

**BEAR CREEK LAND  OWNERS' ASSOCIATION**

82 East Coach Drive, Antonito, Colorado, 81120

**Water Leak Policy**

Policy No. 2017-9

**Policy:**

This policy outlines actions to be taken and responsibilities of BCLOA and property owners in the event a suspected water leak is located on the property owner's side of the curb stop valve and including the curb stop valve.

As of September 1, 2009, all existing homes and lots with yard hydrants have been equipped with the BCLOA standard meter pit and service connections with a remote read capability incorporated. An owner of any future construction shall be required to install the standard meter pit and service connections. The remote read capability allows BCLOA personnel to read all meters on a periodic basis and when deemed necessary to attempt to locate possible leaks and to identify excessive usage, which would be indicated by excessive pumping of water.

**Procedure:**

Once a water leak is detected or suspected on the owner's side of the meter pit (at the owner's curb stop valve or in the owner's line or home), the following actions will be taken:

1. A BCLOA designated representative or the BCLOA water technician will notify the property owner that a leak has been located and the nature (all information that is known) of the leak will be provided to the owner. Absent an emergency as defined below, such notice will be given in person if the owner can be located at Bear Creek. If the owner cannot be notified in person, then notice will be given by telephone, email (if email address has been provided to BCLOA), or overnight express (Fed Ex or UPS). Notice will be deemed received by the owner at the time of reaching the owner in person or by telephone or 24 hours after deposited in overnight express, whichever is earlier.
2. At the time of notifying the owner, the BCLOA representative will inform the owner of the following:
  - a. Absent an emergency, the water to the property will be turned off (mandatory) at the curb stop valve within 24 hours after receipt of notification.
  - b. It is the sole responsibility of the owner to make whatever arrangements they choose regarding the home that will be without water for possibly an extended period of time.
  - c. The water will remain off until the leak is repaired at the owner's expense.

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- d. In the interim, the owner's plumber may turn the water on to locate and repair the leak.
  - e. A BCLOA representative or the water technician, will turn the water on after the leak has been repaired. This return of water service shall be coordinated by the owner or the owner's representative with the BCLOA representative or water technician prior to the completion of the repairs, so that said representative or technician can be available to observe the "testing" of the repair.
3. In the event that the curb stop valve (the Owner's valve between the meter pit and the Owner's home or yard hydrant) is inoperable at the time of shutoff, the property owner shall bear the expense of having said valve excavated and made functional. In the event that the owner does not make prompt repair in this circumstance, the BCLOA has the authority to arrange with the approved BCLOA water contractor for such excavation and valve repair to enable this policy's enforcement, and the costs of such excavation and repair shall be charged to the owner.
  4. It is the sole responsibility of the owner to take whatever steps they choose to protect the home and contents after being notified that water service will be discontinued until the leak is repaired. BCLOA and the Board are not liable for any damage resulting from owner's failure to protect their property.
  5. It is highly recommended that the owner turn off the water at the Owner's shut-off valve, located on the Owner's side of the meter pit, when they leave Bear Creek for any extended period of time and particularly in the winter period when systems are subject to freezing.
  6. Emergency Exception to Owner Notification. In the event of the discovery of a major leak that could substantially damage either the Owner's property or the Association's water infrastructure, or cause a substantial water loss to the Association, the water will be immediately turned off and an attempt made to notify the Owner.
  7. Fine. In the event an owner is notified that a leak may exist on the owner's side of the water meter, and the owner refuses to hire a plumber to investigate and repair the leak, the Board may, if it determines that the refusal was willful, fine the Owner \$1000 in lieu of turning off and locking the water meter to the owner's house. The imposition of this fine does not require a warning, but once imposed the owner may appeal the fine pursuant to the Procedure for Enforcing Covenants, Rules, and Fines.

SECRETARY'S CERTIFICATION: The undersigned, Secretary of Bear Creek Landowners

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Association, a Colorado non-profit corporation, certifies that the foregoing Policy Resolution was amended and restated by the Board of Directors of the Association as Policy 2017-9, at a duly called and held meeting of the board on October 21, 2017 . In witness thereof, the undersigned has subscribed his name.

Bear Creek Landowners Association

*John Bannerman*

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