

PUBLIC UTILITIES
ARTICLE 1
CRIT UTILITIES

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PUBLIC UTILITIES CODE

ARTICLE 1

CRIT UTILITIES

[NOTE: Except as otherwise noted, the provision of Article 1 of the Public Utilities Code were enacted on March 13, 1986 by Ordinance No. 86-1.]

CHAPTER 1. GENERAL PROVISIONS

Section 1-101. Definitions.

In this Article, unless the context otherwise requires:

(A) "Sanitary waste water" means waste water or sewage derived principally from dwellings, business buildings, industries, institutions and the like, originating as waste from kitchens, water closets, lavatories, bathrooms and showers.

(B) "Services" means labor, professional service, water service, waste water service, solid waste service or electricity service.

(C) "Toxic substance" means any substance whether gaseous, liquid, or solid, which when discharged in to a waste water sewer system in sufficient quantities may tend to interfere with any waste water treatment process, or constitute a hazard to humans or animals, or inhibit aquatic life or create a hazard to recreation in receiving waters.

(D) "Unit of service" means each separate residence, house, store, or building, or aggregate of residences, houses, stores, or buildings, so situated within the Colorado River Indian Reservation that the same might practicably be, or now is, served by any utility system owned or operated by the Colorado River Indian Tribes.

(E) "User" means any person or unit of service receiving utilities services.

(F) "Utility Board" means the Colorado River Indian Tribes Utility Board.

Section 1-102. Provisions Part of Contract.

All provisions contained in this Article, and any regulations promulgated by CRIT Utilities, shall be considered a part of the contract of every user taking service from CRIT Utilities and each such user taking service shall be considered as having expressly consented to be bound thereby.

CHAPTER 2. UTILITIES ADMINISTRATION

Section 1-201. Establishment of CRIT Utilities.

There is hereby established an enterprise of the Colorado River Indian Tribes to be known as CRIT Utilities, to consist of the Utility Director and such other persons as from time-to-time shall be designated to carry out the duties of CRIT Utilities.

Section 1-202. Rules and Regulations.

CRIT Utilities is authorized to issue such rules and regulations as are deemed necessary to carry out the provisions of this Article, upon obtaining prior approval of the Tribal Council Administrative Committee.

Section 1-203. Property.

Title to all property purchased or acquired by CRIT Utilities shall be taken in the name of the Colorado River Indian Tribes doing business as CRIT Utilities.

Section 1-204. Duties.

It shall be the duty of CRIT Utilities to manage and control all matters pertaining to all water, waste water and solid waste management systems owned or operated by the Colorado River Indian Tribes. CRIT Utilities shall perform, or cause to be performed, all acts that may be necessary for the prudent, efficient, and economical management and protection of all water, waste water and solid waste management systems owned or operated by the Colorado River Indian Tribes, including all duties specifically enumerated in this Article.

Section 1-205. Utility Board.

There is hereby established a Utility Board comprised of such persons as are appointed by the Tribal Council:

(A) It shall be the duty of the Utility Board to perform or cause to be performed, all of the duties enumerated in this Article and the CRIT Utilities Plan of Operations.

(B) It shall be the duty of the Utility Board to supervise and direct the Utility Director in the performance of his duties.

Section 1-206. Duties of Utility Director.

(A) It shall be the duty of the Utility Director to perform, or cause to be performed, all the duties required of CRIT Utilities, and all of the duties of the Utility Director specifically enumerated in this Article and in the CRIT Utilities Plan of Operations.

(B) In the performance of his duties, the Utility Director shall be under the immediate supervision and direction of the Utility Board.

CHAPTER 3. WATER SERVICE.

Section 1-301. Service Required.

(A) Except as otherwise provided in this Article, all persons residing in or occupying a unit of service shall be required to accept water service from water systems operated by the CRIT Utilities.

(B) Any resident or occupant of a unit of service may utilize a private source of water and refuse such service, but only where such person shall, at his own expense, have inspected and certified yearly by the Colorado River Indian Tribes Department of Health and Social Services that the water quality of said private source meets that Department's minimum safe drinking standards.

(C) For purposes of this Section, "private source of water" shall mean a water well located upon the premises of the unit of service or immediately adjacent thereto.

CHAPTER 4. WATER SERVICE EXTENSIONS

Section 1-401. Application.

A written application upon a form supplied by CRIT Utilities shall be made for extension of service beyond an existing main. The application shall be considered by the Utility Board at its next regularly scheduled meeting.

