

RIVERBEND HOMESITES ASSOCIATION INC.

RULES & REGULATIONS – WATER USE POLICY

The following are based on the bylaws and covenants of Riverbend Homesites HOA and are intended to provide common sense guidelines and solutions for the day-to-day operations of the HOA.

I. GENERAL HOA POLICIES

1. **Homeowner Standing:**

Homeowners are considered in good standing if dues for each lot are current or the homeowner is compliance with a written payment plan. Homeowners not in good standing may be denied access to HOA amenities, voting rights, and are subject to water service termination.

2. **Dues:**

Dues are due in full, annually on the 1st of the year.

3. **Nonpayment of Dues:**

Dues not received by January 31st will be considered late and a \$35 monthly late fee will be applied each month that the dues are not paid. Dues not paid by January 31st or without an official payment plan will result in downgraded standing by the February Board meeting. Additionally, if the account is not paid by March 31st of that year and does not have official payment plan established, the water will be shut off and the account will be assessed the water shut off fee, the posting notice by the water purveyor fee, and any subsequent fees.

4. **Address Changes and Communications:**

Homeowners must ensure contact details are on file. Undeliverable mail leading to water termination may incur a \$75 administrative fee. Communication is through the reader-board, website, biannual newsletters and USPS as needed.

5. **Privacy:**

All HOA records are confidential and used solely for HOA business. Private information is not for sale or distribution to homeowners or commercial interests.

6. **Use of HOA Property:**

Only Homeowners in good standing may use HOA parks and amenities.

Unauthorized fire hydrant use is prohibited.

The two HOA parks are for use by Homeowners in good standing and their guests. The use of Kelly Park and the River Park facilities are at your own risk. Homeowners and guests must clean up after themselves, including pet waste. No food trucks are allowed to park on HOA park areas.

Damage or misuse will result in prosecution and recovery of repair costs.

Only authorized personnel are allowed in restricted areas, but not limited to, fenced lots containing water production wells, fenced lots containing the water storage tanks, and all associated driveways. Restricted areas are posted with the following signs:

- No Parking
- No Unauthorized Admittance.

Violators will be prosecuted to the full extent of the law including having vehicles towed at owner's expense.

7. **Garbage:** Garbage containers and recycle bins are to be stored as not to be seen from the street, except on garbage pick-up days. Owners are encouraged to ensure garbage containers are secure from overflowing or spills and to keep litter and debris picked up around their property at all times.
8. **Nuisances:** Offensive, noxious or illegal activities are prohibited.
9. **Noise.** Permitting or causing noises, vibrations, odors, smoke, fumes or gas to emit from any part of the real property are prohibited.
10. **Trailer/RV/Motorhome Dwelling:**
No Tent or Temporary Structure (i.e.: Trailer, RV, Motorhome) May be used as a dwelling for oneself or their guests. Residing in a temporary structure as listed above, is **ONLY** allowed up to six (6) months and ONLY if it is being used in connection with construction of a permanent dwelling.

II. WATER SYSTEMS POLICIES

1. **Water Meter Access and Audits:**

Water meters are read biannually. Homeowners must ensure unobstructed access to service boxes from the county road right-of-way. The HOA may at any time conduct performance audit of the HOA's water meters. This process included checking the water meter for accuracy, and if required verify and validate that the service box is located on the right-of-way.

Clear permanent access must be maintained from the road, not through or over private property. If the water box access has been fenced in or otherwise made inaccessible or restricted by the Homeowner, the HOA will send one (1) warning letter to the homeowner explaining the situation and requesting that the property owner take corrective action to make the service box available from the street right-of-way within 30 days.

If clear access from the street side on the right-of-way is not established within 30 days of the letter being sent, the HOA will then pursue options to remedy the situation. An optional 24-hour water shut off notice may be issued, and the applicable \$500.00 water shut off fee will be charged to the homeowner's account if the notification leads to the water being shut off. In addition, all costs, and expenses the HOA incurs to in resolving HOA access to the HOA water service box on the King County Road right-of-way will be assessed to the Homeowner. This includes but is not limited to staff and office time, engagement of law enforcement personnel, private security personnel, legal representation, third party contractors, equipment and supplies needed. The

HOA also has authority to trim vegetation around the water meter service box to have clear access to the box.

2. Disinfection of the Water System:

The disinfection of the water system is done through a single small dose of chlorine, will occur on an annual basis. Homeowners will be given prior notice in the spring newsletter with additional notification posted on the front reader board.

3. Cross-Contamination Control Program (CCCP):

This program is required by Washington State Department of Health and is designed to ensure safe drinking water for the water supplied by Riverbend Homesites Association Water department. This policy requires that all homeowners who have installed: hot tubs, spas, irrigation systems, fire sprinklers, heated floors, or similar facilities are required to have Back Flow Preventers installed. Back flow is the unwanted flow of on-potable substances back into the Homeowner's plumbing system and the Associations water system. If a homeowner has installed a Back Flow Preventer as required by the Washington State Department of Health, they need to be inspected annually by a certified Back Flow Device Tester. After the inspection each year, a report must be turned into our office by the homeowner.

