

Rules and Regulations

For

Water Service

Owensboro Municipal Utilities

ISSUED: October 19, 2023

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INTRODUCTION

This booklet contains the rules and regulations governing water service provided by Owensboro Municipal Utilities.

These rules and regulations apply to all customers, prospective customers, their employees, and agents, and to any contractors, plumbers, architects, and others performing work on, near, or related to OMU facilities.

These rules, regulations, and requirements are designed to promote safe operation and provide adequate service to all customers.

The requirements contained herein are the minimum requirements for OMU service. All water installations and service must comply with all applicable federal and Kentucky laws, regulations, rules, and orders, or those of other regulating authority, and ordinances of the City of Owensboro.

These rules are not all-inclusive; in the event conditions arise that are not fully covered herein, the customer shall contact OMU to determine the applicable requirements.

These rules and regulations do not list the terms and conditions necessary to qualify a customer for a given rate classification. The terms and conditions governing the water rates are contained in the Water Rate Ordinance which may be obtained at the OMU office or online at www.omu.org.

These rules and regulations may be revised, amended, or supplemented by the City Utility Commission, and such changes, when effective, shall have the same force as the original rules and regulations.

The failure by OMU to enforce any of the provisions of these rules and regulations shall not be deemed a waiver of its subsequent right to do so.

Variances from these rules and regulations must be approved by the Director of Transmission and Distribution (T&D) or his designee. All approved variances must be documented, recorded, and filed with the OMU Transmission and Distribution Department.

DEFINITIONS

The following words and terms when used herein shall have the meanings indicated below:

OMU

Owensboro Municipal Utilities

BACKFLOW

The undesirable flow of water or other liquids, mixtures, or substances, induced by a differential in pressure, from any foreign source into the distribution pipes of a potable water supply system

CROSS CONNECTION

A physical connection or arrangement between two otherwise separate systems, one of which contains potable water and the other being either water of unknown or questionable safety, or steam, gas or chemicals, whereby there may be flow from one system to the other, the direction of flow depending on the pressure differential between the two systems – 401 KAR 8:010(14)

CUSTOMER(S)

Any person or entity applying, contracting for, or receiving water service from OMU

DISTRICT

As used herein, the Daviess County Water District and the East Daviess County Water Association

DOMESTIC SERVICE

Water service to provide water for potable domestic use; this is the only source approved for filling swimming pools by residential account holders

FIRE PROTECTION SERVICE

Water service to provide fire protection, intended for use by Fire Department personnel when fighting fire; not intended for potable use

IRRIGATION SERVICE

Water service to provide irrigation, or means of watering, of vegetation; not intended for potable use

METER SETTING

The equipment, devices, fittings and appurtenances necessary for the purpose of measuring the quantity of the customer's use of water services

POINT OF CONNECTION/DELIVERY

The point of connection of OMU's water facilities to the customer's facilities, unless otherwise specified in the service application or agreement

RATE ORDINANCE

The Water Rate Ordinance adopted by the City of Owensboro, as amended from time to time

RETAIL

Water service provided to the end-user

SERVICE

An individually metered and billed service connection for drawing water off the distribution main

TAP

Any point at which water is available from OMU to the customer whether or not such water is actually used

WATER DISTRIBUTION SYSTEM

OMU's pipes, hydrants, valves, and other equipment and facilities necessary to distribute water in OMU's service area

WATER LINE EXTENSION

Any addition to the water distribution system to provide service

WHOLESALE

Water Service provided to a reseller

RULES AND REGULATIONS

SECTION I – GENERAL

These Rules and Regulations apply to the water service supplied by OMU and supplement the Rate Ordinance and OMU Fee Schedule. Customers desiring further information may contact the business office of OMU in person, by letter, or by telephone inquiry.

CUSTOMER SERVICE CENTER

2070 Tamarack Road

Owensboro, Kentucky

Telephone: (270) 926-3200

1. ELIGIBILITY OF SERVICE

Unless otherwise noted, a property is only eligible for service if located within OMU's water retail service territory and has available access for OMU distribution facilities to serve said property solely via public right-of-way or an available utility easement.