Section 1-402. Expenses.

The expense of extending service beyond an existing main shall be borne by the applicant. If CRIT Utilities is to order required installation materials for the applicant, payment in full for said materials must be made before the order will be placed by CRIT Utilities. CRIT Utilities may reimburse the applicant for costs of installation by an allowance of up to fifty percent (50%) of the monthly water bill charge to the applicant for a period of five (5) years or until the materials and costs of installation have been reimbursed, whichever occurs first.

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Section 1-403. Requirements.

(A) An affidavit certifying size and cost of the pipe, the cost of laying the pipe and digging of ditches, and other costs, shall be filed with CRIT Utilities and approved by the Utility Board before any agreement may be entered into with the applicant.

(B) All materials to be used in installation of a water line shall be approved by CRIT Utilities prior to installation. No reimbursement under the preceding Section shall be given for pipe less than two (2) inches in diameter.

(C) All pipe shall be laid by direction of the Utility Board under the supervision of the Utility Director.

(D) Charges made to an applicant shall not exceed the cost of a two-inch line.

(E) A grant of right-of-way for the subject premises in a form acceptable to the Utility Director shall accompany all applications for extension of service. No application shall be approved without such a grant of right-of-way.

Section 1-404. Ownership.

Any and all pipe laid outside of the property line of an applicant shall be the property of CRIT Utilities. CRIT Utilities shall have the right to connect and give service to any other applicant that may desire service from the pipe so laid.

CHAPTER 5. METERS AND CONNECTIONS

Section 1-501. Installation and Maintenance of Meters.

(A) All persons owning, leasing or residing in or occupying any unit of service shall permit the installation of a water service connection, including pipe, water meter and meter box, as may be required to permit service and delivery of water by CRIT Utilities to each such unit of service.

(B) All meters shall be installed, and all water connections with the mains shall be made, by CRIT Utilities. Where possible, meters shall be numbered in such a manner that they will be indicative of the block and lot number, if any, of the unit of service. Except as otherwise provided in this Chapter, the customer must maintain all water connections from the meter to within his property.

(C) All meters, except in cases where they are negligently, carelessly, or willfully damaged by the customer, shall be maintained by CRIT Utilities. The customer shall bear the burden and responsibility of proving that his negligence, carelessness, or willfulness did not cause any damage.

Section 1-502. Alterations of Water Connections.

Any customer now receiving service from CRIT Utilities, or who may hereafter receive service, who desires to make any change or alteration in existing water connections, shall be required to furnish CRIT Utilities with a statement of the change or alteration to be made. Written permission from the Utility Director shall be received before any proposed change or alteration is made.

Section 1-503. Meter Tests.

(A) It shall be the privilege of each customer to insist upon a meter test when such customer has deposited Five Dollars (\$5.00) with CRIT Utilities. Upon receipt of said deposit the meter shall be tested. In the event the tested meter is found to be registering correctly, the deposit shall be retained by CRIT Utilities for the extra service rendered. In the event the tested meter should be found to be defective, it shall be repaired or replaced by CRIT Utilities and the deposit shall be refunded.

(B) When a meter is found to be defective, the charge for any month affected shall be adjusted to an average based upon the three (3) succeeding months, and such meter shall be replaced or repaired immediately.

Section 1-504. Tampering with Meters.

Meters shall be sealed by an authorized CRIT Utilities' official in such a manner as to prevent, without breaking the seal, all tampering with, or damage to, the mechanism.

CHAPTER 6. WASTE WATER SERVICE.

Section 1-601. Service Required.

All persons residing in or occupying a unit of service shall be required to accept waste water service from systems operated by CRIT Utilities when such service is available under guidelines established by the Utility Board and, in all cases, where a unit of service is within 200 feet of a waste water system.

CHAPTER 7. WASTE WATER SERVICE EXTENSIONS

Section 1-701. Application.

A written application upon a form supplied by CRIT Utilities shall be made for extension of service beyond an existing main. The application shall be considered by the Utility Board at its next regularly scheduled meeting.

Section 1-702. Expenses.

The expense of extending service beyond an existing main shall be borne by the applicant. If CRIT Utilities is to order required installation materials for the applicant, payment in full for said material must be made before the order will be placed by CRIT Utilities. CRIT Utilities may reimburse the applicant for costs of installation by an allowance of up to fifty percent (50%) of the monthly waste water service bill charge to the applicant for a period of five (5) years or until the materials and costs of installation have been reimbursed, whichever occurs first.

