



After Recording Return To:  
Timberlake Community Club, Inc.  
2880 East Timberlake West Drive  
Shelton, WA 98584-7936

DOCUMENT TITLE:	Timberlake Community Club Resolution 2024-01
REFERENCE NUMBERS OF RELATED DOCUMENT:	N/A
GRANTOR:	Timberlake Community Club, Inc.
GRANTEES:	Public - Residents of the Timberlake Community
LEGAL DESCRIPTION:	Timberlake Divisions 1 - 13
ASSESSOR'S PROPERTY TAX, PARCEL NO.:	Division 1 - 20018-50-00001 thru 22018-50-09162 Division 2 - 22017-50-00001 thru 22017-50-00908 Division 3 - 22018-51-00001 thru 22018-51-00902 Division 4 - 22018-52-00001 thru 22018-52-00061 Division 5 - 22018-53-00001 thru 22018-53-00903 Division 6 - 22018-54-00001 thru 22018-54-00088 Division 7 - 22017-50-00001 thru 22017-50-00104 Division 8 - 22007-51-00001 thru 22007-51-90933 Division 9 - 22017-51-00001 thru 22017-51-00169 Division 10 - 22017-52-00001 thru 22017-52-00088 Division 11 - 22017-53-00001 thru 22017-53-00900 Division 12 - 22018-55-00001 thru 22018-55-00018 Division 13 - 22008-50-00001 thru 22008-50-00900

TIMBERLAKE COMMUNITY CLUB

WATER SYSTEM POLICY  
RESOLUTION NO. 2024-01

(This resolution supersedes Water System Policy Regulation 2021-06)

**1. Introduction:** Pursuant to Articles of Incorporation, By-Laws and Conditions, Covenants and Restrictions (C.C.&R's) the Board of Directors (BOD) is responsible to install, own, operate, and maintain a State approved water system; Articles of Incorporation paragraph III (2), The Timberlake Community Club Board of Directors is the Water Purveyor for the Homeowners Association and as the Water Purveyor it has obligations to the membership of the Timberlake Community to meet all requirements set by the Department of health in order to retain a valid system Operating Permit. The water board is dissolved as of the recording of this resolution.

**2. Purpose:** This Water Policy is intended to establish rules, funding guidelines and enforcement procedures to install, operate, maintain, and replace the water infrastructure that are fair and equitable for all members. Submit recommended changes to this policy to the Timberlake Community Club Board of Directors with approval by majority vote of the Board of Directors.

**3. General Information:**

**A.** The current property owner is responsible for advising Timberlake of any changes, such as upgrades of lot, sale, etc. Timberlake is not responsible for the safety of fixtures on any lot, nor shall any service connections be permitted to any lot from any other source.

**B.** Each meter box shall be kept clear and visible to provide easy access to Timberlake Employees. Any person not keeping the service area clear will be charged an hourly labor fee if Timberlake employees are required to clear away any debris, dirt, landscaping, fence, etc. to reach the valve. The hourly rate will equal 200% of the current hourly water operator/manager pay scale.

**C.** Employees of Timberlake, or their designated representative(s), shall have access to all properties supplied by Timberlake water with Timberlake utility easements as specified in C.C.&R's for the purpose of inspecting conditions of Timberlake utilities and all properties outside pipes and faucets and in a manner in which water is used. (Note: Washington State Regulation WAC 246-290-490 requires water conservation and the prevention of wasteful practices.)

**D.** No plumber or other person(s) are authorized to make connections to the Timberlake water mains or make alterations without prior approval of the Timberlake Board of Directors with the consent of the Certified Operator in responsible charge of the water system to protect Public Health.

**E.** Water service may be turned off at any time without notice for repairs and other necessary purposes. Timberlake staff will make every effort to notify affected lot owners or residents of an anticipated water shut off, when possible.

**F.** Water breaks caused by contractors, repairmen, property owners or anyone not associated with Timberlake Water shall be charged to the property owner at \$250.00 fine plus charges for labor and materials. Per WA Dig Law RCW 19.122 all contractors, repairmen, property owners, or person(s) damaging water utilities must be reported to the 811 commission using the D.I.R.T. report system.

