

CITY OF FLORENCE
WATER SERVICE - RULES AND REGULATIONS



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INTRODUCTION

Included in the pages that follow are the most current Rules and Regulations, related to drinking water that the City of Florence (“Florence”) utilizes. These Rules and Regulations set out herein enable Florence to carry out its responsibilities and assure an adequate water supply for the general public. This relates to human consumption, fire protection and other uses as applicable or allowed under federal, state and local regulations.

While recognizing the previously mentioned purposes; these Rules and Regulations will be used to promote public health and safety through the provisions of surveys, inspections, measurements, taking of samples and proper testing of water devices for compliance with all applicable government regulations and/or public laws.

Any and all facilities, that are instrumental to the distribution of drinking water (hereinafter collectively referred to as the “Water System”), that Florence owns and/or maintains are subject to inspections and various testing methods as related to any ongoing maintenance or new installations.

Florence’s Water System undergoes continuous study and review for adequate supply needs, service pressure, improvements and repairs when and where needed.

The following most recently published documents shall be the accepted standards for materials and/or procedures for the construction and maintenance of a Water System, components and appurtenances:

- **City of Florence - Standard Specifications and Drawings for the Installation of Water Mains (“Water Main Specifications”)**
- **City of Florence - Standard Specifications and Drawings for the Installation of Meter Pits (“Meter Pit Specifications”)**
- **City of Florence - Standard Specifications and Drawings for the Installation of Backflow Prevention Devices (“Backflow Specifications”)**
- **American Water Works Association’s Standards (AWWA)**
- **Recommended Ten State Standards for Water Works**

If a conflict exists between the above referenced sources and these Rules and Regulations, the more restrictive requirement shall prevail. Florence shall provide interpretation upon request.

In closing it is our duty to work with all interested parties in using these Rules and Regulations to ensure that the citizens and all who utilize the Florence Water System do so in a safe and healthy manner.

ARTICLE 1 - DEFINITIONS/ABBREVIATIONS

Unless the context specifically indicates otherwise, the meaning of terms in these Rules and Regulations shall be as follows:

Applicant - shall mean any person or entity that files an application for water service within the Florence Water System.

Backflow - shall mean the reverse flow of water or any other fluid or substance or any combination or mixture thereof from a Customer's system into Florence's Water System caused by a cross connection with an auxiliary water supply or with sources of possible contaminated water.

Backflow Setter - shall mean equipment used to protect the Florence Water System against actual or potential backflow. Also known as backflow prevention devices. All backflow prevention devices installed within the Florence Water System shall comply with all federal, state and local laws and regulations.

Boone County Planning Commission - is responsible for the approval of all development plans.

Boone-Florence Water Commission - operates, improves, extends, supervises, manages, and controls sources of water supply to Florence and Boone County Water District. The commission then contracts with Florence and Boone County Water District for the provision of water for resale to their Customers. The commission also hires and supervises employees and contracts for professional services to the commission. Florence appoints one (1) member of the commission who serves for four (4) years.

City - shall mean Florence, Florence Public Services Department, or a Representative acting through or appointed by Florence City Council.

City Council - establishes policy for the Florence Water System. As elected representatives of Florence, members of Council oversee Florence's administrative affairs, approve legislation and the annual budget, regulate land use, and make appointments to our boards and commissions.

City Inspector - The authorized representative appointed by the Director of Public Services to inspect and approve all components of the Water System, including but not limited to, repairs, replacements, additions, and extensions thereof.

CFS - shall mean cubic feet per second.

Customer - any water user connected to the Water System.

Cross Connection - any connection or link between Florence’s Water System and an auxiliary water supply, piping system, plumbing fixture, appliance, container, receptacle, vessel or other device of any nature that may permit contaminated or used water or other fluid which is of questionable or unsafe quality, or any other substance of any nature other than potable water supplied Florence, to enter any part of the Florence Water System.

Cross-Country Line - lines installed to eliminate dead ends and are water mains installed on private property which are to be maintained by Florence.

Director - shall mean the Director of the Public Services Department (Department) acting in the official capacity on behalf of Florence, the Mayor, and/or City Council.

Domestic Water - water that is used in a home or a private residence.

Fee Ordinance - the most recently adopted Ordinance fixing rates charged by Florence for services rendered as approved or amended by Florence . The current fee rates can be found at www.florence-ky.gov.

Fire Flow - required amount of water that should be available to provide proper fire protection at a given location.

Flow Rate - rate at which a volume of water flows through pipes, valves, etc. in a given period of time. Flow rate is often reported as cubic feet per second (cfs) or gallons per minute (gpm).

GPM - shall mean gallons per minute.

Inspections - performed by employees or duly authorized agents of Public Services, which have the right, at a reasonable time, to enter the premises of any Customer for the purpose of inspecting any water service branch or fire protection service and any or all piping or equipment connected thereto.

Meter - any instrument for measuring the water volume consumed over a certain period of time. All meters are the property of Florence.

Meter Vault - the chamber that houses the metering equipment for all Customers.

Public Services Department - is a Department of Florence (“Public Services”) composed of nine divisions; Community Support Services, Infrastructure Support Services, Transportation & Storm Water, Drinking Water, Grounds Maintenance, Waste Water, Parks and Recreation, Building Maintenance, and Fleet Services.