Section 1-703. Requirements.

(A) An affidavit certifying size and cost of the pipe, the cost of laying the pipe and digging of ditches, and other costs, shall be filed with CRIT Utilities and approved by the Utility Board before any agreement may be entered into with the applicant.

(B) All materials to be used in installation of a waste water main shall be approved by CRIT Utilities prior to installation. No reimbursement under the preceding Section shall be given for pipe less than eight (8) inches in diameter.

(C) All pipe shall be laid by direction of the Utility Board under the supervision of the Utility Director.

(D) Charges made to an applicant shall not exceed the cost of a four-inch line.

(E) A grant of right-of-way for the subject premises in a form acceptable to the Utility Director shall accompany all applications for extension of service. No application shall be approved without such a grant of right-of-way.

Section 1-704. Ownership

Any and all pipe laid outside of the property line of an applicant shall be the property of CRIT Utilities. CRIT Utilities shall have the right to connect and give service to any other applicant that may desire service from the pipe so laid.

Section 1-705. Alterations of Waste Water Connections.

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Any customer now receiving service from CRIT Utilities, or who may hereafter receive service, who desires to make any change or alteration in existing waste water connection, shall be required to furnish CRIT Utilities with a statement of the change or alteration to be made. Written permission from the Utility Director shall be received before any proposed change or alteration is made.

CHAPTER 8. DISCHARGE

Section 1-801. Duty of Utility Director to Determine Acceptability.

The Utility Director shall determine the acceptability or unacceptability of discharge into any waste water system operated by CRIT Utilities. Such a determination shall be made on the basis of sound engineering and operational evaluations, taking into consideration the nature and concentration of the discharge, its points of entry into a waste water system, its compatibility with other discharges in a waste water system, its compatibility with the treatment facility receiving it and all other factors pertinent to the effect of the discharge on any part of a waste water system or treatment process.

Section 1-802. Unacceptable Discharge.

(A) Unacceptable discharges shall include, but not be limited to, those which:

(1) Contain materials or substances which would constitute a hazard to the health and well being of personnel engaged in inspection, maintenance, and operation of a waste water system.

(2) Contain toxic materials or substances.

(3) Contain materials or substances which are in any way deleterious to any part of a waste water system.

(4) Contain concentrations of any toxic or deleterious materials or substances in excess of limits set thereon by the Utility Director.

(5) Cause CRIT Utilities to incur excessive expense in the handling or treatment thereof.

(6) Are incompatible with the treatment process or inhibit the performance of the treatment process at a treatment facility operated by CRIT Utilities.

(7) Are of such volume or contain such biochemical oxygen demand, suspended solids, or other material load which could cause a treatment facility to exceed its design capabilities.

(8) Cause a treatment facility operated by CRIT Utilities to fail to meet effluent requirements set by applicable law.

(9) Cause effluent to have a degrading effect on a receiving body of water.

(10) Contain viable pathogenic organisms in such quantities as to be a hazard to public health.

(B) The following materials, among others, shall be considered to be unacceptable discharges except in small quantities or concentrations as allowed in the discretion of the Utility Director:

(1) construction materials, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood, paunch manure, fur, any solid or viscous substance capable of causing obstruction to the flow in a waste water system or other interference with the proper operation of a waste water system;

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(2) gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquids, solids, or gases;

(3) steam or hot water above 150 degrees Fahrenheit (65 degrees Centigrade);

(4) water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 33 degrees Fahrenheit (1 degree C. and 65 degrees C.);

(5) water or wastes having a pH lower than 5.5 or higher than 10 or having any other corrosive property apt to cause damage or hazard to structures, equipment of a waste water system, or personnel employed in its operations;

(6) water or waste containing readily releasable cyanide (cyanide released at a temperature of 150 degrees Fahrenheit (65 degrees C. and pH 2.5) in excess of 1 milligrams per liter; water or waste containing total cyanide in excess of 5 mg/l;

(7) coal tar, its derivatives and waste;

(8) liquids or wastes containing toxic or poisonous substances in sufficient quantities or rate of flow as to injure or interfere with any treatment process, to constitute a hazard to humans or animals, or to create any hazard in receiving waters.

(C) The Utility Director may refuse to accept any discharge which is determined by the Utility Director to be unacceptable.

Section 1-803. Pretreatment.

