

**TODD CREEK VILLAGE METROPOLITAN
DISTRICT**

RULES AND REGULATIONS

WITH

DESIGN STANDARDS

Revised and Readopted June 3, 2009

RULES AND REGULATIONS
TODD CREEK VILLAGE METROPOLITAN DISTRICT

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TODD CREEK VILLAGE METROPOLITAN DISTRICT
RULES AND REGULATIONS

The Board of Directors of Todd Creek Village Metropolitan District hereby declares that the following Rules and Regulations have been prepared and adopted to provide for the construction, management and operation of the potable water, irrigation water, sanitary sewage and stormwater drainage systems of the District.

The Board of Directors hereby reserves the right to make any lawful addition and/or revisions in these Rules and Regulations when and as they may become advisable to properly manage the District and to promote the peace, health, safety and welfare of the public, as well as the District's Property Owners and Customers. These Rules and Regulations are supplementary to any lawful rights of the Board as outlined in the Colorado Revised Statutes governing Special Districts, including the right to disconnect or to refuse permission to connect any water or sewer service for violation of these Rules and Regulations or the plumbing code of the State of Colorado.

Adopted the 4th day of June, 2009.

By _____
President

ATTEST:

Secretary

SECTION 1 – GENERAL/EXPLANATORY MATERIAL

1.1 AUTHORITY. The District is a governmental subdivision of the State of Colorado and a body corporate, organized and existing under Article 1, Title 32 of the Colorado Revised Statutes with those powers of a public or quasi-municipal corporation that are specifically granted for carrying out the objectives and purposes of the District.

1.2 SCOPE. These Rules and Regulations have been adopted and promulgated pursuant to Section 32-1-1001(1)(m), C.R.S., and shall be treated and considered as new and comprehensive regulations, governing the operations and functions of the Todd Creek Village Metropolitan District, and shall supersede any previously adopted Rules and Regulations.

1.3 POLICY. It is hereby declared that the Rules and Regulations hereinafter set forth are necessary to insure and protect the health, safety, prosperity, security and general welfare of the service users of Todd Creek Village Metropolitan District.

1.4 PURPOSE. The purpose of these Rules and Regulations is to provide for the orderly financing, control, construction, management and operation of the water supply and distribution systems, the irrigation water supply and distribution systems, the sanitary sewer collection and treatment system, the stormwater drainage collection and transmission system and the stormwater detention system of the Todd Creek Village Metropolitan District, including additions, extensions and connections thereto.

1.5 INTENT OF CONSTRUCTION. It is intended that these Rules and Regulations shall be construed and implemented to affect the general purposes set forth herein. No portion of these Rules and Regulations shall be construed as a waiver of any grant of power, duty or responsibility, or a limitation or restriction upon the rights and powers of the Board of Directors by virtue of statutes now existing or subsequently amended, or under any contract or agreement existing between the District and any other governmental entity.

1.6 AMENDMENT. It is specifically acknowledged that the District shall retain the power pursuant to § 32-1-1001(1)(m), C.R.S. to amend these Rules and Regulations as it deems appropriate and such amendments shall be entered in the Minutes of the District and periodically incorporated in printed copies of these Rules and Regulations. Prior notice of the proposed amendments shall not be required to be provided by the District.

1.7 DEFINITIONS. Unless the context specifically indicates otherwise, the meaning of terms used herein shall be as follows:

Actual Cost shall mean all direct costs applicable to the inspection and/or construction of a given facility, including surveys, preliminary and design engineering, construction, inspection, administrative, regulatory agency fees, bond fees, all required easements and/or rights-of-way, plan approval fees, “as-built” drawings, attorneys’ fees, and other costs necessary for completion of a facility or improvement.

Board and Board of Directors shall mean the duly elected or appointed governing body of the Todd Creek Village Metropolitan District.

B.O.D. (Denoting 5-Day, 20 degrees centigrade Biochemical Oxygen Demand) shall mean the amount of oxygen which is utilized in the aerobic decomposition of sewage under laboratory procedures in accordance with the current “Standard Methods for the Examination of Water and Wastewater.”

Capacity Commitment Fees shall mean those fees imposed by the District pursuant to Section 6.8 of these Rules and Regulations.

Customer shall mean any person, company, corporation or governmental authority or agency authorized by the District to use the public water, irrigation, sewer or drainage systems under a written permit issued by the Board of Directors or the Manager in accordance with these Rules and Regulations, or otherwise authorized to use the public water, irrigation, sewer or drainage systems by the Board of Directors or the District’s Manager, in writing and pursuant to these Rules and Regulations and the policies and procedures of the District.

Developer shall mean the person(s), firm, joint venture, partnership or corporation which is the owner, developer or operator of land and which seeks to have the land served by the District.

District shall mean the Todd Creek Village Metropolitan District or the Board of Directors of the District.

Engineer shall mean the engineering firm, or duly authorized representative (engineer), designated by the District to act on its behalf in all engineering and related matters. This definition includes an Inspector employed by the Engineer.

EQR This is an abbreviation for Equivalent Residential Unit which is that level of usage equal to an average single-family detached residence, from a systems demand standpoint.

Failure to Connect Charges shall mean that fee imposed by the District pursuant to Sections 6.10 and 3.12 of these Rules and Regulations.

Industrial Wastes shall mean the liquid waste by-products from industrial and manufacturing processes as distinct from domestic sanitary sewage.

Inspector shall mean the Manager, Superintendent, Engineer, authorized agent, officers, employees of the District or other person so designated by the Manager to perform facility and infrastructure inspections pursuant to these Rules and Regulations and the policies and procedures of the District.

Irrigation Main shall mean a District-owned irrigation pipeline, carrying non-potable irrigation water only, which shall be installed in a public street or easement.

Irrigation Service Line shall mean the privately owned and maintained irrigation line extending from the Irrigation Main to the Customer's irrigation system and shall include the tap on the main and irrigation water meter.

Local Facilities are those facilities designed primarily to serve individual subdivisions or plats. Examples are: water distribution systems, collector sewer lines and storm drainage collection systems.

Manager shall mean the Manager of the District, or in his absence, his duly authorized agent.

Owner or Property Owner shall mean the record title holder (or his authorized representative) of real property located within the District's Service Area.

Oversize Costs are a portion of the costs of a water distribution line, a collection sewer line, or a storm sewer to be installed within, or for, a subdivision to which the District has also assigned a transmission function which results in the need for a larger pipeline. Oversize costs are the difference between the actual costs of the size line required by the District and the size required by the Developer.

Permit shall mean written permission of the Board of Directors authorizing connection to a water or sewer main or other facilities of the District granting an applicant a revocable license to use the water and sewer system or to receive water or sewer service from the

system owned, operated or served by the District as the same is defined in the Rules and Regulations of the District.

Person shall mean any individual, firm, company, association, society, corporation or group.

Regional Facilities shall mean those facilities generally serving the District's Service Areas. Examples are: raw water reservoirs, water sources, water treatment plants and tanks, water transmission lines, trunk sewers, sewage treatment plant, major drainageways, storm water detention ponds and outlet works.

Septic shall mean a septic tank and leach field or other individual sewage treatment system not connected to a public sewer.

Service Area shall mean the service area of the District as generally depicted on the map attached to the Service Plan, as now or hereafter amended.

Service Plan shall mean the Service Plan of the Todd Creek Village Metropolitan District, as approved by the Adams County Board of County Commissioners. And as amended from time-to-time in accordance with Colorado law.

Sewer or Sewer Main shall mean a District-owned sewer pipeline, carrying sanitary sewage or approved commercial or industrial wastes, only, which shall be installed in a public street right-of-way or easement.

Sewer Service Line shall mean the privately owned sewer line extending from the building drain to the sewer main and shall include the tap onto the sewer main.

Sewage shall mean any liquid waste containing animal or vegetable matter in suspension or solution from residences, commercial buildings, institutions and industrial establishments.

Sewer Tap Fee shall be established in the District fees and charges schedule in Appendix A attached hereto.

Shall is mandatory; “may” is permissive.

Storm Drainage Tap Fee shall be as defined in the definitions in Appendix A attached hereto.

Tap Fees are privilege of service charges imposed by the District upon occurrence of a triggering event set forth in Section 6.4 of these Rules and Regulations, and shall include but not be limited to: Potable Water Tap Fee, Irrigation Water Tap Fee, Storm Drainage Tap Fee and the Sewer Tap Fee.

Water Main shall mean a District-owned water pipeline carrying potable water only, and shall be installed in a public street or easement.

Water Resource Charge shall mean the fee that may be imposed on a per acre basis on all property within the service area of the District and included in the District's service area in the future for acquisition and development of the water resources necessary to provide the water services of the District.

Water Service Line shall mean the privately owned water line extending from the water main to the Customer's building, and shall include the tap on the main, corporation cock, curb valve, box and meter, and related facilities.

SECTION 2 – OWNERSHIP AND OPERATIONS OF FACILITIES

2.1 OWNERSHIP OF WATER AND RETURN FLOWS. The District shall have sole dominion and control of all water supplied through the water system, subject to reasonable use thereof by its Customers in compliance with applicable water service permits and these Rules and Regulations. Such dominion and control shall continue without interruption as to all wastewater, return flows, runoff, sewage or tailwater attributable to or originating in water supplied through the water system. The District shall have the exclusive right to recapture such return flows or claim credit therefrom for exchange, sale, replacement, augmentation, substitute supply or any other lawful purpose, and the District's dominion and control over water shall

continue to attach to all such return flows even after they return to the ground. All return flows from water supplied through the water system remain the property of the District. The District retains the sole authority to determine the yield of all water, water rights and augmentation plans that are offered to the District for any purpose.

2.2 DISTRICT'S SYSTEM/REGIONAL FACILITIES. The District has sole authority to plan, finance, design and construct or acquire all Regional Facilities. The District will only construct such facilities or portions thereof when the Board has made a determination that such construction is economically feasible and will not compromise service to its existing Customers and Property Owners. Such determination may require Property Owners/Developers to prepay or guarantee future payment of Tap Fees or agree to other special arrangements as the Board may determine necessary.

2.3 RESPONSIBILITY OF OWNERS, DEVELOPERS AND CUSTOMERS FOR CONSTRUCTION OF FACILITIES. It is the Owner's or Developer's responsibility to finance, design and construct all Local Facilities as defined herein. Such facilities shall be constructed in accordance with plans and specifications approved by the District's Engineer, and in accordance with the construction and technical standards adopted by the Board and contained in Appendix B (the "Construction Specifications"). The Owner or Developer shall pay the Actual Cost of all such facilities. Upon completion of construction of the Local Facilities, ownership of such facilities shall be transferred to the District. The Owner or Developer shall warrant the constructed facilities for a period of one year from the date of initial acceptance by

the District. Owner or Developer shall provide as-built drawings, specifications of the facilities and appropriate lien waivers for all work performed.

It is the responsibility of the Property Owners, Developers and Customers or their builders to construct and pay the Actual Cost of all Irrigation, Water and Sewer Service Lines (from the main in the street or easement to the building) and related facilities. Such service facilities shall be constructed in accordance with the Construction Specifications and shall be inspected by the District prior to use.

2.4 RESPONSIBILITIES FOR MAINTENANCE OF FACILITIES. After construction and final acceptance by the District, the District will be responsible for the maintenance, operation and replacement of all Regional and Local Facilities (except as provided during the warranty period). The individual Property Owners and Customers shall be responsible for the maintenance and replacement of all Irrigation, Water and Sewer Service Lines and facilities, with the exception of water meters, which shall become the property and responsibility of the District.

Each Customer shall be responsible, at its expense, for constructing, repairing and maintaining the entire length of the Service Line(s) serving such Customer's property. Leaks or breaks in a Service Line shall be repaired by the Customer or Property Owner within seventy-two (72) hours of knowledge of a leak, or from the time of notification of such condition by the District. If satisfactory progress toward repairing said leak has not been completed within the same time period, the Manager shall shut off the service until the leaks or breaks have been

repaired. In addition, the District shall have the right to affect the repair, and bill the Customer or Property Owner for the cost therefore. If unpaid, the cost of the repair shall constitute a perpetual lien on and against the property of such Property Owner or Customer, securing payment of such cost, as provided for by Section 32-1-1001(l)(j)(I), C.R.S.

Each Property Owner or Customer is responsible for complying with the District's Cross-Connection and Backflow Control Regulation (applicable to raw and potable system water), attached hereto in Appendix B. Each Customer having boilers and/or other appliances on its premises which depends upon pressure or water in pipes, or on a continual supply of water shall provide, at its own expense, suitable safety devices to protect such Customer and such Customer's property against a stoppage of water supply or loss of pressure. The District expressly disclaims any liability or responsibility for any damage resulting from a Customer's failure to so equip the Customer's property.

The District shall, at Customer's expense, have the right to test, remove, repair or replace the water meters attached to the Irrigation or Water Service Lines of Customer. It shall be the responsibility of each Customer to notify the Manager's office if the water meter for such Customer's property is known or suspected of operating defectively. If a meter shall fail to register in any period or if the readings are in obvious error, the Customer shall be charged the average period consumption, as shown by the meter, during the preceding two (2) years or such amount as will most closely approximate actual usages, as determined by the District, for the period during which the meter was defective or inoperable.

2.5 LIMITATION OF LIABILITY OF DISTRICT. Service from the District is a privilege. As partial consideration for said privilege, Customer/Owner/Developer agrees that no claim for damage shall be made against the District by reason of the following: Blockage in the system causing the backup of sewage; damage caused by “smoking” of lines to determine drainage connections to District lines; breakage of Irrigation, Water or Sewer Main Lines, Regional Facilities or Local Facilities by District personnel or any other party; interruption of water or sewer service and damage resulting therefrom; breaking of any collection or service line, pipe, valve or meter by any employee of the District or any other party; failure or depletion of the water supply; shutting off or turning on irrigation or potable water service; making of connections or extensions to District facilities; damage caused by water running or escaping from open or defective faucets, pipes, toilets, drains or any other facilities; burst service lines and other facilities not owned by the District; damage to water heaters, boilers or other appliances resulting from shutting water off, or for turning it on, or from inadequate or sporadic pressures or volumes; or for doing anything to the systems and facilities of the District deemed necessary by the Board of Directors or its agents. The District shall have no responsibility for notification to Property Owners or Customers of any of the foregoing conditions. The District reserves the right to temporarily discontinue service to any property at any time for any reason deemed necessary or appropriate by the Board of Directors or its designated representatives. The District shall have the right to revoke service to any property for violations of these Rules and Regulations in accordance with the procedures set forth in these Rules and Regulations. Nothing in these Rules and Regulations shall be construed or interpreted as a waiver or limitation of the District’s immunity granted by the Colorado Governmental Immunity Act, § 24-10-101, et seq. C.R.S. or any other law.

2.6 OWNERSHIP OF FACILITIES. All existing and future Regional and Local Facilities connected with and forming an integral part of the District's system and accepted for operation and maintenance pursuant to these Rules and Regulations shall become and are the property of the District, unless expressly provided otherwise in a contract or agreement between the District and the Property Owner, Customer or Developer.

All existing or future Service Lines, including the tap and all related facilities, extending from the Water, Sewer or Irrigation Main Line to each unit or building for each Owner/Customer that is connected with and forms an integral part of the District's water or sewer system is the property of the Owner/Customer, regardless of whether the District might construct, finance, pay for, repair, maintain or otherwise affect the Customer's Service Line(s). The construction of and connection of any service line shall be done in compliance with these Rules and Regulations. The Owner/Customer's ownership of the Service Line(s) shall not entitle the Customer to make unauthorized uses of or connections to, the District's systems once the Service Line(s) has been connected to a District Main Line. All uses of the Service Line(s) or any appurtenances thereto at any time after the initial connection to the District system shall be subject to these Rules and Regulations.

Notwithstanding the above, all water meters and curb valves shall become and are the property of the District after acceptance of such meters and curb valves for maintenance by the District and commencement of service to the property. Said ownership shall remain valid whether the meters and/or curb valves are installed, financed, paid for, repaired or maintained by

another person or whether the meters and/or curb valves are connected to privately owned and maintained Service Lines.

