



UNION PUBLIC UTILITY DISTRICT

Water System Ordinance

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upudwater.org
339 Main Street
Murphys, Ca. 95247

Union Public Utility District

Water System Ordinance

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Chapter 1: General Provisions

1.01 Short Title. This article may be cited as the “Union Public Utility District Water System Ordinance.”

1.02 Definitions. In this article, unless the context otherwise requires, the following words and phrases will have the meanings ascribed to them in this section.

Term	Definition
Applicant	Any person applying for water service, a service connection, or a water main extension.
District Office	The administrative office of the Union Public Utility District.
District	The Union Public Utility District or its Board of Directors or its designee.
Costs	The actual or estimated values of materials, equipment, personnel, professional services, and other expenses incurred, including taxes, engineering, and overhead.
Customer	Any person receiving water service from the District.
Demand	The rate of draft of water for a specified period of time, e.g., the total quantity of water delivered or received during the month, season, year, or other applicable period.
Fire Chief	The chief officer of the applicable fire departments or agencies providing fire protection within the District.
Main	A transmission and distribution pipeline of the water system.
Main extension	The extension of a main exclusive of service connections beyond existing facilities.
General Manager	The executive and administrative officer of the Union Public Utility District, appointed by the Board of Directors.
Person	Any natural person, individual, partnership, firm, association, company, corporation, organization, public agency, including the State of California and the United States of America, or any other entity, or the manager, agent, officer, or employees of any of them.
Water service	The provision of water by the District for residential, commercial, agricultural, or any other authorized purposes.

Water service connection	The water system extension to the point of connection to the customer's water system, including District service pipes, meters, and appurtenances, through which water service is provided by the District.
Water system	The real property, facilities, equipment, and distribution system, including but not limited to real property, reservoirs, treatment plants, pumping stations, transmission and distribution pipelines and appurtenances thereto, owned and/or controlled by the District and used for the production, treatment, storage, and/or delivery of water.

Chapter 2: Application for Water Service

- 2.01 Generally.** A person requesting water service from the District must apply at the District office. District staff, under the direction of the General Manager, will prescribe the form of the application. The applicant, or their authorized agent, must sign the application.

Once the application is approved and executed, the District will send the applicant a notification letter of approval to the address provided in the application. Once approved, the applicant must pay all required fees and charges, and all associated costs within thirty (30) business days of approval by check or money order. Credit card payments are not permitted. Upon receipt of payment, the District will schedule and install the water meter. If the payment is not received within this timeframe, the District will charge a fee, and has the discretion to void the application.

The District is not obligated to provide new water service until the District Engineer, Operations Manager, and General Manager have reviewed and approved the application, the customer has paid all required fees, costs and charges, and the District has issued a will serve letter. Monthly water charges will begin on the date the applicant's meter is installed.

- 2.02 Contents.** The application will set forth:

- 2.02.1 The address, legal description, and total acreage of the premises to be served water;
- 2.02.2 The purpose and use of the water to be consumed;
- 2.02.3 An estimate of the maximum instantaneous water demand;
- 2.02.4 The legal owner of the premises to be served;
- 2.02.5 Additional information and details considered desirable by the General Manager, including but not limited to plans, specifications or drawings of improvements on or planned to be made to the premises.

- 2.03 Former Customer Owing Bills.** When a former customer applies for service and still owes for water service previously received from the District, the General Manager will refuse to furnish, and the customer may not receive, water service until all outstanding fees, charges, and penalties are paid, and all applicable requirements under Section 5.04 are satisfied.

- 2.04 Issuance of a Will Serve Letter.** If the District determines, with the advice and

concurrence of the District Engineer, General Manager and Operations Manager, that the application, including any plans, specifications, drawings, and other required information submitted by the applicant, are satisfactory and in full compliance with all applicable District ordinances, rules, and regulations, the District will issue a will serve letter upon payment of the applicable connection fees and all other applicable fees and charges established by District ordinance.

Following its review of the application, including any plans, specifications, drawings, or other information submitted therewith, the District will identify any required on-site and off-site improvements necessary to serve the proposed development. The applicant is solely responsible for the full cost of all required on-site and off-site improvements. All such costs and any applicable connection fees and all other applicable fees and charges established by District ordinance, must be paid before the District will issue a will serve letter.

The District may require the applicant to enter into a facilities extension agreement addressing the design, construction, and, as applicable, the transfer of the required improvements.

2.05 Expiration of Will Serve Letters. If a project covered by a Will Serve Letter is not commenced and completed within two (2) years of the date of issuance, the Will Serve Letter will expire.

A Will Serve Letter will also expire if, within two (2) years of issuance, the applicant fails to pay the connection fee and all other applicable fees and charges established by the District, or any costs for necessary on-site improvements, or a meter is not installed.

Upon expiration, no water service connection will be approved or made unless and until the applicant submits a new application and receives a new Will Serve Letter. The applicant must cover the difference of the connection capacity costs, if costs have changed.

An extension of one year may be granted upon request of the applicant if approved by the General Manager prior to the expiration of the will serve letter. Further, no more than one extension will be granted. There will be no refunds for will serve letters.

If ownership of the property subject to the Will Serve Letter changes during the two-year will-serve period, the District may address the transfer in the will-serve letter at its discretion.

Chapter 3: Water Theft

- 3.01.** The District is authorized under California law to establish and enforce its rules and regulations, and to enforce certain laws and restrictions referenced herein. Civil Code Sections 1882-1882.6 permits the District to file a civil action for damages for the unauthorized taking of District water, illegal or unauthorized connections to any facilities owned or used by the District, or interference with District property or facilities; and permits the recovery of three times the amount of actual damage, plus the costs of suit and reasonable attorney's fees. Any violation of this Ordinance shall be cause for the Board of Directors to apply such penalties as may be provided by law, or to take any other action as deemed appropriate, including the discontinuance of potable water or raw water service.
- 3.02.** Water theft is the taking of water by any means without paying the District charges or by tampering with District property, such as by removing a lock or plug that has been placed on a customer's service or meter, or by tampering with a service connection or bypassing a meter, or by using water from a stationary service connection where lawful water service has been discontinued or from a public fire hydrant to supply water outside of the District service area, regardless of whether payment is provided to the District for the water drawn from the public fire hydrant, or any use of a hydrant meter in violation of the terms and conditions of a hydrant meter permit. The taking of water from any fire hydrant, blow-off valve, or other District facility or connection to a District facility, to which a District authorized metering device has not been installed or has been removed by the District, is considered water theft.
- 3.03.** The following acts are considered violations of this Ordinance and State law, and are subject to penalties imposed by the District. Many such acts are misdemeanors under the laws of California for which the offender may be criminally prosecuted. No person shall commit, authorize, solicit, aid, abet, or attempt any of the following acts:
- 3.03.1** Divert or cause to be diverted any District water flow without authorization or consent of the District;
 - 3.03.2** Make or cause to be made any connection or re-connection to facilities owned or used by the District, in order to obtain water service without authorization or consent of the District;
 - 3.03.3** Prevent any meter or other device used in determining the charge for service from accurately performing its measuring functions by tampering or any other means;
 - 3.03.4** Tamper with any property or facilities owned or used by the District to provide water service;
 - 3.03.5** Use or receive direct benefit from the District's facilities with knowledge or reason to believe that the diversion of water, or the tampering or

unauthorized connection with District water facilities existed at the time of such use, or that the use or receipt of benefit was without authorization or consent of the District;

- 3.03.6** Tamper with a fire hydrant, fire hydrant meter, or fire detector check, or divert water, or cause water to be diverted, from a fire hydrant with knowledge of, or reason to believe, that the diversion or unauthorized connection existed at the time of use for non-firefighting purposes or without authorization from the appropriate water system or fire department;
- 3.03.7** Directly or indirectly cause damage to any water, sewer, or recycled water facility or related appurtenances above or below ground intentionally, or by carelessness or neglect; or
- 3.03.8** Take water from any District Facility or District authorized metering device without District permission.

