

**BUCKHORN RURAL WATER DISTRICT NO. 2**  
**P.O. BOX 155**  
**MURRAY COUNTY, OKLAHOMA**  
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**RULES AND REGULATIONS**

These rules are issued in compliance with the provisions of the Rural Water Districts Act of Oklahoma and the By-Laws of the District, and are designed to govern the supplying and taking of water service in a uniform manner for the benefit of the District and its members. They are subject to change from time to time.

No Water System Employee or Board Member is authorized to change or make exceptions. Exceptions or changes must be approved by the Board at a duly called meeting.

**DEFINITIONS:** The following expressions when used herein will have the meaning stated below:

**APPLICANT:** Any individual, firm, partnership, corporation, or other agency, owning land located within the District, applying for water.

**BENEFIT UNIT:** A legal right to one service connection to the District's facilities and to participate in the affairs of the District.

**PARTICIPATING MEMBER:** The owner of land, located within the District, who has subscribed to one or more Benefit Units—provided payments of charges are current on at least one of the Benefit Units. Each participating member shall be entitled to a single vote regardless of the number of Benefit Units to which he has subscribed.

**BOARD:** The Board of Directors of Buckhorn Rural Water District No.2, Murray County, Oklahoma.

**CONSUMER-USER:** Any individual, firm, partnership, corporation or other agency receiving water from the District's facilities and owning or occupying land located within the District in favor of which one or more Benefit Units have been subscribed and paid for.

**POINT OF DELIVERY:** The point of delivery of water shall be at the meter.

**SERVICE:** The term service, when used in connection with the supplying of water, shall mean the availability for use by the consumer of water adequate to meet normal requirements. The District cannot guarantee uninterrupted service; however, all problems will be attended to with the utmost urgency so that service can be restored as quickly as possible.

**WATER USERS' AGREEMENT:** The agreement or contract between the consumer and the District; pursuant to which water service is supplied and accepted.

## **GENERAL RULES**

### **ONE RESIDENCE OR BUSINESS PER METER**

A standard service connection is for the sole use of the applicant, or consumer, and does not permit the extension of pipes to transfer water from one property to another, nor to share, resell, or sub-meter water to any other consumer. Each Benefit Unit shall entitle the owner to not to exceed one line from the District's water system. Each line shall serve not to exceed one residence or business establishment together with the necessary and usual outbuildings.

A residence is any house, mobile home, trailer, or other structure used as a dwelling permanently or periodically,

Any business located in the same structure as the business owner's home may be served by one meter. Any manufacturer or retail business, not located in the same structure as the owner's home, that desires water service, is considered to be a business requiring a Benefit Unit.

The term "Necessary and Usual Outbuildings" refers to necessary outbuildings on farms such as barns, poultry houses, etc. The term does not refer to buildings being used for retail sales of goods or services to the public.

### **CROSS CONNECTIONS AND BACKFLOW PREVENTION**

There shall be no cross-connections made or maintained between the water system of the District and any private system or any substance of hazardous or questionable quality which may back-flow or be back-siphoned into the system—such as water from stock tanks or chemicals from spray tanks, etc. Private wells must be physically disconnected from water lines being served by the District.

### **RIGHT OF ACCESS**

Representatives of the District shall have the right, at all reasonable hours, to enter upon consumer's premises to read and test meters, inspect piping for cross-connections, and to perform duties for the proper maintenance and operation of service, or to remove its meters and equipment upon discontinuance of service.

### **APPLICATION FOR SERVICE**

The Board must approve all new applications for service before service can be rendered. The applications (subscriptions for Benefit Units) will be given priority and preference in the order in which they are received. It is possible that applications will not be approved immediately or may be delayed.

In accordance with the Bylaws of the District, the Board may refuse the subscription for a Benefit Unit on a particular tract of land located within the District, or impose special conditions on granting the same if in the judgment of the Board, the granting of said subscription and the furnishing of water pursuant thereto, would impair the service to other water users in that locality or be uneconomical, unfeasible, and place an undue burden on the District.

All new meter settings on lots and/or tracts of land within approved developments must also be approved individually.

The applicant must contact the Department of Environmental Quality to obtain a perk test and approval on their waste water system.

Water meters can be set on a temporary basis for construction purposes, or for agricultural purposes.

However, failure of the applicant to obtain a final inspection and approval of their waste water system forfeits the water meter and Benefit Unit payment.

Applications are valid for 90 days from date of approval. After the 90 days, if all requirements have not been met, the application will be cancelled, and must be resubmitted if the applicant still wants water service from the District.

The consideration paid for the Benefit Unit is not a deposit and, provided service is made available, will not be refunded to the applicant.

### **ROAD CROSSINGS**

The Benefit Unit Fee includes the cost of installation except when a road crossing or extension of system lines is necessary. When a road crossing is necessary in order to make water service available to a Benefit Unit owner's property, construction will be done by the District or by a contractor hired or approved by the District. The Benefit Unit Owner will be charged the actual cost of construction in addition to the Benefit Unit Fee. County roads cannot be cut without prior approval from the County Commissioners. County Commissioners may require that improved county roads be bored instead of cut.