**4. Request for Water Service:**

A. For any Construction or development of a lot, or request for water service to a lot the member must complete an application for water service prior to initiating construction, development or connecting to Timberlake water. The owners of record prior to August 1<sup>st</sup>, 1997, are required to pay a \$250.00 non-refundable fee and owners of record from August 1<sup>st</sup>, 1997, to present will be required to pay a non-refundable fee of \$2500.00.

B. All attachments to repairs, disconnects, and reconnects shall comply with the appropriate RCW's, WAC's, Uniform Plumbing Code, and the Washington State Safe Drinking Water Act.

C. Service line pipe size shall be no less than ½ inch in diameter and no greater than 1 inch in diameter. ¾ inch diameter poly pipe is recommended. All fittings connected to the meter setter shall comply with AWWA requirements and be used with lead free brass.

D. Timberlake Community Club shall require property owners to install a private shut off valve within two feet of Timberlake water meter box per uniform plumbing code. Said shut-off valves shall not be a waste or drain type valve. A ¾ inch lead free brass gate valve is recommended. A (DCBA) Double Check Backflow Assembly device will be considered a private shut-off and meet the above requirements and installed and maintained per Timberlake's Cross Connection requirements and/or water policy.

E. **Backflow Assembly requirements:** Timberlake recommends the use of a DCBA to prevent contamination to the public water systems source of supply (see Resolution No. 2011-01 Cross Connection Policy).

A (DCBA) Double Check Backflow Assembly device must be installed on ALL homes built or sold from the effective date of this document. As pursuant to RCW's it is considered a connection to the water system and the system development fee paid. If the development or construction of a dwelling has a hot water tank, a thermal expansion tank must be installed per Uniform Plumbing Code. Approved check valves or other backflow prevention or cross connection devices will be installed on any connection as determined by the current state approved Water System Plan and/or the Cross Connection Control Program, WAC 246-290-490, and/or the Timberlake water system's Water Policy that may exceed the DOH standard.

**5. Penalties:**

A. Property owners are reminded that any violation of the terms of this Resolution will also cause a loss of membership in good standing status and result in water-shut off.

1) Upon loss of membership in good standing status the water will be locked out (disconnected) and a water Disconnect and Re-connect Fee will be charged. The fees will be charged separately for disconnection and reconnection per incident.

2) Payment of charges will only be accepted at the Timberlake office. Water and maintenance personnel will not accept payments.

3) Water will not be reconnected unless the reason for loss of membership in good standing has been corrected. If the disconnect occurred because of delinquency the account must be made current or acceptable payment arrangements made before the water is reconnected.

4) If the conditions listed in (3) above are met and payment is received by 10:00 am on any regular business day, water reconnection will be made by 3:00 pm of the day payment is received in the office.

5) If a member has an urgent and valid reason, such as health concerns, that they must have water, the reconnection may take place on hours other than those regularly scheduled. This will be done only when the need is urgent and an additional reconnection fee of \$70.00 plus labor will be charged the member.

6) If membership in good standing status is lost and the event causing the loss is not corrected, a lien will be assessed against the member's property. The fees for recording the lien as well as the release of lien will be assessed at the time the lien is recorded. The cost of recording the lien and the release of lien will vary depending on what the Auditor's Office charges to record the lien. The last step of this process is to turn the problem over to the attorney for suit to ensure compliance. Attorney fees are added back to the member's account.

**B.** If the owner feels that there is a valid reason for waiving the reconnection fee, the fee must be paid, and the owner may petition the BOD for a refund or credit to be applied to the balance on the account.

**C.** A fee of \$400.00 will be assessed to lot owners for any unauthorized reconnect, tampering or defrauding to Timberlake Community Club water system, meters, setters, locks caused by an illegal connection or by removing a lock from a meter will be charged back to the member. Charges will include the cost of the equipment and the labor time to replace the damaged equipment. Reporting of the incident to law enforcement agencies will occur. Reference Chapter 9A.62 RCW Defrauding a Public Utility defined in paragraph D below.

**D. "Defrauding a public utility"** means to commit, authorize, solicit, aid, abet, or attempt to:

- (1) Divert, or cause to be diverted, utility services by any means whatsoever.
- (2) Make, or cause to be made, a connection or reconnection with property owned or used by the utility to provide utility service without the authorization or consent of the utility.
- (3) Prevent a utility meter or other device used in determining the charge for utility services from accurately performing its measuring function by tampering or by any other means.
- (4) Tamper with property owned or used by the utility to provide utility services; or
- (5) Use or receive the direct benefit of all or a portion of the utility service with knowledge of, or reason to believe that the diversion, tampering, or unauthorized connection existed at the time of the use or that the use or receipt was without the authorization or consent of the utility.

