



WATER DISTRICT No. 7

JOHNSON COUNTY, KANSAS

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WATER DISTRICT NO. 7, JOHNSON COUNTY, KANSAS FIRE LINE CONNECTION POLICY Adopted: December 16, 2008

1. General Provisions

Water District No. 7 will accept applications for the construction of fire protection water lines and appurtenances thereto (hereinafter “Fire Lines”) and for the connection of Fire Lines to District main lines. Applicants will be required to pay the application fee set forth in the District’s rate schedule as amended from time to time. Fire Lines will be located downstream of shut-off valves located at points of connection to the District’s main lines. Such applications will be accepted from Benefit Unit owners within the District, subject to the terms of this Fire Line Connection Policy. Those making such applications are referred to in this Policy as “Applicants”. Application for such connections must be made on a written form approved by the District.

Fire Line connections to District main lines will be granted in the sole discretion of the District based on the following factors: a) whether a Fire Line connection and potential water demand from that connection would impair the District’s ability to adequately operate its water supply system; and b) any other factor affecting the District’s ability to serve its customers and adequately operate its water supply system. Applications for connection of a Fire Line to a District Water Main shall be accompanied by a report and conceptual drawings containing the Applicant’s desired point of connection, desired flow rates and pressures, and an adequate description of the fire protection line and appurtenances requested.

Once an Applicant submits a complete application, the following will, at the discretion of the District, occur:

A. The District will prepare or have its engineer prepare, a report evaluating the Applicant’s submitted information. The District’s report may also address: i) available flow and pressure and/or improvements required to obtain the Applicant’s desired flow and pressure; ii) probable costs of any necessary improvements; and iii) any other matters deemed appropriate by the District.

B. The District or local fire department may provide fire hydrant flow tests, as appropriate, at or near the Applicant's property.

C. The District's report and the results of any fire hydrant flow tests conducted will be presented to the District's Board for consideration. The Board will then make its determination to approve or disapprove the Applicant's application. If the Board determines to approve such application, it may impose conditions to such approval. As part of its determination regarding the application, the Board may require the Applicant to pay for the costs of any improvements related to the Applicant's Fire Line that are deemed by the Board to be necessary. Once the Board has approved or disapproved the application, the Applicant will then be notified of the Board's determination, including any costs required to be paid by the Applicant for improvements. The Applicant will also be provided with a copy of the District's report.

D. Once the Applicant is notified of the Board's determination and is provided a copy of the District's report, the Applicant will then have a period of 90 days in which to decide whether it wishes to enter into a Fire Line Connection Agreement with the District. Such Fire Line Connection Agreement will incorporate the provisions of this Fire Line Connection Policy.

E. If any "offsite" improvements are required by the Board as a condition to its approval of an application, the Applicant will adhere to all provisions of the District's Water Main Extension Policy, including but not limited to the requirement of depositing funds pursuant to the provisions of that Policy. "Offsite" improvements are those improvements, (pipelines, related equipment, etc.) required to supply water through a District main line to an Applicant's property.

2. Construction, Connection and Use of Water

Upon the approval of an Application for Fire Line Connection and the signing of a written agreement as set forth above, Applicant will submit design drawings prepared by a licensed engineer for review and approval by the District.

After approval of design drawings by the District, Applicant will install or cause to be installed, and pay for, a connection to the District's main line, a shut-off valve, a back flow prevention device, a pressure control device and a meter (if required by the District) at the connection point. (The foregoing items shall hereinafter collectively be referred to as the "Appurtenances.") The District may determine, in its sole discretion, whether a meter will be required at the connection point. Such determination may be made either before or after initial connection to the District's main line.

In addition, Applicant will install or cause to be installed, and pay for, a Fire Line. The Fire Line will connect to Applicant's fire suppression system in accordance with all District Policies, Rules and Regulations and Bylaws. Construction and installation of the Appurtenances and Fire Line will be performed by a contractor of Applicant's choosing. The District may, however, inspect any and all phases of such installation and related construction. The Fire Line may also be inspected by the local zoning authority.

