

**RULES AND REGULATIONS
GOVERNING THE OPERATIONS OF
TUBOD-BAROY WATER DISTRICT**

The Board of Directors of the TUBOD-BAROY WATER DISTRICT does ordain as follows:

SECTION 1. **Words and Phrases:** For the purpose of these regulations all words used herein the present tense shall include the future; all words in the plural number shall include the singular number; and all words in the singular number shall include the plural number.

SECTION 2. Whenever in these regulations the following words and phrases set forth in this section are used, they shall, for the purpose of these regulations have the meanings, respectively ascribed to them in this section.

“BOARD”: The General Manager, and Chairman of the Board of Directors of the TUBOD-BAROY WATER DISTRICT. For specific routine purposes, the Board may designate a representative authorized to act in their stead.

“SERVICE CONNECTION”: The tapping of water mains and the laying of pipes from the main to the curb line and the setting of the meter and meter box.

“FIRE CONNECTION”: The tapping of water mains and the laying of pipes from the main to the curb line and the setting of the shut-off valve, flow detection device and vault.

“COST”: Labor, Material, transportation expenses, supervision, engineering and all other necessary overhead expenses.

“DISTRICT”: the TUBOD-BAROY Water District, its General Manager, appointed officers and any other persons or bodies invested with responsibility and jurisdiction in matters pertinent to said District.

SECTION 3. **Size and Location:** The TBWD reserves the right to determine the size of the service connections and their location with respect to the boundaries of the premises to be served. The laying of concessionaire's service lateral to the meter shall not be done until the location of the service connection has been approved by the Board or its authorized representatives.

SECTION 4. **Ball Valve With Lock-wing.** Every service connection installed by the district shall be equipped with a curb cock or valve on the inlet side of the meter, which valve or curb cock shall be for the exclusive use of the district in controlling the water supply through the service lateral. It is further provided that, if the curb cock or valve is damaged by the

on the hydrant, or in the case of an unmetered installation, for the permits required for such usage.

- (b) Each applicant shall provide himself with a hydrant wrench necessary to operate such hydrant, and install a separate shutoff with restricting orifice to minimize damage to hydrant and mains. If a hydrant is damaged by the consumer's use to any extent requiring repair or replacement such repair or replacement shall be made at the consumer's expense.

SECTION 16. Damage to Meters: The district reserves the right to set and maintain a meter on any connection. The concessionaire shall be held liable, however, for any damage to the meter due to his negligence or carelessness. It shall be the responsibility of the owner of the property to protect the meter and the inlet valve to the meter from physical damage. The cost of repairs to the meter or inlet valve as a result of such physical damage shall be included in the next water bill.

SECTION 17. Meter Testing: When the accuracy of a water meter is questioned, the district upon request will cause an official test. The concessionaire shall be duly notified of the time and place of such test and may be present before any such test will be made by the district. The meter will be tested on variable rates of delivery and if the average registration is more than five (5) percent in excess of the actual quantity of water passing through the meter, the district shall refund to the concessionaire the overcharge based upon the test, for the prior twelve months, unless it can be shown that the error was due to some cause for which the date can be fixed. In the latter case, the overcharge shall be computed back to and not beyond such times. If the meter is within five (5) percent of accuracy, the consumer will reimburse the district for the expense involved in testing.

SECTION 18. Tampering with district Property: No one except an employee or representative of the district shall at any time in any manner operate the curb cocks or valve, main cocks, gates or valves of the district's system, or interfere with meters or their connections, street mains or other parts of the water system.

SECTION 19. Main Extension:

- (a) Application for Main Extension: Any owner or owners or subdivider of a single lot, or subdivision or tract of land within the district boundaries desiring the extension of water mains and services to each lot, subdivision, or tract of land shall make application to the district, and after initial application, the applicant shall be subject to the following procedures:

Said reconstruction shall be paid for by the developer. Failure to make or pay for such changes or repairs shall be the reason for the district to refuse water service to the lot or tract until such changes or repairs are made or paid for in full.

Section 20. Application for Service. Upon application for water service each applicant shall be required to sign an application for service, wherein the district is released from all liabilities by applicant that may be caused by water escaping, or flowing from any water pipe, hose, water conduct, faucet, hydrant, valve or other connections or appliances at any point within the said premise, and wherein applicant also guarantees payment of all sums to become due for water service furnished in pursuance of the said application until notification to the district to discontinue or transfer such service. If upon application for water service, a service connection is found to have produced no revenue in the previous twenty years immediately prior to date of application and the service has been physically disconnected from the main, such connection will be considered abandoned and all requirements under these regulations shall be in effect in establishing a new service connection.

SECTION 21. Refund and Adjustments. If, for any reason, a concessionaire becomes entitled to a refund such as for over payment of a closing bill, or other just cause, a demand shall be made by said concessionaire to the district for refund of such overpayment and, subject to approval of the General Manager or its delegated representatives, a warrant shall be issued to the concessionaire in the amount of said overcharged or, in the event the overpayment was made on a bill which is not a closing bill, the amount overpaid shall be credited to the concessionaire's account.

