

BEATTY WATER & SANITATION DISTRICT

RULES & REGULATIONS

WASTEWATER

JANUARY 1999

RESOLUTION

RULES, RATES AND REGULATIONS

APPLICABLE TO

WASTEWATER AND SEWER COLLECTION

TREATMENT AND DISPOSAL

OF

BEATTY WATER AND SANITATION DISTRICT

P. O. BOX 99

BEATTY, NEVADA 89003

OPERATING IN OR NEAR

BEATTY TOWNSHIP

NYE COUNTY, NEVADA

THESE RULES, RATES AND REGULATIONS ARE REGULARLY FILED IN THE OFFICE OF THE BEATTY WATER & SANITATION DISTRICT, AND ARE THE EFFECTIVE RATES AND RULES OF THIS UTILITY.

SERVICE WILL BE FURNISHED IN ACCORDANCE WITH THESE RULES, RATES AND REGULATIONS, AND NO OFFICER, EMPLOYEE OR REPRESENTATIVE OF THE UTILITY HAS ANY AUTHORITY TO WAIVE, ALTER OR AMEND THESE RULES, RATES AND REGULATIONS OR ANY PART THEREOF IN ANY RESPECT.

BEATTY WATER & SANITATION DISTRICT

RULES & REGULATIONS

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RULES AND REGULATIONS

THE FOLLOWING RULES AND REGULATIONS APPLYING TO WATER SERVICE SUPPLIED BY THE BEATTY WATER AND SANITATION DISTRICT TO ITS CUSTOMERS PURSUANT TO NRS 318 ET. SEQ. AND THE NYE COUNTY ORDINANCE 95-14, SECTION 13.9. UNDER THE LAW OF THE STATE, THE DISTRICT IS NOT PERMITTED TO SUPPLY SERVICE TO ANY CUSTOMER WHO DOES NOT COMPLY WITH ALL OF THESE REGULATIONS AND NO OFFICER, INSPECTOR SOLICITOR, AGENT OR EMPLOYEE OF THE DISTRICT HAS ANY AUTHORITY TO WAIVE, ALTER, OR AMEND IN ANY RESPECT, THESE RULES AND REGULATIONS OR ANY PART THEREOF.

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SEWER MAIN EXTENSIONS

REGULATION NUMBER 18

1. ANY FACILITY INSTALLED SHALL BE THE SOLE PROPERTY OF THE UTILITY.
2. THE SIZE, TYPE, AND QUALITY OF MATERIALS AND THE LOCATION OF THEIR INSTALLATION WILL BE SPECIFIED BY THE UTILITY, AND THE ACTUAL CONSTRUCTION WILL BE DONE BY THE UTILITY OR A CONSTRUCTING COMPANY ACCEPTABLE TO IT. IN THE EVENT CONSTRUCTION IS DONE BY ANY COMPANY OTHER THAN THE UTILITY, ENGINEERING PLANS, PREPARED BY AN ENGINEERING FIRM LICENSED TO PRACTICE IN THE STATE OF NEVADA BUREAU OF HEALTH PROTECTION SERVICES AND/OR THE NEVADA DEPARTMENT OF ENVIRONMENTAL PROTECTION, AS APPLICABLE, AND THE UTILITY. AN INSPECTOR ACCEPTABLE TO THE UTILITY MUST OVERSEE ALL CONSTRUCTION. THE COSTS FOR THIS INSPECTOR WILL BE BORNE BY THE APPLICANT.
3. THE APPLICANT FOR THE SEWER MAIN EXTENSION SHALL FILE HIS REQUEST WITH THE SECRETARY OF THE BOARD OF TRUSTEES OF THE UTILITY, WHO SHALL DETERMINE AN ESTIMATED COST. THE SECRETARY WILL THEN, PROCEEDING ACCORDING TO THE PROVISIONS OF PARAGRAPH 318.350 ET. SEQ. OF THE NEVADA REVISED STATUTES, DETERMINE WHETHER OR NOT SPECIAL ASSESSMENT PROCEEDINGS ARE ANTICIPATED.
4. IF, UPON INVESTIGATION OF THE REQUEST FOR SEWER MAIN EXTENSION, THE BOARD OF TRUSTEES DETERMINES THAT THE SAID SEWER WILL BENEFIT THE OWNERS OF MORE THAN ONE PARCEL OF PROPERTY, AND THAT SAID CONSTRUCTION SHOULD BE CHARGED AGAINST SAID PROPERTY, IT SHALL GIVE NOTICE, AND PROCEED IN ACCORDANCE WITH PROVISIONS OF PARAGRAPH 318.350 ET SEQ. OF NEVADA REVISED STATUTES.
5. IF THE BOARD OF TRUSTEES DETERMINES THAT IT IS NOT IN THE PUBLIC INTEREST TO PROCEED WITH AN ASSESSMENT DISTRICT, IT SHALL EITHER:
 - a. ABANDON ANY FURTHER WORK ON THE PROJECT AND RETURN ANY FUNDS THAT WERE DEPOSITED WITH THE UTILITY AND HAVE NOT BEEN USED;
 - b. NOTIFY THE APPLICANT THAT THE EXTENSION MAY BE INSTALLED ON THE FOLLOWING CONDITIONS:
 - (1) THE APPLICANT SHALL DEPOSIT WITH THE UTILITY SUFFICIENT FUNDS TO PAY FOR THE CONSTRUCTION, INCLUDING ALL INCIDENTAL FEES AND EXPENSES.

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- (2) THE UTILITY SHALL AGREE TO CHARGE AGAINST EACH PARCEL OF LAND CAPABLE OF BEING DIRECTLY SERVED BY SAID EXTENSION, THE PROPORTIONATE COST OF THE INSTALLATION. ANY OWNER WHO APPLIES AT ANY TIME FOR SERVICE TO ANY PARCEL OF SUCH PROPERTY, SHALL PRIOR TO RECEIVING SUCH SERVICE, PAY THE ENTIRE ASSESSMENT ON ALL LANDS OWNED BY HIM AND CAPABLE OF BEING SERVED BY SAID EXTENSION THE ENTIRE AMOUNT OF THIS PAYMENT, WITHOUT INTEREST, SHALL BE RETURNED TO THE PREVIOUSLY ASSESSED OWNER(S) OF RECORD. THESE OWNERS SHALL BE DETERMINED BY THE PROPERTY TAX ROLLS AS LISTED IN THE ASSESSOR'S OFFICE OF NYE COUNTY, NEVADA. NO RETURN OF FUNDS SHALL BE MADE AFTER *FIVE* (5) YEARS FROM THE DATE OF COMPLETION FOR THE CONSTRUCTION.
- (3) ALL PARTIES WHO HAVE ANY FINANCIAL INTEREST IN ANY EXTENSION AS WELL AS ANY SUBSEQUENT OWNERS OF ANY PARCEL WHERE ANY EXTENSION PAY BACK IS POSSIBLE SHALL AGREE TO INDEMNIFY THE BEATTY WATER & SANITATION DISTRICT AND ITS BOARD OF TRUSTEES AND HOLD THEM HARMLESS FROM AND AGAINST ANY AND ALL LOSSES, CLAIMS, EXPENSES, SUITS, COSTS, DEMANDS, DAMAGES, OR LIABILITIES, JOINT OR SEVERAL, OF WHATEVER KIND OR NATURE WHICH THE BEATTY WATER & SANITATION DISTRICT AND BOARD OF TRUSTEES MAY SUSTAIN OR TO WHICH THEY MAY BECOME SUBJECT ARISING OUT OF OR RELATING IN ANY WAY TO ANY DISPUTE REGARDING OWNERSHIP OR PAY BACK OF FUNDS FOR ANY EXTENSION INCLUDING WITHOUT LIMITATION IN EACH CASE ATTORNEYS' FEES, COSTS AND EXPENSES ACTUALLY INCURRED IN DEFENDING AGAINST OR ENFORCING ANY SUCH LOSSES, CLAIMS, EXPENSES, SUITS, DAMAGES, OR LIABILITIES.

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DEFINITIONS

REGULATION NUMBER 1

UNLESS THE CONTEXT SPECIFICALLY INDICATES OTHERWISE, THE MEANING OF THE TERMS USED IN THESE REGULATIONS SHALL BE AS FOLLOWS:

1. **BOARD OF TRUSTEES** MEANS THE BOARD OF TRUSTEES OF THE BEATTY WATER AND SANITATION DISTRICT.
2. **BOD** (DENOTING BIOCHEMICAL OXYGEN DEMAND) MEANS THAT QUANTITY OF OXYGEN UTILIZED IN THE BIOCHEMICAL OXIDATION OF ORGANIC MATTER UNDER STANDARD LABORATORY PROCEDURE IN 5 DAYS AT 20 DEGREES CENTIGRADE, EXPRESSED IN MILLIGRAMS PER LITER.
3. **BUILDING DRAIN** MEANS THAT PART OF THE LOWEST HORIZONTAL PIPING OF A DRAINAGE SYSTEM WHICH RECEIVES THE DISCHARGE FROM SOIL, WASTE, AND OTHER DRAINAGE PIPES INSIDE THE WALLS OF THE BUILDING, AND CONVEYS IT TO THE BUILDING SEWER, BEGINNING *FIVE* (5) FEET OUTSIDE THE INNER FACE OF THE BUILDING WALL.
4. **BUILDING SEWER** MEANS THE EXTENSION FROM THE BUILDING DRAIN TO THE PUBLIC SEWER OR OTHER PLACE OF DISPOSAL.
5. **COMBINED SEWER** MEANS A SEWER RECEIVING BOTH SURFACE RUNOFF AND SEWAGE.
6. **DISTRICT** MEANS THE BEATTY WATER AND SANITATION DISTRICT.
7. **GARBAGE** MEANS SOLID WASTES FROM THE DOMESTIC AND COMMERCIAL PREPARATION, COOKING, AND DISPENSING OF FOOD, AND FROM THE HANDLING, STORAGE AND SALE OF PRODUCE.
8. **INDUSTRIAL WASTES** MEANS THE LIQUID WASTES FROM INDUSTRIAL MANUFACTURING PROCESSES, TRADE OR BUSINESS, AS DISTINCT FROM SANITARY SEWAGE.
9. **NATURAL OUTLET** MEANS ANY OUTLET INTO A WATERCOURSE, POND, DITCH, LAKE, OR OTHER BODY OF SURFACE OR GROUND WATER.
10. **PERSON** MEANS ANY INDIVIDUAL, FIRM, COMPANY, ASSOCIATION, SOCIETY, CORPORATION OR GROUP.

