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**THIS DISTRICT POLICY WHEN ADOPTED SHALL AMEND, CHANGE, CLARIFY, RENEW, AND CANCEL ANY PREVIOUS RULES AND REGULATIONS OF THE DISTRICT PERTAINING TO WATER FACILITIES AND WATER SERVICE. THESE POLICIES ARE GUIDELINES ADOPTED BY THE BOARD OF DIRECTORS FOR THE USE OF PUBLIC WATER SUPPLY DISTRICT #8 OF CLAY COUNTY, MISSOURI.**

## 1. General

- .11. These rules and regulations have been adopted to govern the water services furnished by the District in a uniform manner for the benefit of the District and its water user and are subject to change as herein provided without notice to any water user or any other person. Any amendment or change to these rules and regulations shall be effective on the date such amendment or change is passed by resolution of the Board of Directors. If any portion of these rules and regulations shall be declared invalid by competent authority, such invalidity shall not affect validity of the remaining portion.
- .12. No employee or agent of the District shall have the right or authority to bind it by any promise, agreement or representation contrary to the letter or intent of these rules and regulations or of the bylaws of the District, or the laws of the State of Missouri.
- .13. Any complaint against the service or employees of the District should be made at the office of the District in writing.
- .14. No person shall turn the water on or off at the street valve, corporation cock, curb cock or other street connection, or disconnect or remove any meter or otherwise tamper with water service facilities of the District without the consent of the District.
- .15. The service pipes and fixtures on the water user's property shall at all reasonable hours be accessible to the District for observation or inspection.

## 2. Definitions

The following expressions, words and terms when used herein shall have the meaning stated below:

- .21. **District:** Public Water Supply District #8 of Clay County, Missouri, acting through its Board, officers, or other duly authorized employees or agents.
- .22. **Applicant:** Any individual, firm, partnership, corporation, limited liability company, the federal or state government, or any unit, agent, political corporation or subdivision of either the federal or state government or other agency or entity applying for a water users agreement.
- .23. **Board:** The Board of Directors of Public Water Supply District #8 of Clay County, Missouri. **Water User:** Any individual, firm, partnership, corporation, limited liability company, the federal or state government, or any unit, agent, political corporation or subdivision of either the federal or state government or other agency or entity receiving water and water services, or to whom water services are made available from the District's facilities pursuant to a written water user's agreement.

- .24. **Customer:** A water user as defined herein.
- .25. **Point of Delivery:** The point of delivery shall be at the output of the water meter, unless otherwise specified in the water user's agreement or in any other agreement where it shall be mentioned.
- .26. **Service:** The term service when used in connection with the supplying of water shall mean the availability of water for use by the water user subject to the provisions of these rules and regulations and the bylaws of the District. Service shall be considered as available when the District maintains the water supply at a minimum of 20 psi pressure at the point of delivery with the service line static, in readiness for the water user's use, regardless of whether the water user makes use of it.
- .27. **Landowner (Owner):** Any person or entity owning or having title to property served by the water system of the District, or who has a leasehold interest therein for a term of more than one year. The term "Owner" shall also include life tenants but the Board may at its own discretion require remaindermen to enter into any agreement required with the property owner under these rules and regulations, and the remaindermen shall be bound by these rules and regulations in all respects. To be considered an "Owner" a resident of a mobile home must own the land or lot on which the mobile home is placed.
- .28. **Water User's Agreement:** Any written agreement or contract between the water user and the District, pursuant to which water service is supplied or made available including fire suppression systems.
- .29. **Extensions:** The customer will be obligated to pay at least a minimum water bill for five years where the District has contributed money, labor or materials to the extension.
- .210. **Water Service:** The water service shall consist of facilities for supplying water to one residence or business establishment on land within the District.
- .211. **Public Water System:** The water works system of the District which furnishes water to the water users; including mains, valves, fittings, service lines, and other appurtenances.
- .212. **Cross Connection:** Any physical arrangement whereby the public water system of the Water District is connected, directly or indirectly, with any other water supply system, sewer, drain, conduit, pool, storage reservoir, plumbing fixture, or other device which contains, or may contain contaminated water sewage or other waste or liquid of unknown or unsafe quality which may be capable of imparting contamination to the public water system as a result of backflow. Bypass arrangements, jumper connections, removable sections, swivel or changeover devices through which, or because of which, backflow could occur are considered to be a cross connection.
- .213. **Auxiliary Intake:** Any piping connection or other device whereby water may be secured from a source other than that normally used.
- .214. **Interconnection:** Any system of piping or other arrangement whereby the public water system of the Water District is connected directly with a sewer, drain, conduit, pool, storage reservoir, or other device which does or may contain sewage or other waste or liquid which would be capable of imparting contamination to the public water system.

- .215. **Person:** Any individual, corporation, company, association, partnership, limited liability company, state, municipality, utility district, water cooperative, or federal agency or any other legal entity.
- .216. **Administrative Survey:** Any subdivision survey consisting of one or more lots, any and all of which are less than twenty (20) acres in size but equal to or greater than ten (10) acres and all of which have frontage upon and direct access to an existing public road or no more than four (4) such lots having a common private drive with access to a public road.
- .217. **Major Plat:** Any subdivision having six (6) or more lots, any or all of which are ten (10) acres or less or the creation of a new public road or any other subdivision not specifically qualifying as a administrative survey or minor plat.
- .218. **Minor Plat:** Any subdivision consisting of five (5) or fewer lots, any of which is less than ten (10) acres, where each lot has direct access to and frontage upon an existing public road, or, a subdivision plat consisting of any number of lots, each being five (5) acres or more, where each lot has direct access to and frontage upon an existing public road, or has a common private driveway situated on and created for the exclusive use of no more than four (4) lots providing ingress and egress to a public road.
- .219. **Major Mobile Home Park:** Any mobile home park occupying land under one ownership, consisting of ten (10) or more pads or sites, and metered through a master meter.
- .220. **Minor Mobile Home Park:** Any mobile home park occupying land under one ownership, consisting of fewer than ten (10) pads or sites.

### 3. Rate Schedule

- .31. Rate Schedules for water and water service charges are fixed by the Board and are subject to change by action of the Board. These rates will be listed in a Rate Schedule and posted in Water Dist. #8 office. If a provision of the rules and regulations conflicts with a provision of the rate schedule, the provision of the Rate Schedule shall prevail. If the total amount of revenue and income derived from the collection of the water rates is insufficient to meet the payment of the cost of operation, maintenance, depreciation, necessary extensions and enlargements, and payment of the principle and interest on any general and special obligation bonds, then outstanding, with their attendant obligations pursuant to the terms of the bonds and authorizing resolutions, the Board will increase the water rates to an amount sufficient to meet these costs and obligations.