3.04. The District may report any theft of water to the appropriate prosecuting agency and press for prosecution of said activity pursuant to the Penal Code. In addition to pursuing criminal penalties, the District, upon discovering a theft of water or tampering with District property, may also pursue the following remedies or other remedies available at law or equity:

- 3.04.1** Turn off water service and install a lock;
- 3.04.2** Confiscate any equipment or tools used to accomplish the water theft that are attached to District property. Said equipment shall be held by the District until fines and other charges are paid;
- 3.04.3** Charge the customer or perpetrator a fine:

3.04.3.1 If the water theft is committed via meter tampering:

- 3.04.3.1.1** \$130 for the first violation;
- 3.04.3.1.2** \$700 for the second violation within one year of the first violation;
- 3.04.3.1.3** \$1,300 for the third and each additional violation.

3.04.3.2 All other forms of water theft:

- 3.04.3.2.1** \$1,000 for a first violation;
- 3.04.3.2.2** \$2,000 for a second violation within one year of the first violation;
- 3.04.3.2.3** \$3,000 for each additional violation.

3.04.3.3 If the unauthorized use is committed via unauthorized connection to a fire hydrant, including the unauthorized use of a fire hydrant, fire hydrant meter, or fire detector check, the District may charge the customer or perpetrator the following administrative penalty. If the District charges the penalty under this subsection, it shall not charge

the penalties under Sections 3.04.3.1 and 3.04.3.2 for the same violation:

3.04.3.3.1 \$2,500 for the first violation;

3.04.3.3.2 \$5,000 for the second violation within one year of the first violation;

3.04.3.3.3 \$10,000 for the third and each additional violation.

3.05. Payment shall be received by the District prior to water service being restored.

3.06. Any person who takes possession of a premises or uses water from any District facility, including a hydrant meter, without an approved application or permit for water service shall be responsible for payment of all water delivered from the date of the last recorded meter reading or, if no meter reading is available, from the date the unauthorized use began as determined by the District.

Upon discovery of such unauthorized use, the District shall provide written notice requiring the responsible party to submit a completed application for service within seven (7) calendar days of the date of the notice. Failure to submit the required application or permit, or to pay all outstanding charges within the notice period, may result in any of the enforcement options for water theft described above, including discontinuation of water service or removal of the hydrant meter, consistent with applicable state and federal laws, including the California Water Shutoff Protection Act (SB 998).

Chapter 4: Liability for Water Service

4.01 Applicability. This Ordinance applies to all users of the District's water system, including residential, commercial, industrial, and raw water customers, and governs all aspects of service connection, use, and billing. In the event of any conflict between this Ordinance, District rules, or District policies and any customer agreement or request, the District's Ordinance, rules, and policies shall control. Conservation standards apply to all water use within the service area unless exempted by law or expressly authorized by the agency.

4.02 Liability for Maintenance or Damages (Private Property). Customer service lines are privately owned and are not the property or responsibility of the District. The District shall not be liable, and the customer shall be solely responsible, for any expenses associated with installing, modifying, relocating, or reconstructing privately owned service lines, including when such installation, modification, relocation, or reconstruction is required by the District.

The customer is solely responsible for maintenance and repair of water service pipelines connecting to the District's system. The connection between the water main and the water meter box, including the water meter, are owned and maintained by the District.

The District assumes no responsibility for the delivery of water through private pipelines, or for any damage resulting from operation of such pipelines. The District assumes no responsibility for or duty to the customer or any third party for the operation, maintenance, review, or inspection of water lines or facilities beyond the District's meter, or to inform the customer or any third party of any leaks or damage resulting from the operation and maintenance of such lines or facilities.

4.03 District Non-Liability for Damages. The District shall not be responsible or liable for any loss, damage, or injury, including to customer-owned water facilities, that may result from interruption, suspension, fluctuation, limitation or discontinuation of, or failure to provide, water service, or insufficient, excessive, or fluctuations in, water pressure or quality, from a cause beyond the District's control, or which is necessary for system operations, including system repairs and connections to the water system. Customers are advised to install pressure-regulating and relief devices, backflow prevention assemblies, and other protective equipment necessary to safeguard plumbing systems, appliances, and processes from damage.

Chapter 5: Refusal, Limitation or Discontinuance of Service

5.01 Service Refusal/Discontinuation. The General Manager may refuse to furnish water, discontinue water service to any premises, or refuse to issue new connection will serve letters for the following reasons:

- 5.01.1** To protect the District or water system, or both, from fraud and/or abuse;
- 5.01.2** The requested water service demand may be detrimental or injurious to the water service of other customers;
- 5.01.3** The distribution facilities are inadequate to supply the requested water service demand.
- 5.01.4** The availability of water, or lack thereof, because of drought conditions or other causes of water loss to the District's water system.
- 5.01.5** To protect public health, safety, and welfare pursuant to, and/or to respond to a specified trigger requiring initiation of a drought response stage of, the District's duly adopted Water Shortage Contingency Plan ("WSCP").

5.02 Service Limitation. The General Manager may limit the total quantity of water furnished to premises or may establish the times and the rates of draft at which water may be taken or will be furnished to premises, even though a limit or maximum use may or may not appear on the application for water service to the premises. In limiting water service, the General Manager will be guided by but not restricted to the following factors:

- 5.02.1** The past seasonal water use at the premises;
- 5.02.2** The effect of current use on the customers;
- 5.02.3** The effect of current use on the water system facilities;
- 5.02.4** The availability of water, or lack thereof, because of drought conditions or other causes of water loss to the District's water system, including any responses, restrictions, or limitations required by the WSCP.

5.03 Emergencies – Base Rate. In the event water service is discontinued, interrupted, or limited due to an emergency, power outage, natural disaster, or other circumstances beyond the District's control, customers shall still be responsible for paying the monthly meter service charge.

5.04 Service Discontinuance. Any person wishing to discontinue water service must submit a request in writing or in person at the District office not less than two (2)

working days before the desired discontinuance date. The request must include the effective date of discontinuance and a forwarding address.

Upon the effective date of discontinuance, the District will remove the water meter(s) on the premises. All water service charges will cease as of that date, and the customer will receive a final bill. If the final bill is unpaid 45 days after mailing, a 15% penalty will be added. If the final bill remains unpaid after 90 days from the date of mailing, the District may pursue all remedies available in law or equity for nonpayment of the final bill, including, but not limited to filing a claim or legal action, referring the unpaid amount to collections, sending the unpaid amount to be collected on the County tax roll, and/or placing a lien on the premises pursuant to Chapter 15.

If the customer later requests to resume water service at the property, the customer must submit a new application for service and pay all applicable fees, including all associated review costs, meter installation, and the current connection and capacity fee, as well as all delinquent fees and charges and all related penalties, prior to reinstatement of service.

5.05 Indemnification. As a condition of service, customers shall indemnify, defend, and hold harmless the District, its Board, officers, employees, and agents from any claims, liabilities, or damages arising out of or related to:

5.05.1 Customer-owned plumbing or facilities;

5.05.2 Customer operations, activities, or construction;

5.05.3 Failure to comply with District ordinances, rules, or regulations.

5.06 No Waiver of Rights. Nothing in this chapter shall be construed as a waiver of any immunity or limitation of liability available to the District under the California Government Code or other applicable state or federal laws.

Chapter 6: Changes in Customer Requirements

6.01 Notification. If a customer makes a material change in the size, character or extent of their facilities utilizing the water service, or if a change in operations results in a large or unusual increase in the use of water, the customer shall immediately notify the District office in writing and, if deemed necessary by the General Manager, amend their application for water service and bear all costs associated with changes to their account. The customer may also be required to have the District install a larger or smaller meter and shall bear all associated costs. (See Chapter 7).

6.02 New Application for Changed Connection.

6.02.1 Applicability.

This section applies to all water customers, domestic and raw water, requesting a change in their existing service connection, including changes in meter size, meter location, or the number of water service connections serving a premises.

6.02.2 Requirement for New Application.

Any person requesting a change in the size, location, or number of water service connections to a premises that has previously received domestic water service must submit a new application for water service. All conditions and requirements applicable to new service and new service connections, as outlined in Chapters 2 and 7 of this Ordinance, shall apply. All water service connections, as changed, must comply with the District's Cross-Connection Control requirements. (See Chapter 17, Cross-Connection Control.)

6.02.3 Administrative Review.

The applicant must pay a nonrefundable administrative review fee, in an amount established by the District, at the time they submit an application for review of an existing domestic or raw water service connection. Additional review fees may apply depending on the scope and complexity of the request.