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DEFINITIONS

REGULATION NUMBER 1

11. **pH** MEANS THE LOGARITHM OF THE RECIPROCAL OF THE WEIGHT OF HYDROGEN IONS IN GRAMS PER LITER OF SOLUTION.
12. **PROPERLY SHREDDED GARBAGE** MEANS THE WASTES FROM THE PREPARATION, COOKING AND DISPENSING OF FOOD THAT HAS BEEN SHREDDED TO SUCH A DEGREE THAT ALL PARTICLES WILL BE CARRIED FREELY UNDER THE FLOW CONDITIONS NORMALLY PREVAILING IN PUBLIC SEWERS, WITH NO PARTICLE GREATER THAN ONE-HALF INCH IN ANY DIMENSION.
13. **PUBLIC SEWER** MEANS A SEWER IN WHICH ALL OWNERS OF ABUTTING PROPERTIES HAVE EQUAL RIGHTS, AND IS CONTROLLED BY PUBLIC AUTHORITY.
14. **SANITARY SEWER** MEANS A SEWER WHICH CARRIES SEWAGE TO WHICH STORM, SURFACE AND GROUND WATERS ARE NOT INTENTIONALLY ADMITTED.
15. **SEWAGE** MEANS A COMBINATION OF THE WATER-CARRIED WASTES FROM RESIDENCES, BUSINESS BUILDINGS, INSTITUTIONS AND INDUSTRIAL ESTABLISHMENTS, TOGETHER WITH SUCH GROUND, SURFACE AND STORM WATERS AS MAY BE PRESENT.
16. **SANITARY SEWAGE** MEANS A COMBINATION OF THE WATER-CARRIED WASTES FROM RESIDENCES, BUSINESS BUILDINGS, INSTITUTIONS AND INDUSTRIAL ESTABLISHMENTS, BUT NOT INCLUDING CHEMICAL OR INDUSTRIAL WASTES OR GROUND, SURFACE AND STORM WATERS.
17. **SEWAGE TREATMENT PLANT** MEANS ANY ARRANGEMENT OF DEVICES AND STRUCTURES USED FOR TREATING SEWAGE.
18. **SEWAGE WORKS** MEANS ALL FACILITIES FOR COLLECTING, PUMPING, TREATING AND DISPOSING OF SEWAGE.
19. **SEWER** MEANS A PIPE OR CONDUIT FOR CARRYING SEWAGE.
20. **SHALL** IS MANDATORY; **MAY** IS PERMISSIVE.
21. **SLUG** MEANS ANY DISCHARGE OF WATER, SEWAGE OR INDUSTRIAL WASTE WHICH IN CONCENTRATION OR ANY GIVEN CONSTITUENT OR IN QUANTITY OF FLOW EXCEEDS FOR ANY PERIOD OF DURATION LONGER THAN *FIFTEEN* (15) MINUTES MORE THAN FIVE TIMES THE AVERAGE 24-HOUR CONCENTRATION OR FLOWS DURING NORMAL OPERATION.

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DEFINITIONS

REGULATION NUMBER 1

22. **STORM DRAINS** (SOMETIMES TERMED “*STORM SEWERS*”) MEANS A SEWER WHICH CARRIES STORM AND SURFACE WATERS AND DRAINAGE, BUT EXCLUDES SANITARY SEWAGE AND INDUSTRIAL WASTES OTHER THAN UNPOLLUTED COOLING WATER.
23. **SUSPENDED SOLIDS** MEANS SOLIDS THAT EITHER FLOAT ON THE SURFACE OF, OR ARE IN SUSPENSION IN, WATER, SEWAGE OR OTHER LIQUIDS, AND WHICH ARE REMOVABLE BY LABORATORY FILTERING.
24. **WATERCOURSE** MEANS A CHANNEL IN WHICH A FLOW OF WATER OCCURS, EITHER CONTINUOUSLY OR INTERMITTENTLY.
25. **DESIGN AND CONSTRUCTION OF SANITARY AND STORM SEWERS** MEANS A MANUAL OF PRACTICE PREPARED BY A JOINT COMMITTEE OF THE AMERICAN SOCIETY OF CIVIL ENGINEERS (NO. 39) AND THE WATER POLLUTION CONTROL FEDERATION (NO. 9).
26. **SIDE SEWER CONNECTION** MEANS A BRANCH LINE TO PRIVATE PROPERTY OFF THE MAIN LINE OF THE DISTRICT WHICH MAY SERVE ONE OR MORE UNITS BY CONDUCTING SEWAGE FROM THE PROPERTY TO THE DISTRICT SEWAGE LINE.

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DESCRIPTION OF SERVICE

REGULATION NUMBER 2

A. QUANTITIES

THE UTILITY WILL SUPPLY SANITARY SEWER SERVICE FROM THE CUSTOMER'S SERVICE CONNECTION LINE, DEPENDABLY AND SAFELY, IN ADEQUATE QUANTITIES TO MEET THE REASONABLE NEED AND REQUIREMENTS OF ITS CUSTOMERS.

B. BILLING

THE MONTHLY CHARGES IMPOSED BY REGULATION NUMBER 16, SUBSECTION 2, SHALL BE EFFECTIVE ON THE FIRST BILLING PERIOD, FOLLOWING THE EFFECTIVE DATE OF THE RATES. IN THE EVENT A SERVICE IS DISCONTINUED, OR A PARTIAL SERVICE IS DISCONTINUED, THE DISTRICT SHALL REQUIRE ALL THE DISCONTINUED SERVICE CONNECTIONS TO BE PLUGGED AND SEALED.

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APPLICATION FOR SERVICE

REGULATION NUMBER 3

A. APPLICATION FOR SERVICE

1. CONTENT

EACH APPLICANT FOR SERVICE SHALL BE REQUIRED TO SIGN, ON A FORM PROVIDED BY THE UTILITY, AN APPLICATION AND/OR WILL SERVE AS APPROPRIATE AND WILL SET FORTH AS APPLICABLE THE FOLLOWING:

- a. DATE AND PLACE OF APPLICATION
- b. LOCATION FOR PREMISES TO BE SERVED
- c. SIZE AND LOCATION OF WATER SERVICE
- d. NUMBER OF UNITS APPLIED FOR
- e. DATE APPLICATION WILL BE READY FOR SERVICE
- f. PURPOSES FOR WHICH SERVICE IS TO BE USED
- g. ADDRESS TO WHICH BILLS ARE TO BE MAILED OR DELIVERED
- h. WHETHER APPLICANT IS OWNER OR TENANT OF, OR AGENT FOR, THE PREMISES
- i. DEPOSIT AND UNIT FEES AS APPLICABLE
- j. SUCH INFORMATION AS THE UTILITY MAY REASONABLY REQUIRE
- k. PLANS OR PARCEL MAP AS APPLICABLE DETAILING UNIT COUNT
- l. THE APPLICATION OR THE DEPOSITING OF ANY SUM OF MONEY BY THE APPLICANT SHALL NOT REQUIRE THE UTILITY TO RENDER SERVICE UNTIL THE EXPIRATION OF SUCH TIME AS MAY BE REASONABLY REQUIRED BY THE UTILITY TO RENDER SERVICE UNTIL THE EXPIRATION OF SUCH TIME AS MAY BE REASONABLY REQUIRED BY THE UTILITY TO DETERMINE IF THE APPLICANT HAS COMPLIED WITH THE PROVISIONS OF THESE RULES AND REGULATIONS AND AS MAY REASONABLY BE REQUIRED BY THE UTILITY TO INSTALL THE REQUIRED SERVICE FACILITIES.

2. PURPOSE

THE APPLICATION OR WILL SERVE IS MERELY A WRITTEN REQUEST FOR SERVICE AND DOES NOT BIND THE APPLICANT TO TAKE SERVICE FOR A PERIOD OF TIME LONGER THAN THAT UPON WHICH THE MINIMUM CHARGE OR READINESS TO SERVE CHARGE OF THE APPLICABLE RATE SCHEDULE IS BASED; NEITHER DOES IT BIND THE UTILITY TO SERVE EXCEPT UNDER REASONABLE CONDITIONS.

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APPLICATION FOR SERVICE

REGULATION NUMBER 3

B. INDIVIDUAL LIABILITY FOR JOINT SERVICE

TWO OR MORE PARTIES WHO JOIN IN ONE APPLICATION FOR SERVICE SHALL BE JOINTLY AND SEVERALLY LIABLE FOR PAYMENT OF BILLS AND SHALL BE BILLED BY MEANS OF SINGLE PERIODIC BILLS.

