

ARTICLE 9 - Rates, Charges and Fees

9.1 General.

The information contained in this Article is pertinent to all charges levied for the provision of water services. The rates and charges as established in Exhibit I- Rates and Charges are in effect at this time, and shall remain in effect until modified by the Board under the provisions of these Rules and Regulations, and under the applicable statutes of the State of Colorado. Nothing contained herein shall limit the District from modifying rates and charges, or from modifying any service classification.

9.2 Application of this Article.

The rates, charges, and information shown herein shall apply only to Customers inside the District, and shall in no way obligate the District with respect to services provided outside the District boundaries.

9.3 Requirements for Meters.

9.3.1 Every individual property served by the District shall be required to have a Meter and a Backflow Prevention Device, unless specifically excepted in writing by the District. The cost of maintenance and replacement of Meters due to owner negligence and/or abuses is chargeable to the Customer.

9.3.2 Master Meters. Properties served in accordance with Section 5.4.2 shall have one Meter of a size and type to properly service the Customer.

9.3.3 Water Usage. Water usage shall be metered and charged for as provided by these Rules and Regulations, except water used for firefighting purposes, or other approved uses as determined by the Board.

9.3.4 Meter Reading. The amount shown on the Meter shall be presumed to be the amount consumed by the Customer.

9.3.4.a Charges for water used by any Customer that has a Customer Service Line leak shall be the responsibility of the Customer.

9.3.4.b Billing adjustments due to leaks shall only be granted when the leak occurred in the underground portion of the Customer's plumbing and only after the District has been notified and it is verified that the leak has been fixed.

9.3.4.c Billing adjustments due to leaks shall only be granted once in any consecutive twelve (12) month period and shall only apply to the previous two (2) months usage.

9.3.5 Use of Service. Water service will be made available for use only for the specific property serviced by said Meter and only on condition of compliance with these Rules and Regulations.

9.4 Capital Investment Fee (CIF).

A CIF as determined by the Board shall be charged to all applicants for new water service. Such fee shall be assessed and paid before the Tap is installed. The CIF shall be assessed as provided for in Exhibit I- Rates and Charges as modified by the Board from time to time

9.5 Turn on/Turn off Fee.

Fees for the act of turning on and turning off service, shall be sufficient to compensate the District for the actual cost thereof and may be charged whether done at the request of the Customer or in enforcement of the Rules and Regulations.

9.6 Fees for Other Services.

The Board may establish fees for any other service provided by the District not herein covered. All fees so established will be sufficient to reimburse the District for the actual cost of the services.

9.7 Payment Schedule.

Rates, charges, and fees shall accrue for water usage as it is utilized, and billing shall be prepared, issued, and become due and delinquent in accordance with the following provisions:

1. Water charges are due when billed, and they shall become delinquent if unpaid after thirty (30) days.
2. Charges for application for service are due and payable with the application.
3. Turn-on/Turn-off charges are due when levied.
4. Charges for other services shall become due and payable when the charge is levied, and they shall become delinquent if unpaid after thirty (30) days.
5. Tap and inspection fees shall be due and payable with the application.
6. Late charges shall be due and payable as billed.

9.8 Responsibility for Payments.

The owners of property receiving service shall be responsible for payment of all rates, charges and fees. The fact that the Customer receiving the service may not be identified on the billing by name shall not in any matter alter the fact that the

charges become a lien against the property until paid or change the presumption that the service is provided at the request of the property owner.

9.9 Penalty for Late Payment.

Any time a Customer is thirty (30) days delinquent in payment of any charges due to the District, the District shall assess a late charge as set by the Board. The District shall further have the right, in its sole discretion, to discontinue service to any Customer who is sixty (60) days or more delinquent in payment for any service.

9.9.1 If it becomes necessary for the District to discontinue service to a Customer due to non-payment, the service shall be physically turned off and locked off at the meter. A lock-off/turn-on fee will be added to the unpaid balance of the account. Restoration of water service, following payment of all outstanding charges, will occur only during the District's normal business hours.

9.9.2 The District shall assess to any Customer who is late in payment of his account, all legal, court, disconnection, and other costs necessary to or incidental to the collection of the account.

9.9.3 Until paid, all such fees, rates, penalties, or charges shall constitute a perpetual lien on the property served. Any such lien may be foreclosed in the same manner as provided by the laws of Colorado for the foreclosure of mechanics' liens. In addition to disconnection of service (after proper notice) or foreclosure, the District may certify delinquent accounts to the County Treasurer for collection along with property taxes, C.R.S. §32-1-1101(1)(e).

9.9.4 In the event of the bankruptcy, insolvency, or receivership of the owner of the property receiving service, the amounts due to the District shall remain a perpetual lien against the property that received the service.

9.10 Non-Collectable Check.

If payment to the District is made by a no account, insufficient funds or other dishonored instrument, the Customer will be given an opportunity to make the payment good within a reasonable period of time. A service fee may be added to the account to cover the cost of collection on the check. If the payment is for an account which is subject to lock-off, has already been locked-off, or otherwise considered delinquent, the account will be or remain locked off and the Customer will be notified and required to make payment by cash, cashier's check, certified funds, or money order, in order to restore service.

9.11 Certification to County Treasurer

In the event any user of the Tap and Meter shall neglect, fail or refuse to pay the rates, fees, tolls, and charges fixed by the Board for the connection with and use of the Water System, such rates, fees, tolls, and charges due may be certified by the

District to the County Treasurer of the County in which the property is located to be collected in the same manner as the property taxes.