2. APPLICATION FOR SERVICE

When a customer applies for service, OMU requires the following information:

- a. Legal name of applicant
- b. Address and location of the premises to be served
- c. Line size and general characteristics of the proposed service
 - i. Residential
 - ii. Commercial/Industrial
- d. Any special requirements of the service, including:
 - i. Temporary or permanent
 - ii. Domestic, irrigation, fire, etc.
 - iii. New or Existing
 - i. If New, the Plumbing Permit number is required
- e. Address, of the Applicant where any previous OMU service was provided
- f. Proper identification and Social Security Number or Employee Identification Number
- g. Phone number or numbers for applicant
- h. Contact information for spouse or other person for the service
- i. Deposit or satisfactory credit support

OMU will normally connect/transfer service within one working day's notice after the application is approved. The customer will be charged the applicable connection fee. If

service is connected after 4:00 P.M., on a holiday, or during non-operating hours, any applicable after-hours connection fee will apply. A copy of the fee schedule may be obtained at the OMU office or online at www.omu.org.

3. CREDIT

Please refer to the OMU Deposit Policy. A copy of the OMU Deposit Policy can be obtained at the OMU office.

4. REFUND OF SECURITY DEPOSIT AND INTEREST PAYMENT

Please refer to the OMU Deposit Policy. A copy of the OMU Deposit Policy can be obtained at the OMU office.

5. BILLING PERIODS

- a) Service bills will be rendered at regular monthly intervals for all customers
- b) OMU makes every effort to read each meter every 28 to 32 days. When OMU is unable to read the meter after reasonable effort, the customer may be billed for an estimated consumption based upon billing history or other available information.
- c) When closing an account, bills may need to be rendered on the basis of estimated consumption. If the service is disconnected, but the account is not closed, no bill shall be rendered for less than the minimum charge set out in the Rate Ordinance.

6. NONPAYMENT OF BILLS

If a bill is not paid by a customer within fourteen (14) working days after the mailing date shown on the original bill the customer shall be considered delinquent in payment. Late charges established by the Rate Ordinance will apply and OMU may discontinue service after providing reasonable notice to the customer.

7. DISCONNECTION OF SERVICE

a) Disconnection on customer's request

When a customer or contractor working on the customer's behalf requests a service disconnection, customer or contractor should contact OMU Customer Service. All requests for disconnection of service should be made at least one business day and at least twenty-four (24) hours prior to the requested disconnection.

OMU will normally disconnect service within one working day's notice after receiving the request. The customer will be charged the applicable disconnection fee. If service is disconnected after 5:00 P.M., on a holiday, or during non-operating hours, the after-hours disconnection fee will apply. A copy of the fee schedule may be obtained at the OMU office or online at www.omu.org.

b) Disconnection by OMU

Service may be refused or disconnected by OMU for any of the reasons listed below:

- 1) Without notice in the event of a condition determined by OMU to be hazardous.
- 2) Without notice in the event of customer use of equipment in such a manner as to adversely affect OMU's equipment or OMU's service to others.
- 3) Without notice in the event of tampering with the meter or equipment furnished and owned by OMU.
- 4) Without notice in the event of unauthorized use or resale of service.
- 5) For violation of or noncompliance with OMU's Rules and Regulations for Water Service.
- 6) For failure of the customer to permit OMU reasonable access to OMU's meter or equipment.
- 7) For nonpayment of the account, after OMU has made a reasonable attempt to effect collection and has given the customer prior written notice to make payment or have the service disconnected.
- 8) If the customer fails or refuses to provide a requested deposit.
- 9) If the customer fails to furnish or withdraws any permit or right-of-way, or access necessary or specified by OMU for providing service.

Unless otherwise stated above or specified by OMU, after service is initiated the customer shall be allowed a reasonable time to meet any deficiency before service is disconnected.

8. RECONNECTION CHARGE

When service is disconnected for nonpayment of a bill or any violation of these service regulations, OMU may require the customer to pay all costs of disconnection and reconnection, as well as a deposit, but not less than the applicable reconnection fee, before service is reestablished.

When the same customer requests reconnection of a vacant service at the same, but then vacant, location within twelve months of disconnection of such service, the charge for reconnection shall be the applicable connection fee plus the applicable minimum charge under the Rate Ordinance for each month of the period involved or the actual reconnection charges, whichever is the greater amount. If reconnection is requested beyond the twelve-month period, only the applicable standard connection fees will apply.