2.7 RIGHT OF ENTRY. The District Manager, Inspector, agent, officers, employees of the District, contractor, or other Person so designated by the District Manager, bearing proper credentials and identification, shall be permitted to enter upon all properties receiving service from the District for the purpose of inspection, observation, measurement, sampling, testing, and repair, in accordance with the provisions of these Rules and Regulations. The granting of Right of Entry by the Owner and occupant is an express condition to the provision of public water, storm drainage and sewer service.

2.8 MODIFICATION, WAIVER AND SUSPENSION OF RULES. The Board or the District Manager acting on instructions of the Board shall have the authority to waive, suspend or modify these Rules and Regulations if such action is deemed necessary for the public health, safety and welfare or the protection of the District's interests. Any such waiver, suspension or modification must be in writing, signed by the Board or the District Manager. Such waiver shall not be deemed an amendment of the Rules and Regulations and shall not be relied upon by any third party. No waiver will be deemed a continuing waiver or authorization for any actions beyond those specifically addressed therein.

SECTION 3 – CONDITONS OF USE OF UTILITY SYSTEMS

3.1 WHO MAY USE. Potable water, irrigation water, sewer and drainage services will be furnished subject to the District's Rules and Regulations and only to property included within the

Service Area of the District. It shall be incumbent upon the applicant to furnish satisfactory evidence that the property to be served is within the Service Area whenever such evidence is requested by the District. Satisfactory evidence shall consist of a tax receipt or certification in lieu thereof received and signed by the County Treasurer or a certified survey of the property stating the property location in relation to the Service Area. An exception to this rule requires a written special service contract approved by the Board. The District will use its best efforts to provide potable water in sufficient quantity and of quality that meets or exceeds state drinking water standards for its Customers as the need arises. The District cannot and does not guarantee a quantity of potable and irrigation water to be available to meet the demand that may arise nor does it guarantee water pressures sufficiently high to operate sprinkler systems, automatic household appliances or other equipment dependent upon water pressure for their operation. Accordingly, certain limitations and conditions may be imposed by the District with respect to the use of the water system(s) and the ability to make new connections thereto.

3.2 COMMITMENT TO SERVE. A request submitted to the District by a Property Owner or Customer for confirmation of a commitment to serve the property with water, drainage and/or sewer services will be granted by the District only upon compliance with all Rules and Regulations and full payment of all applicable fees set forth in Section 6, and related costs.

3.3 INCLUSIONS OF PROPERTY INTO THE DISTRICT'S SERVICE AREA. Real property included within the Service Area boundaries of Todd Creek Village Metropolitan District shall be subject to the Rules and Regulations and policies of the District as exist at the

time of inclusion, and as thereafter adopted or amended. The District may place other conditions on a proposed inclusion to address specific circumstances related thereto.

Service will be furnished only to property included within the District's Service Area. A person owning land outside the exterior boundaries of the District's Service Area who desires to have its property included within the District' Service Area shall file a formal application for inclusion within the District's Service Area on forms prescribed by the District, accompanied by a non-refundable payment for legal fees and a properly executed service agreement in the form provided by the District. The Board reserves the right to impose such additional terms and conditions as it deems to be in the best interests of the District. A Person, Developer or Owner owning land who desires service must include all of its land serviceable by the system contiguous to the parcel on which service is desired into the District's Service Area in one request.

3.4 SERVICE OUTSIDE THE DISTRICT SERVICE AREA. Any service(s) provided to property outside the Service Area of the District shall be subject to these Rules and Regulations and any other agreements which the Board believes necessary in the best interests of the District. Charges for furnishing service(s) outside the Service Area shall be at the discretion of the Board of Directors. In every case where the District furnishes service(s), the District reserves the right to discontinue the service(s) when, in the judgment of the Board of Directors or the Manager, it is in the best interest of the District to do so.

3.5 DENIAL OF APPLICATIONS. The District reserves the exclusive right to deny an

application for service(s) when, in the opinion of the Board, the service applied for would create an excessive seasonal, or other, demand on the facilities, or is otherwise not in the best interests of the District. Denial may also be based upon an unresolved obligation between the District and the applicant, inadequate documentation of easements for Main Lines, Regional Facilities, or Local Facilities that service the property, or any other reason as determined by the Board. The District reserves the right to revoke service(s) for any violation of these Rules and Regulations.

3.6 MOVED OR DESTROYED BUILDINGS. When buildings are moved or destroyed, the original tap shall remain in good standing, provided that uninterrupted payment of the District's minimum service charge (as the same may be amended from time-to-time) is made. If payment of the minimum service charge ceases for any reason, said tap shall be in violation of these Rules and Regulations and the tap shall be revoked and no credit shall be authorized for Tap Fees paid previously for the moved or destroyed building. Non-payment within thirty (30) days of the billing shall be considered cessation of payment of the minimum service charge.

3.7 CHANGE IN CUSTOMER'S EQUIPMENT, SERVICE OR USE OF PROPERTY. No change in the Customer's equipment, service or use of property that receives service(s) from the District shall be made without the prior notification of and approval by the District. Any such change by the Customer which, in the opinion of the District, will increase the burden placed on the District's systems shall require an evaluation of the Tap Fees and monthly service charges resulting from the evaluation. If the District determines that the change in service requires payment of Tap Fees in excess of those currently paid on the property, such amounts shall be paid to the District before the change in use occurs. If the re-evaluation results in a

conclusion that the Tap Fees, if assessed currently, would be in an amount less than that previously paid for the property in question, such determination shall not result in a refund or credit of any kind to the Property Owner or Customer. The District may also require, at the Property Owner or Customer's sole expense, physical changes in the facilities through which the service(s) connect to the property in order to accommodate Property Owner or Customer's proposed change in service. Any violation of this Section 3.7 shall result in the assessment of an unauthorized connection fee, as provided in the District's schedule of fees, and possible revocation of services under Sections 3.8 and 3.9 of these Rules and Regulations. The District shall take those steps authorized by these Rules and Regulations and Colorado law regarding the collection of said fees.

3.8 UNAUTHORIZED CONNECTIONS AND FEES. No person shall be allowed to connect to the sewer, water or irrigation water systems or to enlarge or otherwise change equipment, service or use of property without prior payment of applicable Tap Fees, approval of application for service and adequate supervision and inspection of the taps and facilities by District employees or representatives. Any connection, enlargement or change in use undertaken by Customer, Owner or Developer in violation of these Rules and Regulations shall be deemed an unauthorized connection. Upon the discovery of any unauthorized connections, or if the District believes a Customer has changed the equipment, service or use of their property, the District shall send written notice by certified U.S. Mail or other verifiable means to the Customer or Property Owner benefited by such connections stating that an unauthorized connection has been made between the Owner('s) and the District facilities and the District's intent to assess additional Tap Fees, unauthorized connection fees or other charges. The Customer shall have

twenty (20) days from the date of the notice to pay the Tap Fees specified in the notice or to otherwise respond to the District's notice with a proposed course of action to remedy the violation. To defer the collection of said fees, and as a prerequisite to the right to hearing as provided for and described in Section 7 of these Rules and Regulations, any response by the Property Owner or Customer must, in addition to being submitted within twenty (20) days, include permission to make such inspection of the property in question as the Board or Manager deems necessary to conclusively establish the nature of equipment, service and use of the property in question. Failure to respond as required within the twenty (20) day period shall be deemed to establish that an unauthorized connection has been made and such additional Tap Fee, unauthorized connection fee or other charges as are deemed appropriate by the District, shall be assessed against the property in question. The unauthorized connection fee is an amount equal to twice the then-current Tap Fee that would be due for such property. If such fees and charges remain unpaid, the District may discontinue service to the property. Service may be returned to the property, only upon receipt by the District of all assessed fees and any Turn-On/Turn-Off Fees due. The District may exercise any and all rights provided by law, including foreclosure rights for the collection of unpaid fees and charges of the District pursuant to § 32-1-1001(l)(j)(I), C.R.S.

3.9 REVOCATION OF SERVICE. Service shall be revocable by the District upon non-payment of any fees or charges imposed by the District or upon any violation of these Rules and Regulations. In the event of a proposed revocation of service, the Customer shall be given not less than ten (10) days advance notice in writing of the revocation, which notice shall set forth:

- a. The reason for the revocation and the date service(s) shall be terminated;

- b. That the Customer has the right to contact the District and the manner in which the District may be contacted for the purpose of resolving the obligations; and
- c. That there exists an opportunity for a hearing in accordance with Section 7 of these Rules and Regulations.

If the obligations are not resolved or a request for a hearing, accompanied by a deposit equal to the amount of any fees and charges specified in the notice, is not received by the District within ten (10) days, the District shall terminate the service(s) and the Customer shall be assessed the cost of the disconnection. The Customer's deposit for service, if any, shall be applied against the outstanding obligation.

3.10 REVOCATION OF TAP RIGHTS. The right to connect to the District's system and receive service(s) shall be revocable by the District upon non-payment of all District fees owing to the District and remaining unpaid for a period of ninety (90) days, whether or not the Property Owner or Customer owning the right to connect has actually connected to, and received service from, the District's system. Such revocations shall be conducted in accordance with Section 3.9 above. If the right to connect to the District's system is revoked, the Property Owner or Customer may reacquire such tap rights only by reapplying for service in accordance with the Rules and Regulations, and after paying all fees due and owing the District and the then-current Tap Fees charged by the District under these Rules and Regulations for the use in question and complying with all other requirements of the District.

3.11 TURN-ONS/TURN-OFFS OF SERVICE. All turn-ons or turn-offs of potable water and irrigation water service through a shut-off valve on a Service Line that has been connected to the District's Water and Irrigation Water Mains shall be performed **only** by District personnel regardless of the ownership of the shut-off valve or Service Line, and regardless of the circumstances respecting the turn-on or turn-off. The District shall assess a charge as provided in Appendix A for each such turn-on and turn-off performed. The District will provide this service without charge for (1) a tap for new construction, one time prior to the occupancy of the building served, and (2) for Customers requiring service to be turned off for maintenance of a Service Line. All requests for a turn-on or turn-off of District service, other than as set forth in (1) and (2) in the preceding sentence, may be granted or denied by the Manager in his/her sole discretion. Violation of this section and/or failure to pay the fee shall result in the assessment against the property served of a penalty of \$1,000.00, in addition to the Turn-On/Turn-Off Fee, and in addition to the penalties provided for unauthorized tampering with the District's system in Section 4 of these Rules and Regulations.

3.12 FAILURE TO CONNECT. A Property Owner or Customer's right to connect to a District system shall terminate and any Tap Fee paid shall be forfeited if the tap is not connected to the District's facilities within 24 months of the payment of the Tap Fees unless (1) the Property Owner or Customer pays the Failure to Connect Charge imposed for that tap for each and every month described in Section 6 of these Rules and Regulations, commencing with the first billing cycle after the 24-month period has passed, and (2) the Property Owner or Customer pays the Turn-On/Turn-Off Fee provided by and pursuant to Section 3.11 of these Rules and Regulations, if applicable; or (3) the Property Owner or Customer has entered into a written

agreement with the District that specifically addresses the timing of connection for pre-paid taps. It should be noted, that the real property of Property Owners (including those to whom title is subsequently transferred by any means whatsoever) which is subject to such a written agreement with the District addressing the prepayment of taps, the allocation of taps and related issues, may be subject to the payment of Capacity Commitment Fees as set forth in Section 6 of these Rules and Regulations.

SECTION 4 – POTABLE WATER, IRRIGATION WATER, STORM DRAINAGE AND SEWER SYSTEMS

4.1 UNAUTHORIZED TAMPERING WITH SYSTEMS.

4.1.1 No unauthorized Person shall uncover, use, alter, disturb or make any connection with or opening onto, use, alter or disturb the potable water, irrigation water, storm drainage or sewer system and related facilities without first obtaining a written permit from the District and paying all applicable fees and charges. Unauthorized uses of the District's systems include, but are not limited to, an unauthorized turn-on or turn-off of potable water or irrigation water service or tampering with or in any way modifying any meter, even though the same may be located on a privately owned and maintained service line. No Person shall maliciously, willfully, or negligently, break, damage, destroy, uncover, deface or tamper with any portion of the District's system.

4.1.2 Any Person violating any of the provisions of these Rules and Regulations shall become liable to the District for any expense, loss or damage occasioned by reason of such

violation, and upon non-payment thereof at the demand of the Manager, shall be assessed a penalty in an amount set forth in the District's fee schedule, the violation amount and penalty shall be a lien upon the violator's property, as allowed by Section 32-1-1001(l)(j)(I), C.R.S., as amended, or a lien upon the property concerning which the violator was providing services to/at the time of the violation in question, whichever the District Manager deems appropriate under the circumstances in question.

4.2 WATER SYSTEMS. The District's potable and non-potable water systems have been designed and constructed to provide potable water for conventional domestic and commercial uses and fire protection for single-family residential uses. Persons wanting to use the water systems for an industrial or commercial water supply, which could be expected to require quantities of potable or non-potable water in excess of normal residential usage, shall be required to submit demand data as to water use before a permit will be issued; said permit may contain use limitations as determined necessary by the Board. No taps will be permitted or made during non-business hours without specific, written approval of the District Manager.

4.2.05 Irrigation Water System Requirement. All outside irrigation of sod, shrubs, trees or other plant material (collectively "Landscaping") shall only be done with water from the District's non-potable irrigation water system. No potable water shall be used for the irrigation of Landscaping at any time. Property Owners or Customers within the Service Area shall be required to connect sprinkler and irrigation systems to the District's irrigation water supply system only, pursuant to Section 5.7.3 of these Rules and Regulations. Violation of this

requirement shall be deemed to be an unauthorized connection and tampering with District systems subject to the penalties for such violations as provided in these Rules and Regulations.

4.2.1 Cross-Connection/Dual Supply. Water from the District's potable system and water from the irrigation system or any other source shall be distributed through systems entirely independent of each other, and cross-connection between such supplies is prohibited. A cross-connection is defined as any physical arrangement whereby the District's water supply is connected, directly or indirectly, with any non-potable or unapproved water supply system, sewer drain, well, conduit, pool, reservoir, plumbing fixture or other device which contains or may contain any contaminated water, liquid or other waste of unknown, non-potable or unsafe quality that could impart a contaminant to the District's water supply as a result of backflow. Where a cross-connection is present, it shall be immediately disconnected and each system isolated. If the District, in its sole discretion finds that disconnection and isolation of systems is not achievable or desirable, a District approved backflow preventer or protective device or system shall be installed between the systems. All such facilities shall conform to the construction requirements of the District and shall be open to inspection and testing by the District Manager at all times.

4.2.2 Lawn Sprinkler System. All automatic lawn sprinkler systems shall be equipped with an approved vacuum breaker installation. All automatic lawn sprinkler systems shall be connected only to the District's non-potable irrigation water system and shall be separately metered.

4.2.3 Codes. All plumbing installations shall be designed and installed in conformity with the latest edition of the “Manual, Cross-Connection Control,” published by the Colorado Department of Health and all other applicable regulations and requirements.

4.2.4 Fire Protection Sprinkler Systems. If a fire protection water sprinkler system is to be used, a plan of the system shall accompany the application for such connection and shall be subject to the approval of the District. All fire sprinkler systems shall meet the then current NFPA requirements and additionally shall meet the requirements of applicable fire protection district(s), City, County and State building and fire protection codes. The District may require separate metering of fire protection and sprinkler systems.

4.3 SEWER SYSTEM. Sewer facilities and service for those portions of the Service Area requiring centralized sewer service may be provided by the District. The sewer facilities will be constructed to coincide with development needs and be subject to the requirements of the District and any third party with whom the District contracts for sewer transmission and treatment services. In areas where no central sanitary sewer system will be installed, District residents will maintain individual septic systems. District residents or proposed service users maintaining individual septic systems shall comply with the maintenance requirements for individual septic disposal systems as promulgated by Tri-County Health Department and the State of Colorado, so that such systems do not adversely impact the District’s water supply. The District will have the right, but not the obligation, to inspect the individual systems during construction as well as during operation to insure compliance. All maintenance and inspection deficiencies shall be reported to Tri-County Health Department for enforcement.

