Assembly (RPBA).** An approved assembly consisting of two independently operating check-valves with an automatically operating pressure differential relief valve installed between the two. Unit shall be purchased as a complete assembly with two shut off valves and suitable test cocks. This assembly may be used to protect a potable water source against health hazards.

(18) **Water System.** All parts of a system that supplies water to customers including wells, pumps, components and equipment, storage facilities, piping and all appurtenances, structures, treatment facilities, necessary vehicles and equipment and anything required to meet current regulations and standards of operation.

(b) **Purpose and references.** This program is adopted by Resolution of KCA and provides requirements to prevent actual or potential cross-connections, and defines the degree of protection necessary when such cross-connections cannot be eliminated. The following references are the basis for this program:

(1) **Washington Administrative Code 246-290-490:** establishes requirement for cross-connection control program for Group A water systems and allows disconnection of service.

(2) **Revised Code of Washington, Chapter 70.54:** establishes failure to furnish pure water as a criminal misdemeanor.

(3) **International Plumbing Code:** describes water distribution systems and cross-connection control provisions.

(c) **General Rules.** No cross-connections or potential cross-connections shall be created, used or maintained within the KCAWS unless protected by an approved backflow assembly commensurate with the hazard.

(1) The KCAWS, under direction of Board of Directors, is the water purveyor and has legal rights to protect the public health. Water service shall be terminated immediately, if KCA Board of Directors determines at any time a threat exists to the public health.

**(aa)** As a condition of water service, and after reasonable notice, owners shall allow all properties to be inspected for potential cross-connections and shall follow the requirements of this program if a cross-connection or potential cross-connection is found.

**(bb)** Approved backflow assemblies, if required, shall be installed, at the expense of the owner, at the service connection (premises isolation) or, in limited cases, within the premises as determined by KCA.

**(cc)** A Reduced Pressure Zone Backflow Assembly (RPBA) shall be installed at the service connection to the premises, at the expense of the owner, in an approved installation, if the owner wishes to preclude inspections.

(2) The most common sources of cross-connections in residential settings are on-site wells, water troughs, swimming pools, ponds, fountains, solar heating systems, and lawn irrigation systems.

(aa) Leaving a hose pressurized or using a hose bib to provide water to trailers/campers or to fill any kind of tank, also allows for potential contamination. These types of activities must be isolated from the potable water system, either by air-gap (ensuring the end of the hose is not submerged in any tank or vessel), or approved backflow assembly.

(bb) Irrigation and lawn sprinkler systems are not allowed, per KCA by-laws.

(cc) On-Site Wells: No on site wells are allowed, per KCA By-laws.

(3) KCA shall ensure that plans for all new construction are reviewed, and cross-connection hazard inspections are performed prior to water system connection, and will inform the owner of required or recommended corrections for the prevention of cross-connections. The homeowner or business owner shall pay inspection costs, which are included in the connection fee.

(4) KCA will develop an information flyer, which will provide information on cross connections. This will be given to new customers and will be included in the annual Consumer Confidence Report mailing.

(5) KCA will utilize a Cross Connection Control Specialist (CCS) to implement this program and provide technical assistance, as necessary. The CCS will coordinate with Local Administrative Authority (ies) (LAA), such as building or fire code officials, as necessary; to ensure water system policy and rules compliments the International Plumbing Code, and other local requirements. The LAA will be notified *prior* to disconnecting water service to a customer's premises for failure to perform "corrective action" for hazards inside property buildings, except in the event of an emergency.

(6) Backflow assemblies, if installed will be inspected and tested annually in accordance with current practice by a certified Backflow Assembly Tester (BAT). Records indicating the location, type, serial number, and hazard protected, and all required Backflow Assembly Tester (BAT) inspection data will be maintained.

(7) Should a backflow incident occur, the KCA will take immediate action to prevent further hazard to public health, and will notify the community, local authorities as appropriate, and the CCS, immediately.

(8) KCA will re-evaluate potential cross-connection hazards and conduct a system assessment from time to time, but not less than every two years, and when change of use of water occurs.

## 19 . Declaration

This document shall be considered a "Living Document", and as such, is intended to be updated, changed, modified, and amended by the KCAWS committee, following approval of the KCA Board of Directors.