Municipal Water System of Easton, Maryland

The Easton Utilities Commission

WATER SERVICE TARIFF

LATEST REVISION

January 18, 2022

Issued:	January 18, 2022	Signed:	Hugh E. Grunden
Effective:	February 1, 2022	Title:	President & CEO

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Water Service Tariff

This Water Service Tariff sets forth the Regulations and Rates under which water service will be supplied to its Customers by The Easton Utilities Commission, in the three parts as follows:

- I. GENERAL INFORMATION
- II. TERMS AND CONDITIONS
- III. RATES & CHARGES

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PART I. GENERAL

1. Definitions

- "Applicant" Any person, corporation, or other entity that: (i) desires to receive from the Commission water or any other service provided for in this Tariff, (ii) complies completely with all Commission requirements for obtaining water or any other service provided for in this Tariff, (iii) has filed and is awaiting Commission approval of its application for service, or (iv) is not yet actually receiving from the Commission any service provided for in this Tariff. An Applicant shall become a Customer for purposes of this Tariff only after the Applicant actually starts receiving the applicable service(s) from the Commission under this Tariff.
- "Commission" The Easton Utilities Commission of Easton, Maryland.
- "Customer" Any adult person, partnership, association, corporation, or other entity: (i) in whose name an account is listed, (ii) who occupies or is the ratepayer for a premises, building, structure, etc. and (iii) who is primarily responsible for payment of bills. Multiple premises or sites under the same name are considered multiple Customers.
- "Equivalent Dwelling Unit (EDU)" a unit of measurement of system capacity assuming water consumed is equal to 250 gallons per day.
- "Tariff" This document, The Easton Utilities Commission Water Service Tariff, comprises the rules and regulations of service and the service classifications under which water shall be received from and treated on behalf of its Customers by the Commission. The Tariff is part of every contract for service.

2. Filing and Posting

A copy of the Tariff is filed with the Clerk of the Town of Easton and copies are available for inspection in the Commission's Customer Service Center and online at www.eastonutilities.com.

3. Application to Contracts

The Tariff is a part of every contract for service. The benefits and obligations of the contract inure to and are binding upon the successors, personal representatives, and assigns of the parties thereto for the full term of the contract. The contract shall not be assigned by the Customer without prior written consent of the Commission. Whether or not a written contract is executed, the applicant, by accepting water service, is bound by the applicable rate schedule and these Terms and Conditions as they may be amended from time to time.

4. Revision

This Tariff may be changed or revised from time to time in accordance with the provisions of the Charter of the Town of Easton. All Contracts are subject to such changes or revisions.

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5. Interpretation

The interpretation of the Tariff as to its intent and applicabilities will be made by the President and/or CEO subject to the approval of the Commission.

6. Reservations

The failure of the Commission to enforce any of the provisions of this Tariff shall not be deemed a waiver of its right to do so.

7. Commission's Disclaimer of Liability

The Commission shall be liable for loss, cost, damage, or expense to any person or property-only if such loss, cost, damage, or expense is the direct result of gross negligence or willful misconduct of the Commission, its agents, servants, and employees; provided however, that the Commission shall not be responsible for any loss, cost, damage, or expense to any person or property, unless within ninety days of the act or injury, actual written notice of such act or injury and the circumstances under which it occurred is given to the Secretary of the Commission at its Office in Easton, Maryland.

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PART II. TERMS AND CONDITIONS

1. Application for Service

Written application for service shall be made through the Customer Service Center of the Commission and such application when approved and accepted by the Commission shall constitute a Contract between the Commission and the applicant. The application for service shall clearly outline the class and type of use to be made of the service.