Each Customer shall be responsible, at its expense, for constructing and maintaining the individual septic system serving their property. Leaks, breaks and malfunctions shall be repaired by the property Owner within seventy-two (72) hours of obtaining knowledge of such problem or from the time of notification of such condition by the District. If satisfactory progress toward repairing such condition is not made within the same time period, the District may impose penalties and/or charges, may shut off water service to the property or take other enforcement measures until such time as the condition has been rectified. The Property Owner shall cause the individual septic system to be inspected and pumped at a minimum of every four (4) years or more often as usage demands. If, after 30 days written notice to the Property Owner or Customer, the pumping, inspection, repair, maintenance or upgrade requirements of the District or Tri-County Health Department have not been met, the District shall have the right, but not the obligation, to address or repair such deficiencies and the cost therefore, if unpaid by the property Owner, shall constitute a perpetual lien on and against the property, securing payment of such cost as provided by § 32-1-1001(l)(j)(I), C.R.S. Inspections, pumping, operation, repairs, maintenance and upgrading of individual septic system shall be at the sole expense of the Property Owner.

The storm drainage system is to be used for the transmission of natural surface water and uncontaminated ground waters only. No pollutants, trash or other deleterious substances shall be placed in the District's storm sewer systems, or area's tributary to this system. This includes roadside ditches, gutters, culverts, creeks, detention ponds, reservoirs or other drainage facilities and structures.

The sanitary sewer system is for the disposal of water contaminated by biodegradable wastes. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, sump pumps, surface drains or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to the District's sanitary sewer system or an individual septic system. All plan sets which provide for subdrain construction shall have the following disclaimer note placed on the cover sheet immediately adjacent to the District approval block: "Todd Creek Village Metropolitan District does not take any discharge from or maintenance responsibility for foundation subdrains." In order to protect the District's sewage system from damage, destruction, deterioration, misuse or malfunction and to guard against health hazards and the creation of a public nuisance the following regulations shall apply relative to the discharge of sewage containing deleterious wastes.

4.3.1 Specially Regulated Wastes.

- a. **Industrial Wastes.** No Person or Persons shall discharge or cause to be discharged industrial waste of any type into the District's sanitary sewer unless written permission is received from the District and all District requirements are complied with.
- b. **Inflow/Infiltration.** No Person or Persons shall discharge or cause to be discharged into the sanitary sewer of the District, storm water drainage from ground surface, roof gutters, catch basins, sub-surface drainage, ground water or any other source.
- c. **Other Wastes.** Industrial cooling water, unpolluted process waters, bakery/restaurant wastes, car washing wastes, swimming pool drainage and floor drainage from

enclosed and covered areas may be connected to the sanitary sewage system only by a special permit from the District. A permit for such purpose will be considered by the District based upon an application containing the following general information:

- Name and address of owner.
- Location of property for which the request is made.
- Description of the facility or operation requested for connection.
- Estimated quantities and qualities of the waste to be discharged including maximum rates.
- Plans and specifications of related waste generating processes and any pretreatment processes.

The District may issue permits for the connections conditioned upon the following but not limited to:

- The construction of flow measuring and/or sampling devices.
- The construction of valves or gates to stop flows on an emergency basis.
- The construction of grease, oil and sand traps, or other pretreatment facilities.
- Implementation of monitoring and testing programs.
- Actual quantities and qualities of discharge into the District's system.

4.3.2 Prohibited Wastes. Toxic or non-biodegradable waste or any wastes which make the effluent not within state standards after providing conventional treatment shall not be

discharged into the sewer systems. No drain accepting discharge from vehicle wash racks, filling stations, restaurants or other building sewers as specified by the District shall be connected to any sewer service line unless the discharge first passes through an acceptable grease, sand and oil interceptor and all other requirements of the District are fulfilled.

Except as provided herein, no Person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

- a. Any liquid or vapor having temperatures higher than 104 degrees Fahrenheit.
- b. Any water or waste which may contain more than 100 ppm by weight of animal or vegetable fat, oil or grease.
- c. Any gasoline, benzene, naphtha, fuel oil, other flammable or explosive liquid, solid, gas, oil or grease.
- d. Any bio-degradable matter that has not been properly shredded to less than ½-inch in the largest dimension.
- e. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood, paunch, manure or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper and normal operation of the sewage works.
- f. Any waters or wastes having pH lower than 5.0 or higher than 9.0, or having any other corrosive or toxic property capable of causing damage or hazard to lines, facilities, structures, equipment or personnel of the sewage works.
- g. Any water or wastes containing a toxic, poisonous or treatment inhibiting substance in sufficient quantity to injure or interfere with any sewage treatment

process, or constituting a hazard to humans, animals or fish, or create any hazard in the receiving waters of the sewage treatment plant effluent.

- h. Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant or in the sewage transmission lines and facilities.
- i. Any noxious substances or malodorous waste, waters, gases or substance capable of creating a public nuisance, either in the public sewer or at the sewage treatment plant.
- j. A 5-day B.O.D. concentration greater than 300 ppm.
- k. A concentration of more than 300 ppm of Suspended Solids.
- l. Concentrated wastes from septic tanks and portable sanitary devices.
- m. A peak flow rate greater than 5 times the average flow rate.
- n. Any chemicals having a 24-hour proportionate composite sample concentration at the point of discharge in excess of the following:

Cadmium	0.10 mg/l
Chromium	5.0 mg/l
Copper	3.0 mg/l
Cyanides	2.0 mg/l
Iron	15.0 mg/l
Phenol	10.0 mg/l
H ₂ s (Hydrogen Sulfide)	1.0 mg/l
Zinc	2.0 mg/l

4.3.3 Pretreatment. Where necessary, and the District determinations shall be final, the Property Owner or Customer shall provide, at its expense, such preliminary treatment as may be required by the District. Where preliminary treatment facilities are required for any waste or water, they shall meet with the approval of the Board for adequacy of design, and once built, shall be inspected and maintained by the Property Owner or Customer to insure satisfactory and effective operation. When required by the Board, the Customer or Owner of any property served by a Sewer Service Line carrying industrial wastes shall install a suitable control manhole or monitoring point in the building sewer system to facilitate observation, sampling and measurement of the wastes. Such manhole or monitoring point shall be accessible and safely located, and constructed in accordance with plans and specifications approved by the District. The manhole or monitoring point shall be installed and maintained by the Customer at his expense.

In addition to the foregoing requirements, the Customer shall also comply with those requirements and regulations applicable to Customer's specific use of the sewer system as promulgated by the District's Engineer or the entity with whom the District has contracted for sewer transmission and treatment services.

4.3.4 Sump Pumps and Surface Water Drainage. No plumbing fixture, sump pump, device, construction or plumbing system shall be installed within any building or improvement which will connect the sanitary sewer system of the District, directly or indirectly, for the purpose of draining ground or surface waters into the sanitary sewer system of the District. Any Person having connected, or having permitted a prohibited connection to a Sewer Service Line or

a District Main, shall be ordered to disconnect such prohibited device or pumping system at his cost, and upon failure to immediately do so, the District may forthwith disconnect any Sewer Service Line from the property containing such a prohibited connection or pumping system at the connection to the District Sewer Main, the cost of which shall be charged to the Customer or Owner and if unpaid, shall constitute a lien against the property pursuant to § 32-1-1001(l)(j)(I), C.R.S. No Sewer Service Line for such property shall thereafter be connected to the sewer system of the District without payment of all disconnection and connection fees to the District, costs and expenses of the District relative thereto, and positive proof that such improper and illegal connection or device has been removed. The District shall have the right and be granted access to the property at any time, to inspect and verify compliance with these Rules and Regulations.

4.3.5 Construction and Cleaning of Grease, Oil and Sand Traps. Grease, oil and sand interceptors and other pre-treatment facilities shall be installed at the sole cost and expense of the Customer when, in the opinion of the District Manager, they are necessary for the proper handling and treatment of liquid wastes containing greases, oil, etc., in excessive amounts, or any flammable wastes, sand or other ingredient which the District deems harmful to the sewer system. All interceptors and pre-treatment facilities shall be located as to be readily available and accessible for cleaning, maintenance and inspection and shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be watertight, and, if necessary as determined by the District, gastight and vented. Where installed, all grease, oil and sand interceptors and other pre-treatment facilities shall be maintained by the Customer at its expense, in continually effective operation at all times. The District requires

monthly or periodic cleaning and pumping of any grease traps as required for their continued effective operation and as approved by the District Manager. Periodic inspections shall be made of sand and grease traps and interceptors by the District, and in the event the Customer is in violation of these Rules and Regulations, the Customer shall be assessed a penalty in an amount as set forth in the District's fee schedule, Appendix A.

4.3.6 Swimming Pools. A Customer or Owner shall not connect a public or private swimming pool to the District's sanitary sewer system without first obtaining a special discharge Permit from the District. Such permit shall define and specify the hours during which water may be discharged from such pools into the sewer system and prescribe the fees and charges thereof.

4.3.7 Sewer Service Line Maintenance. Each Property Owner or Customer shall be responsible for maintaining the entire length of its Sewer Service Lines from the building to the Sewer Main. Excess infiltration leaks or breaks in the Sewer Service Lines shall be repaired by the Property Owner or Customer within seventy-two (72) hours from the time of notification of such condition by the District. If satisfactory progress toward repairing the leak has not been made by the time specified, the District shall have the authority to repair, or have repaired, the lines and shall charge the Property Owner or Customer all resulting costs thereof. If unpaid, such costs shall constitute a lien against the property pursuant to § 32-1-1001(l)(j)(I), C.R.S.

4.4 ENFORCEMENT.

- a. Grease interceptors and sand and oil traps, and pre-treatment facilities shall be inspected periodically by the District's maintenance personnel and if not properly

maintained, the District shall initiate procedures to obtain compliance with these Rules and Regulations.

- b. The Customer and/or Owner shall be billed directly by the District for all actual costs incurred by the District in inspecting the property.
- c. Discharge of Sewage in any manner in violation of these Rules and Regulations is hereby declared a public nuisance and threat to the public health, safety and welfare and may be corrected or abated as deemed appropriate by the District.
- d. Whenever a discharge of Sewage or the operation of a grease interceptor or sand or oil trap, or pre-treatment facility is in violation of the provisions of these Rules and Regulations or otherwise causes or threatens to cause a condition of contamination, pollution or nuisance, the District will issue a 72-hours' written notice to correct the practice, repair the faulty equipment or otherwise cease the potential or actual polluting activity. If the problem is not corrected within such time, the District may notify the State Health Department and turn off water service or effect disconnection of the Sewer Service Line from the District's system, until such time as the District has received adequate assurances that any and all violations of the District's Rules and Regulations have ceased and will not occur in the future. In addition, all costs of the aforementioned proceedings shall be charged against the property and, until paid shall constitute a perpetual lien against the property, pursuant to § 32-1-1001(1)(j)(I), C.R.S.
- e. When a discharge of wastes or other material causes an obstruction, damage or any other impairment to the District facilities, the District may assess a charge against the Customer and/or Owner for the work required to clean or repair the

facility and add such charge to the Customer and/or Owner's sewer service charge, to be collected as provided in these Rules and Regulations.

- f. Any person who intentionally or negligently violates any provisions of these Rules and Regulations or conditions set forth in permits duly issued by the District shall be liable to the District for all damages resulting therefrom. Intentional damage to the District's facilities or systems may be referred to the proper authorities for criminal prosecution.
- g. In order to insure compliance with these Rules and Regulations, the District may enter upon private property for the purpose of inspection and maintenance of sanitary and waste disposal facilities and may terminate service to property on which a violation of any of these Rules and Regulations is found to exist. Prior to termination of service the District shall notify, in writing, the Owner and tenant, if any, of such property that service is to be terminated. Such notice shall be delivered to the Customer or Property Owner by certified U.S. Mail at the address of record and a copy shall be delivered to the Owner and tenant or posted conspicuously on the property. The notice shall state the date of proposed termination of service and the reasons therefore. In the event of an emergency or to protect the District's facilities, the District may immediately terminate service without prior notice, provided, however, subsequent notice of the termination shall be delivered as set forth herein.
- h. The prohibitions against unauthorized discharge of wastes proscribed in this section include the dumping or pumping of wastes directly into the District's manholes without the prior written consent of the District Manager.

SECTION 5 – CONSTRUCTION OF FACILITIES

5.1 GENERAL POLICY. New service will be furnished only after all of the following conditions are satisfied as determined by the District in its sole discretion:

- The proposed Property Owner/Customer's property is included within the boundaries of the Service Area of Todd Creek Village Metropolitan District, or the Board has furnished a written specific exemption pursuant to the terms of a written agreement.
- Regional Facilities needed to serve the property are in place or will be constructed by the date service is to commence.
- All Local Facilities needed to serve the property are in place or will be constructed by the date service is to commence, and the design and construction of the Local Facilities have been approved by the District's Engineer.
- The applicable permits have been applied for and approved and all required Tap Fees and District charges paid.
- The Property Owner/Customer has constructed and installed Irrigation, Water and Sewer Service Lines in accordance with the District's Rules and Regulations approved by the Manager.

No privately owned wells, cisterns or other water supply or storage systems, septic tanks or other individual sewage disposal systems, or on-site drainage detention facilities shall be

planned or constructed within the boundaries of the District's Service Area without the express written consent of the District.

5.2 REGIONAL FACILITIES. Property Owners or Developers desiring service to new areas within the District's Service Area shall consult with the District and provide adequate lead time to permit the reasonable construction of Regional Facilities necessary to serve the area in question. The District may require financial commitments from Property Owners or Developers desiring service in order to incur the expense of planning and constructing required Regional and/or Local Facilities, and the District may impose Tap Fees or Capacity Commitment Fees, among other fees, rates or charges which the District is empowered to charge, against the relevant real property to be served by the Regional Facilities.

Subject to the availability of funds, payment of fees required, and availability of adequate water resources, a determination of economic feasibility by the Board, and a determination by the Board that the best interest of the District are thereby served, the District will construct, on such terms and conditions it deems appropriate, the water, irrigation water, sewer and drainage facilities as contemplated in the District's Service Plan.

5.3 LOCAL FACILITIES.

5.3.1 Ownership. Unless specifically excepted by the Board in writing, all water, drainage and sewer pipelines located within the Service Area of Todd Creek Village Metropolitan District shall be owned by the District, including those for which there may be a

contractual agreement between the District and a Developer/Owner for acquisition and reimbursement.

Developers or Owners who wish to build Local Facilities and transfer ownership of said Local Facilities to the District for ownership and maintenance shall contact the District in advance of the construction of such facilities and have the designs for the facilities approved by the District's Engineer. The District and the Developer/Owner shall then enter into an asset acquisition agreement detailing the terms for the transfer of the facilities to the District.

Developers or Owners who have completed construction of water, drainage and sewer lines shall, before the Local Facilities are approved by the District for preliminary acceptance, deed the Local Facilities to the District, free and clear of all liens and encumbrances, furnish a bond, in a form and amount previously approved by the District, to cover all maintenance for one year from the date of acceptance of the lines by the District, as-built drawings of the Local Facilities and a summary of the actual original cost of all deeded facilities, complete with verified invoices. At the end of the one-year warranty period, the District, upon application of the Developer or Owner, shall conduct a final inspection of the line(s). When all punchlist repair items are completed to the satisfaction of the District Manager, the District shall accept the lines for ownership, operation and maintenance responsibilities.

5.3.2 Pipeline Sizing. Water (both potable and irrigation) distribution pipelines, collection sewer pipelines, storm drainage pipelines and all related facilities shall be sized adequately to serve the development tract for which they are designed. Where the distribution or

collection lines also have a transmission function serving areas outside of the subject tract, as determined by the District's Engineer, then the District may require that the lines be oversized to accommodate the anticipated needs of the District. In such case, the District will contribute to the Actual Cost an amount equal to the extra cost of oversizing, as provided in Section 6.10.1. In no case shall Water or Sewer Mains of 8-inch diameter or less, or storm sewer pipelines 30" or less, be considered as having a transmission function and thus be eligible for rebates.

5.3.3 Preliminary Design Procedures. Water (both potable and irrigation) distribution and collection system planning may be accomplished by the District or by an Engineer registered in Colorado, at the Developer's option and expense. All preliminary plans and final designs must be prepared by or reviewed by the District's Engineer and approved by the Board. The District Engineer or Inspector shall perform all inspections required by the District.