Rules and Regulations - Rules and Regulations approved by duly enacted Ordinance No. _____.

Service Branch – that portion of the water piping system connecting a Customer’s system with a Florence water main. The Customer’s responsibility for the water piping system which serves their property is from the meter to the building or home.

Standard Specifications & Drawings for the Installation of Backflow Prevention Devices (“Backflow Specifications”) - a document prepared by Public Services which outlines all standard requirements, details, specifications, procedures, and materials relating to the repair, maintenance and/or installation of Backflow Prevention Devices. Backflow Specifications may be revised from time-to-time by Public Services, as deemed necessary to implement these Rule and Regulations.

Standard Specifications & Drawings for the Installation of Meter Pits (“Meter Pit Specifications”) - a document prepared by Public Services which outlines all standard requirements, details, specifications, procedures, and materials relating to the repair, maintenance and/or installation of Meter Pits. Meter Pit Specifications may be revised from time-to-time by Public Services, as deemed necessary to implement these Rules and Regulations.

Standard Specifications & Drawings for the Installation of Water Mains (“Water Main Specifications”) – a document prepared by Public Services which outlines all standard requirements, details, specifications, procedures, and materials relating to the repair, maintenance and/or installation of Water Mains. Water Main Specifications may be revised from time-to-time by Public Services, as deemed necessary to implement these Rules and Regulations.

Tap - any connection made to the Florence Water System.

Water System – shall include all components of Florence’s Water Distribution System, including but not limited to, water mains, water distribution lines, meters, meter pits, fire hydrants, pump stations, water towers, and the like.

ARTICLE 2 - GENERAL PROVISIONS

- A.** Water will be turned on and off only by a Florence employee or duly authorized representatives of Public Services.
- B.** No application for water service will be approved and no water shall be supplied to any applicant or Customer where the applicant or Customer is delinquent or indebted to Florence. This section will apply whether the delinquency or indebtedness is incurred at the premises for which application is made or at any other premises or property within the Florence Water System. No application for water service will be approved and no water shall be supplied to any Applicant or Customer where the Applicant or Customer is owed any ad valorem real estate property taxes for any real estate located within Florence.
- C.** Where any parcel of property is supplied through two or more connecting service branches, each branch shall be equipped with an approved back flow assembly and comply with all Backflow Specifications, so the water can flow into and not out of the premises and each service branch or building using water shall be equipped with a separate meter.
- D.** No connections to more than one building shall be made from any one tap unless Florence City has given its approval in writing.
- E.** No attachment shall be made to any service branch or to any pipe or other fixture, which has been shut off without a permit from Florence. No water will be taken from any service branch, which has not been used, without a permit.
- F.** Florence shall retain possession of and maintain all meters without charge to the Customer with the exception that if a meter should be destroyed or damaged through negligence of the Customer, the replacement or repair shall be charged to the Customer. Failure to pay this charge will result in the discontinuance of water service.
- G.** A Customer shall not cross-connect any component of that Customer's water system to any other source or water supply.
- H.** Florence employees or duly authorized representatives of Public Services shall have the right at reasonable times to enter any premises where a meter is installed for the purpose of reading, examining, changing, inspecting or testing the meter. In the event any Customer should unreasonably deny Florence employees or duly authorized representatives of Public Services access to the Customer premises for the purpose of installing, reading, examining, changing, inspecting, or testing any component of the Water Service System, Customer shall be responsible to Florence for any and all additional costs and expense incurred by Florence as a result of such refusal. Such cost and expense shall include, but not be limited to, Florence employee time and attorney's

fees. Failure to pay such additional cost and expense will result in the discontinuation of water service.

- I. No person other than one authorized by Florence may use any property or make attachments to any water pipes belonging to Florence.
- J. No person other than an authorized employee of Florence may use any fire hydrant within the Water System without first having secured written permission from Florence. No person shall use a fire hydrant within the Water System without a regulation fire hydrant spanner wrench, meter, backflow device and any other specifications reasonably required by Florence.
- K. No person other than an authorized employee of Florence shall remove, replace, repair, alter, adjust, or otherwise tamper with any meter, without Florence's approval.
- L. When a meter has been lawfully removed, it shall be unlawful to use water supplied by the service branch to which the meter was attached.
- M. If Florence determines that a meter has been removed, replaced, repaired, altered, adjusted, or otherwise tampered with, by any Customer without prior written consent of Florence, Water Service shall be immediately discontinued to that Customer. Florence may charge the Customer any and all cost and expense incurred by Florence as a result such unauthorized removal, replacement, repair, alteration, adjustment, or other tampering with the meter, including but not limited to, the payment of a reconnection fee. Florence may also issue any citation as provided for in Article 19 or otherwise permitted under Kentucky law.
- N. For more detailed information relating to any and all maintenance, repair, replacement, or initial construction of any components within the Water System, please refer to Water Main Specifications, Meter Pit Specifications, and Backflow Specifications.

ARTICLE 3 - SERVICE FEES

A complete listing of all Customer charges relating to water service may be found at <https://florence-ky.gov/>.