If service is connected after 5:00 P.M., on a holiday, or during non-operating hours, the applicable after-hours connection fee will apply. Services of greater than or equal to 1” in size may be subject to additional fees pending water crew hours.

A copy of OMU’s fee schedule may be obtained at the OMU office or online at www.omu.org.

9. RESALE OF SERVICE

Retail water service will only be offered to the ultimate customer and consumer within OMU’s service territory and shall not be re-metered, resold, or shared with others or extended outside the premises for customer’s service to other users or premises, unless by explicit exception authorized by the Rate Ordinance and implemented in a policy adopted by the City Utility Commission.

See Section II.3.d for more information regarding resale including a list and description of presently acknowledged exceptions.

10. WATER QUALITY

OMU endeavors to comply with all applicable federal and Kentucky laws, regulations, requirements and standards established by them for drinking water. However, OMU is not responsible for the quality of water not provided through OMU’s distribution system and meter points.

11. INTERRUPTION AND LIABILITY

OMU will use reasonable diligence to supply steady and continuous service, but does not guarantee its service against irregularities and interruption. OMU cannot guarantee a specific water volume or water pressure which may be subject to both scheduled and unscheduled repairs, modifications, or additions to the OMU system, including improper customer usage, fire hydrant usage, or other incidents outside OMU's control.

OMU shall not be liable to the customer for any claim, whether sounding in breach of contract, tort, or any other theory, for any loss, injury, or damage of any nature, to customer, persons or property resulting from any interruption in or loss of service.

When service is suspended or interrupted for the purpose of making necessary repairs or changes in facilities, such suspension may be made without notice, but, where practicable, customers will be notified in advance. OMU shall not be liable to the customer for any damages occasioned by such interruption or loss of service.

12. CUSTOMER'S RESPONSIBILITY

The customer is expected to take reasonable care of OMU equipment located on customer's property. The customer will be responsible for all damage to or loss of OMU's property located upon customer's premises, unless occasioned by causes beyond customer's control, and customer shall not permit anyone who is not an employee of OMU to remove or tamper with the equipment.

All OMU distribution infrastructure, including meters, fire hydrants, and associated vaults, shall be kept clear of obstacles or hindrances which may impede OMU access to operate or maintain. Any costs associated with clearing such obstructions to gain access will be borne by the customer. Fire hydrants in particular shall be kept unobstructed for a minimum radius of 10 feet.

Privately owned facilities interconnected with OMU facilities shall be properly maintained and kept in good working condition. All customer owned service lines connected directly to OMU facilities shall be protected from freezing to a reasonable extent such that any freezing does not cause adverse effects to OMU equipment or facilities. Damage to OMU facilities due to the freezing of customer owned facilities may result in the customer being responsible for all cost incurred by OMU for mitigation and repair.

13. OMU FEE SCHEDULE

A copy of OMU's fee schedule may be obtained at the OMU office or online at www.omu.org.

SECTION II – WATER UTILITY SERVICE

1. AVAILABILITY OF WATER SERVICE

OMU's water distribution system is maintained and operated to meet the state required minimum static pressure of at least 20 psi under all standard operating conditions.

All water supplied to a building, structure or facility at any one location for any single rate type should be taken through one point of delivery. Any exception shall require prior approval by OMU.

The customer shall notify OMU of any proposed new connections so that OMU may recommend proper location of tap and meter equipment. The customer shall also notify OMU before making any major changes or increases in anticipated usage to enable OMU to provide adequate service.

It is the responsibility of the customer to secure information from OMU regarding service availability and location of potential main extensions, tap(s), or meter(s) required to provide service.

2. TAP SIZES AND FEES

OMU offers the following tap sizes for traditional service

- 1) ¾" single and dual taps
- 2) 1"
- 3) 1.5"
- 4) 2"
- 5) 3"
- 6) 4"
- 7) 5"
- 8) 6"
- 9) 8"
- 10) 10"
- 11) 12"
- 12) Tap for Fire Protection

OMU may offer ¾" and 1" tap sizes at an established fee collected up-front (at the time of application) or paid in installments over 12 months' time. Failure to pay installments may result in disconnection of service.

All service taps shall be at least one pipe size smaller than the distribution main serving it, unless otherwise approved by the T&D Engineering Manager or his designee.

Larger taps may require a deposit, which will apply towards a total time and material bill to be collected once all work is complete.

