

BY-LAWS OF NORTHSIDE WATER USERS ASSOCIATION, INC.

ARTICLE I: General Purposes

The purposes for which the Association is formed and the powers which it may exercise are set forth in the Articles of Incorporation of the Association.

ARTICLE II: Name and Location

- **Section 1.** The name of this Association is the Northside Water Users Association, Inc.
- **Section 2.** The principal office of this association shall be located in the City of Sandpoint, Idaho, County of Bonner, but the association may maintain offices and places of business at such other places in Bonner County as the Board of Directors may determine.

ARTICLE III: Seal

- **Section 1.** The Seal of the association shall have inscribed thereon the name of the association, the year of its organization and the words, "Non-Stock Corporation, Idaho."
- **Section 2.** The secretary of the association shall have custody of the seal.
- **Section 3.** The seal may be used by causing it or a facsimile thereof to be impressed or affixed or reproduced or otherwise.

ARTICLE IV: Fiscal Year

The fiscal year of the association shall begin the first day of January in each year.

ARTICLE V: Membership

- **Section 1.** The holders of membership certificates of this association are its members. Any bona fide occupant of a farmstead or homestead having reasonable accessibility to the source of and who is in need of having water supplied for domestic, livestock and garden purposes from the water system operated by the association and who receives the approval of the board of directors may be admitted to membership upon subscribing for or otherwise acquiring a membership certificate; provided that, no person otherwise eligible shall be permitted to subscribe for or acquire a membership certificate of the association if the capacity of the association's water system is exhausted by the needs of its existing members.
- **Section 2.** If a member ceases to be eligible to hold membership as provided in Section 1, or willfully fails to comply with these by-laws and other requirements, or willfully obstructs the purposes and proper activities of the association, the association, through the board of directors, may elect to purchase his membership certificates and terminate his membership upon tender to him or his heirs or legal representatives of the fair book value of his membership certificates as

determined by the board of directors, together with any dividends due and unpaid less any indebtedness then due from him to the association. Any member whose membership is so terminated by cause other than that of ceasing to be eligible may appeal from the action of the board of directors to a vote of the members at the next regular meeting of the members or special meeting of the members called for such purposes.

- **Section 3.** Each member shall be entitled to one vote on each matter submitted to a vote of the members.
- **Section 4.** Membership in this corporation is transferable and assignable upon a majority vote of the board of directors, provided a member in good standing who sells his whole farm or business, or dies, such membership may be sold or assigned to the new purchaser. The board of directors shall not arbitrarily deny membership if the purchaser is fully qualified for membership. Any member who purchases the farm, business or membership certificate of another member must maintain the obligations of membership.

ARTICLE VI: Membership Certificates

- **Section 1.** This association shall not have capital stock but its capital stock shall be represented by membership certificates.
- **Section 2.** The membership certificates shall be issued to each holder of fully paid membership and shall be numbered consecutively, in accordance with the order of issue. Each membership certificate shall bear on its face the following statements:
 - **a.** This membership certificate No. _____ is issued and accepted in accordance with and subject to the conditions and restrictions stipulated in the Articles of Incorporation and By-Laws and amendments to the same of the Northside Water Users Association, Inc.
 - **b.** Transfer of membership certificates shall be made only upon the books of the association, only to persons eligible to become members, only with the approval of the Board of Directors and only when the member transferring is free from indebtedness to the association.
 - **c.** No member of this association shall be entitled to more than one vote at meetings of the members.
- **Section 3.** All transfers of membership certificates shall be made upon the books of the association upon the surrender of the certificates covering the same by the holders thereof or by their legal representatives but only with the approval of the Board of Directors and only to persons eligible to become members and only when the transferring member is free from indebtedness to the association.

ARTICLE VII: Meetings of Members

- **Section 1.** The annual meeting of the members of this association shall be held in the County of Bonner, State of Idaho at a place designated by the notice of meeting, at 7:30 o'clock P.M. on the second Wednesday in April of each year, if not a legal holiday, or, if a legal holiday, on the next business day following.
- **Section 2.** Special meetings of the members of the association may be called at any time by the president or upon resolution of the Board of Directors, or upon written petition to the president

of the board, signed by ten percent (10%) of the members of the association. The purpose of every special meeting shall be stated in the notice thereof, and no business shall be transacted thereat except such as is specified in the notice.