A Developer desiring to have water and/or sewer service extended beyond the District's existing system shall file a written facilities extension request and plan at the District's business office. Upon receipt of such request the Manager, District Engineer and Board shall conduct a preliminary review of the proposed extension, and, if such extension is found to be in the best interests of the District, will provide comment and requirements to be incorporated into the design and construction of the facilities. The District shall have continuing authority to review the extension planning and construction and require such changes as deemed necessary for the protection and benefit of the District. Normally, during the preliminary review phase the pipeline sizing will be reviewed and oversize requirements, if any, established. After preliminary review, the Developer may proceed with final design. It is noted that water system

planning may also require approval by the Brighton Fire Protection District and North Metro Fire Protection District. The Developer is responsible for obtaining these approvals as well as resolving any differences in design requirements imposed by the District.

5.3.4 Easements/Rights-of-Way. All Water and Sewer Mains and Local Facilities shall be located within dedicated utility easements or rights-of-way. Developer/Owner shall obtain and provide to the District at no charge, easements for the location of all such lines in form acceptable to legal counsel for the District. Easements shall be noted on all plans and submittals. No construction related to the lines and facilities shall take place until the easements required by this Section 5.3.4 have been approved and accepted by the District.

Preliminary and final planning shall be such that adequate space and easement reservations shall be made to allow for the construction and maintenance of the lines and facilities approved by the District Engineer.

5.3.5 Final Design. Final design documents will be furnished to the District Engineer for review and approval prior to any construction activities taking place.

The design submittal shall include construction drawings, specifications and other contract documents as required by the District. These documents shall be prepared by the District's Engineer or a registered engineer acceptable to the District. In all cases, the contract documents must be reviewed and approved by the District. Plan and profile drawings shall be on a horizontal scale 1" = 50' (other scales may be accepted, as determined by the District

Engineer). All elevations must be USGS datum. Where practical, elevations of existing District facilities shall be field verified in the final design. Designs and specifications must include the provisions included as Appendix B with other detailed provisions as required by good engineering practice, all subject to the Board's approval.

All Water and Sewer Mains must be installed in trenches containing no other utility conduits, except that the Developer may install subsurface drain lines in conjunction with the sanitation sewer lines when approved in advance by the District. The line type and depth of such installations shall be as determined by the District's Engineer. The topography and alignment of such rights-of-way shall be suitable for main installation as determined by the District's Engineer.

Designs for potable water, irrigation water, sewer and drainage main extensions and Local Facilities shall be submitted for review at least forty-five (45) days before approval is expected. Plans, specifications and easements submitted for Board approval must be complete and meet with the approval of the District. Design approvals are valid for 12 months from the date of Board approval unless otherwise specifically noted in the approval. If construction is not substantially complete by that time, resubmittal of the plans may be required and construction may not be continued without the District Manager's specific approval.

5.3.6 Construction Phase. After all approvals have been granted, the Developer must have the extensions and Local Facilities constructed in strict accordance with the District's approved design and inspected by the District's Engineer or Inspector.

The District Engineer or Inspector will inspect to assure quality construction, installation, materials and practices, in conformity with the approved plans and specifications. The District Engineer or inspector will not perform or be responsible for other construction related services (e.g., staking easement and/or line locations, measuring quantities, preparing pay estimates and administrative or management-type relations with the contractor), unless the District's Engineer is used for design or unless a specific contract for such services is executed with the District.

The Developer or its designated representative shall schedule a pre-construction conference on the job site with the District Engineer and Manager prior to construction. The Developer shall notify the District five (5) working days prior to beginning construction and thereafter keep the Engineer, Inspector and Manager informed of the construction schedule. No work may be covered, completed or made inaccessible without the presence and approval of the Engineer/Inspector. Any Engineer/Inspector time or expense caused by the Contractor failing to work according to the proposed schedule shall be charged to the Contractor or Developer. Any costs for uncovering or accessing work that was not inspected by the District Engineer prior to being covered shall be the sole responsibility of the Contractor or Developer.

Construction staking shall be completed prior to the installation of the potable water, irrigation water, sewer or drainage lines. All staking shall be kept in place throughout the installation of the water, sewer or drainage lines. Staking shall include easement or right-of-way stakes and cut/offset stakes (50 max. spacing unless otherwise approved).

5.3.7 As-Built Drawings. Accurate “as-built” drawings (sealed by the Design Engineer) showing adequate ties to physical facilities must be provided at the completion of work by the Owner/Developer’s Engineer. The District or its Engineer shall be provided with a reproducible set of “as-built” drawings on mylar. These may be the original tracings or photographic reproductions.

As-built drawings shall furnish information in a manner similar to the approved standard drawing “Typical As-Built Information” in Appendix B attached hereto.

5.3.8 Maintenance. The District operates and maintains all potable water, irrigation water, drainage and sewer mains within the District which have been completed, accepted and deeded to the District, except that the Developer shall provide for a one-year warranty period, beginning at the time of preliminary acceptance by the District.

5.4 PERMITS REQUIRED. The right to take and use water distributed and the right to discharge sanitary sewage or storm sewage through the facilities of the District shall exist only under permit and in compliance with these Rules and Regulations, and no physical connection or modification may be made to any such facilities or to any privately or publicly owned extension thereof for any purpose unless a permit shall have first been obtained from the District authorizing the use for which such a connection or modification is to be made. Notwithstanding the issuance of such a permit, the District reserves full power and authority to determine all matters in connection with the control and use of water from the water system.

5.4.1 Separate Permits. No Customer, Developer or Owner in or upon any property to which water is supplied under a permit from the District for such premises shall supply or allow water to be supplied, for use on any other property unless a permit for such use has been issued by the District. Nor shall any sewer user similarly allow discharge of wastes generated from offsite property to a sewer connection or septic system located on his property. A permit from the District is required for each and every building using water and/or discharging sewage.

The Potable Water, Irrigation Water and Sewer Service Lines to any structure served by the District must be independent of the service line to any other structure, except where the structures involved comprise an undivided unit with no potential for separate ownership. Individual water service and meters will be required for each individual Customer or Owner unless a specific written exemption has been granted by the Board.

5.4.2 Transfer of Permits. Permits attach to the designated property only. They are not affected by changes in the ownership of the property and are valid only in accordance with the terms of the permit. Permits and the associated Tap Fees are not transferable to other properties.

5.5 PERMIT ISSUANCE. A permit to take and use water from the District system(s) and/or a permit to discharge sanitary or storm sewage to the District's systems shall only be issued under the following conditions:

5.5.1 Application. The applicant or his agent shall submit a signed, written application for service to the District containing the following information:

- a. A description of the property to be served under the permit, by reference to land survey or by designation of Lot and Block, or other legal description adequate to define the area to be served by convenient references.
- b. A description of the building or buildings to be served, and their purpose. If the buildings are to be used for commercial or industrial purposes (any use other than residential), the applicant shall furnish an estimate of expected peak and average flow loads, with calculations and supporting information as required by the District Engineer.
- c. A copy of a Tap Fee Agreement applicable to the property to be served, and evidence that no uncured deficiencies are outstanding pursuant to the terms of such Tap Fee Agreement.

5.5.2 Payment of Capital Fees. The District will not provide service to any property without prior payment of:

- a. Standard District Connection/Inspection Fees.
- b. Standard District Potable and Irrigation Water Tap Fees, Sewer Tap Fees and Storm Drainage Tap Fees for the appropriate number of EQRs. Unless expressly provided otherwise in a written contract between Customer, Developer or Owner and the District, simultaneous payment of all applicable District fees, including potable water, irrigation water, storm drainage and sanitary sewage, is required.

5.5.3 Payment of Connection Fees. Prior payment of water and sewer connection, inspection and all other related fees which are administratively set to cover the cost of service line tapping and inspection by the District, and for materials furnished by the District.

5.5.4 Tap Fee Agreements. To insure the receipt of Potable Water Tap Fees, Irrigation Water Tap Fees, Sewer Tap Fees and Storm Drainage Tap Fees on a predetermined schedule which is necessary for the District to secure funding for the construction of its facilities, the District may require that any Property Owner, Developer and/or holder of an interest in more than three (3) acres of real property within the District Service Area enter into a Tap Fee Purchase Agreement with the District prior to the issuance of any permits to connect to the District's facilities. As specified in Section 3.2 herein, the District will not issue confirmation of a commitment to serve property with water, irrigation water and/or sewer services unless all Tap Fees are paid in full, or a Tap Fee Purchase Agreement is signed pursuant to this Section. Failure to perform the obligations under a Tap Fee Purchase Agreement may subject property owned by Property Owners, Developers and their heirs, successors in title and assigns to the payment of Capacity Commitment Fees or other District fees, as set forth in Section 6 of these Rules and Regulations.

5.5.5 Prepurchase of Tap Fees. A Developer/Owner may prepurchase Tap Fees pursuant to agreement with the District. The rights derived by payment of such fees shall be as set forth in the agreement. Failure to perform on the Tap Fee purchase obligations in such an agreement will subject the property owned by Property Owners, Developers and their heirs,

successors in title and assigns to the payment of Capacity Commitment Fees, Failure to Connect Charges and/or other District fees, as set forth in Section 6 of these Rules and Regulations.

5.6 FIRE PROTECTION SERVICE. A permit to take and use water from the water system for private fire protection service is granted only upon the following conditions:

- a. The applicant shall have a permit for water service from the District.
- b. The applicant shall have specified with particularity the fire protection facilities for which water service is desired.
- c. The applicant shall have executed an agreement and taken such other measures required by the District adequate to control the use of the fire protection facilities to ensure that they will not be used for any purpose other than fire suppression. Unless specifically exempted by the District Board, each direct fire protection service line shall be equipped with an approved flow detection device. These facilities are subject to inspection at the District's discretion. The applicant shall have obtained all approvals, written or otherwise, as required by the District.
- d. If the water is to be supplied for fire protection through the same service line through which water is supplied for other purposes, the fire protection facilities shall be so installed as to prevent the use of water through such facilities for any purpose other than fighting fires.
- e. The District assumes no obligation for adequacy of water pressure or quantity for private fire protection service.

The only use for which water may be taken from fire protection facilities under permit is to extinguish fires. Any other use of water from such facilities shall be deemed as unauthorized use of water for which a permit for fire protection service may be suspended or revoked. The District may require that a fire protection system be separately metered.

5.7 SERVICE LINES AND CONNECTIONS.

5.7.1 Design-Construction. Water and Sewer services shall not be provided to a property until the Water and Sewer Service Lines and facilities have been inspected and approved by the District Manager. Cost for this inspection service is included in the Tapping Connection Fees as set forth in Appendix A. Violation of this requirement may result in unauthorized connection penalties and other charges being assessed to the Customer or Owner.

5.7.2 Pressure Regulating and Relief Valves. All Water (potable and irrigation) Service Lines shall be equipped with a line-pressure regulating valve – except in areas specifically exempted by the District’s Engineer. Pressure regulating valves shall be upstream of all connections to the Service Line. Installation of the pressure regulating valve in the meter pit is acceptable if the pit and piping are designed to permit convenient servicing of the meter. The pressure regulating valve shall be set for a downstream pressure not exceeding 80 psi. A water pressure relief valve shall be installed in the internal water system of every property served by the District. The valve shall be provided with a discharge outlet line to a drain in any areas where unregulated water discharge could cause damage.

5.7.3 Service Lines. All commercial, industrial and multi-family residential Customers shall have two Water Service Lines and two meters for each structure to be served by the District: one for potable water and one for irrigation. Exceptions to this rule may be made for small industrial/commercial Customers having insignificant anticipated irrigation use, and who will be charged for sewage service based on all water used. Exceptions must be authorized by the District in writing.

All commercial, industrial and multi-family residential Customers shall have a Sewer Service Line for each structure to be served by the District unless said structure(s) is connected to a permitted septic system. Exceptions must be authorized in writing by the District.

SECTION 6 – RATES AND CHARGES

6.1 GENERAL. The District shall impose and collect such fees, charges and penalties sufficient to operate, maintain and provide the services described herein to properties within its Service Area. The District shall impose and utilize its Rates and Charges in accordance with applicable law for protection of the health and welfare of residents, Property Owners and Customers in its Service Area. The District may enter into intergovernmental agreements with other governmental entities to provide for the acquisition, construction, installation, financing, operation, maintenance, repair and replacement of regional sewage treatment facilities which would provide sanitary sewer to the Service Area.

6.2 SERVICE CHARGES. The Schedule of Fees and Charges attached hereto as Appendix A sets forth the current fees and charges applicable to services provided by the District. Such

fees and charges shall remain in effect until modified by the Board in accordance with these Rules and Regulations and applicable laws. Nothing contained herein shall limit the Board from modifying fees and charges from time-to-time. Revised fees adopted by the District will become a part of these Rules and Regulations.

6.3 TAP FEES. Tap Fees are fees which shall be charged to all Property Owners or Customers of the District who have been granted the privilege of service by the District in any form whatsoever. A Property Owner or Customer's failure to pay Tap Fees may result in the imposition of a Capacity Commitment Fee by the District.

Customers shall obtain, and be charged for, a permit to connect to the Potable Water System and Irrigation Water Systems. All Tap Fees shall be assessed when due, and shall be paid in full by Property Owners or Customers before a permit for service will be issued by the District. Except as described below, Tap Fees shall be assessed as provided in Appendix A. The fees and charges reflected in Appendix A shall be based upon EQRs, factors of usage and physical structure and upon the application by the Manager of the District of those factors to the facts and circumstances surrounding the application. Once purchased, Taps and their Associated Tap Fees shall be effective for two (2) years unless otherwise provided in a agreement pursuant to Section 5.5 of these Rules and Regulations. If the service(s) are not fully connected and in use at the property for which the Tap Fee has been paid within two (2) years, the Property Owner or Customer shall be responsible for payment of the difference between the Tap Fee paid and the then current Tap Fee if an increase has been implemented by the District. Revised Tap Fee

amounts and methods of calculation will become a part of these Rules and Regulations when adopted by the District's Board.

6.4 EVENTS TRIGGERING OBLIGATION TO PAY TAP FEES. Tap Fees shall be immediately due and payable to the District from Property Owners upon the occurrence of any one of the followings events relative to real property within the District's service area, including individual lots:

- a. issuance of a permit for service by the District;
- b. issuance of a building permit for property located with in the District's Service Area, which property is to be served by the District;
- c. the expiration of the tap fee payment deadline/date set forth in a tap purchase or other written agreement between the District and a Property Owner/Developer providing for purchase of taps;
- d. any sale or transfer of the ownership of real property from one Property Owner to another Property Owner;
- e. any vesting of title in the holder of a certificate of purchase, or similar instrument, pursuant to a public trustee's or other foreclosure action.

6.5 DELINQUENCIES IN TAP FEE PAYMENT – PROCEDURES. In the event a Property Owner, Customer or Developer fails to pay the District's Tap Fee, in full, within ten (10) days following any one of the events set forth in Section 6.4 of these Rules and Regulations the Tap Fee shall be deemed delinquent. All delinquent Tap Fees shall be subject to collection by the District, in its discretion, as follows:

- a. The Property Owner, Customer or Developer, as applicable, will be mailed or otherwise provided via any reasonable means (including electronic mail and facsimile communications) an invoice for the delinquent Tap Fees; and
- b. If the delinquent Tap Fees are not paid, in full, by the Property Owner, Customer or Developer within fifteen (15) days of the date of the invoice the District shall, in addition to all of its other legally available remedies, have the right (i) to assess a one-time penalty at a rate of twenty percent (10%) of the outstanding Tap Fee and (ii) to assess interest charges at a rate of one percent (1%) per month applied to the unpaid balance. The penalty will be specified and the imposition of interest described in a final demand letter sent, via certified mail, to Property Owner, Customer or Developer; and
- c. If the delinquent Tap Fees are not paid, in full, by the Property Owner, Customer or Developer within ten (10) days of the date of the final demand letter, the District will commence foreclosure of its perpetual lien for the unpaid Tap Fees as provided in Section 6.13.

6.6 TRANSFER OF TAP FEES.

6.6.1 Transfer Requirements. No Tap Fee designated for a service permit on one property, or any portion thereof, may be transferred to a different property or portion thereof unless:

- a. The Owner requesting the transfer is the common Owner of the property for which the Tap Fee has been paid and the property to which the transfer of the Tap Fee or portion thereof is being requested; and
- b. The Owner requesting the transfer has no outstanding unpaid accounts with the District and has previously maintained a good credit record with the District; and
- c. The property to which the Tap Fee initially applied has never been connected to the District's system(s), and
- d. The Owner requesting the transfer must file an application for service for the property to which the Tap Fee is to be transferred.

