

RURAL WATER DISTRICT NO. 2
MAYES COUNTY, OKLAHOMA
P.O. Box 787
Chouteau, OK 74337-0787

RESOLUTION NUMBER 2022-1

ESTABLISHING A

DEVELOPMENT AND WATER LINE EXTENSION POLICY

WHEREAS, it is in the best interest of Rural Water District No. 2, Mayes County, Oklahoma (“District”) and its benefit unit holders, to establish a policy for the development of land and the related extension of water mains.

NOW THEREFORE, BE IT RESOLVED as follows:

The Development and Water Line Extension Policy, herein contained, shall govern for any development or water line extension when one (1) or more of the following conditions is applicable:

1. When a water line is not located on or adjacent to the proposed tract or the proposed development.
2. When existing infrastructure is inadequate to support the proposed tract or the proposed development.
3. When a proposed development consists of five (5) or more tracts, contiguous or non-contiguous, not counting an existing tract with a current water tap, split from an original tract of land. The number of tracts in a development shall count, in regards to the Policy, regardless of ownership. The number of tracts in a development, in regards to the Policy, may reset after a period of ten (10) years.
4. When a proposed development consists of four (4) or less tracts, contiguous or non-contiguous, not counting an existing tract with a current water tap, split from an original tract of land, shall be referred to as a Minor Development. The number of tracts in a development shall count, in regards to the Policy, regardless of ownership. The number of tracts in a development, in regards to the Policy, may reset after a period of ten (10) years.

DEFINITIONS:

1. **APPLICATION FEE:** A fee paid by the Developer prior to the Board of Directors consideration for Preliminary Approval.
2. **“AS-BUILT” DRAWINGS:** Record drawings of field changes that occur during construction.
3. **BENEFIT UNIT:** The purchase of an individual water meter, water service, and membership into Rural Water District No.4, Mayes County.
4. **BILL OF SALE:** A certificate of transfer of ownership of water line infrastructure from the Developer to Rural Water District No.2, Mayes County.
5. **BOARD:** The Rural Water District No.2, Mayes County, Board of Directors.

6. CASH BOND: If so, approved by the District, a Developer may be allowed to post a Cash Bond in lieu of a maintenance bond. Amount of said Cash Bond shall be determined by the District Manager. If said Cash Bond is not used for any warranty purposes, said Cash Bond shall be returned to the Developer after one (1) year.
7. CONSTRUCTION PLANS: Construction drawings of proposed infrastructure.
8. DEVELOPMENT: Any division of land that creates five (5) or more, new or additional tract(s) of land, whether contiguous or non-contiguous, not counting an existing tract with a current water tap, for residential or commercial purposes, in which a public water line may or may not be required to provide potable water service. The number of tracts in a development shall count, in regards to the Policy, regardless of ownership. The number of tracts in a development, in regards to the Policy, may reset after a period of ten (10) years.
9. DEVELOPER: Any individual or group of individuals acting collectively to create a Development, Subdivision, Minor Development, or Water Line Extension, whether contiguous or non-contiguous, for residential or commercial purposes.
10. DISTRICT: Rural Water District No.2, Mayes County.
11. DISTRICT MANAGER: District Manager for Rural Water District No.2, Mayes County.
12. DISTRICT ENGINEER: Consulting Engineer retained/hired by Rural Water District No.2, Mayes County, to provide engineering services as to represent Rural Water District No.2, Mayes County as District Engineer.
13. ELECTRONIC FILES: Refers to PDF, CAD, Word, and general computer files.
14. ENGINEER: A professional civil engineer licensed in the State of Oklahoma.
15. FEASIBILITY REPORT: A report prepared by the District Engineer, provided to the Developer and the Board of Directors that includes, but not limited to; size and nature of development, summary of required on-site and off-site improvements, preliminary cost estimate, District fees, engineering review fees, ODEQ fees, and right-of-way requirements.
16. FINAL ACCEPTANCE: Upon completion of all water line infrastructure and receipt of all required documentation, the Rural Water District No.2, Mayes County, Board of Directors, at a regularly schedule monthly meeting, consider Final Acceptance of the proposed development.
17. FINAL PLAT: Refers to the Final Plat of record of a subdivision or a development that is intended to be platted and filed of record, if so required, within a County or Municipal jurisdiction.
18. INSPECTION: The oversight and observation of the installation of water mains and appurtenances.
19. INSPECTOR: A individual designated by Rural Water District No.2, Mayes County, to oversee and observe the installation of water mains and appurtenances.
20. MAINTENANCE BOND: A one (1) year surety bond, equal to 5% of the total water line infrastructure construction cost, purchased by a contractor and/or Developer to protect Rural Water District No.2, Mayes County, from the costs to remedy any construction faults or defects.