SECTION 22. Disputed Bills. In the event a complaint is made by a concessionaire that his/her water bill is excessive, a re-read shall be made on the meter and a check shall be made to determine in particular if there are leaks in the meter. Should no leak in such meter be found, then, upon request of the concessionaire, the meter shall be removed and be subjected to a test upon it as set in Section 18. In the event the meter tests within the approval limitations and the concessionaire continues to question the water bill, a personal investigation of said premises served by the meter shall be made by the responsible officer of the Commercial Division or his/her appointed representative. Should said investigation find no reason to adjust said bill, he shall refer the disputed bill to the district for a final ruling, subject to the rights of the concessionaire to appeal said ruling.

SECTION 23. Cross Connections. NO persona, firm or corporation shall install or maintain any physical connection between any private source of water supply and the district water supply: provided, however, that the said district may maintain emergency connections with other utilities serving domestic water.

- (a) Each parcel of land under separate ownership must be provided with a separate service and any violation therefore will be sufficient cause for the Board to remove the service until the said violation is corrected. Two or more dwelling units under one ownership and on the same lot or parcel of land may be supplied through the same service, provided, however, that the district shall reserve the right to limit the number of dwelling units of the area of land under one ownership to be supplied by one service.
- (b) When properly provided with a service is subdivided each service shall be considered as belonging to the lot or parcel of land upon which it fronts.

SECTION 14. Fire and protective Service Connection:

- (a) This service shall be used only for water consumed in the extinguishing of fires. Upon the completion of the installation, the valve governing the same will be closed and shall remain so until a written order is received from the owner of the premises served by reason of the installation, maintenance, use, fluctuation or pressure, or interruption of supply.
- (b) If water is used through a fire connection for any other purposes that the extinguishing of fires, the district shall have the right to place a meter on the fire connection at the owner's expense or to shut off the entire water supply from such premise. Upon the installation of such meter, the water rates as adopted by resolution under the provisions of section 26 herein shall apply.
- (c) The district shall have the right to take a domestic, commercial or industrial service from the fire connection at the curb to supply the same premises as those to which the fire service connection belongs. The Board shall also have the right to determine the proportion of the installation costs properly chargeable to each connection. If such segregation of costs shall become necessary.
- (d) The district reserves the right to install on all fire connections a check valve of a type, approved by the Bureau of Fire Protection (BFP) and to equip the same with a by pass meter; such installations shall be at the expenses of the owner of the property and regular domestic water rates as set forth by resolution hereof shall apply for all water used through such service except for fire protection purpose only.

SECTION 15. Supply from Fire Hydrants:

- (a) An applicant for temporary use of water from a fire hydrant must secure a permit thereupon from the district and pay the regular fee charged for the installation and removal of a meter to be installed

The property owner shall notify the district in writing in the event the authorized agent is changed.

- SECTION 9. Water Used Without Regular Application Being Made: A person, firm or corporation taking possession of premises and using water from an active service connection without having made application to the district for water services, shall be held liable for the water delivered from the date of the last recorded meter reading, and if the meter is found inoperative, the quantity consumed will be estimated. If proper application for water service is not made upon notification to do so by the district, and if accumulated bills for service are not paid immediately, the service may be discontinued by the district without further notice.
- SECTION 10. Turning Water Supply on and off: No charge will be made for turning on and shutting off the water supply when requested by the concessionaire for the closing of an old account or the beginning of a new one. When service has been discontinued on account of non-payment of water bills, or for any other infractions of the rules, a charge of Php 250.00 will be made by the vice call. If the district representative is in any way prevented from discontinuing service or if service is turned back on by other than an authorized representative, the district may take any further steps it deems necessary to effect the disconnection and the full cost of all such efforts plus the estimate cost of reconnection must be paid in full before service will be restored. This said amount equal to Php 250.00 on 1st disconnection and five hundred pesos (Php 500.00) on 2nd disconnection and succeeding disconnection will be required to be paid by the concessionaire before service will be renewed. The district, upon request, day or night and without charge will shut off the water supply for emergency purposes at the curb cock, and it is understood that the district will turn on the water supply when repairs are made.
- SECTION 11. Damaged Through Leaking Pipes and Fixtures: When turning on the water supply as requested and the house or property is vacant, the district will endeavor to ascertain if water is running in the inside of the building. If such is found to be the case, the water will be left shut off at the curb cock on the inlet side of the meter. The jurisdiction and responsibility of the district shall end at the meter and the district will in no case be liable for damages beyond the meter.
- SECTION 12. Maintenance of Water Pressure and Shutting Down for Emergency Repairs: The district shall not accept any responsibility for the maintenance of pressure and it reserves the right or for other causes, which in the discretion of the district necessitates such discontinuance. Concessionaires dependent upon a continuous water supply should provide their own emergency storage of water.
- SECTION 13. Domestic, Commercial and industrial Service Connection:

concessionaire's use to an extent requiring replacement shall be made at the concessionaire's expenses.