C. CHANGE IN CUSTOMERS EQUIPMENT OR OPERATIONS

A CUSTOMER MAKING ANY MATERIAL CHANGE IN THE SIZE, CHARACTER OR EXTENT OF THE EQUIPMENT OR OPERATION FOR WHICH THE UTILITY'S SERVICE IS UTILIZED SHALL IMMEDIATELY FILE WITH THE UTILITY A NEW WILL SERVE FOR ADDITIONAL SERVICE.

D. SPECIAL CASES

THE UTILITY WILL REQUIRE A WRITTEN CONTRACT WITH A SPECIAL GUARANTEE FROM ANY APPLICANTS WHOSE UNUSUAL CHARACTERISTICS OF LOAD WOULD REQUIRE AN EXCESSIVE INVESTMENT IN FACILITIES OR WHOSE REQUIREMENTS FOR SERVICE ARE OF A SPECIAL NATURE.

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NOTICES

REGULATION NUMBER 4

A. NOTICE TO CUSTOMERS

1. IN WRITING

NOTICE TO A CUSTOMER WILL NORMALLY BE IN WRITING AND WILL BE DELIVERED OR MAILED TO THE CUSTOMER'S LAST KNOWN ADDRESS.

2. EXCEPTION

IN EMERGENCIES OR WHEN CIRCUMSTANCES WARRANT, THE UTILITY, WHERE FEASIBLE, WILL ENDEAVOR TO PROMPTLY NOTIFY THE CUSTOMER AFFECTED AND MAY MAKE SUCH NOTIFICATION ORALLY, EITHER IN PERSON OR BY TELEPHONE.

B. NOTICE FROM CUSTOMERS

A CUSTOMER MAY MAKE NOTIFICATION IN WRITING TO THE UTILITY AT ITS MAILING ADDRESS.

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PRESENTATION AND PAYMENT OF BILLS

REGULATION NUMBER 5

- A.** EACH PROPERTY WHICH IS FURNISHED SERVICE BY THE UTILITY SHALL BE CHARGED FOR SUCH SERVICE IN ACCORDANCE WITH THE EFFECTIVE RATES AND CHARGES.
- B.** ALL STATEMENTS FOR SEWAGE RATES AND CHARGES SHALL BE PRESENTED MONTHLY BY THE UTILITY AND SHALL BECOME DUE AND PAYABLE AT THE PLACE DESIGNATED BY THE UTILITY ON OR BEFORE THE *TENTH* (10) DAY OF THE MONTH AND SHALL BECOME DELINQUENT THEREAFTER. CHARGES FOR SERVICE SHALL BEGIN TO ACCRUE THE DAY ON WHICH SERVICE BECOMES AVAILABLE. THE UTILITY, IN ACCORDANCE WITH NRS 318.197, P. 6, SHALL COLLECT ALL CHARGES FOR WATER AND SEWER SERVICE TOGETHER. SUCH CHARGES SHALL BE BILLED UPON THE SAME BILL AND COLLECTED AS ONE ITEM.

C. PRESENTATION OF BILLS

BILLS FOR SERVICE WILL BE PRESENTED TO EACH CUSTOMER ON A MONTHLY BASIS. THE UTILITY MAY BILL THE CUSTOMER FOR THE ESTIMATED USE OF SERVICE DURING THE BILLING PERIOD.

1. FLAT RATE SERVICE

- a.** THE OPENING BILL FOR FLAT RATE SERVICE WILL BE THE ESTABLISHED MONTHLY CHARGE FOR THE SERVICE, AND IN ADDITION, A CONNECTION CHARGE, RECONNECTION CHARGE, OR REINSTALLATION CHARGE, WHICHEVER IS APPLICABLE.
- b.** FOR BILLING PERIODS OTHER THAN MONTHLY, THE CHARGE FOR FLAT RATE SERVICE WILL BE COMPUTED BY MULTIPLYING THE MONTHLY CHARGE BY THE NUMBER OF MONTHS IN THE BILLING PERIOD.

2. PRORATION OF BILLS

- a.** THE CHARGES APPLICABLE TO OPENING PERIODS, CLOSING BILLS AND BILLS PRESENTED FOR PERIODS CORRESPONDING TO LESS THAN *TWENTY-SEVEN* (27) DAYS OR MORE THAN *THIRTY-THREE* (33) DAYS FOR MONTHLY BILLING PERIODS WILL BE COMPUTED AS FOLLOWS.

(1) FLAT RATE SERVICE

THE BILLING PERIOD CHARGE WILL BE PRORATED ON THE BASIS OF THE RATIO OF THE NUMBER OF DAYS IN THE PERIOD TO THE NUMBER OF DAYS IN AN AVERAGE BILLING PERIOD.

(2) AVERAGE BILLING PERIOD

THE NUMBER OF DAYS IN AN AVERAGE MONTHLY BILLING PERIOD IS DEFINED AS *THIRTY* (30) DAYS.

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PRESENTATION AND PAYMENT OF BILLS

REGULATION NUMBER 5

D. PAYMENT OF BILLS

BILLS FOR SERVICE ARE DUE AND PAYABLE UPON PRESENTATION AND PAYMENT MAY BE MADE AT ANY COMMERCIAL OFFICE OF THE UTILITY, TO ANY REPRESENTATIVE OF THE UTILITY AUTHORIZED TO MAKE COLLECTIONS OR BY MAIL. PAYMENT OF CLOSING BILLS SHALL BE MADE AT THE TIME OF PRESENTATION OR MAY BE DEDUCTED FROM THE CUSTOMER DEPOSIT AS APPLICABLE.

E. PENALTIES

THE UTILITY SHALL, IN ACCORDANCE WITH NRS 318.197 P. 5, ADD A *TEN PERCENT* (10%) PENALTY TO EACH MONTHLY PAYMENT WHICH HAS BECOME DELINQUENT. BILLS WILL BE CONSIDERED DELINQUENT IF NOT RECEIVED BY THE 10TH OF THE MONTH FOLLOWING PURCHASE. THE UNITED STATE POSTAL SERVICE CANCELLATION SHALL DETERMINE PAYMENT DATE ON BILLS THAT ARE MAILED.

F. RETURNED CHECKS

1. WHEN A CHECK IS RETURNED FOR INSUFFICIENT FUNDS, THE FOLLOWING SHALL APPLY:
 - a. THE RETURNED CHECK SHALL NOT BE RESUBMITTED FOR PAYMENT.
 - b. A *TWENTY DOLLAR* (\$20.00) SERVICE FEE SHALL BE CHARGED TO THE CUSTOMER.
 - c. THE CUSTOMER SHALL BE NOTIFIED IN WRITING THAT THE CHECK AND SERVICE FEE AMOUNT SHALL BE REMITTED WITHIN TEN DAYS.
 - d. THE CHECK AND SERVICE FEE AMOUNT SHALL BE REMITTED BY CASH, MONEY ORDER, OR CASHIERS CHECK ONLY.
 - e. IF THE CHECK THAT WAS RETURNED WAS FOR A LATE PAYMENT, THE CUSTOMER SHALL BE NOTIFIED OF THE RETURNED CHECK BY PHONE, OR DOOR HANGER AND GIVEN *FIVE* (5) DAYS FOR PAYMENT OF THE RETURNED CHECK AND SERVICE FEE AFTER THE FIVE DAY PERIOD PAYMENT IS NOT RECEIVED, THE ACCOUNT SHALL BE DISCONNECTED AND NORMAL RECONNECT FEES SHALL BE ASSESSED.

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DISCONTINUANCE AND RESTORATION OF SERVICE

REGULATION NUMBER 6

A. CUSTOMER REQUEST FOR DISCONTINUANCE OF SERVICE

1. A CUSTOMER MAY HAVE SERVICE DISCONTINUED BY GIVING NOT LESS THAN *FIVE* (5) DAYS ADVANCE WRITTEN NOTICE THEREOF TO THE UTILITY. CHARGES FOR SERVICES MAY BE REQUIRED TO BE PAID UNTIL THE REQUESTED DATE OF DISCONTINUANCE OR SUCH LATER DATE AS WILL PROVIDE NOT LESS THAN THE REQUIRED *FIVE* (5) DAYS ADVANCE NOTICE.
2. WHEN SUCH NOTICE IS NOT GIVEN, THE CUSTOMER WILL BE REQUIRED TO PAY FOR SERVICE UNTIL *FIVE* (5) DAYS AFTER THE UTILITY HAS KNOWLEDGE THAT THE CUSTOMER HAS VACATED THE PREMISES OR OTHERWISE HAS DISCONTINUED WATER SERVICE.

B. DISCONTINUANCE OF SERVICE BY THE UTILITY

1. FOR NONPAYMENT OF BILLS

A CUSTOMER'S SERVICE MAY BE DISCONTINUED FOR NONPAYMENT OF A BILL FOR SERVICE FURNISHED IF THE BILL IS NOT PAID WITHIN *FIFTEEN* (15) DAYS AFTER PRESENTATION, PROVIDED THE UTILITY HAS GIVEN THE CUSTOMER AT LEAST *FIVE* (5) DAYS PRIOR WRITTEN NOTICE OF SUCH INTENTION.

2. FOR NONCOMPLIANCE WITH RULES

THE UTILITY MAY DISCONTINUE SERVICE TO ANY CUSTOMER FOR VIOLATION OF THESE RULES AFTER IT HAS GIVEN THE CUSTOMER AT LEAST *FIVE* (5) DAYS WRITTEN NOTICE OF SUCH INTENTION. WHERE THE SAFETY OF THE WATER SUPPLY IS ENDANGERED, SERVICE MAY BE DISCONTINUED OR CURTAILED IMMEDIATELY WITHOUT NOTICE.

