

ARTICLE 2

DEFINITIONS

As used in these Rules and Regulations, unless the context clearly indicates otherwise, the words defined below shall have the respective meanings set forth for them:

- 2-1 **ABANDON**: To discontinue the use of any connection with the District System in such a manner or in such circumstances as to permit the reasonable inference that such connection is no longer needed or desired by the Property Owner, such as the destruction and non-replacement of improvements to which a service line had been connected.
- 2-2 **ACTUAL COSTS**: All direct and indirect costs attributable to any project or undertaking. Actual costs to the District include its engineering, legal, labor, material, equipment, administrative and overhead expenses calculated in accordance with the rates set forth in the Appendix hereto, and all direct payments to third parties, at cost.
- 2-3 **BOARD or BOARD OF DIRECTORS**: The duly constituted Board of Directors of the District.
- 2-4 **CONSTRUCTION OBSERVATION FEES**: Fees assessed for time expended by the District Engineer or other agent of the District in observing the construction of new or repaired elements of the District System, including but not limited to main extensions.
- 2-5 **CONTRACTOR**: Any person who performs any work, either for himself or another, on sewer facilities, public or private, within the District, including all subcontractors, agents, employees, officers and other representatives of such person.
- 2-6 **DISTRICT**: South Englewood Sanitation District No. 1, Arapahoe County, Colorado, and its authorized agents, officers, directors, insurers, and professional consultants.
- 2-7 **DISTRICT ENGINEER**: Licensed engineer who has contracted to perform engineering work and consultation for the District.
- 2-8 **DISTRICT SYSTEM**: All facilities owned or directly controlled by the District and used for collecting, pumping and disposing of wastewater. Service lines and privately owned lift stations are not part of the District System.
- 2-9 **ENGLEWOOD**: The City of Englewood, Colorado, for itself and as operator and co-owner of the Treatment Plant.

- 2-10 FOREIGN MATERIALS:** Objects or substances not regularly, ordinarily and customarily transmitted by sanitary sewer facilities. Without limiting the generality of the foregoing, the term “Foreign Materials” includes ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood, paunch manure or any solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper and normal operation of the Sewer System.
- 2-11 GROUNDWATER:** Water and/or other liquids below the surface of the earth, from whatever source; including underground streams and percolating water.
- 2-12 INCLUSION FEE:** A fee charged for adding property to the District’s service area whether or not such property is located within or outside of the existing exterior boundary of the District.
- 2-13 INDUSTRIAL WASTES:** The combination of liquid and water-carried waste discharged from any industrial processes, including the wastewater from pre-treatment facilities and polluted cooling water, as distinct from residential and commercial wastewater, and any waste, the discharge of which requires a permit under the Environmental Protection Agency or Colorado Department of Public Health and Environment Regulations.
- 2-14 INSPECTION FEES:** Fees to offset costs and expenses incurred by the District for the inspection of new elements or appurtenances of the District System or related earthwork, materials, equipment or facilities, when the District is not itself contracting for the construction. The term “inspection” for purposes of this section does not include construction observation by the District Engineer.
- 2-15 LICENSED CONTRACTOR:** Any person or commercial entity authorized by the District to perform work and to furnish materials within the District on the basis of a determination by the Board upon recommendation of the District Engineer that that person's or entity's references and record of prior performance justify such authorization.
- 2-16 MAIN OR SEWER MAIN:** Any pipe and appurtenant facility of the District System used for carrying wastewater.
- 2-17 MAIN EXTENSION:** The construction of any main, or the main itself, which is intended to become a part of the District System upon acceptance by the District in accordance with Article 6.
- 2-18 PERMITTED PREMISES:** The land area and improvements thereto to which sewer service is limited under any particular Tap Permit.

- 2-19 PERSON:** Associations, corporations, firms, partnerships and bodies politic and corporate, as well as individuals.
- 2-20 PLAN REVIEW FEES:** Fees assessed for the review of plans for proposed construction of new elements of the District System, including plan review and tap size calculations for new sewer service lines.
- 2-21 PRIVATE SEWER SYSTEM:** Any and all lines, facilities and appurtenances for the collection of wastewater discharge from more than one building to a common sewer pipe or pipes that connect to the District System but have not been accepted for ownership and maintenance by the District and are not part of the District System, including all such pipes, lines, facilities and appurtenances upstream from and including the wye or saddle fitting on the District's main or the wye within a manhole.
- 2-22 PROPERTY OWNER:** Any person who, solely or with others, owns real property within the District. When property is owned by more than one person, the term includes all owners thereof. As used in these Rules and Regulations, the term shall apply to such person only in connection with his ownership of any specific parcel of real property involved in any specific matter governed by these Rules and Regulations. For purposes of clarity, the masculine singular pronoun is used in these Rules and Regulations to refer to Property Owner. In Article 6, Main Extensions, the owner of a Main Extension and appurtenant facilities is designated "Grantor."
- 2-23 RECORD DRAWINGS:** Representations of installation based on information available from construction observation, measurements, and construction contract requirements. The District does not warrant the accuracy of record drawings in its possession.
- 2-24 RULES AND REGULATIONS:** These Rules and Regulations, as amended from time to time by the Board of Directors.
- 2-25 SANITARY WASTEWATER:** The combination of liquid and water- carried wastes discharged from toilet and other sanitary plumbing facilities.
- 2-26 SERVICE:** The provision of sewer service by the District to a property.
- 2-27 SERVICE CONNECTION:** See "Tap."
- 2-28 SERVICE LINE:** Any pipe, system of piping, and appurtenances intended or used as a conduit to convey wastewater from a residential, commercial or industrial improvement to the District System. Each Service Line, beginning with the point of connection to the