ARTICLE 4 – CUSTOMER BILL OF RIGHTS

- A. Customers have the right to service, provided the Customer, or a member of the Customer's household whose debt was accumulated at the Customer address) are not indebted to Florence and have not violated any of the Rules and Regulations set out herein.
- B. Customers have the right to inspect and review Florence's water and sewer rates, Rules and Regulations, and operating procedures during Florence's normal office hours which are 8:30 am to 5:00 pm; Monday through Friday.
- C. You have the right to be present at any routine inspection of Customer's service conditions.
- D. Customer will be provided a separate, disconnect notice alerting a Customer to a possible termination of water service if payment for water service is not received as provided for in these Rules and Regulations and Ordinance No. _____ and/or Customer has been issued a citation for violation of any Rule or Regulation herein.
- E. All fees and charges for water service shall be assessed according to the most up-to-date Water Rate Schedule duly adopted by Florence City Council. All fees and charges for Water Service may be found at <https://florence-ky.gov/>. A copy of the Water Rate Fee Schedule will be provided any Customer upon written request.

ARTICLE 5 – METER LOCATION AND REQUIREMENTS

- A. Florence shall approve the location of all Customer meters. Customer shall be responsible for maintaining a safe and reasonable access to the meter at all times. Customer shall not, at any time, obstruct access to the meter. All meters shall be installed in a Florence approved meter box, with approved covering, at ground level on Customer's property or at such other location designated by Florence.
- B. A Customer meter shall not be located within a building without the approval of Florence. Placement of a meter within a building shall be located and appropriate measures taken by Customer to prevent freezing or physical damage to the meter. Meters placed inside buildings shall be accessible to Florence during normal business hours. If access to a meter located within a building is refused, Florence may require that the meter be relocated outside of the building. All costs associated with such meter relocation shall be paid by Customer. If the Customer fails to relocate meter service outside of the building within 30 days of written notice to Customer by Florence, water service shall be discontinued and not reconnected until the meter relocation is accomplished. In the event Customer refuses Florence's access to a meter located within a building, Florence may charge the Customer any and all cost and expense incurred by Florence to gain accessibility to the meter. Such cost and expense shall include, but not be limited to, attorney's fees and costs incurred by Florence.
- C. Any meter placed in a sprinkler pit must be kept in a dry location. Maintenance of the sprinkler pit shall be Florence's responsibility. Maintenance of the sump pump and drain located within a sprinkler pit (if present) shall be the responsibility of Customer. If Florence determines that the sump pump and/or drain are not properly maintained, notice shall be given to Customer. If repairs to the sump pump and/or drain are not completed by Customer as requested by Florence, within 30 days, Florence may discontinue water service or make the necessary repairs. All costs and expense incurred by Florence in making such repairs, shall be charged to the Customer.
- D. A minimum of 30 psi must be available on the discharge side of all meters.
- E. By accepting Water Service, Customer grants to Florence, its representatives and employees, an implied access easement upon Customer's property in order for Florence to implement these Rules and Regulations, Backflow Specifications, Meter Pit Specifications, and Water Main Specifications. Any and all costs and expense incurred by Florence as a result of Customer's refusal to honor the implied access easement granted herein shall be charged to Customer. Customer's failure to grant access to his/her property may result in immediate water service disconnection. Customer shall pay such additional charges incurred by Florence within 30 days of written notice from Florence shall result in termination of Customer's water service.

F. Water Meters Located in Buildings

- 1.** Service Lines – City will maintain the service line from the water main to the point the City owned water main easement terminates.
- 2.** Service line leaks between the City owned water main easement and a meter located within a building shall be the responsibility of the customer/property owner where that meter is located. Once the City notifies a customer/property owner of a service line leak; the repairs should be made within 3 days. If the customer/property owner does not fix the service line within that time period, the City will issue a citation according to these rules and regulations. The customer/property owner will also be billed for the estimated amount of water lost due to any delay in repairing the leak.

ARTICLE 6 – METER TEST REQUEST

- A.** Customer may request that a meter be removed and tested by Florence to ensure accuracy and operation. Florence will remove and test a meter one time per calendar year with no charge to the Customer. If the meter is determined to be noncompliant with American Water Works Association Standards, Florence shall replace the existing meter with a new or reconditioned meter at no cost to Customer. If a Customer requests a second meter test within a calendar year, and the meter is determined to be functioning properly, all costs associated with the second test shall be paid by Customer.

- B.** Florence will test the Customer's meter to determine whether it shows an average error greater than two percent fast or slow according to the applicable American Water Works Association's Standards.

ARTICLE 7 – INVOICE BILLING POLICY

- A.** Customer shall be invoiced for and pay all fees, charges and costs as outlined in Florence’s Water Rate Ordinance.

- B.** In the event Florence is required to perform any maintenance, repair, replacement, relocation, or other Water System maintenance as a result of Customer’s failure to comply with these Rules and Regulations, Backflow Specifications, Meter Pit Specifications, and/or Water Main Specifications, any and all costs and expense incurred by Florence shall be charged to Customer. Florence may charge to Customer in such event, all costs and expense for Florence crews, equipment, and/or materials supplied with respect thereto. Customer shall pay all costs and expense within 30 days of invoice submitted to Customer by Florence. Failure to pay such costs and expense shall result in disconnection of water service to Customer.