2. Customer's Deposit to Guarantee Payment of Final Bills

The Commission may require a cash deposit from an Applicant or an existing Customer for each account until satisfactory credit is established to guarantee payment of final bills for service rendered. The Company reserves the right to hold either an aggregate deposit for all deposits for all accounts for a single Customer, or multiple deposits for separate accounts for a single Customer. Where the Company holds more than one deposit for separate accounts for the same Customer, the Company shall administer each deposit individually. Such deposit shall not be more in amount than two-twelfths (2/12) of the estimated annual applicable revenue or as may be reasonably required by the Company in cases involving a service for short periods. Service may be denied or terminated for failure to pay a deposit when requested. Deposits shall not be applied against current delinquent bills.

Required deposits may be deferred at the Customer's request to the first month's bill or may be paid in installments over three (3) consecutive monthly billing periods. Customers with a prior unpaid balance may be required to pay the full deposit prior to establishing new service.

Simple interest on deposits at a rate established annually and equal to the rate used for the calculation of deposits for electric service shall be applied annually as a credit to the Customer's account. The deposit shall cease to draw interest on the date it is returned, on the date service is terminated or on the date notice is sent to the Customer's last known address that the deposit is no longer required.

Deposits may be refunded after one (1) year for residential deposits and after four (4) years for non-residential deposits and after satisfactory credit has been established. Satisfactory credit for residential deposits is defined as payment of the last twelve (12) consecutive monthly bills without more than two past due bills and without an outstanding unpaid previous balance. Satisfactory credit for non-residential deposits is defined as payment of the twenty-four (24) consecutive monthly bills.

3. Single Point of Delivery

a) General:

In all future installations or re-installations of service lines the location of the meter and the design of the water service system will be determined by the Commission.

Where more than one property is now supplied through one service pipe, and under the control of one meter valve, any violation of the rules of the Commission by either or any of the Customers so supplied shall be deemed a violation as to all, and the Commission may

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take such action as could be taken against a single customer, except that such actions shall not be taken until the innocent consumer, who is not in violation of the Commission's rules, has been given a reasonable opportunity to attach their pipe to a separately controlled service connection. Where one service pipe has been used for two or more properties held in one ownership, and there be a division of such ownership, whether by sale or otherwise, each property will, thereafter, be required to have its own service, as part of the subdivision procedure, at the expense of the subdivider.

b) Master Water Meters:

Structures having more than one dwelling unit or multiple non-residential users may have a separate meter for each unit or a master for each structure or cluster of structures. The number and location of the meters and the design of the water service system is subject to the approval of the Commission. Rates and charges for service to properties served by master meters will be as indicated in Part III.

4. Refusal or Discontinuance of Supply

Upon the Customer's failure to comply with any of the provisions of the tariff, or to pay for service within fifteen days (15) after the date bill is mailed or presented, the Commission may refuse or discontinue service and remove its property without being liable to the Customer for any loss, cost, damage, or expense occasioned by such refusal, discontinuance, or removal.

5. Reconnection Expense

a) Should it be necessary on account of non-payment of bills or non-compliance with the rules and regulations of the Commission to disconnect the service of the Customer, a charge of thirty-five dollars (\$35.00) payable in advance at the Commission's Customer Service Center during normal workday business hours, will be made for reconnecting the service where the disconnection is made at the meter location. If the Customer desires service to be reconnected between the hours of 1600 and 2300, or on weekends or holidays, or requests connection after 1400 for same day, an additional charge of ten dollars (\$10.00) will be made.

Where the Commission was unable to obtain access to the meter and the disconnection was made at other than the meter location the Customer shall be liable for the entire expense of disconnection and reconnection payable in advance.

b) Where the Customer makes a payment to a Commission field representative at the Customer's premise to avoid discontinuance of service, the Customer is subject to a thirty-five dollar (\$35.00) fee per occurrence.

6. Continuity of Supply

The Commission shall not be liable for any loss, damage or expense to any Customer occasioned by any failure to supply water according to the terms of the Tariff, or by any interruption of the supply of water, if such failure or interruption shall be due to storm, fire, flood, shortage of water, strike or any cause beyond the control of the Commission, or any cause except willful default or neglect on its part.

