

PART II

RULES, POLICIES AND PROCEDURES

2.1 *EFFECTIVE:*

These regulations are effective immediately upon the date of adoption by the Board of the Kent County Water Authority.

2.2 *GENERAL:*

2.2.1 *Interruption of Service:*

2.2.1.1 Kent County Water Authority furnishes water and not water pressure. Kent County Water Authority does not guarantee a continuous supply of water. No liability shall accrue against Kent County Water Authority for any damage or other monetary loss including, but not limited to any house, building, facility or structure due to the shutting off of water without notice for repairs due to system casualty, break in the pipelines, system demand conditions or for other necessary operations based on system configuration.

2.2.1.2 No customer or person shall be entitled to damages, nor be entitled to have any portion of a payment refunded for any stoppage of water supply service including, but not limited to accidental occurrence(s) to any portion of the Kent County Water Authority water system, stoppage for purposes of system additions, maintenance, or repairs, for non-use occasioned by occupant's absence, for excessive system demand conditions or for any reason beyond Kent County Water Authority control.

2.2.2 *Notice of Interruption of Service:*

2.2.2.1 Kent County Water Authority, in the operation and maintenance of its water supply system, occasionally is required to interrupt water service. Kent County Water Authority is not obligated nor required to give affected customers prior notice of interruption of service. Water service is subject to shut off without notice anytime there is an emergency or break in the water main or any other system casualty.

2.2.2.2 No legal liability or monetary damage responsibility shall accrue against Kent County Water Authority or its employees as a result of any interruption of service. Property owners serviced by the Kent County Water Authority system are solely responsible for ensuring that adequate

safeguards are incorporated into the installation of any and all hot water tanks, pressure vessels or other installations connected with the water supply system to prevent damage from occurring during water service loss. Property owners are required to notify their tenants or other occupants.

2.2.3 Unauthorized Use of Water:

The Kent County Water Authority will refer criminal charges in accordance with RIGL 11-35-7 against every person who shall, without proper authorization from the Kent County Water Authority, tap or make any connection with any street main, hydrant or service or other distributing pipe connected with the water system or who shall, without proper authorization, open any gate valve, curb valve, control valve or hydrant connected with said system to obtain water from said system or who shall in any way or by any device obtain the use of such water without prior authorization of Kent County Water Authority.

2.2.4 Resale of Water:

No consumer or customer of Kent County Water Authority will be allowed to furnish water by conduit of any type or any other means to another person(s) or to another property or to suffer such other person(s) to take water themselves without having first obtained express written consent of the Kent County Water Authority. Violation of this regulation will cause the violator's water supply to be terminated until corrective measures are in place and fully operational.

2.2.5 Temporary Services:

2.2.5.1 Contractors, builders, owners, developers, or any other person or entity requiring water for construction purposes, shall make application for a temporary water service connection and will be subject to the same rules and regulations as apply to regular water service installations and connections. Temporary water services shall be granted for a maximum of six months from the date of application. Temporary service shall be renewed or disconnected within seven days of this expiration unless a new application is submitted and approved. A meter purchased in conjunction with this type of temporary service shall not be used as the permanent service meter for the property.

2.2.5.2 A meter and reduced pressure zone backflow device shall be installed on all temporary water service connections. Kent County Water Authority personnel will install the temporary meter into a pre-plumbed setting. Meter installation shall not occur until after approval of proper application, completion of the service disinfection requirements and installation of the backflow device. The applicant is responsible for

paying all costs associated with purchasing and setting the meter. Payment must be received in advance of scheduling the installation.

2.2.5.3 All temporary water service connections will be subject to the connection charge at the posted rates for meter installation, plus a deposit for estimated water use and the cost of removing the temporary service.

2.2.5.4 All charges, including the connection charge, cost of removing the service, cost of meter, and setting of the meter shall be paid in advance and the applicant will be required to deposit a sufficient sum of money with the Kent County Water Authority to cover the cost of the estimated amount of water to be used in conjunction with the proposed work. If, at any time during the course of construction, the estimated amount of water covered by the deposit is above the actual consumption shown on the meter, the applicant will be required to deposit additional money with the Kent County Water Authority to cover the projected water requirements from that point forward on the project. After completion of the work, if the actual consumption registered on the meter is below the estimated amount paid, the Kent County Water Authority will refund the difference.

2.2.6 Water Waste:

The Kent County Water Authority is required by law to make every effort to prevent water waste. Customers are forbidden to waste water by continuous running of any faucet or fixture in any instance to permit water to be allowed to run any longer than is necessary for proper and/or normal use. Kent County Water Authority is empowered to enforce its mandate against water waste by termination of service to the violating customer or property or to take such other action as in the judgment of the Authority is appropriate in the circumstance.

2.2.7 Right to Make Inspection:

It is a condition of the contract for water service between Kent County Water Authority and the customer/owner of the property serviced that inspectors of the Kent County Water Authority, or any agent or person authorized by the Kent County Water Authority, be allowed free access at all reasonable hours to all parts of every building, for the purpose of inspecting, removing, or replacing meters, examining water fixtures and observing the manner in which water is used. Emergency inspection shall be granted at any time if in the opinion of the Kent County Water Authority a public health or safety issue or incident is imminent or has occurred.

2.2.8 Request for Turn-Off and On:

The owner or owner's agent must request for water shutoff. After a service has been shut off for any reason except repairs, the service shall not be re-established

to the property unless the owner, or owners authorized agent, submits a written or verbal request for restoration of service to the Kent County Water Authority. The owner or owner's authorized agent must be present at said property at time of physical service re-activation. All outstanding turnoff and turn on fees, penalties and unpaid invoices or balances must be paid in full prior to re-activation of service.

2.2.9 Request for Service:

2.2.9.1 Application for water supply to service any residential or commercial property must be made by the owner and approved by the Kent County Water Authority prior to commencing construction on the property. Kent County Water Authority shall consider any development under construction without formal public water supply approval to be constructed with the intent of private well supply. Application shall be as prescribed in Part III of these regulations.

2.2.9.2 Applicant or property owner is responsible for all costs associated with providing all improvements as necessary and required to assure adequate water supply, metering, containment backflow and infrastructure to service the proposed development site.