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DISCONTINUANCE AND RESTORATION OF SERVICE

REGULATION NUMBER 6

3. FOR UNSAFE APPARATUS OR WHERE SERVICE IS DETRIMENTAL OR DAMAGING TO THE UTILITY OR ITS CUSTOMER

IF ANY UNSAFE OR HAZARDOUS CONDITION IS FOUND TO EXIST ON THE CUSTOMER'S PREMISES OR IF THE USE OF SEWER THERON BY APPARATUS, APPLIANCE, EQUIPMENT OR OTHERWISE, IS FOUND TO BE DETRIMENTAL OR DAMAGING TO THE UTILITY OR ITS CUSTOMERS, THE SERVICE MAY BE SHUT OFF WITHOUT NOTICE. THE UTILITY WILL NOTIFY THE CUSTOMER IMMEDIATELY OF THE REASONS FOR THE DISCONTINUANCE AND THE CORRECTIVE ACTION TO BE TAKEN BY THE CUSTOMER BEFORE SERVICE CAN BE RESTORED.

4. FRAUDULENTLY OBTAINED SEWER SERVICE

WHEN THE UTILITY HAS DISCOVERED THAT A CUSTOMER HAS OBTAINED SERVICE BY FRAUDULENT MEANS OR HAS UTILIZED THE SEWER SERVICE FOR UNAUTHORIZED USE, THE SERVICE TO THAT CUSTOMER MAY BE DISCONTINUED WITHOUT NOTICE. THE UTILITY WILL NOT RESTORE SERVICE TO SUCH CUSTOMER UNTIL THE CUSTOMER, HAS COMPLIED WITH ALL RULES AND REGULATIONS AD REASONABLE REQUIREMENTS OF THE UTILITY AND THE UTILITY HAS BEEN REIMBURSED FOR THE FULL AMOUNT OF THE SERVICE RENDERED AND THE ACTUAL COST INCURRED BY REASON OF FRAUDULENT USE. IN THE CASE OF THEFT OF UTILITIES, THE UTILITY MAY PROSECUTE THE OFFENDER TO THE FULLEST EXTENT ALLOWABLE BY LAW.

C. RESTORATION OF SERVICE

1. RECONNECTION CHARGES

- a. WHERE SERVICE HAS BEEN DISCONNECTED BY REQUEST, THE UTILITY SHALL CHARGE NOT LESS THAT *TEN DOLLARS* (\$10.00) FOR RECONNECTION DURING REGULAR WORKING HOURS, OR *NINETY DOLLARS* (\$90.00) AT OTHER THAN WORKING HOURS WHEN THE CUSTOMER HAS REQUESTED THAT THE RECONNECTION BE MADE AT OTHER THAN REGULAR WORKING HOURS.
- b. WHERE SERVICE HAS BEEN DISCONTINUED FOR VIOLATION OF REGULATION 6 ITEMS 1, 2, 3, 4, OR FOR THE NON-PAYMENT OF BILLS, THE UTILITY SHALL CHARGE NO LESS THAN *FIFTY DOLLARS* (\$50.00) FOR RECONNECTION DURING REGULAR WORKING HOURS; OR *NINETY DOLLARS* (\$90.00) FOR RECONNECTION OF SERVICE AT OTHER THAN WORKING HOURS WHEN THE CUSTOMER HAS REQUESTED THAT THE RECONNECTION BE MADE AT OTHER THAN REGULAR WORKING HOURS. ANY TIME PERSONNEL OF THE UTILITY ARE REQUIRED TO GO TO THE RESIDENCE OR BUSINESS TO COLLECT PAYMENT OR DISCONTINUE SERVICE THE UTILITY SHALL CHARGE A DOOR FEE OF *TEN DOLLARS* (\$10.00).

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DISCONTINUANCE AND RESTORATION OF SERVICE

REGULATION NUMBER 6

2. TO BE MADE DURING REGULAR WORKING HOURS

THE UTILITY WILL ENDEAVOR TO MAKE RECONNECTIONS DURING REGULAR WORKING HOURS ON THE DAY OF THE REQUEST, IF CONDITIONS PERMIT, OTHERWISE, RECONNECTIONS WILL BE MADE ON THE REGULAR WORKING DAY FOLLOWING THE DAY THE REQUEST IS MADE.

3. TO BE MADE AT OTHER THAN REGULAR WORKING HOURS

WHEN A CUSTOMER HAS REQUESTED THAT THE RECONNECTION, HE MADE AT OTHER THAN REGULAR WORKING HOURS, THE UTILITY WILL REASONABLY ENDEAVOR TO MAKE THE RECONNECTION IF PRACTICABLE UNDER THE CIRCUMSTANCES, BUT WILL BE UNDER NO OBLIGATION TO DO SO.

D. REFUSAL TO SERVE

1. CONDITIONS FOR REFUSAL

THE UTILITY MAY REFUSE TO SERVE AN APPLICANT FOR SERVICE UNDER THE FOLLOWING CONDITIONS

- a. IF THE APPLICANT FAILS TO COMPLY WITH ANY OF THE RULES AND REGULATIONS OF THE UTILITY.
- b. IF THE INTENDED USE OF THE SERVICE IS OF SUCH A NATURE THAT IT WILL BE DETRIMENTAL OR INJURIOUS TO EXISTING CUSTOMERS.
- c. IF, IN THE JUDGMENT OF THE UTILITY, THE APPLICANT'S INSTALLATION FOR UTILIZING THE SERVICE IS UNSAFE, HAZARDOUS, SUBJECT TO FREEZING OR OF SUCH NATURE THAT SATISFACTORY SERVICE CANNOT BE RENDERED.
- d. WHERE SERVICE HAS BEEN DISCONTINUED FOR FRAUDULENT USE, THE UTILITY WILL NOT SERVE AN APPLICANT UNTIL IT HAS DETERMINED THAT ALL CONDITIONS OF FRAUDULENT USE OR PRACTICE HAVE BEEN CORRECTED.

2. NOTIFICATION OF CUSTOMERS

WHEN AN APPLICANT IS REFUSED SERVICE UNDER THE PROVISIONS OF THIS RULE, THE UTILITY WILL NOTIFY THE APPLICANT PROMPTLY OF THE REASON FOR THE REFUSAL TO SERVE.

BEATTY WATER & SANITATION DISTRICT

RULES & REGULATIONS

WASTEWATER

JANUARY 1999

INFORMATION AVAILABLE TO THE PUBLIC

REGULATION NUMBER 7

A. GENERAL INFORMATION

THE UTILITY WILL MAINTAIN OPEN FOR PUBLIC INSPECTION AT ITS MORE IMPORTANT OFFICES, PERTINENT INFORMATION REGARDING THE SERVICE RENDERED, INCLUDING THE FOLLOWING:

1. CHARACTERISTIC OF SANITARY SEWER SERVICE

A DESCRIPTION IN WRITING OF THE KIND OF SERVICE TO BE FURNISHED, INCLUDING THE MANNER OF TREATMENT.

2. RATES AND RULES

A COPY OF THE RULES AND REGULATIONS CONSISTING OF RATES, GENERAL RULES OF THE UTILITY, SERVICE AREA MAPS AND FORMS OF CONTRACTS AND APPLICATIONS APPLICABLE TO THE TERRITORY SERVED FROM THAT OFFICE.

B. NEW OR REVISED RATES

SHOULD NEW OR REVISED RATES BE ESTABLISHED ACCORDING TO LAW, THE UTILITY WILL DULY NOTIFY ALL CUSTOMERS AFFECTED.

BEATTY WATER & SANITATION DISTRICT

RULES & REGULATIONS

WASTEWATER

JANUARY 1999

CONTINUITY OF SERVICE

REGULATION NUMBER 8

A. EMERGENCY INTERRUPTIONS

1. THE UTILITY WILL MAKE ALL REASONABLE EFFORTS TO PREVENT INTERRUPTIONS TO SERVICE AND, WHEN SUCH INTERRUPTIONS OCCUR, WILL ENDEAVOR TO RE-ESTABLISH SERVICE WITH THE SHORTEST POSSIBLE DELAY CONSISTENT WITH THE SERVICE TO ITS CUSTOMERS AND THE GENERAL PUBLIC.
2. THE UTILITY WILL NOT BE LIABLE FOR INTERRUPTION OR SHORTAGE OR INSUFFICIENCY OR INSUFFICIENCY OF SUPPLY OR ANY LOSS OR DAMAGE OF ANY KIND OR CHARACTER OCCASIONED THEREBY, IF SAME IS CAUSED BY ACT OF GOD, FIRE, STRIKE, RIOT, WAR, ACCIDENT, BREAKDOWN, ACTION BY GOVERNMENTAL BODY OR ANY OTHER CAUSE BEYOND THE CONTROL OF THE UTILITY.

B. SCHEDULED INTERRUPTIONS

1. WHENEVER THE UTILITY FINDS IT NECESSARY TO SCHEDULE AN INTERRUPTION TO ITS SERVICE, IT WILL, WHERE FEASIBLE, NOTIFY ALL CUSTOMERS TO BE AFFECTED BY THE INTERRUPTION, STATING THE APPROXIMATE TIME AND ANTICIPATED DURATION OF THE INTERRUPTION. SCHEDULED INTERRUPTIONS WILL BE MADE AT SUCH HOURS AS WILL PROVIDE LEAST INCONVENIENCE TO THE CUSTOMER CONSISTENT WITH REASONABLE UTILITY OPERATIONS.

