

ARTICLE 2 DEFINITIONS

As used in these Rules and Regulations, unless the context clearly indicates otherwise, the words defined below shall have the respective meanings set forth for them:

2-1 ABANDON: To discontinue the use of any connection with the District System in such a manner or in such circumstances as to permit the reasonable inference that such connection is no longer needed or desired, such as the destruction and non-replacement of improvements to which a service line had been connected.

2-2 ACTUAL COSTS: All direct and indirect costs attributable to any project or undertaking. Actual costs to the District include its engineering, legal, labor, material, equipment, administrative and overhead expenses, and all direct payments to third parties, at cost.

2-3 BOARD or BOARD OF DIRECTORS: The duly constituted Board of Directors of the District.

2-4 CONSTRUCTION OBSERVATION FEES: Fees assessed for time expended by the District Engineer or other agent of the District in observing the construction of new or repaired elements of the District System, including but not limited to main extensions.

2-5 CONTRACTOR: Any person who performs any work, either for himself or another, on any water or sewer facilities, public or private, within the District, including all subcontractors, agents, employees, officers and other representatives of such person.

2-6 DENVER WATER or DENVER WATER DEPARTMENT: The City and County of Denver, acting by and through its Board of Water Commissioners.

2-7 DISTRICT: Cherry Creek Valley Water and Sanitation District, Arapahoe County, Colorado, and its manager, authorized employees, agents, officers, directors, insurers, and professional consultants.

2-8 DISTRICT ENGINEER: Licensed engineer who has contracted to do engineering work and consultation for the District.

2-9 DISTRICT SYSTEM: All facilities, systems and assets owned or directly controlled by the District. As used herein, the term includes both water and sewer systems unless otherwise specified. Service lines and privately owned lift stations are not part of the District System.

2-10 FOREIGN MATERIALS: Objects or substances not regularly, ordinarily and customarily transmitted by sanitary sewer facilities.

2-11 GROUNDWATER: Water below the surface of the earth, from whatever source; including underground streams and percolating water.

2-12 INCLUSION FEE: A fee charged for adding property to the District's service area whether or not such property is located within or outside of the existing exterior boundary of the District.

2-13 INDUSTRIAL WASTES: The combination of liquid and water-carried waste discharged from any industrial processes, including the wastewater from pre-treatment facilities and polluted cooling water, as distinct from residential and commercial wastewater. Any waste, the discharge of which requires a permit under the regulations of either the Environmental Protection Agency or the Colorado Department of Public Health and Environment.

2-14 INSPECTION FEES: Fees to offset costs and expenses incurred by the District for the inspection of new elements or appurtenances of the District System or related earthwork, materials, equipment or facilities, when the District is not itself contracting for the construction. The term "inspection" for purposes of this section does not include construction observation.

2-15 LICENSED CONTRACTOR: Any person or commercial entity authorized by the District to perform work and to furnish materials within the District on the basis of a determination by the Board upon recommendation of the District's Engineer and/or manager that that person's or entity's references and record of prior performance justify such authorization. Payment to the District of an annual license fee is a requirement.

2-16 MAIN: Any pipe and appurtenant facility of the District System used for carrying water (water main) or wastewater (sewer main).

2-17 MAIN EXTENSION: The construction of any main, or the main itself, which is intended to become a part of the District System upon acceptance by the District in accordance with Article 6.

2-18 MANAGER: Person employed by the District to act in a managerial capacity, or his/her duly authorized deputies.

2-18.5 MASTER WATER METER: In submetering arrangements, the Water Meter upstream from the distribution point at which water is diverted to individual units within a building. The Master Water Meter must be in the name of a home owners' association or other single Property Owner legally responsible for payment of the water service charges based on the flows measured at the Master Water Meter.

2-19 MDSDD#1: Metropolitan Denver Sewage Disposal District #1, former name of Metro Wastewater Reclamation District ("MWRD").

2-20 METER TESTING FEES: Fees assessed for testing a Water Meter for accuracy. Meter testing fees are assessed only when such test, performed at the request of a Property Owner, determines that the Water Meter is accurate.

2-21 MWRD: Metro Wastewater Reclamation District, the entity that operates the Publicly Owned Treatment Works (POTW) that provides wastewater treatment and disposal services for the District.

2-22 PERMITTED PREMISES: The land area and improvements thereto to which water or sewer service is limited under any particular Tap Permit.

2-23 PERSON: Associations, corporations, firms, partnerships and bodies politic and corporate, as well as individuals.

2-24 PLAN REVIEW FEES: Fees assessed for time expended by the District engineer or manager for or in connection with the review of plans for proposed construction of new elements of the District System, including but not limited to plan review and tap size calculations for new water service lines and new sewer service lines, review of easements, and updating District maps to record new facilities and easements.

2-25 PRIVATE SYSTEM: Any and all water or sewer lines, facilities and appurtenances for distribution of water to more than one building through a common water main or mains that connect to the District Water System, or for the collection of wastewater discharge from more than one building to a common sewer main or mains that connect to the District Sewer System, but which water or sewer lines, facilities and appurtenances have not been accepted for ownership and maintenance by the District and are not part of the District System. In the case of a private water system, such private system includes all lines, facilities and appurtenances downstream from and including the saddle fitting if any and corporate stop, or other fitting on the District's water main. In the case of a private sewer system, such private system includes all lines, facilities and appurtenances upstream from and including the "tee" fitting, saddle fitting, or other fitting on the District's main or any fitting within a manhole.

2-26 PROPERTY OWNER: Any person who, solely or with others, owns real property within the District. When property is owned by more than one person, the term includes all owners thereof. As used in these Rules and Regulations, the term shall apply to such person only in connection with his ownership of any specific parcel of real property involved in any specific matter governed by these Rules and Regulations. In Article 6, MAIN EXTENSIONS AND OTHER SYSTEM IMPROVEMENTS, the owner of any System Improvement as defined therein and appurtenant facilities is designated "Developer."