2.2.10 Request for Serviceability:

2.2.10.1 Large private multi-user commercial, industrial park development or multiunit residential proposal may be eligible to receive a preliminary serviceability letter based on conceptual build-out and phased construction of the project. To be eligible for this each proposal must have a projected average daily flow of 500,000 gallons per day or more. Owner shall make application for serviceability consideration and provide an evaluation of proper infrastructure needs for the Kent County Water Authority system improvements to facilitate the anticipated full build-out demands of the site. Computerized hydraulic modeling utilizing the current Kent County Water Authority hydraulic model will be required along with conceptual drawings and all projected flows by phase for conceptual evaluation of supply availability. The modeling shall consider current infrastructure including all approved infrastructure projects within the Kent County Water Authority system and all necessary infrastructure and supply augmentation requirements.

2.2.10.2 All Kent County Water Authority system improvements and supply augmentation are solely the responsibility of the property or development owner. Serviceability letters are valid for a period of one year from the date of issuance. A letter of serviceability does not guarantee water at any pressure, specified rate or volume and is

contingent upon a complete design application and its concurrent approval by the Kent County Water Authority.

- 2.2.10.3 Final approval for water service shall be on a case by case basis for each proposed user within the commercial, industrial or multi-unit residential proposals. A formal application is required for each proposal. Additional modeling may be required on a case by case basis to properly evaluate any change proposed from the conceptual build-out provided under the serviceability application for any large demands or fire flow requirements.
- 2.2.10.4 It is the responsibility of the owner requesting a serviceability letter to provide a project update at the six month interval. Said update shall include progress to date, changes from the initial concept and expected filing of formal water service application with Kent County Water Authority for review.
- 2.2.10.5 All proposals for serviceability letter consideration must be master metered to comply with this requirement. Master metering will allow for ease of phasing the proposal and allow the Authority to monitor flow usage through each of the phase buildouts.

2.2.11 Refusal to Provide Service:

- 2.2.11.1 Water service turned off to any property for non-payment of a bill shall not be reinstated until all debt obligations to Kent County Water Authority for water service, meter charges and/or other normal water service debts in connection with water service to the property have been paid in full.
- 2.2.11.2 Under no circumstances will water service be supplied to any property located in areas of the system in which system pressure at the point of connection is currently less than 20 PSI under normal operating conditions.
- 2.2.11.3 Water service shall not be supplied to any property located in an area of the system in which system pressure at the point of connection will in the future be less than 20 PSI under normal operating conditions.
- 2.2.11.4 Water service shall not be supplied to any property located in an area of the system in which providing service will create an unfavorable system condition that degrades service to existing customers or fire supply. The developer or applicant may, at their own cost, investigate and present evidence of system enhancements to alleviate the anticipated degradation in service. The Kent County Water Authority may, at its sole discretion, accept or reject the developer/applicant's enhancement

proposal as an integral part of the overall service application construction design. If accepted, any enhancements will be made at the sole cost of the developer/applicant. Private master booster stations to service residential developments are strictly prohibited.

2.2.12 Acceptable Service Area:

2.2.12.1 The Kent County Water Authority will only accept applications for new water services, or water service extensions or change to water use consumption in areas of the water system that meet the minimum standards of pressure and supply set forth in 2.2.11 above.

2.2.12.2 Kent County Water Authority will furnish water, if adequate supply is available, to any and all premises if such meets all service requirements of the system and all regulatory requirements and these Rules and Regulations. System improvements necessary to facilitate service shall be made and paid for by the developer or property owner.

2.2.13 Booster Pumps:

2.2.13.1 *Residential:*

2.2.13.1.1 The utilization of a privately owned individual hydro-pneumatic booster pump to support water service to a single residence may be approved on a case by case basis subject to meeting the minimum system pressure requirements of section 2.2.11. The Kent County Water Authority shall not authorize the use of an individual booster pump where minimum system pressure requirements cannot be met.

2.2.13.1.2 Deed restrictions are required for installation of individual booster pump. The deed restriction must be acceptable to the Kent County Water Authority and specifically address the use and perpetual maintenance responsibility of the property owner.

2.2.13.1.3 The use of a public or privately owned and maintained, single or master pump facility to provide water supply and/or pressure to one or more than one residential development comprised of single-family homes, apartments or condominiums is strictly prohibited.

2.2.13.1.4 Booster pump facilities designed to create a separate hydraulic service gradient are also strictly prohibited.

2.2.13.2 *Commercial:*

- 2.2.13.2.1 The utilization of a privately owned and maintained commercial master pump facility to support water service to a commercial or industrial development or complex may be approved on a case by case basis subject to meeting the minimum system pressure requirements of section 2.2.11.
- 2.2.13.2.2 The owner or developer must provide computerized hydraulic modeling results utilizing the current KCWA supply system hydraulic model, including all approved infrastructure projects, confirming that the proposed commercial master pump facilities can provide adequate supply and pressure under all demand conditions without adversely impacting or affecting any portion of the Kent County Water Authority supply system.
- 2.2.13.2.3 Commercial pumping facilities may only be allowed to operate after determination that all criterion of these Rules and Regulations, all standards of the Rhode Island Building Codes, National Fire Protection Agency, Department of Health and Division of Public Utilities and Carriers have been met as they pertain to potable water and fire supply service.
- 2.2.13.2.4 Private pumping facilities including all infrastructure and appurtenances shall not be considered eligible for ownership transfer to the Kent County Water Authority.
- 2.2.13.2.5 Without exception, master metering shall be required for all such developments.

2.2.14 **Number of Services:**

- 2.2.14.1 In no case shall two or more separate buildings or multi-unit condominiums in which each unit or building is owned by different owners be supplied by one service or meter except by a master meter connection system, as approved by Kent County Water Authority.
- 2.2.14.2 No more than one domestic or combined domestic and fire service connection shall be allowed to any single building, premises, or property unless more than one service connection is absolutely necessary for the protection of the premises. Separately owned premises or property shall have a separate service with separate shut off, meter and containment backflow device. In the case of private, commercial, or combined

developments, a master meter is required subject to 2.2.10, 2.5.3 and 2.5.4.

2.2.14.3 A fire protection system supplied with water from the public water supply shall be supplied exclusively with such water and no connection shall be allowed with any other water supply or system. A containment backflow device is required. These precautions are necessary to prevent contamination of the Kent County Water Authority's public water supply. Any existing connections with any other water supply or system drawing its supply from any other source shall either be removed immediately, or the piping air gap isolated from the public water supply. Any fire protection system using water from any other source other than the Authority's service shall be kept entirely separate from the infrastructure supplied by the Kent County Water Authority's supplied service connection. Any existing water connection which is in place in conflict with the above stated, is to be terminated and removed immediately upon order of the Authority. Failure to comply forthwith is grounds for immediate shut off from the water supply to the premises/property.