(A) The person responsible for any discharge determined by the Utility Director to be unacceptable may apply to the Utility Director for permission to pre-treat such discharge by the use of a method of pretreatment designed to render said discharge acceptable. The acceptability of a pretreatment method shall be determined by the Utility Director on the basis of sound engineering and operational evaluations, taking into consideration all factors pertinent to the effect of the discharge both before and after pretreatment on any part of a waste water system.

(B) Pretreatment facilities shall at all times be subject to inspection by the Utility Director.

(C) All costs incident to pretreatment and all expenses incident to the acquisition, installation, operation, maintenance, and repair of pretreatment facilities shall be borne by the user. In addition, any extraordinary administrative or investigative expenses incurred by CRIT Utilities as a result of the installation and use of pretreatment facilities shall be borne by the user.

Section 1-804. Conditional Acceptance.

(A) Certain toxic substances and pathogenic bacteria, admission of which into a water waste system would otherwise be prohibited, shall be acceptable in a discharge if:

(1) reduced by treatment at the source to a point that will meet the standards set by this Article and regulations promulgated by CRIT Utilities.

(2) discharged in such small concentrations so as to not be injurious to personnel, waste water systems, receiving waters, or any biochemical, biological or other waste water treatment process. The following substances may be accepted for discharge in such amounts as are acceptable under United States Environmental Protection Agency standards:

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(a) alcohols, antibiotics, arsenic, arsenicals, bromine, iodine, chlorine, copper, copper salts, cresols, creosotes, fluorine, formaldehydes, mercury, mercurials, phenols, phenol derivatives, silver, silver compounds, silvermides, toxic dyes (organic and mineral), or zinc;

(b) strong oxidizing agents such as chromates, dichromates, permanganates or peroxides;

(c) chemical compounds producing toxic flammable or explosive gases either upon acidification, alkalization, oxidation or reduction;

(d) strong reducing agents such as nitrates, sulphides, sufites, and thiosulphites;

(e) waste from industrial processes, hospital procedures or commercial processes containing viable pathogenic organisms.

(B) Any discharge containing garbage may be made acceptable by means of grinding and dilution. Provided however, that the installation of and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 HP metric) or greater shall be subject to review and approval by the Utility Director prior to installation and operation and to periodic inspection by the Utility Director thereafter.

(C) Any water or wastes which contain acids or bases shall be neutralized, diluted or subjected to some other acceptable method of pretreatment in order to render them acceptable to Utility Director prior to discharge to a waste water system. If necessary, the use of automatically operating diluting or neutralization and monitoring equipment shall be required. If, upon neutralization, the discharge is sufficiently high in ionic strength as to continue to be unacceptable, further pretreatment shall be required.

(D) CRIT Utilities shall, by regulation, set maximum allowable values for certain materials in, or characteristics of, waste water entering a waste water system. Notwithstanding such regulations, the maximum allowable values for the following materials in, or characteristics of, waste water shall be:

| <u>Material or Characteristic</u> | <u>Maximum Allowable Value</u> |
|-----------------------------------|--------------------------------|
| Boron | 1.0 ppm |
| Chromium, total | 10.0 ppm |
| Copper | 10.0 ppm |
| Cyanides | 2.0 ppm |
| Cadminum | 2.0 ppm |
| Lead | 0.1 ppm |
| Mercury | 2.0 ppm |
| Nickel | 10.0 ppm |
| Zinc | 10.0 ppm |
| Iron | 25.0 ppm |
| Phenols | 0.5 ppm |
| Biochemical Oxygen Demand | 210.0 ppm |
| Suspended Solids | 210.0 ppm |
| pH | .5-9.5 ppm |

Temperature 105 Degrees F.

Section 1-805. Discharge Agreements.

Whenever necessary to carry out the provisions of this Article, CRIT Utilities may enter into discharge agreements with users of a waste water system. Such agreements shall be subject to the prior approval of the Utility Board.

Section 1-806. Discharge of Unpolluted Water Where Storm Waste Water System is Available.

Whenever separate storm and sanitary waste water systems are provided, required, or in use in any area of the Colorado River Indian Reservation, all unpolluted water including storm water, surface water, ground water, roof-runoff, uncontaminated cooling water, subsurface drainage, or unpolluted industrial process water shall be discharged to a storm waste water system. Whenever, any such unpolluted water is found to be discharged into a sanitary waste water system, the Utility Director shall require such discharge to be connected to a storm waste water system at the expense of the user.

Section 1-807. Odor Control.