Any approval of a request for transfer of a Tap Fee shall be in the sole discretion of the District. Upon approval of a request for transfer of a Tap Fee, the tap permit issued for the property to which the Tap Fee initially applied shall be canceled and no rights for connection to the District's system(s) shall exist. A new tap permit shall be issued with respect to the property to which the Tap Fee is transferred.

6.6.2 Transfer Fee. The Owner requesting the transfer shall pay to the District the difference between the Tap Fee which would be charged on the date the transfer is requested for the property to which transfer is being sought, and the Tap Fee previously paid. In no event shall the District make a credit or refund of any Tap Fees. If an Owner transfers only a portion of the total sum previously paid as a Tap Fee, the Owner shall retain a credit with the District for any non-transferred portion of previously paid fees.

6.7 AVAILABILITY OF SERVICES CHARGE. The District shall impose availability of services charges in accordance with C.R.S., Section 32-1-1006(h), (“Availability of Service Charges”).

6.8 CAPACITY COMMITMENT FEES. If the District reserves water and/or wastewater capacity in the District’s system, and/or the District actually constructs District facilities, including but not limited to Water Mains or Sewer Mains, to provide water or sewer service to any property located in the District’s Service Area for which a Tap Fee has not yet been paid, the District may elect to impose a “Capacity Commitment Fee” against such property (by lot or otherwise) in such an amount as the District, from time to time, determines necessary to maintain and operate the District and the District Facilities, and to pay annual costs associated with the District’s bonded indebtedness. This provision is intended to protect Property Owners and Customers as well as to avoid depletion of the District’s treasury and interruption, or increased cost of, District service and facilities.

6.9 INSPECTION FEES. Water and Sewer Inspection Fees are set to cover the actual cost of inspection and records processing for the connection of taps and installation of service lines. Inspection Fees are set administratively by the District Manager, based on Actual Cost experience. If multiple inspections are required due to poor installation or poor scheduling on the part of the Contractor, the District Manager may increase the Inspection Fee to cover the Actual Cost increase. The District may elect to furnish water meters (for standardization and convenience purposes) to service line contractors or Customers. If the District provides water meters, the cost of the meter(s) shall be charged to the Owner/Customer in addition to the

Inspection Fees.

6.10 FAILURE TO CONNECT CHARGES. If a Property Owner or Customer fails to connect to the District's system within twenty-four (24) months after paying the Tap Fee, the Property Owner or Customer shall pay the then-applicable Failure to Connect Charge, on a monthly basis, commencing with the first billing cycle following the passage of the 24 month period. The Failure to Connect Charge is imposed by the District to account for the lack of service fee revenue anticipated upon Tap Fee payment, and then not realized due to failure to physically tap-in to the District's system and pay monthly service charges.

6.11 ADJUSTMENT OF FEES OR SERVICE CHARGES. In those situations where, in the Board's sole discretion, the fees and charges shown on Appendix A do not represent a fair, reasonable and equitable charge for the intended use, the Board, in its sole discretion, may adjust said fees and charges.

6.12 PAYMENT OF FEES AND SERVICE CHARGES.

6.12.1. Billing. It is the policy of the District to bill all monthly service charges in arrears. The District shall have the right to issue only one (1) billing statement for a multi-unit structure or development which is served by a single Service Line and where each unit is not separately metered. The record owner of such property shall be responsible for all charges to the property. If the units are owned by separate parties, the parties shall designate a responsible

party, association or other representative party to receive billing statements and notices from the District.

6.12.2 Due Date. The Customer shall pay to the District within fifteen (15) days after the date shown on the statement the full amount of that statement. Where the Customer believes said statement is in error, the Customer must file within fifteen (15) days after the statement date, a written notice to the District of the presumed error and request a clarification from the Manager. Upon review by the Manager and re-submittal and/or revision of the statement, payment shall be due no later than fifteen (15) days from the date of the resubmitted statement.

6.12.3 Penalty for Late Payments. At any time the Customer is fifteen (15) days late in payment of any fees or charges due the District, the District shall have the right to assess a penalty of ten percent (10%) per month on the unpaid balance. The District shall further have the right, in its sole discretion, to assess compliance fees as set forth in Appendix A hereto and/or to terminate service to any Customer who becomes thirty (30) days or more past due in payment for amounts owed the District as set forth in Section 3.9 of these Rules and Regulations. The District also has the right to assess to any Customer who is late in payment of its account all legal, court, disconnection and other costs necessary to or incidental to the collection of said account.

6.12.4 Collection of Delinquent Amounts. Pursuant to § 32-1-1101(l)(e), C.R.S., delinquent fees, rates, tolls, penalties, charges or assessments made or levied solely for water or sewer service, including charges for availability of such service, may be certified to the County

Treasurer for collection in the same manner as property taxes if the delinquent amount is over \$150 and at least 6 months past due. The District shall charge a fee in the amount of \$50.00 for the administrative costs of this collection method, which fee shall be added to all delinquent amounts, including other penalties and interest charges, before certification.

6.13 FEES FOR FORECLOSURE PROCEEDINGS. If the District determines it necessary to initiate foreclosure proceedings as allowed by § 32-1-1001(l)(j)(I), C.R.S. in order to collect any rate, fee, toll, penalty, charge or assessment imposed by the District pursuant to these Rules and Regulations, the District shall, in each such case, assess a foreclosure fee against the subject property in an amount equal to the costs and fees (including attorney's fees) the District shall incur as its costs of foreclosure, which fee shall be payable in full upon assessment and shall be included in the amount then being foreclosed. Payment of the foreclosure fee, and any and all other fees outstanding against the subject property, shall be a condition to the resumption of service to that property or issuance of a tap permit.

6.14 LINE CONSTRUCTION REBATES. Where a proposed development is not contiguous to existing District Water and Sewer Mains, the District may require the Developer to construct any intervening connecting water or sewer lines. In this situation, the District will set an amount for maximum rebate, being a portion of the approved Actual Cost of the connecting line. This rebate amount will be proportionally assigned to the Developer constructing the lines and the Owners of the intervening property if, in the opinion of the District, the intervening Owners can make reasonable use of the line(s) in the future. Future Developers, Property

Owners or Customers in the intervening area shall be required to rebate the proportionate share of the actual cost of the line(s) before connecting other mains or facilities to the subject line.

6.14.1 Oversize. Where the District requires that a line be oversized for future users, the District may pay for the oversizing of lines directly. If the Board determines it infeasible to participate immediately in the costs of such oversizing, then the Actual Cost of the oversize will be considered a rebatable amount payable proportionally as provided in Section 6.11. The District will pay such rebate from income obtained from Property Owners or future Customers located in an area determined by the District to have benefited from the oversize pursuant to an oversizing agreement by the District Board of Directors and the Developer who constructs and pays for the oversized line(s). Incremental costs will be allowed for line fittings, valves, manholes and other appurtenances (if a size increase is required).

6.14.2 Rebate Amounts. If the Developer did not have the connecting or oversized lines and facilities constructed pursuant to a contract based on advertised bids, the Actual Cost shall be as estimated by the District's Engineer and approved by the Board. In case of disputed eligibility of costs, the Board's decision will be final. In case of disputed method of rebate, a proportionate distribution of costs shall be prepared by the District Engineer and approved by the Board; the Board's decision shall be final. No interest shall be allowed when determining rebate amounts. A rebate agreement shall not exceed a maximum repayment period of ten (10) years from the date of final acceptance by the District of the Lines and facilities in question.

6.15 EQUIVALENT RESIDENTIAL UNIT (EQR) SCHEDULES. Certain fees and charges of the District shall be based on the EQR value assigned to the users of District systems by a Customer, Owner or Developer. The base for EQR schedules is an average detached single-family residence, or its equivalent. The schedules are given in the following tables, subject to amendment by the District. Note that schedule 6.15.1 is applicable to water and sewer systems, while schedule 6.15.2 is applicable to the drainage system.

TABLE 6.15.1

**EQUIVALENT RESIDENTIAL UNIT (EQR) SCHEDULE –
WATER AND SEWER UTILITIES**

<u>Class of User</u>	<u>EQR</u>
A. RESIDENTIAL CLASSIFICATIONS	
1. Single-family Residential Units (per each)	1.0
<p>Single-family Homes, individually billed mobile homes, mobile homes on single lots, mobile homes established for permanent residences.</p> <p>Note: Subrental privileges of all kinds are prohibited.</p>	
2. Multi-family Residential Units	
<p>Apartments, condominiums, townhouses, and similar facilities in the same complex; all units intended for long-term rental or ownership.</p>	
<ul style="list-style-type: none"> • Small sized unit. Shall not have more than one bedroom and one bathroom. 	0.5
<ul style="list-style-type: none"> • Medium sized unit. Shall not have more than 2 bedrooms or 2 bathrooms. 	0.75
<ul style="list-style-type: none"> • Large sized unit. Shall not have more than 3 bedrooms and 2½ bathrooms. 	0.90

<u>Class of User</u>	<u>EQR</u>
• Any larger single unit.	1.0
 3. Transient Residential Units	
Hotels, motels, mobile home parks, dormitories and similar facilities.	
<p style="margin-left: 40px;">Note: Includes: laundry facilities in mobile homes; swimming pools and laundry facilities (except those in mobile homes) are additive; room counts shall include rooms furnished to employees; each billing unit shall have a minimum of one Manager's unit.</p>	
a. Manager's Unit (per each)	0.80
b. Motels, hotels and rooming houses without kitchen facilities	
- with not more than 2 bed spaces per room (per each rental room)	0.20
- with more than 2 bed spaces per room (per each room)	0.35
c. Motels with kitchen facilities	
- with not more than 2 bed spaces per unit (per each rental unit)	0.3
- with more than 2 bed spaces per unit (per each rental unit)	0.4
d. Dormitories (per each rental bed space)	0.1
e. Add for laundry facilities (or available hookup) in each building, % of total EQR served	20%
f. Mobile Homes in Park – with laundry	0.80/space

B. COMMERCIAL CLASSIFICATION

- Minimum of one EQR for all restaurants, food counters, snack bars, coffee stands.

1. Restaurants and Bars

Restaurants, bars, lounges, banquet rooms and drive-ins

<u>Class of User</u>	<u>EQR</u>
a. Restaurants and bars (per 10 seats)	1.0
b. Banquet Rooms (per 10 seats)	.4
c. Drive-ins (per car stall)	.3
d. Drive through take out service window	0.5

2. Commercial Buildings

Office buildings, retail sales buildings, multiple use buildings, laundromats, service stations, shops, garages and similar facilities.

Note: No process water will be allowed to enter the sewer.

a. Offices and office buildings (per 1,000 s.f. of gross floor area)	0.50
b. Retail sales area (per 1,000 s.f. of gross sales, display, storage and support areas)	0.30
c. Laundromats (per washing machine)	1.20
d. Service stations (a set of pumps is defined as 2 pumps regardless of the number of hoses)	
- first set of pumps	1.2
- each additional set of pumps (per set)	0.8
- add for each bay/rack where cars can be washed	1.4
e. Non-retail work areas such as garages, machine shops (per each 10 employees)	0.7
f. Movie theaters (per each 50 seats) and conference centers	1.0

C. CHURCH AND SCHOOL CLASSIFICATIONS

1. Churches (per 100 seats) 1.0
 Note: Rectories, social areas with kitchen facilities are additive

2. Schools

Day care centers, public and private day schools

Note: Includes teachers, librarians, custodians and administrative

Class of User

EQR

personnel associated with the school function; administrative centers, warehouses, equipment (such as buses) repair and/or storage centers, swimming pools and similar facilities are additive.

- | | |
|---|------|
| a. Without gym and without cafeteria (per 50 students) | 1.40 |
| b. Without gym and with cafeteria or with gym and without cafeteria (per 50 students) | 1.75 |
| c. With gym and cafeteria (per 50 students) | 2.10 |

D. MISCELLANEOUS CLASSIFICATIONS

1. Swimming pools and wading pools

Note: A permanent sign must be placed prominently at all pool filter installations stating that pools are not to be drained without permission from the District Manager, that pool draining rates will be subject to approval of the District, and that draining shall be limited to the hours determined by the District.

- | | |
|---|------|
| a. Private pools associated with single-family residential units (per 40,000 gallons of pool volume) | 0.40 |
| b. Pools associated with multi-family and transient residential units (per 40,000 gallons of pool volume) | 0.80 |
| c. Commercial and public pools. Total EQR to be computed from pool volume and per capita capacity as follows: | |
| • first 40,000 gallons of pool volume | 1.05 |
| • each additional 40,000 gallon capacity | 0.75 |

2. Recreational Vehicle Waste Disposal Stations

The operator of the disposal facility shall provide a means acceptable to the District of counting the number of times the disposal facilities are used.

The District shall review and approve charges made to users of dumping facilities by facility owners; no Tap fees will be

Class of User

EQR

assessed for camper dump facilities, and the District reserves the right to cease service to such facilities at any time.

3. Medical Hospital

Note: Includes staff and administrative personnel associated with the hospital function.

- per bed 0.60

4. Public Restrooms (per toilet or urinal) 0.20

E. OTHER CLASSIFICATIONS

Equivalents shall be established on an individual basis for all users other than those identified in Classifications A, B, C, and D above. Industrial users will be subject to the requirements of the Environmental Protection Agency as those requirements pertain to assessment of users charges and cost recovery (refer to 40 C.F.R., Section 25 (1987)).

F. GENERAL NOTES

1. Each Customer of the system will be charged a minimum of 1 EQR for purposes of establishing fixed costs.

TABLE 6.15.2
EQUIVALENT RESIDENTIAL USER (EQR) SCHEDULE
DRAINAGE UTILITY
(Effective April 1, 2003)

<u>Customer Category</u>	<u>EQR Value</u>
1. Single-family Residential Detached, average density 3.5 DU/gross acre. Actual Density 1.0 to 6 DU/acre	1.0 EQR/unit
2. Multi-family Residential (Townhomes, Single-family Attached, Apartments, Condominiums)	

<u>Customer Category</u>	<u>EQR Value</u>
Gross Density <u>Dwelling Units/Acre*</u>	
Less than 4.0 DU/Acre	1.0 EQR/unit
4.0 to 6.99 DU/Acre	0.8 EQR/unit
7.0 to 9.99 DU/Acre	0.7 EQR/unit
10.0 to 12.99 DU/Acre	0.6 EQR/unit
13.0 or more DU/Acre	0.5 EQR/unit
3. Commercial Area	5.25 EQR/acre
4. Schools, government-type buildings	3.5 EQR/acre
5. Open space	0.0 EQR/acre

*Includes platted area with all streets, but does not include dedicated open space.

6.16 CONSTRUCTION WATER CHARGE. Any Person who desires to have water service available at individual building sites within the District’s Service Area for construction use prior to the time a meter may be properly set and protected from damage, shall pay the full Tap Fee and have a temporary water meter installed. Occupancy of the premises shall not occur until a permanent meter shall have been installed. It is in the District’s sole discretion to determine if installation of a temporary water meter and use of District services for construction is in the best interests of the District.

For other requests for construction water, the District at its discretion may provide a fire hydrant meter and permit connection on a designated hydrant after receipt of a written request for temporary construction water service and a cash deposit in an amount to be set by the District Manager. The cash deposit shall cover the value of the meter and prepayment of two months anticipated water use. Such service may be curtailed by the District at any time; no Tap Fee is

required for this service. The District shall read the meter, normally monthly (or at more frequent intervals at the District's option) and bill for water used. Payment shall be made within 15 days of receipt of the billing statement. Water gallonage charges shall be in accordance with the regular commercial schedule with a base fee of not less than the 1-inch size commercial meter to cover billing costs. At the cessation of service the District will refund the deposit less any damages to the meter and/or hydrant and any outstanding charges. Any shortage shall be promptly paid by the user.

If the user elects to take construction water from the non-potable systems, procedures are to be similar to that for potable water above, except that the meter/connection will be at a location or facility as determined by the District Manager.