BEATTY WATER & SANITATION DISTRICT

RULES & REGULATIONS

WASTEWATER

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ESTABLISHMENT AND RE-ESTABLISHMENT OF CREDIT

REGULATION NUMBER 9

A. ESTABLISHMENT OF CREDIT

EACH APPLICANT APPLYING FOR SERVICE WILL BE REQUIRED TO ESTABLISH CREDIT, WHICH WILL BE DEEMED ESTABLISHED UPON QUALIFYING UNDER ANY ONE OF THE FOLLOWING:

1. APPLICANT MAKES THE DEPOSIT PRESCRIBED IN REGULATION NUMBER 10 UNDER "DEPOSITS"
2. APPLICANT ARRANGES A GUARANTOR SATISFACTORY TO THE UTILITY FOR THE PAYMENT OF THE APPLICANT'S BILLS FOR SERVICE
3. APPLICANT HAS BEEN A CUSTOMER OF THE UTILITY AND, DURING THE LAST *TWELVE* (12) CONSECUTIVE MONTHS OF THAT PRIOR SERVICE, HAS PAID ALL BILLS FOR SERVICE WITHOUT HAVING BEEN LATE WITH ANY PAYMENT OR DISCONNECTED FOR NONPAYMENT THEREOF.

B. RE-ESTABLISHMENT OF CREDIT

1. AN **APPLICANT** WHO PREVIOUSLY HAS BEEN A CUSTOMER OF THE UTILITY AND DURING THE LAST *TWELVE* (12) MONTHS OF THAT PRIOR SERVICE, HAS HAD SERVICE DISCONTINUED FOR NONPAYMENT OF BILLS, WILL BE REQUIRED TO PAY ANY UNPAID BALANCE DUE THE UTILITY BEFORE SERVICE IS TO BE STARTED AND WILL BE REQUIRED TO RE-ESTABLISH CREDIT BY MAKING THE DEPOSIT PRESCRIBED IN REGULATION NUMBER 10 UNDER "DEPOSITS".
2. A **CUSTOMER** WHOSE SERVICE HAS BEEN DISCONTINUED FOR NONPAYMENT OF BILLS WILL BE REQUIRED TO PAY ANY UNPAID BALANCE DUE THE UTILITY FOR THE PREMISE FOR WHICH SERVICE IS TO BE RESTORED AND WILL BE REQUIRED TO PAY A RECONNECTION CHARGE AS PRESCRIBED IN RULE 6 UNDER "DISCONTINUANCE AND RESTORATION OF SERVICE" AND MAY BE REQUIRED TO RE-ESTABLISH CREDIT BY MAKING THE DEPOSIT PRESCRIBED IN REGULATION NUMBER 10 UNDER "DEPOSITS" BEFORE SERVICE IS RESTORED.

BEATTY WATER & SANITATION DISTRICT

RULES & REGULATIONS

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DEPOSITS

REGULATION NUMBER 10

A. AMOUNT TO ESTABLISH OR RE-ESTABLISH CREDIT

THE AMOUNT OF THE DEPOSIT SHALL BE A THE DISCRETION OF THE UTILITY AND IS SUBJECT TO CHANGE IF *FOUND* TO BE *INSUFFICIENT*. NO DEPOSIT SHALL BE LESS THAN **ONE HUNDRED FIFTY DOLLARS** (\$150.00). NO DEPOSIT SHALL BE HIGHER THAN DOUBLE THE HIGHEST NORMAL USAGE MONTH IN THE PRECEDING 12 MONTH PERIOD.

B. APPLICABILITY TO UNPAID ACCOUNTS

DEPOSITS MADE UNDER THIS RULE WILL BE APPLIED TO UNPAID BILLS FOR SERVICE WHEN SUCH SERVICE HAS BEEN DISCONTINUED.

C. RETURN OF DEPOSITS

UPON DISCONTINUANCE OF SERVICE, THE UTILITY WILL REFUND THE BALANCE OF THE CUSTOMER'S DEPOSIT IN EXCESS OF THE UNPAID BILLS FOR THAT SERVICE FOR WHICH THE DEPOSIT WAS MADE.

D. INTEREST ON DEPOSIT AND REFUNDS

INTEREST AT THE RATE PROVIDED BY NRS 704.655 WILL BE PAID ON OUTSTANDING ACTIVE CUSTOMER DEPOSITS HELD BY THE UTILITY FROM THE DATE OF DEPOSIT UNTIL THE DATE OF SETTLEMENT OR WITHDRAWAL OF DEPOSIT. SHOULD SUCH DEPOSITS BE HELD BY THE UTILITY FOR A PERIOD OF ONE YEAR OR MORE AND THE DEPOSITOR CONTINUES TO BE CUSTOMER, THE INTEREST ON SAID DEPOSIT SHALL BE APPLIED ON CURRENT BILLS OR RETURNED TO THE DEPOSITOR IN CASH, AS THE DEPOSITOR MAY DESIRE.

BEATTY WATER & SANITATION DISTRICT

RULES & REGULATIONS

WASTEWATER

JANUARY 1999

DISPUTED BILLS

REGULATION NUMBER 11

IN THE CASE OF A DISPUTE BETWEEN A CUSTOMER AND THE UTILITY AS TO THE CORRECT AMOUNT OF ANY BILL RENDERED BY THE UTILITY FOR WATER SERVICE FURNISHED TO THE CUSTOMER, THE CUSTOMER WILL DEPOSIT WITH THE UTILITY THE AMOUNT CLAIMED BY THE UTILITY TO BE DUE.

FAILURE ON THE PART OF THE CUSTOMER TO MAKE SUCH DEPOSIT WITHIN THE NORMAL PAYMENT SCHEDULE USED BY THE UTILITY FOR THEIR REGULAR BILLING, SHALL WARRANT THE UTILITY IN DISCONTINUING THE SERVICE TO THE CUSTOMER WITHOUT FURTHER NOTICE.

IN THE EVENT OF DISPUTE BETWEEN THE CUSTOMER AND THE UTILITY RESPECTING ANY BILL, CHARGE, OR SERVICE, THE UTILITY SHALL FORTH WITH TAKE SUCH INVESTIGATION AS SHALL BE REQUIRED BY THE PARTICULAR CASE AND REPORT THE RESULT THEREOF TO THE CUSTOMER.

IN THE EVENT THAT THE COMPLAINT CANNOT BE SATISFACTORILY RESOLVED, THE CUSTOMER HAS THE OPTION OF PRESENTING THE CASE TO THE BOARD OF TRUSTEES OF THE BEATTY WATER & SANITATION DISTRICT AT A REGULARLY SCHEDULED MEETING OF THAT BOARD.

BEATTY WATER & SANITATION DISTRICT

RULES & REGULATIONS

WASTEWATER

JANUARY 1999

PRIVATE SEWAGE DISPOSAL

REGULATION NUMBER 12

WHERE A PUBLIC SANITARY SEWER WITHIN THE DISTRICT IS NOT AVAILABLE, AND THE LOCATION AND REQUIREMENTS OF THE APPLICANT DO NOT CONFLICT WITH NAC 44.786 ET. SEQ., THE BUILDING SEWER SHALL BE CONNECTED TO A PRIVATE SEWAGE DISPOSAL SYSTEM IN COMPLIANCE WITH THE LAWS OF THE NEVADA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE REGULATIONS OF THE HEALTH DIVISION OF THE DEPARTMENT OF HUMAN RESOURCES OF THE STATE OF NEVADA.

AT SUCH TIME AS WASTEWATER FACILITIES ARE EXTENDED TO A POINT WHERE THE REQUIREMENTS OF NAC 44.786 COME INTO EFFECT, THE CUSTOMER SHALL BE REQUIRED TO CONNECT TO PUBLIC SANITARY SEWER.