ARTICLE 8 – SERVICE INSTALLATIONS

A. New Service Installation

- 3.** Any prospective water Customer desiring water service and installation of a service branch shall apply at the City's Finance Department.
- 4.** The prospective Customer shall, in signing the application, agree to be bound by all the provisions of Florence's Rules and Regulations; Backflow Specifications; Meter Pit Specifications; and/or Water Main Specifications, where applicable.
- 5.** No service branch shall be installed to serve property which does not abut the street or road of which the service main is located without written approval of Florence.
- 6.** No branch shall be tapped off any water main 20" or larger without written approval of Florence.
- 7.** No branch shall be tapped on a cross-country main without the written approval of Florence.
- 8.** Every structure wherein water is used shall have a separate service branch and separate meter located on Customer's property unless otherwise approved by Florence.
- 9.** Florence reserves the right to specify the size of the service branch for each installation.
- 10.** When applications are made for new construction water service and all the appropriate fees are paid, the installation will be scheduled once the Customer's building is under roof.
- 11.** In accordance with the provisions of KRS 139.470(7), Customer shall execute upon submitting an Application for Water Service, a Declaration of Domicile under penalty of perjury. Any Customer refusing to execute a Declaration of Domicile shall cause Customer to be assessed sales tax on all invoices for water service and any and all other assessed charge pursuant to these Rules and Regulations.

B. Service Upgrade

- 1.** For 5/8" to 1" Meters - After all the fees are paid, Florence shall, at its cost and expense, tap the main and run the service connection branch from the main to a location behind the curb or a point to be determined by Florence at its expense.

The setter and meter will be placed in a meter vault. Florence will place a small copper pigtail extending outside of vault to which the Customer will connect.

2. For 1 ½" and 2" Meters (Vault Style) - After all the fees are paid, Florence will provide Customer with the custom copper setter with adapters and meter. Customer is responsible for having the tap made, running the service branch and setting of the meter vault which shall meet the then current Rules and Regulations, Backflow Specifications, Meter Specifications, and/or Water Main Specifications where applicable. A Florence inspector shall inspect the tap and the service branch prior to providing water service.

C. Sprinkler Pit Meter Settings (All sizes)

1. All meter installations in a sprinkler pit are the responsibility of the Customer and shall meet Florence's Rules and Regulations, Backflow Specifications, Meter Pit Specifications, and/or Water Main Specifications, where applicable. Florence will deliver a meter, setter (if needed) and strainer (if needed) to Company's work site, once all fees have been paid. All costs and expense related to the installation of a sprinkler pit shall be paid by Customer.

D. General

1. That portion of the service branch from the meter connection to Customer's property shall be installed and maintained by Customer at no cost to Florence.
2. Florence will be responsible for the maintenance of service line from the main to the meter connection, including the meter itself.
3. Customer shall be responsible for maintenance and repair of the service line from the meter connection to and throughout the Customer's property. If Customer desires a water pressure other than that pressure provided by Florence's water main at the point of connection, it shall be the responsibility of Customer to install the necessary devices to provide the desired pressure. Any and all devices installed by Customer to regulate water pressure shall be paid for and installed by Customer at Customer's cost and expense. All such installation shall meet all Florence Specifications. Any and all damage which Customer may incur as a result of any pressure regulate device installed by Customer shall be Customer's sole responsibility. Florence shall not, under any circumstance, be liable to Customer for any damage incurred by Customer as a direct or indirect result of a pressure regulating device failure. Customer agrees that it will assume all responsibility for any damage where Customer has installed a pressure regulating device.

ARTICLE 9 – SERVICE LINE MAINTENANCE

- A.** Florence will be responsible for the service line from the water main through the meter connection.

- B.** Florence shall have the right to maintain its portion of the service line. In the event the service line is repaired and/or replaced, Florence will reconnect to the existing service line near the point of shut-off. If Florence should be unable to reconnect or the reconnection leaks due to the condition of the Customer's line, Florence will notify Customer. Florence shall be responsible for all costs associated with reconnecting Customer's water service to the service line. Provided, however, if additional costs and expenses are incurred by Florence in making such reconnection which are due to the condition of Customer's line and/or Customer's actions, such additional cost and expense shall be paid by Customer.

ARTICLE 10 – LINE LOCATION POLICY

- A.** Florence follows KRS 367.4901 to 367.4917 and any other Kentucky Revised Statutes related to KY 811 Underground Facility Damage Prevention Act of 1994. Prior to undertaking any excavation work, Customers must comply with the requirements of all federal, state and local laws and rules for locating and marking underground facilities.

- B.** In the event any Florence facilities, including service lines, water mains, meters, etc., are cut, or otherwise damaged or caused to leak by any act or omission of Customer, Florence may in its discretion make required repairs and/or replacements. All costs associated with such repair and/or replacement shall be the responsibility of the Customer and/or third party causing such damage. Such repair and maintenance shall include, but not be limited to, the actual cost of physical repairs (time and material), flushing of the water supply system, and chemical treatment, if necessary.

ARTICLE 11 – ABANDONED WATER MAINS

- A.** In cases where the water main, to which the Customer's service is tapped, is abandoned due to obsolescence, age or deterioration; Florence shall provide a new tap to another water main that abuts the Customer's premises. Florence shall install a new service line to a location, determined by Florence, behind the curb and an adequate service cut-off will be placed at that point. Florence will then make the connection to the Customers line at the nearest appropriate location. Unless an emergency situation exists, Florence shall give two weeks' notice before abandoning a water main.