- **Section 3.** Notice of meetings of members of the association may be given by a notice mailed to each member of record, directed to the address shown upon the books of the association, at least 10 days and not more than 30 days prior to the meeting. Such a notice shall state the nature, time, place, and purpose of the meeting.
- **Section 4.** The members holding twenty-five (25) percent of the voting rights of all outstanding membership shall constitute a quorum. If a quorum is not present at any meeting of members, a majority of the members present may adjourn the meeting from time to time without further notice.
- **Section 5.** At any meeting of members, a member entitled to vote may vote by proxy executed in writing by a member or his duly authorized attorney in fact. No proxy shall be valid after eleven (11) months from the date of its execution, unless otherwise provided in the proxy.
- **Section 6.** Directors of this association shall be elected at the annual meeting of the members.
- **Section 7.** The order of business at the regular meetings and so far as possible at all other meetings shall be:
 1. Calling to order and proof of quorum.
 2. Proof of notice of meeting.
 3. Reading and action on any unapproved minutes.
 4. Reports of officers and committees.
 5. Election of Directors.
 6. Unfinished business.
 7. New business.
 8. Adjournment.

ARTICLE VIII: Directors and Officers

- **Section 1.** The Board of Directors of this association shall consist of five (5) or more members, all of whom shall be members of the association. The Directors named in the Articles of Incorporation shall serve until the first annual meeting of the members and until their successors are elected and have qualified. At the first annual meeting of the members, two (2) directors shall be elected for a term of one year; two (2) directors for a term of two years; and one (1) or more directors for a term of three (3) years. At each annual meeting thereafter, the members shall elect for a term of three (3) years the number of directors whose terms of office have expired.
- **Section 2.** The Board of Directors shall meet within ten (10) days after the first election and within ten (10) days after the annual election of directors and shall elect by ballot a president and vice-president from among themselves and a secretary-treasurer, each of whom shall hold office until the next annual meeting and until the election and qualification of his successor unless sooner removed by death, resignation or for cause.

- **Section 3.** Any vacancy in the Board of Directors, other than from the expiration of a term of office, shall be filled by election by the remaining members of the board until the next regular or special meeting of the members of the association, at which meeting a director shall be elected for the unexpired term. The disqualification of a director as a member of the association shall operate to disqualify him as a director and to create a vacancy in the office of director.
- **Section 4.** A majority of the Board of Directors shall constitute a quorum at any meeting of the Board.
- **Section 5.** Compensation of officers and directors may be fixed at any regular or special meeting of the members of the association. Directors shall receive no salary for their service as such.
- **Section 6.** Any director of the association may be removed from office for cause, by vote of not less than two-thirds of the members of the association present at any annual or at any special meeting called for the purpose, at which a majority of the members shall be present. The director shall be informed in writing of the charges preferred against him at least ten (10) days before such meeting, and at the meeting shall have an opportunity to present witnesses and be heard in person in answer thereto. Officers may be removed for cause by vote of two-thirds of the members of the board and employees or agents discharged or removed from office or employment at any time by action of the Board of Directors.

ARTICLE IX: Duties of Directors

- **Section 1.** The Board of Directors, subject to restrictions of law, the Articles of Incorporation, or these By-Laws, shall exercise all the powers of the association, and, without prejudice to, or limitation upon their general powers, it is hereby expressly provided that the Board of Directors shall have, and are hereby given, full power and authority (to be exercised by resolution adopted by a majority vote of all the members) in respect to the matters and as hereinafter set forth:
 - **a.** To pass upon the qualifications of members, and to cause to be issued appropriate certificates of membership.
 - **b.** To select and appoint all officers, agents or employees of the association, or remove such officers, agents or employees and designate such powers as may be consistent with these By-Laws, fix their compensation and pay for faithful service.
 - **c.** To borrow from any source, money, goods, or services, and to make and issue notes, and other negotiable and transferable instruments, mortgages, deeds of trust and trust agreements, and to do every act and thing necessary to effectuate the same.
 - **d.** To prescribe, adopt, and amend, from time to time, such equitable uniform rules and regulations as, in their discretion, may be deemed essential or convenient for the conduct of the business and affairs of the association and the guidance and control of its officers and employees, and to prescribe adequate penalties for the breach thereof.
 - **e.** To order, at least once each year, an audit of the books and accounts of the association by a competent public auditor or accountant. The report prepared by such auditor or accountant shall be submitted to the members of the association at their annual meeting.
 - **f.** To fix the charges to be paid by each member for services rendered by the association to him, the time of payment, and the manner of collection.