6.02.4 Requests for Meter Size Review.

A customer may request a reassessment of their meter size subject to the following:

6.02.4.1 Timing of Review. A request for a meter size review will only be considered if the customer has received continuous water service at the existing meter location and the meter has been in service for at least two (2) years. Subsequent reviews may be requested no more than once every two (2) years.

6.02.4.2 Assessment Criteria. The District will assess the appropriate meter size based on:

- 6.02.4.2.1** Actual water usage over the preceding two-year period;
- 6.02.4.2.2** Applicable engineering and design standards;
- 6.02.4.2.3** Fire flow requirements, where applicable;
- 6.02.4.2.4** Any other operational considerations identified by the District Engineer.

6.02.4.3 Required Documentation. The property owner must provide all documentation required by the District Engineer. Failure to provide complete documentation may result in denial of the request.

6.02.4.4 Comprehensive Capacity and Engineering Assessment.

All requests under this section are subject to a comprehensive assessment by the District Engineer to determine whether:

- 6.02.4.4.1** Adequate system capacity exists;
- 6.02.4.4.2** The proposed change complies with District engineering standards and operational requirements;
- 6.02.4.4.3** The proposed change will not adversely affect service to neighboring customers or overall system performance.

The District reserves the right to deny any request that does not meet capacity, engineering, operational, or public-interest requirements.

6.02.4.5 Construction, Engineering, and Related Costs.

The applicant is responsible for all costs associated with the review and implementation of the requested change, including but not limited to:

- 6.02.4.5.1** Administrative and engineering review fees;
- 6.02.4.5.2** Staff time;
- 6.02.4.5.3** Materials and equipment;
- 6.02.4.5.4** Construction, relocation or abandonment of, or modifications to, District facilities; and
- 6.02.4.5.5** Any additional improvements required to serve the altered connection.

All costs must be paid in full before any new meter is installed or any modification to the existing service occurs.

6.02.4.6 Continued Monthly Billing.

Monthly billing for water service will continue throughout the review process and until all requirements, approvals, and payments are completed. Final billing will reflect charges through the date the change in service is completed.

6.02.4.7 Loss or Reduction of Capacity.

Any reduction in meter size or service capacity approved by the District will result in the property owner's/customer's permanent forfeiture of the difference in capacity at the time of payment for the smaller meter and/or service. Capacity fees previously paid shall not be refundable under any circumstances.

6.02.4.8 District Authority.

The General Manager is authorized to approve or deny requests for changes in water service connections based on capacity, engineering review, financial impact, operational considerations, and compliance with all applicable District ordinances, rules, and regulations.

6.02.4.9 Minimum Meter Size.

Each service connection will be charged, at minimum, the rates associated with the smallest standard meter size designated by District policy. All connections must comply with the District's Cross-Connection Control requirements. (See Chapter 17, Cross-Connection Control.)

Chapter 7: Standard Service Connections

- 7.01 Meter and Lateral Size and Location.** The District reserves the right to regulate and determine the size, type, quantity and location of all meters and service laterals and connections. Meters, and increases in the size of meters, are only allowed if distribution facilities are adequate to meet demand. Where deemed in the best interests of the District, at its discretion, the District may reduce the size, or change the location or the pressure of the service connection.
- 7.02 Single-Family Dwellings.** A single service connection may not serve more than one premise except as provided in Section 7.16. The standard water service connection is a one (1) inch I.P. size service pipe and a one(1) inch meter. The standard water service connection is the minimum service for a single-family dwelling. If a customer requests a larger connection, the District may install it if, in the District's opinion, it would not negatively impact the water service provided or available to other customers. The District may require calculations or verification of the proposed demand requirements. In addition, the District may request additional information in order to make a final determination, including but not limited to a list of number and types of fixtures within the residence.
- 7.03 Single-Family Dwelling Divided into Multiple Family Units and Accessory Dwelling Units.** Each Unit shall be subject to a service charge, billed in accordance with the District's established billing schedule (e.g., monthly), in an amount established by the District. The service charge shall include the UPUD Base Rate, the UWPA Fee, and any applicable ADU fee adopted by the District as part of its rate structure.
- 7.04 Accessory Dwelling Units and Junior Accessory Dwelling Units Defined.** (Per Gov Code §66313) An Accessory dwelling unit (ADU) means an attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated. A Junior accessory dwelling unit (JADU) means a unit that is no more than 500 square feet in size and contained entirely within a single-family residence. A JADU may include separate sanitation facilities, or may share sanitation facilities with the existing structure. (See Government Code for complete definitions.)
- 7.04.1 Additional Connection Fee Required.**
- (Per Gov. Code 66311.5) Newly constructed attached or detached ADU's will be charged a separate, reduced connection fee (Per Section 7.08) and a capacity fee unless exempt under state law (generally ADUs and JADUs within

the existing space of the primary residence or accessory structure). The connection and capacity fees will be due prior to initiation of water service. Each detached ADU will receive a separate meter and monthly service fee.

7.04.2 Accessory Dwelling Unit Monthly Service Fee A monthly service fee (additional minimum, including the UPUD base rate and UWPA Fee) will be charged for each ADU and JADU on a property.

7.05 Commercial Building. Each separate meter in a commercial building will pay a monthly service charge.

7.06 Other than Single-Family Dwellings. When a person requests a water service connection, or a change to a water-service connection for other than a single-family dwelling, the District Engineer will determine the minimum size of the service pipe and meter to be installed. The District Engineer's determination will be based on the applicable sections of the applicable plumbing and building codes, fire ordinances and requirements of the State Department of Public Health and other authority having jurisdiction.

7.07 Installation Authority. A water service installation shall only be made by the District or by a contractor acceptable to the District. The service will be installed at such location as the applicant requests, provided such requests are reasonable. The service will be installed from the District's water distribution main to the curb line or property line of the premises, but within the right-of-way or easement of the District.

7.08 Changes in Size. A change in the size of the meter, service pipe, or both, of an existing service connection shall be at the sole expense of the customer, as described in Chapter 6 of this Ordinance.

7.09 Relocation. When a customer requests relocation of an existing meter or service connection for the customer's convenience, the relocation is at the customer's expense on the basis of the actual costs of relocation, in addition to any fees or charges described in Chapter 6. When relocation of an existing meter or service connection is initiated by the District, the District will pay the relocation costs. The District may relocate a meter, at its discretion, when services are available in an alternate location, or to protect the water system or the District's interests.

When a customer's service line must be relocated at the request of the District, the customer is responsible for all costs associated with the relocation, including the installation and relocation of the service line.

7.10 Charges.

7.10.1 The District may from time to time fix the amount of the connection and capacity fees, turn on fee, monthly service charges, UWPA Fee, and meter installation fees.

7.10.2 Connection and capacity fees shall be paid to the District prior to, and as a condition of, connection of all new residential, commercial, raw and industrial water customers. Each commercial building, non-exempt ADU and any other additional connection on a premises under Section 7.14 will pay a separate connection fee. .

7.10.3 The charges for a new service connection or for a change in size or location of a meter or service line for a customer's benefit will be paid before work is started. Charges include all costs described in Section 6.02.05. All meters will be paid for by the applicant. The applicant will deposit with the District a fee before the application is reviewed by District staff,, to cover the cost of the water meter. Any associated additional unforeseen costs are the sole responsibility of, and will be charged to, the customer prior to starting the service.

7.10.4 Each unit in an apartment building, duplex, or multi-family building and each trailer in a trailer or mobile home park will pay the current applicable connection and capacity fees pursuant to the fee schedule for multi-family buildings adopted by the District.

7.10.5 A new customer connecting to a water main extension installed pursuant to Chapter 9 will pay the fee required by Chapter 9.

7.11 Right of title. The charges prescribed in this chapter are for connection and do not convey any right of title to the District's facilities, meter or water system. The customer owns the service pipes, valves, fittings and any other appurtenances on downstream of the meter, and is solely responsible for the installation, maintenance and repair of the same.

7.12 Nontransferable. The water service connection is for a water supply to the premises designated on the application, and it is not transferable to another premises. No customer may use water upon any tract of land not designated in his or her application for service. It is prohibited for any customer to serve water to a consumer whose water has been shut off for breach of any of the provisions of this Ordinance. If the District finds that a customer has violated this section, the District shall have the right to discontinue water service to the customer.