Any additional work required to provide service, such as the installation of additional main, meter box, fire hydrant, valve, etc. may also be charged to the customer. OMU also reserves the right to charge for actual costs associated with non-typical service installations (e.g. greater than 100 ft. of service line beyond the tap, rock, concrete, etc.).

Minimum weekly bills may also be established for some services such as a separate tap or hose on a fire hydrant.

All tap fees and associated costs are outlined in the OMU Fee Schedule. A copy of OMU's fee schedule may be obtained at the OMU office or online at www.omu.org.

3. METERING

a) OWNERSHIP

Unless otherwise approved by the T&D Engineering Manager or designee, OMU shall own and maintain the water meter, meter jar or vault, and service line from the distribution water main to the meter, and all appurtenances between, up to the customer's service point of connection. Only OMU authorized personnel may access or work within the meter jar or vault unless such action is taken to achieve an emergency shut off.

The customer shall install, own, and maintain the service line between the point of connection and the property served.

b) METER LOCATION

Meters shall be installed in meter jars or vaults within rights-of-way or granted easements. Meters shall be installed as close to customer property lines as possible.

OMU shall review and approve the location of all customer side points of connection. Private service lines shall, if at all possible, make a point of connection perpendicular to the water meter.

Any relocation costs required as a result of installed service lines or other facilities placed in locations without OMU review or approval shall be borne by the customer.

Any variation from the aforementioned guidelines must be reviewed and approved by the T&D Engineering Manager or his designee.

c) **METER INSTALLATION AND MAINTENANCE**

OMU will install, maintain, and replace all meters at OMU's expense, unless the damage results from an act by the customer, or someone acting on customer's behalf, and the customer will be responsible for the costs to repair or replace the meter and any associated equipment that results from such act.

Once a meter is installed, the customer must not perform work on, tamper, alter, repair, or remove the meter or permit anyone other than personnel from OMU to do so, unless first approved by OMU.

d) **RESALE AND USE OF WATER**

Resale of water provided by OMU to the ultimate consumer within freestanding residential buildings chiefly intended for single-family use shall not be re-metered, resold, or shared with others nor extended outside the premises for service to other customers or premises.

Multi-unit structures intended for multi-family dwellings (e.g. duplexes, townhomes, apartments, etc.) may be eligible for some form of shared water use if authorized and meeting any qualifications or conditions under law or OMU policy. The following may qualify as acceptable means of distribution of supply to ultimate consumers of water:

- 1) Per unit metering: OMU owns and maintains all meters and meters each unit individually, with each account holder assessed independently in traditional fashion.
- 2) Master meter: OMU owns and maintains a master meter, metering the overall water consumption to the facility to be billed to a single customer account holder responsible for all associated costs. No submetering or secondary metering is permitted nor is the resale of water by volumetric units allowed. The master meter account holder is only permitted to assess a reasonable utility service fee as part of a lease agreement with each water user receiving water.

Water delivered by OMU shall not be used in any way that might conflict with or violate any law, regulation, OMU policy, or these rules and regulations.

e) **UNAUTHORIZED WATER USAGE**

All water supplied by OMU must be metered. OMU shall provide all meters used for this purpose.

Any unauthorized metering equipment or devices, or any materials used to bypass a meter, may be disconnected and removed. All such equipment, devices, or material may be confiscated by OMU. Furthermore, water service to the offending customer may be disconnected and terminated until sufficient investigation is conducted and all requirements for service, including payment of estimated unauthorized or improperly metered water, are fulfilled.

Alteration, tampering, or bypassing a meter in any manner so as to prevent or reduce its recording of usage, or reconnecting the service without authorization by the utility after it has been disconnected by the utility may be a criminal offense punishable by fine or imprisonment. KRS 514.060(3).

f) **ESTIMATION OF USAGE**

Any unauthorized and/or unmetered water usage or water usage measured by a meter not owned by OMU, shall be estimated and billed to the responsible customer.

If an OMU meter is determined to be broken, defective, or inaccurate such that a proper read cannot be confidently measured, OMU will estimate water consumption for the period of interest, beginning from the most recently recorded and billed read date to the date on which the unreliable meter is replaced. OMU will make every effort to replace any defective water meter as soon as reasonably possible.