It shall at all times be the responsibility of the user to eliminate or control the emission of offensive odors from units of service to a waste water system or the development of offensive odors in a system as the result of a discharge. Whenever the Utility Director determines that offensive odors emanating from units of service or resulting from a discharge are present in a system, he shall require the user to take whatever steps are necessary to eliminate such odors from the system. All costs and expenses related to the elimination or control of odors shall be borne by the user.

Section 1-808. Prevention of Accidental Release of Unacceptable Discharge.

(A) The user of a waste water system operated by CRIT Utilities shall take adequate precautions to prevent accidental spillage of unacceptable discharge to the waste water system.

Section 1-809. Notification of Accidental Release of Unacceptable Discharge.

(A) In the event of any accidental release into a waste water system of any unacceptable discharge, it shall be the responsibility of the user to notify CRIT Utilities and the CRIT Police Department immediately, and in no case, later than one (1) hour following such a discharge so that remedial action can be taken.

Section 1-810. Remedial Action.

In addition to the penalties and remedies provided in Chapter 12, the Utility Director shall, upon determination that an accidental release of an unacceptable discharge has occurred, require the user to take such action as is necessary to prevent all further unacceptable discharge.

CHAPTER 9. EXPANSION OR CONSTRUCTION OF WASTE WATER SYSTEMS

Section 1-901. Expansion or Construction Directed by Tribal Council.

CRIT Utilities may expand or construct a waste water system upon the direction of the Tribal Council of the Colorado River Indian Tribes.

Section 1-902. Expansion or Construction Agreements.

CRIT Utilities may enter into agreements for the expansion or construction of a waste water system. Such agreements shall be subject to the prior approval of the Tribal Council of the Colorado River Indian Tribes. All Agreements authorized by this section shall:

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1) require conformance with the construction standards established by this Article and regulations promulgated by CRIT Utilities.

2) require the transfer of the expansion or construction to the Colorado River Indian Tribes at a mutually agreeable date.

Section 1-903. Public Easement.

No waste water system shall be expanded or constructed on the Colorado River Indian Reservation unless it is in a public right-of-way or easement of a minimum width of twelve (12) feet. The Utility Director may require a right-of-way or easement in excess of twelve (12) feet in width when necessary during construction.

Section 1-904. Construction Standards.

(A) Any expansion or construction of a waste water system on the Colorado River Indian Reservation shall be in compliance with the provisions of this Article, all other applicable law, regulations promulgated by CRIT Utilities and most current edition in Recommended Standards for Sewage Works Standards published by Health Education Services, Albany, New York.

(B) All construction shall be performed under the inspection of CRIT Utilities and with the advice of United States Indian Health Service when requested by CRIT Utilities.

(C) In no case shall common plumbing to two or more lots be allowed.

CHAPTER 10. ESTABLISHMENT AND DISCONTINUANCE OF SERVICE RATES; RATES

Section 1-1001. Request for Service.

(A) Requests for utility service shall be by application to CRIT Utilities.

(B) A minimum tap-on charge shall be paid prior to the commencement of service.

(C) A deposit shall be collected on each utilities service customer account at a rate equal to the minimum monthly rate for service to each respective unit of service. Upon discontinuance of service, any and all deposits shall be returned after all bills and other charges have been satisfied.

Section 1-1002. Rates.

Rates and any other charges for services shall be at rates and for terms as determined by the Utility Board.

Section 1-1003. Discontinuance of Service; Notice.

Any customer who desires to discontinue utility service shall give notice to CRIT Utilities five (5) days in advance of intended termination of service. Responsibility for services shall extend to the time of departure or to the time specified for departure, whichever occurs later.

CHAPTER 11. BILLING

Section 1-1101. Payment of Bills.

(A) All utilities service bills shall be due and payable to CRIT Utilities on or before the fifteenth day of the month following that for which the bill is rendered.

(B) Upon failure of a customer to pay a utilities service bill when due and payable, utilities service may be discontinued without further notice to the customer. Water service to a unit of service will be disconnected before waste

water service is disconnected. Thereafter, if payment of all utilities bills is not forthcoming, waste water service shall be disconnected.

(C) Utilities service may be discontinued to any customer who is delinquent in the payment of any utilities service bill for services rendered to a previous location, whenever such bill is not paid within twenty (20) days after presentation at the new location. The Utility Director may refuse to provide utilities service to any person who is delinquent in the payment of any previous utilities service bill.

(D) In the event service to a customer has been discontinued for nonpayment of a utilities service bill as herein provided, service shall be resumed only upon the payment of all money due for utilities service billed through CRIT Utilities, plus payment of a reasonable resumption-of-service fee set by the Utility Board and a deposit in the amount of approximately twice the average or anticipated monthly bill of the customer as estimated by the Utility Director.