7.13 Refunds Not Allowed. If the water service is discontinued or the service line is abandoned, the customer does not have a right of refund of any connection fees.

7.14 Installation—Location. Each water service connection will be installed in a public street or in an easement or right of way under the control of the District.

7.14.1 Where the premises to be served fronts on more than one street, the General Manager may designate on which frontage the service connection will be installed.

7.14.2 A meter will be installed in the public sidewalk near the street curb or behind and adjacent to the public sidewalk within the public right of way.

7.14.3 If a meter cannot be installed in the public right of way, then prior to installation of new or relocated meters, the property owner will be required to execute an easement that provides access and utility rights to the District, and to provide documentation, such as a recorded easement and/or title report, demonstrating the property owner has the right to install private utility facilities on their side of the meter.

7.15 Obstructing Access to Meter. It is unlawful for a person to enclose, or to place on, about or around any meter, service line, or District facilities any material, object, or structure of any kind which may obstruct access to or use of such meter, service lines, or facilities in any manner. It is not permitted to create, allow, or maintain on the premises any condition, including animals, which restricts the District's access to its easement, meter, or facilities, or presents a danger to the safety of District employees, agents, officers, or contractors. In addition, any landscaping which restricts access or develops root systems that may damage equipment or infrastructure above or below the ground surface, and any permanent structures, are prohibited to be installed within a three foot radius of the meter box or service line. "Permanent structures" include but are not limited to retaining walls, footings, fences, posts, large decorative rock, buildings, and concrete slabs.

Any existing encroachment that inhibits the District's use of its meter, service lines, or other facilities, or its easement, as determined upon evaluation by the District, shall be removed at the expense of the property owner. If the owner or customer fails or refuses to remove an unlawful obstruction or safety hazard within a reasonable time after written request to do so, the General Manager will:

7.15.1 Order the discontinuance of water service to the premises until the obstruction or hazard is removed; and/or

7.15.2 Order the customer to pay an additional charge as a penalty for each meter reading attempt taken until the obstruction or hazard is removed.

7.15.3 If the areas around District meters or service lines are not maintained as required, the District may clear the area to bring it into compliance with this section upon 7 days' prior notice to the customer. In the event of an emergency or the need to immediately access the District water meter or

service, encroachments will be removed by the District at its discretion. The cost of clearing these encroachments will be billed to the customer on a time and material basis. Professional services may be required to remove encroachments, and the cost for the District to hire such professional services will be billed to the customer.

7.16 Separate Connection to Each Customer – Exemption Grounds.

- 7.16.1** Separate premises under single or multiple ownerships, control or management must receive water through separate service connections except as provided in this section. Service connections authorized by this section will be subject to all fees for a new service connection, per 7.10
- 7.16.2** Adjacent residential properties generally may be served from a common service pipe extending from the street main at a point opposite the common property corner to that corner, if a separate service line, branch pipe and meter are installed to serve each property.
- 7.16.3** In other situations, when the General Manager and District Engineer review and approve a request for a single service connection to provide service to more than one premises, their determination on the request will be guided by but will not be restricted to the following conditions:
- 7.16.3.1** Shared connections are disfavored because improperly designed or constructed shared connections present significant risks to District customers and the District's ability to provide water to those customers.
- 7.16.3.2** The service connection may not violate the regulations against reselling or redelivering water to other Customers.
- 7.16.3.3** The service connection may not hinder the ability to provide water service to other customers.
- 7.16.3.4** The service connection will not avoid main extension requirements.
- 7.16.3.5** The service connection will not be a means of avoiding meter service charges or obtaining an advantageous water price without an equivalent guaranteed minimum.
- 7.16.3.6** The service can only be accomplished by connecting to an existing service.
- 7.16.3.7** Where more than one Customer is supplied through a single service connection, the owner of the property or other person agreed upon by the recipients is liable for payment for all water furnished through the service connection, including additional monthly minimums for each additional property.

After review and approval by the General Manager, the request will be brought to the Board of Directors for final consideration and formal approval.

- 7.17 Customer Main Extensions.** A water service connection will not be installed unless a water main of adequate capacity extends in a public street or right of way across the entire frontage of the property to be served water. Wherever, as a prerequisite to service, a water main is extended, it will be installed in compliance with Chapter 9.
- 7.18 Access.** If the District determines that the meter, District service line, or other District facilities or improvement need to be repaired, replaced, or relocated, the customer shall permit the District reasonable access for the District to perform the work. Employees and agents of the District shall have unrestricted access at reasonable hours to all premises supplied by the District to inspect the water system, backflow prevention devices, meters, or other measuring apparatus for the purpose of protecting the District, its customers, and public health, ascertaining the existence of cross-connections or other structural or sanitary hazards, determining whether the rules and regulations of the District regarding the taking, use or waste of water are being observed, and enforcing such rules and regulations, as necessary. Access shall not be blocked for any reason, including, but not limited to, construction, landscaping, storage, or any other permanent alteration of the premises.

Chapter 8: Special Service Connections

8.01 Fire Service Connections.

- 8.01.1** Any sprinkler and fire service installation will be approved by the Fire Chief and by the Inspection Bureau of the Board of Fire Underwriters of the Pacific before water service is started. Any such installation will comply with all other applicable regulations issued by federal, state or county agencies. The fire service shall terminate at the property line, edge of District easement, or other point designated by the District, and the District's maintenance obligation ends at such termination point. The customer and/or property owner is solely responsible for installing, testing, operating and maintaining all sprinklers and fire service installations, including all required backflow prevention devices, on the premises, and ensuring their compliance with all applicable laws, rules and regulations.
- 8.01.2** The District shall have no responsibility for the proper functioning of the fire service or sprinkler system or for the availability of water from its mains for fire protection in the event of an emergency. The district shall incur no liability nor be subject to any damages resulting from a failure or malfunctioning of the fire service lateral, sprinklers or fire protection system, discontinuation of service per Chapters 2, 11 or 14, or from a lack of water in adequate quantity or pressure to make the fire service, sprinklers or fire protection system fully effective.
- 8.01.3** Each fire service will have a detector check valve of a pattern and design approved by the District.
- 8.01.4** Water furnished through a fire service may only be used for extinguishing fires or for authorized testing of the fire-fighting system on the premises served by the fire service. Unauthorized use of a fire service shall be grounds for discontinuance of service. If a Customer wishes to test their fire protection system, they must notify the District office at least two working days before making the test.
- 8.01.5** Connection fees for sprinkler systems will be determined on an individual basis, and will include a time and material charge. Refer to Chapter 17, Cross Connection.
- 8.01.6** A backflow prevention device is required for all sprinkler systems. All sprinkler systems and backflow prevention devices (if applicable) must be inspected by the District prior to receiving water service.

8.02 Temporary Connections - Permit. Whenever practical, all water furnished through a temporary service connection will be metered. A permit for a temporary service connection is valid for a period not to exceed sixty days after installation. The District may, at its discretion, extend the permit upon the customer's request. The temporary service will be discontinued and the connection dismantled or removed upon termination of the permit period or completion of use, as defined in the permit, whichever is earlier. All applicable District fees and charges will apply.

8.02.1 Temporary Connections – Deposit - Amount. The applicant must make a cash deposit with the District office before the District will issue a permit for temporary service connection. The cash deposit will equal the estimated costs of installing and removing the facilities necessary to provide the service, including the value of materials. If the applicant has not established credit with the District, they will also deposit in cash the cost of water estimated to be used during the entire period of service.

8.02.2 Temporary Connection – Service Charges. While the temporary meter is in service, service charges will be billed to the customer on a monthly basis. If the monthly billing remains unpaid past the due date, the temporary meter will be removed at the discretion of the district. Costs of removing or reinstalling the meter will be added to accrued charges and charged against the customer's deposit.

8.02.3 Temporary Connection – Deposit - Refund After discontinuance of the temporary service and when the connection is dismantled, the District will refund any remaining deposit funds without interest, less unpaid charges, and the value of materials used (Less salvage value) and materials lost or damaged beyond repair.

8.03 Construction Connection. When it is impractical to supply water for street or building construction through a standard metered service, the contractor or applicant may draw water from a fire hydrant designated by the General Manager, following the submission and approval of an application to the General Manager and payment of any associated fees.