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7. Condition of Use

The Commission will undertake to furnish service to the Customer for use only for the Customer's own purposes and only on the premises occupied, through ownership or lease by the Customer, who shall be one individual, firm, corporation, or association. The service furnished shall not be remetered or submetered by the Customer for resale nor redistributed to another individual, firm, corporation, or organization. The Service may be remetered or submetered by the Customer for allocation of the Commission's bill to members of the Corporation or Association in multi-family structures or clusters.

8. Use of Less Than One Year

The Customer shall pay all costs of connection and disconnection, and for main and service connection, if service is used less than one (1) year; or when temporary connections are made, even though for a longer period than one (1) year.

9. Customer's Installation

All meters, meter boxes, and meter cutoff valves and such other appurtenances as are furnished by the Commission shall remain its property. All piping, and appurtenances upon the Customer's premises must comply with and be installed and maintained in accordance with the requirements of the Town of Easton Plumbing Code; the Plumbing Code of the State of Maryland; the local Inspection Authorities, and the rules of the Commission. The Customer is responsible for the installation from the point of service connection to their premise. The point of service connection is the outlet side of the meter. There shall be placed in the service pipe, within the walls of the structure supplied a valve accessible to the occupants, for their protection in enabling them to turn off the water in case of leaks and to drain the pipes to prevent freezing.

In all cases, the Customer shall take appropriate measures to prevent backflow of any water to the meter that could damage the meter and associated piping, or that could contaminate the main supply of water.

10. Commission's Installation

Service and/or fire protection connections will be made, and water will be furnished after the approval by the Commission of the written application of the prospective customer.

All connections to its mains and the installation of service lines and meters will be made by the Commission or subject to its inspection and approval. The design of the water service system and the location of the meter will be determined by the Commission. The entire cost of the connection, service, and meter installation less the actual cost of the meter is the responsibility of the Customer. For a single-family dwelling unit service the meter pit, frame and cover will be furnished by the Commission at no expense to the Customer. The service line shall be the property of the Commission and shall be accessible to and under its control and maintenance.

An auxiliary water meter to measure water that is diverted from the Wastewater System (a "water only" meter) will be furnished and installed by the Commission at the request and expense of the applicant. If the water-only meter is connected on the customer side of an existing meter, a capital charge will not be required for the water-only meter. The meter shall be placed in

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a readily accessible location for reading and maintenance. The piping connecting the Water System with any device the effluent of which is diverted to a drain other than the Wastewater System shall be in plain sight to enable the Commission to determine if other connections are made and if a reduction in the water service bill is appropriate.

11. Access to Customer's Premises

The Commission shall have free access to and right-of-way for the piping, meters, and appurtenances on the Customer's premises, used for the service.

Permission is given the Commission to enter the Customer's premises at all times, for the purpose of inspecting, reading meters and keeping in repair or removing any or all of its apparatus used in the supply of water, and for said purpose the Customer authorizes the Commission to enter said premises. Where disconnection of the service is necessary for any reason and permission to enter the premises for the purpose of disconnecting is refused, the disconnection shall be made from the outside of the premises and the Customer shall pay the Commission the costs in connection therewith, as a condition of resuming the service, in addition to the cost of reconnection. Should the Customer relocate, and desire service this disconnection charge shall first be paid by the Customer to the Commission.

12. Customer's Liability

The Customer shall be responsible for all charges for water furnished under agreement until the end of the term thereof and for such further time as the Customer may continue to take service; except that where the Customer has the right to terminate the agreement by notice, which shall be in writing, the Customer shall remain liable for all charges for a period not to exceed ten days thereafter.

Where the meter fails to register the total amount of water used, the Customer shall pay for such period an estimated amount based upon the average consumption in similar periods. The Customer shall notify the Commission at once of any damage to, or of any cessation in registration of the meter as soon as he is aware of it.

No Customer (or their properly authorized agent), unless specially authorized to do so, shall open or close any of the stop cocks or valves in any mains or services owned and maintained by the Commission.