If OMU is unable to perform or secure a meter read of an existing metered service, OMU will estimate water consumption for the period of unmeasured usage, based upon historical usage or other available information, beginning with the most recently recorded read date to the scheduled read date for which a reading could not be obtained, and bill the customer accordingly.

Customer shall be responsible for ensuring water meters are accessible with no obstructions preventing OMU from obtaining a reading of the meter.

g) **METER TESTING AND ADJUSTMENT**

OMU will routinely test its meters for accuracy if such testing is appropriate.

OMU tests 3” and larger meters approximately once every three years.

OMU tests District wholesale meters annually.

OMU will also conduct a meter test when requested by the customer for a charge equal to the current meter test fee. A copy of the fee schedule may be obtained at the OMU office or online at www.omu.org.

In most cases, when residential rate customers request a meter test, the old meter will be replaced on site with a new meter. The old meter will be tested on OMU premises and, if determined to be accurate, may be returned to stores for use elsewhere.

Any required billing adjustment resulting from a meter determined as inaccurate will be made as provided in the Rate Ordinance.

4. TEMPORARY SERVICE

a) General Service

OMU defines temporary service as any service that is intended to supply water on only a temporary basis that is not expected to exceed one year's time in service from the date service is provided, unless otherwise approved by OMU. OMU will not install a water meter requiring a meter jar or vault for temporary service.

OMU may issue temporary meter service assemblies to contractors or commercial entities for approved use. However, such temporary service shall not be extended for unapproved activities exposing OMU water supplied through its water distribution system to a cross connection threat that might result in the introduction of water not meeting OMU drinking water standards, including, but not limited to, harmful chemicals or other toxins, foreign substances, or of unknown or questionable quality.

Any use of temporary service for filling any enclosed space such as a tank or other such confinement must be operated with a Reduced Pressure Zone (RPZ) backflow prevention device or conducted to achieve a suitable air gap between the service emitting water and the vessel being filled.

Any meter, material, or assemblies issued by OMU for the purpose of temporary service must be returned to OMU once service is discontinued. Customer will be responsible for the condition of such equipment and may be billed for required repair or replacement.

OMU may suspend or terminate any temporary service deemed to place OMU's water distribution system at risk.

b) Hydrant Meters

All applicable requirements outlined for General Service in the preceding section also apply to hydrant meters.

OMU maintains a limited supply of hydrant meters obtainable upon request for commercial use and application. These meters are subject to availability and may only be rented to commercial customers carrying adequate insurance coverage, which includes OMU as an additional insured, and is preapproved by OMU. Residential customers are prohibited from renting hydrant meters under their residential rate account.

5. MAIN EXTENSION

a) CUSTOMER PROPERTIES (NON-DEVELOPER)

This policy is adopted by the City Utility Commission of the City of Owensboro, Kentucky, pursuant to KRS 96.539 to be effective on the 15th day of August 2019.

Any prospective and unserved customer or customers of Owensboro Municipal Utilities (“OMU”) may make a written application to OMU for the extension of water service to serve the prospective customer or customers (“Applicants”). The Applicants will be required to pay OMU for all of the cost to extend OMU’s water line to serve the Applicants.

OMU will estimate the cost of the extension and the Applicants must agree to pay the cost before OMU begins the work to extend the service. All extensions shall be designed to current OMU specifications. The cost of the extension shall include the cost of any necessary easements and other expenses incurred by OMU for the water line extension to serve the Applicants. The Applicants shall pay the actual cost when finally determined by OMU at the completion of the extension. Each Applicant will have the option to pay its pro rata share of the cost in 36 equal monthly installments.

Any delinquency in an Applicant’s payments for the cost of the extension shall be treated in the same manner as a delinquency in any OMU customer billing for water service and could ultimately result in a disconnection of water service. OMU may include the installments as a part of the Applicant’s OMU monthly billing. If an Applicant sells or transfers the property on which an assessment for any unpaid cost for the extension remains, the Applicant shall be billed and shall pay the balance of the assessment at or before the time of transfer of service.

The cost of any extension greater than 100 feet per Applicant shall be subject to refund by OMU to the original Applicants on a prorated basis for each additional customer whose service line is directly connected to the extension line paid for by the initial Applicants.