21. NON-COMPLIANT DEVELOPMENT: District retains to right to assess any Non-Complaint Development additional fees for infrastructure cost funded by the District that directly provide service to said Non-Complaint Development.
22. MINOR DEVELOPMENT: Any development consisting of four (4) or less tracts, not counting an existing tract with a current water tap, and where existing adequate water line infrastructure is located on or adjacent to the proposed development. The number of tracts in a development shall count, in regards to the Policy, regardless of ownership. The number of tracts in a development, in regards to the Policy, may reset after a period of ten (10) years.
23. LEIN RELEASE: A document from a contractor, subcontractor, materials supplier, equipment lessor or other party to the construction project stating they have received payment and waive any future lien rights to the property for the amount paid.
24. ODEQ: Oklahoma Department of Environmental Quality.
25. OFF-SITE IMPROVEMENTS: Any water line infrastructure improvements outside the boundaries of a development.
26. ON-SITE IMPROVEMENTS: Any water line infrastructure improvements within the boundaries of a development.
27. PRELIMINARY APPROVAL: Preliminary Approval, is valid for one (1) year, granted by the Rural Water District No.2, Mayes County, Board of Directors, grants the right for a development and/or a water line extension to proceed based on feasibility reports, executed agreements, and related documents.
28. PRELIMINARY PLAT: Refers to the Preliminary Plat of a subdivision or a development that is intended to platted and filed of record, if so required, within a County or Municipal jurisdiction.
29. POLICY: The policies and procedures herein contained known as the Development and Water Line Extension Policy.
30. SITE PLAN: A hand drawn or computer-generated visual representation of a subdivision or development.
31. STANDARD CONSTRUCTION DETAILS: A drawing that provides a visual representation of the standard installation of water mains and appurtenances adopted and governed by Rural Water District No.2, Mayes County and Oklahoma Department of Environmental Quality.
32. STANDARD SPECIFICATIONS: A document that provides the specifications and construction standards for the installation of water mains adopted and governed by Rural Water District No.2, Mayes County and Oklahoma Department of Environmental Quality.
33. SUBDIVISION: Any division of land that creates five (5) or more, new or additional tract(s) of land for residential or commercial purposes. The number of tracts in a subdivision shall count, in regards to the Policy, regardless of ownership. The number of tracts in a subdivision, in regards to the Policy, may reset after a period of ten (10) years.
34. TESTING: Refers to pressure test of water mains and water quality sampling as governed by the Oklahoma Department of Environmental Quality.

35. TRACT: A splitting of land from an original tract of land for the purpose of residential or commercial development.
36. UTILITY EASEMENT: Right-of-way easement granted to the Public and/or the County having jurisdiction by means of a separate instrument or dedicated as part of a platted subdivision. All utility easements shall grant the District the right to install, maintain, and replace public utilities.
37. WATER LINE EASEMENT: Water line right-of-way easement granted to Rural Water District No.2, Mayes County, granting the right to install, maintain, and replace water mains.
38. WATER LINE EXTENSION: When a tract of land, not necessarily a Development as so defined by this Policy, requires an extension of the District's public water line infrastructure in order to provide adequate water supply.
39. WATER LINE PLANS: Construction drawings of proposed water line infrastructure.
40. WATER SAMPLES: Water samples acquired from water mains used for the purpose of testing water quality as governed by the Oklahoma Department of Environmental Quality.

DEVELOPMENT FUNDING:

Any Developer or individual(s) desiring to create a Development, shall be solely responsible for cost of the installation of all on-site and all off-site water line infrastructure and related cost thereof; including but not limited to, the following: water line materials, appurtenances, surveying, engineering, planning, design, engineering review fees, District fees, ODEQ permitting fees, other applicable permitting fees, right-of-way acquisition, legal fees, inspection fees, pressure test, bacteria test, "As-Built" drawings, electronic files, and maintenance bond.

PROCEDURE:

Any Developer or individual(s) desiring to create a Development, Subdivision, Minor Development or Water Line Extension, that requires the installation or the extension of water line infrastructure shall adhere to the following process:

1. Developer, provides a preliminary layout, site plan, and/or exhibit of the proposed development or water line extension to the District.
2. District, will provide a preliminary feasibility report, written or verbally, to the Developer as to the development process.
3. Developer, executes the Developer's Agreement and pay application fee.
4. District, and/or the District Engineer provides written feasibility report outlining the proposed development and the water line infrastructure requirements. Said feasibility report shall include a preliminary cost estimate, including but not limited to; District fees, Engineering Review fees, ODEQ fees, Maintenance Bond, and Right-of-way acquisition.
5. Board of Directors, at a regularly schedule monthly meeting, consider Preliminary Approval of the proposed development. Preliminary Approval, is valid for two (2) years. Should a development not be under construction within the two (2) years, the Developer shall be required to submit a new Agreement and pay a new Application Fee.
6. Developer, pending Preliminary Approval by the Board of Directors, proceeds with the development/creation of water line construction plans and related documents for submission to the District for review and approval.