2.2.15 Thawing Frozen Service Pipes:

Kent County Water Authority has no responsibility for damage to the real estate, any tangible personal property or any other property of a customer of any nature due to freezing or thawing of pipes, meter or appurtenances. The prevention of pipes, meters and appurtenances from freezing on the customer's premises is exclusively and solely that of the customer.

2.2.16 Repairs and Modifications to Property Owner's Service Pipe and Fixture:

2.2.16.1 Property owners must keep their own pipes and all fixtures connected thereto in good repair and protected from frost at their own expense. In case of a break in that section of the property owners' service pipe between the curb stop and the meter, the property owner shall immediately obtain the services of a licensed plumber to make the necessary repairs. Failure to make repairs at once or to obtain the necessary permits covering these repairs shall be sufficient cause to shut off the supply of water to the subject premises.

2.2.16.2 Property owner shall be responsible for ensuring that the potable water system inside the premises is protected from contamination and properly maintained in compliance with the containment backflow device requirement and current plumbing code. Any additions, alterations or repairs shall be in full compliance with the code and shall not cause the existing system to become unsafe, unsanitary, or a threat to the public water system.

2.2.16.3 Outside of the hours between 8:00 a.m. and 3:00 p.m. during normal business days the property owner shall be charged at the posted service charge rate for each trip made by the Kent County Water Authority to the owner's property to shut off and turn on water at the owner's or his agent's request.

2.2.17 Penalty for Violations of Rules:

2.2.17.1 If the owner, agent, lessee, tenant or person in charge of any premises, shall violate any rule or regulation of the Kent County Water Authority affecting said premises, and shall fail to remove any violations or comply with any written order of said Kent County Water Authority pertaining thereto within 10 days after such order, shall have been sent by mail to the last known address of such person, (except as otherwise may be provided in these Rules and Regulations) the Kent County Water Authority may discontinue service to such premises.

2.2.17.2 Once water service has been discontinued, it shall not be restored until the rule or regulation so violated shall have been complied with to the satisfaction of the Kent County Water Authority and all outstanding fees paid to the office of the Kent County Water Authority. The owner is also obligated, as a condition of service restoration, to present evidence to the Kent County Water Authority that the said violation is prevented from reoccurring.

2.2.18 Requirements Not Covered:

Any requirements necessary for the strength, stability, or proper operation of the existing or proposed system, or for the public safety, health and general welfare, not specifically covered by these Rules and Regulations shall be determined by the Executive Director/Chief Engineer with Board concurrence as each situation may dictate.

2.3 BILLING:

2.3.1 Information Regarding Bills:

2.3.1.1 Bills are prepared by the Kent County Water Authority and rendered to the owner of the property supplied. Upon written request or application to the Authority, a property owner may, in addition to the property owner's name, include a tenant name to the billing. In all cases, the property owner's name will appear on all bills and the property owner stands solely responsible for payment of all bills for water used or services and materials rendered. Requests for information regarding bills

or notices should be made either in person or in writing to the main office of the Kent County Water Authority, 35 Technology Way, West Greenwich, RI 02817

- 2.3.1.2 Authority customer billing is monthly. The process is continuous and reflects that portion of the consumption for each billing cycle.
- 2.3.1.3 Government customer meters are read and billed monthly.
- 2.3.1.4 Wholesale water customer meters are read monthly and billed monthly.
- 2.3.1.5 Fire services and hydrant charges are billed monthly.
- 2.3.1.6 Prompt written notice of any change in a customer permanent billing address must be immediately delivered to the main office of the Kent County Water Authority
- 2.3.1.7 Water bills constitute a lien on the real estate of the owner and run with the land. Monthly water consumption bills for all customers are payable in arrears, according to regular billing cycles. The Kent County Water Authority may adopt different billing cycles for various areas served. When more than one customer in the same building is supplied from the same service, the bill for the whole supply furnished through such service will be rendered to the owner of the property.
- 2.3.1.8 Kent County Water Authority is authorized to supply water to other public water suppliers/utilities under individual written contract agreements.

2.3.2 Exemptions from Water Protection Surcharge:

State of Rhode Island eligibility requirements for this exemption are provided in Appendix D of these regulations.

2.3.3 Connection Charges:

- 2.3.3.1 Service pipe installed and owned by the Kent County Water Authority is the portion of a service from the distribution main to the curb stop and/or curb valve, which is located just inside the curb line or street. The charge for this installation is based on the actual costs at the scheduled rates posted at the time of installation for the size of service pipe installed. All charges shall be paid in advance of service connection.
- 2.3.3.2 The service pipe installation charge does not include any charges associated with repairs or replacement of pavement openings. Any cost for repairs or replacement of pavement opening in connection with the

work of service pipe installation shall be at the sole cost and expense of the property owner. The Authority will require advance payment of all costs in connection with service pipe installation and pavement repairs or replacement.

- 2.3.3.3 The Kent County Water Authority may require that a private contractor, duly licensed by the State of Rhode Island, be employed by the property owner/applicant to install service pipe and appurtenances at the full cost of the owner/applicant up to the curb stop and/or curb valve. A plumber or contractor duly licensed by the State of Rhode Island, shall be employed by the property owner/applicant to install the service pipe from the curb stop or service isolation within the public right of way to the building.

2.3.4 Change of Ownership, Occupancy or Use:

- 2.3.4.1 Whenever a present property owner sells or transfers property for which application for service has been granted, the present owner shall promptly notify the Kent County Water Authority, in writing, giving the name, address and phone number of the new property owner. The owner shall be solely responsible for paying any outstanding balances and correcting any service-related deficiencies and making any upgrades necessary to bring the service in compliance with current regulations prior to conveyance of the property. Any monies owed become a lien on the property and must be paid in full to continue water service to the property.
- 2.3.4.2 Every present property owner stands liable for payment of all charges associated with water service furnished to the property of the owner until such time as the Authority receives written notice of the transfer of property ownership to a new owner and payment of all outstanding charges.
- 2.3.4.3 Request for final closing balance coincident to the proposed sale or transfer of ownership of a property must be received on the Kent County Water Authority Property Sale Water Service Information Form. The selling property owner and/or real estate agent representative shall be solely responsible for taking the final read from the meter register, fill out the form and submit it to the Kent County Water Authority. The selling owner stands liable for all billing charges until the time of property conveyance recorded in the Land Evidence Records. All unpaid amounts unresolved at the closing become a lien on the property per Rhode Island General Laws and the new owner liability to pay.
- 2.3.4.4 It shall be considered a direct violation of these rules and regulations for any person to make any change in the occupancy of any structure or

change in domestic or fire service components that will subject the structure to any special provision of these rules and regulations without first obtaining approval from the Kent County Water Authority. Any change in occupancy, water service, or water infrastructure shall not in any way be allowed to become a hazard to the public health, safety, or welfare of the customers and public water system of the Kent County Water Authority.

