

**LAKWOOD WATER DISTRICT
PIERCE COUNTY, WASHINGTON**

RESOLUTION NO. B-1417

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF
LAKWOOD WATER DISTRICT OF PIERCE COUNTY,
WASHINGTON, RATIFYING AND CONFIRMING THE DISTRICT'S
OWNERSHIP OF WATER SERVICES; ADOPTING POLICIES
REGARDING THE MAINTENANCE OF ACCESS TO WATER
SERVICES; AND RESCINDING AND SUPERSEDING
RESOLUTION NOS. B-669, B-670, AND B-1165.

WHEREAS, Lakewood Water District, a Title 57 special purpose district ("District"), owns and operates a water system in Pierce County; and

WHEREAS, the District Board of Commissioners previously adopted policies stating the District shall own, maintain, and be responsible for all water services necessary to provide water service to District customers; and a water service consists of a water meter box, water meter, the water service line connected to a District water main running to the water meter box, and other appurtenances related to such water service; and the District now desires to ratify and confirm such policy to own and be responsible for all District water services; and

WHEREAS, District water services and meters are continuously accessed by District staff and District contractors for reading, maintenance, repair, replacement, relocation and other purposes, and it is important that access to such meters not be obstructed or restricted by shrubbery, trees, root systems, fences, rockeries, construction debris, dirt, bark, landscaping (including yard grade), or other obstructions that damage or make District water boxes and meters inaccessible; and

WHEREAS, the District Board of Commissioners now desires to formalize and adopt policies requiring District customers to maintain continuous and unobstructed access to District water services, water meter boxes and water meters; and

WHEREAS, pursuant to RCW 57.08.005(3), the District has full authority to regulate and control the use, content, distribution, and price of water supply, and it shall promote the general health and welfare to adopt policies providing for continuous and unobstructed access to District water services, water meter boxes, and water meters; now, therefore,

BE IT RESOLVED by the Board of Commissioners of Lakewood Water District, Pierce County, Washington, as follows:

1. A District water service shall be defined as the water service line connected to a District water main running to the water meter box, the water meter installed therein, and related appurtenances to serve an identified property.
2. The District's policy that the District own, maintain, repair, replace as appropriate, and be responsible for all water services including the water meter box and water meter necessary to provide water service to District customers is hereby ratified and confirmed.
3. The policies and process regarding the maintenance of continuous access to District water services, including water meter boxes and water meters installed therein, in the form attached hereto as **Exhibit A** and incorporated herein by this reference, are hereby approved and adopted effective the date set forth below.
4. All District resolutions, policies and procedures, including Resolution Nos. B-670, B-696, and B-1165 are hereby modified, rescinded, and superseded to be in accordance with the policies set forth in this Resolution.
5. This Resolution and the policies and procedures approved and adopted herein shall be effective the date set forth below.

ADOPTED by the Board of Commissioners of Lakewood Water District, Pierce County, Washington, at a special open public meeting thereof held on the 30th day of May, 2014.

Board of Commissioners



President and Commissioner

N/A

Vice President and Commissioner



Secretary and Commissioner

EXHIBIT A

DISTRICT POLICIES AND PROCEDURES REGARDING THE MAINTENANCE OF ACCESS TO DISTRICT WATER METER BOXES AND WATER METERS

1. The owners of real property receiving District water service shall maintain a clear area around and above the District water service serving the respective property, including the District water meter box and water meter, and a clear and accessible path to the District water meter box and water meter serving such property as follows:
 - Minimum two (2) feet radius around and six (6) feet above the meter box and water meter
 - Minimum two (2) feet wide by six (6) feet high clear pathway access from the right-of-way or easement to the meter box and water meter
2. Shrubbbery, trees, fences, rockeries, construction debris, dirt, bark, landscaping, or other obstructions that damage or make District water boxes and meters inaccessible are hereby prohibited; provided, ground cover around the water meter box or in the access pathway to such box not greater than two (2) inches in depth shall be allowed.
3. If the area around the District's water meter box is not adequately maintained in accordance with these policies, the District shall notify the property owner/occupant of the respective property by **first** letter and advise them access to the District meter box does not comply with District access requirements, provide the property owner/occupant with a copy of such access requirements, and require the property owner/occupant to comply with such access requirements and restore access to the District meter box within thirty (30) days of the date of such **first** letter.
4. If the customer has not fully complied with the District meter box access requirements within thirty (30) days of the date of the **first** letter set forth in Section 3 above, the District shall notify the property owner/occupant of the respective property by **second** letter that access to the District meter box does not comply with District access requirements, and require the property

water meter box or water meter is obstructed and shall have District staff undertake all actions necessary to restore District access to such water meter box and water meter, including relocating such meter box and water meter, and all such costs to do so shall be added to the customer's District water service account and shall be subject to payment and collection pursuant to the requirements of RCW 57.08.081, or as such statute may be modified or superseded, and applicable District resolutions relating thereto; provided the District shall notify the property owner as soon as reasonably possible by letter, transmitted by regular and certified mail, of the actions taken by the District to restore access to the water meter box and water meter and that the District's costs to do so have been charged to the property owner's District water service account and must be paid in full.

7. The District General Manager, and his/her designee, shall also have the authority to determine to refund or credit penalties assessed against District customers pursuant to this policy under special circumstances, and to make administrative revisions to this policy, provided such revisions further the intent of this water meter box and water meter access policy and program.

owner/occupant to comply with such access requirements and restore access to the District meter box within fifteen (15) days of the date of the **second** letter, and that if such access is not fully restored within fifteen (15) days of the date of such **second** letter, the District shall have the right, at the District's election, to:

a. Assess the customer's District water service account a \$50.00 penalty for failure to maintain and restore access to the District meter box; or

b. Perform all work necessary to restore access to the District meter box, and charge the property owner/occupant for the full cost and expense for District staff to restore such access; and all such costs to do so shall be added to the customer's District water service account and shall be subject to payment and collection pursuant to the requirements of RCW 57.08.081, or as such statute may be modified or superseded, and applicable District resolutions relating thereto.

Such **second** letter shall be transmitted by both regular and certified mail, return receipt requested.

5. If the District elects, pursuant to Section 4(a) above, to assess a \$50 penalty for failure to maintain and restore access to the District water meter box, and the customer has not fully complied with the District meter box access requirements within fifteen (15) days of the date of the imposition of such penalty, the District shall notify the property owner/occupant of the respective property by **third** letter that access to the District meter box does not comply with District access requirements, and require the property owner/occupant to comply with such access requirements and restore access to the District meter box within fifteen (15) days of the date of the **third** letter, and that if such access is not fully restored within fifteen (15) days of the date of such **third** letter, the District shall have the right, but not the obligation, to relocate the water meter box and water meter and charge the property owner/occupant for the full cost and expense for District staff to relocate such water meter box and water meter; and all such costs to do so shall be added to the customer's District water service account and shall be subject to payment and collection pursuant to the requirements of RCW 57.08.081, or as such statute may be modified or superseded, and applicable District resolutions relating thereto.

Such **third** letter shall be transmitted by both regular and certified mail, return receipt requested.

6. If the District General Manager, or his/her designee, determines that immediate access to an obstructed District water meter box and water meter is necessary to protect public health and safety, including the protection of the District water system, the General Manager and his/her designee shall have the right and authority to waive notice to the owner of real property that access to a District