

RULE XV**SUSPENSIONS, DISCONTINUANCE AND REFUSAL TO SERVE**1. **DISCONTINUE OR SUSPEND WATER SERVICE:**

The Water District may refuse to serve an applicant or, after due notice has been given, discontinue or suspend water service to a customer under the following conditions and circumstances:

- If the applicant or customer has knowingly failed to comply with the Rules and Regulations of the Water District in force and effect.
- If the intended use of the service is of such a nature that it will adversely affect the normal service to any existing customer.
- If in the best judgment of the Management of the Water District the applicant's or customer's installation for utilizing the service is hazardous or of such a nature that satisfactory service cannot be rendered.
- If the service connection installation has not been approved by the Water District.
- If the applicant or customer has not made the required security deposit.
- If any amount is due the Water District for water service, maintenance or job work of any nature at any location.
- If any amount is due the Water District for any charge, cost or other obligation transferred to another account pursuant to Rule V, Section 5, Subsection G.

A. **References:** This Rule is applicable to the following other Rules, but application is not limited thereto:

Rule III, Section 3, CONSERVATION OF WATER

Rule III, Section 4, EMERGENCY WATER SHORTAGES

Rule IV, Section 8, METER READING NECESSARY

Rule V, Subsection 3, ESTIMATED BILLS

Rule V, Section 5, PARTIAL PAYMENT, DELAYED PAYMENT

CHARGE, COLLECTION CHARGE AND

DISCONTINUANCE OF SERVICE

Rule VI, Section 7, TRANSFER OF DELINQUENT CHARGES -

Occasional or Temporary Water Use

Rule VIII, Section 10, TRANSFER OF DELINQUENT CHARGES -

Domestic and Private Fire Service Connections and Taps

Rule VIII, Section 8, PAYMENT FOR WATER LOST ON SERVICE

LINE LEAKS- Domestic and Private Fire Service Connections

and Taps

Rule X, Section 6, TRANSFER OF DELINQUENT CHARGES -

Extension of Water Mains

Rule XII, Section 15, DISCONTINUANCE OF SERVICE - Cross

Connections and Backflow Prevention

Rule XV, Section 2, APPARENT OR OBVIOUS UNATTENDED

LEAKS

Rule XV, Section 3, UNAUTHORIZED WATER USE

Rule XV, Section 4, THEFT OF WATER

2. APPARENT OR OBVIOUS UNATTENDED LEAKS:

Whenever any Water District employee shall find indication through inspection, consumption record comparisons or otherwise, that water is flowing through metered service to a premise at such a rate as might be or obviously is causing substantial waste, loss or damage to the premises, or any other form of unintended consumption by the

customer, and there is apparently and presently no occupant or other person with authority to enter the premises to investigate or remedy the apparent or obvious leak, the Water District may but is not obligated to shut off service to the premises. If a Water District employee or agent discovering the condition determines that the leak is obvious, the water service may be shut off immediately and thereupon a written notice of the leak shall be posted upon the main or front door of the premises which will include notification that water service has been temporarily suspended to avoid further loss, damage or unintended consumption due to an unattended leak and that service will be resumed promptly upon request. If no occupant or other person with authority to enter the premises can be found after discovery of an apparent leak, the Water District may cause a written notice of an apparent leak to be posted upon the main or front door of the premise which will include notification that the water service will be shut off within 24 hours of posting if an occupant or other person with authority to enter the premises does not notify the Water District office not to suspend service. Without such notification within 24 hours, the Water District may then suspend service by simultaneously posting a second replacement notice upon the same front or main door of the premises that water has been temporarily suspended to avoid further loss, damage or unintended consumption due to a possible unattended leak and that service will be resumed promptly upon request. Nothing herein shall impose the duty or obligation upon the Water District to suspend service regardless of the existence of an obvious or apparent leak. Neither shall the Water District be liable for any damage or loss sustained by any customer or other person for either failure to suspend service or for suspension of service, regardless of whether a leak did or did not actually exist.

3. UNAUTHORIZED WATER USE:

The Water District may discontinue service immediately without benefit of notice if any employee discovers any use of water which is bypassing the appropriate metering device or will otherwise escape the application of the applicable rates of charge for its use to the appropriate account.

4. THEFT OF WATER:

No person or company shall have the right to connect to the Water District's water mains, service connections or fire hydrants nor turn the water on or off from any premise or pipe line without the express written consent of the Water District. Attention is called to Sections 19-2621 and 2622 of the Kansas Statutes Annotated making this a criminal offense. The Water District to protect itself against an increase in its operating expense or loss of revenue through theft of water by customers may discontinue service at once upon discovery of such conditions and in addition physically sever the service if deemed necessary. Any arrangement of pipe or tampering with the meter which will allow the passage of water to the premises of the customer without registering the amount of such flow on the meter and which condition reasonably evident may be regarded as theft of water. Before restoring service to the offender, the Water District may require reasonable safeguards against a recurrence of the offense and may collect payment sufficient to cover actual or reasonably estimated lost revenue plus the expense incurred by the Water District in having the conditions corrected. The amounts involved shall be determined by estimates on the basis of records and evidence disclosed.

5. METHODS:

Normally, discontinuance of water service will be by turning off the curb stop or by removing the meter. In those instances wherein the water service to a customer has been discontinued for violation of the Water District's Rules and Regulations and the customer

has restored service without permission, the Water District may disconnect the service connection.

6. REFUSAL TO RESTORE SERVICE:

When water service has been discontinued by any method because of default in payment of charges due the District or violation of a Rule or Regulation by the customer the Water District shall not restore service until the reason for the default or violation has been corrected.

7. CHARGES FOR RESTORATION OF SERVICE:

When the default or violation has been corrected, the Water District shall restore water service. If it is necessary to reconnect a Service Connection, the customer shall pay any cost incurred for the disconnection and the subsequent reconnection. In addition, the customer must pay a Trip Charge in accordance to Rule V, Section 5, Subsection D.

8. RIGHT OF APPEAL:

When an applicant or customer is refused service or upon termination of service under any provisions of these Rules and Regulations, the Water District Management shall notify such applicant or customer promptly in writing of the reason for the refusal to serve, citing the Rules and Regulations violated or for which there has been non-compliance, such notice to be mailed to the applicant's or customer's last known mailing address. Such notice shall also inform the applicant or customer of the right to appeal to the Water District Board of the Management's decision to refuse service pursuant to the appeal procedure as set out in Rule XVI, Section 1.

9. SETOFF:

The District may offset any funds owed to a Customer or Petitioner by applying those proceeds to reduce or eliminate any delinquent charges of that same Customer or Petitioner.