The period for the refund of any cost for the extension shall end ten (10) years after the extension is completed. Any refunds will be paid by OMU on an annual basis after an additional customer begins taking water service from the line paid for by the initial Applicants. In no case shall the refund amounts exceed the amount paid by any Applicant or Applicants.

In conformity with the decision in *Georgetown Municipal Water and Sewer Service v. Bur-Wal, Inc.*, 242 S.W.3d 661, 667 (Ky App. 2007), only a person who applies to become a customer for the purpose of purchasing water service is eligible for reimbursement under the provisions of KRS 96.539. Reimbursement shall not apply to a developer of real property who requests the extension of water service for the proposed development.

b) DEVELOPER PROPERTIES

All new waterline facilities and/or extensions required to serve property under development for residential or commercial use requiring site or development plans subject to review and approval by the Owensboro Metropolitan Planning Commission must also submit plans to OMU for review and approval prior to construction. OMU reserves the right to construct and install water distribution facilities if deemed necessary; however, in general, OMU expects all new infrastructure required to serve a proposed area of development be constructed and installed by the developer with the exception of its performing taps off the main and the installation of meters.

OMU approval of plans for main extensions required to serve properties under development will be withheld until a final development plat is provided for review. The plat must include proposed layout and details (material, size, etc.) of water facilities as well as depict all streets, roadways, rights-of-way, and/or public easements. Any changes in construction deviating from an approved layout or plat review resulting in required changes, damages, relocations, or other costs incurred by OMU for rectification, will be billed in full, along with any associated applicable overhead charges, to the developer. The developer will also be responsible for providing, at OMU's request, any necessary additional easements required to correct such deviations.

OMU will only take ownership of developer-installed infrastructure meeting all applicable OMU construction specifications and standards and all federal, state, and other governing body rules and regulations; furthermore, all installed facilities must have been properly inspected, properly pressure tested and chlorinated, and shown to have maintained all OMU-specified clearances and depth requirements. Any change in grade occurring after installation as a result of work under the direction and guidance of the developer or its contractor must still maintain OMU-specified depths and elevations; if such depth or elevation is not maintained, the developer must relocate affected facilities (main, hydrants, valves, etc.) to the correct depth or elevation at the developer's sole cost and expense.

The developer will be responsible for all Kentucky Department of Water permitting requirements associated with their development. Any hydraulic analyses required for permitting must also be submitted to OMU for review and approval.

If a development site is situated within an elevated service area resulting in conditions by which typical distribution main construction is unable to provide adequate pressure, OMU may require the construction of a pumping station and/or storage tank be included in the development scope requiring it to be installed at the developer's expense.

6. CONSTRUCTION SPECIFICATIONS

A copy of OMU's latest water construction specifications may be obtained at the OMU T&D office upon request.

These specifications include a full set of details regarding all requirements, processes, and procedures for any form of third party or contractor construction, whether employed by OMU, a developer, or other entity whose intent is to relinquish responsibility for and have such constructed infrastructure integrated into OMU's owned and maintained water distribution system. Topics include required experience, construction notification and inspection, acceptable means of installation, disinfection, backfill, etc. requisite for proper installation.

7. CONSTRUCTION STANDARDS

A copy of OMU's latest water construction standards may be obtained at the OMU Transmission and Distribution (T&D) office upon request.

These construction standards include a full set of detailed construction drawings and exhibits required for the proper assembly and placement of facilities including main crossings, offsets, bends, hydrants, valves, meter pits, etc. as well as associated dimensions and clearances.

8. FIRE HYDRANT REQUESTS

OMU may, at its sole discretion, install public fire hydrants on existing OMU-owned mains upon request; all associated costs of installation, to include labor, material, vehicle and equipment, engineering services, etc., shall be paid by the requesting party. OMU will own and maintain all public fire hydrants on OMU mains. OMU shall assess monthly hydrant maintenance fees when applicable.

9. FLOW TEST REQUESTS

OMU may, at its sole discretion, conduct and provide flow test results upon request in support of development projects.

10. CROSS CONNECTION AND BACKFLOW PREVENTION

a) GENERAL INFORMATION

Where actual or potential cross-connections exist, devices must be installed, maintained and tested according to the OMU Cross Connection Program. Any and all inquiries in regard to the OMU Cross Connection Program may be directed to the OMU Production Department.