### **EXTENSION OF LINES**

When an extension of water system lines is necessary in order to make service available, the following conditions must be met prior to construction of the extension:

The Board must approve the extension.

The applicant, or applicants, must agree to pay the full cost of the extension, and will be required to sign a "Line Contract" with the District.

The District will not accept or install lines less than 4" in diameter.

All Department of Environmental Quality approvals and permits must be obtained in the name of the District and must be submitted to the District's office.

The quality of materials and workmanship must meet or exceed the minimum requirements of Rural Development, the Department of Environmental Quality, and the District.

The extension, if at all possible, will be installed on private property.

Except in special circumstances, the District will not accept a line which does not follow a public road.

Construction of the extension must be done by the District or by a contractor approved by the District.

All right-of-way easements must be obtained in the name of the District and must be submitted to the District's office.

If done by a contractor, the contractor will warrant and maintain the extension for a period of one year from the date of completion.

The District will not accept any line unless an employee of the District is there when the line is being constructed.

The District must be notified before any work is begun.

Upon approval and acceptance by the District, the Benefit Unit owner, or owners, must give to the District legal documents conveying complete control and ownership of the extension to the District. The extension will be a part of the District's system and others may be permitted to receive service from such line.

The Board may, based on existing conditions or needs, make additional requests or requirements on a case by case basis.

The above mentioned requirements will also apply to developers within the District.

### **BENEFIT UNIT TRANSFER**

The Benefit unit is assigned to a particular tract of land. The unit stays with the tract of land on which the unit was installed\* When ownership of a tract of land changes, transfer in ownership of the benefit unit, from one owner to the next, shall be permitted if all charges against the unit are paid up to date.

*\*A Benefit Unit can be transferred from one tract of land to another, provided the party requesting the transfer owns both locations and there is no change in ownership. The Benefit Unit owner will be required to pay all costs of relocation.*

### **METER LOCATION**

Meters shall be set in an accessible place not to exceed five feet inside the Benefit Unit owner's property, unless conditions warrant otherwise. A representative of the District will determine the location of the meter, giving consideration to the preference of the Benefit Unit owner. Benefit Unit owners should not run service lines until the location of the meter has been determined.

### **PAYMENTS AND LATE CHARGES**

After service has been made available, the current minimum monthly fee must be paid each month plus any additional water used through the meter. The minimum charge must be paid each month whether water is used or not.

Subscribers will be required to pay for all water registered through their meter/meters and for any other charges set forth by the Board of Directors. However, if water registered on a meter is on a District's connection and is determined by the District's Board of Directors and the System Operator to be the fault of the District, an adjustment can be made by the Board.

Bills are due from the 1<sup>st</sup> to the 10<sup>th</sup> of each month. A 10% late charge is due on all bills paid or postmarked after the 10<sup>th</sup> of the month. After being notified, failure to pay the late charge due with the next month's water bill will result in suspension of service.

When a consumer owns more than one unit and owes for water registered on one of the units, or owes the District any other bill, the unpaid bill, or bills will be applied to the other unit, or units, owned by the consumer.

If a tenant owes a bill at one location within the District and moves to another location within the District, the tenant will not be allowed to receive water service unless and until all back bills, owed by the tenant, are paid in full.

### **COLLECTION CHARGES AND SUSPENSION OF SERVICE**

On or about the 25<sup>th</sup> of each month, the District will hang 48 Hour Cut-Off notices on customers whose bills have not been paid, with the intent to terminate service if payment is not received within the next 48 hours.

### **REINSTATING SERVICE**

To reinstate service after suspension for a delinquent bill, all back bills must be paid in full plus a \$30.00 48 hour disconnect notice and the \$50.00 reconnect charge.

### **REINSTATING A BENEFIT UNIT**

Suspension of service results in the forfeiture of the Benefit Unit. The Benefit Unit and water service shall be reinstated if all back charges plus a \$50.00 reconnect charge are paid in full. Back charges will include all charges due at the time of suspension, plus a monthly minimum for those months while service was suspended. This also applies to any Benefit Unit where an owner has asked that the meter be removed.

The following situations apply in reinstatement procedures.

If a meter is to be installed where one has been taken out, the charge will be the current minimum charge per month for each month the meter has been out plus any other bills charged against the unit plus a \$50.00 reconnect charge or the fee for a new unit, whichever is the cheaper. Benefit Units cannot be transferred from one owner to the next unless all charges against the Unit are paid up to date.

If a previous consumer wants a meter reinstalled and still owes for water used or owes any other bills to the District, all back bills must be paid plus the current monthly minimum charge for each month the meter had been out plus a \$50.00 reconnect charge; or pay all back bills on water used and any other bills owed by the consumer plus the fee for a new Unit, whichever is the cheaper.