2.3.4.4.1 Any change in domestic or fire service infrastructure or increase or decrease in service requirements to a property shall require the entire service infrastructure to be upgraded to comply with the most current requirements of these regulations.

2.3.4.5 A separate service application must be submitted for change in property ownership or use that results in a change in building occupancy, fire or domestic demands or demolition to construct a new facility. Application shall be made per Part III of these regulations.

2.3.5 Billing Disputes:

2.3.5.1 All disputes concerning billing are to be brought to the attention of the Director of Finance and Director of Customer Service/Office of Kent County Water Authority. In the event of failure to resolve the issue, the customer is then to submit a written request for dispute resolution addressed to the Executive Director/Chief Engineer of the Kent County Water Authority. The written request is to set forth the specific details of the billing dispute.

2.3.5.2 In the event that the resolution by the Executive Director/Chief Engineer is not to the customer's satisfaction, the customer has the right to appeal said decision to the Division of Public Utilities and Carriers, office of Consumer Protection Affairs.

2.3.6 Public & Private Hydrant Billing:

A monthly charge shall be billed to the property owner or public entity for all public and private hydrants. Monthly rates for service charges shall be at the current rate posted in the Kent County Water Authority rate schedule.

2.3.7 Private Fire Service Billing:

A monthly charge shall be billed to the property owner for service to private fire protection systems in the Kent County Water Authority service area. Monthly rates for fire service charges shall be at the current rate posted in the Kent County Water Authority rate schedule.

2.3.8 Turn Off Charge:

A service charge is applicable to all water services turned off due to violation of the rules and regulations or nonpayment of bills. After the termination or turning off of a service due to a violation of these rules and regulations water service cannot be turned on until the violation is corrected or payment of billing is resolved. A turn-off charge is also applicable for after-hours requests by the property owner or agent. Charges for turning off water service are made at the current rate posted in the rate tariff schedule and are payable in full prior to turn-on.

2.3.9 Turn On Charge:

A service charge is applicable to all water services turned on after the termination or turning off or termination of service due to a violation of these rules and regulations or nonpayment of bill. Turn on charge is also applicable for after hour request by the property owner or agent. Charges for turning on of water service are made at the current rate posted in the rate tariff schedule and are payable in full prior to turn-on.

2.3.10 Service Charge:

A service charge is applicable to all service calls before 8:00 a.m. and after 3:00 p.m., Monday through Friday and for service calls made on a Saturday and Sunday or Holiday. Service charge rates are at the current rate posted in the rate tariff schedule.

2.3.11 Insufficient Fund Returned Checks:

A service charge applies to all checks given in payment for Kent County Water Authority charges, which said checks are returned to Kent County Water Authority due to customer's account having insufficient funds available. Kent County Water Authority may criminally prosecute for any violation of the banking laws.

2.3.12 Interest On Delinquent Accounts:

2.3.12.1 The Authority shall charge late payment interest to all water account balances unpaid for more than 28 days from billing date. Interest charges are payable at the current rate posted in the rate schedule.

2.3.12.2 The Authority shall charge late payment interest to all billing or invoices related to repairs, miscellaneous services or material account balances unpaid for more than 28 days from the billing date.

2.3.13 Water Quality Sampling Charge:

Applicable to all main extensions and existing systems. A charge will be imposed for the cost of laboratory, labor and applicable overhead to flush, collect, and process a sample. The laboratory sample service charge shall be determined by the Kent County Water Authority on a yearly basis.

2.3.14 Material Purchase:

Applicable to all material sales to the customer from the Authority in emergency situations only. A charge will be imposed for the cost of material plus handling and applicable overhead, as determined by the Kent County Water Authority on a yearly basis.

2.3.15 Miscellaneous, Service & Hydrant Repair:

All repair work to water service systems including hydrants or other work in connection therewith is chargeable to the customer. A charge will be imposed for the cost of materials supplied, taxes, plus labor, equipment, and overhead expenses incurred by Kent County Water Authority.

2.3.16 Inactive Service Connection:

A suspend service charge at the posted rate must be paid prior to activation of that service in cases where a service connection for any vacant lot, building, or premises, has been made and water service thereby placed for future access by the owner, but thereafter suspended or not turned on or activated to supply the site.

2.3.17 Inspection Fees

2.3.17.1 All contractor installed mains or service pipe connections must be inspected by the Kent County Water Authority during construction. Construction must be consistent with the Kent County Water Authority installation requirements to gain final, approval acceptance. Single service pipe to single structures will be measured from the main to service curb stop. Service pipe extensions into private multi-unit residential or commercial developments shall be measured over the entire infrastructure to each service stop. Main and service extensions in public ways shall be measured over the entire infrastructure to each service stop.

2.3.17.2 The inspection fee shall be at the rates posted in the current rate tariff schedule and is applicable to all developer installation work, public or private, in regards to all main or service extensions. Private service pipe

extending from the curb stop to a single structure is not subject to this inspection fee and must be inspected by the local plumbing official.

2.3.17.3 The published inspection fee is applicable to work performed during normal work hours between 8:00 a.m. to 3:00 p.m. Monday through Friday. All overtime work including after hours, Saturday, Sunday and Holiday work will be assessed (the additional charge) at the customary overtime premium for the employee assigned. Weekend, holidays and night work not contiguous with normal working hours will require an initial minimum 4-hour charge for services provided less than a 4-hour period. Upon meeting the 4-hour minimum the overtime assessment will be based on actual hours worked and billed as incurred.

2.3.17.4 The Kent County Water Authority does not provide full-time resident inspection under the Public Utilities tariff filing. If it is determined by the Kent County Water Authority that full time resident inspection is required, the owner shall pay in advance all costs associated with full time inspection including but not limited to hourly labor rates plus overhead and all expenses incurred.