All leaks in service lines in and upon the premises supplied shall be promptly repaired. On failure to make such repairs, with reasonable dispatch, the Commission may turn off the water and it will not be turned on until all proper and necessary expenses incurred in shutting off and turning on the water are paid in full.

The Customer shall be responsible for the maintenance of, and any damage done by water escaping from the service pipe or any other pipe of fixture not owned and maintained by the Commission. The Customer shall, at all times, comply with State and local regulations in reference thereto and shall make any changes thereto required on account of a change in regulations.

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No rebate or discount shall be allowed upon any bill by reason of property becoming vacant, unless the owner of said property shall give notice thereof to the Commission previous to the same becoming vacant.

The Commission will not make adjustments to the Customer's bills when wastage of water occurs as a result of the Customer's negligence, or carelessness in maintaining any piping or fixtures upon the Customer's premises.

When a leak occurs underground and without the knowledge of the Customer the Commission will adjust the bill as follows: the Customer's average use will be deducted from the bill as computed from the meter readings and the adjustment shall be one-half of the difference between the average and computed bill. To receive this adjustment, the Customer may be required to furnish evidence to the Commission both of the leak and its repair.

13. Meters and Metering

For the purpose of determining the amount of water used, a meter shall be installed by the Commission at a point determined by the Commission.

Meters will be maintained by the Commission as far as ordinary wear and tear is concerned, but the Customer shall be responsible to the Commission for any damage, or loss of, any meter arising out of, or caused by, the Customer's negligence or carelessness, or any person upon the Customer's premises under or by the Customer's consent or sufferance. No one other than an agent of the Commission or someone otherwise lawfully authorized so to do, may remove, inspect, or tamper with the Commission's meter, or other property of the Commission on the Customer's premises.

In case of a disputed account involving the accuracy of a meter, such meter shall be tested, upon the request of the Customer, in conformity with guidelines and procedures established by the Public Service Commission of Maryland or the American Water Works Association. In the event the meter so tested is found to have an error in registration of 4 percent or more, the bills will be increased or decreased accordingly. If the date on which the error first developed or occurred can be established, the bills for service shall be recalculated from that time. If the time at which the error first developed or occurred cannot be established, it shall be assumed that the error existed for a period of 1 year or a period equal to one-half of the time since the meter was last tested, whichever is less.

14. Returned Checks

Checks given in payment for water service and all other services provided by the Commission, which are returned unpaid by the Customer's bank, will result in an additional charge of twenty-five dollars (\$25.00) per check, per occurrence, which charge shall be levied against the Customer's account.

15. Late Payment Charge

All bills are due and payable when rendered and the late payment charge does not apply when the bills are paid within 15 days after date of rendition. If bills are not paid within fifteen days

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after rendition, a late payment charge of one and one-half percent (1-1/2%) of the unpaid balance shall be added to the next billing unless prohibited by law. The total late payment charge for any original balance shall not exceed five percent (5%).

16. Extensions and Additions to the Commission's Facilities

- a) Distribution System Extensions The Commission will extend or permit extension of its water distribution system only within the corporate limits of the Town of Easton and at its option to supply applicants for permanent service under the terms and conditions enumerated below.
 - Rights-of-Way: The applicant or applicants requesting a water system extension shall furnish, without expense to the Commission, satisfactory rights-of-way necessary for the construction, maintenance, and operation of the water system extension, or shall agree to reimburse the Commission for expense incurred in the procurement of the necessary rightsof-way.
 - 2. Survey and Map: The applicant or applicants will be required to furnish the Commission with a complete and final topographic map of the area being developed showing all roadways, alleys, lots and location of proposed buildings to be served and the water requirements of each proposed building or structure. All surveys shall be carefully and accurately executed and shall be made with an accuracy of no less than one to five thousand.

All final surveys, maps, and plans shall be made by a competent Civil Engineer or Land Surveyor registered by the Maryland Board of Registration for Professional Engineers and Land Surveyors.

All maps shall be accurately drawn to scales suitable to the size of the tract but in no case shall the scale be more than fifty (50) feet to one (1) inch.