- **g.** To require all officers, agents and employees charged with the responsibility for the custody of any of the funds of the association to give adequate bonds, the cost thereof to be paid by the association, and it shall be mandatory upon the directors to so require.
- **h.** To select one or more banks to act as depositories of the funds of the association and to determine the manner of receiving, depositing, and disbursing the funds of the association and the form of checks and the person or persons by whom the same shall be signed, with the power to change such banks and the person or persons signing such checks and the form thereof at will.
- **i.** To levy assessments against the membership certificates of the association and to enforce the collection of such assessments by the sale of delinquent certificates, provided that such assessments shall be made and delinquent certificates shall be sold in such manner as may be specified in Section 30-157 of the Idaho Code or amendments thereof.
- **j.** To sell or rent water to persons or groups of persons who are not members of the association, but who are accessible to service from the association's system and who need water for domestic, livestock and garden purposes; provided that such sale or rental of water shall only be made at such times and during periods when there is water in the association's system in excess of all the needs of the members of the association and their requests for water; and, provided, further, that the sale or rental of water to such persons shall be made under contract in form approved by the Board of Directors, which shall clearly provide the limitations of such sale or rental, at rates which in no event shall be less than the total rates, charges and assessments, paid by members of this association.

ARTICLE X: Duties of Officers

- **Section 1. Officers.** The officers of the corporation shall be a president, one vice-president, a secretary-treasurer, and such other officers as may be elected or appointed in accordance with the provisions of this article.
- **Section 2. Removal.** Any officer elected or appointed by the Board of Directors may be removed by the Board of Directors whenever in its judgment the best interests of the corporation would be served thereby, but such removal shall be without prejudice to the contract right, if any, of the officer so removed.
- **Section 3. Vacancies.** A vacancy in any office because of death, resignation, removal, disqualification or otherwise may be filled by the Board of Directors for the unexpired portion of the term.
- **Section 4. President.** The president shall be the principal executive officer of the corporation and shall in general supervise and control all of the business and affairs of the corporation. He shall preside at all meetings of the members and of the Board of Directors. He may sign, with the secretary or any other proper officer of the corporation authorized by the Board of Directors, any deeds, mortgages, bonds, contracts and other instruments which the Board of Directors have authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated to some other officer or agent of the corporation; and in general he shall perform all duties incident to the office of president and such other duties as may be prescribed by the Board of Directors from time to time.

- **Section 5. Vice-President.** In the absence of the president or in the event of his inability or refusal to act, the vice-president shall perform all the duties of the president, and when so acting shall have all the powers of and be subject to all the restrictions upon the president. The vice-president shall perform such other duties as from time to time may be assigned to him by the president or by the Board of Directors.
- **Section 6. Secretary-Treasurer.** The secretary-treasurer shall keep a complete record of all meetings of the association and of the Board of Directors and shall have general charge and supervision of the books and records of the association. He shall sign all membership certificates with the president and such other papers pertaining to the association as he may be authorized or directed to do so by the Board of Directors. He shall serve all notices required by law and by these By-Laws and shall make a full report of all matters and business pertaining to the office to the members at the annual meeting. He shall keep the corporate seal and membership certificate record of the association, complete and countersign all certificates issued, and affix said corporate seal to all papers requiring a seal. He shall keep a proper membership certificate record, showing the name of each member of the association, date of issuance, surrender, cancellation or forfeiture. He shall make all reports required by law and shall perform such other duties as may be required of him by the association or the Board of Directors. Upon the election of his successor, the secretary-treasurer shall turn over to him all books and other property belonging to the association that he may have in his possession. He shall also perform such duties with respect to the finances of the association as may be prescribed by the Board of Directors. He shall have charge and custody of and be responsible for all funds and securities of the corporation; receive and give receipts for moneys due and payable to the corporation from any source whatsoever; and deposit all such moneys in the name of the corporation in such banks, trust companies or other depositories as shall be selected in accordance with the provisions of these By-Laws.