### 4. Meter Deposit

It is provided that all such meter deposits shall be held by the District as a guarantee that the bills of the water user making such deposit shall be fully paid and that no damage will be done to the District's water meter, line, or other property by the water user; such deposit shall be returned to the water user at such time said user discontinues water service and ceases to be a water user of the District, but the District shall be entitled to first deduct the amount of any unpaid water bills and any unpaid bills to the District, and if the amount of such unpaid water bills exceed the amount of the deposit, to apply the entire deposit against such unpaid bills and damage.

The District shall pay any amount of such water deposit due the water user upon request of the water user when water service is discontinued after the District has had a reasonable time to compute said water bill and to determine if any such damage had been done by the water user. The District shall keep all such deposits in a bank account or accounts, and the Board at its discretion may invest such funds in savings accounts, or certificates of deposit in the bank or banks in which such funds are held, provided that a reasonable sum is held in a demand account to meet anticipated refunding requirements. Any interest accruing on such deposits accounts or certificates will become the sole property of the District and no water user shall have any claim for or to such interest, or any portion thereof for any reason. Such interest shall be used by the District in the same manner as income received from the sale of water by the District. The investment of such meter deposit account is discretionary with the Board and shall not under any circumstances be regarded as mandatory.

- .41. **Meter Deposits Charges:** All water users of said District and applicants thereof shall make a meter deposit before connecting any water service lines to the water lines and meters of said District as provided on the Rate Schedule.

In the case of multiple-unit dwellings, trailer courts (mobile home courts) and meters larger than 2" the amount of deposit shall be determined by a special written agreement between the Board and the applicant.

- .42. **Deposits:** A meter deposit must be paid for each meter. All meter deposits shall be paid in the form of cash, check or money order. The District does not accept bonds or other forms of surety or indemnity as a security deposit. Payment of said deposit does not establish or imply any incidence of ownership or interest in said meter or related District equipment.
- .43. **To Have Service Disconnected:** Customer must call or come into the office and specify date to disconnect service and leave a forwarding address where we may return customer's deposit.
- .44. **Transfers:** A customer moving from one unit to another within the District may transfer their deposit to the new address if:
- said request is made in writing,
  - they do not have a history of delinquency and
  - they all of their outstanding bills are paid,
  - have never been disconnected for nonpayment. In such case, one deposit may be used for both old and new units for a maximum of five working days to allow for cleaning and moving.
  - The final bill for the old account may be transferred to the new account. Additional charges may apply to transfers. (See Rate Schedule)
  - Any customer who has relocated within the District or any former customer who has moved back to the District shall not receive service until all of their old accounts and all relevant charges established herein are paid in full.

## 5. Application for Water Service

Applicants for a water users agreement shall make application in the office of the Water District. Such applications shall be in writing and the office personnel shall prescribe the form of such application, subject to the approval of the Board. Applicant will be required to furnish easement of said property before water service will be installed. If the service is for residential use, the name on the account and the person signing the application must be the same. On commercial accounts, the person signing the application must be the official designee of the owner making application.

- .51. **Set Up Service for Property Owners on Existing Meters:** The Owner must fill out the water application agreement, owners agreement, and pay the amount required. The Owner must pay a deposit, new account charge, reconnection charge (if water has been shut off), and same day service charge if same day service is desired. Owners of rental property may have a deposit on each of their rental properties so that when the renter moves out the water will go directly into their name so that the water service is not disconnected.(See Rate Schedule)
- .52. **Set Up Service for Renters:** The renter must fill out the water application agreement and pay the amount required. The renter must pay a deposit, new account charge, reconnection charge (if water service has been shut off), and a same day service charge if same day service is desired. (See Rate Schedule)

## 6. Metering

- .61. **Service for the Sole Use of Water User:** The standard water service connection is for the sole use of the water user and does not permit the extension of pipes to transfer water from one property to any other consumer. No water user or owner or custodian of property served by the District shall extend or permit the extension of pipes for the purpose of transferring water from one property to another nor will he/she share, resell, or sub-meter to any other consumer. Each meter service shall supply water to only one residence or business establishment located on land within the District, except as provided herein. If a specific situation should make such an arrangement advisable, it shall be done only on the specific written permission of the District. No more than one residence shall be served by one water service connection. A farm containing one residence and other buildings for use in the farming operation shall be considered as one residence and the water user may use water from one meter for all such buildings; provided that in the event that a farm contains two or more residences, a meter shall be required for each residence.
- .62. **Metering Unit:** Each of the following facilities shall comprise a metering unit and must be metered individually; provided, however, that the owners of a multiple family building shall have the option of installing a single meter for each building, but the rate charged for water service on such single meter shall be as set forth in the Rate Schedule:

Apartment.

Boarding or lodging house.

Club, accommodating or assembly-type cooperative house.

Commercial business property; separate meter required for each business.

Dormitory.

Dwelling, one-family.

Dwelling unit in multiple-family building.

Farmstead.

Hotel.

Industrial or Manufacturing plant.

Mobile home park.

Motel or tourist court.

The general rule for establishing metering units for any other types of facilities not mentioned above shall be one meter for each family unit used for residential purposes and one meter for each business or industry.

**Exception:** Mobile home parks shall be master metered to serve the entire mobile home park or shall have the option of installing a meter for each individual mobile home, provided they install a water main system within the park, designed, constructed and inspected in accordance with the District's water main installation and extension policies, and that such water mains along with necessary easements are dedicated to the District.

- .63. **Meter Sizing:** When requesting water service, the customer may be required to furnish information as to his expected water demand. The District shall then determine the proper type and size of meter(s) to be installed. The District reserves the right to change the meter size at any time in order to improve registry or flow.

## 7. Service Installations

- .71. **Readiness to Accept:** Before installing a service line extension and providing water, the District may require the applicant to pipe his home and be in readiness to accept the service.
- .72. **Meter Location:** Unless otherwise agreed upon in writing, meters shall be set outside of buildings in a location which provides the District the greatest ease of reading and repair and offers reasonable protection from damage. All meters shall be set horizontally and never connected to a vertical pipe. Meters outside of buildings shall be placed in meter boxes furnished and installed by the District. Water and boxes meters will be located at the property line to the water users land except as specifically approved in writing by the Board of Directors. The meter box shall be installed to match the existing land surface, unless the customer submits a written description or plan of proposed re-landscaping to the District.
- 72.1. **Alternate Locations:** When it is impractical to install the meter box at the property line, as determined by the District, the water meter may be installed indoors or elsewhere on the property to be served, provided it is protected from damage and freezing and, when located indoors, is readily accessible in an unlocked room or enclosure. Alternate locations are at the sole discretion of the District. If a meter becomes inaccessible, in the opinion of the District, the customer must make provisions, at the customer's expense, for its relocation or for a remote reading device. Regardless of its location, the meter and its appurtenances remain the sole property of the District and the customer shall be responsible for damage to the meter or its appurtenances, caused by the customer's negligence or failure to properly safeguard and protect such meter and appurtenances from hazard.