The application for hydrant use must include:

8.03.1 Estimated daily water usage;

8.03.2 Number of tank trucks;

8.03.3 Gallonage of each truck;

8.03.4 Duration of the requested service; and

8.03.5 Name(s) and contact information of the applicant and any contractor(s), and the state license number of any contractor.

The contractor or applicant must submit weekly statements showing the number of loads of water drawn during the preceding week.

Unless the applicant has established credit with the District, a deposit equal to the estimated thirty-day water usage will be required prior to hydrant use.

The applicant is responsible for all water drawn from the hydrant and for reimbursing the District for any damages to District property, including repair or replacement costs, resulting from the use of the hydrant or associated equipment.

Chapter 9: Water System Connections

9.01 Generally. Private parties with the approval of the Board of Directors may extend water mains. All work will be in accordance with District standards and will be approved by the District Engineer and General Manager. The District will accept, maintain, and operate those extensions constructed to its standards and any additional terms and conditions imposed pursuant to this Chapter and the applicable facilities extension agreement. The location of all extensions and service connections shall be at the discretion of the District.

9.02 Application Procedure. Any person who desires to build an extension to the water system including main line and service line extensions may do so at their own expense upon approval of the Board of Directors. Any person seeking an extension must take the following steps:

9.02.1 Applicant will provide the District with a preliminary map and legal description of the property to be served with an inspection fee.

9.02.2 Applicant and the District will enter into a facilities extension agreement that sets forth the terms and conditions under which the District will approve the extension. The agreement will include terms requiring that the applicant will pay a deposit and will be responsible for all of the District's costs for entering into and implementing the agreement.

9.02.3 The agreement required by section 9.02.2 will require, at a minimum, that the following items will be completed as a condition of completing the design of the extension and approval for construction:

9.02.3.1 The final project map is approved by the District Engineer;

9.02.3.2 Applicant obtains and/or conveys to District all necessary easements or rights of way;

9.02.3.3 District's approval of contractor;

9.02.3.4 Performance bond by developer or contractor or both, in the form and amount specified by the District Engineer;

9.02.3.5 Certificate of Liability and Property Damage Insurance of the type and in the amount specified by the District Engineer, and showing an endorsement which includes the District and the District's Engineer as Co-insured;

9.02.3.6 Approval from all necessary regulatory agencies and the applicable land use jurisdiction;

9.02.3.7 Property boundary stakes or monuments, both to be in place before construction staking;

9.02.3.8 The District Engineer must be given at least five business day's notice before start of construction;

9.02.3.9 A Maintenance Bond and deposit is required along with items from the District's current Improvement Standard's booklet;

9.02.3.10 District representatives shall have access to all water main extension work for detailed inspection and testing.

9.03 Minimum Size of Water Mains. The inside diameter of every water main installed pursuant to this Chapter will be at least six inches; unless otherwise determined by the District Engineer.

9.04 Minimum Size of Service Lines. The inside diameter of every service line installed will be determined by the District Engineer.

9.05 Fire Hydrant Installation - Charges. The District Engineer will provide specifications for the installation of fire hydrants. The cost of the hydrants is a part of the water main extension and will be paid for by the applicant.

9.06 Standard Specifications. The District will prepare standard specifications for the construction of water system facilities, as may be amended from time to time. A copy of the standard specifications will be filed with the District and, after the approval and adoption by resolution of the Board of Directors, will govern all extensions, additions, and revisions to the water distribution system.

Chapter 10: Water Meters

10.01 Sealing Required. All water meters will be sealed at the time of installation, and no seal will be altered or broken except by an authorized employee of the District.

10.02 Maintenance.

10.02.1 The District will maintain, repair and replace water meters.

10.02.2 If a replacement, repair or adjustment of a meter is necessary due to the act, neglect or carelessness of the owner or customer, the customer shall be responsible for, and the District shall charge them, the full expense to the District for such replacement, repair or adjustment.

10.03 Testing – Deposit - Adjustment of Charges.

10.03.1 Each customer may request the District to make a test of the meter serving their premises for accuracy. The District will arrange for the test within a reasonable time after receipt of the request and will notify the customer twenty-four hours before the time set for the test. When the customer makes the request, they must deposit an amount to be set by the District; the test will not be scheduled or conducted unless such deposit is received.

10.03.2 If the meter test shows that the meter is:

10.03.2.1 Registering not more than two percent more or less than the actual quantity of water passing through it, the District will keep the deposit;

10.03.2.2 Registering more than two percent more than the actual quantity of water passing through it, an accurate meter will be installed, the deposit refunded, and the water bills adjusted to correct the error discovered through a billing credit;

10.03.2.3 Registering more than two percent less than the actual quantity of water passing through it, an accurate meter will be installed, the deposit refunded and the customer billed from the amount of undercharge;

10.03.2.4 The adjustment for overcharge or undercharge will be for a period of six months or the period during which the meter was measuring service to the customer, whichever is shorter.

10.04 Erroneous Meters. When a meter does not register correctly, the District will charge the customer a minimum service charge or an estimated amount of water used, based upon either the customer's previous consumption during the same billing month of the prior year if conditions are the same, or upon a reasonable comparison with use of other customers during the same period receiving the same class of

service under similar circumstances. Alternatively, for new customers and accounts with zero usage during the same period/same period one year earlier, the District may estimate the amount of water used based on the usage from the previous billing period. Any bills which are estimated must so indicate when sent to the customer.

10.05 Inaccessible Meters. If the meter is inaccessible and cannot be read, the District will render an estimated bill based on the usage from the same period one year earlier. For new customers and accounts with zero usage during the same period one year earlier, usage from the previous billing period will be used to estimate the bill. Any bills which are estimated must so indicate when they are sent to the customers.

10.05.1 If the meter is inaccessible in subsequent billing periods, the District will make a good faith effort to contact the customer. If the issue remains unresolved, the amount of water used shall be estimated by the District by comparing it to the same billing period in previous years.

10.05.2 The customer's account will be reconciled once the district can read the meter again. The first bill after an actual read will reflect an adjustment to true-up the account (either an increase if estimates were below usage or decrease if estimates exceeded usage).

10.06 Connecting Meter to Test Pipes. When a person connecting service pipes to the customer side of the meter uses the water for testing pipes, they must shut the water off from unoccupied premises before leaving and will leave the meter box properly installed to full depth in the ground or sidewalk, with the cover securely fastened in place.

10.07 Replacement of Aging Meters. If District staff determine that a water meter has reached the end of its useful life, the District will replace the meter at no cost to the property owner. As part of the replacement process, the District may conduct a two-year usage review to confirm the appropriate meter size. Any upgrades or infrastructure replacements, relocations or modifications required due to meter resizing will be billed to the customer.

Chapter 11: Customer Responsibilities

11.01 Installation and Maintenance of Equipment.

11.01.1 The customer will, at their own risk and expense, furnish, install and keep in good and safe condition all equipment required for receiving, controlling, applying and utilizing water on the premises. The District is not responsible for loss or damage caused by the improper installation of water equipment, or the negligence, want of proper care or wrongful act of the customer or of their tenant, agent, employee, contractor, licensee, invitee or permittee in installing, maintaining, using, operating, or interfering with the equipment.

11.01.2 The customer is responsible for determining the pressure operation limits of their fixtures and equipment and properly protecting the fixtures and equipment from any variance of water delivery pressures, including periods when no water is available. If the customer fails to install a control valve or check valve as required by the District, the District will install the valve at the customer's sole expense.

11.01.3 The District is not responsible for water loss beyond the meter.

11.02 Control Valve Installation. The owner of a premises to be served will install a control valve on the house piping between the water meter and the first fixture outlet on the premises. When an old premise to which a service connection was previously installed is altered, the owner will install a control valve if one is not provided. The customer will not operate the curb stop in the meter box.

11.03 Check Valve Installation. The owner of the premises to be served will install a suitable check valve, and pressure reducer on the house lead pipe as close to the meter location as practical. When old premises to which a service connection was previously installed are altered, the owner will install a check valve if a check valve is not already provided. Single check valves are for the purpose of preventing the draining of the customer's piping and plumbing in case water has to be shut off temporarily and will not be considered adequate if a backflow protection device is required.