OMU customers with a meter size of 1 ½ inches or larger, or whose use of water poses a higher degree of hazard than that normally associated with use at a typical single-family residence, will be required to install an approved backflow prevention device. Customers may be required to complete and return to OMU a survey form regarding water use and potential cross-connections at the customer's premises.

OMU may also utilize inspections of premises to determine whether a device is required. A Customer is required to permit access by OMU personnel to the customer's premises for the purpose of inspection for potential cross connections. A customer's refusal to permit entry for an inspection may result in the customer being directed to install an approved backflow prevention device or the disconnection of customer's service where the meter size requires such a device.

Devices must be installed, maintained and tested according to the OMU Cross Connection Program. Any and all costs incurred with the installation, maintenance and testing of cross-connection devices and appurtenances shall be borne by the customer.

Failure to meet the requirements of the OMU Cross Connection Program can result in disconnection of service. All charges associated with the disconnection and reconnection of service must be paid by the customer before service is restored.

b) RESIDENTIAL

Residential customers using water solely for purposes normally associated with residential use, and who are not determined to be a special case under Subsection 10.(c) hereof, will not be required to install an approved backflow prevention device.

c) **SPECIAL CASE RESIDENTIAL**

However, if OMU determines that an unacceptable degree of hazard is posed by the water uses at a residential premise, the customer will be required to install an approved backflow prevention assembly. For example, a device will be required if the residence has a permanently installed lawn irrigation system, solar heating systems, or if a business is operated out of the home where water may be used in a way as to warrant a backflow prevention device in OMU's reasonable determination.

d) **NON-RESIDENTIAL**

- 1) Any non-residential premises shall have a backflow prevention device, except as otherwise provided herein.
- 2) Exception: A Non-residential customer who has an OMU meter of a size less than one and one-half inches, and whose use of the premises poses no greater degree of hazard to the OMU water supply system than a residential customer, will not be required to install a device. OMU shall determine whether or not any premises meet the criteria necessary to excuse installation of a device. OMU may use surveys, questionnaires, inspections, records of other agencies, and any other pertinent information to determine if a device will be required. OMU reserves the right to require a device if OMU later determines that the degree of hazard requires one. A prior determination that a device is not required will not preclude a later determination by OMU that one will be required.

e) **FIRE SPRINKLER SYSTEMS**

All premises containing a fire sprinkler system using a chemical additive must have a reduced pressure backflow prevention assembly installed before the point where chemical is added.

All premises containing a fire sprinkler system that does not use a chemical additive and is not protected by an approved reduced pressure backflow prevention assembly shall be flushed annually and OMU shall receive a copy of the flushing report. If a backflow has occurred, OMU may require more frequent flushing or the installation of a double check valve assembly.

If a new fire sprinkler system that does not use a chemical additive is installed, an approved backflow prevention assembly must be installed for the system.

f) WATER DISTRICTS & WATER ASSOCIATIONS

Any Water District or Water Association that has a Cross-Connection Prevention Program that has been filed with the Commonwealth of Kentucky that is at least as stringent as OMU's Cross Connection Program must install a double check backflow prevention assembly at all connection(s) with the OMU system as soon as practicable.

Any Water District or Water Association that does not have a Cross Connection Program that meets both of the above conditions must install a reduced pressure prevention assembly at all connection(s) with the OMU system as soon as practicable.

g) DIRECT SEWAGE CONNECTION & AUXILIARY WATER SYSTEMS

Any customer that has a direct connection to a sewage system or an auxiliary water system on its' premises will be required to install an approved reduced pressure backflow prevention assembly at the service connection(s). This is in addition to the approved air gap required by the Kentucky Plumbing Code that must be installed to separate any of these systems from the potable supply. Reduced pressure backflow prevention assemblies are to be installed within ninety (90) days of notification and air gaps are to be installed within two weeks of notification unless otherwise stated in the compliance notice.

h) TYPE OF DEVICE REQUIRED

OMU shall determine, and must approve, any type of backflow prevention device to be installed by the customer.

A reduced pressure (RPZ) backflow prevention device will be required unless OMU determines that the degree of hazard or the particular circumstances existing at the customer's premises justify the use of a different device.

Other devices which may be considered include air gap separation, pressure vacuum breaker (PVB) backflow prevention assemblies, and double check valve assemblies.