ARTICLE XI: Benefits and Duties of Members

- **Section 1.** The association will install, maintain and operate a main distribution pipeline or lines from the source of the water supply and service lines from the main distribution pipeline or lines to the property line of each member of the association, at which points, designated as delivery points, meters to be purchased, installed, owned and maintained by the association shall be placed. The cost of the service line or lines from the main distribution pipeline or lines of the association to the property line of each member shall be paid by the association. The association will also purchase and install a cut-off valve in each service line from its main distribution line or lines, such cut-off valve to be owned and maintained by the association and to be installed on some portion of the service line owned by the association. The association shall have the sole and exclusive right to use such cut-off valve and to turn it on and off.
- **Section 2.** Each member shall be entitled to only one service line from the association's water system. No new service line or change in an existing service line may be made which will interfere with an existing service line or the delivery of water therein. Each service line shall connect with the association's water system at the nearest available place of desired use by the member if the association's water system shall be of sufficient capacity to permit the delivery of water through a service line at that place without interfering with the delivery of water through a prior service line. If the association's water system shall be inadequate to permit the delivery of water through a service line installed at such place without interfering with the delivery of water through a prior service line, then such service line shall be installed at such place as may be

designated by the association. Each member will be required to dig or have dug a ditch for the connection of the service line or lines from the property line of the member to his dwelling or other portion of his premises and will also be required to purchase and install the portion of the service line or lines from his property line to the place of use on his premises and to maintain such portion of such service line or lines which shall be owned by the member, at his own expense, provided that the association may, if the Board of Directors so determines, purchase the pipe for and install such portion of such service line or lines, the cost of which will, however, be paid by the individual members.

- **Section 3.** Each member shall be entitled to purchase from the association, pursuant to such agreement as may from time to time be provided and required by the association, such water for domestic, livestock and garden purposes as a member may desire, subject, however, to the provisions of these By-Laws and to such rules and regulations as may be prescribed by the Board of Directors. Each member shall be entitled to have delivered to him through a single service line only such water as may be necessary to supply the needs of the person residing on the farmstead as a family unit and of the livestock owned by such persons and to irrigate a garden of not to exceed one-half acre. The water delivered through each service line shall be metered and the charges for such water shall be determined separately, irrespective of the number of service lines owned by a member.
- **Section 4.** In the event the total water supply shall be insufficient to meet all of the needs of the members or in the event there is a shortage of water, the association may pro-rate the water available among the various members on such basis as is deemed equitable to the Board of Directors, and may also prescribe a schedule of hours, covering use of water for garden purposes by particular members and require adherence thereto, or prohibit the use of water for garden purposes: provided that if at any time the total water supply shall be insufficient to meet all of the needs of all of the members for domestic, livestock and garden purposes the association must first satisfy all of the needs of all of the members for domestic purposes before supplying any water for livestock purposes and must satisfy all the needs of all the members for both domestic and livestock purposes before supplying any water for garden purposes.
- **Section 5.** The Board of Directors shall, prior to the beginning of each calendar year, determine the flat minimum monthly rate to be charged each member during the following calendar year for a specified quantity of water, such flat minimum monthly rate to be payable irrespective of whether any water is used by a member during any month, and the amount of additional charges, if any, for additional water which may be supplied the member, shall fix the date for the payment of such charges, and shall notify each member of the amount of such charges and the dates for the payment thereof. A member to be entitled to the delivery of water shall pay such charges at the office of the association at or prior to the dates fixed by the Board of Directors. The failure to pay water charges duly imposed may result in the imposition of the following penalties:
 - **a.** Non-payment for thirty (30) days after due, the water shall be cut off from the delinquent member's property.
 - **b.** Non-payment for sixty (60) days, membership in this association shall be terminated and the membership certificate purchased as provided for in Article V, Section 2 of these By-Laws.

ARTICLE XII: Distribution of Surplus Funds

- **Section 1.** It is not anticipated that there will be any net income. If there should be any, then at the end of the fiscal year, after paying the expenses of the association for operation and otherwise and after setting aside reserves for depreciation on all buildings, equipment and office fixtures and such other reserves as the Board of Directors may deem proper and after providing for payments on interest and principal of obligations and amortized debts of the association, and after providing for the purchases of proper supplies and equipment, the net earnings shall be accumulated in a surplus fund for the purpose of replacing, enlarging, extending and repairing the system and property of the association and for such other purpose as the Board of Directors may determine to be for the best interest of the association. The said surplus fund or any portion thereof may from time to time at the discretion of the Board of Directors be distributed to the members as provided in the By-Laws, on the basis of the assessments and charges made and levied against and paid by such member during the year.
- **Section 2.** Any part or the whole of such apportionment may be credited at the discretion of the Board of Directors, to the indebtedness of the members, should any exist, and in such case the members shall be notified in writing of the amount so applied.

