

**AMENDED AND RESTATED  
RULES AND REGULATIONS GOVERNING  
PUBLIC IMPROVEMENTS IN  
SANITARY & IMPROVEMENT DISTRICT NO. 177  
RIVERSIDE LAKES**

**WITNESSETH:**

**WHEREAS**, pursuant to Section 31-727, et. seq. Reissue Revised Statutes of Nebraska, 1943, as amended, Sanitary and Improvement District No. 177, Douglas County, Nebraska ("District") has acquired certain real property ("Property") and has caused the construction of certain public improvements ("Improvements") for the use and benefit of its residents; and

**WHEREAS**, District is authorized to make such rules and regulations governing the use of the Property and Improvements (collectively "SID Property") as are proper and necessary for the maintenance of the SID Property and the well being of its residents.

**NOW THEREFORE**, the Board of Trustees of the District hereby adopts the following rules and regulations and declares the same to be in force and effect:

**SECTION 1. Water and Sanitary Sewer Treatment Facilities:**

**1.1 General.** The District has constructed water distribution systems and sanitary sewer treatment facilities for the benefit of its residents.

**1.2 Use.**

(a) All residents of the District are entitled to use the water distribution systems and sanitary sewer treatment facilities of the District in the normal occupancy of their respective residences. This provision does not obligate the District to install any additional facilities to provide this service.

(b) Notwithstanding the number of platted lots or the amount of unplatted property in the District, the District hereby limits to 225 the number of water and sanitary sewer connections which will be permitted to connect to the District's water distribution systems and sanitary sewer treatment facilities, which connections are and will be subject to use which is consistent with the capacity of the District's water distribution systems and sanitary sewer treatment facilities. The Clerk of the District will maintain records of the number of such connections which will be available to the owners in the District.

(c) The water provided by the District may be used for normal residential purposes only. No water provided by the District may be used for yard maintenance or watering, the operation of heat pumps or for any other purpose not consistent with internal household operation, unless upon such terms and conditions as established by the District.

(d) Residents abutting the lakes may use lake water to water lawns and for other outdoor purposes, subject to regulation by the District. Residents not abutting the lakes must obtain water for such purposes from the Elkhorn River, private wells or other sources.

(e) No person may uncover, make any connections with or openings into, use, alter or disturb the District's water distribution systems and sanitary sewer treatment facilities without first obtaining a written permit from the District and paying such charges and/or making such security deposits as the District may from time to time require.

(f) Each residence must have a water meter and a remote readout device which are approved by the District. No resident may disconnect or alter such water meter or remote readout device. Each residence shall be responsible for maintaining its water meter and remote readout device in good working order. Access to the remote readout device must be kept clear of obstructions for the meter reader.

(g) All water and sanitary sewer installations shall conform with the applicable code provisions of Douglas County, Nebraska.

(h) All excavations for water and sanitary sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks and other property disturbed in the course of work shall be restored in a manner satisfactory to the District.

(i) No person may discharge or cause to be discharged into the District's sanitary sewer system substances, materials, waters or wastes, including, but not limited to, ground drains, downspouts and heat pump discharge, other than those of normal household operations, or such discharge as the District may, in its sole discretion, determine to be harmful to its sanitary sewer treatment facilities and/or water distribution systems.

(j) Any person in violation of any of the provisions of this Section 1.2 shall be subject to immediate discontinuance of water and sanitary sewer services and shall be fined the sum of \$100.00, which fine, in addition to any reconnection charge, must be paid prior to resumption of service.

### 1.3 Fees.

(a) All costs and expenses incidental to the to the installation of each residential water and sanitary sewer system, including the purchase and installation of a water meter approved by the District, and their connection to the District's system, shall be borne by the owner of the property who shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by such installation or connection. The water meter must be installed and the remote readout functioning properly within 30 days of connection to the water distribution system.

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(b) There shall be an initial connection charge for each residential lot or townhouse unit of \$400.00 allocated \$200.00 to the water distribution system and \$200.00 to the sanitary sewer treatment system. After the total number of residential lots and townhouse units which have connected to the District's system equals 225, subsequent connections will only be made following completion of such engineering studies as the District may require and the lot or property owner desiring to connect shall pay the cost of such studies and any costs needed to upgrade the District's water distribution systems and sanitary sewer treatment facilities, to enable the District to adequately handle such additional connection(s).

(c) There shall be a minimum water and sewer use fee to each individual house and/or townhouse in the amount of \$40.00 per month for use to 12,000 gallons of water. There shall be an additional charge of \$2.00 for each thousand gallons of water over 12,000. The monthly water and sewer use fee commences upon connection to the system.

(d) Payment of the monthly water and sewer use fee is due by the 27th of the following month (eg., payment is due on or before February 27th for water and sewer use fees for the month of January). A \$3.00 late fee will be assessed if payment is not received by the 27th of the month. Partial payments cannot be accepted and will be returned. There will be a charge of \$15.00 for all returned checks.

(e) The water and sewer use fees, including the connection fees, and shall be collected by the Clerk of the District or his or her designated representative. Residents shall have the responsibility of delivering payment to the Clerk or his or her designated representative. No monthly statements will be sent unless directed by the District.

(f) The District may, in accordance with state law, cause delinquent water and sewer use fees or unpaid connections charges to be filed as a lien against the property. In addition, any person in violation of any of the provisions of this Section 1.3 will be subject to immediate discontinuance of water and sanitary sewer services.

(g) The District will charge each user for whom service is disconnected for any reason pursuant to these rules and regulations the sum of \$100.00 for the restoration of water and sanitary sewer services.

## **SECTION 2. Facilities Constructed in the District's Lakes:**

(a) Before constructing a dock, lift station, sea wall or other facility ("Facility") in the District's Lakes, the party proposing to install such a Facility shall present plans for the Facility to the Board of Trustees at a public meeting of the Board and secure approval by a majority vote of the Trustees.

(b) No Facility shall hinder inspection or repair of the shoreline.

(c) No Facility shall extend into the water more than 40 feet from the lot line.

(d) No Facility shall be placed within 10 feet of the extended lot boundary line, except in coves where Facilities must be approved by the Board as an exception.

(e) Railings not exceeding 3 feet in height may be installed on docks.

(f) Facilities shall not hinder the flow of traffic in coves or elsewhere in the Lakes.

(g) Facilities shall be maintained in good repair in order to preserve the beauty of Riverside Lakes. If this policy is violated and the Owner does not correct the problem within 30 days following written notice, the S.I.D. may initiate action to repair or remove the Facility at the Owner's expense.

(h) No permanent docks shall be installed in the Lakes.

(i) Owners shall remain solely liable for their facilities, and shall indemnify and hold harmless the District, its Trustees, residents and the Riverside Lakes Homeowners' Association from and against any claim for property damage or personal injury arising out of, or in connection with, the Owner's Facilities.

### **SECTION 3. Public Health and Safety:**

(a) The speed limit within the District is 25 miles per hour for all vehicles.

(b) The use of firearms, including air guns, is prohibited on any public property within the District.

(c) Vicious or dangerous animals are prohibited.

(d) Parking on the District's Property may be regulated by the Board of Trustees.

(e) No dumping of trash or the storage of personal property is permitted on the District's Property.

(f) No person may create any loud or obnoxious noise or otherwise interfere with the legitimate use of the District's Property by other residents.

**SECTION 4.** These Rules and Regulations may be amended from time to time by the District's Board of Trustees.

**BY ORDER OF THE BOARD OF TRUSTEES, SANITARY AND IMPROVEMENT  
DISTRICT NO. 177, DOUGLAS COUNTY, NEBRASKA.**