ARTICLE 12 – UPGRADING INACTIVE/ABANDONED WATER SERVICES

- A.** The City will determine or approve all inactive/abandoned water services to be reconnected. If the Customer requests that Florence reconnect an inactive/abandoned water service, the Customer will pay the appropriate reconnection charges to bring the service up to current Florence standards. This may include upgrading the existing service line to current Florence standards and the installation of a meter setting that meets then current Florence standards. The location of the meter setting must be approved by Florence.

ARTICLE 13 – FIRE HYDRANT MAINTENANCE POLICY

A. Any local fire department accessing any component of Florence’s Water System shall be responsible for the following:

1. Notification to Florence of:

- i. Any discrepancies or problems with a fire hydrant by submitting the proper “Fire Hydrant Inspection Reports” to Florence.
- ii. The amount of water used for flow testing and flushing fire hydrants, training drills using fire hydrants, refilling fire engine tanks, fire emergencies, and any other use for fire hydrants. All water amounts used shall be estimated as accurately as possible. Any fire department or other governmental entity utilizing a fire hydrant pursuant to this paragraph shall notify Florence at least three days in advance if reasonably practicable under the circumstances. If not, the entity utilizing the fire hydrant should report estimated uses as soon as reasonably practicable.
- iii. In the event a fire hydrant is utilized for an emergency purpose, Florence shall be notified as soon as practical.

2. Coordinating the inspection of the working condition and accessibility of each public fire hydrant located in the Florence’s distribution system:

- i. Operation and flow testing of all fire hydrants coordinated with Florence. Flow testing and inspection should be conducted in the spring and fall only. Summer flow testing and inspection should be avoided due to increased demand on the system. A copy of flow information shall be forwarded to Public Services.
- ii. Notification of any discrepancies or problems with the fire hydrant shall be forwarded to Public Services.

3. Maintenance of the following items for public fire hydrants:

- i. Lubricating the threads of the discharge caps and the operating nut of the fire hydrant.
- ii. Maintaining accessibility and visibility.
- iii. Replacing nozzle cap gaskets when they are missing or damaged beyond their usefulness.
- iv. If the fire department elects to color code fire hydrants as to flows available, only the color of the cap can be changed or use of reflective tape on the dome is allowable.

B. Public Services is responsible for:

1. Repairing all public fire hydrants within a reasonable time, subject to

Florence's workload, after Florence receives proper written notification from the fire departments.

- 2.** Painting the entire fire hydrant. Hydrant domes will be color coded for water main size. Yellow = 6"; Gray = 8"; Black = 10"; Green= 12"; White = 16".
- 3.** Supplying lubricant and nozzle cap gaskets to any fire department in Florence's distribution system area.
- 4.** Notification to the local fire department when any fire hydrant in their service area is going to be out of service due to scheduled shutdowns, main breaks, maintenance, etc. In cases of emergency shut down, notification will be made as soon as practical.

ARTICLE 14 – POLICY FOR INSTALLATION OF PUBLIC FIRE HYDRANTS

- A.** New water main projects and/or water main replacement projects undertaken by Florence or a Developer shall comply with the following procedures relating to the installation of fire hydrants:
- 1.** Anchoring tees and valves will be installed along the water main project at approximately 450' – 500' intervals for future fire hydrant installation.
 - 2.** New fire hydrants may be installed, at the Developer's expense, for flushing purposes and at high points along the main for air releases depending on hydrant spacing and as determined by Florence and/or the local fire department.
 - 3.** In the event a Developer or private entity undertakes a water main replacement project within Florence's distribution system, all existing fire hydrants on the water main line project shall be replaced at the cost and expense of Developer.
 - 4.** All fire hydrant installation undertaken by a Developer shall be subject to inspection by Florence to ensure compliance with all existing Backflow Specification, Meter Pit Specifications, and/or Water Main Specifications where applicable.
- B.** In all instances where new water mains are being constructed by a Developer or other third party, the following procedures shall be met with respect to fire hydrant installation:
- 1.** Fire hydrants will be installed on the water main extension at approximately 450 foot intervals or at such other intervals as Florence may direct. The Developer shall be responsible for the cost of all fire hydrant installation including materials and labor.
 - 2.** All fire hydrant installation shall be inspected by Florence for compliance with all current installation specifications.
 - 3.** All fire hydrant plans and specifications identifying the location and installation specifications of each fire hydrant shall be preapproved by Florence.
 - 4.** All fire hydrant materials shall be subject to Florence's approval.
- C.** Unless pre-approved by Florence in writing, all fire hydrant installation shall only be permitted on water mains, which can provide a minimum fire flow of 250 gpm and the water system supporting this flow has the capability of providing this flow for a period of not less than two (2) hours plus consumption at the maximum daily rate. Fire hydrants shall be connected only to water mains adequately sized to carry fire

flows and in no case shall a hydrant be connected to water mains smaller than six (6) inches. Fire hydrants shall be located on or as close to side property lines as possible. If the water system cannot support the installation of fire hydrants, anchoring tees and valves shall be installed to allow for future fire hydrant installation when adequate water is available.