Section 1-1102. Proration of Charges.

If a customer orders service discontinued or resumed during any month, the minimum charge for such month shall be the full minimum monthly payment.

Section 1-1103. Payment Responsibility.

The owner of each unit of service shall be responsible for payment of all utilities service bills. CRIT Utilities shall not receive payment from a tenant unless the tenant pays the full amount of the charges billed to the respective unit of service.

Section 1-1104. Consolidation of Utilities Service Bills.

(A) CRIT Utilities may, as a matter of convenience, consolidate the billing and collection of all charges for water service, waste water service, sanitation fees and charges, solid waste pickup and disposal fees and charges, and any other such fees.

(B) When charges for utilities service are consolidated as provided by subsection (A), failure to pay any one charge shall be deemed a failure to pay the utilities service bill and shall subject the customer to discontinuance of utilities service as specified in Section 1-1101.

CHAPTER 12. VIOLATIONS; PENALTIES

Section 1-1201. Unlawful Acts.

It is Unlawful:

(1) For any person to break or remove a seal, tamper with, or willfully damage any portion of a utilities system operated by CRIT Utilities.

(2) For any person, by false key or otherwise, after service has been discontinued to a particular unit of service, to fraudulently cause such unit of service to be supplied with utilities;

(3) For any unauthorized person to knowingly have and keep in possession or under his control any meter box key, valve key or hydrant wrench to any utilities system operated by CRIT Utilities;

(4) For any person, without authority from the Utility Director, to make, construct, buy, sell or in any way dispose of, any meter box, box key, valve key, or hydrant wrench for use on any utilities system operated by CRIT Utilities;

(5) For any person to knowingly, without lawful authority, obtain property or services of another by means of any material misrepresentation with intent to deprive him of such property or services;

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(6) For any person to release or cause to be released or allow to run, leak, or escape into any utilities system operated by CRIT Utilities any unacceptable discharge.

(7) For any person to cause storm water, ground water, or any other unauthorized water or material to enter a waste water system operated by CRIT Utilities. The following actions shall be deemed to be in violation of this Subsection:

(a) discharging sanitary waste water from a septic tank truck without authorization;

(b) tying downspouts of air conditioning condensate lines into a waste water system;

(c) opening manhole lids to allow drainage;

(d) dumping garbage, refuse or other wastes in manholes;

(e) draining swimming pools into a waste water system;

(f) causing or allowing any substance not considered sanitary waste water or not paid for as sanitary waste water, to enter a waste water system.

Section 1-1202. Criminal Penalties.

Any person violating a provision of Section 1-1201 is guilty of a misdemeanor and shall be punished by a fine of not more than Five Hundred Dollars (\$500.00), or by imprisonment for not more than six (6) months, or both. Each day during which any such violation shall continue, shall constitute a separate offense, punishable as herein provided.

Section 1-1203. Civil Penalties.

Any person violating a provision of Section 1-1201 shall forfeit to the Colorado River Indian Tribes in a civil action a sum of not more than Five Hundred Dollars (\$500.00) for each violation. Each day during which any such violation shall continue shall constitute a separate civil violation.

Section 1-1204. Restitution.

In addition to the penalties provided in this Chapter, any person violating a provision of Section 1-1201 shall make full restitution to CRIT Utilities.

CHAPTER 13. APPEALS; LIABILITY

Section 1-1301. Appeal Procedure.

Disputes and/or complaints, except employment disputes, shall be submitted in writing to the Utility Director. The Utility Director shall make every effort to resolve the matter and shall, at a minimum, respond in writing to the disputant/complainant. The Utility Director's written response shall include a statement that further appeal may be pursued before the Utility Board by making a written request thereto within thirty (30) days after the date of the Director's written response. Decisions rendered by the Utility Board shall be final.

Section 1-1302. Liability.

CRIT Utilities shall not be held liable for any damages resulting from the establishment or discontinuance of utilities service, whether with or without notice, or for any damages resulting from the delay of extension of service beyond an existing main, or for any other damages resulting from circumstances beyond the control of CRIT Utilities. CRIT Utilities will not be liable for any act or omission caused directly or indirectly by strikes, labor disputes, accidents, litigation, shutdowns for repairs or adjustments, interference by

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governmental agencies, failures of electric power, Acts of God or other causes beyond its control.

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