

ARTICLE 5 - **Water Taps**

5.1 Transfer of Water Tap (Tap).

Taps are purchased for and shall be appurtenant to a specific property and once purchased are not transferable, except in the case where unusual circumstances not caused by the property owner create a hardship. The Board shall have sole discretion regarding transfer of a Tap and may consider these factors, among others, to determine whether to permit the transfer:

1. Whether the transfer is in the best interest of the District.
2. Whether the property owner requesting the transfer is the common owner of both the property to which the Tap is appurtenant and the property to which the transfer of the Tap is being requested.
3. Whether the property owner requesting the transfer has any outstanding unpaid accounts with the District and has previously maintained a good credit record with the District.
4. Whether the property which the Tap is appurtenant has ever been connected to the Water System.
5. Whether the property from which the transfer is sought may at some time in the future be connected to the Water System.

If the Board approves a Tap transfer, the property owner requesting the transfer shall pay to the District the actual costs to install the new Tap and abandon the old Tap.

5.2 Commencement of Charges.

Fees and charges payable to the District shall commence as of the date the Meter is physically installed for the property, with the first billing rendered on or about the first day of the next billing period following the installation of the Meter.

5.3 Charges Pending Installation.

If the transfer of a Tap from one property to another property is permitted by the Board, the Tap shall, pending installation on the new property, be subject to minimum monthly charges even though no Water Service is then being provided to the new property.

5.4 Installation.

Water Taps shall be installed within one (1) month following the date of payment of the Capital Investment Fee by the Customer or within one (1) month of when District Water Mains are available to serve the property, whichever is later.

5.4.1 Separate Water Taps Required. With the exception of an approved Master Meter, each separate property shall be served by a separate Tap, unless specifically approved by the District in writing. If a duplex/triplex/fourplex, which is under common ownership and on a single property, is subsequently subdivided into separate properties, each of those separate properties shall require a separate Tap and payment of an additional Capital Investment Fee.

5.4.2 Master Meters. A Master Meter shall be allowed only when approved in writing by the Board and only when there is a property or unit owners' association in existence which is responsible for the payment for Water Service provided in the following situations:

- a) For condominium units or townhome units which are located within a single building.
- b) For a subdivision that existed before June 1, 2010 which had an existing domestic water distribution system.

In these instances the property or unit owners' association may be permitted to have one (1) Master Meter serving all condominium units or townhome units located within such building or serving the separate lots of the subdivision. Such property or unit owners' association shall satisfy the requirements of the District which are adopted by the Board from time to time to ensure that ability of the property or unit owners' association to collect and pay for Water Service provided to individual condominium units and/or individual townhome units or to the separate lots in a subdivision, which requirements shall include, but are not limited to, evidence of the existence of covenants, conditions, and restrictions affecting such properties which require the collection by the property or unit owners' association of sufficient funds to pay all fees and charges to the District for the Water Service and the establishment of lien rights in the event of the failure to pay the same by the owners of residential dwellings or the separate lots served by such Master Meter.

5.4.2.a In the case of a commercial or industrial property with multiple users, additional Taps may be provided upon approval by the District after payment of the appropriate Capital Investment Fees.

5.4.3 Appurtenant to Property. In the event that the property served by a Tap is conveyed or transferred to a new owner, such Tap shall be deemed transferred with said property whether such conveyance or transfer is the result of a voluntary or involuntary transfer, including judicial order or decree, public trustee's sale, sheriff's sale, treasurer's sale, or otherwise. Subject to

compliance with these Rules and Regulations, the District may recognize such transferee as the owner of said Tap without requiring an assignment of such Tap executed by the previous owner of the property.

- 5.4.4 Continuation of Water Service Pending Dispute Resolution. If a dispute arises as to the legal ownership of a Tap, the District may, upon written request, continue to provide Water Service to the property for such period of time deemed appropriate by the District pending an agreement between the disputing parties or a court determination relative to the ownership of the Tap. In the event the District shall determine, in its discretion, that the parties are not proceeding in good faith to achieve a resolution as to the ownership of the Tap serving said property, the District may terminate Water Service to said property.