BEATTY WATER & SANITATION DISTRICT

RULES & REGULATIONS

WASTEWATER

JANUARY 1999

BUILDING SEWERS AND CONNECTIONS

REGULATION NUMBER 13

1. NO UNAUTHORIZED PERSON SHALL UNCOVER, MAKE ANY CONNECTIONS WITH OR OPENING INTO, USE ALTER OR DISTURB ANY PUBLIC SEWER OR APPURTENANCE THEREOF WITHOUT FIRST OBTAINING A WRITTEN PERMIT FROM THE UTILITY.
2. AN OWNER DESIRING TO MAKE A CONNECTION TO A PUBLIC SEWER, SHALL MAKE APPLICATION FOR A WILL SERVE ON A FORM FURNISHED BY THE UTILITY. THE WILL SERVE APPLICATION SHALL BE SUPPLEMENTED BY ANY PLANS, SPECIFICATIONS OR OTHER INFORMATION CONSIDERED PERTINENT IN TH JUDGEMENT OF THE UTILITY. THE CONNECTION CHARGE REQUIRED BY REGULATION NUMBER 13-9 SHALL BE PAID BY THE OWNER TO THE UTILITY PRIOR TO HIS OBTAINING A BUILDING PERMIT AND BEFORE THE CONNECTION PERMIT IS ISSUED.
3. ALL COSTS AND EXPENSE RELATED TO THE INSTALLATION AND CONNECTION OF THE BUILDING SEWER, INCLUDING INSPECTION AND ENGINEERING COSTS, SHALL BE BORNE BY THE OWNER. THE OWNER SHALL INDEMNIFY THE UTILITY FROM ANY LOSS OR DAMAGE THAT MAY DIRECTLY OR INDIRECTLY BE CAUSED BY THE INSTALLATION OF THE BUILDING SEWER.
4. EXCEPT AS HEREIN OTHERWISE PROVIDED, A SEPARATE AND INDEPENDENT BUILDING SEWER SHALL BE PROVIDED FOR EVERY BUILDING. WHERE ONE BUILDING STANDS AT THE REAR OF ANOTHER ON AN INTERIOR LOT AND NO SEWER IS AVAILABLE OR CAN BE CONSTRUCTED TO THE REAR BUILDING THROUGH AN ADJOINING ALLEY, YARD OR DRIVEWAY, THE BUILDING SEWER FROM THE FRONT BUILDING MAY BE EXTENDED TO THE REAR BUILDING AS LONG AS THE APPROPRIATE EASEMENTS ARE EXECUTED.
5. OLD BUILDING SEWERS MAY BE USED IN CONNECTION WITH NEW BUILDINGS ONLY WHEN THEY ARE FOUND, UPON EXAMINATION AND TEST BY THE UTILITY, TO MEET ALL REQUIREMENTS OF THESE REGULATIONS.
6. WHENEVER POSSIBLE, THE BUILDING SEWER SHALL BE BROUGHT TO THE BUILDING AT AN ELEVATION BELOW THE BASEMENT FLOOR. IN ALL BUILDINGS IN WHICH ANY BUILDING DRAIN IS TOO LOW TO PERMIT GRAVITY FLOW TO THE PUBLIC SEWER, SANITARY SEWAGE CARRIED BY SUCH A BUILDING DRAIN SHALL BE LIFTED BY AN APPROVED MEANS AND DISCHARGED TO THE BUILDING SEWER. THE INSTALLATION, MAINTENANCE AND OPERATION OF SUCH A LIFTING DEVICE SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER.

BEATTY WATER & SANITATION DISTRICT

RULES & REGULATIONS

WASTEWATER

NOVEMBER 2014

BUILDING SEWERS AND CONNECTIONS

REGULATION NUMBER 13

7. THE CONNECTION OF THE BUILDING SEWER INTO THE SEWER MAIN SHALL CONFORM TO THE REQUIREMENTS OF THE UNIFORM PLUMBING CODE OR OTHER APPLICABLE REGULATIONS OF THE HEALTH DIVISION OF THE DEPARTMENT OF HUMAN RESOURCES OF THE STATE OF NEVADA, THE NEVADA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND NRS. 444.440 ET. SEQ., OR THE PROCEDURES SET FORTH IN APPROPRIATE SECTIONS OF THE DESIGN AND CONSTRUCTION OF SANITARY AND STORM SEWERS, AS APPLICABLE. ALL SUCH CONNECTIONS SHALL BE MADE GAS-TIGHT AND WATER-TIGHT. ANY DEVIATION FROM THE PRESCRIBED PROCEDURES AND MATERIALS MUST BE APPROVED BY THE UTILITY BEFORE INSTALLATION.
8. THE BUILDING DRAIN SHALL BE CONNECTED TO THE BUILDING SEWER ONLY AFTER THE OWNER HAS RECEIVED PERMISSION FROM THE UTILITY. THE CONNECTION SHALL BE MADE UNDER THE SUPERVISION OF THE UTILITY'S REPRESENTATIVE.
9. ALL CONNECTIONS BETWEEN THE UTILITY'S SEWER SYSTEM AND THE BUILDING SEWER SHALL BE MADE BY THE UTILITY. ALL COST FOR INSTALLING SAID CONNECTION SHALL BE PAID FOR BY THE OWNER. MAINTENANCE OF THE SEWER BETWEEN THE CLEANOUT OF THE BUILDING SEWER CONNECTION AND THE UTILITY'S SEWER TO THE PROPERTY LINE OF THE USER SHALL BE THE RESPONSIBILITY OF THE UTILITY.

RATES

SERVICE CONNECTION SIZE

CHARGE

4" (REQUIRES 1 SEWER UNIT MINIMUM)

\$800.00 PLUS \$1550.00 PER UNIT
CAPITAL IMPROVEMENT CHARGE

6" (REQUIRES 5 SEWER UNIT MINIMUM)

\$1000.00 PLUS \$7750.00
CAPITAL IMPROVEMENT CHARGE

THE ABOVE CHARGES WILL INCLUDE THE FIRST 50 FOOT OF LINE. ANY ADDITIONAL FOOTAGE REQUIRED SHALL BE CHARGED AT THE APPLICABLE RATE AT THE TIME OF CONSTRUCTION. THE WATER AND WASTEWATER CONNECTION FEES SHALL BE DETERMINED BY TIME, MATERIAL AND EQUIPMENT PLUS 10% CONTINGENCY AT THE TIME OF INSTALLATION. HIGHWAY CUT FEES WILL BE EQUAL TO THE FEE PAID BY THE DISTRICT TO NYE COUNTY PLUS 10% CONTINGENCY.

THERE SHALL BE AN ADDITIONAL \$1550.00 FOR CAPITAL IMPROVEMENTS ON EACH SEWER UNIT OVER THE BASE RATE. IF, IN THE FUTURE, ANY ADDITIONAL SEWER UNITS ARE NEEDED, A **WILL SERVE APPLICATION** FOR ADDITIONAL SERVICE SHALL BE SUBMITTED TO THE UTILITY WITH PAYMENT FOR CAPITAL IMPROVEMENT FEES, APPLICABLE PLANS AND ADDITIONAL SERVICE REQUESTED. ALL WILL SERVE APPLICATIONS MUST BE APPROVED BY THE BOARD AND MAY BE APPROVED ON A TIME SENSITIVE BASIS

BEATTY WATER & SANITATION DISTRICT

RULES & REGULATIONS

WASTEWATER

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USE OF THE PUBLIC SEWER

REGULATION NUMBER 14

- 1.** NO PERSON SHALL DISCHARGE OR CAUSE TO BE DISCHARGED ANY STORM WATER, SURFACE WATER, GROUNDWATER, ROOF RUNOFF, SUB-SURFACE DRAINAGE, UNCONTAMINATED COOLING WATER, SWIMMING POOL WATER OR UNPOLLUTED INDUSTRIAL PROCESS WATERS TO ANY SANITARY SEWER, EXCEPT AS AUTHORIZED BY THE BOARD OF TRUSTEES OF THE BEATTY WATER AND SANITATION DISTRICT. STORM WATER AND ALL OTHER UNPOLLUTED DRAINAGE SHALL BE DISCHARGED TO SUCH SEWERS AS ARE SPECIFICALLY DESIGNATED AS STORM SEWERS OR TO A NATURAL OUTLET.
- 2.** NO PERSON SHALL DISCHARGE OR CAUSE TO BE DISCHARGED ANY OF THE FOLLOWING DESCRIBED WATERS OR WASTES TO ANY PUBLIC SEWERS:
 - A.** ANY GASOLINE, CORROSIVE ACID, BENZENE, NAPHTHA, FUEL OIL, OR OTHER VOLATILE ORGANIC CHEMICALS, FLAMMABLE OR EXPLOSIVE LIQUID, SOLID OR GAS;
 - B.** ANY WATERS OR WASTES CONTAINING TOXIC OR POISONOUS SOLIDS, LIQUIDS OR GASES IN SUFFICIENT QUANTITY, EITHER SINGLY OR BY INTERACTION WITH OTHER WASTES, TO INJURE OR INTERFERE WITH ANY SEWAGE TREATMENT PROCESS, CONSTITUTE A HAZARD TO HUMANS OR ANIMALS, CREATE A PUBLIC NUISANCE, OR CREATE ANY HAZARD IN THE RECEIVING WATERS OR THE SEWAGE TREATMENT PLANT, INCLUDING BUT NOT LIMITED TO, CYANIDES IN EXCESS OF 2 MILLIGRAMS PER LITER AS CN IN THE WASTES AS DISCHARGED TO THE PUBLIC SEWER;
 - C.** ANY WATERS OR WASTES HAVING A pH LOWER THAN 5.5 OR HAVING ANY OTHER CORROSIVE PROPERTY CAPABLE OF CAUSING DAMAGE OR HAZARD TO STRUCTURES, EQUIPMENT AND PERSONNEL OF THE SEWAGE WORKS; AND
 - D.** SOLID OR VISCOUS SUBSTANCES IN QUANTITIES OR OF SUCH SIZE CAPABLE OF CAUSING OBSTRUCTIONS TO THE FLOW IN SEWERS, OR OTHER INTERFERENCE WITH THE PROPER OPERATION OF THE SEWAGE WORKS SUCH AS, BUT NOT LIMITED TO: ASHES, CINDERS, SAND, MUD, STRAW, SHAVINGS, METAL GLASS, RAGS, FEATHERS, TAR, PLASTICS, WOOD, UNGROUND GARBAGE, WHOLE BLOOD, PAUNCH MANURE, HAIR, FLESHING, ENTRAILS, PAPER AND STYROFOAM DISHES, CUPS AND MILK CONTAINERS, EITHER WHOLE OR GROUND BY GARBAGE GRINDERS.