- 72.2. **Land-locked Properties:** Any applicant for water service to a lot, tract or other parcel of land shown on a subdivision plat or survey which contains fewer than four (4) lots, tracts or parcels of land and which does not have a boundary bordering a public road currently served by a District water main, may obtain service by acquiring an easement for private utilities from the landowner(s) bordering such public road. A copy of the recorded easement must be provided to the District before service will be provided.
- 72.3. Water service shall be obtained only from water mains located along public thoroughfares. Cross-country transmission lines shall not be tapped for individual meter settings except as expressly approved in writing by the Board of Directors.
- .73. **Charges:** New installation charges shall be as provided on the Rate Schedule. Payment of said installation charges are for services rendered in providing water service and give no ownership rights or interests in the related meters, meter boxes or related appurtenances provided by the District.

An additional charge shall be made for cutting and repairing concrete or asphalt streets or sidewalks equal to the actual cost of such work. To set up a new installation account the customer must sign the water application agreement, new connection agreement, and pay the amount required.

- .74. **Services:** The District will install all water service pipes from its main to the meters on the property abutting the right-of-way along which the main is installed insofar as its current financial responsibilities, obligations, and conditions will permit, and insofar as adequate water pressure and flow are available at the point of delivery requested by the applicant or water user and insofar as said installation will not materially affect in an adverse manner the service rendered to any existing customer of the District. The service pipe shall not be less than 3/4" in size. The meter will be set at the point on the water user's premises designated by the District. The charge for the services to be made by the District shall be that amount specified by these rules and regulations, or as otherwise provided by the Board, but in no event shall be less than the cost to the District.
- .75. **Customer's Piping:** All piping work done in connection with pipe and services connected with the District's main shall be submitted to the inspection of the District before such underground work is covered up. Whenever the District determines that a job of plumbing is obviously defective, the District shall require that it be corrected before the water will be turned on. The Board reserves the right to prescribe the type of materials and the standard of workmanship to be followed in enforcing this section.

All service pipes shall be laid at all points at least thirty six (36) inches below the surface of the ground and shall be placed on firm and continuous earth so as to give unyielding and permanent support. They shall not be laid in sewer ditches. It shall be installed in a trench at least 18 inches in a horizontal direction, in undisturbed earth, from any other trenches wherein, are laid gas pipe, sewer pipe, or other facility, public or private. Such service line shall not pass through premises other than that to be supplied unless the District shall so agree in writing.

## 8. Policies Regarding Service Connections



.81. **Readiness to Accept Service:**

81.1. The applicant or water user, or their designated representative, Should be at the premises when water service is turned on. The applicant or water user shall assume all responsibility for any open outlets resulting in water loss or damages.

81.2. Functioning Shut-off Valve: Before service will be provided, a functioning shut off valve shall be present on the customer's side of the meter between the meter yoke and the first tap or union. Failure to provide said valve shall result in service call charges each time District personnel are required to turn the service on or off.

.82. Only District personnel are authorized to operate valves owned by the District. Unauthorized operation of District valves, including meter shut-off valves, shall result in service charges, fines, disconnection of service for tampering and/or legal action. (See Rate Schedule)

.83. **Relocation of Water Meter and/or Appurtenances:** The District reserves the right to relocate the water meter, service line or any appurtenances thereof, at its own expense. If the customer desires a relocation, or change in elevation, of the water meter, service line or any appurtenances thereof, he shall make written request to the District and deposit the estimated cost for labor, equipment and material, plus overhead, to complete this relocation or change with the District. In the event of an underestimate, the customer will be billed for the remainder; in the event of an overestimate, the excess will be refunded.

If the customer should re-landscape his property, making it difficult to read the meter or repair the main or appurtenances, the District reserves the right to relocate or change the elevation of the meter, service line or any appurtenances thereof, and charge the actual cost for labor, equipment and material, plus overhead to the customer.

.84. **Continuity of Service:** The District shall make a reasonable effort to supply continuous, uninterrupted service. However it shall have the right to interrupt service for the purpose of making repairs, connections, extensions or for other necessary work. Efforts will be made to notify water users whenever possible whom may be affected by such interruptions, but the District will not accept responsibility for losses which might occur due to such interruptions. The District does not accept responsibility and shall not be liable for losses which might occur due to such interruptions to service for any cause and does not accept responsibility for losses due to failure of the District to notify any water user of any such interruptions.

.85. **Right to Inspect:** Representatives of the District shall have the right at all times to enter upon the water user's premises to read and test meters, inspect piping, and to perform other duties for the maintenance and operation of service, or to remove its meters and equipment upon discontinuance of service by the water user.

.86. **Intercepting Tank Required for Large Customers:** Service pipes shall not be connected to the suction side of pumps. The supply for the use of a character requiring a large quantity of water within a short period will not be permitted except through intercepting or intermediate storage tanks.

.87. **Customers Duty Regarding Service Lines:** The customer's water installation shall extend from either:

1. The discharge of the water meter, where the meter is located at or near the property line.
2. The property line, where the meter is located elsewhere on the property.
3. The water main tap, where an unmetered fire protection or sprinkler system serves the property, or where a private water main is extended from the District water main.

In both items 1 and 2, above, ownership of the meter, meter box, lids, rings and directly related appurtenances remain the property of the District. In the case of item 3, above, ownership of respective elements would be established in the written agreement authorizing the provision of said un-metered service.

The water user's service pipe and all connections and fixtures attached thereto shall be subject to the inspections of the District before the water will be turned on, if the District so elects, and all properties receiving a supply of water and all service pipes, meter and fixtures, including any and all fixtures within any improvements or buildings on said premises, shall at all reasonable hours be subject to inspection by any duly authorized employee or agent of the District.

Water user shall, at his own cost and expense, make all changes in the service pipe required or rendered necessary on account of changes in the street grades, relocation of mains, or other causes.

No fixture shall be attached to, or any branch made in, the service pipe between the main of the District and the meter.

Any repairs or maintenance necessary to the service pipe or on any pipe or fixture in or upon the water user's premises, shall be performed by the water user at his sole expense and risk.

Service pipes must be kept and maintained in good condition and free from all leaks, and for failure to do so the water supply may be disconnected.

The District shall in no event be liable for any damage done or inconvenience caused by reason of any break, leak or defect in, or by the water escaping from service pipes, or from fixtures on the premises of the owner or water user. The user shall be billed on the usual manner for the cost of all such water according to the rate schedule of the District as provided in these rules and regulations and the bylaws of the District.