ARTICLE 15 –USE PERMITS FOR PUBLIC FIRE HYDRANTS

A. General

- 1.** Temporary water service may be available from fire hydrants in Florence’s Water System upon the submission of the proper application and approval by Florence. Fire hydrant permits are available at Florence’s Finance Department and are approved based on available water, location of fire hydrants, and the size of the meter required. Applications for temporary water service from a fire hydrant shall be issued in Florence’s discretion.
- 2.** Fire hydrant permits are issued by Florence for the following reasons:
 - i. Filling swimming pools.
 - ii. Street/Parking lot cleaning.
 - iii. Road construction projects.
 - iv. Other purposes as deemed necessary and appropriate by Florence.
- 3.** All fire hydrant permit connections shall be properly metered and shall meet all Backflow Specifications. Metering devices and backflow prevention devices shall be furnished by Florence obtained at the issuance of permit. Florence may charge the Developer a service fee for all metering and/or backflow prevention devices furnished to a Developer.
- 4.** No Fire Hydrant Permit shall be issued for a period of more than 30 days for $\frac{3}{4}$ ” hydrant meter and no more than 60 days for a 2 $\frac{1}{2}$ ” hydrant meter.
- 5.** No Fire Hydrant Permit shall be issued for construction purposes where a permanent service will be required at a future date.

B. Deposits, Fees and Charges

- 1.** Hydrant Usage Deposit – A refundable deposit (established by Florence in its discretion) shall be placed with Florence, from which any charges shall be deducted for damages and unbilled water, with the remaining balance being returned to the holder of the permit.
- 2.** For Deposit Charges, please refer to the current Fee Ordinance.
- 3.** Water consumption shall be billed at the normal Customer rates. These rates will be based on the then current Fee Ordinance.

4. The holder of a Fire Hydrant Permit shall be responsible for any damage, which shall include but not be limited to, freezing, loss, or theft of the meter assembly, damage to the fire hydrant, water loss due to flushing, chemical, and Florence employee time. Charges for any repairs will be based on a rate of time to perform the repairs and for any material used. If there is any leakage between the fire hydrant and the connection to the permit holder's hose connection, the fire hydrant shall be immediately shut off and Florence notified.
5. Florence reserves the right to discontinue private use of a Fire Hydrant at any time Florence determines in its discretion that the Developer and/or third party user has violated any rule or regulation herein.

C. Unauthorized Use - Charges For Estimated Usage When Not Having a Permit or Not Using Metering Devices

1. No Developer, person, firm, or corporation shall use, or make a connection to use, water from a fire hydrant or other available source of water unless a properly authorized Fire Hydrant Permit is issued by Florence. Any connection, hoses, wrenches, or appurtenances attached to a fire hydrant without a permit issued by Florence shall be immediately confiscated by Florence and the proper legal authority will be notified of the theft of service. Where no Fire Hydrant Permit was issued and there is no way to determine actual water usage, the minimum estimated amount will be equal to the cost of the water flowed for four (4) hours @ 250 gpm. In the event of any unauthorized use of a Fire Hydrant, Florence may recover from the unauthorized user, damages, which shall include but not be limited to the following:
 - i. Actual and/or estimated water usage.
 - ii. Repair or replacement of any damage to the Fire Hydrant and/or water main system;
 - iii. All costs and expense incurred by Florence reasonably related to such unauthorized use;
 - iv. Court costs, attorney's fees and related expenses incurred by Florence as a result of such unauthorized use;
 - v. Cost of any and all chemicals; and
 - vi. Any and all fines which shall include up to \$500.00 per day of unauthorized use.

D. Permanent Installation of Meter & Backflow Preventer

- 1.** No permanent installations will be allowed on fire hydrants.

ARTICLE 16 – WATER SERVICE FOR FIRE DEPARTMENTS

- A.** Water is provided to fire departments served by Florence’s distribution system for emergencies and their prevention at “NO CHARGE”.

**ARTICLE 17 – PRIVATE FIRE HYDRANTS, IRRIGATION (SEWER DEDUCTS)
AND FIRE-LINE BYPASS METERS**

- A.** Any connection to Florence’s water main distribution system for private fire protection shall be preapproved by Florence. At a minimum, such connection for private fire protection shall require regular meter or a fire line by-pass meter as determined by Florence in its discretion. The Customer shall be billed for actual water used or at the minimum billing rate for domestic water Customers.

- B.** Sewer Deduct – All meters are to be purchased from Florence and to be inspected by Florence before credit can be issued. They shall be tapped off the main domestic water line and the meter must be permanently installed inside the building. The readings for these meters are the responsibility of the Customer to send in on the 15th of January, April, July and October. Other options must be submitted in writing and approved by Florence’s Public Service Department.

- C.** All charges in relation to the above items, and all other charges in general, are based on the current Fee Schedule which are included in Florence’s Fee Ordinance.

ARTICLE 18 – CROSS CONNECTIONS AND BACKFLOW DEVICES

- A.** Cross Connections within the Florence Water Distribution System are prohibited.
- B.** Please refer to Florence’s Water Main Specifications, Meter Pit Specifications, and Backflow Specifications for more information regarding the installation and maintenance of Backflow Prevention Devices.