BEATTY WATER & SANITATION DISTRICT

RULES & REGULATIONS

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USE OF THE PUBLIC SEWER

REGULATION NUMBER 14

3. NO PERSON SHALL DISCHARGE OR CAUSE TO BE DISCHARGED THE FOLLOWING DESCRIBED SUBSTANCE, MATERIALS, WATERS OR WASTES IF IT APPEARS LIKELY IN THE OPINION OF THE UTILITY THAT SUCH WASTES CAN HARM EITHER THE SEWERS, SEWAGE TREATMENT PROCESS OR EQUIPMENT, HAVE AN ADVERSE EFFECT ON THE RECEIVING STREAM, OR CAN OTHERWISE ENDANGER LIFE, LIMB, PUBLIC PROPERTY OR CONSTITUTE A NUISANCE. IN FORMING AN OPINION AS TO THE ACCEPTABILITY OF THESE WASTES THE UTILITY WILL GIVE CONSIDERATION AS TO SUCH FACTORS AS THE QUANTITIES OF SUBJECT WASTES IN RELATION TO FLOWS AND VELOCITIES IN THE SEWERS, MATERIALS OF CONSTRUCTION OF THE SEWERS, NATURE OF THE SEWAGE TREATMENT PROCESS, CAPACITY OF THE SEWAGE TREATMENT PLANT, DEGREE OF TREATABILITY OF WASTES AND OTHER PERTINENT FACTORS. THE SUBSTANCES PROHIBITED ARE:
 - A. ANY LIQUID OR VAPOR HAVING A TEMPERATURE HIGHER THAN 150 DEGREES FAHRENHEIT;
 - B. ANY WATER OR WASTE CONTAINING FATS, WAX, GREASE OR OILS, WHETHER EMULSIFIED OR NOT, IN EXCESS OF 100 MILLIGRAMS PER LITER OR CONTAINING SUBSTANCES WHICH MAY SOLIDIFY OR BECOME VISCOUS AT TEMPERATURES BETWEEN 32- AND 150-DEGREES FAHRENHEIT;
 - C. ANY GARBAGE THAT HAS NOT BEEN PROPERLY SHREDDED. THE INSTALLATION AND OPERATION OF ANY GARBAGE GRINDER EQUIPPED WITH A MOTOR OF THREE-FOURTHS HORSEPOWER OR GREATER SHALL BE SUBJECT TO REVIEW AND APPROVAL OF THE UTILITY;
 - D. ANY WATERS OR WASTES CONTAINING STRONG ACID, IRON PICKING WASTES OR CONCENTRATED PLATING SOLUTIONS WHETHER NEUTRALIZED OR NOT;
 - E. ANY WATERS OR WASTES CONTAINING IRON, CHROMIUM, COPPER, ZINC, AND SIMILAR OBJECTIONABLE OR TOXIC SUBSTANCES OR WASTES REQUIRING EXCESSIVE QUANTITIES OF CHLORINE FOR TREATMENT;
 - F. ANY WATERS OR WASTES CONTAINING PHENOLS OR OTHER TASTE OR ODOR PRODUCING SUBSTANCES IN CONCENTRATIONS EXCEEDING LIMITS WHICH MAY BE ESTABLISHED BY THE UTILITY AS NECESSARY, AFTER TREATMENT OF THE COMPOSITE SEWAGE, TO MEET THE REQUIREMENTS OF THE STATE, FEDERAL, OR OTHER PUBLIC AGENCIES OF JURISDICTION FOR SUCH DISCHARGE TO THE RECEIVING WATERS, AND

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REGULATION NUMBER 14

- G. ANY RADIOACTIVE WASTES OR ISOTOPES OF SUCH HALF-LIFE OR CONCENTRATION AS MAY EXCEED LIMITS ESTABLISHED BY THE UTILITY IN COMPLIANCE WITH APPLICABLE STATE OR FEDERAL REGULATIONS;
 - H. ANY WATERS OR WASTES HAVING A pH IN EXCESS OF 9.5, AND
 - I. MATERIALS WHICH HAVE OR CAUSE;
 - (1) UNUSUAL CONCENTRATIONS OF INERT SUSPENDED SOLIDS (SUCH AS, BUT NOT LIMITED TO, FULLER'S EARTH, LIME SLURRIES, AND LIME RESIDUES) OR OF DISSOLVED (SUCH AS, BUT NOT LIMITED TO, SODIUM CHLORIDE AND SODIUM SULFATE).
 - (2) EXCESSIVE DISCOLORATION (SUCH AS, BUT NOT LIMITED TO, DYE WASTES AND VEGETABLE TANNING SOLUTIONS).
 - (3) UNUSUAL DOD, CHEMICAL OXYGEN DEMAND OR CHLORINE REQUIREMENTS IN SUCH QUANTITIES AS TO CONSTITUTE A SIGNIFICANT LOAD ON THE SEWAGE TREATMENT WORKS.
 - (4) UNUSUAL VOLUME OF FLOW OR CONCENTRATION OF WASTES CONSTITUTING SLUGS.
 - J. WATERS OR WASTES CONTAINING SUBSTANCES WHICH ARE NOT AMENABLE TO TREATMENT OR REDUCTION BY THE SEWAGE TREATMENT PROCESSES EMPLOYED, OR ARE AMENABLE TO TREATMENT ONLY TO SUCH A DEGREE THAT THE SEWAGE TREATMENT PLANT EFFLUENT CANNOT MEET THE REQUIREMENTS OF OTHER AGENCIES HAVING JURISDICTION OVER DISCHARGE TO THE RECEIVING WATERS OF THE STATE OF NEVADA.
4. IF ANY WATERS OR WASTES ARE DISCHARGED, OR ARE PROPOSED TO BE DISCHARGED TO THE PUBLIC SEWERS, AND THE WATERS CONTAIN THE SUBSTANCES OR POSSESS THE CHARACTERISTICS ENUMERATED IN SUBSECTION 3, AND WHICH IN THE JUDGMENT OF THE UTILITY MAY HAVE A DELETERIOUS EFFECT ON THE SEWAGE WORKS, PROCESSES EQUIPMENT OR RECEIVING WATERS, OR WHICH OTHERWISE CREATE A HAZARD TO LIFE OR CONSTITUTE A PUBLIC NUISANCE, THE UTILITY MAY:
- A. REJECT THE WASTES;
 - B. REQUIRE PRE-TREATMENT TO AN ACCEPTABLE CONDITION FOR DISCHARGE TO THE PUBLIC SEWER;

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USE OF THE PUBLIC SEWER

REGULATION NUMBER 14

- C. REQUIRE CONTROL OVER THE QUANTITIES AND RATES OF DISCHARGE; OR
- D. REQUIRE PAYMENT TO COVER THE ADDED COST OF HANDLING AND TREATING THE WASTES NOT COVERED BY EXISTING SEWER CHARGES.

IF THE UTILITY PERMITS THE PRE-TREATMENT OR EQUALIZATION OF WASTE FLOWS, THE DESIGN AND INSTALLATION OF THE PLANTS AND EQUIPMENT SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE DEPARTMENT OF CONSUMER HEALTH, THE NEVADA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE UTILITY AS APPLICABLE.

- 5. GREASE, OIL AND SAND INTERCEPTORS SHALL BE PROVIDED WHEN THEY ARE NECESSARY FOR THE PROPER HANDLING OF LIQUID WASTES CONTAINING GREASE IN EXCESSIVE AMOUNTS, OR ANY FLAMMABLE WASTES, SAND OR OTHER HARMFUL INGREDIENTS. ALL INTERCEPTORS SHALL BE OF THE TYPE, CAPACITY AND CONSTRUCTION TO COMPLY WITH THE MOST CURRENT EDITION OF THE UNIFORM PLUMBING CODE AT THE TIME OF INSTALLATION, AND SHALL BE LOCATED SO AS TO BE READILY AND EASILY ACCESSIBLE FOR CLEANING AND INSPECTION.
- 6. WHERE PRELIMINARY TREATMENT OR FLOW-EQUALIZING FACILITIES ARE PROVIDED FOR ANY WATERS OR WASTES, THEY SHALL BE MAINTAINED CONTINUOUSLY IN SATISFACTORY AND EFFECTIVE OPERATION BY THE OWNER AT HIS EXPENSE.
- 7. PURSUANT TO NAC 445A.257, THE OWNER OF ANY PROPERTY SERVICED BY A BUILDING SEWER CARRYING INDUSTRIAL WASTES WHO DISCHARGES INTO A PUBLICLY OWNED TREATMENT WORKS WHICH DOES NOT HAVE A STATE APPROVED PRETREATMENT PROGRAM MUST BE GRANTED A PERMIT BY THE STATE.
- 8. ALL COSTS ASSOCIATED WITH THE IMPLEMENTATION OF ANY PRETREATMENT PROGRAM AND RELATED CONSTRUCTION COSTS SHALL BE BORNE BY THE GENERATOR OF THE INDUSTRIAL WASTE.

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USE OF THE PUBLIC SEWER

REGULATION NUMBER 15

(RESERVED)

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RULES & REGULATIONS

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RATES AND CHARGES

REGULATION NUMBER 16

1. AS USED IN REGULATION NUMBER 16, "AVAILABILITY", APPLIES TO PROPERTY DIRECTLY ABUTTING UPON THE UTILITY'S SEWER SYSTEM AND WHICH CAN BE DIRECTLY CONNECTED FOR THE DISCHARGE OF SEWAGE THERE-IN.
2. A FLAT RATE MONTHLY CHARGE OF *TWENTY-TWO DOLLARS AND FIVE CENTS* (\$22.05) PER SEWER UNIT SHALL BE MADE FOR DISCHARGE OF AND THE AVAILABILITY FOR DISCHARGE FOR ALL SEWAGE IN THE UTILITY'S SYSTEM. ONE SEWER UNIT SHALL BE EQUIVALENT TO ONE SINGLE FAMILY DWELLING. FOR MULTIPLE UNIT BILLINGS, RATES SHALL BE BASED UPON THE UNIT EQUIVALENTS ACCORDING TO THE FOLLOWING SCHEDULE, BUT NO CHARGE SHALL BE LESS THAN THE CHARGE FOR ONE UNIT. AT THE MAY 23, 1991 RATE HEARING, A *TWO DOLLAR* (\$2.00) ADDITIONAL FEE WAS APPROVED TO BE ADDED AS NEEDED IN THE FUTURE.