Reports are due by July 30th each year. Failure to submit by August 30th may result in water shutoff with applicable charges.

4. Water Efficiency and Usage Policy:

Effective March 1, 2023. Designed per WAC 43.20.235 and administered by the water purveyor.

Measurement Periods:

- April 1st – September 30th
- October 1st – March 31st

Base Allotment:

- 400 Gallons/Day

Base amount of water between readings from April 1st through September 30th = 9900 CF of water or 74,057 gallons per lot. (6-month period)

Base amount of water between readings from October 1st through March 31st = 9625 CF of water or 72,000 gallons per lot.

Tiered Surcharge Structure:

- Tier 1: \$3.00 per 100 CF from 9,901-14,000 CF (74,058 – 104,727 gallons)
- Tier 2: \$5.00 per 100 CF above 14,001 CF (104,728+ gallons)

5. Water Use Efficiency Policy:

The HOA's water use efficiency goals are in the HOA's SWSMP and have been developed by the HOA's water operating committee and the system's water purveyor using guidelines from the Washington State Department of Health to promote and encourage water use efficiency. In addition to complying with the Washington State Administrative Code: RCW 43.20.235.

Water conservation – Water delivery rate structures:

Water purveyors required to develop a water system plan pursuant to RCW 43.20.230 shall evaluate the feasibility of adopting and implementing water delivery rate structures that encourage water conservation. This information shall be included in water system plans submitted to the Department of Health for approval after July 1, 1993. The department shall evaluate the following:

- Rate structures currently used by public water systems in Washington
- Economic and institutional constraints to implementing conservation rate structures.

In Summary:

1. The time period for measuring is semi-annually, twice in a 12-month period.
2. The daily base limit is 400 gallons of water per day, average.
3. A two-tiered pricing system is in effect for those lots that exceed this base limit beginning at 401 gallons of water per day average.

The Board is encouraging all homeowners to be water wise.

III. Water Leak Policy:

Homeowners are responsible for repairing leaks on their property. Homeowners must contact water tech within 48 hours of notification. Failure to act may lead to water shutoff and a \$500 fee.

1. Leak Size Categories & Fees:

- Small (0-700 GPD) \$25 Fee (Month 1), \$50 fee (Month 2), \$100 fee per month (Months 3-6)
- Medium (701-1499 GPD): \$100 Fee (Month 1), \$200 fee (Month 2), shut off in month 3.
- Large (1500+ GPD): \$200 fee (Month 1), \$400 fee (Month 2), shut off by end of month one unless repair is underway.
- For homeowners with water leaks, there will be a \$35.00 administrative fee charged.

The lots that exceed the base amount will be invoiced on the date that coincides with the two time periods that the water purveyor performs the meter readings. Those lots with newly discovered water leaks will be allotted a grace period provided they proceed with all haste to repair their water leaks, and follow up protocols and rules regarding the HOA's water leak policies here with in.

Currently a Homeowner identified with a small or medium water leak will be charged for the leaked water from the date of notification of the water leak unless it is repaired within 60 calendar days, to the satisfaction of the HOA's water purveyor.

***Water leaks on private Homeowner's property are the responsibility of the Homeowner and must be repaired as soon as possible. The HOA will take the following steps to achieve that end.**

This HOA water leak policy is part of Riverbend Homesites Association's objective and pursuant to the water use efficiency plan included in the RBHA's small water system management program (WEU) as a requirement of the Washington Department of Health RCW 43.20.230.

IV. The HOA Policy Regarding Water Leaks:

1. If you are notified of a water leak on your property by the HOA water tech, you are required to contact our water tech **GoodBoy Excavation & Plumbing 425-647-4831** (day or night) within 48 hours. At that time the water tech will go over your options and agree with you on a timeline for you to make the repairs to your water leak.
2. The HOA deserves the right to shut off the water service to your lot if you do not respond to a water leak notice, and or the house is vacant.
3. If you have not completed repair to your water leak as outlined above in the time frame listed above, or decided not to communicate with the HOA, and to the satisfaction of the water tech, **the HOA reserves the right at any time to shut off your water** until repairs are made to the satisfaction of the water tech. If your water is shut off, this will result in a \$500.00 fee charged to your account. You will receive a 24-hour written notification prior to your water shut off date and time. If your water leak is critically large and will damage neighboring property or the road right-of-way the HOA reserves the right to immediately shut off your water. This will result in a \$500.00 fee charged to your account. You will be responsible for all other damage caused by your water leak.
4. With the HOA's approval and Homeowner's permission, the HOA water tech may himself elect to repair a water leak from water box up to five feet on the homeowner property at HOA expense. This is to maintain quality repair and integrity at the water box area. The initial water service box installation and HOA authorized repairs are warrantied for 1 year after the work is completed. Note all initial service boxes were installed in 2017.
5. If a homeowner challenges the accuracy of HOA meters, or equipment, or methods, or results and conclusions the HOA will re-examine or retest with a prepaid deposit of \$500.00.