- 3. Design: The design, plans and specifications for all system extensions will be prepared by or approved by the Commission prior to any construction. The design of a system extension within the applicant's subdivision or on the Customer's property may be done by the applicant or their agent when authorized or directed by the Commission. The design shall include all mains, fittings, fire hydrants, services, valves, and such other appurtenances as may be required and will be located, where possible, in the public roadway rights-of-way. Fire Hydrants shall be located in accordance with "Construction Details" available from the Commission. Prior to construction, any applicable permits must be obtained.
- 4. Construction: The extension of the system shall proceed in accordance with the approved plans and specifications for the project. The applicant will be fully responsible for the construction of the extension on their property or within the Customer's subdivision unless otherwise previously determined by the Commission. All construction shall be inspected and approved by the Commission.

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- 5. Costs: All costs associated with the extension including preparation of maps, surveys, construction plans, review and approvals, construction, inspection, and testing shall be the responsibility of the applicant. If portions of the system extension are designed for future extension and service to other than the property or subdivision of the applicant, the Commission may construct this portion and share in its cost. The Commission will determine its share of the cost prior to authorizing construction. If the Commission is to construct the system extension or a portion thereof, the applicant shall be required to pay to the Commission an amount of money equal to the estimated cost of the Customer's share of the system extension or portion thereof. Said sum of money shall be paid to the Commission prior to the start of construction. If the cost of the project or the applicants share thereof exceeds the estimated cost, the applicant will be required to pay the additional amount of the Commission prior to any connection to the extension. If the cost of the project or the applicant's share thereof is less than the amount paid, the Commission will refund this amount which shall not bear interest to the applicant.
- 6. Ownership: In consideration of the Commission maintaining the system, all mains, appurtenances, and facilities included in the system extension become the property of the Commission.
- b) Service Installations

Where mains are available in the public thoroughfare opposite the Customer's premises, or extended thereto in accordance with the foregoing, the Commission will make service and/or fire protection connections as described in Part II - Section No. 10.

c) Supply & Storage

The Commission shall provide for adequate supply and storage of potable water meeting or exceeding the rules, regulations, or guidelines of the Maryland Department of the Environment.

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PART III. RATES & CHARGES

1. In-Town

Available for all classes of service within an area bounded by the Corporate Limits of Easton.

Capital Charges:

- a) Residential properties within the January 1, 1966 Corporate Limits: no charge for the first dwelling unit, \$2,350 per <u>additional</u> dwelling unit.
- b) Residential properties beyond the January 1, 1966 Corporate Limits: \$2,350 per dwelling unit.
- c) Non-Residential Connections:

The greater of \$2,350 or \$2,350 per Equivalent Dwelling Unit (EDU) as determined by the Water Use Standards (Appendix 1) divided by 250 gallons per day.

The appropriate capital charge or charges must be paid in accordance with the following:

1. Residential Subdivisions:

Capital charges for each lot to be served must be paid prior to the recording of the final subdivision plat among the Land Records of Talbot County.

2. Commercial or Industrial Subdivisions:

The minimum capital charge for each lot to be served must be paid prior to the recording of the final subdivision plat among the land records of Talbot County. Additional capital charges for larger than one EDU must be paid prior to the issuance of a building permit for any construction on the lot.

3. Individual Residential, Commercial or Industrial Lots or Parcels:

Capital charge for the lot or parcel to be served must be paid prior to the issuance of a building permit for any construction on the lot or parcel.

In no event will a water meter be installed and connected to the system extension prior to the payment of the appropriate capital charge.

Refunds of Capital Charges

The Commission may, upon request and for good cause shown, refund all or a portion of a capital charge where it is demonstrated that the charge was inappropriate, unjust, or not in conformity with the terms of this Tariff and applicable law. The Commission shall not consider a request for a refund unless the payment was made under protest and accompanied by a written statement as to why the amount charged was inappropriate, unjust, or not in conformity with the terms of this Tariff and applicable law.