RESIDENTIAL

**THE DISTRICT WILL PERFORM UNIT COUNT AUDITS AS THEY PERCEIVE NECESSARY.*

SINGLE FAMILY DWELLING	1.0 UNIT PER DWELLING
MULTIPLE FAMILY DWELLING	1.0 UNIT PER DWELLING
APARTMENT HOUSES	1.0 UNIT PER APARTMENT
DORMITORIES, ROOMING HOUSES, ETC.	1.0 UNIT FOR OPERATOR'S RESIDENCE AND 0.6 UNIT FOR EACH ADDITIONAL LIVING UNIT
RECREATIONAL VEHICLE PARKS (OVERNIGHTERS)	1.0 UNIT FOR OPERATOR'S RESIDENCE AND 0.6 UNIT PER HOOK UP PAD
MOTELS	1.0 UNIT FOR OPERATOR'S RESIDENCE AND 0.6 UNIT PER EACH RENTAL ROOM
MOBILE HOME PARK	1.0 UNIT PER TRAILER OR DWELLING

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RATES AND CHARGES

REGULATION NUMBER 16

COMMERCIAL

**THE DISTRICT WILL PERFORM UNIT COUNT AUDITS AS THEY PERCEIVE NECESSARY.*

RESTAURANTS, TAVERNS, AND DINNER HOUSES	1.0 UNIT FOR EACH 10 SEATS OR 1.0 UNIT PER TOILET, URINAL, LAVATORY OR EQUIVALENT
THEATERS	.33 UNIT FOR EACH 10 SEATS OR FRACTION THEREOF
STORES, OFFICES, AND GENERAL BUSINESSES	2.0 UNIT MINIMUM, ADDITIONAL UNITS AS APPLICABLE
GAMING HOUSES	1.0 UNIT PER 500 SQ. FT. OF FLOOR SPACE
LAUNDROMATS	0.5 UNIT PER WASHER
SCHOOLS	0.6 UNIT PER TOILET, URINAL
CHURCHES	1.0 UNIT
HOSPITALS	1.5 UNIT MINIMUM, ADDITIONAL UNITS AS APPLICABLE
LODGES, HALLS, ETC.	1.0 UNIT FOR EACH 2000 SQ. FT. OF FLOOR SPACE
SERVICE STATIONS	1.5 UNIT MINIMUM, ADDITIONAL UNITS AS APPLICABLE.
MUNICIPAL SWIMMING POOL	1.0 UNIT PER TOILET, URINAL, LAVATORY OR EQUIVALENT

RATES AS INDICATED ABOVE WILL BE COMPUTED TO THE NEAREST TENTH OF A UNIT THAT INCLUDES ITEMS LISTED.

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RULES & REGULATIONS

WASTEWATER

JANUARY 1999

RATES AND CHARGES

REGULATION NUMBER 16

INDUSTRIAL AND OTHER SPECIAL USES

SPECIAL CHARGES BASED ON THE CHARACTER OF WASTE AND QUANTITY OF FLOW, MAY BE CHARGED, SUBJECT TO THE APPROVAL OF THE BOARD OF TRUSTEES OF THE BEATTY WATER & SANITATION DISTRICT.

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REGULATION NUMBER 17

(RESERVED)

BEATTY WATER & SANITATION DISTRICT

RULES & REGULATIONS

WASTEWATER

JANUARY 1999

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SEWER MAIN EXTENSIONS

REGULATION NUMBER 18

1. ANY FACILITY INSTALLED SHALL BE THE SOLE PROPERTY OF THE UTILITY.
2. THE SIZE, TYPE, AND QUALITY OF MATERIALS AND THE LOCATION OF THEIR INSTALLATION WILL BE SPECIFIED BY THE UTILITY, AND THE ACTUAL CONSTRUCTION WILL BE DONE BY THE UTILITY OR A CONSTRUCTING COMPANY ACCEPTABLE TO IT. IN THE EVENT CONSTRUCTION IS DONE BY ANY COMPANY OTHER THAN THE UTILITY, ENGINEERING PLANS, PREPARED BY AN ENGINEERING FIRM LICENSED TO PRACTICE IN THE STATE OF NEVADA BUREAU OF HEALTH PROTECTION SERVICES AND/OR THE NEVADA DEPARTMENT OF ENVIRONMENTAL PROTECTION, AS APPLICABLE, AND THE UTILITY. AN INSPECTOR ACCEPTABLE TO THE UTILITY MUST OVERSEE ALL CONSTRUCTION. THE COSTS FOR THIS INSPECTOR WILL BE BORNE BY THE APPLICANT.
3. THE APPLICANT FOR THE SEWER MAIN EXTENSION SHALL FILE HIS REQUEST WITH THE SECRETARY OF THE BOARD OF TRUSTEES OF THE UTILITY, WHO SHALL DETERMINE AN ESTIMATED COST. THE SECRETARY WILL THEN, PROCEEDING ACCORDING TO THE PROVISIONS OF PARAGRAPH 318.350 ET. SEQ. OF THE NEVADA REVISED STATUTES, DETERMINE WHETHER OR NOT SPECIAL ASSESSMENT PROCEEDINGS ARE ANTICIPATED.
4. IF, UPON INVESTIGATION OF THE REQUEST FOR SEWER MAIN EXTENSION, THE BOARD OF TRUSTEES DETERMINES THAT THE SAID SEWER WILL BENEFIT THE OWNERS OF MORE THAN ONE PARCEL OF PROPERTY, AND THAT SAID CONSTRUCTION SHOULD BE CHARGED AGAINST SAID PROPERTY, IT SHALL GIVE NOTICE, AND PROCEED IN ACCORDANCE WITH PROVISIONS OF PARAGRAPH 318.350 ET SEQ. OF NEVADA REVISED STATUTES.
5. IF THE BOARD OF TRUSTEES DETERMINES THAT IT IS NOT IN THE PUBLIC INTEREST TO PROCEED WITH AN ASSESSMENT DISTRICT, IT SHALL EITHER:
 - a. ABANDON ANY FURTHER WORK ON THE PROJECT AND RETURN ANY FUNDS THAT WERE DEPOSITED WITH THE UTILITY AND HAVE NOT BEEN USED;
 - b. NOTIFY THE APPLICANT THAT THE EXTENSION MAY BE INSTALLED ON THE FOLLOWING CONDITIONS:
 - (1) THE APPLICANT SHALL DEPOSIT WITH THE UTILITY SUFFICIENT FUNDS TO PAY FOR THE CONSTRUCTION, INCLUDING ALL INCIDENTAL FEES AND EXPENSES.

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- (2) THE UTILITY SHALL AGREE TO CHARGE AGAINST EACH PARCEL OF LAND CAPABLE OF BEING DIRECTLY SERVED BY SAID EXTENSION, THE PROPORTIONATE COST OF THE INSTALLATION. ANY OWNER WHO APPLIES AT ANY TIME FOR SERVICE TO ANY PARCEL OF SUCH PROPERTY, SHALL PRIOR TO RECEIVING SUCH SERVICE, PAY THE ENTIRE ASSESSMENT ON ALL LANDS OWNED BY HIM AND CAPABLE OF BEING SERVED BY SAID EXTENSION THE ENTIRE AMOUNT OF THIS PAYMENT, WITHOUT INTEREST, SHALL BE RETURNED TO THE PREVIOUSLY ASSESSED OWNER(S) OF RECORD. THESE OWNERS SHALL BE DETERMINED BY THE PROPERTY TAX ROLLS AS LISTED IN THE ASSESSOR'S OFFICE OF NYE COUNTY, NEVADA. NO RETURN OF FUNDS SHALL BE MADE AFTER *FIVE* (5) YEARS FROM THE DATE OF COMPLETION FOR THE CONSTRUCTION.
- (3) ALL PARTIES WHO HAVE ANY FINANCIAL INTEREST IN ANY EXTENSION AS WELL AS ANY SUBSEQUENT OWNERS OF ANY PARCEL WHERE ANY EXTENSION PAY BACK IS POSSIBLE SHALL AGREE TO INDEMNIFY THE BEATTY WATER & SANITATION DISTRICT AND ITS BOARD OF TRUSTEES AND HOLD THEM HARMLESS FROM AND AGAINST ANY AND ALL LOSSES, CLAIMS, EXPENSES, SUITS, COSTS, DEMANDS, DAMAGES, OR LIABILITIES, JOINT OR SEVERAL, OF WHATEVER KIND OR NATURE WHICH THE BEATTY WATER & SANITATION DISTRICT AND BOARD OF TRUSTEES MAY SUSTAIN OR TO WHICH THEY MAY BECOME SUBJECT ARISING OUT OF OR RELATING IN ANY WAY TO ANY DISPUTE REGARDING OWNERSHIP OR PAY BACK OF FUNDS FOR ANY EXTENSION INCLUDING WITHOUT LIMITATION IN EACH CASE ATTORNEYS' FEES, COSTS AND EXPENSES ACTUALLY INCURRED IN DEFENDING AGAINST OR ENFORCING ANY SUCH LOSSES, CLAIMS, EXPENSES, SUITS, DAMAGES, OR LIABILITIES.