For all construction water accounts, a non-refundable start-up charge will also be assessed, as provided in Appendix A.

SECTION 7 – HEARING AND APPEAL PROCEDURES

7.1 APPLICATION. The hearing and appeal procedures established by this Section shall apply to all disputes concerning the interpretation, application or enforcement of the Rules and Regulations of the District, as they now exist or may hereafter be amended. The hearing and appeal procedures established by this Section shall not apply to the following disputes:

- a. Complaints arising out of the interpretation of the terms of contracts to which the District is a party;
- b. Complaints which arise with regard to District personnel matters, and

- c. All other complaints which do not concern the interpretation, application or enforcement of the Rules and Regulations of the District.

7.2 INITIAL COMPLAINT – RESOLUTION. Complaints must be presented in writing to the Manager or such representative as may be designated by the District concerning the interpretation, application or enforcement of Rules and Regulations of the District. Upon receipt of a complaint, the Manager or the designated representative, after a full and complete review of the allegations contained in the complaint, shall take such action and/or shall make such determination as may be warranted and shall notify the complainant of the action or determination by mail within thirty (30) days after receipt of the complaint.

7.3 HEARINGS BEFORE THE BOARD. In the event the complainant disagrees with the determination of the Manager or the designated representative, the complainant may, within fifteen (15) days from the date of the mailing of the determination, file with the District a written request for a hearing before the Board. The request for a hearing shall set forth with specificity the facts or exhibits presented at the formal hearing upon which the complainant intends to rely, and shall contain a brief statement of the complainant's reasons for the complaint. The Manager or the designated representative shall compile a written record consisting of all exhibits or other physical evidence reviewed in making his or her determination, and a copy of the written determination. The Board shall hold a formal hearing on the complaint at the next regularly scheduled meeting held no earlier than ten (10) days after the filing of the complainant's request for a hearing. At the hearing, the Manager or the designated representative and the complainant shall be entitled to present all evidence that is, in the Board's view, relevant and material to the

dispute, and to examine and cross-examine witnesses. The Board may establish rules and procedures governing the hearing. A record of the hearing shall be maintained.

7.4 BOARD FINDINGS. Based on the record established, the Board shall issue a written decision concerning the disposition of the dispute presented to it and shall cause notice of the decision to be hand delivered or sent by certified mail to the complainant within fifteen (15) days after the hearing. Such decision shall be final and binding upon the District and the complainant and shall constitute the final administrative action of the District.

7.5 NOTICE. A complainant shall be given notice of any hearing before the Board by hand delivery or certified mail at least seven (7) calendar days prior to the date of the hearing, unless the complainant requests or agrees to a hearing in less time. When a complainant is represented by an attorney, notice of any action, finding, determination, decision or order affecting the complainant shall also be served upon the attorney.

7.6 FINAL DETERMINATION. The Board's determination regarding a complaint shall be final and binding on the Board and no appeal shall lie from the decision of the Board. In the event of any litigation undertaken contrary to this Section, the Board shall be entitled to recover its costs and attorney fees in defending such action.

SECTION 8 – MISCELLANEOUS

8.1 EASEMENT OBSTRUCTION. No billboard, sign, notice or advertisement, trees, landscaping, fencing, monumentation, or obstruction of any kind, whether of a permanent or

temporary nature, shall be constructed or posted within any easement, right-of-way, roadway or other property belonging to the District. The District may remove any such obstructions and charge the costs and damages to the party responsible for placement thereof. The District shall not be liable for loss, damage or other costs associated with the removal of obstructions.

8.2 CONSTRUCTION WITHIN EASEMENTS.

8.2.1 Prohibition. No structure or facility of any type shall be constructed within, under or over, or which encroach upon any easement, right-of-way or dedication granted in favor of the District, or public easements, rights-of-way or dedications which benefit the District (collectively referred to in this Section 8.2 as “District Easements”), without the prior written consent of the Board.

8.2.2 Variances. Upon written application to the Board, the Board may, after consultation with the District Engineer and in the Board’s sole discretion, grant written variances to allow construction within, under or over District Easements. All variances must be signed by the property Owner to be benefited and shall specify that the property Owner will indemnify and hold the District harmless from any damage to the Owner’s structure or facilities, or any landscaping, located within District Easements which may occur as a result of the District’s exercise of its easement rights, including the excavation of such easement. Such variance shall be recorded with the Clerk and Recorder of Adams County and will constitute a covenant which shall run with the land so affected.

8.2.3 Removal of Unauthorized Structures. The District, in its sole discretion, may remove any unauthorized structure or facilities and all landscaping located within, under or over, or which encroach upon any District Easement, which are inconsistent with the District's use of such easement, at the sole cost of the property Owner. Such cost shall include reasonable attorney's fees and damages incurred by the District. The District shall not be responsible for repair or replacement of unauthorized structures or facilities, or any landscaping, if such is required as a result of the District's usage of District Easements.

8.2.4 Private Use of Easements. Except where the language of a District Easement so provides, private use of District Easements incompatible with the District's right of use is prohibited.

8.3 SEVERABILITY. If any provision of these Rules and Regulations, or its application to any person or circumstances is held invalid, the application of such provision to other persons or circumstances, and the remainder of these Rules and Regulations shall not be affected thereby.

8.4 MODIFICATION, WAIVER AND SUSPENSION OF RULES. The Board or the Manager, acting on instructions of the Board, shall have the sole authority to waive, suspend or modify the application of these Rules and Regulations, and any such waiver, suspension or modification must be in writing, signed by the Board or the Manager and shall not be deemed an amendment of the Rules and Regulations. No waiver, suspension or modification of any one occasion shall constitute a waiver, suspension or modification on any subsequent or other

occasion. The Board may amend these Rules and Regulations by adoption of a formal resolution stating the changes to be made and the effective date of such amendment.

**APPENDIX A
TODD CREEK VILLAGE METROPOLITAN DISTRICT
SCHEDULE OF FEES AND CHARGES**

**Effective
January 1, 2009**

A-1 TAP FEES.

These fees are privilege-of-service fees that a Customer must pay before a Permit for service is issued.

RESIDENTIAL TAP FEES

Potable Water Tap Fee ¾ “ Meter \$10,000

Irrigation Water Tap Fee ¾ “ Meter \$ 4,000

NON-RESIDENTIAL TAP FEE

Potable Water Tap Fee ¾ “ Meter \$13,500

Potable Water Tap Fee 1 “ Meter \$21,500

Potable Water Tap Fee 1 ½ “ Meter \$41,500

Potable Water Tap Fee 2 “ Meter \$65,500

Irrigation Water Tap Fee ¾ “ Meter \$ 5,000

Irrigation Water Tap Fee 1 “ Meter \$ 7,700

Irrigation Water Tap Fee 1 ½ “ Meter \$11,300

Irrigation Water Tap Fee 2 “ Meter \$18,100

*** Additional charges may be added for larger meters**

A-2 INSPECTION FEE.

This fee covers the estimated cost to the District of inspecting water service connection before service commences.

Potable Water Inspection Fee \$ 150

Irrigation Water Inspection Fee \$ 100

* Inspections lasting more than one hour will be charged an additional \$75.00 per hour.

A-3 WATER SERVICE CHARGES. Billed monthly based on actual services provided.

RESIDENTIAL RATES – Effective January 1, 2009

Potable Water Charges

\$49.00 minimum service charge	up to 4,000 gallons
\$2.00/1,000 gallons	5,000-7,000 gallons
\$8.00/1,000 gallons	8,000-11,000 gallons
\$10.00/1,000 gallons	12,000-15,000 gallons
\$20.00/1,000 gallons	16,000 plus gallons

Irrigation Water Charges

\$32.00 minimum service charge	up to 10,000 gallons
\$3.00/1,000 gallons	11,000-24,000 gallons
\$4.00/1,000 gallons	25,000-39,000 gallons
\$5.00/1,000 gallons	40,000-69,000 gallons
\$6.00/1,000 gallons	70,000-100,000 gallons
\$10.00/1,000 gallons	Over 101,000 gallons

NON-RESIDENTIAL RATES

Potable Water Charges

\$54.00 minimum service charge	up to 4,000 gallons
\$3.00/1,000 gallons	5,000-7,000 gallons
\$9.00/1,000 gallons	8,000-11,000 gallons
\$11.00/1,000 gallons	12,000-15,000 gallons
\$22.00/1,000 gallons	16,000 plus gallons

Irrigation Water Charges

\$35.00 minimum service charge	up to 10,000 gallons
\$3.30/1,000 gallons	11,000-24,000 gallons
\$4.50/1,000 gallons	25,000-39,000 gallons
\$5.50/1,000 gallons	40,000-69,000 gallons
\$6.25/1,000 gallons	70,000-100,000 gallons
\$11.00/1,000 gallons	Over 101,000 gallons

A-4 WATER METER CHARGES.

Potable Meters

3/4" SRII ECR Meter, Touch Pad with MXU	\$ 425
1" SRII ECR Meter, Touch Pad with MXU *	\$ 725
1 1/2" SRII ECR Meter, Touch Pad with MXU*	\$ 1,025
2" SRII ECR Meter, Touch Pad with MXU *	\$ 1,525

*Oversized meters for commercial use and residential services where more than one residence is served.

Irrigation Meters

3/4" SRII TR/PL Meter with MXU	\$ 425
1" SRII ECR Meter, Touch Pad with MXU *	\$ 725
1 1/2" SRII ECR Meter, Touch Pad with MXU*	\$ 1,025
2" SRII ECR Meter, Touch Pad with MXU *	\$ 1,525

*Oversized meters for commercial use and residential services where more than one residence is served.

Actual cost may vary from time to time. Please call District at time of installation for actual cost.

\$75.00/hour will be charged for sets inspections greater than on hour.

A-5 VOLUNTARY YEARLY OWS INSPECTION.

<u>Onsite Wastewater System Inspection</u>	\$ 75
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Todd Creek Village Metropolitan District will offer a voluntary OWS inspection program for Homeowners wishing to participate.

A-6 DAILY CONSTRUCTION HYDRANT USAGE FEES.

<u>Fee Schedule for Daily Construction Hydrant Usage</u>	
Individual Lot Site Work	\$50/day
Hydrant Meter Valve Deposit	\$2,000

Major construction water costs will be charged at \$50.00 per day, plus \$5.00 per thousand gallons for irrigation water, should potable be used the charge will be \$10.00 per thousand gallons.

A-7 MISCELLANEOUS FEES.

<u>Maintenance Service Fee (per occurrence)</u>	\$ 75
<u>Turn-On/Turn-Off Fee</u>	\$ 100
<u>Transfer fee</u>	\$ 75
<u>Unauthorized Connection Fee</u>	2 X current Tap Fee

<u>Penalty for Late Payments</u>		10% / month
<u>Penalty for Late Payment of Tap Fee</u>		10%/@1 time
<u>Interest for Late Payment of Tap Fee</u>		1%/month
<u>Administrative Fee for Collections & NSF Checks</u>		\$ 50
<u>Foreclosure Fee</u>		\$1,000 minimum or actual cost
<u>Penalty for Unauthorized Tampering</u>		Actual expense, loss or damage Or \$500, whichever is greater
<u>Non-Compliance Penalty Fee</u>		
1 st Offense	Written Warning	
2 nd Offense	2 nd Written Warning and Fine	\$ 200
3 rd Offense	Potable Shut off and Fine and Referral to legal	\$ 300
<u>Copies</u>		\$.50
<u>Certification Fee</u>		\$ 10

APPENDIX B
TODD CREEK VIALLAGES METROPOLITAN DISTRICT
SERVICE LINE STANDARDS

B-1 GENERAL. The sizing of service lines shall be the responsibility of the Applicant. When requested by the District, the Applicant shall, at his expense, furnish data, plans calculations or other information as required for the evaluation of the service size.

Point of Connection: Service lines shall connect to the District's system in a public street or similar place where the District has a free right of access and which otherwise is suitable for the type of line to be installed.

The Property Owner or Customer seeking a service connection shall notify the District when the Service Line is ready for connection to the District's main. The connection to the main shall not be made until after the District's inspection and approval. The actual connection to the main shall be made in the presence of the District's Inspector.

Where parallel or approximately parallel to a structural wall, the service shall be at least 5' from the wall. Penetrations through structures shall be approximately at right angles and shall provide flexibility such that the service will not be damaged by settlement of the structures.

All potable Water, Irrigation Water and Sanitary Sewer Service Lines are to be constructed in accordance with applicable codes, generally accepted good construction practices and the minimum standards and details contained in this Appendix. The details are provided for standardization purposes only, and represent minimum design standards which may require upgrading for specific applications.

B-2 POTABLE WATER SERVICES

B-2.1 Sizing. Sizing for potable water services shall be made in general conformance with AWWA Manual M11, "Sizing Water Service Lines and Meters".

B-2.2 Location. The water service shall be laid at uniform grade and in straight alignment so as to have a minimum cover of 4½ feet from final finish grade. A reference mark shall be placed on the curb above the Service Line.

The water meter shall be placed in a pit located at the property line.

When the preferred location is not reasonably available or would result in unreasonable costs, the Manager may permit an in-building installation. In this case, the meter shall be located at an easily accessible location inside a building on the premises to be served, provided that there will be no reasonable possibility for water to be taken from the service line without passing through the meter, and further provided, where applicable, a remote reading device be installed.

B-2.3 Cross Connections. Cross connections of any type that permit a backflow condition from any source other than the District's potable Water Mains are prohibited. The District will not provide water service to Property Owners or Customer unless the potable water supply is protected from potential or actual cross connections as required by State and District regulations.

B-2.4 Pressure Regulation. All services shall be equipped with a pressure reducing valve (PRV), except where specifically exempted by the District. The PRV shall be upstream of all uses. Installation of the PRV in the meter pit is acceptable to the district if the pit and piping are so designed as to permit convenient services of the meter. The PRV shall be set for a downstream pressure not exceeding 80 psig.

B-2.5 Pipeline Materials.

Water Service Pipeline: The water service pipeline shall be Type K, soft copper conforming to ASTM B88, unless otherwise specifically approved by the District. Fittings shall be brass or copper alloy. Connections shall be by flared joints and no soldered joints shall be permitted underground.

Corporation Stops: Corporation stops shall be used for the connection of services (2" and smaller) to the water main. Corporation stops shall be brass and conform with AWWA C800. The inlet shall be standard AWWA corporation stop inlet thread and the outlet shall be for flared Type K copper service pipe. Corporation stops shall be Mueller H-15000, Ford F-600 or approved equal, provided with an insulating coupling for potable service.

Curb Stops: Curb stops shall be placed on the inlet side of the meter pit for all services 2" and smaller. Curb stops shall be brass and conform with AWWA C800. Connections shall be for flared Type K copper service pipe. Curb stops shall be Mueller H-15204, Ford B-22 or approved equal.

Service Saddles: Service saddles shall be used for all water taps on any pipe other than DIP (Ductile Iron Pipe). For DIP, ¾" taps may be made without using a service saddle on 6" pipe; ¾" and 1" size taps may be made without service saddles on pipe 8" size or larger. All other taps shall be made with a double strap bronze saddle, Rockwell No. 323 or approved equal.

B-2.6 Meters. Unless otherwise approved, water meters shall be housed in an exterior meter pit in accordance with the standard drawings.

Meters: All potable meters 2" and smaller shall be bronze case Sensus SR-II TR/PL or SR TR/PL with sealed register positive displacement magnetic drive meters. Meters larger than 2" size shall be as approved by the District Engineer; normally Sensus compound type meters will be selected.

Meter Pits: For ¾" and 1" meters, pits shall have a circular reinforced concrete barrel. Barrel sections shall be of 5,000 psi minimum strength concrete, with a wall thickness of not less than 2". Reinforcing shall not be less than No. 9 circular wire, 6" on center. Setting shall consist of a lower bell section with opening at the bottom to allow for entrance/exit of the service line. Barrel sections shall fit together allowing no visible gaps and the top section shall be shaped for placement of the meter box cover. Adjustable grade rings shall be of reinforced concrete or cast iron.

For 1½” and 2” meters, 48” or larger precast concrete manhole sections (conforming to ASTM C478) may be used per Drawing B.3. Larger size meter vaults shall be as approved by the District Engineer.