2.3.18 Legal Fees:

Payment of legal fees are applicable to all services requiring legal assistance by Kent County Water Authority's legal counsel including but not limited to easements description preparation or review, deed restriction preparation or review, involvement with any actions necessary for review or approvals of any water service request to the Authority. The property owner shall stand liable to Kent County Water Authority for all reasonable legal fees incurred by the Authority. The cost will be fixed at the actual cost incurred by the Kent County Water Authority for such services.

2.3.19 Meter Testing Charge:

Applicable for all meter testing performed by Kent County Water Authority requested by the owner for meter sizes less than 2" in size. Testing fees will be charged to the customer at the rates posted in the current tariff rate schedule. Meters 2 inches or larger must be tested by a certified testing company at the full time and materials basis cost to the customer.

2.4 PAYMENTS:

2.4.1 Information Regarding Payments:

2.4.1.1 All bills are due within 28 days of the billing date and must be posted by the end of business at the main office of the Kent County Water Authority on that date. Bills are deemed rendered to the customer upon

delivery to a U. S. Post Office or a U. S. Post Office mailbox. Interest is applied to any unpaid balances extending beyond the due date at the rate posted on the current rate tariff schedule. It is the customer's responsibility to ensure the payment method chosen by the customer assures payment is made on or before the due date.

2.4.1.2 All bills remaining unpaid for 28 days from the date of rendering shall be subject to immediate termination of service and an additional turn off fee associated with water shut off for non-payment. A turn-on fee is also applicable once full payment and/or payment arrangements have been made. The turn off and turn on fees must be paid in full prior to reactivation of service to the property.

2.4.1.3 Payments will be applied to unpaid balances starting with accrued interest penalties, and service charge first, then to past due amounts and then to current balances outstanding.

2.4.2 Residential Payment Plans:

2.4.2.1 Residential payment plans are available to single family residential customers. Forms for payment plans must be completed at the Kent County Water Authority office within 15 days of bill receipt, in order to be eligible. Further information on payment plans and these requirements are available at the main office of the Kent County Water Authority.

2.4.2.2 Violation of the payment plan terms shall be grounds for revocation of the payment plan and water service is subject to immediate termination without further notice.

2.4.3 Courtesy Notices Delinquent Bills:

2.4.3.1 Kent County Water Authority may send a separate courtesy notice or incorporate notification in the next monthly bill for delinquency in payment of bills, but failure by the Authority to provide such courtesy notice or of customer to receive such notice does not relieve the delinquent customer of any payment or other related responsibility.

2.4.3.2 Notices are mailed to customers subject to service shut off due to delinquency in payment of bills. Failure of a customer to make payment after shutoff notice is received does not relieve the customer from all fees, interest and all charges accumulated on the account. The Kent County Water Authority is not responsible to customer or customer's tenant for any periods of terminated service, property damage or equipment failure due to water service shutoff or restoration of water

service after water service shut off due to non-payment of water bill for the serviced property.

2.5 METERING:

2.5.1 Service Metering:

- 2.5.1.1 All water from the Kent County Water Authority system, except as provided for municipal fire and sale to other utilities will be supplied through one primary meter or compound meter for each separate service. Meters shall be sized based on service pipe size chosen for design flows. All water passing through such meters will be billed to the owner of the property supplied as appears in the records of the Kent County Water Authority and/or the Land Evidence Records. It is the responsibility of the property owner to notify the Authority of any subsequent changes of ownership or billing address changes. Compound meters, which consist of two registers for each meter chamber, shall be billed at the applicable rates based on size of the meter and at the current rates posted in the rate schedule. The owner shall be responsible for payment for the consumption indicated on the meter registers at the posted rates for those meters, regardless of whether the water is used with or without knowledge, wasted, or lost due to leaks. It is the responsibility of the customer to read the customer's meter frequently and to monitor the same to detect leakage and to prevent waste of water and the water billings attendant thereto.
- 2.5.1.2 Residential and commercial meters up to two (2) inches shall be installed by the Kent County Water Authority at the expense of the property owner and become the owner's property. Payment for the meter is to be made prior to installation together with any installation service charge or any miscellaneous billing associated with installation, sampling or establishing the account.
- 2.5.1.3 Residential and commercial meters will be installed by scheduled appointment only. The owner or owner's representative must be present when a new installation or any repairs to an existing installation are made within private property. Kent County Water Authority employees shall not enter the premises without the owner or owner's representative being present.
- 2.5.1.4 No meter will be installed without the required plumbing being present and properly installed including a valve before and after the meter, followed by a containment backflow prevention device after the meter outlet valve and a valve after the backflow device. The proper space needed to set the particular meter size must be available for the installation. Meters will be set in a horizontal position with a minimum

twelve-inch clearance from the floor. When the meter setting is to be in a prefabricated pit or behind a masonry wall, the owner shall provide electrical conduit to facilitate wiring the remote radio read transmission device.

- 2.5.1.5 Existing meter installations not connected in accordance with the Kent County Water Authority Rules & Regulations and Rhode Island State Municipal Codes shall be required to be reconnected to conform to Authority regulations in effect at the time of the installation. Any modifications required to comply with these regulations will be the owner’s responsibility and are to be done forthwith upon notice given by the Authority at the customer’s sole cost and expense.
- 2.5.1.6 Meters will be sealed with a 3-point seal configuration. All meters shall be resealed with a new seal upon completion of repair. A meter found not sealed shall be reported to the office with pictures and sealed after completion of the repairs.
- 2.5.1.7 No existing metered service is permitted to be “downsized” without written authorization of the Kent County Water Authority. The “downsizing” of an existing meter is limited to service pipe greater than 2” two inch and less than or equal to 12” twelve inch in size. The ability to downsize a meter on an existing service will be governed by the ability of the smaller or new size meter to meet the requirements of both the domestic and/or fire demands for the application or occupancy.

