

STATE OF COLORADO)
) ss.
COUNTY OF JEFFERSON)

BEFORE THE BOARD OF DIRECTORS OF THE
LOOKOUT MOUNTAIN WATER DISTRICT

**RESOLUTION OF THE BOARD OF DIRECTORS
ADOPTING A POLICY AND PROCEDURE REQUIRING PROPER ABANDONMENT
OF TAPS**

Resolution # 12/18-03

WHEREAS, The Lookout Mountain Water District (“District” or “LMWD”) is a quasi-municipal corporation and political subdivision of the State of Colorado and a duly organized and existing special district pursuant to Title 32, Colorado Revised Statutes; and

WHEREAS, the District’s Board of Directors recognizes that there are authorized Taps which are not currently active; and

WHEREAS, the District’s Board of Directors has adopted a policy and procedure regarding inactive taps for the orderly operation of the District’s Water System; and

WHEREAS, the District is aware that there are taps which were connected to the main or to a lateral that are no longer in service, but which were never properly abandoned; and

WHEREAS, it is imperative that all out of service taps are properly and permanently disconnected from the District’s water system, so they cannot leak; and

WHEREAS, proper disconnection requires the service line to be physically disconnected from the main or lateral via the District’s Permanent Disconnection Procedure, which is available on the District’s website; and


WHEREAS, the District hereby amends its policy to maintain the integrity of the District’s water supply systems for all Owners; and

WHEREAS, the District’s Board of Directors has determined that the policy and procedure set forth below will promote the health, safety, security and general welfare of the District’s inhabitants and the orderly and uniform administration of the affairs of the District; and

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the Lookout Mountain Water District that a policy and procedure concerning Inactive Taps shall be adopted as follows:

1. As contained in **Exhibit A**: Amended Section 2.3.8 of the Policies, Rules and Regulations of the District.

2. If any part, section, subsection, sentence, clause or phrase of the Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.
3. This Resolution shall take effect and be enforced immediately upon its approval by the Board of Directors of the District.
4. This Resolution was passed by the Board of Directors by a vote of 3 to 0 on this 10th Day of December, 2018.



President

CERTIFICATION

The undersigned secretary of the Lookout Mountain Water District certifies that the foregoing Resolution is a true, complete and correct copy of a Resolution of the Board of Directors of the Lookout Mountain Water District duly and regularly entered by the Board at its regular public meeting held on December 10, 2018.



Secretary

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EXHIBIT A: AMENDED SECTION 2.3.8 OF THE LMWD POLICIES, RULES AND REGULATIONS

PROPOSED ADDITION TO LOOKOUT MOUNTAIN WATER DISTRICT POLICIES, RULES AND REGULATIONS: ABANDONMENT: PROCEDURE AND TRIGGERS (SECTION 2.3.8)

2.3.8 Abandonment.

All abandoned taps shall follow the "Permanent Disconnection Procedure", located on the District's webpage, required by the District in order to ensure proper disconnection of abandoned taps. The Permanent Disconnection Procedure must be followed in every case where a tap meets the criteria of a triggering event contained in 2.3.8.1. The disconnection procedure must also be applied in other circumstances in order to eliminate the possibility of abandoned service lines leaking as such leaks would be almost impossible to locate.

2.3.8.1 Triggering Events Requiring Abandonment:

2.3.8.2.1 Service Line No Longer in Use: If a service line will no longer be in use, then that service line must be abandoned in accordance with the District's Permanent Disconnection Procedure at the time the use terminates.

2.3.8.2.2 Service Line Found to No Longer Be In Use: If water service to a property or part thereof is found to no longer be in use, then the service line serving the property or portion thereof must be abandoned in accordance with the District's Permanent Disconnection Procedure within one (1) year of written or electronic notice to the Owner unless the water service is put back into use.

2.3.8.2.3 Structure Demolished, Destroyed or Abandoned: If the only structure to which a service line is connected is demolished, destroyed or abandoned, then that service line must be abandoned in accordance with the District's Permanent Disconnection Procedure within one (1) years of the date of demolition, destruction or abandonment or one-hundred-twenty (120) days after the District delivers written or electronic notice to the Owner, whichever is later.

2.3.8.2.4 No Consumption: If a meter has shown no consumption for 2 years or if a meter shows only sporadic use and water has not been put to beneficial use, then that service line must be abandoned in accordance with these Policies, Rules and Regulations within one-hundred-twenty (120) days after the District delivers written or electronic notice to the Owner.

2.3.8.2.5 Service Line With No Meter Attached: If the District becomes aware of a service line to which no meter is attached, then that service line shall be abandoned in accordance with these Policies, Rules and Regulations within one-hundred-eighty (180) days after the District sends written or electronic notice to the Owner of the unmetered service line, unless there is a leak, in which case the Leak Policy shall apply or unless no owner of the service line can be found, in which case the line shall be abandoned within one-hundred-eighty (180) days after the District sends written or electronic notice to the Owner of the property upon whose land the unmetered line is located.

2.3.8.2 Once a service line is abandoned, the tap status will be changed to inactive, assigned. Inactive tap policies and fees will apply. Payment of all costs of services including administrative, legal, engineering, locating, construction, and inspection shall be paid by the owner of the property which was served by the service line. Costs will be billed monthly by the District as water fees. The District, at its discretion, may collect the estimated costs in advance of incurring those costs. Collection of amounts owed shall be the same as for any unpaid water fees.

2.3.8.3 Reinstating an Abandoned Tap: If an Owner desires to keep a service line and keep the tap active after a triggering event requires abandonment, then they must demonstrate to the Board that there is a shutoff valve and a meter within twenty (20) feet of the main or lateral to which the service line and/or tap is connected, in order to significantly reduce the chance for leaks ahead of the meter. The Board will then determine how much additional time may be allowed based upon the intended use or other circumstances.