ARTICLE XIII: Amendments

- **Section 1.** These By-Laws may be repealed or amended by a vote of two-thirds of the members present at any regular meeting of the association, or at any special meeting of the association called for that purpose, except that the members shall not have the power to change the purposes of the association so as to decrease its rights and powers under the laws of the state, or to waive any requirement of bond or other provisions for the safety and security of the property and funds of the association or its members, or to deprive any member of rights and privileges then existing, or so to amend the By-Laws as to effect a fundamental change in the policies of the association.

Notice of any amendment to be made at a special meeting of the members must be given at least ten (10) days and not more than thirty (30) days before such meeting and must set forth the amendments to be considered.

BY-LAW AMENDMENTS (Adopted 2023)

- **Amendment 2023.001: Seal**

The Northside Water Users Association, Inc. will not use or require the use of a seal to represent ownership. Ownership will be determined and represented by records of transactions and documented through billing records kept by the secretary/treasurer.

- **Amendment 2023.002: Certificates**

The Northside Water Users Association, Inc. will not deliver to and will not require its members to hold or maintain certificates as proof of ownership, but instead will use financial and/or billing records held by the secretary/treasurer as proof of ownership.

- **Amendment 2023.003: Membership Cancellation**

(Amending Article V, Section 2) A member who has had his or her membership canceled due to non-payment is not eligible to receive any value or funds upon the cancellation of membership.

- **Amendment 2023.004: Cross Connection Control Policy**

Northside Water Users Association, Inc. has amended their By-Laws to include the Cross Connection Control Ordinance Policy #2023.004 (Detailed below).

System Name: Northside Water Users Association, Inc.

PWS #: 1090090 RE

Cross Connection Control Policy

SECTION 1: Cross-Connection Control – General Policy

1.1. Purpose

The purpose of this Policy (the term “Policy” herein used shall mean "The Northside Water Users Association, Inc. Subdivision Cross Connection Control Policy") is:

- **1.1.1.** To protect the public potable water supply of the Northside Water Users Association, Inc. from the possibility of contamination or pollution by isolating at the source such contaminants or pollutants which could backflow into the public water system; and,
- **1.1.2.** To promote the elimination or control of existing cross connections, actual or potential; and,
- **1.1.3.** To provide for the maintenance of a continuing program of cross connection control, which will systematically and effectively prevent the contamination or pollution of all potable water systems.

1.2. Responsibility

Northside Water Users Association, Inc. shall be responsible for the protection of its public potable water distribution system from contamination or pollution due to the backflow of contaminants or pollutants.

Northside Water Users Association, Inc. customers are responsible for aiding in the Cross Connection Control Policy by maintaining proper protective measures within their individual home plumbing systems. Northside Water Users Association, Inc. has the responsibility to require water customers to install and continually operate and maintain approved backflow-prevention devices or assemblies wherever deemed appropriate in order to be in compliance with IDAPA 58.01.08.552.06 and UPC 603.

SECTION 2: Definitions

- **2.1. Approved:**

1. In reference to a water supply, it shall mean a public water supply that has been approved by the Idaho Department of Environmental Quality.
2. In reference to an air gap, a double check valve assembly, a reduced pressure principle backflow prevention assembly, or other backflow prevention assemblies or methods, it

shall mean approved per Uniform Plumbing Code 603.