An approved air gap separation must be installed between the water source and any direct connection to a sewage system or an auxiliary water system. This is in addition to an RPZ which is required at all facilities that have either or both of the aforementioned systems on the premises.

The pressure vacuum breaker backflow prevention assembly should only be considered when there is no possibility of backpressure, only back-siphoning. The degree of protection offered by this device is much less than that of an air-gap separation or a reduced pressure backflow prevention device.

Double check valve backflow prevention assemblies will only be accepted in special circumstances and only upon prior written approval by OMU. A double check valve backflow prevention assembly should only be considered when the probability of backflow and the degree of hazard is determined by OMU to be low. The degree of protection offered by this device is much less than that of an air-gap separation or a reduced pressure backflow prevention assembly.

i) **INSTALLATION OF BACKFLOW PREVENTION**

All assemblies must be installed to meet or exceed manufacturer's recommendations and comply with the Kentucky Plumbing Code.

They shall be located between the source of the water supply (meter vault or box) and before any secondary plumbing or piping, with the exception of the Pressure Vacuum Breaker Backflow Prevention Assembly on a lawn irrigation system. No piping other than sprinkler lines shall be tied into the line after the Pressure Vacuum Breaker Assembly. The Pressure Vacuum Breaker Assembly shall be installed directly after the tie-in point for the irrigation system.

The approved assembly must be installed as one unit. Separation of the various parts is grounds for rejection.

It is recommended that where continuous water service is critical, a second device should be installed in parallel with the first. and no by-pass lines will be allowed.

All devices shall be the same size as the service line.

Care in the selection of the installation site for any backflow prevention device is essential to its continued effective operation. The device must not be installed in locations where the device is subject to freezing, corrosive fumes, grit, abrasive liquids, etc. The device must be protected against mechanical abuse. All devices shall be installed so that they will be easily accessible for testing and repairs.

No backflow prevention devices shall be allowed in pits without prior written approval of OMU. Where devices are installed outside and above ground, freeze protection should be considered. Backflow prevention devices installed inside a building shall be located as close as possible to the point where the piping enters the building, downstream of any meters maintained by OMU. There shall be no connections or branches prior to the backflow prevention device.

j) TESTING REQUIREMENTS

When a backflow prevention device is relied upon to provide protection against backflow, the devices must be inspected, tested and repaired on a periodic basis by a Certified Backflow Prevention Device Tester. OMU shall have the right to monitor, approve, and observe any inspection, testing, and repair of these backflow prevention devices.

Customers are required to test backflow prevention device(s) in accordance with the OMU Cross Connection Program.

OMU utilizes Aqua Backflow to administer its Backflow program. Customers can visit the following link to find a registered tester or find out when their device was last tested.

<https://www.aquabackflow.com/tmb-resources/>

11. MOVING OMU EQUIPMENT

Whenever it is necessary for OMU to make changes in its equipment or facilities to permit work to be done by contractors or others, or for the convenience of the customer, the cost of the work shall be billed to and paid by the contractor, customer, or other entity necessitating the work, but customer is ultimately responsible for payment. A written request shall be submitted to OMU for the changes. Only authorized employees of OMU may remove, cut, raise, or handle any water facilities belonging to OMU.

12. RIGHTS-OF-WAY / EASEMENTS

The customer shall provide, without cost to OMU, a right of access, Right-of-Way or easement for any equipment for facilities of OMU, over, across, under, and upon the property owned or controlled by the customer, that may be necessary and incidental to the supplying of service to such customer and shall permit access thereto by the employees of OMU at all reasonable hours. The right of access, right-of-way, or easement shall be by dedication, or be in a written document, and no obstruction shall be placed within the easement

The customer shall provide and maintain safe and convenient access to the meter or equipment and shall permit entry thereto by employees of OMU at all reasonable times for the purpose of inspecting, reading, testing, repairing, replacing or removing the meter or equipment used in connection with the service.

13. ELECTRICAL GROUNDS

OMU water mains or other water distribution infrastructure shall NOT be used as a ground for electrical lines or equipment.

14. BEFORE YOU DIG (BUD 811)

Any contractor and customer or individual is required by KRS 367.4901 to 367.4917, and by OMU, to have all underground utilities located prior to commencing any excavation. Contractors or individuals that are within 3 feet of marked underground utilities shall expose the utility's facilities by means of hand digging prior to utilizing any power or motorized equipment.