2-27 RECORD DRAWINGS: Representations of installation based on information available from construction observation, measurements, and construction contract requirements. The District does not warrant the accuracy of record drawings in its possession.

2-28 RULES AND REGULATIONS: These Rules and Regulations, as amended from time to time by the Board of Directors.

2-29 SANITARY WASTEWATER: The combination of liquid and water-carried wastes discharged from toilet and other sanitary plumbing facilities.

2-30 SERVICE: The provision of water or sewer service by the District to a property.

2-31 SERVICE LINES AND FIRE LINES: Any pipe, system of piping, and appurtenances intended or used as a conduit between a connection to the District System and a residential, commercial or industrial improvement. Service Lines and Fire Lines are owned by, and are the sole responsibility of, the Property Owner.

2-31-1 SEWER SERVICE LINES - Any sewer lines or portions thereof located upstream from and including the point of connection to the District's Sewer Main such as a Tee or saddle fitting, if any, on the District's Sewer Main, or the Tee or other connection within a manhole, intended or used to convey wastewater from Permitted Premises to the District Sewer System.

2-31-2 WATER SERVICE LINES AND FIRE LINES - All pipe, fittings, and appurtenances, including the Water Meter, which convey water from the District water main intended or used to serve water to the Permitted Premises from the District Water System.

2-32 SEWAGE: See Section 2-48, Wastewater.

2-33 SEWER/SEWER SYSTEM: All facilities and works owned by the District for collecting, pumping, and transmitting wastewater. See Section 2-8, District System.

2-34 SFE: Single Family Equivalent. This term is used to describe the basic unit of measurement for service availability fee or Tap Fee determination and refers to the number of gallons per day typically discharged from a single-family residence. Each residential unit within a multi-family residential structure is classified as a single-family unit, and therefore represents one SFE. Tap Fees for commercial and industrial buildings and improvements are based on the number of SFEs represented by the anticipated flows. Anticipated flows are determined by water meter sizing.

2-35 SPECIAL SERVICE FEES: Fees imposed by the District for providing temporary water or sewer services or extraordinary services for which it is inappropriate to charge the usual residential or commercial System Development Fees and Services Charges.

2-35.5 SUBMETER: A Water Meter measuring the flows to an individual unit within a multi-occupant residential or commercial building, which has a Master Water Meter.

2-36 SUBSURFACE STRUCTURES: Any and all pipe, cable, conduits, wires, portions of buildings, drainage facilities and any and all other man-made things of any kind or nature, all or some part or portion of which is located below the surface of the ground.

2-37 SURFACE WATER: Water from rain, springs, melting snow, sprinkling systems, lakes, ponds, streams or any other source which lies upon or above the surface of the ground, whether or not in a defined location, course, or channel, and including water on and/or flowing from the roof or any part of any building or structure.

2-38 SWIMMING POOL DISCHARGE: Filter backwash effluent from any swimming pool conveyed to the District Sewer System. The District does not permit the pool drain to be connected to the District System, or pool water, except for the filter backwash effluent, to enter the District System.

2-39 SWIMMING POOL PERMIT: Written permission granted by the District for connecting, and discharging the effluent from, a swimming pool filter backwash system into the District sewer system.

2-40 SWIMMING POOL PERMIT FEE: An annual fee imposed by the District for discharging swimming pool filter backwash effluent into the District sewer system.

2-41 TAP or SERVICE CONNECTION: The physical connection to a District main which, together with the Tap Permit for same, effects water or sewer service to any permitted premises, or water for irrigation.

2-42 TAP FEE or SYSTEM DEVELOPMENT FEE: A fee imposed by the District as a prerequisite for connecting to the District water system or sewer system. This fee is based upon the total availability of services provided by the District and is not limited to or a reflection of costs incurred in simply making the connection to the District System.

2-43 TAP PERMIT: The written authority to make a Tap for water or sewer service to Permitted Premises from the District System.

2-44 TECHNICAL STANDARDS AND SPECIFICATIONS: The provisions of the Part C of Article 9 of these Rules and Regulations, which prescribe the minimum technical standards and related operating rules for the design, installation, construction, and maintenance of all District facilities, and of all private facilities and appurtenances that connect to the District water system or sewer system, directly or indirectly.

2-45 TURN-OFF/TURN-ON FEES: Fees assessed for turning water services on or off.

2-46 UNAUTHORIZED TAP OR SERVICE CONNECTION: Any tap which is made without having obtained a Tap Permit.

2-47 USER: Any person who receives water service from the District or who discharges or causes the discharge of wastewater to the District System.

2-48 WASTEWATER: The combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions.

2-49 WATER METER: A device prescribed by the District to measure the amount of water passing from the District Water System through the Property Owner's Water Service Line. The Water Meter is owned by, and is the sole responsibility of, the Property Owner. When individual units of a multiple-unit residential or commercial building are submetered, the District will read only the master meter for such building, and the District service charges will be invoiced to the building as a whole. If such building is in condominium ownership or other multiple-owner arrangement, it is the responsibility of the owners to establish and authorize a single Property Owner for purposes of District billing and service records.

2-50 WATER SYSTEM: All facilities and works owned by the District and used for collecting, pumping, treating and delivering water.

2-50-1 POTABLE WATER SYSTEM - All facilities owned by the District and used for developing, collecting, storing, pumping, treating and delivering water suitable for human consumption.

2-50-2 NON-POTABLE WATER SYSTEM - All facilities owned by the District and used for developing, collecting, storing, pumping, treating and delivering water that is not suitable for human consumption or domestic use, but is intended for such uses as irrigation and landscape amenities.