- **2.2. Auxiliary Water Supply:** Any water supply on or available to the premises other than the approved public water supply. These auxiliary waters may include water from a purveyor other than Northside Water Users Association, Inc., private well sources, or any natural source(s) such as a spring, river, stream, used waters, or industrial fluids. These waters may be contaminated or polluted, or they may be objectionable and constitute an unacceptable water source over which the system does not have sanitary control.
- **2.3. Backflow:** The undesirable reversal of flow of water or mixtures of water and other liquids, gases, or other substances into the distribution pipes of the potable supply of water from any source or sources.
- **2.4. Backpressure:** Any elevation of pressure in the downstream piping system above the supply pressure at the point of consideration, which would cause reversal of the normal direction of flow. This could be caused by pumps, elevation, steam pressure, air pressure, etc.
- **2.5. Backsiphonage:** Backflow caused by negative or reduced pressure in the supply piping.
- **2.6. Backflow Prevention Assembly:** A mechanical device designed to prevent backflow that can be tested in-line. Each assembly should contain two resilient-seated shut-off valves, test cocks for testing purposes, and a backflow prevention unit. Types of assembly will be determined by the degree of hazard and backflow condition.
- **2.7. Contamination:** An impairment of a potable water supply by the introduction or admission of any foreign substance that degrades the quality and creates a health hazard.
- **2.8. Cross Connection:** A connection or potential connection between any part of a potable water system and any other environment containing other substances in a manner that has the potential to allow such substances to enter the potable water system. Other substances may be gases, liquids, or solids, such as chemicals, waste products, steam, water from other sources (potable or non-potable), or any matter that may change the color or add odor to the water.
- **2.9. Cross Connections Controlled:** A connection between a potable water system and a non-potable water system with an approved backflow prevention assembly properly installed and maintained so that it will continuously afford protection commensurate with the degree of hazard.
- **2.10. Cross Connection Control by Containment:** The installation of an approved backflow-prevention assembly at the water service connection to any customer's premises, where it is physically and economically unfeasible to find and permanently eliminate or control all actual or potential cross-connections within the customer's water system; or it shall mean the installation of an approved backflow-prevention assembly on the service line leading to and supplying a portion of a customer's water system where there are actual or potential cross-connections that cannot be effectively eliminated or controlled at the point of the cross-connection.
- **2.11. Cross Connection Control by Internal Protection:** Fixture isolation and/or isolation of an area or zone. Protection at the fixture means installing an approved backflow preventer at the source of the potential hazard within a specific area.
- **2.12. Hazard, Degree of:** The term is derived from an evaluation of the potential risk to public health and the adverse effect of the hazard upon the potable water system.

1. **2.12.1. Hazard: Health:** A cross connection or potential cross connection involving any

substance that could, if introduced into the potable water supply, cause death or illness, spread disease, or have a high probability of causing such effects.

2. **2.12.2. Hazard: Plumbing:** A plumbing-type cross connection in a consumer's potable water system that has not been properly protected by an approved air gap or an approved backflow-prevention assembly.
 3. **2.12.3. Hazard: Pollution:** A cross-connection or potential cross-connection involving any substance that generally would not be a health hazard but would constitute a nuisance or be aesthetically objectionable, if introduced into the potable water supply.
 4. **2.12.4. Hazard: System:** An actual or potential threat of severe danger to the physical properties of the public water system or the consumer's potable water system or of a pollution or contamination that would have a protracted effect on the quality of the potable water in the system.
- **2.13. Industrial-Fluids System:** Any system containing a fluid or solution that may be chemically, biologically, or otherwise contaminated or polluted in a form or concentration that would constitute a health, system, pollution, or plumbing hazard if introduced into an approved water supply. This may include, but is not limited to: polluted or contaminated waters; process/used waters originating from the public water system that have deteriorated in sanitary quality; chemicals in fluid form; plating acids and alkalies; circulating cooling waters connected to an open cooling tower; cooling waters treated with toxic substances; contaminated natural waters from wells, springs, streams, irrigation canals, etc.; oils, gases, glycerin, paraffins, caustic/acid solutions, and other liquid/gaseous fluids used for industrial or firefighting purposes.
 - **2.14. Pollution:** The presence of any foreign substance in water that tends to degrade its quality but does not necessarily pose a risk to human health if consumed.
 - **2.15. Water, Potable:** Water that is deemed safe for human consumption, as determined by the standards set forth by the Department of Environmental Quality and defined in the Idaho Rules For Public Drinking Water Systems, IDAPA 58.01.08.
 - **2.16. Water, Non-potable:** Water that is not safe for human consumption or that is of questionable quality.
 - **2.17. Water, Used:** Any water supplied by the water system to a consumer's water system after it has passed through the point of delivery and is no longer under the sanitary control of Northside Water Users Association, Inc.