V. Policy Regarding Cross Connection Contamination Program:

The HOA's cross connection control program is required by the Washington State Department of Health. If you have one of these devices the state has listed you must have a backflow preventer device installed on each system. A heated floor system, irrigation system, fire suppression sprinklers, plumbed hot tubs, plumbed in decorative lakes or ponds. In addition, the water purveyor may require as a condition of service the installation of a backflow prevention assembly on the water service to provide additional protection for the public water system. A backflow prevention assembly will normally be required where a single-family residence has special plumbing that increased the hazard above the normal level found in residential homes, or where a hazard survey cannot be completed. To help determine if a backflow prevention assembly is required, the water purveyor may send residential customer a Cross Connection Control Survey Questionnaire. The water purveyor will evaluate the returned questionnaires to assess the risk of contamination to the public water system. Based on the results of the evaluation, the installation of backflow prevention assemblies may be required on services to some customers you are required to have those devices tested by a state certified inspection annually.

Terms:

- **A cross-connection** is any actual or potential physical connection between a drinking water system and any other non-potable substance (liquid, solid or gas).
- **Backflow** occurs when water or other substances flow in the opposite direction than intended allowing contaminants to enter the public water system or consumer's plumbing.
- **A backflow incident** occurs when biological, chemical, or physical contaminants enter the drinking water supply (under backflow conditions) via unprotected cross-connections. Backflow incidents may cause injury, illness or death.

- **Backflow prevention assemblies** are mechanical devices installed on water service lines (or at plumbing fixtures) to prevent backflow of contaminants into drinking water through cross-contaminations.

The HOA reserves the right of water termination if a homeowner continues to operate equipment or devices that is using potable water and requires a backflow preventer device and has chosen not to have one installed. Written notification of five days.

Under penalty of a \$200.00 fine per instance and or up to and including water termination the p [penalty for any misrepresentation, making false statement to HOA Board members or the HOA water purveyor regarding situations involving and included water device or the use of a lack of required backflow preventer during an investigation for a CCCP violation investigation by the Board of Directors.

Cross Connection Control Program Details: Washington State Department of Health Regulates Cross-Connection Control Public Water Systems and as previously mentioned, DOH is one of the several agencies with regulations pertaining to cross connection control. DOH Office of Drinking Water administers and enforces drinking water regulations for public water system as set forth in Chapter 246-290 WAC. The mission of the Office of Drinking water is to protect the health of people of Washington State by ensuring safe and reliable drinking water. The Safe Drinking Water Act (SDWA) passed Congress in 1974 authorized the development of national regulations to ensure safe drinking water for consumers served by public water systems.

The requirement for public water systems to develop and implement CCC programs as set forth in WAC 246.290.490 is consistent with the mission of the Office of Drinking Water. "A continuing and aggressive program of cross connection investigation, surveillance and control shall be implemented according to good CCC practice such as Accepted Procedure and Practice in Cross-Connection Control Manual".

Under WAC 246.290.490 purveyors must ensure that cross-connections between the distribution system and a consumer's water system are eliminated or controlled. In most cases, eliminating cross connections is almost impossible. Thus, control of cross connections is the more common approach used to protect public water systems from contamination. Under the WAC, control of cross-connections must be accomplished by the installation of approved backflow preventers commensurate with the degree of hazard.

Regardless of the type of program implemented, WAC 246.290.490 requires all purveyors to comply with the mandatory premises isolation requirements for high hazard facilities of the type listed on Table 9 of WAC 246.290.490. Thus, purveyors that implement combination programs must ensure that all high hazard facilities they serve are isolated from the public water with an approved backflow preventer commensurate with the degree of hazard (RPBA or AG). In addition to the above conditions, the WAC requires purveyors to keep the same type of records on in-premise backflow preventers as for the premises isolation assemblies. Last of all, where the purveyor relies on in-premises preventers to protect the public water system, the purveyor must have access to the consumer's premises to conduct an initial hazard survey and periodic surveys.

To protect their systems from contamination, purveyors must take "corrective action" when they become aware of unprotected cross connections and/or customers fail to comply with the purveyor's CCC requirements. Specifically, WAC 246.290.490 requires purveyors to take appropriate corrective actions when:

1. Cross-connection exists and is not controlled commensurate with the degree of hazard; and/or
2. Customer fails to comply with the purveyor's requirements for installation, inspection, testing, maintenance or repair of approved backflow preventers.

Under the WAC, purveyors have flexibility in what corrective action to take to protect their systems from contamination. Corrective actions may include, but are not limited to the purveyor:

1. Denying or discontinuing water service to the non-complying customer.
2. Requiring the customer to install an approved backflow preventer commensurate with the degree of hazard.
3. Installing an approved backflow preventer for premises isolation.