11.04 Pressure Relief Valve on Water Heater Required. Each water heater will be equipped with a suitable pressure relief valve of a type and nature required by the Uniform Plumbing and Building Codes.

11.05 Backflow Prevention Devices - Required When. Pursuant to State law and regulations, a backflow device must be installed for any new connection to the District's domestic and raw water systems, and for current connections, when required by Chapter 17, as well as in the following situations:

- 11.05.1** When the District supplies the property with raw water;
- 11.05.2** When steam is generated in boilers other than water heaters designed for domestic use.
- 11.05.3** When the premises are also supplied with water from a well, spring, reservoir or other unapproved source;
- 11.05.4** When liquids other than water are carried under pressure through pipes;
- 11.05.5** pool is located on the property.
- 11.05.6** When booster pumps are installed on the customer's side of the meter;
- 11.05.7** When other special circumstances create the danger of pollution to the water system or a portion of the water system. A system of check valves or other backflow prevention devices will be installed at the customer's expense. The installation will be approved by the District both as to materials and devices used and design of the installation, and will conform to Chapter 17. The District will not install a service connection or turn water on until the installation is made.

11.06 Backflow Prevention Devices—Failure to Install-District Action. Where any of the conditions listed in Section 11.05 exist on a premises where the District provides service and the installed backflow protection device required by that Section or Chapter 17 does not exist or is defective, the District may discontinue water service immediately and will not restore it until the installation is made or the defect is corrected to the satisfaction of the District. The customer will make the installation or the correction at their sole expense.

Chapter 12: Fire Hydrants

- 12.01 Use Restricted.** Fire hydrants are provided for the sole purpose of extinguishing fires and may not be opened and used by any person other by the District or fire protection agency having jurisdiction without the express written consent of the District.
- 12.02 Opening Method.** A person authorized to open fire hydrants will use an approved spanner wrench and will replace the caps on the outlets when not in use.
- 12.03 Temporary Service Supply Permit.** If temporary service is to be supplied through a fire hydrant, the customer must first obtain a permit for the temporary service from the District office. The permit will be exhibited at the work site for the duration of the permit.
- 12.04 Removal or Relocation Procedure.** Any person who desires the removal or relocation of a fire hydrant will make a request in writing to the District. If the Fire Chief approves the proposed removal or relocation, the District will prepare an estimate of the cost of the proposed work. The person requesting the removal or relocation will first deposit an amount equal to the estimated cost with the District office before the District starts work. Upon completion of the work, the actual cost will be compiled and any difference between the actual and estimated cost will be billed or refunded for the applicant's account.

Chapter 13: Displacement, Use or Sale of Water Service

13.01 Displacement of Facilities for Construction Work. Each person engaged in construction, street, or excavation work shall provide the District at least ten (10) business days' written notice prior to removing, relocating, or protecting any District facilities that may be affected. Failure to provide notice or exercise due care in performing the work shall result in full liability for any damages to District facilities. All related costs shall be borne by the person or entity performing the work unless otherwise specified in a written agreement or public contract. All costs related to the work, including encroachment permits and all other applicable fees, will be borne by the person or entity performing the work, unless otherwise expressly provided in a written agreement or public contract approved by the District. Each person performing such work shall pay the District a fee in an amount sufficient to cover all District costs for review and approval of all plans and specifications and inspection of all work pursuant to this Section 13.01.

No work may commence until all plans and specifications have been submitted to and approved by the District. The District will have the right to inspect the work at any time during construction and upon completion to ensure compliance with all District specifications, standards, and requirements.

13.02 Tapping or Connecting to Main. No person except an employee of the District, or a licensed or certified contractor under supervision and approval of the District will tap, connect to, or interfere with any District main, service line, valve, or appurtenance. Unauthorized connections are prohibited and subject to penalties, disconnection, and recovery of costs pursuant to Chapters 2 and/or 14 .

13.03 Selling Water. It is unlawful for a person to sell water without first receiving permission to do so from the Board of Directors. It is unlawful for any person to sell, deliver, or otherwise distribute District water to others without the express written authorization of the Board of Directors.

13.04 Reselling or Re-Delivering Water. The District shall not supply water to any customer who intends to or does resell or redistribute District water without the District's written consent. It is unlawful for any person receiving District water to deliver such water to any premises other than those approved in the service application. Violation of this section may result in termination of service and cost recovery per District policy and law.

Chapter 14: Shut-off or Fluctuation of Water Service

- 14.01 Shut-off Without Notification.** The District may temporarily interrupt or discontinue water service without prior notice due to fire, emergency maintenance or repair, contamination, emergencies, power outages, natural disasters, or other circumstances outside the District's control, compliance with State mandates, drought response, including compliance with the District's WSCP, the reasons described in Section 5.01, or for the protection of public health, safety, and property. Otherwise, the District will make reasonable efforts to minimize service interruptions and, when practicable, the District shall provide advance notification through available communication methods of any interruption of water service.
- 14.02 Available Volume and Pressure.** The District does not guarantee continuous or uninterrupted water service. The District is not obligated to deliver to the premises of any of its customers any particular volume of water or water pressure. It is the customer's responsibility to install and pay for appropriate pressure boosters approved by the District in the event such customer has inadequate pressure. If a booster pump is installed, a backflow prevention device is required and must be approved by the District. It is required that the District Engineer reviews the backflow device and booster pump is prior to receiving service. The District reserves the right to decline a request for water service at a location with less than 20 PSI.
- 14.03 Fire Chief Authority.** During any fire, alarm of fire, or emergency, the Fire Chief or Incident Commander may request adjustments to valves, gates, or pressure levels to maximize fire-flow availability. Such adjustments shall only be performed by authorized District personnel under the direction of the General Manager or designee. Once the emergency has subsided, normal service shall be restored as soon as practical.
- 14.04 Service Discontinuance for Violation.** Every customer receiving District water service is deemed to have consented to all terms and conditions of this Ordinance. The District may discontinue water service to any premises for violation of this Ordinance or District rules, regulations, or policies, including but not limited to non-payment, tampering, failure to maintain backflow prevention, waste of water, or refusal to permit access to District facilities. The District may discontinue service immediately without prior notice anytime a violation or other condition exists which poses an immediate health risk to the public water system. For other violations, the District shall provide written notice to correct the violation(s) five (5) business days prior to termination. However, failure of the customer to receive such notice shall not affect the right of the District to terminate service. If the issue remains unresolved after the notice period, the District shall terminate water service and lock the service valve. Water service shall remain inactive and shall not be restored until the District has verified and approved that all violations or causes for

termination have been corrected and the customer has paid all outstanding fees, charges and penalties. The District will require a fee to discontinue and restore service per the District's adopted fee schedule, as may be amended from time to time only after correction of the violation. Notwithstanding the above, discontinuation of service for nonpayment shall be subject to the procedures described in Chapter 15.

Chapter 15: Billing

- 15.01 Periods.** Bills for metered service shall be issued monthly and are due by the last day of the month. Meters will be read at regular intervals for preparation of bills, with special readings for new or terminated service.
- 15.02 Separate Bill for Each Meter.** Each meter shall be billed separately. Readings will not be combined except when multiple meters are installed by the District for operational purposes.
- 15.03 Adjustment – Unmetered Use.** If unmetered use is discovered, the District shall estimate usage based on historical data or consumption by other customers during the same period receiving the same class of service under similar circumstances and issue a corrected bill. The District may install a meter at the customer's expense.
- 15.04 Service for Less Than Thirty Days.** For service periods of less than thirty (30) days, charges shall be calculated based solely on actual water consumption. No minimum charge applies.
- 15.05 Owner Responsibility.** The property owner and customer of record are jointly and severally responsible for all charges related to service at the property. Bills shall be mailed to the property owner's address of record.
- 15.06 Payment.** Bills are due by the last day of the month in which they are issued. Payments may be made at the District office, drop box, or electronically as authorized by the District.
- 15.07 Delinquent Accounts - Service Discontinuance - When.** Bills unpaid after the last day of the month in which they are issued shall be considered delinquent. A late fee equal to the greater of twenty-five dollars (\$25.00) or ten percent (10%) of the unpaid balance shall be added to the account.
- 15.08 Delinquent Accounts – Service Discontinuance - Several Locations.** The District may discontinue service at multiple properties held under the same ownership if any account is delinquent, consistent with due process requirements.
- 15.09 Delinquent Charges Constituting Lien on Real Property.** Unpaid fees, charges, penalties, and interest constitute a lien on the property served pursuant to Public Resources Code § 16472.1. The lien attaches upon recordation of a certificate by the District with the County Recorder and remains until satisfied. The District shall release the lien within thirty (30) days of payment or escrow demand, as further described in Section 16472.1. Alternatively, the District may collect any unpaid fees, charges, penalties and interest required by this Ordinance on the tax roll in the same

manner and together with the general taxes of the District pursuant to Section 16469 et seq. of the Public Utilities Code.