SECTION 3: Requirements

3.1. Water System

- **3.1.1.** Northside Water Users Association, Inc.'s drinking water system consists of the source facilities and the distribution system and shall include all those facilities of the water system under the complete control of the Association.
- **3.1.2.** The source shall include all components of the facilities utilized in the production, treatment, storage, and delivery of water to the distribution system.
- **3.1.3.** The distribution system shall include the network of conduits used for the delivery of

water from the source to the water system customers/users. The distribution system terminates at the property line (or meter box/curb line).

3.2. Policy

- **3.2.1. Conditions for Service** — No water service connection shall be installed or maintained unless the following conditions have been met:
 - **3.2.1.1.** Any occupant or tenant has been made aware of the Cross Connection Control Policy and understands his or her responsibility to not create or maintain any unprotected cross-connections, and;
 - **3.2.1.2.** Northside Water Users Association, Inc. has completed a cross-connection control survey of the facility, and;
 - **3.2.1.3.** The water supply is protected as required by this Policy, IDAPA 58.01.08.552.06, and UPC 603.
- **3.2.2. Right of Inspection** — It is the duty of the water system staff to inspect all properties served for the purpose of determining whether unprotected cross connections or other structural or sanitary hazards exist. When such a condition becomes known or inspection is not permitted by the property owner, Northside Water Users Association, Inc. shall immediately eliminate the cross-connection by providing for a physical break in the service line or correcting the condition in conformance with this Policy and local/state plumbing regulations.
- **3.2.3. Premises or Facilities Requiring Protection** — An approved backflow prevention device or assembly shall be installed according to local plumbing regulations and prior to any branch line wherever the following conditions exist:
 - **3.2.3.1. Auxiliary Water Supply:** In the case of an auxiliary water supply which is not or may not be of safe bacteriological or chemical quality, the system shall be protected against backflow by installing in the service line an approved backflow prevention assembly commensurate with the degree of hazard, in conformance with the Idaho State Plumbing Code (ISPC).
 - **3.2.3.2. Industrial Fluids:** In the case of any industrial fluids or any other objectionable substance handled in such a fashion as to create an actual or potential hazard, the system shall be protected by an approved backflow prevention assembly in the service line.
 - **3.2.3.3. Intricate Plumbing:** In the case of internal cross connections that cannot be permanently corrected, intricate plumbing arrangements, or where entry for inspection is restricted, an approved backflow prevention assembly must be installed in the service line.
- **3.2.4. Type of Protection Required** — The type of protective assembly required under subsections 3.2.3.1, 3.2.3.2, and 3.2.3.3 shall depend upon the degree of hazard as follows:
 - **3.2.4.1.** For an auxiliary water supply not subject to the following rules, the system shall be protected by an approved air gap or an approved reduced pressure principle backflow prevention assembly.
 - **3.2.4.2.** For water or substances objectionable but not hazardous to health, the system will be protected by, at minimum, an approved double check valve backflow prevention assembly.

- **3.2.4.3.** For materials dangerous to health, the system shall be protected by an approved air gap or an approved reduced pressure principle backflow prevention assembly.
- **3.2.4.4.** For “uncontrolled” cross connections (actual or potential), the system shall be protected by an approved air gap or an approved reduced pressure principle backflow prevention assembly.
- **3.2.4.5. Irrigation Systems:** Customers with sprinkler or irrigation systems are required to have an approved backflow assembly installed and inspected annually complying with the Idaho Plumbing Code (IPC). **Double check valve assemblies are no longer deemed appropriate** for irrigation systems; a more protective assembly is required.
- **3.2.5. Assembly Standards and Specifications** — Any backflow prevention device or assembly required herein shall be of a make, model, and size approved by the Association. "Approved Backflow Prevention Assembly" means an assembly manufactured in full conformance with AWWA standards:
 - *AWWA/ANSI C510-07 Standard for Double Check Valve Backflow Prevention Assembly*
 - *AWWA/ANSI C511-07 Standard for Reduced Pressure Principle Backflow Prevention Assembly*
 - Must meet laboratory and field specifications of the Foundation for Cross-Connection Control and Hydraulic Research (FCCHR) of the University of Southern California (USC).