ARTICLE 19 – ENFORCEMENT

A. General

1. If any Customer, person or entity is found to violate any provision of these Rules and Regulations, Backflow Specifications, Meter Pit Specifications, Water Main Specifications, and/or any rule or regulation relating to water service, Florence may, in its absolute discretion take any course of action available, which shall include but not be limited to the following:
 - i. Enforce Florence’s Rules and Regulations through the civil or criminal justice system;
 - ii. Remove any improper construction, connection, service branch, or other violating component which is contrary to these Rules and Regulations; immediately terminate water service to the violator;
 - iii. Revoke any and all permits issued to the violator;
 - iv. Recover all damages, costs and expenses reasonably incurred by Florence as a result of the violator’s conduct;
 - v. Issuance of Citations and Assessment of fines and penalties; and
 - vi. Take any and all other action against the violator as permitted under Kentucky law.
2. Installation of any facility or component to Florence’s Water System by any Customer, person, or entity in violation of these Rules and Regulations shall constitute a nuisance which may be abated by Florence, in its discretion, through Injunction or other equitable action available to Florence in any court of competent jurisdiction.
3. Any Customer, person or entity found to be operating in violation of these Rules and Regulations may be compelled by Florence, in its discretion, to cease and desist upon proper application to any Court of competent jurisdiction.
4. Any Customer, person, or entity willfully failing to comply with these Rules and Regulations shall be liable to Florence for and all damages reasonably related to such violation which shall include, but not be limited to, those damages available as outlined in paragraph A1 i through vii above; the cost of renewing or repairing those components to Florence’s Water System damaged by the violator’s conduct; and any and all other incidental and/or consequential damages arising from such violation.

B. Enforcement Action

- 1.** Connection to Florence’s Water System in violation of these Rules and Regulations in any manner or in violation of any Order issued by Florence as authorized by these Rules and Regulations is hereby declared a public nuisance. Such nuisance shall be corrected or abated as Ordered by Florence.
- 2.** Florence, in its discretion shall determine the appropriate enforcement action to be taken in each case where a violation is found to exist. Considerations in determining appropriate enforcement shall include, but not be limited to, the type of violation; whether the violation was intentional or unintentional; whether the violation threatens the public health, safety, and welfare of other Customers; the violator’s history of previous violations; any and all other considerations which Florence may deem appropriate under the particular facts and circumstances of the then current violation.
- 3.** Pursuant to Ordinance No. 0-7-02. the City of Florence created the “Florence Code Enforcement Board” with the authority to issue remedial orders and impose civil fines in order to provide an effective method of insuring compliance with City of Florence Ordinances and Codes. Pursuant to the provisions of this “Article XIX Enforcement,” Citation Officers shall have complete authority to cite any offender of these Rules and Regulations to the Florence Code Enforcement Board for adjudication. These Rules and Regulations hereby adopt the hearing and appeal procedures codified in Ordinance No. 0-7-02 as amended relating to any citation issued by a qualified Citation Officer.

C. Judicial Enforcement Remedies

- 1.** Florence may in its discretion seek enforcement of these Rules and Regulations through judicial civil process available to Florence in any court of competent jurisdiction. Such action may include injunctive, restraining, and/or other equitable relief. Florence may also assess criminal penalties, for violations as may be available under Kentucky law and these Rules and Regulations.

D. Injunctive Relief

- 1.** Florence, through counsel, may petition the appropriate Court for an Order of injunction to restrain or compel the activity of a noncompliant user. Injunctive relief can be used where an administrative order does not achieve compliance, or where immediate action is required to prevent a danger to human health, or the environment. Injunctions can be temporary, permanent and/or both.

E. Cost Recovery

1. Florence may recover any and all damages, costs and expenses incurred by Florence as a direct or indirect result of any Customer or third party violation of these Rules and Regulations, Backflow Specifications, Water Main Specifications, and/or Meter Pit Specifications. Such damages shall include but not be limited to consequential and/or direct damages. Florence may also recover all attorney's fees, court costs and other reasonable expenses incurred in the prosecution and/or enforcement of these Rules and Regulations.

F. Civil Penalties

1. Any Customer or other third party who violates any provision of these Rules and Regulations, Backflow Specifications, Meter Pit Specifications and/or Water Main Specifications are subject to civil fine and penalty as follows:
 - i. **Major Violations:** A Major Violation shall include any offense which involves (i) theft of water services; (ii) unauthorized use of a meter not approved by Florence; (iii) tampering with a meter which alters the meter and/or causes the meter to provide a false reading; and (iv) any offense which adversely affects the public health and safety, including but not limited to unauthorized Cross-Connection Violations, Backflow Specifications and/or Meter Pit Violations. All Major Violations shall be subject to the following civil penalties:
 1. Up to \$250.00 fine for the first offense;
 2. Up to \$500.00 fine for the second offense; and
 3. Up to \$1,000.00 fine for the third offense.
 - ii. **Minor Violations:** A Minor Violation shall include all violations of these Rules and Regulations, Backflow Specifications, Water Main Specifications and/or Meter Pit Specifications not defined as a Major Violation above. Minor violations shall be subject to the following civil penalties:
 1. Up to \$50.00 fine for the first offense;
 2. Up to \$150.00 fine for the second offense; and
 3. Up to \$300.00 fine for the third offense.
2. The Civil Penalties provided for herein shall not in any way limit or otherwise restrict the imposition of any criminal penalties or fines which may be charged for the violation of any of these Rules and Regulations, Backflow

Specifications, Meter Pit Specifications, and/or Water Main Specifications as otherwise permitted under Kentucky law.