- 15.10 Delinquent Accounts - Re-Continuance of Service - Requirements.** Water Service shall not be restored until all delinquent balances, fees, and deposits are paid. The District may require an increased deposit or payment plan as a condition of reconnection.
- 15.11 Delinquent Accounts - Re-Continuance of Service - Unauthorized.** Unauthorized reconnection to the water system after shutoff is prohibited. In such an event, the District may remove the meter and permanently remove the service, and assess additional penalties and fees prior to reinstallation.
- 15.12 Disputed Accounts.** Customers wishing to dispute a bill must notify the District within fifteen (15) days of receipt of the bill. The dispute must be in writing and delivered to the District office. For purposes of this section, a bill is deemed received 5 days after mailing. The General Manager or their designee shall investigate and respond in writing within ten (10) business days of receipt of the dispute. The decision of the General Manager or their designee shall be final.
- 15.13 Adjustment – Leakage or Loss.** The District is under no obligation to adjust a bill for water loss or leakage. Customers are solely responsible for maintaining private plumbing systems, monitoring water use, determining the cause of any continuous flow, and promptly repairing leaks. The District assumes no responsibility or liability for contacting or notifying customers or any third party of any abnormalities or variations in a customer's water usage which may indicate a water leak at his or her property.

Customers remain responsible for all water use at their property and for the payment of fees for all water used, including water used before and after receiving any notification of continuous flow. Customers are solely responsible for water leakage costs or other damages related thereto regardless of whether the District has collected data that there has been an increase in the amount of water used for a property or there is continuous flow present on the property.

In exceptional circumstances, and at the sole discretion of the General Manager, the District may consider an adjustment for a verified, non-negligent, concealed underground leak that was repaired within thirty (30) days of discovery. Any such adjustment shall not exceed a one-time credit, every five years, limited to the wholesale cost of water lost during one months' billing cycle, and shall require written proof of timely repair. No adjustments will be granted for irrigation, plumbing fixture failure, negligent maintenance, or failure to monitor consumption. The General Manager may refer requests for adjustments to the Board for consideration and final determination.

Chapter 16: Rates

16.01 Authority, Purpose and Establishment of Rates.

The District's water rates and charges are established in full compliance with Proposition 218, a state constitutional amendment that ensures fairness and transparency in how public agencies set property-related fees and charges (Article XIII D of the California Constitution). Under Proposition 218, the District must notify property owners and customers of any proposed rate changes, hold a public hearing, and give all affected property owners the right to protest.

Rates and charges must be based on the actual cost of providing water service, and no customer shall be charged more than their proportional share of those costs. All revenues collected are used solely to operate, maintain, and improve the District's water system and cannot be used for any other purpose.

The District shall establish water service rates and charges by Resolution duly adopted by the Board of Directors.

All rates and charges shall be supported by a cost-of-service analysis and adopted following the notice, hearing, and protest procedures required by Proposition 218.

The District shall maintain public records supporting all rates and charges, including cost-of-service studies, budgets, and adopted Resolutions.

All changes to water rates and charges shall be preceded by public notice and a hearing in accordance with Proposition 218 procedures.

A current schedule of rates and charges shall be available to the public at the District office and on the District's website.

16.02 Scheduled Rates – Governmental Agencies and Bulk Users. The District may establish water service rates for governmental agencies and bulk water users that differ from the standard customer rate schedule. Such rates shall be set by written agreement, approved by the District's Board of Directors, and adopted by resolution.

The terms and conditions contained in any duly approved agreement shall take precedence over standard rates established elsewhere in this chapter, provided the agreement complies with all applicable provisions of California law, including Proposition 218 requirements governing cost-of-service and rate fairness.

16.03 Outside District Charge – Applicability.

Customers located outside the District boundaries shall be charged an additional fee to reflect the absence of property tax contributions and any additional costs of providing water service to such customers. The amount of this outside-district charge shall be determined by the District Board of Directors, by resolution, based on cost-of-service principles consistent with Proposition 218 and applicable California law.

All requests for permanent water service to property located outside the boundaries of the District shall be referred to the Board for approval. Factors to be considered shall include, but not be limited to, the availability of surplus water supply, location of water distribution and transmission facilities, any pending boundary changes, and the WSCP stage currently in effect. Final approval may also be required the Local Agency Formation Commission (LAFCO). If the property is located within the boundaries of another water agency, the property owner must obtain approval from that agency, to be served by the District

Chapter 17: Cross Connections

17.01 Purpose. The purpose of this Chapter is:

17.01.1 To protect the public potable water supply of the District from the possibility of contamination or pollution by isolating within the customer's internal distribution system(s) or the customer's private water system(s) such contaminants or pollutants which could backflow into the public water system; and,

17.01.2 To promote the elimination or control of actual or potential cross connections between the customer's in-plant potable water system(s) and non-potable water system(s), plumbing fixtures and industrial piping systems; and,

17.01.3 To provide for the maintenance of a continuing Program of Cross Connection Control which will systematically and effectively prevent the contamination or pollution of the public water system.

17.02 Responsibility. The District is responsible for the protection of the public potable water system from contamination or pollution due to the backflow of contaminants or pollutants through the water service connection. If, in the judgement of the District, an approved backflow prevention assembly is required at the customer's water service connection, or within the customer's private water system for the safety of the public water system pursuant to the District's rules and regulations and applicable State law and regulations, including the State Water Resources Control Broad Cross-Connection Control Policy Manual, as amended from time to time, the District shall give notice in writing to said customer to install an approved backflow prevention assembly(ies) at specific location(s) on customer's premises. The customer shall immediately install such an approved assembly(s) at the customer's own expense. The District will not provide water service to a water user with a newly installed backflow prevention assembly until the District receives passing field tests. The water user is responsible for providing the District with passing field tests to receive service. Failure, refusal or inability on the part of the customer to install, test and maintain said assembly(ies) shall constitute grounds for discontinuing water service to the premises until such requirements have been satisfactorily met.

17.03 Water system.

17.03.1 The water system shall be considered as made up of two parts: The Utility System and the Customer System.

17.03.2 Utility System shall consist of the source facilities and the distribution system and shall include all those facilities of the water system under the complete control of the utility, up to the point where the Customer System begins.

17.03.2.1 The source facilities shall include all components of the facilities utilized in the production, treatment, storage and delivery of water to the distribution system.

17.03.2.2 The distribution system shall include the network of conduits used for the delivery of water from the source facilities to the Customer System.

17.03.2.3 The Customer System shall include those parts of the facilities beyond the termination of the Utility System which are utilized in conveying domestic water from the point of connection with the Utility System to points of use on the customer's premises.

17.03.2.4 Backflow prevention assemblies may cause a reduction in downstream pressure. The District assumes no responsibility or liability for any issues that may arise as a result of this pressure loss.

17.04 Policy.

17.04.1 No water service connection to any premises shall be installed or maintained unless the public water system is protected as required by State laws and regulations, including the State Water Resources Control Board ("SWRCB") Cross-Connection Control Policy Handbook ("CCCPH"), this Ordinance, and the District's cross-connection control plan ("Plan"). Cross-connection regulations issued by the California Department of Public Health as contained within the CCCPH are hereby incorporated by reference into this Ordinance. Any future amendment of the State regulations, including the CCCPH, shall be deemed included as part of the Ordinance.

17.04.2 The Customer System shall be open for inspection at all reasonable times to authorized District representatives to determine whether cross-connections or other structural or sanitary hazards, including violations of these regulations, exist. When such a condition becomes known, the District shall deny or immediately discontinue water service to the premises by providing for a physical break in the service line until the customer has corrected the condition(s) in conformance with this Ordinance, the Plan, and the State and County statutes relating to plumbing and water supplies and the regulations adopted pursuant thereto.