Approved Testing Laboratory Contact:

Foundation for Cross Connection Control and Hydraulic Research

University of Southern California

KAP 200 University Park MC 2531

Los Angeles, California 90089-2531

- **3.2.6. Testing and Maintenance Requirements** — Certified field tests must be made upon required backflow assemblies upon installation and at least once per year thereafter. Non-testable devices shall be inspected and verified by a licensed plumber or certified tester.
Assemblies found to be defective shall be repaired, overhauled, or replaced immediately. A field test report must be completed for every inspection and contain at minimum: customer name/address; assembly type/location; manufacturer, model, and serial number; detailed pass/fail results; tester name and certification number; date and time of test.
- **3.2.7. Enforcement** — Water service will be discontinued if an occupant, tenant, or consumer fails to comply with this Policy.
 - **3.2.7.1.** If an unprotected cross connection exists, service shall be discontinued until an appropriate assembly is installed by a licensed plumber and proof is provided to the Association.
 - **3.2.7.2.** If an assembly is removed, bypassed, or fails the annual testing requirement deadline, water service will be discontinued immediately.

- **3.2.7.3.** Assemblies that fail annual tests must be repaired, replaced, or isolated within ten (10) business days, or service to that assembly will be shut off.
- **3.2.7.4.** Service may be discontinued immediately, without written notice, if necessary to protect public health.
- **3.2.8. New Construction Review** — No water service shall be provided to a newly constructed facility without a cross-connection hazard assessment performed by the Association or a State Certified Backflow Assembly Tester.
- **3.2.9. Surveying and Retrofitting Existing Facilities** — The Association shall survey and retrofit all existing service connections to bring them into compliance within 6 months of this Policy's adoption.
 - Fire systems must have hydraulics checked by a registered professional engineer or fire contractor to ensure compatibility with backflow assemblies.
 - Thermal expansion risks on water heaters/boilers caused by creating a closed system must be evaluated and addressed via routine pressure valve testing.
 - **3.2.9.1. Recurring Surveys:** Following the initial retrofit, all assemblies must be tested annually by an Idaho-certified Backflow Assembly Tester, with proof submitted by the property owner to administrative staff by the specified deadline.
- **3.2.10. Training** — Personnel responsible for implementing this Policy must have training in basic cross-connection concepts (e.g., via the Idaho Rural Water Association - IRWA).
- **3.2.11. Public Education** — Educational information concerning cross-connection risks, customer responsibilities, annual testing deadlines, local tester lists, and thermal expansion risks must be provided to new tenants upon connection and to existing tenants at least once per year.
- **3.2.12. Backflow Incident Reports** — The Association shall investigate backflow incidents specifically and maintain these records in a file separate from standard customer complaints.
- **3.2.13. Backflow Incident Response Plan** — Upon discovering a suspected backflow incident, the Association will:
 - Locate the source of contamination.
 - Isolate the source to protect the distribution system.
 - Determine the spread of contamination and notify the public and the Department of Environmental Quality (DEQ) timely.
 - Take corrective action to clean/flush the system.
 - Restore service to customers.
- **3.2.14. Record Keeping** — Records must be retained for a minimum of ten (10) years, including Survey Reports, a master digital Spreadsheet Inventory of all assemblies (including hazard details, make, model, serial number, and last test date), and Tester Credentials.
- **3.2.15. Budgeting** — The Board shall ensure that implementation and enforcement actions for this program are adequately funded within the annual budget.
- **3.2.16. Authority** — The Association is authorized to make reasonable rules and policies to enforce this Policy, effective immediately upon adoption.

The foregoing Policy was approved and adopted by the Northside Water Users Association, Inc. on the _____ day of _____, 20__.

By: _____

Printed Name: _____

Printed Title: _____

PROGRAM MANAGEMENT IMPLEMENTATION NOTES

Why We Survey Customers

NSWUA must establish where cross-connection risks exist within our drinking water system. Identifying potential risks is crucial to a successful program. A cross-connection survey should be sent out with monthly bills requesting that customers fill it out and return it. Residential and commercial connections should be addressed separately as they present different sets of hazards.

Property Inspections

Backflow Certified Operators should inspect properties that present potential cross-connection risks to establish the precise type of backflow assembly required. Addressing small sections of the community systematically each year is a recommended strategy. New construction must always be inspected. IRWA recommends documenting all inspections using a centralized spreadsheet or formal tracking matrix.