- .88. **Multiple-Unit Policy :** In each active account where multiple units are served by a single meter, the monthly base rate shall be applied to each unit, regardless of occupancy status, except for major trailer courts as provided in the Rate Schedule or by written agreement with the Board to the contrary.
- .89. **No One But Employee May Turn Off or On:** No one but a District employee or a person authorized by the District shall turn on water or shut off water from the District meter to any water user or to any property served by such meter, except in case of escaping water.
- .810. **Water Users Requiring Uninterrupted Supply:** The District will endeavor to give reasonable service, but does not guarantee a sufficient uniform pressure, or an uninterrupted supply of water, and water users are cautioned to provide sufficient storage of water where an absolutely uninterrupted supply must be assured, such as for steam boilers, hot water heating systems, gas engines, fixtures or devices taking a supply of water directly from the service pipes, depending upon the hydraulic pressure of the pipe system of the District for supplying same under working pressure, would do so at the risk of the parties making such attachments.

- .811. **Requested Meter Test:** Meter tests requested by water users shall be performed without cost to the water user if the meter is found to be in excess of two percent (2%) fast. Otherwise, the water user for whom the requested test was made will be charged the cost of making the test. (See Rate Schedule)
- .812. **Water User's Responsibility:** The water user shall be responsible for any damage to the District's meter and associated materials and equipment installed for his service, for any cause other than normal wear and tear.

## 9. Water Bills and Rates

- .91. **Cost for Water:** Charges shall be as indicated on the Rate Schedule.
- .92. **Customers to Read Meters and pay bills:** The District shall be responsible for reading meters and billing for water used by the 1st of each month. Bills not paid by the 16th of the month shall be subject to a late charge as set out in the currently effective Rate Schedule. Failure of the District to submit a service bill shall not excuse the water user from his or her obligation to pay for water used. Failure to pay and outstanding bill by the last day of the same month shall be subject to disconnection of service. The District does not accept responsibility for the timeliness of the United States Postal Service delivery.
- .93. **Real estate liens:** Pursuant to Mo.Rev. Stat. 247.110.3, the District reserves the right to file a lien upon said real estate of any water user whose bill remains 30 days overdue.
- .94. **Rates for Tank Sales:** The Board has the exclusive power to authorize tank sales or sales in bulk of water from such supply heads as it shall designate at the rates to be determined by the Board. By resolution, the Board may prohibit the sale of water in bulk to any resident, landowner, or renter of the District whose property is served by a water line.
- .95. **Returned checks:** Checks returned shall be charged a returned check charge to be determined by the rate schedule in force. Any customer that has two (2) returned checks within one (1) fiscal year starting in January will not be allowed to write checks to the District for a twenty-four (24) month period starting at the time the second returned check is received at the District office.

## 10. Discontinuance of Water Service

- .101. Water service will be discontinued to any water user or landowner on account of temporary vacancy of such property upon written request of the water user, without in any way affecting the agreement in force, and upon payment of all charges due as provided in the rules and regulations of the District and the bylaws of the District.
- .102. In the event that water service is discontinued for any reason other than the temporary vacancy of the property, or in the event that it is discontinued and another source of water is used for the property, then the reconnection charge shall be paid by the water user or landowner of the property. In addition, all previously unpaid bills shall be paid before reconnection shall be allowed for such water user or landowner.

Applicant shall not be required to pay the above reconnection charges as a result of the conduct or actions of the previous owner or occupant.

- .103. **Disconnect/Reconnect Policy:** A disconnect charge for a meter subject to be locked for non-payment will be made after office procedure is complete and work assigned to service man. A separate reconnect charge will be charged for a meter locked for non-payment. The total charge for a meter locked for non-payment to reestablish service shall be the amount shown on the rate schedule in force.

A broken lock charge shall be charged per the amount on rate schedule. Charge to increase for each lock broken thereafter. After first broken lock the meter is removed. If when checked later an illegal connection (i.e. jumper/idler) is found, the sheriff's department will be called and a report filed and the violator prosecuted. SEE ALSO 10.4.12

Payment may be made only at office or drop box. No money will be taken by servicemen.

To reconnect service for non-payment, customer needs to come to office between 8:00 a.m. and 3:00 p.m. to pay delinquent bill plus a reconnect charge per rate schedule. An after hours service is offered on Fridays and workday immediately prior to holidays. Customer must pay an after hours charge and be in office by 4:00 p.m. for the after hour service.

- .104. Except in cases of failure of the water user to pay the bill owed the District for water service, as set forth in the rules and regulations the District will not discontinue the service of any water user in violation of any rule or regulation of the District, without written notice of at least two days, mailed to such customer at his address shown upon the District's records, or personally delivered to the water user or a member of his household advising the water user what rule has been violated for which service will be discontinued if the violation is permitted to continue; provided, however, that where misrepresentation of use of water is detected, or where the District's measuring equipment has been tampered with, or where a dangerous condition is found to exist on the water user's premises, service may be shut off without notice in advance.

In addition to the foregoing provisions, service rendered under any application, contract or agreement may be discontinued by the District for any of the following reasons:

- 104.1. For willful or indifferent waste of water due to any cause.
- 104.2. For failure to protect from injury or damage the District's meter and connections, or for failure to protect and maintain the service pipe, or fixtures on the property of the water user (or the property occupied by the water user) in a condition satisfactory to the District.
- 104.3. For molesting or tampering by the water user or any other person with the knowledge of the water user, with any District meters, connections, service pipe, curb cock, seal, valve or any appliance of the District controlling or regulating the water user's water supply.
- 104.4. For theft of water, which shall be defined as the unexplained loss or use of water by means of tampering with the meter, bypassing the meter, installing a straight pipe where no meter is connected, breaking of seals or locks in order to activate the service without consent or permission of the District, or any other unauthorized use of water, the Board, in its discretion, may discontinue service to the property permanently, or until the unexplained loss is explained or accounted for to the Board's satisfaction, and the estimated unauthorized use of water is paid for. The Board may take such actions, in its

discretion, with or without proof or identification of the person causing the unauthorized use, it being recognized that the property owner is basically responsible for the protection of the water lines, the meter and the meter well installed on his property.