SECTION 5. Pressure Conditions: All applicants for service connections or water service shall be required to accept such conditions of pressure and service as are provided by the distributing system at the location of the proposed connection, and shall agree to hold the district blameless for any damages arising out of low pressure or high pressure conditions or interruptions of service.

SECTION 6. Water Rents: Water rents are due and payable at the office of the TUBOD-BAROY Water District on the date of delivering bill to the customer or his agent as designated in the application and shall be delinquent in ten (15) days thereafter. Service may be discontinued without further notice if payment of the water rent is not made prior to the date such rent becomes delinquent. Service will not be turned on again except upon payment of all amounts due, together with a charge of two hundred fifty pesos (Php 250.00) on 1st disconnection and five hundred pesos (Php 500.00) on 2nd disconnection and succeeding disconnection.

Failure to receive a bill does not relieve concessionaire of liability. Any amount due shall be deemed a debt to the TUBOD-BAROY Water District and any person, firm or corporation failing, neglecting or refusing to pay said indebtedness shall be liable to a civil action in the name of said district, in any court of competent jurisdiction for the amount thereof.

It is the declared policy of the TUBOD-BAROY Water District that all connections are to be metered and that no water is to be delivered without charge except for fire fighting purposes. The furnishing of free water to the general public at public faucets is a function of local general government. Any such body may make application for the installation of a service connection for the purpose of supplying water to a public faucet. All water consumed through a public faucet will be charged for at the lowest rate block of the water district schedule of rates.

SECTION 7. Maintenance of Service and Connections: The service laterals extending from the water main to the meter and including the meter shall be maintained by the district. All pipes and fixtures extending from the meter or lying beyond the concessionaire's water meter shall be installed and maintained by the owner of the property.

SECTION 8. Property Owner's Guarantee: The water charge shall begin when a service is installed and the water meter is set. Before the water shall be turned on by the district for any purpose whatsoever, the consumer or his authorized agent shall first sign a form in which he guarantees the payment of future water bills for the services required.

- The district shall design the water system to serve such lot, subdivision, or tract and make available such design and specifications incorporating such design and specifications and present same to the district for approval. Upon approval, such plans become the property of the district.
 - The applicant shall lay all mains within the tract, continuous to and the full length of the tract, and such connecting lines as may be needed to connect such lot, subdivision, or tract to the nearest main of suitable size and pressure. This shall include all control valves and fire hydrants, and a connecting lateral to each lot within the subdivision, tract, or lots owned by the applicant adjacent to the new main. The applicant shall notify the district for inspection of all such mains installed.
 - In lieu of the applicant making such installations, he may request the district to do all the materials, and the district at its sole discretion shall accept or reject such installation job. If the district agrees to do such work and to supply the materials thereof, commencement of such work will start.
- (b) Size of Mains: The subdivider or lot owner shall pay the full cost of the mains installed not to the size of the subdivision or other requirements of the development require a larger main. In such case, the owner or subdivider will pay the total cost, regardless of size. If the district requires a main larger in size than eight (8) inches to be used as a transmission line, such transmission main shall be laid by the district and be paid for by the owner or subdivider with an allowance made by the district to cover the difference in cost of the materials used between eight (8) inches and the size actually used. To compensate for the additional cost due to labor and other reasons as a result of installing mains greater than eight inches in size, the allowance for the difference in material cost will be increased by thirty percent (30%). If for any reason the district cannot make the installation of any main over eight inches (8") in size, the owner or subdivider may have properly qualified licensed contractor make the installation. The district shall determine the amount of allowance for main over eight inches (8") in size according to the material costs available to the district.
- (c) Ownership: All mains laid shall become the property of the district after final inspection and acceptance.
- (d) Refunding of the Costs: There shall be no refunding of any costs for laying of any main within the development or otherwise.
- (e) Later Reconstruction: If, for any reason, the development of any lot or tract makes it necessary to move, lower, or in any manner change any existing water mains, such moving, lowering, or changing shall be done by the developer at his expense. It shall be the responsibility of the developer of the land to furnish a drawing by a Registered Engineer showing all water mains, both new and existing in their location in relation to the furnished development of the lot or tract.

SECTION 24. Rates and Charges. All water rates and charges shall be set by a formal resolution of the Board of Directors of the Tubod-Baroy Water District.

SECTION 25. If any section, subscription, sentence, clause or phrases of these regulations is, for any reason held to be unconstitutional, illegal or unlawful, such decision shall not affect the validity of the remaining portion of the regulations. The Board of Directors of the District hereby declares that it would have adopted these regulations irrespective of the fact that any of or more section, subsection, sentence, clause or phrase be declared unconstitutional, illegal or void.

(SGD) AURORA A. ZORILLA
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BOD V-Chairman

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