

BUFFALO CREEK WATER DISTRICT

Rules and Regulations

Revision in progress to be finalized September 11, 2023

The Buffalo Creek Water District was created in December 1999 as a Colorado Special District operated as an enterprise. The area served by Buffalo Creek Water District (here after referred to as the District) includes the following lands in Jefferson County:

SW ¼ Section 31, Township 7 South, Range 70 West;
Section 6, Township 8 South, Range 70 West;
Section 5, Township 8 South, Range 70 West.

The aim of the District is to provide a dependable supply of water that meets Colorado Department of Public Health and Environment (CDPHE) drinking water standards to users in the community of Buffalo Creek.

I. Extent of Service

- A. The maximum number of single residential dwellings (i.e. water taps) to be served by the water system will be determined by the District Board.
- B. A residential water tap shall allow the installation of a service line terminating at the meter that is not larger than three quarter (3/4) of an inch.
- C. The limitations expressed in the above paragraph shall be to exceptions made by the District Board in individual cases. Services to multi-family structures or businesses require District Board approval. Expansion of service will NOT be granted if in the District Board's opinion, such expansion endangers the dependable supply, safety and/or pressure of water to existing users.
- D. Well permits are given solely at the District's discretion.**

II. Service Connections

- A. All new or replacement service lines to the user's dwelling will be installed in accordance with the District's current specifications governing installation and connection to the District water system. The owner of the dwelling receiving the water service will bear the expense of installing, connecting and maintaining the service line from the District's main or branch main line to the dwelling.
- B. If an extension of a main or branch line is required the cost will be born by the users of that line. An exception may be made where the expansion represents an improvement of the system. In such cases the District may share the costs of extending the main or branch lines with the users of the line.
- C. All underground water lines from the District's main or branch main to the user's dwelling must be made of rated plastic water pipe. No copper pipe can be used underground.

D. The property owner's water lines to any dwelling must be buried well below the frost line in accordance with District specifications.

E. Dwellings where the highest water valve is located above the level required by the gravity fed system should include a pressure booster system that is approved by the District. The booster system shall be provided by the property owner and will be owned and serviced by the property owner.

F. If the water pressure at any dwelling is so high as to threaten the breakage or leakage or the malfunction of any water-using equipment, the District may, at the owner's expense, install a pressure valve or reducer so as to normalize the water pressure.

G. If a water connection within the dwelling and/or on the property serviced by the District is deemed to endanger the water supply system in accordance with the requirements set forth in the District's Water Source Protection Plan, the property owner will, at owner's expense, install a District approved backflow prevention device.

H. When a property serviced by the BCWD is sold, the person or entity purchasing the property shall provide the BCWD evidence that the septic system has been inspected and approved to be in compliance with current State Environmental rules and regulations. This will be done within 30 days after the finalization of the purchase. Failure to comply may result in termination of water service to the property.

III. Conservation of Water and Special Uses

A. Water users are required to repair all leaks, dripping faucets, running toilets or other wastage of water immediately upon discovery at the property owner's expense. The continued failure of the property owner to properly repair any leakage of water shall be considered a violation of this rule and may result in the discontinuance of water service until repairs are made and inspected by the District's Water System Manager. Any measurements taken by the District to avoid or correct such wastage on the owner's property shall be at the owner's expense.

B. Outside irrigation and use of outside faucets and hydrants may be used in a limited manner subject to water supply and water pressure. Sprinklers and hoses running unattended are prohibited. Outside irrigation of installed landscaping and/or washing of vehicles, for example, should NOT occur between the high use hours of 6:00 AM – 10:00 AM and 4:00 PM – 8:00 PM.

C. The installation and use of a drip irrigation system using less than five gallons per hour is encouraged, provided the installation is controlled to operate no more than three hours per day. Any such installation must be controlled by a time-delay device, which automatically starts and shuts off the system. All such installations will be subject to the approval of the District's Water System Manager.

D. The design for the installation of a landscaping system that exceeds five gallons per hour and/or exceeds three hours per day water usage MUST be presented to the District Board for approval prior to commencing installation of the system.

E. Water for pools and hot tubs shall be permitted on occasions when the District's reservoirs are overflowing and the supply of water to the pool or hot tub will, in the judgment of the District Water Systems Manager, not cause a reduction in supply or water pressure to any other users in the system. Pools and hot tubs should be filled or replenished only between the hours of 8:00 PM and 6:00 AM.

F. From time to time restrictions may be placed on water use because of low water supply and /or low water pressure. Users will be notified of restrictions on the use of water by postings in J.W. Green Mercantile and on the outside message board.

G. The District shall decide the penalty for violation of these rules in each instance.

IV. Turning On or Off Water Service at Customer's Request

A. Any property owner wishing to have water service turned ON or OFF shall give adequate notice (at least 3 days) to the District's Water Systems Manager.

B. Water must be turned ON or OFF by the District's Water Systems Manager or by personnel approved by the Water Systems Manager.

C. The expense of turning the water ON or OFF shall be borne by the customer.

D. The District will not be involved in or responsible for any work done on the private property of the owners in connection with turning water service ON or OFF.

V. Discontinuance of Water Service by the Water District

A. The District may discontinue its service to a customer after not less than 3 days written notice of intent to discontinue service:

1. If the customer fails to pay bills for services rendered or water supplied.
2. The customer fails to comply with the District's Rules and Regulations after the District gives due notice and reasonable time is allowed for compliance.