**E.** Any failure to comply with this resolution shall result in a minimum fine of \$50.00 not to exceed \$1,000.00, loss of "Member in Good Standing" status, plus cost of time and material that Timberlake provides (Example: Failure to install a backflow preventor)

**F.** Provisions of this policy, fines, and other penalties may be appealed to the BOD. The BOD will provide a fair hearing process to decide any questions presented.

#### **6. Summary of Charges:**

**A.** Request for Water Service - \$2500.00 or \$250.00 as applicable, see paragraph 4(a).

- B. Rate Structures and fees are reviewed annually. Breakdown of charges and fees can be requested at the Timberlake office (see rate schedule for current fiscal year).
- C. Disconnect and Reconnect fee - \$50.00 each per incident, additional fees during non -regular hours will occur. (See off -hours reconnect fee.)
- D. Unauthorized reconnect or tampering - \$400.00.
- E. Non-regular hours /off-hours reconnect \$70.00 plus cost of labor.
- F. Unauthorized reconnect or tampering with Timberlake property will be charged to the owner the cost of replacement equipment /materials plus cost of labor to repair or replace, plus the \$400.00 fine from paragraph 6(C).
- G. Damage to water infrastructure - \$250.00 fine plus cost of labor and materials.
- H. Failure of compliance - \$50.00 minimum to \$1,000.00 maximum fine, loss of member in good standing status (see 5(E) above).
- I. Lien Fee/Release of Lien: Charged at time the lien is recorded, charge will vary depending on Auditor's fee for recording.
- J. Attorney Fees: Vary depending on severity of situation and time attorney is required to spend on the case.


7. **Dissolution of the Water Board.** On the Effective Date of this resolution, the Water board shall be dissolved, with the last meeting in December of the year 2023 and the members thereof shall be released and discharged from all rights, duties, responsibilities, and liabilities arising from, or related to, the Timberlake Community Club, Inc. and the Water System. A majority vote of the Board of Directors moved to dissolve the Water Board. Item Six (6) of the Water System Policy Resolution 2021-06 has further been removed and the resolution restructured to this Current Resolution 2024-01 adopted on this day 27 of January 2024.

8. **Severability:** If any provision of this Resolution or its application to any person or circumstance is held invalid, the remainder of the Resolution, or the application of the Resolution to other persons or circumstances, shall not be affected.

9. **Effective Date:** The terms of this resolution apply on its effective date, and they apply to all circumstances currently existing at the time of its approval, except when to do so would interfere with previously vested rights. Previous vested rights are limited to those matters and conditions that were properly approved by the Timberlake Board of Directors as required; and in compliance with all relevant Timberlake Restrictive Covenants and other Rules at the time of their approval, if any approval was required, and subsequently, as those Rules have existed over time.

THIS WATER POLICY IS IN ADDITION TO OTHER EXISTING WATER USE REGULATIONS AND RESOLUTIONS.

THIS RESOLUTION was adopted by the Timberlake Community Club Board of Directors this 29 day of January 2024.

  
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President, Board of Directors

Tanna Avila

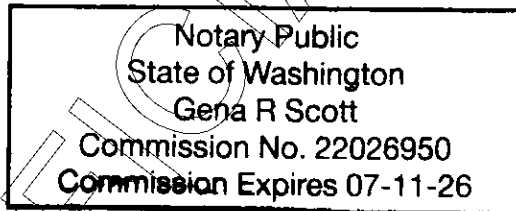
  
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Secretary, Board of Directors

Kristina David

On this 29 day of January, 2024, personally appeared before me Tanna Avila and Kristina David, personally known to me, provided to me on the basis of satisfactory evidence to be the President and Secretary of Timberlake Community Club, the corporation that executed the foregoing instrument, and acknowledged that said instrument to be the free and voluntary act and deed of the said corporation, for the uses and purposes therein mentioned, and oath stated that he is authorized to execute said document.

WITNESS my hand and official seal affixed the day and year above written.



  
PRINT NAME: Gena Scott  
NOTARY PUBLIC IN AND FOR THE STATE  
OF WASHINGTON, residing in Shelton, WA  
My commission expires 7/11/2026