17.04.3 An approved backflow prevention assembly shall be installed on each service line to a Customer's System at or near the property line or immediately inside the building being served; but, in all cases, before the first branch line leading off the service line wherever the following conditions exist:

17.04.3.1 In the case of premises having an auxiliary water supply which is not or may not be of safe bacteriological or chemical quality and which is not acceptable as an additional source by the District, the

public water system shall be protected against backflow from the premises by installing an approved backflow assembly in the service line appropriate to the degree of hazard.

17.04.3.2 In the case of premises on which any industrial fluids or any other objectionable substances are handled in such a fashion as to create an actual or potential hazard to the public water system, the public system shall be protected against backflow from the premises by installing an approved backflow prevention assembly in the service line appropriate to the degree of hazard. This shall include the handling of process waters and waters originating from the Utility System which have been subject to deterioration in quality.

17.04.3.3 In the case of premises having (1) internal cross connection(s) that cannot be permanently corrected or controlled, or (2) intricate plumbing and piping arrangements or where entry to all portions of the premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not dangerous cross-connections exist, the public water system shall be protected against backflow from the premises by installing an approved backflow prevention assembly in the service line.

17.04.3.4 Any new water connection to the District's Domestic or Raw Water Systems.

17.04.4 The District has sole discretion to assess the proper backflow protection required for a given premises or condition on the premises, and the type of protective assembly necessary under Subsections iii) (1), (2) and (3), shall depend upon the degree of hazard which exists as follows:

17.04.4.1 In the case of any premises where there is an auxiliary water supply as stated in Subsection iii) (1) of this section and it is not subject to any of the following rules in Subsections iv)(2)-6), the public water system shall be protected by an approved airgap separation or an approved reduced pressure principle backflow prevention assembly.

17.04.4.2 In the case of any premises where there is water or substance that would be objectionable but not hazardous to health, if introduced into the public water system, the public water system shall be protected by an approved double check valve assembly.

17.04.4.3 In the case of any premises where there is any material dangerous to health which is handled in such a fashion as to create an actual or potential hazard to the public water system, the public water system shall be protected by an approved air-gap separation or an approved reduced pressure principle backflow prevention assembly. Examples

of premises where these conditions will exist include sewage pumping stations, chemical manufacturing plants, hospitals, mortuaries and plating plants. Further examples can be found in the adopted CCCPH.

17.04.4.4 In the case of any premises where there is sewage treatment plant, an approved air-gap separation will be mandatory, in accordance with the adopted CCCPH.

17.04.4.5 In the case of any premises where there are "uncontrolled" cross-connections, either actual or potential, the public water system shall be protected by an approved air-gap separation or an approved reduced pressure principle backflow prevention assembly at the service connection.

17.04.4.6 In the case of any premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete in-plant cross-connection survey, the public water system shall be protected against backflow from the premises by either an approved air-gap separation or an approved reduced pressure principle backflow prevention assembly on each service to the premises.

17.04.5 Any backflow prevention assembly required herein shall be a model and size approved by the District. The term "Approved Backflow Prevention Assembly" shall mean an assembly that has been manufactured in full conformance with the standards established by the American Water Works Association (AWWA) entitled:

17.04.5.1 AWWA C506-84 Standards for Reduced Pressure Principle and Double Check Valve Backflow Prevention Devices; and has met completely the laboratory and field performance specifications of the Foundation for Cross-Connection Control and Hydraulic Research of the University of Southern California (FCCC&HR) established by:

17.04.5.2 Specifications of Backflow Prevention Assemblies – Chapter 10 of the MANUAL OF CROSS-CONNECTION CONTROL.

Said AWWA and FCCC&HR standards and specifications have been adopted by the District. Final approval shall be evidenced by a "Certificate of Approval" issued by an approved testing laboratory certifying full compliance with the said AWWA standards and FCCC&HR specifications.

The FCCC&HR testing laboratory has been qualified by the District to test and certify backflow preventers. Testing laboratories other than the FCCC&HR will be added to an approved list as they are qualified by the District.

Backflow prevention assemblies which may be subjected to backpressure or back-siphonage that have been fully tested and have been granted a

Certificate of Approval by said qualified laboratory and are listed on the laboratory's current list of "Approved Back flow Prevention Assemblies" may be used without further test or qualification

17.04.6 It will be the duty of the customer-user at any premises where backflow prevention assemblies are installed to have certified inspections and operational tests made immediately after installation, relocation, or repair of a backflow prevention assembly and at least once every 12- months. In those instances where the District deems the hazard to be great enough, certified inspections may be required at more frequent intervals. Those inspections and tests shall be conducted at the sole expense of the customer-user and shall be performed by District personnel or by a certified tester approved by the District. Inspections and tests performed by District personnel will be charged to the customer at rates established by District. It shall be the duty of District to see that these tests are made in a timely manner when performed by District personnel. The customer-user shall notify the District in advance when the tests are to be undertaken so that a District representative may witness the tests if so desired. Backflow prevention assemblies shall be repaired, overhauled or replaced at the expense of the customer-user whenever said assemblies fail a test or are found to be defective within 30 days of being notified of the failure or defect. Records of such tests, repairs and overhaul shall be forwarded to the District within 14 days of the test, repair, or overhaul, and otherwise kept and made available to District.

17.04.7 All presently installed backflow prevention assemblies which do not meet the requirements of this section but were approved devices for the purposes described herein at the time of installation and which have been properly maintained, shall be accepted until such time that they can no longer be maintained and tested in accordance with District requirements. Whenever an existing assembly is moved from its present location, can no longer be tested, or requires more than minimum maintenance, or when the District finds that the maintenance constitutes a hazard to health or safety, the assembly shall be replaced by an approved backflow prevention assembly meeting the requirements of this Ordinance.

17.05 Administration. The Operations Manager will administer the cross- connection control program. The District will establish and maintain a list of approved backflow prevention assembly testers. The District will conduct necessary surveys of water user premises to evaluate the degree of potential health hazards. The District will notify the user when an assembly needs to be tested. The notice will include the required completion date for the test, which shall be 180-days from the date of the notice for annual testing.

17.06 Water Service Termination. When District encounters water uses that represent a clear and immediate hazard to the potable water supply that cannot be immediately abated, the procedure for terminating water service will be instituted. Conditions or water uses that create a basis for water service termination will include, but are not limited to, the following:

17.06.1 Refusal to install, maintain or test a backflow prevention assembly, or to repair or replace a faulty backflow prevention assembly.

17.06.2 Direct or indirect connection between the public water system and a sewer line.

17.06.3 Unprotected direct or indirect connection between the public water system and a system or equipment containing contaminants.

17.06.4 Bypassing or removal of a backflow prevention assembly.

17.06.5 Unprotected cross-connection exists on the premises.

17.06.6 Customer's violation of this Ordinance or the Plan.

17.07 Notification, Termination & Restoration of Service. The District may terminate water service for violations of this Chapter, and restore service after termination, pursuant to Section 14.04 of this Ordinance.

Chapter 18: Raw Water System

- 18.01 Purpose.** The purpose of this chapter is to set forth guidelines for raw water users.
- 18.02 Annual Evaluation.** District will conduct an annual evaluation of raw water services. This evaluation will determine if water is being used for the agricultural or fire flow purposes for which it is intended. If not, the District reserves the right to terminate service.
- 18.03 Booster Pumps Prohibited.** District prohibits future booster pumps on irrigation systems. Those pumps already installed will be evaluated on a regular basis. District will require existing booster pump systems found to be affecting the District system and other irrigation users to be discontinued.
- 18.04 Sale of Property with Existing Irrigation Meter.** In the event that a parcel with an existing irrigation meter is sold, the new owner must submit a request, in writing, for the transfer of the meter to the General Manager and District Engineer. The irrigation meter does not automatically transfer with the sale of the parcel, and must be approved after review from the District Engineer and approval from the General Manager. The General Manager has discretion to refer such requests to the Board for final consideration of approval.

Chapter 19: Effective Ordinance Date

19.01 Effective Date. This Water System Ordinance will be amended and will supersede all previous Ordinances and will take effect thirty (30) days from the date of the adoption of Ordinance No. 2026-01.