Meter Downsizing Table

SERVICE SIZE	3”	4”	6”	8”	10”	12”	OVER 12”
ALLOWABLE DOWNSIZE	2”	3”	4”	6”	8”	10”	SAME AS SERVICE

- 2.5.1.8 Property owners shall provide the Kent County Water Authority with written notification for meter installation a minimum of fourteen (14) working days prior to the closing on a new construction home.
- 2.5.1.9 The property owner is responsible for ensuring all plumbing fixtures are working properly. Meter pits are to be always maintained as fully accessible and properly fitted to conform to the Kent County Water Authority standard style meters. Meters must not be subject to submersion from ground water or flooding, or interferences created by landscaping, vehicles or other impediments.
- 2.5.1.10 The installation, repair, and disconnection of any meter shall be performed by or under the observation of employees of the Kent County

Water Authority only and no service may be relocated without application to Kent County Water Authority.

2.5.1.11 The Kent County Water Authority has the right at all times to remove, test, repair, and replace any meter. If any meter is found to be inaccurate or otherwise economically unserviceable, another meter is to be substituted in its place at the expense of the property owner.

2.5.2 Single Unit Residential Meter Pits:

Residential prefabricated meter pit or chamber shall be used for all services that exceed 200 feet in length measured along the service pipe from the curb box to the entry point in the building foundation.

2.5.3 Master Metering Optional:

2.5.3.1 Private development project infrastructure determined by the Kent County Water Authority to be of a benefit to the Authority's overall system operation may be given the option of master metering of the development or transferring the water lines to Kent County Water Authority together with ownership and maintenance. The owners of the property must provide a letter of obligation from the local fire district or government office, accepting responsibility for payment of the annual hydrant fees in all cases where the water lines will be offered to the Kent County Water Authority. Kent County Water Authority shall solely determine whether to or not to assume maintenance responsibility and ownership in this type of application for service.

2.5.3.2 Easements shall be required and granted to the Kent County Water Authority for access along private roads up to and including the curb stop or curb valve. Easements will be in a form acceptable to the Kent County Water Authority's legal counsel. Reasonable legal fees/costs are to be paid to the Authority as reimbursement by the owner/developer.

2.5.3.3 All water infrastructure design and construction will be in full compliance with the current standards of the Kent County Water Authority and all subsequent amendments. If the developer or contractor chooses not to accept the option, then master metering shall be required of the private development in accordance with these regulations.

2.5.3.4 If flow is required to pass through a development from one existing distribution line to another existing distribution line within the system, master metering shall not be allowed. In such case the water main, after design approval by Kent County Water Authority, is to be constructed under observation by the Kent County Water Authority. Upon construction completion and acceptance approval by Kent County Water

Authority, the installed property will be considered as part of the operating infrastructure. The developer shall warranty all material/workmanship of the water main and appurtenances for a period of one year from the date of construction acceptance by the Kent County Water Authority. During the warranty period the developer shall be solely responsible for any repairs or replacement of defective materials. Title to the property shall immediately transfer to Kent County Water Authority upon termination of the warranty period, and Kent County Water Authority will accept the same as part of its water system.

2.5.4 Master Meters:

- 2.5.4.1 Multiple occupancy commercial, industrial and residential developments such as condominiums, homeowner associations, apartment complexes, strip malls, large mills, and all other private type complexes shall be master metered unless determined not to require a master meter under section 2.5.3.
- 2.5.4.2 Master metered, master metering, or master meter shall mean a single meter serving more than one user, tenant or facility by way of a single water line.
- 2.5.4.3 Master metering shall be accomplished with an above ground enclosure at the street line, or closest property line to the street. Enclosures shall be fitted with Kent County Water Authority approved appurtenances for proper operation and shall meet all requisites of Kent County Water Authority to allow for its' employees to perform their duties of meter reading. Enclosures shall be fitted with lighting, heat, electrical power and blowout doors. All master meters 3 inch and greater shall be either compound mechanical style with strainer or solid-state ultrasonic technology meeting the requirements of the Kent County Water Authority.
- 2.5.4.4 Strainers, if necessary, shall be FM/UL approved with cast bronze or stainless steel strainer elements.
- 2.5.4.5 OS&Y valves shall be provided on the influent and effluent side of the meter and on the influent and effluent side of the containment backflow preventer(s). The valve between the meter and backflow assembly shall be fitted with a test/drain plug.
- 2.5.4.6 Bypass piping shall be provided with an internal valve arrangement and containment backflow device within the above grade enclosure. All valves shall meet the requirements of the Kent County Water Authority.

- 2.5.4.7 A containment backflow preventer shall be installed directly after the master meter. On combined domestic and fire supply services each branch shall be fitted with a backflow device. Reduced Pressure Zone (RPZ) style preventer must be located within the aboveground enclosure or approved location prior to the first tap to any appliance, pump unit fire suppression system or hydrant. All backflow preventers must be protected from frost. Basement installation may be allowed on a case-by-case basis relative to review of a professional engineer assessment demonstrating that the basement has adequate access, is free draining for the discharge volume of the device and protected from freezing.
- 2.5.4.8 All master metering designs and drawings shall meet the approval of the Executive Director/Chief Engineer prior to procurement or installation by the contractor/developer.

2.5.5 Fire Supply Meters:

- 2.5.5.1 All water for firefighting/prevention shall be metered and shall conform to the Kent County Water Authority standard meter criteria, these regulations, and any subsequent amendments. Each installation shall include an isolation type backflow device with a bypass of appropriate size to be determined by the professional design engineer and subsequent review by the Kent County Water Authority. Where a domestic water service line is tapped for firefighting/prevention supply, such connection shall be fitted with reduced pressure zone backflow devices (RPZ) on both branch supplies in a configuration that protects the domestic supply from becoming contaminated.
- 2.5.5.2 Private hydrants shall be included in the deed restrictions for the property on which they are located. The deed restriction shall include perpetual maintenance of the hydrants by the property owners. No water shall be drawn from the fire service hydrant for any purpose whatsoever except to extinguish a fire or perform NFPA required maintenance. All private hydrants shall be placed behind a meter and an approved backflow device.

2.5.6 Location of Meters:

- 2.5.6.1 The property owner shall furnish a reasonably accessible place for the installation of the meter in a horizontal position, just inside and as near as possible to the point of entry of the service pipe through the building wall or foundation. Each meter setting shall be fitted with a backflow device immediately after the meter outlet valve and before any appliance or pressured pump unit. In the event that such a location cannot be provided, the meter will be installed at the property line in a suitable frost protected housing or for service 2 inch or less a frost protected housing or

prefabricated pit. The enclosure or pit shall be provided and maintained at the expense of the property owner. The Kent County Water Authority must approve all meter pit or above grade enclosure installations prior to commencing any work on the water service to the property.