7. Developer, pending review and approval of all water line construction plans and related documents, shall submit said water line construction plans to ODEQ for review and approval.
8. Developer, upon receiving approval from the District and ODEQ, shall proceed with installation of water line infrastructure.
9. Developer, upon completion of all water line installation, pressure tests, safe water samples, and final inspection, shall submit to the District; bonds, bill sale, lien releases, recorded easements, "As-Built" drawings, electronic files, and recorded final plat.
10. Board of Directors, upon completion of all water line infrastructure and receipt of all required documentation, at a regularly schedule monthly meeting, consider Final Acceptance of the proposed development.
11. Developer, upon receiving Final Acceptance is eligible to purchase Benefit Unit(s) and establish water service.

ON-SITE INFRASTRUCTURE:

Any Developer or individual(s) desiring to create a Development shall be solely responsible for the installation and all associated cost thereof of all on-site water line infrastructure; including but not limited, to the following:

A. Design and Construction Plans:

1. Shall be designed, drafted, and sealed by a professional civil engineer licensed in the State of Oklahoma.
2. Submittal of construction plans shall be at least three (3) copies of subdivision/development plans; including but not limited to; preliminary and final plats, non-water related construction plans, water line construction plan and profiles, and standard construction details.
3. All plans for District review shall be submitted on 24"x36" full size sheets. Construction plans submitted to ODEQ for permitting shall be 11"x17" half size sheets. Electronic copies of all plans and documents shall be provided to the District upon request.
4. All plans shall as a minimum show; location of all existing and proposed utilities, all non-water related infrastructure improvements, location of all existing and proposed water lines.
5. The Developer shall be responsible to obtain all necessary permits, including but not limited to; ODEQ, USACE, FEMA, ODOT, County, Municipal, and any other entity having jurisdiction.
6. All water line plans must be reviewed and approved by the District prior to submission to ODEQ for permitting. Developer shall be responsible for engineering review fees based on a hourly rate for time incurred for reviewing, including but not limit to; water line construction plans, right-of-way easements, plats, permits, bonds, and releases.
7. All water line construction plans shall be subject to review and approval by the District and ODEQ.

B. Water Lines General:

1. Shall be designed, sized, and installed according to District and ODEQ specification and standard details.
2. Shall be a minimum of six-inch (6") diameter water lines.
3. All on-site water lines shall be a minimum of six-inch (6") diameter water lines and shall be interconnected (looped) as to create no dead ends.
4. On-site water line improvements for Minor Developments shall consist of service lines, road bores, and casing, if so required to serve the proposed tracts.

5. All Developments shall be required to install a minimum of a six-inch (6") diameter water line(s) along all the entire frontage of the proposed subdivision/development adjacent to Section Line or County maintained roads. District retains the right, at the District's expense, to increase the size of any proposed water line.
6. Shall be designed and sized to provide adequate domestic water service, based on the numbers of lots/parcel, and to provide adequate fire flow as governed by the local Fire Marshal.
7. Shall be wholly contained within water line right-of-way easements dedicated to the District or within dedicated public utility easements as part of a platted subdivision.
8. All on-site infrastructure requirements are subject to modifications and/or adjustments pending approval of the Water District.

C. Installation:

1. Only stamped approved plans by the District and stamped approved plans by ODEQ shall be allowed on the job site.
2. All water line installation shall be performed under the supervision of a Class 'D' Operators License.
3. All water line installation shall be in accordance to District and ODEQ specification and standard details and the approved construction plans.
4. All water lines and property lines shall be staked by a Professional Land Surveyor registered in the State of Oklahoma.
5. All water line installation shall be inspected by the District during construction and prior to Final Acceptance. Developer shall be responsible for all inspection fees.

D. Final Acceptance:

1. Developer shall submit to the District; bonds, bill sale, lien releases, recorded easements, "As-Built" drawings, electronic files, and recorded final plat.
2. Pending review and approval of all required documents as listed above, the Board Directors, at a regularly schedule monthly meeting, shall consider Final Acceptance of the development as complete and accept all infrastructure into the District for ownership and maintenance thereof.
3. Upon receiving Final Acceptance, the Developer is eligible to purchase Benefit Units.