G. Termination of Water Service

- 1.** Florence may terminate any water service to any Customer if a violation of these Rules and Regulations, Backflow Specifications, Meter Pit Specification, and/or Water Main Specifications is found to exist.

H. Criminal Prosecution

- 1.** Falsifying Information or Data - Any person who knowingly makes any false statement, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to these Rules and Regulations or water permit, or who falsifies, tampers with or knowingly renders inaccurate any metering or monitoring device or method required under these Rules and Regulations, shall be subject to citation, and upon conviction, be subject to a fine up to \$500.00 per day. Each day shall constitute a new violation.
- 2.** Any action taken by Florence against any Customer or third party for any violation of these Rules and Regulations, Backflow Specifications, Meter Pit Specifications, and/or Water Main Specifications, including but not limited to, issuance of a Citation, civil action, or other court proceeding shall not limit or otherwise restrict Florence's filing of any and all other criminal charges which may be available to Florence as provided for under Kentucky Revised Statutes. It is understood that the remedies set forth in these Rules and Regulations, both civil and criminal, are not deemed to be restrictive or otherwise preemptive of any and all other claims, causes of action, and/or criminal charges available Florence as provided for under Kentucky Revised Statute.

I. Citation Officers

- 1.** Pursuant to the provision of KRS 83A.087 and KRS 431.015, the Executive Director of Public Services shall appoint Citation Officers as the Executive Director may deem appropriate in his or her discretion. Such duly appointed Citation Officers shall have the full power and authority to issue any citation for any violation of these Rules and Regulations.

ARTICLE 20 – MISCELLANEOUS PROVISIONS

- A. All water service shall be governed by these Rules and Regulations or as amended. These Rules and Regulations shall be strictly and impartially enforced by Florence and/or its designated employees and representatives. Any variance from these Rules and Regulations must be authorized in writing by Florence.
- B. Florence cannot guarantee a specific water pressure, quantity, or an uninterrupted supply of water. The supply of water will be as free from interruptions as is possible. Water supply and pressure in the public water system may be affected by main breaks, scheduled repairs, alterations, additions, fire hydrant usage, variations in hydraulic performance and/or acts of god.
- C. Florence shall own and maintain the water meter, meter vault and service line from the water main to and including the meter assembly in the meter vault and the tail piece extending to the Customer's property service connection. The Customer shall own and maintain the private service line between the property service connection and the Customer's premises. In addition, the Customer owns and maintains the union between the tail piece and private service line.
- D. Where it is necessary to install an interior meter within a Customer's premises, ample and suitable space free, free from exposure to frost, shall be furnished to Florence by the Customer to set, read and repair the meter. This space shall be accessible to Florence and its employees at all times. Any customer with a Florence approved interior meter shall install a remote disconnect meter. Any charge or cost assessed by Florence for a remote disconnect meter over and above Florence's charge for a standard water meter shall be paid by Customer.
- E. Water provided to a Customer by Florence shall not be resold, except as permitted and authorized by Florence pursuant to a written agreement.
- F. Meter Application Criteria – Upon application for water service, Florence may allow such a property to receive metered water service through a private service line installed within a private water easement so long as the following criteria are met:
 - 1. Where installation of a public water main is determined by Florence to not be in its best interest.
 - 2. The property does not front a publicly dedicated right-of-way or public water main extension.
 - 3. The applicant obtains a letter from the appropriate fire district indicating that the fire protection district has no objection to the installation of a domestic

water service and service line to the property in question, and that the installation of a public fire hydrant is not required.

4. The maximum length of the private water service line generally shall not exceed 1,000 linear feet, measured from Florence's meter, and shall generally not exceed 50 feet in elevation change from Florence's meter to the structure unless system capabilities can support a longer private service line of such a private water service installation or the applicant formally commits to installation of private water service improvements as required to maintain adequate pressure and flow.
 5. The property proposed for service must have available to it a minimum 10 feet wide perpetual private water service easement that permits the installation, maintenance, repair or replacement of a private water line extending from a public water main to the benefited property. A copy of the duly recorded easement document must be provided to Florence prior to application for service. The easement shall be that form approved by Florence.
 6. The property proposed for service must have a recorded declaration of restriction limiting further development until it abuts a public right-of-way or it abuts a water main extension within a publicly dedicated easement. A copy of the recorded declaration, in a form satisfactory to Florence, must be provided to Florence prior to the application for service.
 7. All new and/or existing Customer's receiving water service may be required to sign a Declaration of Domicile.
 8. Florence shall not be responsible or liable for any loss, damage or injury to the Customer or third parties arising out of or relating to the introduction of water service onto a Customer's premises.
 9. Prior to any excavation, all Customers shall comply with the requirements of state and local law for locating and marking underground facilities. To reach Kentucky 811 or BUD dial 811.
 10. In the event Florence and/or its representatives are unable to obtain a Customer's meter read for any reason, Florence may calculate an estimate of water consumption registered by that meter since the date the meter was last read. The Customer will receive a bill calculated on the estimated consumption.
- G.** In the event any provision of these Rules and Regulations are found to be void or unenforceable, such determination shall not affect the remaining provisions of the Rules and Regulations.