- 2.5.6.2 In no case shall two separate buildings occupied by different owners or tenants be supplied by one service or meter unless such service meets all of the requirements of master metering.
- 2.5.6.3 All meters must always be maintained as being always easily accessible so that they may be examined, replaced, and read by employees of the Kent County Water Authority. The property owner shall ensure meters are not exposed to danger from frost, vandalism, flooding, or contamination. The property owner/customer must immediately correct all discrepancies to meet the current standards of the Kent County Water Authority rules and regulations.
- 2.5.6.4 All permanently connected firefighting systems shall have a compound or ultrasonic meter with FM/UL strainer, if required by the meter manufacturer or NFPA, installed at either the point of entry into the building or in an above grade enclosure protected from frost.
- 2.5.6.5 The owner shall install a gate valve on the inlet and discharge side of each fire line meter and (RPZ) Reduced Pressure Zone backflow device. All valves shall conform to the requirements of the American Water Works Association Standards for valves and the National Board of Fire Underwriters for the service installed and the Kent County Water Authority.
- 2.5.6.6 Existing installations not set in accordance with the above, when renewed, replaced, repaired or when change in ownership or occupancy or use occurs shall be reset to conform to the requirements for new installations at the owner's expense.

2.5.7 Meter Testing:

- 2.5.7.1 Every water meter must be tested for accuracy by the manufacturer prior to installation. Periodic tests on the accuracy of each meter will be made as often as the Kent County Water Authority may deem necessary, and/or as required by the Division of Public Utilities & Carriers regulatory requirements. Should a property owner at any time question the accuracy of the meter on their service, it may be tested (in the presence of the owner) after the Kent County Water Authority receives the request in writing. On meters 2 inch and below a deposit to cover the cost of removal and testing will be required to be paid to the Kent County Water Authority before the meter is disconnected and tested. The deposit shall

be based on the meter testing fee posted in the approved tariff. Should the test show that the meter has been over-registering in comparison to the regulatory guidance contained in the Division of Public Utilities & Carriers regulations, the deposit will be refunded. If the test results are within permitted limits or are in favor of the consumer, the deposit will be retained to cover the cost of removal and testing. The deposit fee shall be the amount listed on the current fee schedule located at the offices of the Kent County Water Authority. Customer meters larger than 2 inches must be tested by a commercial meter testing company at the cost to the customer.

2.5.7.2 If the testing of a meter, as hereinbefore provided, shows that the meter fails to register correctly, the charge for water to the consumer shall be adjusted in accordance with the Division of Public Utilities & Carriers Regulations.

2.5.7.3 Meters three (3") and larger shall be tested for accuracy on a Biennial basis or every two years. The property owner shall pay all costs associated with commercial testing of the meter. Certified test results shall be provided to the Kent County Water Authority within 14 days of completion of the test. Required repairs shall be accomplished immediately. Failure to provide the testing or repairs as required will cause termination of the service until testing or repairs are accomplished. Commercial, governmental and fire line meters damaged beyond repair shall be replaced by the property owner/customer and the property owner shall be responsible for all costs associated with the replacement.

2.5.8 Damaged Meters:

2.5.8.1 Meters damaged by frost, hot water, or any other external causes, shall be replaced with a new meter. Kent County Water Authority personnel shall either accomplish or oversee the installation. The property owner shall pay all costs for all material and labor to replace the damaged meter and appurtenances.

2.5.8.2 Property owners shall immediately notify Kent County Water Authority upon the identification of meter stoppage or any irregularity in meter function or operation.

2.5.9 Repairs to Large Meters:

2.5.9.1 At the written request of the Kent County Water Authority, meters larger than 2" shall be tested by certified meter calibrators either in place or at the factory of the meter manufacturer. Copies of all test results shall be provided to the Kent County Water Authority along with determination of the cause for all malfunctions listed. If the meter is found to be not

registering within the limits of the American Water Works Association or Division of Public Utilities & Carriers for meter accuracy, it shall be repaired and/or replaced as determined by the Executive Director/Chief Engineer. All expenses in connection with such testing and the cost of replacement or repairs shall be borne by the property owner.

2.5.9.2 Test and calibration of meters shall be in compliance with the test schedules contained in the Division of Public Utilities & Carriers Rules and Regulations Prescribing Standards for Water Utilities.

2.5.9.3 Failure to comply with a Kent County Water Authority notification for meter testing or repair shall be the cause for immediate service termination.

2.5.10 Billing Non-Registering Meters:

Should a meter fail to register or have been removed for repairs, testing, or other purposes during the billing period, the bill will be computed based on the average daily rate of consumption as shown by the meter after it has been returned to service and is in proper working order. Should the meter not be returned to service, the bill will be computed on the average daily rate of consumption by using the standard estimating procedures of Kent County Water Authority. Meters found to be not registering shall be repaired and /or replaced within 15 days and in all cases prior to the next reading cycle. Failure to replace or repair within the prescribed timeline will subject the service to termination.

2.5.11 Tampering with or Defacing Meters:

2.5.11.1 The Kent County Water Authority will refer criminal charges in accordance with RIGL 11-35-7 against every person who shall tamper with or deface a meter with intent to prevent the proper registration of the water consumed or by altering the register index or for the breaking of any seal placed by the Kent County Water Authority for the protection of any meter, valve, or seal or for any other such action done with the intent to defraud the Authority.

2.5.11.2 The Kent County Water Authority may, at its sole discretion, terminate water service to any property when a meter has been tampered with. Water will only be reactivated when all repairs are accomplished to the satisfaction of the Kent County Water Authority, and any charges for tampering have been paid in full to the Authority.

2.5.12 Deduction Meters:

2.5.12.1 Upon authorization from the local sewerage authority, the owner of a property with an installed sewer connection may be allowed to install a separate deduct water meter to measure outside water use as a method to accurately account for sewerage flow from the property. The deduct meter shall only be installed in-line at a point after the Kent County Water Authority water meter and backflow device and once installed must be inspected by the Kent County Water Authority for compliance. The property owner is responsible for all costs associated with the meter installation and shall coordinate with their local sewer department for reading of the deduct meter by their personnel in conjunction with calculation of the sewage bill. The property owner must obtain a plumbing permit from the local city or town building official prior to causing the installation of the deduct meter. The Kent County Water Authority does not read deduct meters. Reading must be coordinated between the owner and sewer service provider.