- 104.5. For failure to provide the District employees free and reasonable access to the property supplied, or for obstructing the way of ingress to the meter or other appliance controlling or regulating the water user's water supply.
- 104.6. For non-payment of any account for water supplied, for water service or for meter or service maintenance, or for any other fee or charge accrued under these rules and regulations, the rate schedule of the District or the bylaws of the District.
- 104.7. In case of vacancy of the premises.
- 104.8. For violation of any rule, regulation or bylaw of the District.
- 104.9. For any practice or act prohibited by the Missouri Department of Natural Resources or the Missouri Division of Health.
- 104.10. For failure to allow any District employee, officer, agent or representative the right to inspect the water user's premises for any purpose set forth in these rules and regulations.
- 104.11. For any illegal connection or jumper type device used by an individual to replace any metering device owned by the District, for the purpose of using water without the consent of the District. Said person will be penalized per the rate schedule for the illegal act, and could be subject to total disconnection of service and prosecution.
- 104.12. For removing or cutting lock on any meter without the District's consent will be charged for damages for the offense Per the rate schedule and any subsequent offences thereafter.
- .105. The discontinuance of the supply of water to a landowner for any reason shall not prevent the District from pursuing any lawful remedy by action at law or otherwise for the collection of moneys due from the water user or landowner.
- .106. Water service will not be turned on to any property unless the water user or a member of his household advising the water user is present at such time to see that all water outlets in the premises are closed to prevent damage by escaping water.
- .107. **Change of Occupancy:** It shall be the water user's responsibility to anticipate any change of occupancy and to withdraw the balance of the meter deposit less any amount due the District. Until such withdrawal is made, the original water user shall be responsible for services.
- .108. **Agreements with Governmental and Public Bodies:** The Board may make specific water service contracts with the United States of America, and its agencies, the State of Missouri, and its agencies, school districts and municipal corporations, and all other political subdivisions of the State of Missouri and of the United States of America, differing from stipulations set out in the rate schedule and rules and regulations.

## 11. Other Customer Responsibilities

- .111. The water user, or a member of his household, Should be present when water service is connected or restored to see that all water outlets in the premises are closed to prevent damage by escaping water. If such person is not present when water service is connected or restored and District personnel determine that the water meter continues to turn after 10 gallons has ran through the meter, service will be shut back off and a service call charge shall be charged for each additional trip necessary to safely restore service. District personnel will not enter premises unless water user or their representative is present.
- .112. Inaccessible Meters:
- 112.1. The water user shall be responsible for providing safe and easy access to the water meter at all times. At the District's option, a service call charge may be applied to any account whose meter is deemed by the Manager of the District to be so difficult or dangerous to access that a return visit is required. This shall include, but is not limited to, vicious animals or cars, trailers or structures such as deck built or parked over the meter.
- 112.2. The customer must remove the obstruction or have the meter relocated by the District at the customer's expense to a safe and easily accessible location.
- 112.3. It shall be the responsibility of the Manager of the District to determine a meter's accessibility.
- .113. Relocation of Water Mains: Relocation or adjustment of elevation of an existing water main, required because of changes proposed by a property owner or other private party, shall be made under the direction and inspection of the District, in accordance with District construction specifications, and at no cost to the District.

## 12. Services Charges

- .121. Service charges shall be as provided on the Rate Schedule.

## 13. Leaks

- .131. The customer assumes all responsibility for the construction, maintenance, and any necessary relocation of the customer's water installation; he shall make every effort to keep this system free from leaks. Apparent leaks on the customer's water installation, whether registered on the water meter or not, shall be repaired by the customer within ten (10) days of receipt of notice by the District. If repairs are not made, the District shall issue written notice of disconnection, and five (5) days thereafter shall discontinue water service until the leak is repaired. If, in the judgment of the District, an apparent leak in the customer's water installation endangers public safety, constitutes a serious nuisance, or wastes a considerable amount of water, the District may discontinue water service without previous notice to the customer.

- .132. If requested, District personnel will provide assistance in locating leaks on the customer's water installation. Repeated requests for assistance may result in a service charge for each trip.

## **14. Extension of Distribution Water Mains, Generally**

- .141. The extension of distribution water mains shall be initiated and made in one of the following ways:
- 141.1. The Board may declare the necessity for and direct the extension of water mains as a public improvement.
  - 141.2. Any individual, group of individuals, corporation, limited liability company, association, institution, club or other entity desiring to become customers and to purchase water from the District, may upon approval of proper application and as otherwise herein provided, extend the District's water mains.
- .142. All water mains and water service facilities shall be installed by the District or the District's contractor, except if the owner can satisfy the District that the owner's contractor is competent, qualified and credit-worthy. The District at in its sole discretion may permit said facilities to be installed by owner's contractor on said terms and under such conditions as specified by the District.
- .143. All applications for permission to make such extension shall be submitted in writing to the manager of the District, who shall approve or disapprove such application. The application shall clearly indicate the desired route and approximate length of the extension and that the applicant agrees to the following:
- 143.1. To construct the entire extension from a point on the existing District water main which will provide adequate pressures and flows to and across the entire frontage or other dimension of the lot or tract to be served, except as otherwise herein provided. Such extension shall be of a pipe size, as determined by the District, which will provide adequate fire protection and service to the area, but in no case shall the pipe size be less than six (6) inches, or eight (8) inches in commercial/industrial. Should the District require a pipe size larger than that required for adequate fire protection, then the District shall pay the difference in cost of such larger line.
  - 143.2. To size, locate and construct the extension in accordance with the regulations, specifications and requirements of the District, and under its inspection and direction.
  - 143.3. Upon completion, and after passing final inspection and tests, to be responsible for any failure of the main extension that can be attributed to faulty workmanship or defective materials, and for maintenance of backfilled areas for one year after completion of the work. The completion date shall be established by the Board, based on the report of the inspector. The Owner or Developer shall be responsible for any cost incurred by the District for any work District crews must perform to water main or appurtenances during construction and for (1) full year after acceptance by the District of the completed work. The District shall not be required to provide service or perform maintenance on such water main extension until after the transfer of ownership has been completed.

- 143.4. Cost of Engineering , Legal and DNR submittal provided in Rate Schedule.
- 143.5. Estimates for line extensions shall be paid for in advance of the estimate being produced. Money for said estimate shall be applied to cost of the extension at the time extension is done. Estimates shall be good for a time period to be specified by the manager.
- 143.6. To assume the cost of the entire extension including all construction, engineering and legal expense of such extension. Said payment shall be made in advance to the District. Unless the owner is using its own contractor pursuant to 14.1.2 or .153.
- 143.7. Applicant property owners requesting permission to extend water mains for the purpose of supplying a single one inch or smaller water meter for a homestead, farmstead or recreational property:
  - 14.3.7.1. Pay for the extension of the main to the property line; and
  - 14.3.7.2. Pay for the extension of the main across the frontage or other abutting dimension of the tract, unless the frontage or other abutting dimension exceeds two hundred (200) feet, in which case the property owner shall bear the costs of extending the main to a point adjacent to where service is required but in no event less than one hundred (100) feet, and
  - 14.3.7.3. Provide a water line easement across the remaining frontage or other abutting dimension should the water main not cross the entire tract as provided above.
- .144. Before granting to an applicant the right to make such extensions, or before entering into an agreement therefore, the District shall first determine that the extension will not materially affect in an adverse manner the service rendered to any existing customers of the District. In the event the District determines, based upon information furnished by its staff and consultants, that such an extension would have a material adverse affect upon existing water users of the District, then the District shall not permit such extension.
- .145. Preliminary plans must be submitted to the District for review and approval.
- .146. The District Manager will be the final determinate as to how and if the extension will be made.
- .147. A water line easement granted to Public Water Supply District No. 8 is required on all private property. (Not a general utility easement).
- .148. Extensions will run adjacent to approved public thoroughfares.
- .149. Developer shall give the Water District a final recorded plat.
- .1410. The District's Specifications for Water Main Construction are made a part hereof by reference.