Meter Pit Covers: For ¾” and 1” meters, covers shall be constructed of cast iron with rubber or plastic inner frost lid. The top lid shall be of cast iron with a worm type lock operated by a pentagon head. The lid and cover shall be Ford Wabash No. W3 or approved equal.

For larger meter installations, the meter cover shall be Ford No. 24 with inner cover, except when located in street paving.

Meter Settings: All ¾” and 1” meters shall be set with a copper setter having an internal angle curb valve on the inlet side. Yokes shall be Ford 80 series or approved equal. Meters larger than 1” shall have (sealed) valved bypasses and be set in accordance with the detail given or as approved by the Manager.

B-2.7 Excavation, Bedding and Backfill. All excavations for water and sewer service installations shall be adequately guarded with barricades and lights so as to protect the public from hazard per existing governmental requirements. Street, sidewalks, parkways and other public or private property disturbed in the course of work shall be restored to their original condition in a manner satisfactory to the applicable Todd Creek Village Metropolitan District.

The pipelines shall be bedded and backfilled in accordance with the appended drawings, “Pipe Trench Detail – Water, Drawing C.5”.

Water and sewer service lines shall have 10’ minimum of horizontal separation. Where this separation is impractical, the District Manager may permit other separation requirements, in accordance with the Colorado Department of Health Standards.

All excavations required for the installations of a water and sewer service shall be open-trench work unless otherwise approved by the District.

B-3 IRRIGATION WATER SERVICES. The Irrigation Water Service Lines shall be installed similarly to the standards designated in Section B-2 for potable Water Service Lines; with the exceptions in materials as itemized below:

B-3.1 Pipeline Materials. All Irrigation Service Lines shall be of plastic materials, as follows:

Three-fourths inch through 2" size shall be polyethylene, non-jointed, conforming to AWWA C901, minimum Class 160 psi, using PE 2306, 3306 and 3406 material.

Pipe larger than 2" shall be PVC (poly vinyl chloride). Three inch size shall be ASTM D2241 SDR 21, Class 200 psi. Larger sizes shall be AWWA Class 150 AT\STM C900.

B-3.2 Warning Notification on Pipe or with Tape. All irrigation water distribution and service lines shall be installed with warning tapes or with the warning printed directly onto the pipe. Warning tapes shall be installed directly on top of the pipe longitudinally and shall be centered. Acceptable tape or printing directly on the pipe shall state: "NON-POTABLE LINE – DO NOT DRINK."

B-3.3 Meters. Three-fourths inch and 1" meters shall be installed in plastic meter boxes using a coil type polybutylene setting as shown on the Drawing B.4, ¾" and 1" Irrigation Meter."

Meters shall be Badger Recordall disc meters with plastic bodies.

The meter pit cover shall have a large embossed triangle and the words "NON-POTALBE – DO NOT DRINK" cast integrally.

B-3.4 Irrigation Service Line Installation. Pipe shall be buried with an average cover of 4.5 feet and an absolute minimum cover of 4.0 feet. The Irrigation Service Line shall not be installed closer than 10” horizontally to the potable Water Service or Sewer Service Line. No Irrigation Service Lines shall be installed inside a building or within 5 feet of a building foundation. A marking tape with the words ‘NON-POTABLE LINE – DO NOT DRINK’ shall be installed just above the pipe. If the meter is not installed at the time of service line installation in the right-of-way, a 1½” black PVC or ABS marker pipe, 6 feet long, shall be installed vertically at the end of the service line as a marker.

B-4 SANITARY SEWER SERVICES.

B-4.1 Sizing/Capacity. The size and slope of the building service sewer shall be subject to the approval of the District, but in no event shall the diameter be less than 4”. Minimum grade and slopes shall be as follows:

4”	2.00% Normal; 1.0% Absolute Minimum
6”	1.00%
8”	0.60%

B-4.2 Service Connection. No connection between the sewer system of the District and the sewer facilities of the owner may be made except in a public street adequate to accommodate sewer facilities or in a similar place to which the District has as free a right of access as it would have in a public street.

The applicant for building sewer service shall notify the District when the service line is ready for connection to the District main, and the connection to said District main shall not be made until after inspection and approval by the District. The connection to the main shall be made in the presence of and approved by the District Inspector. If practicable, pre-installed wye fittings shall be used for service connections; otherwise the connection of the building sewer service to the District sewer shall be made as follows: If the District sewer is 12” in diameter or less, the Property Owner or Customer shall, at his expense, install a saddle on up to 8” branches in the District sewer. Where the District sewer is greater than 12” in diameter, a neat hole may be cut into the District sewer, with entry in the downstream direction at an angle of 45 degrees. The use of saddles is mandatory. The Service Line connection shall conform to the drawing B.6 “Sewer Service Connection Detail”.

B-4.3 Pipeline Materials. Sewer service pipe shall be PVC, with a thickness not less than SDR 35. Sanitary Sewer Service Pipe shall be green or other acceptable color (no white pipe – white PVC is reserved for subdrains only).

B-4.4 Service Line Installation. The line shall be water tight and on a constant grade in a straight line, and not closer than 5' from any bearing wall.

Service Line cleanouts, where required, shall conform to the drawing “Service Line Cleanout Detail”. Cleanouts are required for any significant change in service line direction and at intervals no greater than 100'.

Sewer Service Line excavation bedding and backfill shall be in accordance with Drawing C.9, “Sewer Main & Service Bedding and Backfill Details”.

B-5 SUBSURFACE DRAIN LINES. Subsurface drains, where constructed around building foundations, shall be of white color PVC or black HDPE. Any subsurface drains installed in the same trench as the sanitary sewer shall be white color PVC.

APPENDIX C
TODD CREEK VILLAGE METROPOLITAN DISTRICT
LOCAL DISTRIBUTION/COLLECTION SYSTEM STANDARDS

C-1 GENERAL. Local water, sewage and drainage Facilities are considered to be engineered improvements which are designed for specific applications. All designs, drawings and specifications must be prepared by, or under the direction of an Engineer registered in Colorado, whose seal must be on a record set of documents.

The standard details and specifications contained herein are minimum design standards which the District will accept in order to facilitate perpetual operation and maintenance procedures. In addition, the Engineer must also design in accordance with the minimum standards of other regulatory agencies. Review and approval of Local Facilities designs by the District or its Engineer shall not relieve the engineer of record from responsibility for adequate design.

C-2 DRAWINGS. Unless otherwise approved by the District Engineer, all design drawings shall be on 24" x 36" mylar, using ink for all background information and permanent pipeline work. Drawing scale for area plans shall be 1" = 50'. The cover sheet for each drawing set shall have an approval block as shown on Exhibit C.1. Original mylars shall be delivered to the District after acceptance.

Prior to the construction or installation of any Local Facilities, the Developer shall submit Design Documents to the District for review and approval. Each construction drawing set shall have an "approval block" affixed thereto which provides for the signatures of authorized representatives of the District, the District's Engineer, and the applicable fire protection district. Project review and approval by the Fire Protection Agency is required only for water distribution facilities. The "approval block" shall be a facsimile of that appended to these Standard Specifications, Drawing C.1.

The Developer shall also provide a complete set of record drawings for the facilities. The record drawings shall show adequate dimensioned ties to surface features for all buried facilities to allow for future locating.

The record drawings shall be mylar transparencies suitable for blue line reproductions. As-builts shall be in general conformity to the Standard Drawing "Typical Record Drawing Information," Drawing C.2.

C-3 REQUIRED EASEMENTS. Where Local Facilities are to be located out of the public right-of-way, the Developer shall be responsible for obtaining easements required for the construction, maintenance and operation of the facilities. The legal description for the easements shall be prepared by a Registered land Surveyor in the State of Colorado. Easements shall be in a form acceptable to the District and shall be shown on the construction drawings. The District will not approve the Contract Documents until all required easements have been deeded to the District.

In general, the minimum width of easements for pipelines shall be 24 feet. Temporary construction easements shall have a minimum width of 30 feet. Wider easements may be required for deep sections of pipeline, multiple lines, storm sewers and overflow swales, or where otherwise required by the District.

C-4 POTABLE WATER DISTRIBUTION SYSTEMS

C-4.1 Design/Sizing. Water mains shall be designed to meet the most stringent of the following two conditions:

- a. Maximum hourly demand with pressures not less than 40 psi at any point of the distribution system, or
- b. Maximum daily demand rate plus fire flow demand (as determined by ISO guidelines) with delivery pressures of not less than 20 psi at the hydrant.

The normal minimum size Water Main shall be 8" or 6" for short looped lines in single-family residential areas. Smaller mains may be individually approved by the District for dead-end mains without fire hydrants or the possibility of future tie-ins with other mains.

Water Main sizing and connections shall be reviewed with the District Engineer prior to final detailing and drafting. The systems shall be designed to maximize interconnections and strengthening of the District's water system. Where certain lines may also have a transmission function, in the opinion of the District, the District may

direct that such lines be oversized, and the Developer's Engineer shall so design the system. In this case the district will rebate costs in accordance with the Rules and Regulations.

Water pipelines shall have a minimum cover of four and one-half feet. Pipelines shall not be placed deeper than 10 feet without approval by the District.

Regulations normally require a 10-foot minimum horizontal separation between water, sewer and irrigation water mains. When located in public streets, potable water pipelines shall normally be located about 11 feet north or east of, and parallel to, the roadway centerline. Whenever a crossing must occur where an irrigation water or sewer main passes within 10 feet horizontally of a water main, and where the water main is not at least 18" vertically clear above the Irrigation Water or Sewer Main, special construction will be required in accordance with the "Sewer Crossing Water Line Detail," Drawing C.3.

C-4.2 Pipe. All water mains shall be ductile-iron pipe, conforming to ANSI A21.51, Class 52 minimum thickness. Pipe joints shall be push-on type in accordance with ANSI A21.11. Pipe shall have a cement mortar lining meeting AWWA 104 and bituminous exterior coating.

Fittings shall be ductile-iron or cast-iron, minimum 250 psi minimum working pressure, conforming to AWWA C153 or C110 with mechanical joint connections meeting AWWA C111. Lining and coating shall match pipe.

Sheathing: All ductile-iron pipelines, valves and fittings shall be polyethylene sheathed in accordance with ANSI A21.5, AWWA C105, 8 mil minimum thickness.

Buried Valves: Valves 12" and smaller shall be non-rising stem, bronze mounted gate valves with mechanical joint ends conforming to AWWA C500. Valves shall have 2" square operating nuts and open left (counterclockwise rotation). Valves shall be Mueller, Clow, Waterous or approved equal.

Valve Boxes: Each buried valve shall be provided with a cast iron valve box and round cover. The box shall have a minimum inside diameter of 5¼” and be adjustable in length and of the screw type. The word “WATER” shall be cast on the cover. Valve boxes shall be Tyler, Clow or approved equal. Valve boxes shall allow for at least 3” additional extension above the level required for final grade at the time of installation.

Fire Hydrants: Fire hydrants shall be of the dry barrel type and conform with AWWA C502. Hydrants shall have a 5¼” main valve, two 2½” hose connections and one 4½” pumper connection. Hydrants shall have 6” mechanical joint connections and safety traffic flange. Fire hydrants shall be Mueller Centurion No. A-423, Waterous Pacer WB-67 with bronze seat ring or approved equal.

C-4.3 Fire Hydrant Installation. Fire hydrants shall be located as required by the District and as approved by the Fire Protection Authority. The Developer shall be required to obtain the approval by the Fire Protection Authority for fire hydrant locations. Fire hydrants shall be installed in accordance with the drawing “Standard Fire Hydrant Detail”, Drawing C.4.

C-4.4 Pipeline Installation. Water Pipelines shall be installed in a thorough and workmanlike manner in accordance with the Design Documents that have been approved by the District. The minimum bedding and backfill requirements for pipelines and appurtenances shall be as shown on Drawing C.5, “Water Main and Service Bedding and Backfill Details.”

All pipeline fittings (i.e. bends, tees, plugs and caps) shall be installed with concrete thrust blocks adequately designed for the specific application. Thrust blocks shall be cast-in-place from concrete having a minimum compressive strength of 3,000 psi. Alternate means of thrust restraint may be considered and approved for use where proven to provide similar restraint. Supplemental restraint may also be used where the Engineer believes the soil bearing pressures to be inadequate, or is concerned about subsequent movement.

C-4.5 Testing. All finished water lines, after reaction blocking is in place, shall be pressure and leakage tested at not less than 150 psi.

No pipeline installation will be acceptable until the leakage is less than the amount computed by the following formula:

$$L = \frac{SD(P)^{0.5}}{133,200}$$

L = Allowable leakage in gallons (per hour)

S = Tested length of pipe (feet)

D = Nominal diameter of pipe, inches

P = Average Test pressure during the test, psi

C-4.6 Disinfection. All water piping shall be disinfected in accordance with AWWA C601 after all construction work has been completed. Chlorine shall be added to the water at the necessary locations in the amount to form a 50 ppm free chlorine residual. The Chlorine solution shall be left in the pipelines for not less than 24 hours, during which time all valves and fire hydrants shall be operated in order to disinfect the appurtenances. After that length of time, the chlorine residual of the solution, at any place in the system, shall not be less than 10 ppm. All chlorination work must be done under the supervision of the Engineer. At the end of 24 hours, a bacteriological test is to be performed by the local health authority to insure adequate disinfection.

C-5 IRRIGATION DISTRIBUTION SYSTEMS. The minimum standard for irrigation distribution systems shall be similar to those given in Section C-4 for potable water systems with the exceptions as listed hereinafter.

C-5.1 Design/Sizing. Main sizing shall be to deliver not less than 40 psi dynamic pressure at the main during peak flow rate (demand) conditions. The irrigation system will not be designed to provide any fire protection flows.

C-5.2 Irrigation Pipeline Materials. Pipe shall be blue and shall conform with AWWA C900, 150 minimum pressure class (for 12" and smaller PVC mains).

Valve Boxes: Valve box covers shall have a cast triangle and letters "Irrig".

C-5.3 Warning Notification on Pipe or with Tape. All irrigation water distribution and service lines shall be installed with warning tapes or with the warning printed directly onto the pipe and 10GA coated copper tracer wire. Warning tapes shall be installed directly on top of the pipe longitudinally and shall be centered. The tracer wire

shall be taped to the PVC line. Acceptable tape or printing directly on the pipe shall state: “NON-POTABLE LINE – DO NOT DRINK.”

C-6 SANITARY SEWER COLLECTION SYSTEMS

C-6.1 Design/Sizing. Collection sewer system design is intended to provide for all gravity service as provided in the Master Plan. Sewage flows shall be directed to the trunk sewer having capacity as indicated by the District’s Master Plan. Sewage lift stations will not be permitted unless specifically authorized by the Board.

Collection sewers shall be designed to carry not less than the projected peak flow rates flowing half full (safety factor = 2.0), unless otherwise approved by the District Engineer.

The minimum size collection sewer shall be 8” diameter.

Normally, unless otherwise approved by the District Engineer, sewer lines shall be located in the center of the street with water lines being laid parallel to the sewer on either side. (Potable water lines to the north or east, storm sewer to the south or west; and irrigation water lines to the south or west.)

Sewers shall generally be designed with sufficient depth to serve basements by gravity. The minimum cover shall be 6” from top of sewer to finished grade.

Manholes shall be located at a maximum spacing of 400 Center-to-center and also at changes in sewer pipeline alignment and/or grade and at the end of each line. Sewers shall be laid with uniform slope between manholes. Sewers shall be so designed and constructed to give mean velocities, when flowing full, of not less than 2’ per second.

C-6.2 Sewer Pipeline Materials.

Pipe: Sewer pipe and fittings shall be polyvinyl chloride (PVC), SDR 35 minimum thickness conforming to ASTM D3034. Joints shall be of the “slip on” type with integrally cast bell having an elastomeric gasket.

When subdrains are to be constructed in the same trench, sanitary sewer pipe shall be green in color (or other approved color).

Manholes: Manholes shall be precast concrete units conforming with ASTM C-478. Manholes shall have a minimum inside diameter of 4'. Manholes shall be constructed and installed in accordance with the appended drawings, "Standard Precast Concrete Manhole", "Shallow Precast Concrete Manhole", and "Drop detail for Manhole", Drawings C.6, C.7 and C.8.