OFF-SITE INFRASTRUCTURE:

Any Developer or individual(s) desiring to create a Development, shall be solely responsible for the installation and all associated cost thereof of all off-site water line infrastructure; including but not limited, to the following:

A. General:

1. Requirements for off-site water infrastructure shall comply with all requirements as set forth in the on-site infrastructure requirements as listed above.
2. Any Development or Subdivision of residential or commercial property containing five (5) or more lots or tracts, not counting an existing tract with a current water tap, shall require off-site infrastructure improvements by the Developer.
3. Off-site infrastructure improvements shall be determined by the District in such a manner to insure adequate pressure and flow to the existing system.
4. Off-site infrastructure improvements may not necessarily be contiguous to the proposed subdivision/development.
5. Off-site infrastructure improvements may be satisfied by a special assessment fee if so, approved by the District. Assessment fees shall be based on the number of lots or tracts scheduled for development and/or the corresponding required off-site infrastructure requirements.

WATER LINE RIGHT-OF-WAY EASEMENTS:

Any Developer or individual(s) desiring to create a Development shall be solely responsible for; creating, obtaining, purchasing, and the cost thereof of all on-site and off-site water line right-of-way easements as follows:

1. Water line right-of-way easements shall be granted to the District, for all Development, Subdivision, Minor Development or Water Line Extension, by dedication of a water line right-of-way easements to the District or by dedication of public utility easements as part of a platted subdivision, along all public roadways.
2. Water line right-of-way easements along public roadways, not within a platted subdivision, shall be a minimum dedication of fifty feet (50') wide, measured from the center line of the public roadway, unless otherwise approved by the District.
3. Dedicated public utility easements within a platted subdivision shall be a minimum of twenty feet (20') wide, unless otherwise approved by the District.
4. All water line right-of-way easements shall be adjacent and parallel to a dedicated public maintained roadway, unless otherwise approved by the District.
5. Any easement not adjoining a dedicated public roadway shall require special consideration and approval from the District. Any such easement would require access across adjoining lands by means of an access easement or access granted by means of the right-of-way easement.
6. All easements must be reviewed and approved by the District prior to filing of record.
7. All easements, once approved, must be filed of record at the office of the County Clerk within the County having jurisdiction.

REQUIRED DOCUMENTATION:

Any Developer or individual(s) desiring to create a Development shall be required to provide; but not limited to, the following documents and tasks to the District throughout the development process and prior to Final Acceptance by the Rural Water District No.2, Mayes County, Board of Directors:

1. Site plan
2. Developer's Agreement
3. Application Fee
4. Preliminary water line construction plans
5. Final water line construction plans and non-water related development construction plans
6. Final water line plans for submission to ODEQ
7. Construction and property line staking
8. Installation of water line infrastructure
9. Right-of-way easements and/or Final Plat filed of record
10. Pressure test and bacteria test (safe samples)
11. "As-Built" drawings
12. Electronic copies of all plans and related documents
13. Maintenance Bond, Bill of Sale, Lien Release, and Payment for all District Fees

MINOR AMENDMENTS:

The Board of Directors of Rural Water District No. 2, Mayes County, Oklahoma ("District") retains the right to make minor amendments and/or minor modifications to the Policy herein contained and/or to amend or modify the requirements for a particular Development or Water Line Extension, upon a majority vote of said Board, at any regularly scheduled monthly Board Meeting.

FEE SCHEDULE:

Any Developer or individual(s) desiring to create a Development or Water Line Extension, shall be responsible for; but not limited to, the following fees as part of the development process:

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|---------------------------------|--|
| 1. Application fee to District: | \$500.00 |
| 2. ODEQ Fees: | Based on the linear feet of water line as per ODEQ |
| 3. Engineering Review Fees: | Base on hours of review by the District Engineer |
| 4. Inspection Fees: | \$1.25 / linear feet of water line |
| 5. Bacteria Samples: | Based on; size, length, and multiple samples |
| 6. Maintenance Bond: | 5% of the total water infrastructure construction cost |
| 7. Other Fees: | USACE, FEMA, ODOT, County, Municipal, and any other entity having jurisdiction |

PASSED AND APPROVED by the Board of Directors of Rural Water District No. 2, Mayes County, Oklahoma, this 9 day of May, 2022.

Rural Water District No. 2,
Mayes County, Oklahoma

By: *Charles A. O'Byrne*
Chairman of the Board of Directors

ATTEST:

Michael South
Secretary