## 15. Water Line Extensions in Subdivisions and Surveys

- .151. Any applicant for water service to a lot, tract or other parcel of land shown on a subdivision plat or survey which contains more than three (3) lots, tracts or parcels of land must in order to obtain water service have a water main of the District installed either to the farthest boundary of said lot, tract or parcel or to a point directly across the road right-of-way running along the boundary line of said lot, tract or parcel.
- .152. Subdivisions will have boundaries, streets and water line easements of subdivisions surveyed by land surveyor and recorded in County Recorder's office prior to approval for water service.
- .153. All water mains and water service facilities shall be installed by the District or the District's contractor, except if the owner can satisfy the District that the owner's contractor is competent, qualified and credit-worthy. The District at in its sole discretion may permit said facilities to be installed by owner's contractor on said terms and under such conditions as specified by the District.
- .154. **District Cost Share:** The District's assistance in extending lines set forth in the General policy for line extension's shall be available to an applicant who is developing a subdivision, apartment, complex, mobile home park, or commercial development except that the District's cost share may be utilized only to extend lines to the boundary of the property being developed.

## 16. Fire Hydrants

- .161. **Fire Hydrants:** No private fire hydrants will be allowed in the District. Hydrants may be installed by the District for the cost of the materials. District will furnish backhoe time and labor to install the hydrants using District equipment and District personnel. All such hydrants shall become the property of the District. Style and size of hydrant shall be determined by the District for each installation.
- .162. **Fire Hydrant Spacing:** Hydrants shall be spaced a minimum of 300 feet apart in commercial and industrial tracts and a minimum of 500 feet apart in single-family residential subdivisions. Where offsite improvements are required, the offsite fire hydrant spacing shall be a minimum of 2000 feet apart. In all other types of development spacing shall be determined by the District on a case by case basis.
- .163. **Fire Flows:** Required fire flows shall be decided on a case by case basis but in no instance shall they be less than 250gpm.
  - 163.1. **Relocation of Fire Hydrants:** Relocation of a District fire hydrant may be made by the District upon written request of an owner of property adjacent to such hydrant and the deposit of estimated cost of relocation, plus overhead, with the District. In the event of under- or over-estimate, the owner will be billed or refunded the difference; provided, the District reserves the right to refuse to relocate the fire hydrant if, in its opinion, such relocation would be detrimental to the safety, convenience or protection potential of the hydrant.

- .164. **On Private Property:** The District may allow fire hydrants on private water mains six (6) inches or larger in diameter, where required flows are available, and where protection cannot be supplied by facilities located along the District's main(s); provided, however, that the water user and/or landowner be responsible for keeping the hydrant constantly accessible to fire-fighting equipment and to District personnel. The entire system, excluding the fire hydrant and required detector check, from the valved water main tap, shall be and remain the customer's installation and the District shall not be responsible for its maintenance. The customer shall make no use of this facility other than for fire protection. Fire Hydrants install on private lines shall be made accessible at all times for maintenance and fire fighting purposes.

## 17. Fire Suppression Systems on Private Property

- .171. **The District Determines the Proper Flow to Supply:** If the District determines through its engineer that proper flows are available to furnish a sprinkler system then said system may be allowed upon discretion of the District .
- .172. **Installation:** Installation to be in accordance with design approved by the District engineer and to be paid for by customer.
- 172.1. The customer has the option of constructing all parts of the system from the water main tap and providing all materials, subject to District approval and inspection. The entire system, excluding any fire hydrants and required detector check, from the valved water main tap, shall be and remain the customer's installation and the District shall not be responsible for its maintenance. The customer shall make no use of this facility other than for fire protection.
- 172.2. **Detector Check Valve:** A detector check valve shall be incorporated in each fire protection system at the customer's expense. Location shall be determined by the District and said detector check valve shall become the property of the District upon installation.
- 172.3. **Tap Size:** The tap size must be approved by the District on recommendation by the District engineer.
- .173. **Water Use:** Water is to be used for testing, fire drills, and fire fighting only. No connection for water service for uses other than fire protection shall be made to any private fire protection system. Detection of unauthorized use of water through a fire protection facility shall result in a monthly charge for each incident based upon the rates established in the Rate Schedule.
- .174. **Rates:** There shall be no charge for water used in fire suppression or during authorized testing of fire protection facilities. Rates for availability shall be as provided in the Rate Schedule.
- .175. **Inspection:** The District reserves the right to enter upon property of the owner for inspection purposes.
- .176. **Guarantee:** The District does not guarantee any specified pressure or quantity of water.

## 18. Policy Governing Cross Connections, Auxiliary Intakes, and Interconnections

- .181. **Compliance:** The District desires to comply with the Missouri Department of Natural Resources rules and regulations, 10 CSR 60-11.010, Prevention of Backflow, which pertain to cross connections, auxiliary intakes, or interconnections, and establish an effective, ongoing program to control these undesirable water uses.
- .182. **Compliance Variance:** That no person shall cause a cross connection, auxiliary intake, or interconnection to be made, or allow one to exist for any purpose whatsoever, unless the construction and operation of same has been approved by the Missouri Department of Natural Resources and the operation of such cross connection, auxiliary intake, or interconnection is at all times under the direct supervision of the manager of the District or his authorized representative.
- .183. **Auxiliary Sources and Storage:** That any person whose premises are supplied with water from the public water system, and who also has on the same premises a separate source of water supply or who stores water in an uncovered or unsanitary storage reservoir from which the water stored therein is circulated through a piping system, shall open request and file with the District a statement certifying the nonexistence or unapproved or unauthorized cross connections, auxiliary intakes, or interconnections and further certifying, representing and agreeing that no cross connection, auxiliary intake, or interconnection will be permitted upon the premises.
- .184. **Inspections:** That the District shall have the right to cause inspections to be made of all properties served by the public water system where cross connections with the public water system are deemed possible. The frequency of inspections and re-inspections based on potential health hazards involved shall be established by the District which shall have the right to submit the same to the Missouri Department of Natural Resources for approval.
- .185. **Right of Entry:** That any employee or other authorized representative of the District shall have the right to enter, at any reasonable time, any property served by a connection in the District for the purpose of inspecting the piping system or systems thereof for cross connections, auxiliary intakes, or interconnections. On request, the owner, lessee, or occupant of any property so served shall furnish to said inspector any pertinent information regarding the piping system or systems on such property. The refusal of such information or refusal of access, when requested, shall be deemed evidence of the presence of cross connection.
- .186. **Existing Conditions:** That any person who now has cross connections, auxiliary intakes, or interconnections in violation of this policy shall be allowed a reasonable time within which to comply with the provisions of this policy. After a thorough investigation of existing conditions and an appraisal of the time required to complete the work, the amount of time shall be designated by the manager or other authorized representative of the District.