B. The District may discontinue water service without notification if a malfunction in the customer's water lines, apparatus, or appliance is found to be detrimental to the water service being furnished by the District, or endangers the health and safety of the water system users.

C. When water service has been discontinued by the District, the District shall make reasonable effort to reestablish service within seventy-two (72) hours after remedy by the customer or the

causers for discontinuance of service and payment to the District of all charges due. This includes any additional charges for the discontinuance and reconnecting of service.

VI. **Payment of Rates and Charges**

A. All **Base Rate, Loan Assessment (Surcharges), and Metered** charges are billed monthly to the **property** or user's mailing address.

B. All charges shall be paid within 30 days of the billing date. Payments should be sent to the Buffalo Creek Water District at its mailing address:

Buffalo Creek Water District
P.O. Box 385
Buffalo Creek, Colorado 80425

C. If payment is not received with 60 days allowed, following delinquent notices will be given:

60 day notice requesting past due monies be included with the payment of the current month's invoice;

90 day notice requesting payment for past and current monies owed within 2 weeks from the date the letter and if not doing so the water service will be shut off;

3 day notice that the water is being turned off and if the amount owed is not paid, it will be added to the property tax bill and monthly charges will continue to accumulate;

D. Discontinuation of service or failure to use service, whether voluntary or by the District shall NOT relieve the tap holder, or customer, from the continued obligation to pay Loan Assessment (Surcharges), and Base Rate fees.

VII. **Notices**

A. Notices to the Buffalo Creek Water District shall be made in person to the District Water Systems Manager (Jim Green (303 838 5312) or in written form mailed to the District address: P.O. Box 385, Buffalo Creek, CO 80425.

VIII. **Water Rates and Service Charges**

A. Rates:	Monthly	Annual*
Loan Assessment (surcharge):	\$11.00	\$132.00
Base Rate:	\$30.50	\$366.00

(*) The loan assessment and base rate shall be charged to the property owner even if the property or their tenants do not use water. The base rate is the annual cost to operate the water system (administration, employee wages, treatment plant, testing, system repairs, etc.).

Usage Rate per each **1000** gallons:

	Monthly
For the 1 st 5,000 gallons per month (gpm)	\$6.50 per 1000 gallons
For the next 5,000 gpm up to 10,000 gpm	\$7.00 per 1000 gallons
For the next 5,000 gpm up to 15,000 gpm	\$8.50 per 1000 gallons
For all usage over 15,000 gpm	\$10.00 per 1000 gallons

B. Service Charges

Customer request for meter replacement: Actual cost to District

Delinquent Accounts:

A monthly late charge will be assessed when the water bill is more than 60 days overdue. \$10.00/mth

Returned Checks \$35

Disconnection of water service: Actual cost to District

Reconnection of water service: Actual cost to District

C. Tap Fee \$7500

A tap fee will be assessed for new water service based on a $\frac{3}{4}$ inch line at the meter for a single residential dwelling or building.

For upgrading to larger water supply line an additional tap fee may be assessed that reflects the increased water volume supplied to the dwelling. The property owner will be responsible for the cost of the upgrade and the larger water meter that is approved by the District.

Taps are assigned to the property served by the District.

A Tap is required for each building on the property that is served (water provided) by the District

Taps can be transferred to a new owner when a property is sold provided that the owner selling the property is current with all monies owed the District at the time of sale.

The property owner **CANNOT** sell the tap.

Taps can be terminated at the request of the property owner or at the discretion the District if the property owner fails to conform to these rules and regulations.

Taps returned to the District may be resold by the District at the current tap fee.

IX. **Board of Directors**

The original board members were elected to staggered four-year terms, so that either two or three members of the board come up for election every two years.

Special districts must hold regular elections on the first Tuesday after the first Monday in May in even-numbered years for the purpose of electing Directors to the Board and, as applicable, for the submission of other ballot issues or questions.

Note: In the regular election in May 2020, and also in May 2022, those full-term seats that are on the ballot will be for three years, for the one term only, after which those seats will revert back to the normal four year terms. As a result, beginning in 2023, regular special district elections will be on the first Tuesday after the first Monday in May of odd-numbered years.

To qualify as a Director of a special district, a person must be an “eligible elector” which is defined as a ***registered voter*** of Colorado ***and*** either:

1. A resident of the District, or
2. The owner (or the spouse or civil union partner of the owner) of taxable real or personal property situated in the District.

For the purposes of #2 above, a mobile or manufactured home qualifies as “real property,” and a person who is under contract to purchase taxable property and is obligated to pay the taxes prior to closing shall be considered an “owner.”

Director qualifications must be met at the time of the execution of the self-nomination form or letter or at the time of appointment by the Board of Directors, if filling a vacancy, and must be maintained in order to remain qualified as a Director.

Property that is owned by a legal entity such as a corporation, LLC, partnership, or trust does not qualify a person as an eligible elector on the basis of property ownership.

Self-Nomination and Acceptance forms are available from the District’s Designated Election Official and must be filed with the Designated Election Official no earlier than January 1 and no later than the normal close of business on the 67th day before the election.

Approved: Buffalo Creek Water District Board Of Directors.