

RULE III

GENERAL

1. **QUALITY OF WATER:**

It shall be the intent of the Water District to at all times deliver a quality of water that meets the standards of the Kansas Department of Health and Environment and the Safe Drinking Water Act (PL 93-523), as amended. It is an inherent characteristic of a water distribution system that over a period of time deposits will accumulate due to corrosion and sedimentation, and that these deposits will "sluff-off" and maybe discharged to the customer's service connection. This discharge will be particularly evident following shut-down periods and reversals of flow of water due to emergency repairs or improvements being made to the distribution system. The Water District shall take reasonable safeguards to prevent or minimize the occurrence of such a condition, but shall not be responsible for damages resulting therefrom to customer's property. Upon discovery of such a condition, the customer is requested to notify the Water District and the Water District shall investigate and remedy the condition. The District may from time to time be compelled to administer necessary treatment chemicals in excess of normal amounts due to abnormal conditions of turbidity, pollution, hardness or any other impurity in its raw or finished water supply to safeguard the public health. The administration of such necessary above normal quantities of treatment chemicals during such times, although not harmful for human consumption, might prove harmful to certain vegetation, fish or fowl life. The District will not be responsible for any such harmful effect or loss under such conditions.

2. **CONTINUITY OF SERVICE:**

It is the intention of the Water District to notify its customers of the necessity of shutting off water service but an emergency may at times not permit doing so. Therefore, the Water

District reserves the right at all times without notice to the customer to shut off the water in a main for the purpose of making repairs or extensions or for any other necessary purpose, and all customers having boilers or tanks within their premises depending upon pressure to keep them filled or any other type machinery or equipment depending on a water supply for its safe and efficient operation are hereby cautioned against any danger resulting from inadequate water pressure and the Water District shall not be responsible or liable to anyone to any extent for any damages or loss of any kind resulting from shutting off mains or any water service for the purpose of making repairs of any kind or extensions or for any other purpose.

3. CONSERVATION OF WATER:

For the purpose of conserving the supply of water which may be available for distribution to its customers during emergency and/or peak-load periods, the Water District shall have the right to require each and every customer whom it serves to comply at all times with such limitations and restrictions as to hours, days, or periods for the use of water in sprinkling or irrigating lawns, gardens, shrubs, plants or trees, or any use not essential to the health and general welfare of people as the Water District may when occasion warrants declare to be in force, effect and operation. Such limitation and restrictions shall apply uniformly to all customers within any prescribed area where in the judgment of the Water District such conservation of water may be deemed necessary to provide as near adequate a supply as possible for domestic and commercial use by all customers in such area; and for this purpose the Water District may prescribe staggered or alternate days, hours or periods during which time certain groups or designated number of classes of customers may or may not use water in the order of such uniform allocation for such purposes.

A. Discontinuance for Violation:

The Water District shall have the right, upon refusal of any customer to comply fully with any such limitations or restrictions of the use of water as may be declared, and notice thereof given to such customer by the Water District to immediately discontinue all service and furnishing of any water for any purpose to such customer until the Water District is assured of compliance therewith.

B. Exceptions for Substantial and Permanent Property Loss:

Customers claiming that the restriction would impose substantial and permanent property loss shall submit a written affidavit to the General Manager setting forth the facts distinguishing their situation from the inconveniences and hardships of the District's customers generally. The General Manager may grant exceptions to the restriction upon such terms as he deems to be reasonably necessary to avoid substantial and permanent property loss. Denial of such applications may be appealed to the Water District Board pursuant to the appeal procedure set forth in Rule XVI, paragraph number 2.

4. EMERGENCY WATER SHORTAGES:

A. Water District Board To Invoke This Rule:

Whenever an adequate supply of water cannot be furnished to the District for any reason due to a sudden or unanticipated emergency so that the other provisions of these Rules and Regulations are or may be ineffective to limit consumption to uses essential to the health, sanitation and safety of customers and other persons within the District, the Water District Board shall determine that a state of emergency exists and shall invoke the provisions of this paragraph 4 of Rule III until rescinded by further Board action when it is determined that the emergency conditions have terminated. No advance notice of the special meeting of the Board shall be required,

and determination of an emergency and the provisions of this paragraph 4 of Rule III may be imposed by the vote of any 4 members of the Water District Board; if any of the other 3 Board Members cannot be notified or cannot attend such special emergency Board Meeting after reasonable effort to notify such Members; provided, that the action of the Board invoking this paragraph 4 of Rule III shall be ratified or rescinded by the whole Board after notice to all Members of a subsequent Special Meeting as provided by Statute or Procedural Rules adopted by the Board.