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Account Maintenance Charge:

Applicable to those properties for which water treatment capacity has been allocated but not used.

\$4.00 per month per EDU

Connection Charge:

Applicable to all Customers:

Services of any size - \$25.00 per meter, dwelling unit, or per non-residential unit served by a master meter.

Customer Service Charge:

Applicable to all installations:

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\$7.42 per month per meter or per single family dwelling unit served by a master meter installation.

Rate Per Month:

Effective February 1, 2022

\$0.3712 per 100 gallons

Term of Contract:

Open order, that is, from month to month, except that when the service pipe is one (1) inch or larger, a contract for at least one year will be required.

2. Out-Of-Town

Applies only to existing connections in the area beyond the Corporate Limits of the Town of Easton.

Customer Service Charge:

Effective, February 1, 2022

\$14.85 per month per meter or per single family dwelling unit served by a master meter installation.

Rate per Month:

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\$0.7424 per 100 gallons

Term of Contract:

Open order, that is, from month-to-month.

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3. Temporary Service

Temporary service will be rendered only where the Commission has the necessary facilities available to render the service applied for without detriment to the service of other customers.

The rate for such service shall be \$0.5622 per one hundred (100) gallons for all water used, plus a weekly service fee of \$30.

The Customer shall pay in advance the estimated cost of connections and disconnections including the cost of any material provided to render the service required that cannot be returned to the Commission's stores in their original condition less ordinary wear and tear.

4. Liens

All sums of money due and owing to the Commission for water service rates and charges shall
be and constitute a lien on the real property to or in which water service is supplied. (Reference
Article VI Section 17 Easton Municipal Code)

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APPENDIX 1

1. Water Use Standards

for Calculation of Capital Charges for Non-Residential Properties

These Standards may be supplemented or amended from time to time by the President and/or CEO, subject to the approval of the Commission.

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Standard
15 gpd/person
5 gpd/person
75 gpd/per person
75 gpd/per person
15 gpd/person
25 gpd/person
15 gpd/person
4 gpd/pew
0.078 gpd/sq.ft.
0.15 gpd/sq.ft.
0.04 gpd/sq.ft.
0.2 gpd/sq.ft.
0.35 gpd/sq.ft.
0.2 gpd/sq.ft.
1000 gpd/bay
0.05 gpd/sq.ft.
1750 gpd
3.66 gpd/sq.ft.
0.18 gpd/sq.ft.
0.09 gpd.sq.ft.
0.09 gpd.sq.ft.
0.18 gpd/sq.ft.
0.2 gpd/sq.ft.
0.015 gpd/sq.ft.
300 gpd/bath
100 gpd/lavatory
500 gpd/shower
150 gpd/toilet
100 gpd/urinal
60 gpd/person/shift
500 gpd
75 gpd/person
350 gpd/bed

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Hotels/Motels	50 gpd/room
Irrigation Systems	1000 gpd/acre
Library	0.10 gpd/sq. ft.
Marinas (per slip)	25 gpd/slip
Medical Office Buildings	0.31 gpd/sq. ft.
Mobile Home Parks (per space)	250 gpd/space
Nursery School	4 gpd/child
Nursing Homes	125 gpd/bed
Prison/Jail (per bed)	125 gpd/bed
Public Parks Faucets	15 gpd/faucet
Public Parks Flush Toilets	35 gpd/toilet
Public Parks Showers	100 gpd/shower
Public Parks Urinals	10 gpd/urinal
Restaurants, Conventional (per seats)	25 pgd/seat
Schools, Boarding	100 gpd/student
Schools, Colleges (per student)	15 gpd/student
Schools, Elementary School	6 gpd/student
Schools, Middle School	8 gpd/student
Schools, High School	20 gpd/student
Theater - Arena (per seat, no food)	5 gpd/seat
Theater - Dinner (per seat)	25 gpd/seat
Theaters Movie (add for food service)	1 gpd/seat

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