### **OWNER-TENANT RESPONSIBILITY**

All Benefit Units are kept in the name of the property owner. The District will accept payments from tenants, but the owner of the Benefit Unit will be responsible for all charges and obligations against the Unit. The District will not be responsible for turning off water service between tenants, read-outs between tenants, or for prorating bills between any two parties; any arrangements of this sort are the responsibility of the property owner. However, the Board suggests that the owner may want to take a water deposit from the tenant to cover any bills that the tenant might not pay (this is entirely between the owner and tenant). Upon written request to the District the property owner can have the service suspended at any time.

## **RETURNED CHECKS AND BANK DRAFTS**

The consumer will be charged \$20.00 for any check returned to the District, also, any bank fees charged to the District for the returned check and/or bank draft.

When a check or bank draft is returned to the District's office, payment for which the check or draft was given is considered unpaid at that time and the account is considered to be delinquent, subject to the terms of these rules and regulations. The delinquent Benefit Unit owner will be contacted and given forty-eight hours to pay the delinquent bill or service will be suspended. Payment by personal check to avoid suspension of service will not be accepted in this situation.

## **NONWORKING METERS**

If a meter quits working the consumer will be charged an average bill for the month or months that the meter wasn't working. The last three working months will be used to average the bill.

## **METERS AND CUTOFF VALVES**

The District shall purchase and install a cutoff valve and meter in each service. The District shall have exclusive right to use such cutoff valve and water meter. Continued use of the District's valve will result in damage to the valve. Consumers wanting to turn the water off to their property should buy and install a cutoff valve in their service line. Note: *System Damage Regulations apply to cutoff valves.*

## **METER TAMPERING AND STEALING**

Benefit Units will be automatically cancelled to any property where the meter is by-passed or if there is any tampering or altering of the proper metering of water or any attempts to take or release unmetered water from the system.

A new Benefit Unit will be required to receive further water service from the District. Payment of any and all previous charges will also be required.

In addition, the offender may be subject to criminal prosecution.

## **SYSTEM DAMAGE**

Water meters, meter connections and enclosures, blow-offs, and all other appurtenances to the system are the property of the District.

Any person or company who by intent or neglect causes damage to District property will be charged repair or replacement cost including labor, mileage, and water loss, if applicable.

Damage done by County and State workers on County and State right-of-ways will be excluded from this policy.

## **PRESSURE REGULATORS**

If Benefit Unit owners feel that the pressure furnished by the District to their meter is excessive, the owner should purchase and install a pressure regulator on their side of the meter. The District is not and cannot be responsible for anything past the user's side of the meter.

## **MONTHLY PAY OUT POLICY**

In cases of high water bills caused by leaks, or if a user is unable to pay the full amount of a month's water bill, arrangements can be made with the District's office to pay the bill in monthly installments. Arrangements must be made prior to 9:00 a.m. on the service suspension date. Arrangements must include a payment of at least the amount of the consumer's average bill. The remaining amount is to be paid in a minimum payment of at least \$100.00 per month in addition to the regular monthly bill. Failure to pay any monthly installment will result in suspension of service on the next suspension date. Payments that are due by the 25<sup>th</sup> day of a month can be delayed until the 10<sup>th</sup> of the following month, if arrangements are made in advance.

Benefit Unit fees may be paid out with a down payment of \$500.00 before a meter is set and a minimum payment of \$100.00 each month thereafter, in addition to the monthly water bill, until the full amount of the Benefit Unit fee is paid.

## **SERVICE CHARGE FEES**

A \$50.00 fee will be charged for service calls made after hours and for calls requested by Real Estate Companies for home inspections.

## **LARGER THAN STANDARD METERS**

Only standard 3/4" X 5/8" meters will be used to meter water to customers with normal needs.

When a customer's needs require a larger than standard meter, the District shall determine the type, size, and location of the larger meter. Larger sized meters will be approved only after it is determined that system facilities can adequately provide the additional demand, and with Board approval. When a larger than standard meter is used, the customer will be charged the additional cost of installation, including the additional cost of the larger meter and connections.

When both high and flows of water are expected, a compound meter will be required.

## **TRAILER PARKS AND OVERNIGHT CAMPERS**

Trailer parks, overnight campers and cabins will be treated the same as a standard setting with a 3/4" meter. (Effective April, 2020)

## **FIRE PROTECTION**

The District's water system was designed and constructed to provide water for domestic use, and not for the purpose of providing fire protection.

## **WITHDRAWAL OF BULK WATER**

Except under the following conditions, no bulk water will be sold or withdrawn from the system.

An individual or company wanting to buy bulk water from the system must first get Board approval.

After receiving approval, and prior to each withdrawal, the District's office must be notified as to the time, place and amount of withdrawal.

No withdrawal will be allowed that will adversely affect other consumers. All Department of Environmental Quality regulations must be met regarding backflow prevention and cross-connection safeguard.

The District requires that a District employee be present at the time of withdrawal. The employee's time and transportation will be added to the cost of the water.

**VIOLATION OF ANY OF THE PROVISIONS OF THE  
DISTRICT'S RULES AND REGULATIONS SHALL BE GROUNDS  
FOR DISCONTINUANCE OF SERVICE.**

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