B. Priority of Use:

Upon invocation of this paragraph 4 of Rule III, the Board shall also designate which of the following categories of uses shall be curtailed or prohibited after consideration of the available water quantities and such designation may be changed from time to time during the emergency and before final rescission as the availability of water changes. Beginning with the lowest priority, the categories of uses arranged with increasing relationships to the health, sanitation and safety of persons and property within the District are designated as follows:

PRIORITY

1. Decorative fountains and pools, private and public.
2. Swimming pools, private and public.
3. Private car washing, the washing of demonstrators and customers' cars by Automobile Dealers.
4. Home, public and commercial lawn irrigation- established lawns.
5. Home, public and commercial lawn irrigation- new sod.
6. Commercial Car Washes.
7. Private gardens, shrubs, flowers and trees.

8. Chemical landscaping treatment.
 9. Automobile Dealers as to new and used car preparation for display or customer delivery.
 10. On-site construction.
 11. High water consumption manufacturing- concrete plant.
 12. Non-dairy beverage processing and bottling.
 13. Nurseries, greenhouses and truck gardens as to in ground planting.
 14. Recreational facilities, theaters.
 15. Private and commercial laundering- non-clothing.
 16. Retail establishments- excluding restaurants, groceries, drug stores.
 17. Hotels, motels, restaurants, private clubs.
 18. Greenhouses, nurseries and retail stores sales of containerized plants.
 19. Household and commercial launders.
 20. Groceries, dairies, drug stores.
 21. Agricultural livestock.
 22. Sanitation and fire protection.
 23. Cooking and domestic consumption.
- C. Effective with the adoption of a resolution invoking this Rule III, paragraph 4 and designating the categories of uses to be prohibited, no customer of the District shall use or permit any consumption of water from the District's distribution system for such designated uses until such category is removed from the list of prohibited uses or these emergency provisions are wholly rescinded.
- D. The Water District shall use reasonable efforts to publicize the imposition of the emergency provisions of this Rule III, paragraph 4 and the categories of uses to be

prohibited.

- E. Regardless of whether any customer has received notice or a copy of the Resolution, or has actual knowledge of the prohibition, if a prohibition is being violated or the affected customer is permitting a prohibited use, the Water District may cause such customer's water service to be cut off during the period of prohibition after posting a special notice of violation with a copy of the appeal procedure in a conspicuous place upon the premises where such violation has occurred. Such action may be taken by the District's Management and employees under authority of its General Manager.
- F. In distribution areas where Water District No. 1 of Johnson County furnishes wholesale water, the distribution areas' governing bodies shall be required by written notice of the invocation of this Rule III, paragraph 4, which notice shall include designation of the categories of uses to be initially curtailed or prohibited, delivered to the person in charge of the principal administrative office for the distribution area, or if such office or a person in charge cannot be found, then to any member of such governing body of the distribution area, to immediately adopt and impose these or comparable provisions in order to accomplish uniform prohibitions throughout the area being furnished water for distribution by Water District No. 1. If any other distribution area does not adopt or enforce these or comparable prohibitions within 24 hours of the delivery of such written notice, the Water District Board may limit the quantities of water furnished to such other distribution areas as are reasonably estimated by the Water District Board to be comparable to the consumption of such other distribution area as if such prohibition have been adopted and enforced.
- G. Any customer or any governing body of a distribution area being furnished wholesale water by the District may appeal the substance, form, classification or en-

forcement of the foregoing emergency rule. Such appeal shall be made pursuant to the appeal procedure set forth in Rule XVI, paragraph number 2.

5. INFORMATION AVAILABLE TO CUSTOMERS:

The Water District shall furnish to the customer during Business Hours any reasonable request for information regarding the service rendered including the following:

A. Rules and Regulations:

A copy of the Rules and Regulations of the Water District shall be kept available at all times in the principal office of the Water District for the customer's perusal.

B. Characteristics of Water:

Chemical analysis and pressure information.

C. Rates:

A schedule of rates for water service applicable to the service to be rendered to the customer.

D. Meter Reading:

Information about method of reading meters.

E. Bill or Consumption Analysis:

A statement of the customer's account of consumption of water for any period currently available on the computer system.

6. INFORMATION AVAILABLE TO THE PUBLIC:

See Rule XVII pertaining to Public Records.

This Side Intentionally Left Blank