

**CHAPTER 41: COST REIMBURSEMENT PROGRAM FOR INSTALLATION OF
OVERHEAD SEWERS OR BACKFLOW PREVENTION DEVICES**

**Flagg Creek Water Reclamation District - Cost Reimbursement Program for Installation of
Overhead Sewers or Backflow Prevention Devices**

CHAPTER 41: COST REIMBURSEMENT PROGRAM FOR INSTALLATION OF OVERHEAD SEWERS OR BACKFLOW PREVENTION DEVICES

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' 41-1.01 REQUIREMENTS ESTABLISHED.

A cost reimbursement program for the installation of overhead sewers or backflow prevention devices is hereby established in accordance with the following requirements.
(Ord. 870, passed 8-23-2013)

' 41-1.02 REIMBURSEMENT.

The District will reimburse an eligible owner up to an amount set forth in the District's program for installation of a District approved overhead sewer system or backflow prevention device.
(Ord. 870, passed 8-23-2013)

' 41-1.03 APPLICATION OF PROGRAM.

(A) The program applies to any eligible, pre-code buildings connected to the District collection system.

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(B) The program shall apply to installations of overhead sewers or backflow prevention devices made after the effective date of this Ordinance 870. The District shall, in its sole discretion, determine the eligibility of installations for this program.

(Ord. 870, passed 8-23-2013)

' 41-1.04 FUNDING.

Financial participation of the District is limited to funds budgeted for the program. Funding for the period from the effective date of this Ordinance 870 to April 30, 2014 is limited to \$20,000. Funding levels may be changed or eliminated based on the District=s annual review of the program.

(Ord. 870, passed 8-23-2013)

' 41-1.05 LIMITATIONS.

The program is limited to the actual cost of the plumbing work associated with installation of an overhead sewer or backflow prevention device, subject to the funding limitations described above, but does not include incidental costs, such as landscape restoration, carpentry work, drywall restoration, painting, tile, carpeting and the like.

(Ord. 870, passed 8-23-2013)

' 41-1.06 WAIVER.

The owner of the building where the overhead sewer or backflow prevention device is installed must agree to release and waive any claim, suit or liability against the District from any previous sanitary sewer backups or any consequence of the selection of the system to be installed, contractor to be utilized, installation of the system, operation or maintenance of the system once it is installed, including, without limitation, the failure or malfunction of the overhead sewer or backflow prevention device, or the eligibility, participation or funding priority in this program.

(Ord. 870, passed 8-23-2013)

' 41-1.07 INSPECTION.

The owner must allow the District to inspect the building and its sewer system prior to the District=s determination of eligibility for this program. The nature and extent of any sources and potential sources of infiltration and inflow will be considered in determining eligibility for participation in this program. The owner must allow the District to inspect the building and its sewer system following participation in the program and completion of the installation.

(Ord. 870, passed 8-23-2013)

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' 41-1.08 DEVELOPMENT OF PROGRAM.

The District shall develop, subject to approval of the Board of Trustees, program requirements necessary to implement the program.
(Ord. 870, passed 8-23-2013)

' 41-1.09 APPLICATIONS.

The District shall review all applications for participation, including the proposals for installation, and may require revisions thereon to comply with applicable District ordinances and requirements.
(Ord. 870, passed 8-23-2013)

' 41-1.10 DETERMINATION OF ELIGIBILITY; APPEAL.

The District shall have the sole authority to determine eligibility for participation, prioritization of requests and compliance with all District ordinances. Any appeal of decisions shall be made to the Board of Trustees as the final authority.
(Ord. 870, passed 8-23-2013)

' 41-1.11 EVALUATION.

The program will be evaluated, from time to time, in the District=s discretion and the District may change or eliminate the program.
(Ord. 870, passed 8-23-2013)

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