The failure to correct conditions threatening the safety of the public water system as prohibited by this policy and the Missouri Department of Natural Resources rules and regulations, 10 CSR 60-11.010, Prevention of Backflow, within a reasonable time and within the time limits set by the District shall be grounds for denial of water service. If the proper protection has not been provided after a reasonable time, the District shall have the right to give the customer legal

notification the water service is to be discontinued, and physically separate the public water system from the customer's on-site piping system in such a manner that the two systems cannot again be connected by an unauthorized person.

Where cross connections, interconnections, or auxiliary intakes are found that constitute an extreme hazard of immediate concern of contaminating the public water system, the manager of the District shall have the right to require immediate corrective action be taken to eliminate the threat to the public water system. Immediate steps shall be taken to disconnect the public water system from the on-site piping system unless the hazard(s) is corrected immediately.

.187. **Protective Devices:** That where the nature of use of the water supplied to the premises by the water system is such that it is deemed:

187.1. Impractical to provide an effective air gap separation: or

187.2. That the owner and/or occupant of the premises cannot or is not willing to demonstrate to the manager of the District, or his designated representative, that the water use and protective features of the plumbing are such as to propose no threat to the safety or potability of the water system; or

187.3. That the nature and mode of operation within a premises are such that frequent alternatives are made to the plumbing; or

187.4. There is likelihood that protective measures may be subverted, altered, or disconnected.

Then the manager of the District or his designated representative shall have the right to require the use of an approved protective device on the service line serving the premises to assure that any contamination that may originate in the customer's premises is contained therein. The protective devices shall be a reduced pressure zone type backflow preventer approved by the Missouri Department of Natural Resources as manufacturer, model, and size.

The method of installation of backflow protective devices shall be approved by the manager of the District prior to installation and shall comply with the criteria set forth by the Missouri Department of Natural Resources. The installation shall be at the expense of the owner or occupant of the premises.

The District shall have the right to inspect and test the device or devices on an annual basis or whenever deemed necessary by an employee or other authorized representative of the District. Water service shall not be disrupted to test the device without the knowledge of the occupant of the premises. Where the use of water is critical to the continuance of normal operations or protection of life, property or equipment, duplicate units shall be provided to avoid the necessity of discontinuing water service to test or repair the protective devices or devices. Where it is found that only one unit has been installed and continuance of service may be critical, the District shall have the right to give notice in writing to the occupant of the premises of plans to discontinue water service and arrange for a mutually acceptable time to test and/or repair the device. The District shall have the right to require the occupant of the premises to make all repairs indicated promptly, and the expense of such repairs shall be borne by the owner or occupant of the premises. These repairs shall be made by qualified personnel acceptable to the manager of the District.

If necessary, water service shall be discontinued (following written notification) for failure to maintain backflow prevention devices in proper working order. Likewise the removal, bypassing, or altering, the protective device(s), or installation thereof, so as to render the device(s) ineffective shall constitute grounds for discontinuance of water service. Water service to such premises shall not be restored until the customer has corrected or eliminated such conditions or defects to the satisfaction of the District.

- .188. **Enforcement:** The requirements contained herein shall apply to all the premises served by the District regardless of political subdivision boundaries, and are hereby made a part of the conditions required to be met for the District to provide water service to any premises. Such action, being essential for the protection of water distribution system against the entrance of contamination which may render the water unsafe health-wise, or otherwise undesirable, may be enforced rigidly without regard to location of the premises relative to boundaries of any political subdivision.
- .189. **Non-Compliance:** Whenever any person neglects or refuses to comply with any of the provisions of this policy, the manager of the District shall have the right to discontinue water service at any premises upon which there is found to be a cross connection, auxiliary intake, or interconnection, and service shall not be restored until such cross connection, auxiliary intake, or interconnection has been discontinued.

## 19. Lead Ban

The customer agrees that in the event any part of the water system of the undersigned constructed, expanded, modified or repaired after January 1, 1989 is found to contain materials that are not "lead free" the District shall have the right to remove the water service meter serving the undersigned and shall have the right to sever the service line serving the undersigned. The definition of "lead free" as used herein shall be defined in the regulations of the Missouri Department of Natural Resources as it now exist and as it may from time to time hereafter be redefined by it.

## 20. Liability of District

The District shall not in any way or under any circumstances be held liable or responsible to any person or persons for any loss or damage from any excess or deficiency in the pressure, volume, or supply of water due to any cause whatsoever. The District will undertake to use reasonable care and diligence in order to prevent and avoid interruptions and fluctuations in the service, but cannot and does not guarantee that such will not occur.

The District shall not be responsible for any claim made against it by reason of the breaking of any mains or service pipes, or by reason of any interruptions of the supply of water caused by the breaking of machinery or stoppage for necessary repairs, and no persons shall be entitled to damages nor have any portions of a payment refunded for any interruption of service.

## 21. Public Records

- .211. Disclosure: Public Water Supply District No. 8 shall comply with sections 610.010 to 610.030, RSMo, the Sunshine Law, as now existing or hereafter amended.

- .212. Fee's must be paid by the customer prior to receiving records. Records electronically maintained will be charged by staff time required to research and/or program and materials required to deliver such records. (See Rate Schedule)
- .213. Copy Procurement: The customer must pick up requested copies of documents at the office of the District during normal business hours.

## 22. Amendment of Rules and Regulations

These rules and regulations may be amended at any regular meeting of the Board or at any special meeting thereof called for such purpose, provided that such amendment must receive a simple majority vote of the members of the Board.