2.5.12.2 The Kent County Water Authority billing meter is considered to be the primary meter to account for all water flow into the building. The Kent County Water Authority uses this meter for billing purposes, and it is a violation of Rhode Island General Law 11-35-7 to bypass or obtain water from piping before this meter. The Kent County Water Authority by regulation must take action to prosecute any person whose deduct meter is improperly installed, as to divert water without being measured or registered by the primary Kent County Water Authority meter.

2.6 FIRE SUPPLY:

2.6.1 Fire Service:

2.6.1.1 The Kent County Water Authority may, at its sole discretion, consider a separate service to private property for private fire protection purposes. Application must be made by the owner of the property or his authorized agent and will be subject to all the provisions of the Rules and Regulations of Kent County Water Authority and Rhode Island Public Utilities Commission.

2.6.1.2 The Kent County Water Authority has the right to determine the necessity for and the advisability of granting any application for this special service and has the right to determine the size of the service pipe, which will be utilized. This will depend upon the size of the street main available, the available pressure and volume on the main, the impact on the existing customers and capacity of the fire protection equipment within the building.

- 2.6.1.3 Connection between a fire protection water supply system and the water supply for human consumption to any premises without reduced pressure zone backflow protection is prohibited. It is mandatory that any fire protection water system be isolated from the domestic water supply system in all premises in a configuration that prevents any possibility of contamination of the domestic water supply.
- 2.6.1.4 All fire protection equipment for any building or premises connected to the Kent County Water Authority service shall be confined within the building and/or on the premises serviced. Where two or more connections are authorized for one building or premises, they shall be kept separated.

2.6.2 Inspection Fire Service:

- 2.6.2.1 All fire services shall be subject to periodic inspection by an authorized representative of the Kent County Water Authority. The property owner shall give the Authority representative assistance and use of the facilities for making this survey and provide any information that the Authority representative may need to complete his/her inspection requirements.
- 2.6.2.2 Violation of any of the rules governing fire supplies may result in immediate termination of service.

2.6.3 Public Fire Hydrants:

- 2.6.3.1 The Kent County Water Authority will install public fire hydrants at the written request from any city, town, or fire district authority. The requesting authority shall be responsible for payment of the monthly rate in accordance with provisions for annual fire hydrant tariff of Kent County Water Authority and any subsequent amendments. The installation shall be subject to all the provisions of these regulations, as to materials for service extension and construction.
- 2.6.3.2 All public fire hydrants and their connections shall be installed and maintained by the Kent County Water Authority and remain a part of the Kent County Water Authority water system infrastructure. No connection charge is placed against the installation of public fire hydrants.
- 2.6.3.3 Public fire hydrants are installed for the sole purpose of fire protection by members of the fire department. No other use of such hydrants shall be made without written consent of the Kent County Water Authority.
- 2.6.3.4 No person shall obstruct access to any fire hydrant by placing or permitting any snow, debris, building material, landscaping or other obstruction to remain on or about the hydrant which would in any manner

interfere with its immediate use. A minimum of a 4-foot radius from the operating nut of the hydrant is required to be kept clear from obstructions.

- 2.6.3.5 Public owned hydrants shall not be utilized for any reason other than emergency fire fighting or required fire fighting safety training. All fire fighting training involving the use of a public fire hydrant must be scheduled with and approved by the Kent County Water Authority prior to the commencement of training. A minimum of one-week notice is required, in order that the Kent County Water Authority can evaluate the current water demand situation within the area that will be affected by the training.
- 2.6.3.6 Fire departments are not allowed to flush, or pressure test any hydrants, nor to fill trucks with water, nor operate hydrants, except in emergency situations, without giving prior notification to Kent County Water Authority. Any water usage resultant from unauthorized operation of a hydrant shall be billed to the violator at the posted rates together with all damages and all court costs incurred by Kent County Water Authority, including but not limited to legal fees, labor hours, materials expended, any investigatory costs to determine the identity of the violator(s), and water used and all court costs.

2.6.4 Private Fire Hydrants:

- 2.6.4.1 Private fire hydrants will only be allowed by application to the Kent County Water Authority, provided that the hydrant type and installation meets all requirements of these rules and regulations for public hydrants. All private fire hydrant connections may only be made behind a master meter containing an approved type of backflow preventer. The requesting property owner/party shall be responsible for payment of the monthly private hydrant rate in accordance with provisions for annual fire hydrant tariff of Kent County Water Authority and any subsequent amendments. The owner or developer is responsible for all costs associated with private hydrant installation and maintenance.
- 2.6.4.2 Private owned hydrants shall not be used for any reason other than emergency fire fighting and required maintenance. All maintenance involving the flowing of water through the hydrant must be scheduled with and approved by the Kent County Water Authority prior to commencing the work. A minimum of one week's notice is required to allow the Kent County Water Authority an appointment to properly evaluate the correct water demand situation within the area that the maintenance will occur.

2.6.4.3 No person or entity is allowed to operate, flush or take water from any private hydrant without prior notification and approved by the Kent County Water Authority. Hydrants are for the sole purpose of providing emergency fire protection for the respondents to a fire. Any water usage resultant from authorized or unauthorized use shall be billed to the owner at the posted rates together with any damage or legal costs incurred by the Kent County Water Authority.

2.7 IRRIGATION SYSTEM:

- 2.7.1 It is the policy of the Kent County Water Authority to discourage use of landscape irrigation systems because of the depleting effect these systems have on the public water supply. A lawn or landscape irrigation system installation must be approved by the Kent County Water Authority prior to installation. An application form must be completed and submitted for action.
- 2.7.2 All irrigation systems shall be conservation wise design and fitted with rain switch sensors that prohibit operation during rain events.
- 2.7.3 Drip irrigation shall be utilized to irrigate all planting beds and shrubbery.
- 2.7.4 Timers shall be employed and maintained to be in compliance with Section 1.7.3. Timers shall be set to ensure overwatering does not occur.
- 2.7.5 All systems shall be fitted with soil moisture sensors that prohibit operation of the system when soil moisture content does not require it.
- 2.7.6 Property owners shall conduct annual maintenance that assures proper adjustment and operation of the system.
- 2.7.7 Irrigation systems shall only be operated in accordance with the Kent County Water Authority odd/even outdoor water use policy.
- 2.7.8 Irrigation systems shall be shut off during water supply emergencies and moratoriums imposed in conjunction with the Kent County Water Authority drought policy.