District's Sewer Main including the wye, saddle, or other fitting, if any, on the District's Sewer Main, or the connection within a manhole, is owned by the Property Owner and the Property Owner has the legal responsibility for maintenance, replacement and upkeep of the Service Line.

- 2-29** **SEWAGE**: See Section 2-44, Wastewater.
- 2-30** **SEWER/SEWER SYSTEM**: See Section 2-8, District System. Also may refer in generic sense to any facilities used to transmit wastewater.
- 2-31** **SFE**: Single Family Equivalent. This term is used to describe the basic unit of measurement for service availability and Tap Fee determination, and refers to the number of gallons per day typically discharged from a single family residence. Each residential unit within a multi-family residential structure is classified as a single family unit, and therefore represents one SFE. Tap Fees for commercial and industrial buildings and improvements are based on the number of SFEs represented by the anticipated flows, determined by water meter sizing, or by fixture count.
- 2-32** **SPECIAL SERVICE FEES**: Fees imposed by the District for providing temporary sewer services or extraordinary sewer services for which it is inappropriate to charge the usual residential or commercial Tap Fees and Services Charges.
- 2-33** **SUBSURFACE STRUCTURES**: Any and all pipe, cable, conduits, wires, portions of buildings, drainage facilities and any and all other man-made things of any kind or nature, all or some part or portion of which is located below the surface of the ground.
- 2-34** **SURFACE WATER**: Water from rain, springs, melting snow, sprinkling systems, lakes, ponds, streams or any other source which lies upon or above the surface of the ground, whether or not in a defined location, course, or channel, and including water on and/or flowing from the roof or any part of any building or structure.
- 2-35** **SWIMMING POOL DISCHARGE**: Swimming pool filter backwash effluent from any swimming pool transmitted to the District Sewer System. The District does not permit the pool drain to be connected to the District System, or pool water, except for the filter backwash effluent, to enter the District System.
- 2-36** **SWIMMING POOL PERMIT**: Written permission granted by the District for connecting, and discharging the effluent from, a swimming pool filter backwash system into the District System.

- 2-37 **SWIMMING POOL SERVICE FEE:** A fee imposed by the District for discharging swimming pool filter backwash effluent into the District System.
- 2-38 **TAP or SERVICE CONNECTION:** The physical connection to a District main which, together with the Tap Permit for same, effects sewer service to any Permitted Premises.
- 2-39 **TAP FEE:** A fee imposed by the District as a prerequisite for connecting to the District System. This fee is based upon the total availability of services provided by the District, and is not limited to or a reflection of costs incurred in simply making the connection to the District System.
- 2-40 **TAP PERMIT:** The written authority to make a Tap for sewer service to Permitted Premises from the District System.
- 2-41 **TECHNICAL STANDARDS AND SPECIFICATIONS:** The provisions of the Part C of Article 9 of these Rules and Regulations, which prescribe the minimum technical standards and related operating rules for the design, installation, construction, and maintenance of all District facilities, and of all private facilities and appurtenances that connect to the District System directly or indirectly.
- 2-42 **TREATMENT PLANT:** The South Platte Water Renewal Partners (SPWRP) Wastewater Treatment Plant, located at 2900 South Platte River Drive Englewood, Colorado 80110, and/or such appurtenant, additional or replacement facilities as the City of Englewood may now or hereafter determine shall be used for the treatment of wastewater from the District.
- 2-43 **UNAUTHORIZED TAP OR SERVICE CONNECTION:** Any tap, which is made without having obtained a Tap Permit.
- 2-44 **USER:** Any person who discharges, or causes or permits the discharge, of wastewater to the District System.
- 2-45 **WASTEWATER:** The combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, including but not limited to polluted cooling water.
- 2-46 **WASTEWATER UTILITY ORDINANCE:** Chapter 2, Title 12 of the Englewood Municipal Code of 2000.