## 23. Board Meetings

- .231. **Board Meetings:** The Board shall hold at least one regular meeting every month of the year. Unless otherwise provided by resolution, such meetings shall be held on the third Thursday of each month.
- .232. **Time of Board Meetings:** All meetings of the Board, regular and special, shall convene at 7:00 p.m. on the day appointed for such meeting, provided, however, that the Board may by resolution designate a different time for holding such meeting.
- .233. **Place of Board Meetings:** Unless otherwise provide by resolution of the Board, all regular and special meetings of the Board shall be held in the office of the District which is located at 903 S. Jesse James Farm Road, Kearney, Missouri.
- .234. **Special Board Meetings:** Special meetings of the Board may be called by the President or any of the four Board members.
- .235. **Notice of Board Meetings:** Written notice of all meetings, including its tentative agenda, stating the time, date and place of each meeting shall be given to all Board members and posted at the office of the District at least 24 hours prior to the meeting. In addition such notice shall be provided to any representative of news media who so requests.
- .236. **Minutes:** Minutes of all meetings shall be taken and retained by the District shall be approved and signed by the presiding officer of the Board and shall contain information regarding important discussion items, consensus actions and votes.
- .237. **No Notice:** If it is necessary to hold a meeting on less than 24 hours notice the nature of the good cause justifying the departure from the normal notice requirement shall be stated in the minutes.
- .238. **Closed Board Meetings:** No meeting of the Board may be closed without an affirmative public vote of the majority of a quorum of the Board. The vote of each member of the Board on the question of closing the meeting and the specific reason for voting the public meeting by reference to a specific section of Chapter 610 RSM0. shall be announced publicly at the meeting and entered

into the minutes. All votes taken in a closed meeting shall be by roll call and shall be made public within the time frame set forth in Chapter 610 RSMo.

- .239. **Recordings:** All meetings, not closed to the public, may be recorded by audiotape, videotape or other electronic means by members of the public, provided it is done in a fashion that minimizes the disruption of the meeting.
- .2310. **Speakers.** At all meetings a time will be designated in the agenda for members of the public to address the Board. The Board may at any such meeting limit the time so provided.
- .2311. **Attendance:** Any Board member who misses two consecutive meetings and the failure to attend the meeting is not excused by the Board members present at such meetings shall be sent notice by certified mail that if a third meeting is missed without excuse said Board member shall be deemed to have vacated the seat on the Board.

## 24. Competitive Bidding

- .241. **Formal.** Before any purchases of, or contract for supplies, materials, equipment, contractual labor, services, insurance, or any sale of surplus, obsolete, or unused property is made, wherein the consideration to be paid is estimated to be more than \$10,000.00, the Clerk shall submit to at least three persons, firms, or corporations dealing in and able to supply the same, or to a smaller number if there is not three dealing in and able to supply the same, specifications and an invitation to bid, to give them an opportunity to bid, and announce the proposed purchase in a newspaper of general circulation within the District. All bids shall be sealed and shall be opened in public at a designated time and place, and bids shall be received up to the time designated for the opening of bids. The Board may repeatedly reject all bids, and again may resubmit to the same or other persons, firms, or corporations specifications and an invitation to bid and again announce the proposed purchase in a newspaper of general circulation within the District. The Board shall purchase from the bidder whose bid is more advantageous to the District, considering the price, quality, date of delivery, prior performance by the person, firms, or corporation or any of its subcontractors or suppliers, specifically including any District contracts within the immediate past five years. The reason for accepting any bid shall be reflected in the minutes.
- .242. **Informal.** Before any purchase of, or contract for supplies, materials, equipment, contractual labor, services, insurance or any sale of surplus, obsolete, or unused property is made, wherein the consideration to be paid is \$10,000.00 or less, the Clerk shall obtain competitive bids by an informal method, including written, verbal, telephone or fax quotations or any other method that establishes competition. The Board may repeatedly reject all bids and again may resubmit to the same or other persons, firms or corporations. The purchase will be made from the bidder whose bid is most advantageous to the District considering the price, quality, date of delivery, prior performance by the person, firm, or corporation or any of its subcontractors or suppliers, specifically including any District contracts within the immediate past five years. The reasons for accepting any bid shall be reflected in the minutes.
- .243. **Competitive Bidding Not Required.** In the following cases, competitive bidding shall not be required, if, in the judgment of the Clerk, a lower price cannot be obtained by requiring competitive bids:

- 243.1. Where the cost of supplies, materials, equipment, contractual labor, services, or insurance does not exceed \$1,000.00.
- 243.2. Where supplies, material, equipment, contractual labor, or services, or insurance, such as do not enter into competition with other supplies, materials, equipment, contractual labor or services, or insurance are purchased.
- 243.3. Where supplies, materials, equipment, contractual labor, services or insurance purchased from another unit of government at a price deemed below that obtainable from private dealers, including war surplus.
- 243.4. Where contractual services of a professional nature are secured.
- 243.5. Where supplies, materials, equipment, contractual labor, insurance and service are purchased through bids established by a government purchasing entity or cooperative.

## 25. District Records

- .251. **Open Records.** It is the policy of the District that records of the District be open to the public, unless otherwise provided by law.
- .252. **Inspection.** All records of the District shall be open to the public for inspection and copying, except those which relate to items set forth in RSMo. 610.021, or which are otherwise required by law to be closed.
- .253. **Custodian.** The custodian of the records for the District shall be the Clerk of the District.
- .254. **Copying Fees.** The fees for copying public records shall not exceed 10 cents (\$0.10) per page and the hourly fee for duplicating and research time shall not exceed the average hourly wage of the Clerk of the District. Payment of copying fees may be requested by the Clerk prior to the making of copies.
- .255. **Waiver of Copy Fee.** Documents may be furnished without charge or at a reduced charge when the waiver or reduction of the fee is in the public interest because it is likely to contribute significantly to public understanding of the operation or activities of the District and is not primarily in the commercial interest of the requester.

## 26. Budget and Accounting

- .261. **Budget.** The Board, prior to the beginning of each calendar year, shall create a budget for the operation of the District for the succeeding year.
- .262. **Estimate.** The budget so adopted shall include an estimate of all of the District's anticipated revenues and expenses including those relating to its normal operation along with its expected capital outlays.



- .263. **Amendment.** In the event during the year it becomes apparent that the actual revenues and expenses are varying from the budget, the budget may, at the Boards discretion, be amended to reflect said change.
- .264. **Board Review.** To the extent possible and reasonable, a Board member should review the financial transactions of the District, including a monthly comparison of billings versus collections and delinquent accounts and a review of bank deposits.
- .265. **Pay Rates.** All approvals of pay rates and raises for the District employees are to be clearly noted in the minutes of the District.
- .266. **Monthly Financial Statements.** Monthly financial statements shall be prepared, presented and reviewed by the Board and such statements shall reflect all income and expenditures of the District, including beginning cash balance and estimated ending balances.
- .267. **Audits.** The financial statements of the District shall be audited on an annual basis by a Certified Public Accountant.

## 27. District Property

- .271. **List.** The District shall maintain a listing of its capital assets having an individual value of \$100.00 or more and shall update said listing no less than annually. Said listing shall identify the date purchased, the initial cost, serial number, and if disposed of the date of such disposition along with the method and acquirer of the asset.
- .272. **Clearly Marked.** All District assets of material value shall be clearly marked or otherwise identified as property of the District.
- .273. **Maintenance Logs.** Maintenance logs shall be maintained on all vehicles of the District and periodically reviewed by the Board.