Manhole Covers: Manhole frames and covers shall be cast iron with the word "SEWER" cast on the cover. The frame shall provide a minimum clean opening of 24".

C-6.3 Installation.

Sewer Installation: The sewer system shall be installed in a thorough, workmanlike manner in accordance with the Design Documents that have been approved by the District. The minimum bedding and backfill requirements shall be as shown on the appended Drawing C.9, "Sewer Main and Service Bedding and Backfill Detail" or C.9A Sewers with Underdrain – Trench Detail.

Where required for structural reasons or to protect potable water pipelines, the sewer shall be encased in reinforced concrete having design characteristics not less than those shown on the Drawing C.10, "Pipe Encasement Detail."

C-6.4 Underdrains. The District will permit underdrains to be installed with the sanitary sewer lines when:

- a. The main lines conform to the materials and installation details shown on the Drawing "Sewers with Underdrain – Trench Detail."
- b. The lines clear sanitary sewer manholes (and do not connect to manhole) as shown on drawing C.6.
- c. Underdrains shall not connect to sanitary sewers.

C-6.5 Flushing and Testing. The following testing procedures are intended to determine if the sanitary sewer line meets the District's minimum quality standards. Alternative procedures meeting or exceeding the intent of these procedures, as determined by the District's Engineer, are acceptable. In any case, however, alternative testing procedures must be included in the design plans and specifications.

The Contractor shall notify the District Inspector – no less than 48 hours prior to the desired test time.

The Inspector shall witness all tests and verify the accuracy and acceptability of the equipment utilized. The District's Engineer will inform the Contractor regarding acceptable methods of repair in the event one or more sections fail to pass any test.

- a. Pipeline Flushing. The contractor shall flush the pipelines, as the work progresses by means that are in accordance with good practice, to insure that earth, sand, rocks or other foreign materials are removed from the interior of the pipeline.
- b. Alignment and Grade. Sewer pipelines will be checked by the Inspector to determine whether any displacement of the pipe has occurred after the trench has been bedded. The test will be as follows:

A light will be flashed between manholes, or if the manholes have not as yet been constructed, between the locations of the manholes, by means of a flashlight or by reflecting sunlight with a mirror. If the illuminated interior of the pipelines shows poor alignment, displaced pipe, earth or other debris in the pipe, or any other kinds of defects, the defects, determined by the Inspector, shall be remedied by the Contractor. The test will be repeated following completion of backfilling and any poor alignment, displaced pipe or other defects, determined by the inspector, shall be corrected at the Contractor's expense.

- c. Leakage. Tests for water tightness shall be made by the Contractor in the presence of the District's Inspector. The contractor shall provide assistance to the Inspector in development of a detailed record of the testing program. The sewer and connections shall not leak in excess of the following rate for a 24-hour test period:

MAXIMUM ALLOWABLE SEWER LEAKAGE

<u>Pipe Size</u> <u>Inches</u>	<u>Leakage</u> <u>Gal/Foot/24 Hours</u>
18	0.68
15	0.57
12	0.45
10	0.38
8	0.30
6	0.23

Each reach of pipeline between manholes shall be tested individually. Any individual reach that leaks in excess of the amount allowed in the previous paragraph shall be considered as failing, and shall be repaired and retested.

At the discretion of the Inspector, the time for leakage rate test may be shortened to four (4) hours.

The tests and measurement of infiltration or exfiltration shall be conducted in a manner as approved by the Inspector. The contractor shall repair the sewer in a manner that is satisfactory to the Inspector and re-test until satisfactory tightness is obtained.

Infiltration tests in addition to a low pressure air test will be used if the groundwater table is 1' or more above the finished sewer. Otherwise, exfiltration tests will be used. The minimum head for the exfiltration tests shall be 2' above the top of the pipe at its highest point in the test section. Sections shall be bulk-headed so that during any test the head on the sewer at its lowest elevation will not be more than 10'. This restriction does not apply to ductile-iron pipe.

- d. Low Pressure Air Test. At the option of the Contractor, low-pressure air testing of the installed sewer pipe may be used instead of the leakage exfiltration test.

The following criteria and procedure shall be utilized otherwise approved by the Inspector.

- (1) Plug Restraint. It is extremely important and essential that all plugs be installed and braced in such a way that blowouts are prevented. It is recommended that every plug be positively braced and that no one be allowed in the manhole adjoining a line being tested so long as pressure is maintained in the line.
- (2) Relief Valve. All pressurizing equipment used for low-pressure air testing shall include a regulator or relief valve set no higher than 9 psig to avoid over-pressurizing and displacing temporary or permanent plugs. As an added safety precaution, the pressure in the test section should be continuously monitored to make certain that it does not at any time exceed 9 psig.
- (3) Plug Design. Either mechanical or pneumatic plugs may be used. All plugs shall be designed to resist internal testing pressures without the aid of external bracing or blocking.

However, the Contractor should internally restrain or externally brace the plugs to the manhole wall as an added safety precaution throughout the test.

- (4) Singular Control Panel. To facilitate test verification by the inspecting Engineer, all air used shall pass through a single, above ground control panel.
- (5) Equipment Controls. The above ground air control equipment shall include a shut-off valve, pressure regulating valve, pressure relief valve, input pressure gauge and a continuous monitoring pressure gauge having a pressure range from 0 to at least 10 psi. The continuous

monitoring gauge shall be no less than 4" in diameter with minimum divisions of 0.10 psi and an accuracy of ± 0.04 psi.

- (6) Separate Hoses. Two separate hoses shall be used to: (1) connect the control panel to the sealed line for introducing low-pressure air, and (2) a separate hose connection for constant monitoring of air pressure build-up in the line. This requirement greatly diminishes any chance for over-pressurizing the line.
- (7) Pneumatic Plugs. If pneumatic plugs are utilized, a separate hose shall also be required to inflate the pneumatic plugs from the above ground control panel.
- (8) Laterals, Stubs and Fittings. During sewer construction all service laterals, stubs and fittings into the sewer test section shall be properly capped or plugged so as not to allow for air loss that could cause an erroneous air test result. It may be necessary and is always advisable to restrain gasketed caps, plus or short pipe lengths with bracing stakes, clamps and tierods, or wire harnesses over the pipe bells.
- (9) Plug Installation and Testing. After manholes have been tested for alignment and grade, and a manhole-to-manhole reach of pipe has been backfilled to final grade and prepared for testing, the plugs shall be placed in the line at both manholes and secured.

It is advisable to seal test all plugs before use. Seal testing may be accomplished by laying one length of pipe on the ground and sealing it at both ends with the plugs to be checked. The sealed pipe should be pressurized to 9 psig. The plugs shall hold against this pressure without bracing and without any movement of the plugs out of the pipe. No persons shall be allowed in the alignment of the pipe during plug testing.

The upstream end of the line shall be plugged first to prevent any upstream water from collecting in the test line.

- (10) Line Pressurization. Low pressure air shall be slowly introduced into the sealed line until the internal air pressure reaches 4.0 psig.
- (11) Pressure Stabilization. After constant pressure of 4.0 psig is reached, the air supply shall be throttled to maintain that internal pressure for at least 2 minutes. This time permits the temperature of the entering air to equalize with the temperature of the pipe wall.
- (12) Timing Pressure Loss. When temperatures have been equalized and the pressure stabilized at 4.0 psig, the air hose from the control panel to the air supply shall be shut off or disconnected. The continuous monitoring pressure gauge shall then be observed while the pressure is decreased to no less than 3.5 psig. The timing pressure loss test shall commence at a pressure reading of 3.5 psig, or any convenient observed pressure reading between 3.5 psig and 4.0 psig (except as adjusted for groundwater as follows).
- (13) Air Pressure Adjustment. An air pressure correction, which must be added to the 3.5 psig normal test starting pressure, shall be calculated by dividing the average vertical height, in feet of groundwater above the invert of the sewer pipe to be tested, by 2.31. The result gives the air pressure correction in pounds per square inch to be added. (For example, if the average vertical height of groundwater above the pipe invert is 2.8', the additional air pressure above the pipe invert is 2.8 divided by 2.31 or 1.2 psig. This would require a minimum starting pressure of 3.5 plus 1.2 or 4.7 psig). The allowable pressure drop of 1.0 psig and the timing in Table I are not affected and shall remain the same.

In no case, however, should the starting test pressure exceed 9.0 psig.

- (14) Determination of Line Acceptance. If the time shown in Table I for the designated pipe size and length elapses before the air pressure drops 1.0 psig, the section undergoing test shall have passed.

**TABLE 1
SPECIFICATION TIME REQUIRED FOR A 1.0 PSIG PRESSURE DROP
FOR SIZE AND LENGTH OF PIPE INDICATED FOR Q = 0.0015**

1 Pipe Diameter (in)	2 Minimum Time (min) (sec)	3 Length For Minimum Time (ft)	4 Time For Longer Length (sec)	100 ft	150 ft	200 ft	250 ft	300 ft	350 ft	400 ft	450 ft
4	3:46	597	.380 L	3:46	3:46	3:46	3:46	3:46	3:46	3:46	3:46
6	5:40	398	.854 L	5:40	5:40	5:40	5:40	5:40	5:40	5:42	6:24
8	7:34	298	1.520 L	7:34	7:34	7:34	7:34	7:36	8:52	10:08	11:24
10	9:26	239	2.374 L	9:26	9:26	9:26	9:53	11:52	13:51	15:49	17:48
12	11:20	199	3.418 L	11:20	11:20	11:24	14:15	17:05	19:56	22:47	25:38
15	14:10	159	5.342 L	14:10	14:10	17:48	22:15	26:42	31:09	35:36	40:04
18	17:00	133	7.692 L	17:00	19:13	25:38	32:03	38:27	44:52	51:16	57:41

- e. Deflection. All PVC sewer pipelines shall be tested for vertical deflection after placement and compaction of backfill unless testing is specifically excepted by the Inspector. Method testing shall be by deflectometer of the rigid GO/No-GO type device. An alternative method will be permitted only by written permission of the Inspector. Maximum allowable deflection shall be five (5) percent of the pipe diameter. Any and all pipe with vertical deflection greater than the allowable shall be excavated, removed from the pipeline, replaced, backfilled and compacted as specified and retested.
- f. Testing Manholes. During the construction of the manholes, the Contractor shall, in accordance with good practice, insure that no earth, sand, rocks or other foreign material exists on the joint surface during assembly of the sections. The Inspector shall check each manhole to determine whether the manhole fulfills the requirements of the Drawings and Specifications.
- (1) Visual Examination. The Inspector shall visually check each manhole, both exterior and interior, for flaws, cracks, holes or other inadequacies which might affect the operation or

watertight integrity of the manhole. Should any inadequacies be found, the Contractor shall make any repairs deemed necessary by the Inspector.

(2) Leakage Test. All manholes shall be tested for leakage and all tests shall be witnessed by the Inspector. The leakage test shall be conducted prior to backfilling around the manhole and shall be carried out in the following manner:

(a) All lines leading into or out of the manhole shall be tightly plugged.

(b) The manhole shall be filled with water to a level at least 2" above the uppermost step. The water shall be allowed to stand for two hours to allow for normal water absorption into the manhole material. At the end of the two-hour stabilization period, if the water level in the manhole has dropped below the top step, additional water will be added to bring the level above the step as before. Any visible external leakage or drop in water level noted within the one-hour test period shall constitute failure and the Contractor shall repair or replace the defective work and retest.

C-7 STORM SEWER COLLECTION SYSTEMS

C-7.1 Design/Sizing. The storm sewer system (Local Facilities) shall include components designed to convey the initial storm (5-year event) runoff to a major drainage facility. The initial storm system shall include inlets, storm sewers and open channels designed to convey the 5-year storm event. The major storm system shall be designed to convey the portion of the 100-year storm event not conveyed by the initial storm system through streets, swales, open channels and storm sewers.

The minimum size of storm sewer pipe shall be 18" diameter. Pipe shall be so designed and constructed to give mean velocities, when flowing full, of not less than 2 feet per second nor more than 15 feet per second.

The maximum depth of flow at the gutter for all streets during an initial storm event shall be 6" or the top of the curb, whichever is less. The maximum depth of flow at the gutter for all streets during a major storm shall be 12"; however, at least 10' of pavement in each direction shall remain free of standing water on arterial streets designated by the District. No flow across streets is allowed for the initial storm. The maximum depth of flow across local and collector streets during a major storm shall be 6". No flow shall cross an arterial street during a major storm. All street flow shall be conveyed to a wholesale stormwater detention facility.

Manholes shall be located at all bends in retail storm sewers that are 48" or smaller.

Stormwater inlets shall be sized to collect a minimum of 80% of the gutter flow with a minimum opening area of 150 square inches. Inlets shall be constructed in accordance with the appended drawings, "Curb Inlet Type R" (Drawings C.12 and C.13).

C-7.2 Storm Sewer Materials

Storm Sewer and Culvert Materials: Storm sewer and culvert pipe and fittings shall be reinforced concrete (RCP) conforming to ASTM C-76. Type II or Type V concrete shall be used depending upon the sulfate content of the soil. Joints shall be tongue and groove and be sealed with Rub'r-Nek by K. T. Snyder Co. or approved equivalent material. All street and road culverts shall be equipped with end sections, per the Standard Drawing "Concrete End Section Details."

APPENDIX D
TODD CREEK VILLAGE METROPOLITAN DISTRICT
APPLICATION FOR UTILITY PERMIT AND SERVICE
[See Appendix A-4 of Original TCVMD Rules and Regulations]

A. TYPE OF SERVICE

Potable Water
Irrigation Water
Sanitary Sewer
Storm Water

B. DESCRIPTION OF PREMISES TO BE SERVED (please attach a locating map)

(land survey)
(Lot and Block)
(other)

C. DESCRIPTION AND PURPOSE OF BUILDING/PROPERTY

Single-Family Residential
Multi-Family Residential
Commercial
Industrial
Other
Grasslands (_____ Acres)

D. EXPECTED FLOWS

Please attach calculations and information on expected flows (both inside and outside), and describe proposed fire protection service. Residential applicants should provide average day flows (inside and outside). Non-residential applicants should provide average day, maximum day and peak hour demands.

D.1 Potable Water, Irrigation Water and Sewer

Potable water:	gpd ave. day	gpd Max. day	gpd peak hour
Irrigation water:	gpd ave. day	gpd Max. day	gpd peak hour
Sanitary sewer:	gpd ave. day	gpd Max. day	gpd peak hour

D.2 Expected Storm Flows

cfs 5-year storm event
cfs 10-year storm event
cfs 100-year storm event

D.3 Proposed Number of Service Taps (Listed for each size service line)

Potable Water
Irrigation Water
Sanitary Sewer

D.4 Expected Organic and Chemical Loading for Sanitary Sewage

mg/1 Biochemical Oxygen Demand (BOD0)
mg/1 Total Suspended Solids (TSS)
Other (please describe)

E. PROHIBITED WASTES/PRETREATMENT

Non-residential applicants: Please provide expected loadings of the prohibited wastes on the attached list. For those wastes which exceed acceptable levels, please provide a description of the pretreatment program proposed to reduce wastes to within acceptable standards.

F. AGREEMENT

The applicant agrees and acknowledges that use under the permit must be as limited and defined by applicable law and The Todd Creek Village Metropolitan District and 2 Rules and Regulations with Design Standards.

Applicant Name and Title

Date

G. AUTHORIZATION/FEEES (To be filled in by the District and District Representatives)

1. Equivalent Residential Unit (EQR) Rating

EQR Potable Water
Size Water Tap
EQR Sanitary Sewer
EQR Storm Sewer Drainage
Acres Grassland

2. Tapping Fee

\$ for potable or irrigation water service line (and meters, if included)
\$ for sewer service line

- 3. System Development Fee
 - \$ for potable water
 - \$ for irrigation water
 - \$ for sanitary sewer
 - \$ for storm sewer
- 4. Water Resources Fee (Paid? _____)
- 5. The district Engineer's Recommendation
 - recommended approval
 - recommended disapproval
 - recommended approval with the attached limitations

Applicant Name and Title

Date

- 6. The Todd Creek Village Metropolitan District and 2 authorization:
 - authorized
 - not authorized
 - authorized with the attached limitations

Authorized Agent of
 Todd Creek Village Metropolitan District
 Board of Directors

Date