Applicant and its contractor will construct and install the Appurtenances and Fire Line in conformity with the design drawings submitted with Applicant's application and/or any revisions or conditions made or required by the District. Applicant will notify the District of the time the Fire Line will be connected to the District's main line by the Applicant's contractor and Applicant's contractor will not make such connection unless and until a District representative is on-site to witness such connection being made. Applicant may not use the Fire Line until final approval of the construction and installation has been given by the District.

Following the construction and installation of the Appurtenances and the Fire Line and upon final approval of such installation and construction, the Fire Line shall become the property of the Applicant. At such time, all Appurtenances except any meter installed, shall become the property of the Applicant. Any meter installed shall become the property of the District.

The District reserves the right to inspect Fire Lines at any time after construction. Applicant may not at any time operate or configure the Fire Line in any manner that would impair the integrity of the District's water supply system or the quality of the water in the District's water supply system. Neither auxiliary nor booster pumps will be placed on the Fire Line either during or after construction of the Fire Line. Provided, however, that pumps may be used to pump from a holding tank if the design of that system has been approved by the District. Applicant may not alter, extend, or change the flow rate or capacity of a Fire Line without written approval from the District. All water supplied by the District to the Fire Line will be used only for the purpose of fire protection.

3. Maintenance, Repair and Flushing

Once a Fire Line is constructed and connected to a District main line, the Applicant will be responsible for all repair and maintenance of the Fire Line. Such repair and maintenance shall be at the Applicant's sole expense. Applicant is responsible to keep the Fire Line in a good state of repair and function at all times and will perform any necessary maintenance procedures and repairs within a reasonable time after Applicant knows of or should have known of the need for such procedures or repairs. In the event of a leak occurring in the Fire Line, a reasonable time shall be deemed to be immediately.

Applicant will operate the Fire Line, its fire suppression system and its water system in conformity with the District's Cross Connection Control Policy and will install and properly maintain and operate all devices required by that Policy. In the event Applicant does not maintain and/or keep the Fire Line in a good state of repair or operate the Fire Line in conformity with the District's Cross Connection Control Policy, the District may, at its discretion, maintain and/or repair the Fire Line and/or cause the Fire Line to be operated in conformity with the District's Cross Connection Control Policy. In that event, the Applicant shall reimburse the District for its reasonable costs and expenses incurred for such maintenance, repair and/or efforts to bring about compliance. Applicant shall make such reimbursement within 10 days after receiving written notice from the District of the District's reasonable costs and expenses incurred for such maintenance, repair and/or efforts to bring about compliance.

All Fire Lines will be flushed periodically pursuant to the terms of the District's specifications for flushing. Such specifications will be provided to all Applicants who construct and connect a Fire Line in conformity with the provisions of this Policy.

4. Indemnity and Hold Harmless Provisions

The District's granting of an application for a Fire Line and/or any other actions taken by the District in conformity with this Fire Line Connection Policy do not give rise to any promise or guarantee by the District as to the adequacy of water available to the Applicant for fire protection and the District assumes no liability for any failure of service or failure to provide adequate or sufficient water, water pressure or fire protection. Applicants will hold the District harmless from and will indemnify the District for any claims, causes of action, damages or liability to persons or property arising from the following: a) Applicants' maintenance and/or repair of any Fire Line; b) repairs or maintenance performed by the District under Section 3, above, due to an Applicant's failure to maintain and/or keep the Fire Line in a good state of repair or operate the Fire Line in conformity with the District's Cross Connection Control Policy; and c) failure of service or failure by the District to provide adequate or sufficient water, water pressure or fire protection.

5. Rates

If an Applicant's application for the construction of a Fire Line and connection of such line to a District main is approved and if such Fire Line is constructed and approved by the District and connected to a District main line, Applicant will pay the District for Fire Line services, the amounts and/or rates set forth in the District's rate schedule as amended from time to time.

6. Source of Fire Line Services

Applicants will not obtain Fire Line services of the type contained in this Fire Line Connection Policy from any water supplier other than the District.